



City of San Juan Bautista

The “City of History”

www.san-juan-bautista.ca.us

**CITY COUNCIL
REGULAR MEETING
TUESDAY, AUGUST 15, 2023, 5:00 P.M.**

HYBRID MEETING

City Hall, Council Chambers
311 Second Street, San Juan Bautista, California

AGENDA

ZOOM WEBINAR PARTICIPATION

The meeting can also be accessed by the public in the following methods: Through Zoom (<https://zoom.us/join>) per the instruction stated below, and on Facebook.

Please note: If all Council Members are present in person, public participation by Zoom or viewing on Facebook is for convenience only and is not required by law. If the Zoom or Facebook feed is lost for any reason the meeting may be paused while a fix is attempted but the meeting may continue at the discretion of the presiding officer.

JOIN ZOOM WEBINAR TO PARTICIPATE LIVE

<https://us02web.zoom.us/j/88373320235>

To participate telephonically:
call 1 (669) 900-6833
Webinar ID: 883 7332 0235

1. CALL TO ORDER

- A. Pledge of Allegiance
- B. Roll Call

2. CLOSED SESSION – 5:00 P.M. – 6:00 P.M.

Receive public communications from the audience on Closed session items. The City Council will recess to closed session pursuant to:

- a. Public Employee Performance Evaluation** – California Government Code §54957(b)(1)) - the City Manager.
- b. Conference With Legal Counsel** - Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section §54956.9 - One (1) potential case

3. PRESENTATIONS

- A. July 4, 2023 Fireworks Compliance De-Briefing Fire District Feasibility Study

4. PUBLIC COMMENT RESTRICTION

Public comments are restricted to items on the special meeting agenda pursuant to California Government Code section § 54954.3(b). Public comments generally are limited to three (3) minutes per speaker; the Mayor may further limit the time for public comments depending on the agenda schedule.

5. CONSENT

All matters listed under the San Juan Bautista City Council Consent Agenda may be enacted by one motion unless a member of the City Council or the public requests discussion or a separate vote.

- A. Approve the Affidavit of Posting Agenda.
- B. Waive the Reading of Ordinances and Resolutions on the Agenda Beyond the Title.
- C. Approve a **RESOLUTION** Accepting a Grant in the amount of \$6,322 from the California State Library to Purchase Books via the Zip Book Program and authorize the City Manager to execute the Grant acceptance.
- D. Approve a **RESOLUTION** Applying a 4% Cost of Living Allowance (“COLA”) to City Salaries for Fiscal Year 2023/24.
- E. Approve a **RESOLUTION** Authorizing Closure of Streets for Certain Special Events in 2023.
- F. Approve the Minutes of the Special Meeting of June 13, 2023.
- G. Approve the Minutes of the Regular Meeting of July 18, 2023.
- H. Approve the Minutes of the Special Meeting of August 3, 2023.
- I. Approve a **RESOLUTION** Proclaiming the Termination of Two Loal Emergencies Related to Excessive Winter Storm Affecting the City of San Juan Bautista.

6. ACTION ITEMS

The Recommendation indicates the staff recommendation at the time the agenda was prepared. That recommendation does not limit the City Council alternative actions on any matter before it.

A. Approve the Appointment of attorney Jon R. Giffen as City Attorney, and Negotiation of an Agreement with Kennedy, Archer & Giffen, a Professional Corporation

Recommendation: Approve a **RESOLUTION** Appointing Mr. Jon R. Giffen as its City Attorney, authorize the City to Negotiate an Agreement between the City and Kennedy, Archer & Giffen, PC, and bring the agreement to the Council for Ratification.

B. Planning Commissioner/Historic Resources Board Vacancy

Recommendation: Receive Recommendation from the Ad Hoc Committee to fill a vacancy for a term ending December 2026.

C. Adopt the Strategic Plan and High Level Organizational, Financial and Public Safety Review

Recommendation: Approve a **RESOLUTION** adopting a new City “Strategeic Plan, and High Level Organizational Financial and Public Safety Review,” and its recommended core findings as City policy.

7. INFORMATIONAL ITEMS AND REPORTS

- A. Reports from City Council Representatives to Regional Organizations and Committees
- B. City Council Announcements

This is an opportunity for the Council and staff to share the community calendar and announce upcoming dates of interest to the general public.
- C. Treasurer’s Report and Monthly Financial Statements

Receive Report from City Treasurer Michelle Sabathia.
- D. City Manager’s Report
 - a. Fire Department Update
 - b. Sheriff Department Update

8. PUBLIC HEARING/INTRODUCTION OF ORDINANCES

- A. Open a Public Hearing, Receive Comments from Members of the Public, Consider Introducing an Ordinance Revising Title 13 “Violations” by Repealing and Replacing Article 4 “Noticed Nuisance Abatement Procedure” and Article 5 “Emergency Nuisance Abatement Procedure” of Chapter 1 “Enforcement” by Adoption of an Ordinance Entitled “Alternative Public Nuisance Abatement Procedures.”
- B. Open a Public Hearing and Receive Comments from Members of the Public; Consider Introduction of an Ordinance Revising Title 11 “Zoning” Section 11-04-110 Regarding Regulation of Large-Scale Retail, Formula Retail, Formula Restaurant Businesses.

9. ADJOURNMENT

AGENDA MATERIAL / ADDENDUM

Any addendums will be posted not later than 72-hours before regular meetings or 24-hours of special meetings, unless otherwise allowed under the Brown Act. City Council reports may be viewed at the City of San Juan Bautista City Hall at 311 Second Street San Juan Bautista, and are posted 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 Deputy City Clerk Elizabeth Soto at deputycityclerk@san-juan-bautista.ca.us or calling (831) 623-4661 during normal business hours.

In compliance with the Americans with Disabilities Act, and Govt. Code 54953(a), 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.

PUBLIC COMMENT PROCEDURES

If you wish to make a general public comment and are attending in person, please fill out a speaker card. If you are attending via Zoom, join the Zoom Webinar, and use the "Raise Hand" or if joining by telephone, press *9 on your telephone keypad icon.

SUBMISSION OF PUBLIC COMMENTS

Written comments may be submitted via mail 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 no later than 3:00 p.m. on the day of the meeting. Written comments will be read into the record provided that the reading does not exceed three (3) minutes.

PUBLIC NOTIFICATION

This agenda was posted on Friday, August 11, 2023, on the bulletin board at City Hall, 311 Second Street, the bulletin board at the City Library, 801 Second Street, the bulletin board at the entrance to the United States Post Office, 301 The Alameda, and the City's website. Meetings are streamed live at <https://www.facebook.com/cityofsanjuanbautista/>.



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

DATE: JULY 18, 2023
DEPARTMENT: CITY MANAGER
FROM: DON REYNOLDS
TITLE: JULY 4 2023 FIREWORKS COMPLIANCE DE-BRIEFING

RECOMMENDED MOTION:

No motion is sought for this Discussion Item.

RECOMMENDATION:

It is recommended that the City Council review and discuss compliance in the community to the City Council's Fireworks Resolution 2023-37, during the period beginning June 30, 2023, ending at dawn July 5, 2023.

EXECUTIVE SUMMARY:

In October 2022, the City concluded its discussion of different Fireworks policies, and concluded to maintain the same policies in 2023, that it established for 2022, paraphrased and summarized as follows: allow the sale of "safe and sane" fireworks by one non-profit from June 30- July 4, 2023, and the use of "safe and sane" fireworks in the City only on July 4, from Noon to 10 PM. The City Council adopted Resolution 2023-37 June 6, 2023 approving this policy and associated fine schedule. The attached reports from the City's Code Enforcement Officer, private security, Sheriff and anecdotal conversations with the Fire Marshal and community members that have occurred since July 5, 2023, indicate that the highly visible enforcement and preventative communication effort helped gain good compliance by the community to the City's fireworks policies.

BACKGROUND:

Following the 4th of July, 2020, the City has considered various strategies to better protect residents from the adverse effects of the noise from fireworks that impacts certain individuals and their pets. More restrictive policies were considered before and after the 4th of July 2022. Beginning in May, 2022, and lasting until October, 2022, the City considered three different policies. The most restrictive was the banning of both the sale and use of all fireworks in the City. A lengthy deliberation by the Council occurred September 20th around the merits of fireworks and the Resolution to ban all sales and use of fireworks was amended as submitted for first reading, to be comeback at the next meeting for second reading and adoption. At the next regular City Council

meeting October 18, 2022, another lengthy deliberation occurred that included members of the High School Booster Club, and the following decision was made:

A motion was made by Council Member Freels to postpone the ordinance indefinitely. The motion was seconded by Council Member Freeman. The motion passed on a roll call vote of 4 Yes-0 No-1 Absent (Edge).

Designating the appropriate non-profit organization and allowing them to sell fireworks is required to be approved annually. The policy to allow the sale of fireworks to occur prior to and including the 4th of July, limiting the use of fireworks to noon to 10 PM only on the 4th of July remained intact for 2023. In April 18th, 2023, the City adopted Resolution 2023-28, but it contained errors related to the 2022 drought conditions and did not include the time stipulation limiting the use of the fire works to the 4th of July. That Resolution was rescinded and replaced by a corrected Resolution 2023-37 on June 6, 2023 (attached).

DISCUSSION

On May 24, 2023, the City Manager and Fire Marshall attended a webinar sponsored by the League of California Cities concerning fireworks policies. Approximately 300 persons attended, mostly representing fire personnel including several Fire Chiefs. A lot of frustrated fire fighters expressed their concerns and their city's struggle with the proliferation of fireworks, the continued growth of illegal fireworks, and the general drunkenness and recklessness that surrounds parties where the use of fireworks occurs. Some cities that banned all fireworks expressed that it worked at first, but the problem was returning and growing worse. Most agreed that enforcing policies needed to be done with armed safety officers due to the reckless behavior. But the most significant enforcement tool is the ability to cite property owners, rather than individuals. The result of this policy is the use of fireworks then moves to the street or other public property.

The City's policy is close to "best practices," as it seems to be reasonable to allow some use of the fireworks on this holiday, and to allow the non-profit to benefit from the sale of fireworks. The key phrase in the policy is establishing a "Host Ordinance" where the property owners can be held responsible for the use of fireworks on their properties. Special "Host Liability Language" will help defeat citation appeals. Notices to rental property associations, and property management firms can help with compliance at apartment buildings and other shared housing. It is recommended that the Fire Chief and City Attorney review this language in the City's policies well before the 4th of July 2024.

Attached are the reports received regarding the compliance and enforcement of the City's policies between June 30, and dawn on July 5th 2023. For this discussion, the Fire Chief, Sheriff, and Code enforcement will be present to describe the event, the attached reports, how the policies were implemented, their effectiveness, and the public's response.

In general, this year's implementation of the fireworks policies was effective. Having the same policy two consecutive years helps everyone understand the shared expectations. The public's use of fireworks may never be completely eliminated, but at least there was compliance by most. Two

citations were written, and there were no local fires to report. Most of the noise ended before 10 P.M. The outcome may be different when the 4th falls on a weekend. The Fire Chief and City Manager need to follow the best practices and make certain the City has the strongest policy it can have.

FISCAL IMPACT:

The outreach, cameras, fencing, banners, and extra private security have been budgeted at \$6,000, and this is close to the cost of the 2023 enforcement effort. Invoices are still being collected for 2024, and a final cost has not been determined.

ATTACHMENTS:

Resolution 2023-37

4th of July Reports from Code Enforcement, Sheriff, and Private Security

RESOLUTION NO. 2023-37

A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA PERMITTING THE USE WITHIN THE CITY ONLY BETWEEN NOON AND 10:00 P.M. ON JULY 4, 2023, 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, 2023, 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 entitled "California Fire Code, 2022 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 during the period from noon on June 30 to midnight on July 4 of factory-packaged assortments of legal fireworks permitted by the State Fire Marshall for use by the general public; 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 March 20, 2023, 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 daily during the hours of 9:00 a.m. and 10:00 p.m., commencing on June 30, 2023 and ending at 7:00 p.m. on July 4, 2023, from a fireworks' stand to be located in the parking lot of The Windmill Market at 310 The Alameda; 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; 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 date of July 4, 2023, commencing at noon and ending at 10:00 p.m. shall be the date 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. 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 legal fireworks of the type permitted by the California State Fire Marshall for use by the general public for 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, between the hours of 9:00 a.m. to 10:00 p.m., in the City of San Juan Bautista at the Windmill Market, 301 The Alameda, commencing at noon on June 30, 2023 and ending at 7:00 p.m. on July 4, 2023. 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 legal "safe and sane" fireworks contained in factory-packaged assortments of fireworks permitted by the State Fire Marshall for use by the general public by those 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.
7. Rescind Resolution 2023-28 approved April 18, 2023.

PASSED AND APPROVED this 6th day of June, 2023 at a special meeting of the City Council by the following vote:

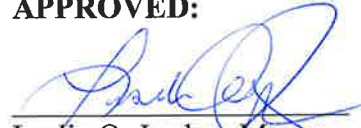
AYES: Councilmembers: Freeman, Morris-Lopez, Sabathia, and Mayor Jordan

NOES: None

ABSTAIN: None

ABSENT: Councilmember Freels

APPROVED:



Leslie Q. Jordan, Mayor

ATTEST:



Elizabeth Soto, Deputy City Clerk



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

City Council

Mayor
Leslie Q. Jordan

Mayor Pro Tem
John Freeman

Councilmember
Scott Freels

Councilmember
Jackie Morris-Lopez

Councilmember
EJ Sabathia

City Manager
Don Reynolds

City Clerk
Vacant

City Treasurer
Michelle Sabathia

Fire Chief
Bob Martin Del Campo

City of San Juan Bautista

The "City of History"

SPECIAL JULY 4TH 2023 REPORT

This was the second year working with Kysmet Security during the Fourth of July holiday. It was the third year the City has coordinated with the Fire Department and Sheriff's Office to achieve a mission to prevent fires through the suppression of the use of illegal fireworks and regulate the use of safe and sane fireworks. Any activities outside the Fourth of July mission were entered into iWorQ as required.

Preparation for the Fourth of July event once again included the acquisition of one (1) message board and two (2) existing boards displaying the message "LEGAL FIREWORKS PERMITTED ONLY ON JULY 4TH BETWEEN 6PM AND 10PM". The boards were strategically placed at all three entrances into the City and fully operational on June 30, 2023 and removed on July 5, 2023. In addition, the four (4) video trailers had a 3'X5' banner displaying the same information. Physical security for the camera trailers once again was provided by Orta Fencing. Orta Fencing was punctual and professional during the delivery, setup, and takedown.

As noted, in addition to the message boards there were four (4) camera trailers deployed throughout the city. Pacific Highway Rentals in Oakland provided the camera equipment and message board(s) last year and again this year. The camera trailers were located at State Parks, Third and Monterey at the Library, Abbe Park on Fifth Street and at the park in Copperleaf. There were two Administrative Citations issued one on June 30, 2023 and the other on July 4, 2023 the video camera was instrumental in the issuance of one of the citations. The issuance of the citations appears to have been a deterrent for others thinking about setting off illegal fireworks. The videos are still being reviewed and may lead to additional Administrative Citations being issued.

Once again, I received invaluable assistance from all the Public Works and especially staff member Paul Champion with the deployment of the message board and camera trailers and to assist with the fence enclosures. The deployment and takedown went flawlessly. The personnel associated with both the camera systems and message boards provided support services 24/7. Overall evaluation of the equipment and services provided were A+.

Kysmet Security once again stepped up and provided excellent service to include the issuance of an Administrative Citation for fireworks. Once again the quality of the Officers assigned was above average and professional. Communication was by two-way radios and cell phone communications with the Supervisor in charge of the assigned teams. The additional coverage for 6/30-7/1 was an additional two man unit, 7/2-7/3 one additional Officer and 7/4 two (2) additional two man units.

As a result of the coordinated efforts of Planning, Preparation, and Implementation there were no fires reported, two (2) Administrative Citations issued one by a Kysmet Security Officer and one by myself. Both citations were for violation of the Fireworks Code Section 5-16-100.



SAN BENITO COUNTY SHERIFF'S OFFICE

2301 Technology Pkwy, Hollister, CA 95023
Phone: 831-636-4080 Fax: 831-636-1416

ERIC TAYLOR

SHERIFF – CORONER

San Juan Bautista Fourth of July statistics and calls for service

Good evening,

I have attached the significant calls for service and statistics for the fourth of July weekend. Please take of those a look at the great work by all involved.

❖ **07/01/2023: Runaway Juvenile**



- Female teenage was supposed to be picked up father at drop off site.
- Female teenager ran away with boyfriend in his car.
- Father reported her as missing.

❖ **07/04/2023: Domestic Violence**



- Male and female involved in physical altercation.
- Male arrested and booked into county jail.

Firework Calls for Service: 4

Party Calls for Service: 1

Great job by code enforcement and the Kysmet security team. The presence of those two combined with the Sheriff's deputies provided much needed support and security. I have been approached in town by several residents and business owners who advised me that they were pleased with the enforcement of the fireworks.

It has been a pleasure working with the city of San Juan Bautista. In the short amount of time, we have been working together, we have been able to provide stellar service for the residents and business owners. The future looks bright for us as we continue to keep the streets of San Juan Bautista safe and secure.

If you have any further questions related to the stats or any other questions, please feel free to contact me anytime.

Sincerely,

San Juan Bautista Deputy D. Villanueva #1070

MISSION STATEMENT

TO SERVE THE PUBLIC BY ESTABLISHING A PARTNERSHIP WITH THE COMMUNITY TO PROTECT LIFE AND PROPERTY, PREVENT CRIME AND SOLVE PROBLEMS



Case Report

06/30/2023 - 07/04/2023

Main Status	Status	Case #	Case Date	Date of Compliance	Violation(s)	Parcel Address	Violation Location	Description
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Group:

	Admin Citation	23204	7/4/2023	7/4/2023	SJBMC 5-16-100 Fireworks		907 Third Street	Aerial fireworks
	Closed	23203	7/1/2023		July Activities			
	Admin Citation	23202	6/30/2023		SJBMC 5-16-100 Setting off fireworks		300A Fifth Street	

Group Total: 0

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Total Records: 0

7/14/2023

Page: 1 of 1

07/04/2023	Brown, Rich	Check emails and phone messages Fireworks suppression Adjust cameras Issued Administrative Citation for fireworks violation Discovered missing/lost dog and reunited her with the owner. Contacted residents at apartments at 59 Muckelemei regarding threatening Kysmet Officers. alcohol was cause of the negative attitude and apologies were exchanged.	
	07/03/2023	Brown, Rich	Check emails and phone messages. Fireworks suppression
	07/02/2023	Brown, Rich	Check emails and phone messages Fireworks suppression
	07/01/2023	Brown, Rich	Check emails and phone messages Firework suppression



Kysmet Security Patrol inc
21 W Laurel Dr Unit 49 Salinas, California 93906
831-998-7963 - www.kysmet.net

License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	06/30/2023	1600	0000	007	21790140

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

1600: Arrived on shift. Conducted a vehicle inspection. Fueled up unit 2. Started patrol of SJB city limits.

1645: checked on Valero gas station. No suspicious activity or incidents to report at the moment. Area is secure.

1653: patrolled through cemetery. No suspicious activity or incidents to report at the moment. Area is secure.

1708: patrolled through rancho Vista 3rd trailside area. No suspicious activity or incidents to report at the moment. Area is secure.

1713: checked on Valero gas station. A white toyota Tacoma was parked on the dirt under the tree of the property. Employees informed me it was another Employees vehicle and they would move. Nothing further to report.

1734: patrolled through mission garden apartments. No suspicious activity or incidents to report at the moment. Area is secure.

1736: checked on abbe park. No suspicious activity or incidents to report at the moment. Area is secure.

1742: checked on water tank. Verified gate is locked. No activity or incidents to report. Area is clear and secure.

1758: patrolled through Salinas Rd. No suspicious activity or incidents to report at the moment. Area is secure.

1703: patrolled through mission Vineyard. No suspicious activity or incidents to report at the moment. Area is secure.

1800: doubled up with officer Pacheco.

1810: patrolled through mission farm campgrounds. No suspicious or incidents to report at the

moment. Area is secure.

1816: patrolled through Copperleaf area. No suspicious activity or incidents to report at the moment. Area is secure.

1820: patrolled through Hacienda Hotel. No suspicious activity or incidents to report at the moment. Area is secure.

1825: patrolled through elementary school. Last employee is leaving campus. No other activity or incidents to report. Area is clear and secure.

1827: patrolled through windmill market parking lot. No suspicious activity or incidents to report at the moment. Area is secure.

1837: patrolled through SJB mission. Upon arrival I observed a branch hanging from one of the trees in the parking lot. Was not able to make contact with anyone at the mission. Code enforcement was notified.

1853: patrolled through windmill market parking lot. No suspicious activity or incidents to report. Area is secure.

1906: patrolled through library. No suspicious activity or incidents to report. Area is clear and secure.

1911: patrolled through mission Vista apartments. No suspicious activity or incidents to report. Area is secure.

1918: patrolled through rancho Vista 3rd trailside area. No suspicious activity or incidents to report. Area is secure.

1925: patrolled through cemetery. No activity or incidents to report. Area is secure.

1927: checked on veterans hall. Verified all gates are locked. No activity or incidents to report. Area is clear and secure.

1929: patrolled through mission garden apartments. No suspicious activity or incidents to report. Area is secure.

1936: checked on water tank. No activity or incidents to report. Area is clear and secure.

1945: patrolled through Salinas Rd. No suspicious activity or incidents to report. Area is secure.

1951: patrolled through mission Vineyard. No suspicious activity or incidents to report. Area is secure.

2003: patrolled through mission farm campgrounds. No suspicious suspicious or incidents to report. Area is secure.

2008: patrolled through Copperleaf area. No suspicious activity or incidents to report. Area is secure.

2012: patrolled through Hacienda Hotel. No suspicious activity or incidents to report. Area is secure.

2017: patrolled through elementary school. No activity or incidents to report. Area is clear and secure.

2027: patrolled through SJB mission. No suspicious activity or incidents to report. Area is secure.

2035: patrolled through rancho Vista 3rd trailside area. No suspicious activity or incidents to report. Area is secure.

2046: patrolled through cemetery. No activity or incidents to report. Area is clear and secure.

2054: patrolled through windmill parking lot. Customers are leaving store. Windmill market employees are closing. While standing by I observed an illegal firework go off in the air. I then went to check on area. While patrolling the area another illegal firework was set off. While patrolling 5th street The Fire Marshall of San Benito County waved officer Pacheco and I down at 300 A 5th st. Fire Marshall witnessed a 16 year old male setting off illegal fireworks. Deputies arrived to assist but then continued on with patrol. Citation was issued father of 16 year old without incident.

2128: continued patrol of SJB city limits.

2144: patrolled through windmill parking lot. Assisted FedEx driver with vehicle maintenance. Conducted a foot patrol. Verified all business doors were locked. No other activity or incidents to report. Area is secure.

2206: patrolled through elementary school. No suspicious activity or incidents to report. Area is clear and secure.

2213: patrolled through Salinas Rd. No suspicious activity or incidents to report. Area is secure.

2222: patrolled through mission Vineyard. No suspicious suspicious or incidents to report. Area is clear and secure.

2230: patrolled through mission farm campgrounds. No suspicious activity or incidents to report. Area is secure.

2237: patrolled through Copperleaf area. No suspicious activity or incidents to report. Area is secure.

2247: patrolled through cemetery. No activity or incidents to report. Area is clear and secure.

2249: checked on veterans hall. No activity or incidents to report. Area is clear and secure.

2300: patrolled through rancho Vista 3rd trailside area. No suspicious activity or incidents to report. Area is secure.

2305: patrolled through mission Vista apartments. No suspicious activity or incidents to report. Area is secure.

2314: patrolled through SJB mission. No activity or incidents to report. Area is clear and secure.

2320: met with 2nd shift for pass downs.

0000: end of shift.

Employee ID:	Name:	Signature:	Submitted:
007	Josh Amaya		2023-06-30 23:53

SAVE A TREE - DON'T PRINT ME!



Kysmet Security Patrol inc
21 W Laurel Dr Unit 49 Salinas, California 93906
831-998-7963 - www.kysmet.net

License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	06/30/2023	1600	0000	010	21790142

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

1600 - 0000 - - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

1600HRS enroute to SJB

1900HRS Started Solo patrol

1910HRS Conducted a patrol of salinas rd . No issues or suspicious activity to report

1920HRS Conducted a patrol of 3rd st. No issues or suspicious activity to report

1934HRS Conducted a patrol of Monterey st. No issues or suspicious activity to report

1947HRS Conducted a patrol of the cemetery. No issues or suspicious activity to report

1956HRS Conducted a patrol of mukelemi st. No issues or suspicious activity to report

2008HRS Conducted a patrol of 5th st. No issues or suspicious activity to report

2013HRS Conducted a patrol of 6th st. No issues or suspicious activity to report

2023HRS Conducted a patrol of 7th st. No issues or suspicious activity to report

2038HRS conducted a patrol of Lang st. No issues or or activity to report

2047HRS conducted a patrol of the water tower. No issues or suspicious activity to report

2055HRS Conducted a patrol of Polk st. No issues or suspicious activity to report

2110 hrs conducted a patrol of the San Juan mission. No issues or suspicious activity to report

2115hrs waited for windmill market to close. No issues or suspicious activity to report

2128HRS issued citation for fireworks as requested by the Fire Marshall. Address of incident 300A 5th st. Nothing further to report

2146HRS Conducted a patrol of downtown SJB. no issues or suspicious activity to report

2156HRS Conducted a patrol of 2nd st. No issues or suspicious activity to report

2209 hrs arrived at Valero to oversee closing. No issues or suspicious activity to report

2227HRS Conducted a patrol of Mission Garden Apartments. No issues or suspicious activity to report

2232HRS Conducted a patrol of mukelemi st. No issues or suspicious activity to report

2249HRS Conducted a patrol of 7th st . No issues or suspicious activity to report

2257HRS Conducted a patrol of the water tower. No issues or suspicious activity to report

2310HRS Conducted a patrol of Washington st. No issues or suspicious activity to report

2317HRS Conducted a patrol of 4th st. No issues or suspicious activity to report

2323HRS Conducted a patrol of the alameda. No issues or suspicious activity to report

2333HRS Conducted a patrol of copperleaf ln. No issues or suspicious activity to report

0000 HRS end shift

Employee ID:	Name:	Signature:	Submitted:
010	Eduardo Valadez		2023-06-30 23:58

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Kysmet Security Patrol inc
21 W Laurel Dr Unit 49 Salinas, California 93906
831-998-7963 - www.kysmet.net

License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	06/30/2023	1800	0200	015	21790187

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

1846 - - - - -

ATTACHMENTS:

Observations / Duties Performed

<input checked="" type="checkbox"/> OTHER - SEE COMMENTS	<input checked="" type="checkbox"/> PATROL CHECK OF PROPERTY	<input checked="" type="checkbox"/> PATROLLED ENTIRE PARKING AREA
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Contacts

Description Of Activities

Arrived in town conducted patrol of copper leaf housing. No disturbances to report. No activity in area. All clear.

1851 conducted patrol of hotel area all parking area is clear. No disturbances. No transients on premises. All clear.

1908 conducted patrol of San Juan school. No vehicles parked on property. No one is in basketball courts site is clear.

1911HRS windmill market plaza has no disturbances no transients on premises parking area is clear.

1914 rear of mission is clear no unauthorized parking. No one in this area. Area clear.

1931 conducted patrol of mission site is clear have a few cars parked in rear no disturbances. Site is clear.

1933 casa Maria is having a event parking is almost full. No drinking going on in exterior. No disturbances. Site is clear.

1939 patrolled via serra area no double parking on properties. No disturbances in premises, no transients on site. Site is clear.

1944 conducted patrol of rancho way housing area. Site has no disturbances. Two residents were walking area. One gentlemen was taking trash out. Area is clear.

1949 mayor Jim memorial park is clear. No children on playground. Nothing further to report. All clear.

1957 conducted patrol of area. Water pipes are not leaking. No trespassers. Site is clear.

2008 conducted patrol of lang st. And lang CT. Nothing out of ordinary. Area has no disturbances to report. Area is all clear.

2024 conducted patrol of mission garden apartments. No transients. No damages to report site is clear.

2025 conducted patrol of Valero gas station no trespassers or transients on property. Business being conducted as normal. Site is clear.

2026 conducted patrol of VFW. All gates are locked . No damages to gates or locks. No transients on property. Nothing further to report. Site is clear.

2035 conducted patrol of San Juan cemetery. Spotted one vehicle at the round about at very top of premises visiting. walked back area checked for trespassers. None on site. Site is clear.

2055 started patrolling city streets. All streets are clear. Heard a firework go off by the time I found where it was Pacheco Amaya and Valadez were on scene with the fire marshal and deputy. City patrol is clear.

2148 conducted patrol of windmill market area. All businesses are closed for the night. FedEx can bring down in parking, and are trying to repair vehicle. Nothing further to report, site is clear.

2158 conducted patrol of copper leaf. Housing area is all clear. No fire works in this area. No disturbances to report. Site is clear.

2200 conducted patrol of hotel site. Nothing out of the ordinary. Parking area is all clear. No transients on property, no disturbances to report. All clear.

2215 conducted patrol of elementary school. No trespassers. No damages to property. All clear.

2222 conducted patrol of rear of mission. No activity to report. No fireworks going off. Site is clear.

2230 conducted patrol of property. No disturbances, everything is quiet. No transients on property. Site is clear.

2236 arrived to casa Maria, conducted patrol of property. People loading party equipment into their vehicles. People starting to leave premises. Site is all clear.

2244 arrived to via serra coldesack . Properties are with no disturbances. Area has no fireworks going. Site is clear.

2249 Arrived to rancho way housing area. Conducted patrol of houses. No fireworks going in this area. Site is clear.

2255 arrived at mayor Jim West memorial park. Conducted patrol of site. No one at park. Park area is clear.

2312 arrived at San Juan cemetery, conducted patrol. No trespassers on premises. Site is all clear.

2338 arrived on site, conducted patrol of VFW. All locks are still locked with no damages to report. Site is clear.

2342 Valero gas station is closed for the night no transients on site. Site is clear.

2343 arrived to mission garden apartments everything is quiet. No transients on property. No disturbances to report. Site is clear.

2348 arrived at water tower. Water tower is all clear.

2355 conducting city patrol no firework activity. City streets are calm n quiet . No damages to report. Nothing further to report.

0035 arrived at copper leaf housing area nothing out of the ordinary. No firework activity. Site is clear.

0044 arrived at hotel. Conducted patrol ran into patrol Cruz spoke to him for s few minutes site is clear nothing further to report.

0053 arrived at San Juan elementary conducted patrol. No vehicles parked on property. No transients. Site is clear.

0101 arrived at mission. Conducted patrol of site. Nothing out of the ordinary. No activity. Site is clear.

Employee ID:	Name:	Signature:	Submitted:
015	Alejandro Cecenas		2023-07-01 01:38

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	06/30/2023	2200	0600	014	21790221

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

A.Carrillo

Patrolled all side streets 2240HRS till 0020HRzs all clesr no issues to report.

Arrives at Mission Vista apartments at 0020HRS all Clear no issues to report.

Arrived at Rancho Vista community at 0025HRS all Clear no issues to report.

Arrived at Mayor Jim West Memorial Park 0035HRS all Clear no issues to report.

Arrived at San Juan Bautista cemetery at 0040HRS all Clear no issues to report.

Arrived at VFW at 0045HRS all Clear no issues to report.

Arrived at Mission garden at 0047HRS all cle are no issues to report.

Arrived at water tower at 0053HRS all Clear no issues to report.

Arrived at Lang at 0100HRS all Clear no issues to report.

Arrived at Salinas road at 0110HRS all Clear no issues to report.

Arrive at Mission Farm campground at 0117HRS all Clear no issues to report.

Arrive at Copperleaf at 0127HRS all Clear no issues to report.

Arrive at hacienda hotel at 0131HRS all Clear no issues to report.

Arrive at San Juan Bautista school at 0135HRS all Clear no issues to report.

Arrived at Mission at 0141HRS All Clear no issues to report.

Arrived at 706 1st at 0148HRS all Clear no issues to report

Patrolled all side streets from 0154HRS till 0300HRS all Clear no issues to report.

Arrived at Salinas road at 0300HRS all Clear no issues to report.

Arrived at Mission Farm at 0305HRS all Clear no issues to report.

Arrived at Copperleaf at 0310HRS all Clear no issues to

Arrived at hacienda at 0315HRS all clear no issues to report

Arrived at San Juan Bautista school at 0320HRS all clear no issues to report.

Arrived at Mission Vista apartments at 0330HRS all clear no issues to report.

Arrived at Rancho Vista community at 0335HRS all Clear no issues to report.

Arrived at Mayor Jim West Memorial Park at 0340HRS all Clear no issues to report.

Arrived at San Juan Bautista cemetery at 0345HRS all Clear no issues to report.

Arrived at VFW at 0350HRS all Clear no issues to report.

Arrived at Mission garden at 0352HRS all Clear no issues to report.

Arrived at water tower at 0357HRS all Clear no issues to report.

Arrived at Lang St ar 0406HRS all Clear no issues to report.

Took lunch from 0410HRS till 0440HRS

Patrolled all side streets from 0440HRS till 0530HRS all Clear no issues to report.

Employee ID:	Name:	Signature:	Submitted:
014	SJB Patrol		2023-07-01 06:02

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/01/2023	1600	0000	007	21795123

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

1600HRS 10-8

1632HRS Conducted a patrol of The Windmill Shopping center. No issues or suspicious activity to report.

1642HRS Conducted a patrol of San Juan School. No issues or suspicious activity to report.

1656HRS Conducted a patrol of Third street. No issues or suspicious activity to report.

1717HRS Conducted a patrol of San Juan Bautista Mission. No suspicious activity to report.

1815HRS Conducted a patrol of San Juan Bautista City Cemetery. No issues or suspicious activity to report.

1822HRS Conducted a patrol of Abby Recreational park. No issues or suspicious activity to report.

1828HRS Conducted a patrol of 800 HND block of Salinas Rd. No issues or suspicious activity to report.

1831HRS Conducted a patrol of Mission Farm Campgrounds. No issues or suspicious activity to report.

1835HRS Conducted a patrol of Cooperleaf Lane. No issues or suspicious activity to report.

1840HRS Conducted a patrol of San Juan School. There were multiple vehicles parked in the parking lot. The basketball court gate was open. No issues or suspicious activity to report.

1843HRS Conducted a patrol through Third street. Most businesses were open. No issues or suspicious activity to report.

1848HRS Conducted a patrol of Misson Vista Apartments. Patrolled both parking lots. No issues or suspicious activity to report.

1851HRS Conducted a patrol of Rancho Vista Community. No issues or suspicious activity to report.

1900HRS Conducted a patrol of Abby Recreational park. No issues or suspicious activity to report.

1906HRS Conducted a patrol of San Juan Bautista City Water tower. Gate was locked and secured. No issues or suspicious activity to report.

1915HRS Conducted of San Juan Bautista City Hall. No issues or suspicious activity to report.

1935HRS Conducted a patrol of Rancho Vista Community. No issues or suspicious activity to report.

1952HRS Arrived at city hall to have meeting with code enforcement and all patrol officers. Nothing further.

2029HRS Conducted a patrol of Mission Farm Campgrounds. No issues or suspicious activity to report.

2036HRS Conducted a patrol of Cooperleaf Lane. No issues or suspicious activity to report.

2040HRS Conducted a patrol of Hacienda Del Leal Hotel. No issues or suspicious activity to report.

2046HRS Arrived at The Windmill shopping center and wanted unit the Windmill Market closed. No issues to report. We parked next to the fire works booth as requested by Brown.

2115HRS Conducted a patrol of Third street. No issues or suspicious activity to report.

2121HRS Conducted a patrol of San Juan Bautista Mission. Both gates were open and parking lot was empty. No issues to report.

2127HRS Conducted a patrol of Misson Vista Apartments. Patrolled both parking lots. No issues or suspicious activity to report.

2139HRS Conducted a patrol of Rancho Vista Community. No issues or suspicious activity to report.

2147HRS Conducted a patrol of San Juan Bautista City Cemetery. No issues or suspicious activity to report.

2200HRS Conducted a patrol of Mission Garden apartments. No issues or suspicious activity to report.

2206HRS Conducted a patrol of Abby Recreational park. No issues or suspicious activity to report.

2218HRS Conducted a patrol of 800 HND block of Salinas Rd. No issues or suspicious activity to report.

2226HRS Conducted a patrol of Mission Farm Campgrounds. No issues or suspicious activity to report.

2234HRS Conducted a patrol of Cooperleaf Lane. No issues or suspicious activity to report.

2240HRS Conducted a patrol of Hacienda Hotel. No issues or suspicious activity to report.

2252HRS Conducted a patrol of San Juan School. Parking lot was empty. No issues or suspicious activity to report.

2300HRS Conducted a patrol of City Hall and provided new guards with new pass downs.

2320HRS Conducted a patrol of Third street. No issues or suspicious activity to report.

0000 10-10

F.Pacheco/E.Valadez

Employee ID:	Name:	Signature:	Submitted:
007	Josh Amaya		2023-07-01 23:53

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/01/2023	1800	0600	015	21795133

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

1936 - - - - -

ATTACHMENTS:

Observations / Duties Performed

<input checked="" type="checkbox"/> OTHER - SEE COMMENTS	<input checked="" type="checkbox"/> PATROL CHECK OF PROPERTY	<input checked="" type="checkbox"/> PATROLLED ENTIRE PARKING AREA
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Contacts

Description Of Activities

1936 Arrived at San Juan cemetery, conducted patrol no transients. No vandalism going on. Site is clear.

1949 arrived at VFW conducted patrol. All gates are secure no damages to gates or locks on gates. Nothing further to report

1951 arrived at Valero gas station no transients in property. Site is clear.

1953 arrived at mission garden apartments, conducted patrol of property. Nothing out of the ordinary. Site is clear.

2020 arrived at water tower, conducted patrol. No damages to property. Gate is secure. No trespassers. Site is clear.

2033 arrived at windmill market area. Conducted patrol of site. Businesses are with no disturbances. Site is clear.

2038 arrived to copper leaf area. Conducted patrol. Nothing out of the ordinary. Area is clear.

2043 arrived at hotel, conducted patrol. Parking area is clear. Nothing further to report.

2049 arrived at San Juan elementary, conducted patrol. No trespassers on property. No damages to report.

2053 arrived at rear of mission the lower side. Checked area, no trespassers. Site is clear.

2107 arrived at the mission. Conducted patrol no activity on premises. Site is clear.

2137 arrived at casa Maria, conducted patrol. Nothing out of ordinary event going on. Nothing further to report site is clear.

2150 arrived at via serra conducted patrol. No activity to report. Site is clear.

2157 arrived at rancho way housing area. Conducted patrol. No fireworks in area no disturbances. Area is clear.

2200 arrived at mayor Jim West memorial park. Nobody is at the park. No disturbances. Site is clear.

2210 arrived at the San Juan cemetery, conducted patrol no vehicles parked. No trespassers. Site is clear.

2217 arrived at the VFW conducted patrol of site. Area is secure and clear.

2218 conducted patrol off Valero gas station. Black Chevy sedan pumping gas. Nothing further to report.

2221 arrived at mission garden apartments. No fireworks in area no activity to report site is clear.

2226 started city streets patrol. Changed front passenger tire on patrol #1. Heard firework shortly after. Did not find anything or anyone. City is clear.

0030 conducted foot patrol of baseball park where resident claims she seen 5 young men lighting fireworks and ran through the park. Carrillo and myself conducted foot patrol of city streets in the area of the park.

Employee ID:	Name:	Signature:	Submitted:
015	Alejandro Cecenas		2023-07-02 06:07

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/01/2023	2200	0600	006	21797749

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

2200 start shift

2227 in route to SJB.

2241 Patrolled Salinas rd. All clear.

2245 Patrolled mission ground. All clear.

2250 Patrolled Copperleaf. All clear, and secured.

2323 Patrolled sjb streets. No signs of unwanted activity.

2326 Patrolled Mission Vista. No activity, all clear.

2329 Patrolled Rancho Vista. All clear.

2336 Patrolled Mayor Jim West Memorial park. All clear.

2346 Patrolled San Juan Mission and resident came up to me informing me that there was a mobile home whos been parked and doesn't have a permit to park there. Will talk to mobile home owner and let them know they need a permit to park or else they have to leave.

2426 Patrolling sjb streets investigating some firework activity. All clear.

2428 Patrolled sjb cemetery. All clear.

2430 Patrolled San Juan VFW. No issues to report.

2434 Patrolled Valero gasoline. All clear.

2438 Patrolled mission gardens. No issues to report.

2447 Patrolled San Juan mission. No issues to report.

0133 Patrolled 1st st through 4th st. No issues to report.

0145 Patrolled Windmill Market. All clear.

0149 Patrolled 800 Salinas rd. No issues to report

0158 Patrolled Mission park campground. No issues to report.

0200 Patrolled Copperleaf. No issues to report.

0205 Patrolled la hacienda. No unwanted activity on site.

0215 Patrolled San Juan elementary. No issues to report.

0220 Patrolled San Juan mission. No issues to report.

0223 Patrolled mission vista. All clear.

0226 Patrolled Rancho Vista. No issues of any kind.

0232 Patrolled Mayor Jim West Memorial Park. All clear.

0234 Patrolled cemetery. All clear.

0237 Patrolled san Juan VFW. All clear.

0240 Patrolled Valero. No issues to report.

0242 Patrolled Mission Gardens. No issues to report.

0253 Patrolled 800 Salinas rd. No issues to report.

0259 Patrolled Mission Farm campground. All clear.

0305 Patrolled Copperleaf. All clear.

0310 Patrolled La Hacienda. All clear.

0322 Patrolled San Juan Elementary. All clear.

0328 Patrolled San juan Mission. All clear.

0330 Patrolled mission vista. All clear.

0419 Patrolled Mayor Jim West Memorial Park. No issues to report.

0421 Patrolled cemetery. No issues to report.

0423 Patrolled San Juan VFW, nothing to report.

0424 Patrolled Valero. Nothing to report.

0427 Patrolled Mission Gardens. No issues to report.

0440 Patrolled water mill. No issues to report.

0448 Patrolled windmill market. No issues to report.

0452 Patrolled 800 Salinas rd. All clear.

0502 Patrolled Mission Campground. All clear.

0504 Patrolled Copperleaf. No issues to report.

0507 Patrolled La hacienda. All clear.

0512 Patrolled san Juan elementary. Noticed the gate next to the basketball courts was opened. Made sure to secure. All clear.

0600 end shift

Employee ID:	Name:	Signature:	Submitted:
006	SJB Alvarado		2023-07-02 05:58

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/01/2023	2200	0600	014	21795342

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

A.Carrillo

Arrived in SJB at 2240HRS

Begging of my report is on Cruz report.

Patrolling all side streets from 2330 till 0140HRS only issues we had was fireworks were being lit could not find the source of the issues walked all side streets all Clear no issues to report

Arrived Rancho Vista community 0140HRS all Clear no issues to report.

Arrived at Mayor Jim West Memorial Park at 0150HRS all Clear no issues to report.

Arrived at San Juan Bautista cemetery at 0155HRS all Clear no issues to report.

Arrived at VFW at 0200HRS all Clear no issues to report.

Arrived at Mission garden apartments at 0205HRS all Clear no issues to report.

Arrived at water tower at 0215HRS all Clear no issues to report.

Arrived at Lang Street at 0220HRS all clear no issues to report.

Arrived at Salinas road at 0226HRS all Clear no issues to report.

Arrived at Mission farms at 0233HRS all clear no issues to report.

Arrived at Copperleaf Ln at 0238HRS all Clear no issues to report.

Arrived at hacienda at 0244HRS all Clear no issues to report.

Arrived at San Juan Bautista elementary school at 0252HRS all Clear no issues to report.

Arrived at San Juan Bautista mission at 0256HRS all Clear no issues to report.

Arrived at 706 1st St at 0302HRS all Clear no issues to report.

Arrived at Mission Vista apartments at 0307HRS all Clear no issues to report.

Took lunch at 0315HRS till 0345HRS

Started patrolling all side streets from 0345HRS till 0515HRS all Clear no issues to report

Employee ID:	Name:	Signature:	Submitted:
014	SJB Patrol		2023-07-02 05:52

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/02/2023	1600	0000	008	21797755

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

1600HRS start of shift. Jose Del Real and Junior Rangel partnered up.

1642HRS conducted foot patrol on 3rd street. No issues to report

1650HRS conducted foot patrol at the soccer field restrooms. No issues to report

1656HRS conducted foot patrol at the baseball field restrooms. No issues to report

1703HRS conducted foot patrol at the Verutti park restrooms. No issues to report

1711HRS conducted patrol on 800 Salinas Road. No issues to report

1715HRS Conducted patrol at the mission farms campground. No issues to report

1720HRS Conducted patrol at the copperleaf community. No issues to report

1724HRS conducted patrol at the hacienda de Leal hotel parking lot. No issues to report

1729HRS conducted patrol at the San Juan school. Parking lot is empty. No issues to report

1730HRS conducted patrol at the windmill market. No issues to report

1734HRS conducted patrol at the San Juan Bautista mission parking lot. Patrolled the back and front of the mission. No issues to report

1736HRS Conducted patrol on 706 first street for 5 minutes. No issues to report

1742HRS conducted patrol at the Carl Martin Luck memorial library. Parking lot is empty. No issues to report

1745HRS Conducted patrol at the Harvey's Lockup mini Storage. No issues to report

1747HRS conducted patrol at the mission Vista apartments parking lots. No issues to report

1751HRS conducted patrol at the Rancho Vista community. No issues to report

1756HRS Conducted patrol at the mayor Jim west memorial park. Park was empty. No issues to report

1800HRS break

1817HRS conducted patrol at the veterans hall. Gates are locked. No issues to report

1818HRS conducted patrol at the Valero gas station. No issues to report

1819HRS Conducted patrol at the mission garden apartments parking lot. No issues to report

1820HRS conducted patrol at the Neil's super market. Patrolled the back and front of the store. No issues to report

1824HRS conducted patrol at the San Juan Bautista city water tower. Gate is locked. No issues to report

1827HRS patrolling city streets

1927HRS conducted patrol on 800 Salinas Road. No issues to report

1931HRS conducted patrol at the mission farms campground. No issues to report

1937HRS conducted patrol at the copperleaf community. No issues to report

1940HRS conducted patrol at the San Juan school. Parking lot is empty. No issues to report

1949HRS conducted patrol at the windmill market. No issues to report

2000HRS lunch

2030HRS we had a meeting with rich brown the code enforcer. He said if there is people popping illegal fireworks to call him as soon as possible so he can issue the citation.

2049HRS conducted patrol at the windmill market firework station. No issues to report

2054HRS conducted patrol at the windmill market. We're waiting for the employees to leave. No issues to report

2119HRS conducted patrol at the San Juan Bautista mission parking lot. Patrolled the back and front of the mission. No issues to report

2123HRS Conducted patrol on 706 first street for 5 minutes. No issues to report

2129HRS conducted patrol at the Carl Martin Luck memorial library. Parking lot is empty. No issues to report

2131HRS Conducted patrol at the Harvey's Lockup mini Storage. No issues to report

2134HRS conducted patrol at the mission Vista apartments parking lots. No issues to report

2140HRS Conducted patrol at the Rancho Vista community. No issues to report

2141HRS we were searching for a small brown SUV 4runner with black tinted windows. They were driving around lighting up fireworks.

2317HRS conducted patrol at the San Juan Bautista city water tower. Gate is locked. No issues to report

2327HRS conducted patrol at the Valero gas station. No issues to report

0000HRS end of shift

Employee ID:	Name:	Signature:	Submitted:
008	Junior Rangel		2023-07-02 23:52

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/02/2023	1800	0200	014	21806081

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

A.Carrillo

Start of shift 1800HRS

Patrolling all side streets from 1840HRS till 2030HRS

2030HRS met with Rich Brown till 2043HRS.

Arrived at Rancho Vista Community at 2046HRS all clear no issues to report.

Arrived at Mayor Jim west memorial park at 2054HRS all clear no issues to report.

Arrived at San Juan cemetery at 2059HRS all clear no issues to report.

Arrived at VFW at 2102HRS all clear no issues to report.

Arrived at Mission garden apartments at 2105HRS all clear no issues to report.

Arrived at water tower at 2110HRS all clear no issues to report.

Arrived at Lang St at 2115HRS all clear no issues to report.

Arrived at Salinas road at 2120HRS all clear no issues to report.

Arrived at Mission farm at 2126HRS all clear no issues to report.

Arrived at Copperleaf at 2135HRS all clear no issues to report.

Arrived at Hacienda at 2140HRS all clear no issues to report.

Arrived at San Juan Elementary at 2146HRS all clear no issues to report.

Patrolling all side streets from 2200 till 0000HRS. Followed suspect of people using illegal fireworks 3 guys wearing all black.

Took lunch from 0000HRS till 0030HRS

Arrived at Rancho Vista Community at 0030HRS all clear no issues to report.

Arrived at Mayor Jim west memorial park at 0043HRS all clear no issues to report.

Patrolled all side streets from 0050HRS till 0130HRS all clear no issues to report.

0200HRS End of shift .

Employee ID:	Name:	Signature:	Submitted:
014	SJB Patrol		2023-07-03 01:53

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/02/2023	2200	0600	016	21806104

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

2200HRS start of shift

2236HRS Conducted foot patrol on Third Street with security guard Cruz. All doors locked and secured. No issues to report.

2258HRS patrol city streets

2324HRS Checked Verutti park restrooms. All clear.

2333HRS Conducted patrol at 800 Salinas Road. No issues to report.

2338HRS patrolled Mission Farms campgrounds. No suspicious activity to report. All clear.

2342HRS Conducted patrol at Copperleaf community. No issues to report.

2346HRS Conducted patrol at the Hacienda de leal hotel parking lot. No issues to report.

2350HRS Conducted patrol at San Juan elementary school parking lot. No issues to report.

2356HRS Conducted patrol at San Juan Bautista Mission parking lots. No issues to report.

2358HRS Patrolled at 706 1st for five minutes. No suspicious activity to report.

0005HRS patrolled both Carl Martin luck Memorial library and Harvey lock up Mini Storage. No issues to report.

0009HRS patrolled Mission Vista Apartments parking lots. No issues to report.

0012HRS Conducted patrol at Rancho Vista Community. No issues to report.

0019HRS Conducted patrol at Mayor Jim West Memorial Park. No issues to report.

0024HRS patrolled San Juan Bautista Cemetery. No issues to report.

0026HRS patrolled both veterans hall and Valero gas station parking lot. No issues to report.

0028HRS Conducted patrol at Mission Gardens apartments parking lot. No issues to report.

0029HRS patrolled back of Neil's supermarket. No issues to report.

0033HRS Conducted patrol at city water tower. Gate is locked. No issues to report.

0035HRS patrol city streets.

0053HRS Checked soccer field restrooms. No issues to report.

0056HRS Checked baseball field restrooms. No issues to report.

0136HRS Conducted patrol at 800 Salinas Road. No issues to report.

0142HRS Conducted patrol at Mission Farms campgrounds. No issues to report.

0146HRS patrolled copperleaf community. No issues to report.

0150HRS Conducted patrol at the Hacienda de leal hotel parking lot. No issues to report.

0155HRS Conducted patrol at San Juan Bautista Mission parking lots. No issues to report.

0158HRS patrolled 706 1st. No issues to report.

0205HRS Conducted patrol at Carl Martin luck Memorial library. No issues to report.

0207HRS patrolled Harvey lock up Mini Storage. No issues to report.

0209HRS Conducted patrol of Mission Vista Apartments parking lots. No issues to report.

0212HRS patrolled Rancho Vista Community. No issues to report.

0217HRS Conducted patrol at Mayor Jim West Memorial Park. No suspicious activity to report.

0222HRS patrolled San Juan Bautista Cemetery. All clear. No issues to report.

0224HRS Conducted patrol at veterans hall parking lot and Valero gas station. No issues to report.

0226HRS Conducted patrol at Mission Gardens apartments parking lot. No issues to report.

0231HRS Conducted patrol at city water tower. No issues to report.

0235HRS Conducted patrol at Windmill Market Shopping center parking lot. No issues to report.

0240HRS lunch break

0335HRS Conducted patrol at 800 Salinas Road. No suspicious activity to report.

0341HRS Conducted patrol at Mission Farms campgrounds. No issues to report.

0345HRS Conducted patrol at Copperleaf community. All clear. No issues to report.

0349HRS patrolled la Hacienda de Leal hotel parking lot. No issues to report.

0351HRS patrolled San Juan Elementary school parking lots. No issues to report.

0353HRS Conducted patrol of the Windmill Market Shopping center parking lot. No issues to report.

0358HRS Conducted patrol at the San Juan Bautista Mission parking lots. No issues to report.

0400HRS Conducted patrol at 706 1st. Waited for five minutes. No issues to report.

0407HRS Conducted patrol at Mission Vista Apartments parking lots. No issues to report.

0410HRS Conducted patrol at Rancho Vista Community. No issues to report.

0415HRS Conducted patrol at Mayor Jim West Memorial Park. No issues to report.

0422HRS Conducted patrol of San Juan Bautista Cemetery. No suspicious activities to report.

0425HRS Conducted patrol of the veterans hall and Valero gas station. No issues to report.

0427HRS Conducted patrol at Mission Gardens apartments parking lot. No issues to report.

0432HRS Conducted patrol of city water tower. No issues to report.

0438HRS Conducted foot patrol of Third Street with officer Cruz.

0450HRS patrol city streets

0520HRS patrolled at the Valero gas station.

0600HRS end of shift

Employee ID:	Name:	Signature:	Submitted:
016	SJB Patrol		2023-07-03 05:56

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Kysmet Security Patrol inc
21 W Laurel Dr Unit 49 Salinas, California 93906
831-998-7963 - www.kysmet.net

License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/03/2023	1600	0000	007	21807443

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

Amaya, Hermida, unit 12

1600: Arrived on shift. Conducted a vehicle inspection. Started patrol of SJB city limits.

1637: checked on Valero gas station. No suspicious activity or incidents to report at the moment. Area is secure.

1647: patrolled through Salinas Rd. No suspicious activity or incidents to report at the moment. Area is secure.

1656: patrolled through mission Vineyard. No suspicious activity or incidents to report at the moment. Area is secure.

1704: patrolled through mission farm campgrounds. No suspicious activity or incidents to report at the moment. Area is secure.

1709: patrolled through Copperleaf area. No suspicious activity or incidents to report at the moment. Area is secure.

1713: patrolled through Hacienda Hotel. No suspicious activity or incidents to report at the moment. Area is secure.

1720: patrolled through elementary school. Students, parents, and staff are still on campus. No suspicious activity or incidents to report at the moment. Area is secure.

1731: patrolled through SJB mission. No activity or incidents to report at the moment. Area is secure.

1736: patrolled through library. No suspicious activity or incidents to report at the moment. Area is secure.

1755: patrolled through mission Vista apartments. No suspicious activity or incidents to report at the moment. Area is secure.

1808: patrolled through rancho Vista 3rd trailside area. No suspicious activity or incidents to report at

the moment. Area is secure.

1818: patrolled through cemetery. No activity or incidents to report at the moment. Area is secure.

1824: checked on veterans hall. Verified all gates are locked. No activity or incidents to report. Area is clear and secure.

1829: patrolled through mission garden apartments. No suspicious activity or incidents to report at the moment. Area is secure.

1838: checked on water tank. No activity or incidents to report. Area is clear and secure.

1857: patrolled through Salinas Rd. No suspicious activity or incidents to report. Area is secure.

1906: patrolled through mission Vineyard. No suspicious activity or incidents to report. Area is secure.

1910: patrolled through mission farm campgrounds. No suspicious activity or incidents to report. Area is secure.

1915: patrolled through Copperleaf area. No suspicious activity or incidents to report. Area is secure.

1922: patrolled through Hacienda Hotel. No suspicious activity or incidents to report. Area is secure.

1927: patrolled through elementary school. No activity or incidents to report. Area is clear and secure.

1935: patrolled through windmill parking lot. No suspicious activity or incidents to report. Area is secure.

1944: patrolled through SJB mission. No suspicious activity or incidents to report. Area is secure.

1950: checked on library. No suspicious activity or incidents to report. Area is clear and secure.

1955: patrolled through mission Vista apartments. No suspicious activity or incidents to report. Area is secure.

2004: patrolled through rancho Vista 3rd trailside area. No suspicious activity or incidents to report. Area is secure.

2012: patrolled through cemetery. No activity or incidents to report. Area is clear and secure.

2020: patrolled through SJB mission. No suspicious activity or incidents to report. Area is secure.

2026: met with code enforcement. Discussed preparations for the 4th of July.

2046: continued patrol of SJB city limits.

2054: patrolled through elementary school. Verified all gates are locked. No activity or incidents to report. Area is clear and secure.

2100: patrolled through windmill parking lot. Customers are leaving store. Windmill market employees are closing. Pizza factory employees are closing. Stood by until employees locked and secured front doors. Conducted a foot patrol. Verified all business doors are locked. No activity or incidents to report. Area is clear and secure.

2127: patrolled through mission farm campgrounds. No suspicious activity or incidents to report. Area is secure.

2132: patrolled through Copperleaf area. No suspicious activity or incidents to report. Area is secure.

2137: patrolled through Salinas Rd. No suspicious activity or incidents to report. Area is secure.

2141: patrolled through Hacienda Hotel. No suspicious activity or incidents to report. Area is secure.

2148: patrolled through mission Vista apartments. No suspicious activity or incidents to report. Area is secure.

2157: patrolled through rancho Vista 3rd trailside area. No suspicious activity or incidents to report. Area is secure.

2205: patrolled through cemetery. No activity or incidents to report. Area is clear and secure.

2207: checked on Valero gas station. Employees locked and secured front door. Customers fueling up vehicles. No other activity or incidents to report. Area is secure.

2209: patrolled through mission garden apartments. No suspicious activity or incidents to report. Area is secure.

2215: checked on water tank. No activity or incidents to report. Area is clear and secure.

2245: patrolled through streets 1-7. No suspicious activity or incidents to report at the moment.

2254: met with 2nd shift for pass downs. Fueled up unit 1,9, and 12. Valero gas station is clear and secure.

2307: patrolled through mission garden apartments. No suspicious activity or incidents to report. Area is secure.

2310: checked on abbe park. 1 male sitting at the bus stop(no busses running) stood by until male left the area at 2214hrs. Area is now clear and secure.

2319: patrolled through windmill parking lot. Vehicles are parked in parking lot. No suspicious activity or incidents to report. Area is secure.

0000: end of shift.

Employee ID:	Name:	Signature:	Submitted:
007	Josh Amaya		2023-07-03 23:50

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831-998-7963 - www.kysmet.net

License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/03/2023	1800	0200	014	21812188

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

A.Carrillo , Cruz

Patrolling all side street from 1800HRS till 0200HRS all clear no issues to report. No fireworks went off tonight.

Arrives at Mission Vista apartments at 1840HRS all Clear no issues to report.

Arrived at Rancho Vista community at 1900HRS all Clear no issues to report.

Arrived at Mayor Jim West Memorial Park 1920HRS all Clear no issues to report.

Arrived at San Juan Bautista cemetery at 1940HRS all Clear no issues to report.

Arrived at VFW at 1945HRS all Clear no issues to report.

Arrived at Mission garden at 1947HRS all clear are no issues to report.

Arrived at water tower at 1953HRS all Clear no issues to report.

Arrived at Lang at 2000HRS all Clear no issues to report.

Arrived at Salinas road at 2110HRS all Clear no issues to report.

Arrive at Mission Farm campground at 2117HRS all Clear no issues to report.

Arrive at Copperleaf at 2127HRS all Clear no issues to report.

Arrive at hacienda hotel at 2131HRS all Clear no issues to report.

Arrive at San Juan Bautista school at 2135HRS all Clear no issues to report.

Arrived at Mission at 2141HRS All Clear no issues to report.

Arrived at 706 1st at 2148HRS all Clear no issues to report

Patrolled all side streets from 2154HRS till 2200HRS all Clear no issues to report.

Arrived at Salinas road at 2200HRS all Clear no issues to report.

Arrived at Mission Farm at 2205HRS all Clear no issues to report.

Arrived at Copperleaf at 2210HRS all Clear no issues to

Arrived at hacienda at 2215HRS all clear no issues to report

Arrived at San Juan Bautista school at 2220HRS all clear no issues to report.

Arrived at Mission Vista apartments at 2230HRS all clear no issues to report.

Arrived at Rancho Vista community at 2235HRS all Clear no issues to report.

Arrived at Mayor Jim West Memorial Park at 2240HRS all Clear no issues to report.

Arrived at San Juan Bautista cemetery at 2245HRS all Clear no issues to report.

Arrived at VFW at 2250HRS all Clear no issues to report.

Arrived at Mission garden at 2252HRS all Clear no issues to report.

Arrived at water tower at 2257HRS all Clear no issues to report.

Arrived at Lang St at 2306HRS all Clear no issues to report.

Patrolled all side streets from 2300 HRS till 0200HRS all Clear no issues to report.

0200HRS end of shift.

Employee ID:	Name:	Signature:	Submitted:
014	SJB Patrol		2023-07-04 01:53

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/03/2023	2200	0600	008	21812042

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

2200HRS start of shift. Jose Hernandez and Junior Rangel partnered up.

2306HRS conducted foot patrol on 3rd street. The Santana gallery door was open. Code enforcement and store owners were notified. All other business doors were locked.

2316HRS conducted foot patrol at the soccer field restrooms. No issues to report.

2344HRS checked on Verutti park restrooms. No issues to report.

2348HRS checked the baseball field restrooms. No issues to report.

2352HRS conducted foot patrol on windmill market shopping center. All stores doors are locked. No issues to report

0003HRS conducted patrol at 800 Salinas Road. No issues to report.

0009HRS conducted patrol at mission farms campgrounds. No issues to report.

0014HRS conducted patrol at cooperleaf community. No issues to report.

0018HRS conducted patrol at the hacienda de leal hotel parking lot. No issues to report.

0020HRS conducted patrol at San Juan elementary school. No issues to report.

0022HRS conducted patrol at the windmill market parking lot. No issues to report.

0026HRS conducted patrol at the San Juan Bautista mission parking lot. No issues to report.

0028HRS conducted patrol at 706 1st. No issues to report.

0034HRS conducted patrol at Carl Martin Luck memorial library and Harvey's Lockup mini Storage. All Clear no issues to report.

0100HRS conducted patrol at mission Vista apartments parking lots. No issues to report.

0103HRS conducted patrol at Rancho Vista community. No issues to report.

0108HRS conducted patrol at mayor Jim west memorial park. No issues to report.

0125HRS conducted patrol at Neil's super market. No issues to report.

0129HRS conducted patrol at the city water tower. No issues to report.

0150HRS lunch

0222HRS conducted patrol at the windmill market. No issues to report

0224HRS conducted patrol on 800 Salinas Road. No issues to report

0229HRS conducted patrol at the mission farms campground. No issues to report

0233HRS conducted patrol at the copperleaf community. No issues to report

0234HRS conducted patrol at the hacienda de leal hotel parking lot. No issues to report

0236HRS conducted patrol at the San Juan school. Parking lot is empty. No issues to report

0239HRS conducted patrol at the San Juan Bautista mission parking lot. No issues to report.

0245HRS conducted patrol on 706 first street for 5 minutes. No issues to report

0251HRS conducted patrol at the Carl Martin Luck memorial library. Parking lot is empty. No issues to report

0252HRS conducted patrol at the Harvey's Lockup mini Storage. No issues to report

0253HRS conducted patrol at the mission Vista apartments parking lots. No issues to report

0255HRS conducted patrol at the Rancho Vista community. No issues to report

0259HRS conducted patrol at the mayor Jim west memorial park. Park was empty. No issues to report

0302HRS conducted patrol at the San Juan Bautista cemetery. No issues to report

0303HRS conducted patrol at the veterans hall. Gates are locked. No issues to report

0304HRS conducted patrol at the Valero gas station. No issues to report

0305HRS conducted patrol at the mission garden apartments parking lot. No issues to report

0306HRS conducted patrol at the Neil's super market. Patrolled the back and front of the store. No issues to report

0312HRS conducted patrol at the San Juan Bautista city water tower. Gate is locked. No issues to report

0313HRS patrolling city streets

0355HRS conducted patrol at 800 Salinas Road. No issues to report

0358HRS conducted patrol at the mission farms campground. No issues to report

0403HRS conducted patrol at the copperleaf community. No issues to report

0406HRS conducted patrol at the hacienda de leal hotel parking lot. No issues to report

0407HRS conducted patrol at the San Juan school. Parking lot is empty. No issues to report

0413HRS conducted patrol at the San Juan Bautista mission parking lot. No issues to report.

0414HRS conducted patrol on 706 first street for 5 minutes. No issues to report

0419HRS conducted patrol at the Carl Martin Luck memorial library. Parking lot is empty. No issues to report

0420HRS conducted patrol at the Harvey's Lockup mini Storage. No issues to report

0422HRS conducted patrol at the mission Vista apartments parking lots. No issues to report

0424HRS conducted patrol at the Rancho Vista community. No issues to report

0429HRS conducted patrol at the mayor Jim west memorial park. Park was empty. No issues to report

0434HRS conducted patrol at the San Juan Bautista cemetery. No issues to report

0435HRS conducted patrol at the veterans hall. Gates are locked. No issues to report

0436HRS conducted patrol at the Valero gas station. No issues to report

0437HRS conducted patrol at the mission garden apartments parking lot. No issues to report

0438HRS conducted patrol at the Neil's super market. Patrolled the back and front of the store. No issues to report

0440HRS conducted patrol at the San Juan Bautista city water tower. Gate is locked. No issues to report

0441HRS patrolling city streets

0520HRS conducted patrol at the Valero gas station. No issues to report

0600HRS end of shift

Employee ID:	Name:	Signature:	Submitted:
008	Junior Rangel		2023-07-04 05:49

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/04/2023	1600	0000	007	21815055

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

1600: Arrived on shift. Conducted a vehicle inspection. Started patrol of SJB city limits.

1638: checked on Valero gas station. No suspicious activity or incidents to report at the moment. Area is secure.

1640: checked on veterans hall. No activity or incidents to report at the moment. Area is clear and secure.

1645: patrolled through mission Vista apartments. No suspicious suspicious or incidents to report at the moment. Area is secure.

1654: patrolled through rancho Vista 3rd trailside area. No suspicious activity or incidents to report at the moment. Area is secure.

1700: patrolled through cemetery. Visitors are on property. No suspicious activity or incidents to report. Area is secure.

1710: patrolled through Salinas Rd. No suspicious activity or incidents to report at the moment. Area is secure.

1721: patrolled through mission farm campgrounds. No suspicious activity or incidents to report at the moment. Area is secure.

1727: met with code enforcement at city hall. Discussed preparations for residents that set off illegal fireworks.

1743: patrolled through mission Vista apartments. No suspicious activity or incidents to report. Area is secure.

1753: patrolled through rancho Vista 3rd trailside area. No suspicious activity or incidents to report. Area is secure.

1800: patrolled through cemetery. No activity or incidents to report. Area is clear and secure.

1805: patrolled through mission garden apartments. No suspicious activity or incidents to report at the moment. Area is secure.

1813: checked on water tank. Verified gate is locked. No activity or incidents to report. Area is clear and secure.

1822: patrolled through windmill parking lot. No suspicious activity or incidents to report at the moment. Area is secure.

1828: patrolled through Hacienda Hotel. No suspicious activity or incidents to report. Area is secure.

1835: patrolled through mission Vineyard. No suspicious activity or incidents to report. Area is secure.

1842: patrolled through mission farm campgrounds. No suspicious activity or incidents to report. Area is secure.

1925: patrolled through SJB inner city streets. Focusing on residents setting off illegal fireworks. Nothing to report at the moment.

1928: patrolled through SJB mission. No activity or incidents to report. Area is clear and secure.

1938: patrolled through mission Vista apartments. No suspicious activity or incidents to report. Area is secure.

1948: patrolled through cemetery. No suspicious activity or incidents to report. Area is secure.

2000: officer valadez informed me a resident had made contact with him and informed him that 2 bicycles were stolen from his residents on cedar. Resident gave a description of the bicycles and two male suspects(male in red hooded sweater, male in Grey hooded sweater). I then patrolled the area of mission Vineyard, mission farm campgrounds, and Copperleaf area but did not get visual of anyone matching the description of the suspects. Will continue to monitor.

2040: patrolled through rancho Vista 3rd trailside area. Residents are setting off safe legal fireworks. No other activity or incidents to report at the moment. Will continue to monitor.

2100: resident informed me that people were setting off fireworks in the field behind the SJB mission. Notified code enforcement. Was not able to make contact.

2234: conducted foot patrol around 5th, 6th, and 7th Streets and abbe park. Heavy illegal firework activity. Was not able to make contact due to multiple illegal fireworks going off.

2255: met with code enforcement.

2315: continued patrol of SJB city limits.

2325: patrolled through SJB inner city streets. Focusing on residents setting off illegal fireworks and show security presence. Illegal fireworks were set off but I was unable to locate individuals setting them off.

0000: end of shift.

Employee ID:	Name:	Signature:	Submitted:
007	Josh Amaya		2023-07-04 23:50



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21 W Laurel Dr Unit 49 Salinas, California 93906
831-998-7963 - www.kysmet.net

License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/04/2023	1600	0000	010	21815111

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

1600 - 0000 - - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

1600HRS in route to SJB

1742HRS began solo patrol

1742HRS- 2135HRS Patrolled hot zones trying to spot fireworks. Mainly focused on 4th,5th,6th,7th and the rancho vista community. While patrolling the copperleaf area at 2005HRS was flagged down about some bike that were stolen from someone's house. Informed them to notify the sheriffs office and informed all other guards of the description for the males involved and a description of the bikes. Nothing further to report

2140HRS-2215HRS began foot patrol of 4th ,5th , 6th, and 7th st as instructed by Rich brown. Walked all streets and watched for illegal fireworks.

2215HRS began driving around letting people know that no fireworks were allowed anymore. Notified 5 residents throughout muckelemei ST. Nothing further to report.

2300HRS met with rich brown to debrief. Nothing further to report.

0000Hrs End of shift

Employee ID:	Name:	Signature:	Submitted:
010	Eduardo Valadez		2023-07-04 23:50

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/04/2023	1800	0200	015	1688520440-616387901

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

- ☒ OTHER - SEE COMMENTS
- ☒ PATROL CHECK OF PROPERTY
- ☒ PATROLLED ENTIRE PARKING AREA

Contacts

Description Of Activities

1800- Start of shift

1843- arrived at water tower, conducted patrol no damages to report gate is undisturbed. No trespassers. Site is clear, Nothing further to report

1852- arrived at mission garden apartments. Conducted patrol of premises. No fireworks going on. Site is clear, nothing further.

1853- arrived at Valero gas station, conducted patrol. No disturbances to report. Site is clear, nothing further to report.

1854- arrived at VFW, conducted patrol of property . Gates are all locked no damages to report. Site is clear nothing further to report.

1858- arrived at San Juan Bautista cemetery, conducted patrol. White Jaguar sedan parked at roundabout at the top of the hill. No damages to report. Site is clear nothing further to report.

1914- arrived at Mayor Jim park, kids playing in roundabout. No fireworks in area site is clear. Nothing further to report.

1920- arrived at rancho way area, conducted patrol of area. No fireworks going on. Few residents playing basketball on the street. Area is clear. Nothing further to report.

1925- arrived at via serra area, conducted patrol. Area has no fireworks going on. Site is clear, nothing further to report.

1934- arrived at mission, conducted patrol of mission area and dirt parking area. No disturbances in premises. Site is clear, nothing further to report.

1937- arrived at rear of mission, conducted patrol of area. No activity going on. Site is clear, nothing further to report.

1953- arrived at windmill market shopping area. Conducted patrol of area. No disturbances to report. Site is clear. Nothing further to report.

2002- arrived at San Juan elementary. Conducted patrol of area no trespassers on basketball courts or in school property. Site is clear. Nothing further to report.

2026- arrived at copper leaf housing area. Considered patrol. Legal fireworks at the park. Area is clear. Nothing further to report.

2048- arrived at water tower area, parked on side of dirt road to keep a look out for fire works. On stand by for enforcement to take over watch.

2111- arrived at baseball park, on standby to get visual of illegal fire works.

2215- responded to yells at Muckelemei where code enforcement confronted a intoxicated male resident about getting verbally aggressive towards one of the guards on site. After Rich from code enforcement made contact with individual, he started yelling. Body cam was turned on. Situation was deescalated. All clear.

2233- arrived at San Juan cemetery conducted patrol. Site is clear no trespassers on premises. Nothing further to report.

2235- arrived at VFW conducted patrol. Gates area locked no damages to report no trespassers. Site is clear, nothing further to report.

2337- arrived to Valero gas station, conducted patrol of business. No transients at dumpster area. Site is clear. Nothing further to report.

2348- arrived at water tower, nothing out of the ordinary. Overflow is shut off. Site all clear. Nothing further to report

2415- arrived at windmill market. Conducted patrol all businesses are closed for the night. No trespassers. Site is clear, nothing further to report

2419- arrived at San Juan elementary. Conducted patrol. No trespassers. No damages to report. Site is clear nothing further to report.

2425- arrived at hacienda hotel, conducted patrol of parking area. There was a female in a white Lexus. Nothing out of the ordinary. Site is clear. Nothing further to report.

2429- arrived at copper leaf housing area, conducted patrol. Area is clear. A resident asked if we wanted an alcoholic beverage, I kindly declined the offer. Proceeded with patrol nothing further to report.

2451- arrived at mission garden apartments conducted patrol of area. Apartment complex is clear. No activity going on. Nothing further to report.

2452- arrived at Valero station, conducted patrol nothing out of ordinary. Site is clear. Nothing further to report.

2455- arrived at the VFW, conducted patrol checked gates and locks. Both are secure. Site clear nothing further to report.

0019- arrived at cemetery. Conducted patrol. Started on standby to see if any firework activity was going on. All clear nothing further to report.

0024- arrived at mayor Jim West memorial park. No one at park nothing out of ordinary. Site is clear nothing further to report.

0028- arrived at rancho housing area, conducted patrol no residents outside no disturbances to report. Site is clear nothing further to report.

0035- arrived at via serra housing conducted patrol of area. No residents outside no activity to report. Site is clear. Nothing further to report.

0041- arrived at mission, conducted patrol of area. Nothing to report. site is clear.

0044- arrived to the rear of mission, conducted patrol. No activity going on. No disturbances. Site is clear nothing further to report.

0045-0200- conducted city patrol. City streets are quiet. Meet up with patrol to hand over keys. No activity to report. City is clear nothing further to report.

Employee ID:	Name:	Signature:	Submitted:
015	Alejandro Cecenas		2023-07-05 01:50

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License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/04/2023	1800	0200	016	1688519969-711314145

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

C Alvarado & J Del Real

1800 Start of shift

1821 Unit 8 fueled up.

1854 Valero Gas station patrolled

1903 the Community of Rancho Vista was patrolled not a lot of activity

1914 Patrolled Third st

2010 patrolling the streets of San Juan Bautista

2030 watching for illegal fireworks and patrolling 3rd and 2nd street everything normal

2050 patrolling Rancho Vista area some activity

2130 patrolling and watching From the Water Tower little activity

2207 patrolling 3 and 6 and the cemetery all normal

2209 By orders of code enforcement we were told to notify residents that they would like all firework activity to be stopped by 10pm. As we were walking towards residents who were still outside they started screaming at me, they said they didn't need us in the city and got too close to me. I called over the radio that I would like backup, my first language is spanish and I feel more comfortable speaking it over the radio. The man started screaming that "this is America and speak English". The man was too intoxicated. I did not want to make the situation worse. Rich and Cecenas showed up to back us up. Eventually they got calm and we left the area (Muckelemei)

2246 patrolling Zones 3 and 2 and Monterey Street

2330 patrolling the streets of San Juan Bautista

2412 patrolling the Rancho Vista Community area and the library

2446 patrolling the streets of Monterrey and 3 and 6 without incident

0108 patrolling the streets the windmill market area nothing to report

0115 patrolling Rancho Vista Community all normal

0200 End of shift. No other issues to report.

Employee ID:	Name:	Signature:	Submitted:
016	SJB Patrol		2023-07-05 01:56

SAVE A TREE - DON'T PRINT ME!



Kysmet Security Patrol inc
21 W Laurel Dr Unit 49 Salinas, California 93906
831-998-7963 - www.kysmet.net

License #
PPO 17913

Patrol Report

Property	Report Date	Start Shift	End Shift	Unit ID	Report #
San Juan Bautista	07/04/2023	2200	0600	008	1688533122-1089400043

PATROL ARRIVAL TIMES TO PROPERTY or ENTRY TIMES OF ACTIVITIES

- - - - -

ATTACHMENTS:

Observations / Duties Performed

Contacts

Description Of Activities

2200HRS start of shift. Jose Hernandez and Junior Rangel partnered up.

2229HRS conducted patrol on 800 Salinas Road. No issues to report

2232HRS conducted patrol at the mission farms campground. No issues to report

2236HRS conducted patrol at the copperleaf community. Used fireworks were left on the middle of the road. We had to turn one off because it was on fire.

2240HRS conducted patrol at the hacienda de leal hotel parking lot. No issues to report

2242HRS conducted patrol at the San Juan school. Parking lot is empty. No issues to report

2249HRS conducted patrol at the San Juan Bautista mission parking lot. Patrolled the back and front of the mission. No issues to report

2251HRS conducted patrol at the Carl Martin Luck memorial library. Parking lot is empty. No issues to report

2317HRS conducted foot patrol on 3rd street. All business doors were locked. No issues to report

2334HRS conducted foot patrol at the Verutti park restrooms. No issues to report

2341HRS conducted patrol on 706 first street for 5 minutes. No issues to report

2348HRS conducted patrol at the mission Vista apartments parking lots. No issues to report

2349HRS conducted patrol at the Rancho Vista community. No issues to report

2353HRS Conducted patrol at the mayor Jim west memorial park. Park was empty. No issues to report

2356HRS conducted patrol at the San Juan Bautista cemetery. No issues to report

0000HRS break

0018HRS conducted patrol at the veterans hall. Gates are locked. No issues to report

0019HRS conducted patrol at the Valero gas station. No issues to report

0020HRS conducted patrol at the mission garden apartments parking lot. No issues to report

0021HRS conducted patrol at the Neil's super market. Patrolled the back and front of the store. No issues to report

0025HRS conducted patrol at the San Juan Bautista city water tower. Gate is locked. No issues to report

0026HRS patrolling city streets

0127HRS conducted patrol on 800 Salinas Road. No issues to report

0131HRS conducted patrol at the mission farms campground. No issues to report

0134HRS conducted patrol at the copperleaf community. No issues to report

0138HRS conducted patrol at the hacienda de leal hotel parking lot. No issues to report

0141HRS conducted patrol at the San Juan school. Parking lot is empty. No issues to report

0144HRS conducted patrol at the San Juan Bautista mission parking lot. Patrolled the back and front of the mission. No issues to report

0146HRS conducted patrol on 706 first street for 5 minutes. No issues to report

0152HRS conducted patrol at the Carl Martin Luck memorial library. Parking lot is empty. No issues to report

0154HRS conducted patrol at the Harvey's Lockup mini Storage. No issues to report

0206HRS lunch break

0241HRS conducted patrol at mission Vista apartments parking lots. No issues to report.

0245HRS conducted patrol at Rancho Vista community. No issues to report.

0250HRS conducted patrol at mayor Jim west memorial park. No issues to report.

0254HRS conducted patrol at the San Juan Bautista cemetery. No issues to report.

0256HRS conducted patrol at both veterans hall and Valero gas station. No issues to report.

0257HRS conducted patrol at mission garden apartments parking lot. No issues to report..

0258HRS conducted patrol at Neil's super market. No issues to report.

0302HRS conducted patrol at the city water tower. Nothing to report.

0304HRS patrolling city streets.

0402HRS conducted patrol at 800 Salinas Road. No issues to report.

0407HRS conducted patrol at mission farms campgrounds. No issues to report.

0414HRS conducted patrol at cooperleaf community. No issues to report.

0417HRS conducted patrol at the hacienda de leal hotel parking lot. No issues to report.

0421HRS conducted patrol at the San Juan elementary school. No issues to report.

0422HRS patrolled the windmill market parking lot. No issues to report.

0425HRS conducted patrol at the San Juan Bautista mission parking lot. No issues to report.

0427HRS conducted patrol at 706 1st. Waited for five minutes. No issues to report.

0433HRS conducted patrol at Carl Martin Luck memorial library and Harvey's Lockup mini Storage. No issues to report.

0435HRS conducted patrol at mission Vista apartments parking lots. No issues to report.

0438HRS conducted patrol at Rancho Vista community. No issues to report.

0442HRS conducted patrol at mayor Jim west memorial park. No issues to report.

0446HRS conducted patrol at the San Juan Bautista cemetery. No issues to report.

0448HRS conducted patrol at the veterans hall parking lot. No issues to report.

0449HRS conducted patrol at mission garden apartments parking lot. No issues to report.

0451HRS conducted patrol at Neil's super market. No issues to report.

0455HRS conducted patrol at the city water tower. No issues to report.

0456HRS patrol city streets

0520HRS Patrolled at Valero gas station.

0600HRS end of shift.

Employee ID:	Name:	Signature:	Submitted:
008	Junior Rangel		2023-07-05 05:51

SAVE A TREE - DON'T PRINT ME!

AFFIDAVIT OF POSTING

I, Elizabeth Soto, Do Now Declare, Under the Penalties of Perjury That I Am the Deputy City Clerk / Administrative Services Manager in the City of San Juan Bautista and That I Posted Three (3) True Copies of the attached City Council Agenda. I Further Declare That I Posted Said Agenda on the 11th day of August 2023, and in the Following Locations in said City of San Juan Bautista, County of San Benito, California.

1. On The Bulletin Board at City Hall, 311 Second Street.
2. On The Bulletin Board at The City Library, 801 Second Street.
3. On The Bulletin Board at The Entrance to The United States Post Office, 301 The Alameda

Signed at San Juan Bautista, County of San Benito, California, on the 11th day of August 2023.



Elizabeth Soto
Deputy City Clerk / Administrative Services Manager

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.

GC § 36934



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

DATE: AUGUST 15, 2023

DEPARTMENT: CITY MANAGER

FROM: DON REYNOLDS

BY: ROCHELE EAGEN, LEAD LIBRARY TECH

TITLE: ACCEPT THE CALIFORNIA STATE LIBRARY GRANT IN THE
AMOUNT OF \$6,332

RECOMMENDED MOTION:

Approve a Resolution and accept the California Library Grant, the attached Agreement and its terms and conditions to receive \$6,322 to participate in the Zip Books for the Library

RECOMMENDATION:

It is recommended that the City Council approve the attached Resolution and authorize the City Manager to electronically accept the California State Library Grant, its Agreement, terms, and conditions in the amount of \$6,322.

EXECUTIVE SUMMARY:

The Zip Books program provides our patrons with “zippy” access to books that are not currently on our shelves. A patron requests an item, we purchase it from Amazon, and the book is shipped directly to their home. When finished, the patron returns it to us and we add it to our collection. Because Zip Books is a patron driven program, the library collection becomes more closely matched to the needs of our community. On May 22, 2023, the City applied for a second grant for this Fiscal Year, and on July 31, 2023, received notice of award. Staff is seeking Council’s acceptance of the terms and conditions of the Grant before electronically accepting the State’s \$6,332 award.

FISCAL IMPACT:

If approved, the City will receive the award in the amount of \$6,332 for the purchase of books as part of the Zip Books program.

ATTACHMENTS:

Resolution with proposed Agreement, terms, and conditions.

RESOLUTION NO. 2023- XX

A RESOLUTION OF THE CITY OF SAN JUAN BAUTISTA ACCEPTING A CALIFORNIA STATE LIBRARY GRANT TO BUY BOOKS VIA THE ZIP BOOK PROGRAM IN THE AMOUNT OF \$6,322

WHEREAS, when practical and useful grant opportunities arise, the City applies for them while considering the terms and conditions, strict deadlines and possible burdensome reporting requirements; and

WHEREAS, occasionally, grant application deadlines arise quickly, before the Council can consider them; and

WHEREAS, for the first-time last year, the San Juan Bautista City Library applied for a grant from the California State Library to buy Zip Books, and received a \$4,000 award that allowed the City Library to expand its circulation by 232 new titles, having received 255 book requests for these titles, from 40 different patrons, and administrative and status report process was simple and easy to follow; and

WHEREAS, the news that this grant was awarded, and well received by the patrons of the Library was celebrated with the City Council last summer as part of the monthly Library Services status reports; and

WHEREAS; on May 22, 2023, the City applied again for this Grant this year, and on July 31, 2023, learned that it has been awarded \$6,332 to buy and make available more books via the Zip Books Program for the City Library's patrons; and

WHEREAS, prior to accepting this Grant, the City Council is hereby afforded the opportunity to consider the Agreement and proposed terms and conditions before the City Manager electronically accepts it; and

WHEREAS, in the attached staff report, the City has considered this Grant, the proposed Agreement and its terms and conditions and authorizes the City Manager to accept it on behalf of the City Library and its patrons.

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

1. That the recitals in this Resolution and accompanying staff report are true and correct and are hereby made a part of this Resolution.
2. That it hereby accepts this California State Library Grant, the agreement and the attached terms and conditions in the Amount of \$6,332, to buy Zip Books for the Library and authorizes the City Manager to electronically accept the California State Library Grant Agreement terms and conditions.

PASSED AND APPROVED by the San Juan Bautista City Council on the 15th day of August, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

Attachment:

July 31, 2023 letter announcing the Award and California State Library Grant Agreement



July 31,2023

Mr. Don Reynolds, City Manager
San Juan Bautista City Library
PO Box 1420
San Juan Bautista, CA, 95045-1420

Subject: Zip Books Project ZIP23-79

Dear Mr. Don Reynolds:

We are pleased to approve the grant application for the Zip Book Project for a total of \$6,332 in California Library Services Act funds to purchase books and prime membership. Over the 2023/24 grant period, please take steps to ensure that as many Zip Books as possible are added to your permanent library collection. These steps might include approving only those patron requests which meet your collection development guidelines and/or may appeal to your community.

Hard copies of this correspondence will not follow. Keep the entirety of the correspondence for your files and consider these award materials your original documents. For more information, please refer to the Zip Book Guidelines located on the [State Library website](#).

Upon receipt of a completed claim form that is free of errors or inaccurate information, the State Library processes it for routing to the Office of the State Controller which ultimately issues the check. The total time for the claim form to be processed, routed, payment issued, and mailed can be up to eight weeks, but is often a shorter timeframe. If you still have not received payment after eight weeks, please contact your grant monitor.

The Grant Monitor assigned to your project is Monica Rivas. She is available to assist you throughout the year and she can be reached via email at monica.rivas@library.ca.gov. Please stay in touch with your Grant Monitor throughout the award period. Read the enclosed award packet thoroughly and contact your Grant Monitor if you have any questions.

Best wishes for a successful project.

Respectfully yours,

DocuSigned by:
A handwritten signature in black ink that reads "Greg Lucas".
Greg Lucas

8/9/2023

California State Librarian
Library – Courts Building
P.O. Box 942837
Sacramento, CA 94237-0001

916-323-9759
csl-adm@library.ca.gov
www.library.ca.gov

CC: Monica Rivas, monica.rivas@library.ca.gov
Lena Pham, lena.pham@library.ca.gov
Rochelle Eagen, library@san-juan-bautista.ca.us

In Process



STATE FUNDED GRANTS
AWARD AGREEMENT AND
CERTIFICATE OF COMPLIANCE



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PROJECT SUMMARY

AWARD AGREEMENT BETWEEN THE STATE LIBRARY and San Juan Bautista City Library for the project.

AWARD AGREEMENT NUMBER ZIP23-79

This Award Agreement ("Agreement") is entered into on July 01, 2023 by and between the California State Library ("State Library") and, San Juan Bautista City Library ("Grantee").

This Award Agreement pertains to Grantee's State-funded Zip Books project.

The Library Development Services Bureau ("LDS") of the State Library administers state and federal funds in the form of awards.

The Grantee was selected by the State Library to receive state grant funds in the amount of \$6,332 through the process adopted by the State Library in administering such grants.

The State Library and the Grantee, for the consideration and under the conditions hereinafter set forth in the Grant Agreement, agree as follows:



PROCEDURES and REQUIREMENTS

A. Term of the Agreement

The Grant term begins on the date of execution of the Agreement by both parties, until June 30, 2024. If completion of the project occurs prior to the end of the grant period, this will be the end date of the term of this agreement. Grant eligible program expenditures may begin no earlier than the start date. The project period ends on June 30, 2024 and all eligible program costs must be incurred by this date.

B. Scope of Work

1. Grantee agrees to perform all activities specifically identified in the Grantee's application and submitted to the State Library in response to the Zip Books Project.
2. The following activities and deliverables to be performed by the Grantee include, but are not limited to the following:
 - Maintain and keep records of expenditures related to the grant that are consistent with Generally Acceptable Accounting Practices (GAAP).
 - Make financial records available to the State Library upon request.
 - Work with the State Library staff to assure that funds are disbursed in compliance with the purpose of the grant.
 - Prepare and submit required narrative and financial reports.
 - Procure equipment, and other supplies as needed for the project.
 - Issue contracts for services, personnel, and consultants as needed for the project.
 - If applicable, make payments for services, including for hours worked and travel reimbursements, to consultants and contractors.
 - Oversee the implementation of project activities.

C. Budget Detail

The State Library shall provide the Grantee funding for the expenses incurred in performing the Scope of Work and activities specified in the Grantee's application. The Grantee shall request the distribution of grant funding consistent with its proposal and the budget worksheet that was included with the application. Under no circumstances shall payments exceed the total grant amount identified in this Agreement.

D. Narrative and Financial Reports

1. The Grantee shall be responsible for submission of interim and final **narrative and financial** reports on the progress and activities of the project, to the California State Library, using the sample report documents provided by the California State Library.
2. All the reports must be current, include all required sections and documents, and must be approved by the Grant Monitor before any payment request can be processed. Failure to comply with the specified reporting requirements may be considered a breach of this Agreement and result in the termination of the Agreement or rejection of the payment request and/or forfeiture by the Grantee of claims for costs incurred that might otherwise have been eligible for grant funding. Any problems or delays must be reported immediately to the Grant Monitor. The financial reports shall reflect the expenditures made by the Grantee under the Agreement and may be incorporated into the same reporting structure as the narrative reports.
3. The reports shall be submitted by the following dates:

Reporting Period	Report	Due Date
July 01- December 31,2023	1 st Financial and Mid Project Program Narrative Report Due	January 31, 2024
January 01– Project End Date June 30, 2024	Final Financial Report, Expenditure Detail Report and Final Program Narrative Report Due	July 31, 2024

4. Failure to submit timely reports with the appropriate documentation by the due date may result in rejection of the payment request and/or forfeiture by the Grantee of claims for costs incurred that might otherwise have been eligible for grant funding.
5. The Grantee agrees to maintain records and supporting documentation pertaining to the performance of this grant, subject to possible audit for a minimum of five (5) years after final payment date or grant term end date, whichever is later. Please refer to Exhibit A, Terms and Conditions for more information.

E. Claim Form and Payment

1. The California State Library shall provide the Grantee payment as outlined in the payment schedule only if all requirements for claiming the funds as outline in this document have been met, and only for those activities and costs specified in the approved award application.
2. The Grantee shall complete, sign, and submit Certification of Compliance form (Exhibit B) and the Financial Claim form (included in your award packet), to the California State Library within 14 days of receiving this award packet. These forms will be issued, signed, and submitted using the online signature and agreement platform, DocuSign, unless DocuSign is unallowable or inconsistent with practices and policies of the local jurisdiction. If the use of DocuSign is not acceptable to your organization, please contact your grant monitor regarding alternate options.
3. Any of the sums appearing under the categories in the approved budget may be adjusted with prior authorization from the California State Library Grant Monitor. This would be to increase the allotment with the understanding that there will be corresponding decreases in the other allotments so that the total amount paid by the California State Library to the Grantee under this Agreement shall not exceed the awarded amount, which shall be expended/encumbered during the grant period.
4. If the payment amount made by the California State Library exceeds the actual expenses incurred during the term of this Agreement, as reflected in the financial reports to be filed by the Grantee, the Grantee shall immediately refund the excess payment amount to the California State Library.
5. The Award payments will only be made to the Grantee. It is the Grantee's responsibility to pay all contractors and subcontractors for purchased goods and services.
6. The Final Payment of 10% (if applicable) will be withheld and retained by the California State Library until all conditions agreed upon in this Agreement, including submission and grant monitor approval of the interim and final narrative and financial reports, have been satisfied.
7. **Prompt Payment Clause**
The California State Library will make payments to the Grantee in accordance with the Prompt Payment Clause under Government Code, section 927, *et. seq.* The Grantee may typically expect payment within 45 days from the date a grant payment request is properly submitted and approved by the Grant Monitor.
8. **Budget Contingency Clause**
 - a. It is mutually agreed that if the Budget Act of the current fiscal year or any subsequent years covered under this Agreement does not appropriate

sufficient funds for the program, this Agreement shall no longer be in full force and effect. In this event, the California State Library shall have no liability to pay any funds whatsoever to the Grantee or to furnish any other considerations under this Agreement and the Grantee shall not be obligated to perform any provisions of this Agreement.

- b. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this Program, the California State Library shall have the option to either cancel this Agreement with no liability occurring to itself or offer an Agreement amendment to the Grantee to reflect the reduced amount.

In Process



EXHIBIT A: TERMS and CONDITIONS

1. Accessibility: The State is responsible for ensuring that public websites are accessible to both the general public and state employees, including persons with disabilities. Grantee shall assist the State in meeting its responsibility. Therefore, all project materials generated by state funded programs must meet the [California Accessibility Standards](#). Additionally, all project materials designed, developed, and maintained shall be in compliance with the California Government Code, sections 7405 and 11135, and the Web Content Accessibility Guidelines 2.0, or a subsequent version, as published by the Web Accessibility Initiative of the World Wide Web Consortium at a minimum Level AA success criteria.

However, if for some reason project material is not generated to be in compliance to meet these standards, please still submit it to the State Library. When submitting the material make sure to note that the material is not accessible by including "NOT ACCESSIBLE" in the file name.

The California State Library reserves the right to post project materials to its website that are in compliance with these standards.

2. Acknowledgment: The State of California and the California State Library shall be acknowledged in all promotional materials and publications related to the Zip Books Project.
 - a. Grant award recipients must ensure that the State of California receives full credit as the source of funds and that the California State Library, likewise, is acknowledged as the administrator.
 - b. Publications and information releases about the project must credit the State of California. An appropriate statement for a publication or project press release is:

"This [publication/project] was supported in whole or in part by funding provided by the State of California, administered by the California State Library."

Grantees must include the above statement in any publications, vehicle wraps, and promotional materials, including websites. If space is limited the State Library logo and the following shortened acknowledgement statement is acceptable:

"Funding provided by the State of California."

- c. This credit line on products of a project, such as materials, is important to foster support from the public, and state funding sources.
 - d. California State Library Logo: Use of the California State Library logo, which can be downloaded on the [California State Library website](#), is required on any publication, vehicle wrap, or promotional material along with the above statement(s).
 - e. Photo Documentation: Digital photos are a great way to document the happenings of your project. It is recommended that you use a photo release form when taking photos of the public. You may use your library's photo release form or contact your grant monitor for the State Library's form.
3. Agency: In the performance of this Agreement the Grantee and its agents and employees shall act in an independent capacity and not as officers, employees, or agents of the California State Library. The Grantee is solely responsible for all activities supported by the grant. Nothing in this Agreement creates a partnership, agency, joint venture, employment, or any other type of relationship between the parties. The Grantee shall not represent itself as an agent of the California State Library for any purpose and has no authority to bind the State Library in any manner whatsoever.
4. Amendment: No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties, and approved as required. No oral understanding or agreement not incorporated into this Agreement is binding on any of the parties. This Agreement may be amended, modified, or augmented by mutual consent of the parties, subject to the requirements and restrictions of this paragraph.
5. Applicable law: The laws of the State of California shall govern all proceedings concerning the validity and operation of this Agreement and the performance of the obligations imposed upon the parties hereunder. The parties hereby waive any right to any other venue. The place where the Agreement is entered into and place where the obligation is incurred is Sacramento County, California.
6. Assignment, Successors, and Assigns: The Grantee may not assign this Agreement or delegate its performance to any third-party person or entity, either in whole or in part, without the California State Library's prior written consent. The provisions of this Agreement shall be binding upon and inure to the benefit of the California State Library, the Grantee, and their respective successors and assigns.
7. Audit and Records Access: The Grantee agrees that the California State Library, the Department of General Services, the State Auditor, or their designated representatives shall have the right to review, audit, inspect and copy any records and supporting documentation pertaining to the performance of this Agreement. The Grantee agrees to maintain such records for possible audit for a minimum of five (5) years after the final payment, or grant term end date, whichever is later, unless a longer period of records retention is stipulated, or until

completion of any action and resolution of all issues which may arise as a result of any litigation, dispute, or audit, whichever is later. The Grantee agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, the Grantee agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement.

Examples of audit documentation may include, but not limited to, competitive bids, grant amendments, if any, relating to the budget or work plan, copies of any agreements with contractors or subcontractors if utilized, expenditure ledger, payroll register entries, time sheets, personnel expenditure summary form, travel expense log, paid warrants, contracts and change orders, samples of items and materials developed with grant funds, invoices and/or cancelled checks.

8. Authorized Representative: Grantee and the California State Library mutually represent that their authorized representatives have the requisite legal authority to sign on their organization's behalf.
9. Communication: All communications from either party, including an interim check-in at any time during the grant term, shall be directed to the respective grant manager or representative of the California State Library or Grantee. For this purpose, the following contact information is provided below:

San Juan Bautista City Library
Mr. Don Reynolds
PO Box 1420
San Juan Bautista, CA, 95045

California State Library
Ms. Monica Rivas
900 N Street
Sacramento, CA 95814
monica.rivas@library.ca.gov

citymanager@san-juan-bautista.ca.us

1. Confidentiality: Grantee will maintain as confidential any material it receives or produces that is marked **Confidential** or is inherently confidential or is protected by privilege. Grantee agrees to alert the State Library to this status in advance, and State Library agrees to maintain this status in conformity with the Public Records Act.
2. Contractor and Subcontractors: Nothing contained in this Grant Agreement or otherwise shall create any contractual relation between the State and any contractor or subcontractors, and no contract or subcontract shall relieve the Grantee of his or her responsibilities and obligations hereunder. The Grantee agrees to be as fully responsible to the State for the acts and omissions of its contractors, subcontractors, volunteers, student interns and of persons either directly or indirectly employed by any of them as it is for the acts and omissions

of persons directly employed by the Grantee. The Grantee's obligation to pay its contractors and subcontractors is an independent obligation from the State's obligation to make payments to the Grantee. As a result, the State shall have no obligation to pay or to enforce the payment of any monies to any contractor or subcontractor.

3. Copyright: Grantee owns and retains titles to any copyrights or copyrightable material from any original works that it creates within the scope of this Agreement in accordance with the federal Copyright Act. (17 U.S.C. 101, *et seq.*) Grantee is responsible for obtaining any necessary licenses, permissions, releases, or authorizations to use text, images, or other materials owned, copyrighted, or trademarked by third parties and for extending such licenses, permissions, releases, or authorizations to the California State Library pursuant to this section. Also, the California State Library may upload, post, or transmit copyrighted material produced or purchased with grant funds on a California State Library website for public access and viewing.
4. Discharge of Grant Obligations: The Grantee's obligations under this Agreement shall be deemed discharged only upon acceptance of the final report by California State Library. If the Grantee is a non-profit entity, the Grantee's Board of Directors shall accept and certify as accurate the final report prior to its submission to California State Library.
5. Dispute Resolution: In the event of a dispute, Grantee will discuss the problem informally with the Grant Monitor. If unresolved, the Grantee shall file a written "Notice of Dispute" with the State Library Grant Monitor within ten (10) days of discovery of the problem. Within ten (10) days of receipt, the Grant Monitor shall meet with the Grantee for purposes of resolving the dispute. Any dispute arising under the terms of this Agreement which is not disposed of within a reasonable period of time, the Grantee may bring it to the attention of the State Librarian or the designated representative. The decision of the State Librarian or designated representative shall be final. Unless otherwise instructed by the Grant Monitor, the Grantee shall continue with its responsibilities under this Agreement during any dispute.
6. Drug-free Workplace: The Grantee certifies under penalty of perjury under the laws of California, that the Grantee will comply with the requirements of the Drug-Free Workplace Act of 1990 (Gov. Code, § 8350 *et seq.*) and will provide a drug-free workplace by taking the following actions:
 - a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
 - b. Establish a Drug-Free Awareness Program to inform employees about all of the following:

- 1) The dangers of drug abuse in the workplace.
- 2) The Grantee's policy of maintaining a drug-free workplace.
- 3) Any available counseling, rehabilitation, and employee assistance programs.
- 4) Penalties that may be imposed upon employees for drug abuse violations.

c. Require that every employee who works on the Agreement will:

- 1) Receive a copy of the Grantee's drug-free workplace policy statement.
- 2) Agrees to abide by the terms of the Grantee's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and grantee may be ineligible for award of any future state agreements if the California State Library determines that the grantee has made a false certification or violated the certification by failing to carry out the requirements as noted above.

7. Effectiveness of Agreement: This Agreement is of no force or effect until signed by both parties.
8. Entire Agreement: This Agreement supersedes all prior agreements, oral or written, made with respect to the subject hereof and, together with all attachments hereto, contains the entire agreement of the parties.
9. Exclusive Agreement: This is the entire Agreement between the California State Library and Grantee.
10. Executive Order N-6-22-Russia Sanctions: The Grantee shall comply with Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law. The EO directs state agencies to terminate grant agreements with, and to refrain from entering any new grant agreements with, individuals or entities that are determined to be a target of Economic Sanctions. Accordingly, should the State determine Grantee is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this agreement. The State shall provide Grantee advance written notice of such termination, allowing Grantee at least 30 calendar days to provide a written response. Termination shall be at the sole discretion of the State.
11. Extension: The State Librarian or designee may extend the final deadline for good cause. The Grantee's request for an extension of the grant period must be made in writing and received by the California State Library at least 30 days prior to the final deadline.

12. Failure to Perform: The grant being utilized by the Grantee is to benefit the Zip Books Project. If the Grant Monitor determines the Grantee has not complied with this Agreement, the Grantee may forfeit the right to reimbursement of any grant funds not already paid by the California State Library, including, but not limited to, the ten percent (10%) withhold.

13. Federal and State Taxes: The State Library shall not:

- a. Withhold Federal Insurance Contributions Act (FICA) payments from Grantee's payments or make FICA payments on the Grantee's behalf; or
- b. Make Federal or State unemployment insurance contributions on Grantee's behalf; or
- c. Withhold Federal or State income taxes from Grantee's payments.

Grantee shall pay all taxes required on payments made under this Agreement including applicable income taxes and FICA.

14. Force Majeure: Neither the California State Library nor the Grantee, its contractors, vendors, or subcontractors, if any, shall be responsible hereunder for any delay, default, or nonperformance of this Agreement, to the extent that such delay, default, or nonperformance is caused by an act of God, weather, accident, labor strike, fire, explosion, riot, war, rebellion, sabotage, flood, or other contingencies unforeseen by the California State Library or the Grantee, its contractors, vendors, or subcontractors, and beyond the reasonable control of such party.

15. Forfeit of Grant Funds and Repayment of Funds Improperly Expended: If grant funds are not expended, or have not been expended, in accordance with this Agreement, the State Librarian or designee, at his or her sole discretion, may take appropriate action under this Agreement, at law or in equity, including requiring the Grantee to forfeit the unexpended portion of the grant funds, including, but not limited to, the ten percent (10%) withhold, and/or to repay to the California State Library any funds improperly expended.

16. Fringe Benefit Ineligibility: Grantee agrees that neither the Grantee nor its employees and contract personnel are eligible to participate in any employee pension, health benefit, vacation pay, sick pay or other fringe benefit plan of the State of California or the State Library.

17. Generally Accepted Accounting Principles: The Grantee is required to use Generally Accepted Accounting Principles in documenting all grant expenditures.

18. Grant Monitor: The Grant Monitor's responsibilities include monitoring grant progress and reviewing and approving Grant Payment Requests and other documents delivered to the California State Library pursuant to this Agreement.

The Grant Monitor may monitor Grantee performance to ensure Grantee expends grant funds appropriately and, in a manner, consistent with the terms and conditions contained herein. The Grant Monitor does not have the authority to approve any deviation from or revision to the Terms and Conditions (Exhibit A) or the Procedures and Requirements unless such authority is expressly stated in the Procedures and Requirements.

19. Grantee: the government or legal entity to which a grant is awarded, and which is accountable to the California State Library for the use of the funds provided.
 - a. The grantee will make reports to the State Librarian in such form and containing such information as may be required to ensure the proper use of funds consistent with the grantee's application and award agreement. The grantee will keep such records and afford such access as the California State Library may find necessary to assure the correctness and verification of such reports.
20. Grantee Accountability: The Grantee is ultimately responsible and accountable for the manner in which the grant funds are utilized and accounted for and the way the grant is administered, even if the Grantee has contracted with another organization, public or private, to administer or operate its grant program. In the event an audit should determine that grant funds are owed to the California State Library, the Grantee is responsible for repayment of the funds to the California State Library.
21. Grantee Funds: It is mutually agreed that the Grantee is responsible for furnishing funds beyond the grant award that may be necessary to complete the project.
22. Independent Action: Grantee reserves the right to fulfill its obligations under this Agreement in an independent manner, at any location and at any time within the agreed-upon timeline. Grantee's employees or contract personnel shall perform all services required by this Agreement, but their time need not be devoted solely to fulfilling obligations under this Agreement. Grantee shall furnish all equipment and materials used to meet its obligations and complete the Project. The State Library shall not provide any personnel or other resources beyond the grant award and is not required to provide training in connection with this Agreement.
23. Indemnification: Grantee agrees to indemnify, defend and save harmless the State of California, the California State Library and its officers, employees, and agents, from any and all claims, losses, and liabilities accruing or resulting to any and all contractors, subcontractors, suppliers, laborers and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Grantee in the performance of this Agreement.

24. License to Use: The California State Library reserves a fully paid-up, royalty-free, nonexclusive, sub-licensable and irrevocable license to reproduce, publish, prepare derivative works, distribute, or otherwise use, and to authorize third parties to use, any material received or maintained by Grantee in connection with this Agreement. This includes intellectual property, with or without third-party rights. All such usages will be for public library and State governmental purposes:

- a. The copyright in any work developed under this grant, sub-grant, or contract under this grant or sub-grant; and
- b. Any rights of copyright to which a Grantee, sub-grantee, or a contractor purchases ownership with grant support.

25. Limitation of Expenditure: Expenditure for all projects must conform to the grantee's approved budget and with applicable State laws and regulations. The total amount paid by the California State Library to the Grantee under this agreement shall not exceed \$6,332 and shall be expended/encumbered in the designated award period.

During the award period, the grantee may find that the awarded budget may need to be modified. Budget changes, requests for additional funds, or requests for reductions in award funding must be discussed with the assigned State Library Grant Monitor and a Grant Award Modification may be required to be submitted according to the instructions. Approval is by the State Librarian or their designee. Adjustments should be reported on the next financial report. Any adjustments in approved budgets must be documented and documentation retained in project accounts.

26. Lobbying: Grantee confirms that the grant funds will not be used for the purposes of lobbying or otherwise attempting to influence legislation, as those purposes are defined by the U.S. Internal Revenue Code of 1986.

27. Non-Discrimination Clause: During this grant period, the Grantee and the Grantee's contractors, and subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, age, sexual orientation, or military and veteran status. Grantee shall insure that the evaluation and treatment of contractors, employees and applicants for employment are free from such discrimination and harassment.

Additionally, Grantee, contractors, and subcontractors, if applicable, shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12900 et seq.), the regulations promulgated thereunder (Cal. Code Regs., tit. 2,

§ 11000 *et seq.*), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code §§ 11135-11139.5), and the regulations or standards adopted by the California State Library to implement such article.

Grantee shall permit access by representatives of the Department of Civil Rights and the California State Library upon reasonable notice at any time during the normal business hours, but in no case less than 24 hours' notice, to such of its books, records, accounts, and all other sources of information and its facilities as said Department or the California State Library shall require ascertaining compliance with this clause. Grantee, and its contractors, and subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. (See Cal. Code Regs., tit. 2, § 11105.) Grantee shall include the non-discrimination and compliance provisions of this clause in all contracts and subcontracts to perform work under the Agreement.

28. Notices: All notices and other communications in connection with this Agreement shall be in writing, and shall be considered delivered as follows:

- a. **Electronic Mail (E-mail)**: When sent by e-mail to the last e-mail address of the recipient known to the party giving notice. Notice is effective upon transmission.
- b. **DocuSign (e-signature platform)**: When sent via DocuSign a notification will be sent to the last e-mail address of the recipient known to the party giving notice. Notice is effective upon transmission.
- c. **Grants Management System**: When sent via / uploaded to the California State Library's Grants Management System a notification will be sent to the last e-mail address of the recipient known to the party giving notice. Notice is effective upon transmission.
- d. **Personally**: When delivered personally to the recipient's physical address as stated in this Agreement.
- e. **U.S. Mail**: Five days after being deposited in the U.S. Mail, postage prepaid, and addressed to recipient's address as stated in this Agreement.

29. Order of Precedence: The performance of this Agreement shall be conducted in accordance with the Terms and Conditions, Procedures and Requirements, Certificate of Compliance, Project Summary, Activities Timeline, and Budget, of this Agreement, or other combination of exhibits specified on the Grant Agreement Coversheet attached hereto (collectively referred to as "Terms"). Grantee's California State Library-approved Application (Grantee's Application) is hereby incorporated herein by this reference. In the event of conflict or inconsistency between the articles, exhibits, attachments, specifications, or

provisions that constitute this Agreement, the following order of precedence shall apply:

- a. Grant Agreement Coversheet and any Amendments thereto
- b. Terms and Conditions
- c. Procedures and Requirements
- d. Certificate of Compliance
- e. Project Summary
- f. Grantee's Application (including Budget and Activities Timeline)
- g. All other attachments hereto, including any that are incorporated by reference.

30. Payment:

- a. The approved Budget, if applicable, is attached hereto and incorporated herein by this reference and states the maximum amount of allowable costs for each of the tasks identified in the Project Summary and Activity Timeline included in the project application. California State Library shall provide funding to the Grantee for only the work and tasks specified in the Grantee's Application at only those costs specified in the Budget and incurred in the term of the Agreement.
- b. The Grantee shall carry out the work described in the Work Plan or in the Grantee's Application in accordance with the approved Budget and shall obtain the Grant Monitor's written approval of any changes or modifications to the Work Plan, approved project as described in the Grantee's Application, or the approved Budget prior to performing the changed work or incurring the changed cost. If the Grantee fails to obtain such prior written approval, the State Librarian or designee, at his or her sole discretion, may refuse to provide funds to pay for such work or costs.
- c. The Grantee shall request funds in accordance with the funding schedule included in this agreement.
- d. Ten percent (10%) will be withheld from the Payment Request (if applicable) and paid at the end of the grant term, when all reports and conditions stipulated in this Agreement have been satisfactorily completed. Failure by the grantee to satisfactorily complete all reports and conditions stipulated in this Agreement may result in forfeiture of any such funds withheld.
- e. Lodgings, Meals and Incidentals: Grantee's eligible costs are limited to the amounts authorized in the [California State Administrative Manual](#) (see Exhibit C or contact the Grant Monitor for more information).
- f. Payment will be made only to the Grantee.

- g. Reimbursable expenses shall not be incurred unless and until the grantee receives a Notice to Proceed as described in the Procedures and Requirements.
31. Personal Jurisdiction: The Grantee consents to personal jurisdiction in the State of California for all proceedings concerning the validity and operation of this Agreement and the performance of the obligations imposed upon the parties. Native American Tribal grantees expressly waive tribal sovereign immunity as a defense to any and all proceedings concerning the validity and operation of this Agreement and the performance of the obligations imposed upon the parties.
32. Personnel Costs: Any personnel expenditures to be paid for with grant funds must be computed based on actual time spent on grant-related activities and on the actual salary or equivalent hourly wage the employee is paid for their regular job duties, including a proportionate share of any benefits to which the employee is entitled.
33. Pledge: This Agreement shall not be interpreted to create any pledge or any commitment by the State Library to make any other or further grants or contributions to Grantee, or any other person or entity in connection with the Project. It is mutually agreed that Grantee is responsible for furnishing funds beyond the grant award that may be necessary to complete outcomes or deliverables.
34. Privacy Protection: Both parties agree to protect the confidentiality of any non-public, personal information that may be contained in materials received or produced in connection with this Agreement, as required by Civil Code, section 1798, *et. seq.*
35. Prohibited Use: The expenditure under this program shall not be used to supplant Grantee efforts in other grant programs provided by the California State Library.
36. Public Records Act: Material maintained or used by the California State Library is considered "public record" under the Public Records Act (PRA) at Government Code, sections 6250, *et. seq.* This includes the Interim and Final reports, and any other written communications between the parties. Grantee agrees to ensure that all content contained in its written reports are appropriate for publication. Said material, along with all other reports, documentation and data collected during the term of the Agreement, will be subject to disclosure unless it qualifies for exemption under the PRA in whole or in part. Grantee agrees to alert the State Library as to a basis for exemption if any exists.
37. Publicity Obligations: Grantee will notify the State Library of any promotional materials or publications resulting from the grant no later than five (5) days in advance of distribution, whether they are print, film, electronic, or in any other

format or medium. Copies of all promotional materials will be provided to the State Library. Grantee will acknowledge the State Library's support as noted above. Grantee agrees that the State Library may include information about this grant and its outcomes in its own annual reports, with specific reference to Grantee, and may distribute such information to third parties.

38. Records: Communications, grant related documents, data, original receipts, and invoices must be maintained by Grantee and shall be made available to the State Library upon request. Grantee agrees to maintain adequate grant program records and adequate financial records consistent with generally accepted accounting practices, and to retain all records for at least five (5) years after the end-of-term. The State Library may monitor or conduct an onsite evaluation of Grantee's operation to ensure compliance with this Agreement, with reasonable advance notice.
39. Reduction of Waste: In the performance of this Agreement, Grantee shall take all reasonable steps to ensure that materials purchased or utilized in the course of the project are not wasted. Steps should include, but not be limited to the use of used, reusable, or recyclable products; discretion in the amount of materials used; alternatives to disposal of materials consumed; and the practice of other waste reduction measures where feasible and appropriate.
40. Reimbursement Limitations: Under no circumstances shall the Grantee seek reimbursement pursuant to this Agreement for a cost or activity that has been or will be paid for through another funding source. The Grantee shall not seek reimbursement for any costs used to meet cost sharing or matching requirements of any other California State Library funded program.
41. Reports and Claims: It is the responsibility of the grantee make the required reports and claims to the California State Library.
 - a. The grantee shall be responsible for submitting to the State Library Narrative Reports detailing progress and activities. The reports are due on the dates specified in the reporting schedule detailed in the Procedures and Requirements section.
 - b. The grantee shall be responsible for submitting to the State Library Financial Reports reflecting grantee expenditure activity. The reports are due on the dates specified in the reporting schedule detailed in the Procedures and Requirements section.
 - c. To obtain payment hereunder the grantee shall submit authorized claims provided by the State Library for that purpose, on each of the following mentioned dates for payment, and the California State Library agrees to reimburse the library as soon thereafter as State fiscal procedures will permit.

- d. The final 10% of the grant award (if applicable) is payable only upon approval of all final reports and receipt of claim form. Failure to provide timely reports is a serious breach of an award recipient's administrative duty under the award.
 - e. Payment will be provided to cover the expenditures incurred by the grantee for the project in the following manner:
 - o \$6,332 upon execution of the agreement and submission of claim by the grantee organization.
 - o If applicable, final payment will be made upon approval of all final reports and receipt of claim form in the amount of \$0.
42. Self-Dealing and Arm's Length Transactions: All expenditures for which reimbursement pursuant to this Agreement is sought shall be the result of arm's-length transactions and not the result of, or motivated by, self-dealing on the part of the Grantee or any employee or agent of the Grantee. For purposes of this provision, "arm's-length transactions" are those in which both parties are on equal footing and fair market forces are at play, such as when multiple vendors are invited to compete for an entity's business and the entity chooses the lowest of the resulting bids. "Self-dealing" is involved where an individual or entity is obligated to act as a trustee or fiduciary, as when handling public funds, and chooses to act in a manner that will benefit the individual or entity, directly or indirectly, to the detriment of, and in conflict with, the public purpose for which all grant monies are to be expended.
43. Severability: If any part of this Agreement is found to be unlawful or unenforceable, such provisions will be voided and severed from this Agreement, but the remainder of the provisions in the Agreement will remain in full force and effect.
44. Site Visits: The Grantee shall allow the California State Library to access and conduct site visits, with reasonable notice, at which grant funds are expended and related work being performed at any time during the performance of the work and for up to ninety (90) days after completion of the work, or until all issues related to the grant project have been resolved. A site visit may include, but not be limited to, monitoring the use of grant funds, provide technical assistance when needed, and to visit the State funded project.
45. Termination: The Agreement shall be subject to termination by the State Librarian or designee upon notice to the Grantee at least thirty (30) days prior to the effective date of termination. In the event this agreement is terminated, the Grantee shall deliver to the State Librarian copies of all reports, accounting, data, and materials prepared up to the date of termination. The State Librarian shall determine and pay the Grantee for necessary and appropriate

expenditures and obligations up to the date of termination which have not been covered by prior installments previously paid to the Grantee. Upon such termination, the unused portion of the grant award must be returned to the California State Library within 45 days. If funding has been advanced to the Grantee, any unobligated balances, as determined by the State Librarian, shall be returned to the State Library within 45 days of the notice of termination.

46. Timeline: Time is of the essence to this Agreement. It is mutually agreed between the parties that the grant application and the timeline included therein are part of the Agreement.

47. Unused Funds: At the end-of-term Grantee agrees to return any unexpended or unaccounted for funds to the State Library, or to submit a written request for an extension of the grant period. Funds will be considered unexpended or unaccounted if they were: (1) not used for their intended purpose, or (2) used inconsistent with the terms of this Agreement.

Funds will also be considered unaccounted for, and must be returned, if the proposal outcomes or deliverables are materially incomplete by the end-of-term or earlier termination, as determined by the State Library in its sole discretion.

48. Waiver of Rights: California State Library shall not be deemed to have waived any rights under this Agreement unless such waiver is given in writing and signed by California State Library. No delay or omission on the part of California State Library in exercising any rights shall operate as a waiver of such right or any other right. A waiver by California State Library of a provision of this Agreement shall not prejudice or constitute a waiver of California State Library's right otherwise to demand strict compliance with that provision or any other provision of this Agreement. No prior waiver by California State Library, nor any course of dealing between California State Library and Grantee, shall constitute a waiver of any of California State Library's rights or of any of grantee's obligations as to any future transactions. Whenever the consent of California State Library is required under this Agreement, the granting of such consent by California State Library in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of California State Library.

49. Work Products: Grantee shall provide California State Library with copies of all final products identified in the Work Plan and Application. Grantee shall also provide the State Library with copies of all public education and advertising material produced pursuant to this Agreement.

50. Worker's Compensation: The State of California will not provide Workers' Compensation insurance for Grantee or Grantee's employees or contract personnel. If Grantee hires employees to perform services required by this Agreement, Grantee shall provide Workers' Compensation insurance for them. The Grantee is aware of Labor Code Section 3700, which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Labor Code, and the Grantee agrees to comply with such provisions before commencing the performance of the work of this Agreement.

In Process



EXHIBIT B: CERTIFICATION of COMPLIANCE FORM

1. **AUTHORIZED REPRESENTATIVE:** I certify that the authorized representative named below is the legally designated representative of the Grantee for this Grant Agreement and project and is authorized to receive and expend funds in order to administer this grant program.
2. I certify that all information provided to the California State Library for review in association with this award is correct and complete to the best of my knowledge, and as the authorized representative of the Grantee, I commit to the conditions of this award, and I have the legal authority to do so.
3. I certify that any or all other participants or contractors in the grant program have agreed to the terms of the application/grant award and have entered into an agreement(s) concerning the final disposition of equipment, facilities, and materials purchased for this program from the funds awarded for the activities and services described in the attached, as approved and/or as amended in the application by the California State Librarian.
4. The authorized representative, on behalf of the Grantee, certifies that the Grantee will comply with all applicable requirements of State and Federal laws, regulations, and policies governing this program, to include the requirements listed below in this Certification of Compliance Form.
5. The authorized representative, on behalf of the Grantee, hereby certifies to the California State Library, for an award of funds in the amount \$6,332. This award will provide library services as set forth in the Project Application as approved and/or as amended by the California State Librarian.
6. **STATEMENT OF COMPLIANCE:** Grantee has, unless exempted, complied with the non-discrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 11102).
7. **DRUG-FREE WORKPLACE REQUIREMENTS:** Grantee will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:
 - a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
 - b. Establish a Drug-Free Awareness Program to inform employees about:

- 1) The dangers of drug abuse in the workplace.
- 2) The person's or organization's policy of maintaining a drug-free workplace.
- 3) Any available counseling, rehabilitation, and employee assistance programs; and,
- 4) penalties that may be imposed upon employees for drug abuse violations.

c. Every employee who works on the proposed Agreement will:

- 1) receive a copy of the company's drug-free workplace policy statement; and,
- 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Grantee may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Grantee has made false certification or violated the certification by failing to carry out the requirements as noted above. (Gov. Code § 8350 et. seq.)

- 8. CONFLICT OF INTEREST:** Grantee needs to be aware of the following provisions regarding current or former state employees. If Grantee has any questions on the status of any person rendering services or involved with the Agreement, the California State Library must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code § 10410):

- a. No officer or employee shall engage in any employment, activity, or enterprise from which the officer or employee receives compensation or has a financial interest, and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
- b. No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code § 10411):

- a. For the two-year period from the date, he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.
- b. For the twelve-month period from the date, he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Grantee violates any provisions of above paragraphs, such action by Grantee shall render this Agreement void. (Pub. Contract Code § 10420).

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code § 10430 (e)).

9. **LABOR CODE/WORKERS' COMPENSATION:** Grantee needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and Grantee affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code § 3700).
10. **AMERICANS WITH DISABILITIES ACT:** Grantee assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 *et. seq.*)
11. **RESOLUTION:** For awards totaling \$350,000 or more, a county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.
12. **PAYEE DATA RECORD FORM STD. 204:** This form must be completed by all Grantees that are not another state agency or other governmental entity.
13. **DRUG FREE WORKPLACE:**
 - a. Continue to provide a drug-free workplace by complying with the requirements in 2 C.F.R. part 3186 (Requirements for Drug-Free Workplace (Financial Assistance)). In particular, the recipient must comply with drug-free workplace requirements in subpart B of 2 C.F.R. part 3186, which adopts the Government-wide implementation (2 C.F.R. part 182) of sections 5152-5158 of the Drug-Free Workplace Act of 1988 (P. L. 100-690, Title V, Subtitle D; 41 U.S.C. §§ 701-707).
 - b. This includes but is not limited to making a good faith effort, on a continuing basis, to maintain a drug-free workplace; publishing a drug-free workplace statement; establishing a drug-free awareness program for the employees; taking actions concerning employees who are convicted of violating drug statutes in the workplace.
14. **ACCESSIBILITY:** The organization receiving this award, as listed in the certification section below, and all program staff, will ensure all project materials will meet California accessibility standards.
15. **NON-DISCRIMINATION:** The organization receiving this award, as listed in the certification section below, and all program staff, agree to comply with all California non-discrimination laws.

16. **ACKNOWLEDGEMENT:** The organization receiving this award, as listed in the certification section below, and all program staff, agree to comply with California State Library acknowledgement requirements.

Certification

ORGANIZATION	
Name:	Address (official and complete):
PROJECT COORDINATOR	
Name:	
Email:	Phone:
GRANTEE AUTHORIZED REPRESENTATIVE	
Name:	Title:
Email:	Phone:
Signature:	Date:



Authorized Representative Signature

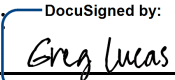
ORGANIZATION	
Name:	Address <i>(official and complete):</i>
AUTHORIZED REPRESENTATIVE	
Signature:	Date:
Printed Name of Person Signing:	Title:
STATE OF CALIFORNIA	
Agency Name: California State Library	Address: 900 N Street, Sacramento, CA 95814
Signature: <small>DocuSigned by:</small> 	Date: 8/9/2023
Printed Name of Person Signing: Greg Lucas	Title: California State Librarian



EXHIBIT C: STATE REIMBURSABLE TRAVEL EXPENSES

Rates are subject to change per State of California, Department of Human Resources
 Please Check State of California, Department of Human Resources Website for
 updated expenses:

<http://www.calhr.ca.gov/employees/pages/travel-reimbursements.aspx>

Mileage: Rate subject to change	\$0.585 per mile – approved business/travel expense
Meals: Receipts are required	\$7.00 – Breakfast \$11.00 – Lunch \$23.00 – Dinner \$5.00 - Incidentals

Meals Note: Lunch can only be claimed if travel is more than 24 hours. Incidental charge may be claimed once for every 24-hour period and should cover incidental expenses, such as but not limited to, tip, baggage handling, etc.

Hotel: Receipts are required and MUST have a zero balance.	\$ 90.00 plus tax for all counties/cities not listed below \$ 95.00 plus tax for Napa, Riverside, and Sacramento Counties \$ 110.00 plus tax for Marin County \$ 120.00 plus tax for Los Angeles, Orange, and Ventura Counties, and Edwards AFB. Excluding the city of Santa Monica \$ 125.00 plus tax for Monterey and San Diego Counties \$ 140.00 plus tax for Alameda, San Mateo, and Santa Clara Counties \$ 150.00 plus tax for the City of Santa Monica \$ 250.00 plus tax for San Francisco County Out of State: Prior authorization must be obtained, as well as three print-out hotel quotes. Actual receipt must be included with authorization and additional quotes.
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Hotel Note: If the above approved reimbursable hotel rates cannot be secured, please contact your grant monitor to obtain an excess lodging form. This form must be approved prior to actual travel.

AIRLINE TICKETS: Itinerary and receipts are required	Actual reasonable fees pertaining to airline travel will be reimbursed. Business, First Class, or Early Bird Check-in fee is not an approved reimbursable expense.
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April 25, 2022

RE: Contractor and Grantee Compliance with Economic Sanctions Imposed in Response to Russia's Actions in Ukraine

Dear Grantee,

You are receiving this notification because you currently have an active grant through the California State Library.

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (EO) regarding sanctions in response to Russian aggression in Ukraine. The EO is located at <https://www.gov.ca.gov/wp-content/uploads/2022/03/3.4.22-Russia-Ukraine-Executive-Order.pdf>.

The EO directs all agencies and departments that are subject to the Governor's authority to take certain immediate steps, including notifying all contractors and grantees of their obligations to comply with existing economic sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law.

This correspondence serves as a notice under the EO that as a contractor or grantee, compliance with the economic sanctions imposed in response to Russia's actions in Ukraine is required, including with respect to, but not limited to, the federal executive orders identified in the EO and the sanctions identified on the U.S. Department of the Treasury website (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/ukraine-russia-related-sanctions>). Failure to comply may result in the termination of contracts or grants, as applicable.

Please note that for any agreements or grants valued at \$5 million or more, a separate notification will be sent outlining additional requirements specified under the EO.

Annly Roman
California State Library
900 N Street
Sacramento, CA 95814



**CALIFORNIA LIBRARY SERVICES ACT
FINANCIAL CLAIM
PAYMENT IN FULL**

Grant Award #: ZIP23-79 **Date:**
Invoice #: ZIP23-79-01 **PO #:** 6541
Payee Name: City of San Juan Bautista
(Legal name of authorized agency to receive, disburse and account for funds*)

Complete Address:

Street Address, City, State, Zip Code (Warrant will be mailed to this address)

Amount Claimed: \$6,332 **Type of Payment:**
(Payable Upon Execution of Agreement) ☐ PROGRESS
Grantee Name: San Juan Bautista City Library ☐ FINAL
(Name on Award Letter and Agreement) ☒ IN FULL
Project Title: Zip Books Project ☐ AUGMENT

For Period From: upon execution to end of grant period

CERTIFICATION

I hereby certify under penalty of perjury: that I am the duly authorized representative of the claimant herein; that this claim is in all respects true, correct and in accordance with law and the terms of the agreement; and that payment has not previously been received for the amount claimed herein.

By

(Signature of the Authorized Representative)

(Print Name)

(Title)

*Legal payee name must match the payee's federal tax return. Warrant will be made payable to payee name. Payee discrepancies in name and/or address may cause delay in payment. If you need to change payee name and/or address, please contact Fiscal Services at stategrants.fiscal@library.ca.gov.

State of California, State Library Fiscal Office

ENY: 2023
PURCHASING AUTHORITY NUMBER: CSL-6120
COA: 5432000
FAIN: N/A

ITEM NO: 6120-211-0001, Chapter 12, Statutes of 2023
REPORTING STRUCTURE: 61202000
PROGRAM #: 5312

By

Date

(State Library Representative)

PAYEE DATA RECORD

(Required when receiving payment from the State of California in lieu of IRS W-9 or W-7)

STD 204 (Rev. 03/2021)

Section 1 – Payee Information**NAME** (This is required. Do not leave this line blank. Must match the payee's federal tax return)**BUSINESS NAME, DBA NAME or DISREGARDED SINGLE MEMBER LLC NAME** (If different from above)**MAILING ADDRESS** (number, street, apt. or suite no.) (See instructions on Page 2)**CITY, STATE, ZIP CODE****E-MAIL ADDRESS****Section 2 – Entity Type****Check one (1) box only that matches the entity type of the Payee listed in Section 1 above.** (See instructions on page 2)☐ **SOLE PROPRIETOR / INDIVIDUAL**☐ **SINGLE MEMBER LLC** *Disregarded Entity owned by an individual*☐ **PARTNERSHIP**☐ **ESTATE OR TRUST****CORPORATION** (see instructions on page 2)☐ **MEDICAL** (e.g., dentistry, chiropractic, etc.)☐ **LEGAL** (e.g., attorney services)☐ **EXEMPT** (e.g., nonprofit)☐ **ALL OTHERS****Section 3 – Tax Identification Number**

Enter your Tax Identification Number (TIN) in the appropriate box. The TIN must **match** the name given in Section 1 of this form. Do not provide more than one (1) TIN. The TIN is a 9-digit number. **Note:** Payment will not be processed without a TIN.

- For **Individuals**, enter SSN.
- If you are a **Resident Alien**, and you do not have and are not eligible to get an SSN, enter your ITIN.
- Grantor Trusts (such as a Revocable Living Trust while the grantors are alive) may not have a separate FEIN. Those trusts must enter the individual grantor's SSN.
- For **Sole Proprietor or Single Member LLC (disregarded entity)**, in which the **sole member is an individual**, enter SSN (ITIN if applicable) or FEIN (FTB prefers SSN).
- For **Single Member LLC (disregarded entity)**, in which the **sole member is a business entity**, enter the owner entity's FEIN. Do not use the disregarded entity's FEIN.
- For all other entities including LLC that is taxed as a corporation or partnership, estates/trusts (with FEINs), enter the entity's FEIN.

Social Security Number (SSN) or Individual Tax Identification Number (ITIN)

_____ - _____ - _____

OR**Federal Employer Identification Number (FEIN)**

_____ - _____ - _____

Section 4 – Payee Residency Status (See instructions)☐ **CALIFORNIA RESIDENT** – Qualified to do business in California or maintains a permanent place of business in California.☐ **CALIFORNIA NONRESIDENT** – Payments to nonresidents for services may be subject to state income tax withholding.☐ No services performed in California☐ Copy of Franchise Tax Board waiver of state withholding is attached.**Section 5 – Certification**

I hereby certify under penalty of perjury that the information provided on this document is true and correct. Should my residency status change, I will promptly notify the state agency below.

NAME OF AUTHORIZED PAYEE REPRESENTATIVE**TITLE****E-MAIL ADDRESS****SIGNATURE****DATE****TELEPHONE** (include area code)**Section 6 – Paying State Agency****Please return completed form to:****STATE AGENCY/DEPARTMENT OFFICE****UNIT/SECTION****MAILING ADDRESS****FAX****TELEPHONE** (include area code)**CITY****STATE****ZIP CODE****E-MAIL ADDRESS**

PAYEE DATA RECORD

(Required when receiving payment from the State of California in lieu of IRS W-9 or W-7)
STD 204 (Rev. 03/2021)

GENERAL INSTRUCTIONS

Type or print the information on the Payee Data Record, STD 204 form. Sign, date, and return to the state agency/department office address shown in Section 6. Prompt return of this fully completed form will prevent delays when processing payments.

Information provided in this form will be used by California state agencies/departments to prepare Information Returns (Form 1099).

NOTE: Completion of this form is optional for Government entities, i.e. federal, state, local, and special districts.

A completed Payee Data Record, STD 204 form, is required for all payees (non-governmental entities or individuals) entering into a transaction that may lead to a payment from the state. Each state agency requires a completed, signed, and dated STD 204 on file; therefore, it is possible for you to receive this form from multiple state agencies with which you do business.

Payees who do not wish to complete the STD 204 may elect not to do business with the state. If the payee does not complete the STD 204 and the required payee data is not otherwise provided, payment may be reduced for federal and state backup withholding. Amounts reported on Information Returns (Form 1099) are in accordance with the Internal Revenue Code (IRC) and the California Revenue and Taxation Code (R&TC).

Section 1 – Payee Information

Name – Enter the name that appears on the payee's federal tax return. The name provided shall be the tax liable party and is subject to IRS TIN matching (when applicable).

- Sole Proprietor/Individual/Revocable Trusts – enter the name shown on your federal tax return.
- Single Member Limited Liability Companies (LLCs) that is disregarded as an entity separate from its owner for federal tax purposes - enter the name of the individual or business entity that is tax liable for the business in section 1. Enter the DBA, LLC name, trade, or fictitious name under Business Name.
- Note: for the State of California tax purposes, a Single Member LLC is not disregarded from its owner, even if they may be disregarded at the Federal level.
- Partnerships, Estates/Trusts, or Corporations – enter the entity name as shown on the entity's federal tax return. The name provided in Section 1 must match to the TIN provided in section 3. Enter any DBA, trade, or fictitious business names under Business Name.

Business Name – Enter the business name, DBA name, trade or fictitious name, or disregarded LLC name.

Mailing Address – The mailing address is the address where the payee will receive information returns. Use form STD 205, Payee Data Record Supplement to provide a remittance address if different from the mailing address for information returns, or make subsequent changes to the remittance address.

Section 2 – Entity Type

If the Payee in Section 1 is a(n)...	THEN Select the Box for...
Individual • Sole Proprietorship • Grantor (Revocable Living) Trust disregarded for federal tax purposes	Sole Proprietor/Individual
Limited Liability Company (LLC) owned by an individual and is disregarded for federal tax purposes	Single Member LLC-owned by an individual
Partnerships • Limited Liability Partnerships (LLP) • and, LLC treated as a Partnership	Partnerships
Estate • Trust (other than disregarded Grantor Trust)	Estate or Trust
Corporation that is medical in nature (e.g., medical and healthcare services, physician care, nursery care, dentistry, etc.) • LLC that is to be taxed like a Corporation and is medical in nature	Corporation-Medical
Corporation that is legal in nature (e.g., services of attorneys, arbitrators, notary publics involving legal or law related matters, etc.) • LLC that is to be taxed like a Corporation and is legal in nature	Corporation-Legal
Corporation that qualifies for an Exempt status, including 501(c) 3 and domestic non-profit corporations.	Corporation-Exempt
Corporation that does not meet the qualifications of any of the other corporation types listed above • LLC that is to be taxed as a Corporation and does not meet any of the other corporation types listed above	Corporation-All Other

Section 3 – Tax Identification Number

The State of California requires that all parties entering into business transactions that may lead to payment(s) from the state provide their Taxpayer Identification Number (TIN). The TIN is required by R&TC sections 18646 and 18661 to facilitate tax compliance enforcement activities and preparation of Form 1099 and other information returns as required by the IRC section 6109(a) and R&TC section 18662 and its regulations.

Section 4 – Payee Residency Status

Are you a California resident or nonresident?

- A corporation will be defined as a "resident" if it has a permanent place of business in California or is qualified through the Secretary of State to do business in California.
- A partnership is considered a resident partnership if it has a permanent place of business in California.
- An estate is a resident if the decedent was a California resident at time of death.
- A trust is a resident if at least one trustee is a California resident.
 - For individuals and sole proprietors, the term "resident" includes every individual who is in California for other than a temporary or transitory purpose and any individual domiciled in California who is absent for a temporary or transitory purpose. Generally, an individual who comes to California for a purpose that will extend over a long or indefinite period will be considered a resident. However, an individual who comes to perform a particular contract of short duration will be considered a nonresident.

For information on Nonresident Withholding, contact the Franchise Tax Board at the numbers listed below:

Withholding Services and Compliance Section: 1-888-792-4900
For hearing impaired with TDD, call: 1-800-822-6268

E-mail address: wscs.gen@ftb.ca.gov
Website: www.ftb.ca.gov

Section 5 – Certification

Provide the name, title, email address, signature, and telephone number of individual completing this form and date completed. In the event that a SSN or ITIN is provided, the individual identified as the tax liable party must certify the form. Note: the signee may differ from the tax liable party in this situation if the signee can provide a power of attorney documented for the individual.

Section 6 – Paying State Agency

This section must be completed by the state agency/department requesting the STD 204.

Privacy Statement

Section 7(b) of the Privacy Act of 1974 (Public Law 93-579) requires that any federal, state, or local governmental agency, which requests an individual to disclose their social security account number, shall inform that individual whether that disclosure is mandatory or voluntary, by which statutory or other authority such number is solicited, and what uses will be made of it. It is mandatory to furnish the information requested. Federal law requires that payment for which the requested information is not provided is subject to federal backup withholding and state law imposes noncompliance penalties of up to \$20,000. You have the right to access records containing your personal information, such as your SSN. To exercise that right, please contact the business services unit or the accounts payable unit of the state agency(ies) with which you transact that business.

All questions should be referred to the requesting state agency listed on the bottom front of this form.



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

DATE: AUGUST 15, 2023

DEPARTMENT: CITY MANAGER

FROM: DON REYNOLDS

BY: DON REYNOLDS

TITLE: COST OF LIVING INCREASE OF 4% APPLIED TO CITY SALARIES FOR FISCAL YEAR 2023/24

RECOMMENDED MOTION:

Approve the attached Resolution applying a 4% cost of living allowance (“COLA”) to City salaries for Fiscal Year 2023/24.

RECOMMENDATION:

Adopt the attached Resolution and correct the Budget Resolution 2023-43 and City Manager Budget Message adding back consideration of a cost-of-living allowance to increase City salaries 4%.

EXECUTIVE SUMMARY:

A basic element of the annual City Budget adoption process includes the cost of inflation. The City Manager’s budget message typically includes these considerations. Last year in June 2022, the City applied a 6% COLA when inflation was peaking at 8.7%. This year, the accounting staff did apply a 4% increase to salaries, but the budget message did not reference specifically this increase. On June 13, 2023, the Resolution 2023-43 was approved adopting the Budget without mention of a COLA being applied to City salaries. The purpose of this Resolution is to correct this oversight, and specifically request the City Council’s consideration to applying a COLA to City salaries this fiscal year of 4%.

BACKGROUND:

It is critical for the delivery of City services to maintain competitive salaries to avoid pro-longed vacancies as experienced in 2022 when the City needed 9-months to fill the vacant deputy city clerk position. The salary was increase twice during that recruitment, before a good selection of applicants was received. To help avoid the City salaries from falling below competitive levels, the

City has been actively approving modest COLAs for at least the past five years. A COLA should be considered every year as needed to maintain this competitive edge.

DISCUSSION

Between January 2022 and January 2023, inflation averaged 6.4% per month, and between April 2022 and April 2023, inflation was 4.9%. An increase to salaries of 4% to account for inflation would not account for the true impacts of inflation, but at least prevent the salaries from falling too far behind.

FISCAL IMPACT:

The approved budget already accounts for a 4% increase in salaries. The total budget for the FY 2023/24 salaries is \$1.325 million. If the proposed Resolution is approved there would be no change. If it is not approved, the impact would be a decrease of 4% from this total, or \$53,000 (spread across to all funds).

ATTACHMENTS:

Resolution

RESOLUTION NO. 2023- XX

A RESOLUTION OF THE CITY OF SAN JUAN BAUTISTA APPROVING COST OF LIVING ALLOWANCE OF 4% APPLIED TO CITY SALARIES FOR FISCAL YEAR 2023/24

WHEREAS, when the Budget for the new Fiscal Year is approved in June of each year, it typically includes consideration for inflation, or “Cost of Living Allowance” – “COLA;” and

WHEREAS, last fiscal year, the City Manager’s June 14, 2022 Budget Message described salaries increasing 6% to account for high inflation, that in June 2022, was 8.7%; and

WHEREAS, this fiscal year, the City Manager’s June 13, 2023 Budget Message did not specify a cost-of-living increase for salaries, although the accounting staff factored in a 4% increase, so in effect, the fund balances and costs presented by the new Budget accounted for the increase, but the Council did not specifically approve it; and

WHEREAS; between January 2022 and January 2023, inflation averaged 6.4% per month, and between April 2022 and April 2023, inflation was 4.9%, so if approved, a 4% COLA would not account for the true impacts of inflation, but at least prevent the salaries from falling too far behind; and

WHEREAS, it is critical for the delivery of City services to maintain competitive salaries to avoid pro-longed vacancies (as experienced in 2022 when the City needed 9-months to fill the vacant deputy city clerk position), and a COLA should be considered every year as needed to maintain this competitive edge; and

WHEREAS, it is important the City Council recognize and approve directly, any changes to salaries, and if a COLA is considered, that it be aware of how it is calculated and applied; and

WHEREAS, the purpose of this Resolution is to present these facts to the City Council and recommend a modest COLA for the salaries paid in Fiscal Year 2023/24 of 4%.

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

1. That the recitals in this Resolution and accompanying staff report are true and correct and are hereby made a part of this Resolution.
2. That it hereby adopts a cost-of-living allowance increase of 4% and agrees to apply it to the City’s salaries.

PASSED AND ADOPTED by the San Juan Bautista City Council on the 15th day of August 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

RESOLUTION NO. 2023-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
AUTHORIZING CLOSURE OF STREETS FOR CERTAIN SPECIAL EVENTS IN 2023**

WHEREAS, The City has received the following applications for Special Events in 2023 and authorization for Street Closure are a prerequisite for issuance of such permits for the following events:

Harvest Festival – SJB Business Assoc.

October 14, 2023 from 8:00 AM – 6PM

Third Street Between Franklin Street and Muckelemi Street

Dia de los Muertos – El Teatro Campesino

November 2, 2023 from 5 PM to 9PM

Rolling Street Closure: 4th Street at Tualalami; 4th Street South to Franklin; Franklin to Third Street, Third Street North to Muckelemi; Muckelemi to Fourth; Fourth Street North to 705 Fourth Street.

BE IT RESOLVED that the City Council does hereby authorize the referenced entities to close streets on the dates and times referenced herein subject to the following requirements:

1. All conditions and requirements of agencies, including the Fire Marshall, San Benito County Sheriff, Building Official, Public Works Director, San Benito County Health Dept., San Benito County Integrated Waste Management, Community Development Director shall be met prior to, during, and after the event in the manner deemed necessary by the City Manager.
2. Prior to each event, Sponsors shall submit an agreement to reimburse the City in accordance with an invoice duly issued by the City to cover City expenses as deemed necessary by the City Manager to support administrative, material and City staff time associated with the Street Closure.

PASSED AND APPROVED this 15th day of August 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

Item: 5.F
City Council
August 15, 2023

The Minutes of the **Special City Council Meeting of June 13, 2023** were approved by the City Council at its meeting held on July 18, 2023.

MOTION:

Upon motion by Councilmember Freels, second by Mayor Pro Tem Freeman, Consent Agenda, items A-J was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL
UNOFFICIAL MEETING MINUTES
JULY 18, 2023**

1. CALL TO ORDER

Mayor Jordan called the regular meeting to order at 5:04 p.m. in the Council Chambers, 311 Second Street, San Juan Bautista California.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Pro Tem John Freeman
Councilmember Scott Freels
Councilmember Jackie Morris-Lopez
Councilmember EJ Sabathia
Mayor Leslie Q. Jordan (*in person*)

Absent:

Staff Present:

Don Reynolds, City Manager
Robert Rathie, City Attorney
Brian Foucht, Assistant CM/Community Development Director
Wendy Cummings, CPA
Elizabeth Soto, Deputy City Clerk

2. CLOSED SESSION – 5:00 P.M. – 6:00 P.M.

- a. **Public Employee Performance Evaluation** – (California Government Code section §54957(b)(1)) – the City Manager.

Mayor Jordan recessed to closed session at 5:06 p.m.

Mayor Jordan reconvened to open session at 6:13 p.m.

City Attorney Rathie announced that there was no reportable action during closed session.

3. PROCLAMATION

The City Council proclaimed:

- A. National Health Center Week, August 6-12, 2023
- B. Agricultural Worker Health Center Day, August 8, 2023

4. CONSENT

- A. Approve the Affidavit of Posting Agenda.
- B. Waive the Reading of Ordinances and Resolutions on the Agenda Beyond the Title.
- C. Approve a **RESOLUTION** Confirming the Continued Existence of Two Local Emergencies Related to Excessive Winter Storms Affecting the City of San Juan Bautista.
- D. Approve a **RESOLUTION** Making Certain Findings and Determinations in Compliance with Section XIIB of the California Constitution (Gann Initiative).
- E. Approve a **RESOLUTION** Awarding a Contract for the Community Hall Acoustical Upgrade Project to Pacific Sound Control in the amount of \$85,500; Approve a project Contingency Fund for \$8,550; Approve \$15,000 for Construction and Inspection Services; and Authorize the City Manager to Approve Potential Contract Change Orders and other Construction Contingencies within said Fund.
- F. Approve the Special Meeting Minutes of May 25, 2023.
- G. Approve the Special Community Town Hall Meeting Minutes of June 2, 2023.
- H. Approve the Special Implementation Planning Session Meeting Minutes of June 3, 2023.
- I. Approve the Special Budget Meeting Minutes of June 6, 2023.
- J. Approve the Special Meeting Minutes of June 13, 2023.

No public comment received.

MOTION:

Upon motion by Councilmember Freels, second by Mayor Pro Tem Freeman, Consent Agenda, items A-J was approved. AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

5. PUBLIC HEARING

A. Resolution for Approval of the Annual Levy Community Facilities District (CFD No. 2018-01 (“Copperleaf” and “Rancho Vista” Neighborhoods))

City Manager don Reynolds provided the report.

One District (CFD 2018-1) with two Zones: Zone 1- Copperleaf; Zone 2- Rancho Vista

Increase Zone 1 by 5.59%, \$22.30 dollars from \$487.68 to \$514.98

Increase Zone 2 by 3.30%, \$25.36 dollars from \$768.50 to \$793.86

Mayor Jordan opened the public hearing

No public comment received.

Mayor Jordan closed the public hearing.

MOTION:

Upon motion by Mayor Pro Tem Freeman, second by councilmember Sabathia, the Resolution Levying the Annual Special Tax for Fiscal Year 2023/24 for Community Facilities District No.

2018-011 was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

6. GENERAL PUBLIC COMMENT

Received public comment from the following members of the public:

Darlene Boyd
Laurie Tankersley
Bella Marquez
Michael Ponce

7. PRESENTATION

A. Fire District Feasibility Study

Fire Chief Martin Del Campo provided the report. AP Triton will be doing the feasibility study. The process can take between six to nine months. The study will review the process to create a fire district.

No public comment received.

B. July 4, 2023 Fireworks Compliance De-Briefing
Item was tabled to the next meeting.

8. INFORMATIONAL ITEMS AND REPORTS

A. Reports from City Council Representatives to Regional Organizations and Committee

Council reported on meetings they attended.

No public comment received.

B. Treasurer's Report and Monthly Financial Statements
Michelle Sabathia, City Treasurer, provided the report.

No public comment received.

C. City Manager's Report

- a. Fire Department Update
- b. Sheriff Department Update

Fire Marshall Charlie Bedolla provided an update on the Fire department service calls. Fire Marshall Bedolla announced that there will be a swearing in ceremony on Friday, July 28, 2023, for the five new probationary firefighters, at 3:00 p.m. in Station 1, and invited the Council to attend.

City Manager Don Reynolds provided a brief report, accompanied by a PowerPoint, regarding

city activities and fielded questions from the City Council.

The following members of the public commented on the City Manager's report:

Mayor Jordan recessed to a short break at 8:02 p.m. and reconvened at 8:13 p.m.

9. ACTION ITEMS

A. Designate League of California Cities Voting Delegate

Deputy City Clerk Elizabeth Soto provided the report. A voting delegate is a councilmember that will be representing the City of San Juan Bautista at the General Assembly. Delegates during the General Assembly will be voting on resolutions, which if approved, become Cal Cities policy.

Mayor Jordan nominated Councilmember Morris-Lopez as the Voting Delegate and Mayor Pro Tem Freeman as the Alternate.

No public comment received.

MOTION:

Upon motion by Councilmember Sabathia, second by Councilmember Freels, the City Council approved the designation of Councilmember Morris-Lopez as Voting Delegate and Mayor Pro Tem Freeman as Alternate for the League of California Cities Annual Conference and Expo, September 20-22, 2023.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

B. Accept First Annual Report of the Economic Development Citizen Advisory Committee (EDCAC) - a Standing Committee of the City Council for Business Improvement, Resiliency, and Overall Community Economic Development

Item was tabled to the next meeting.

C. Approve the Amended Agreement with City of Hollister for Domestic Wastewater Treatment and Disposal

City Manager Don Reynolds announced stated that the City Council approved the agreement on May 16th, 2023 and was considered for approval by the City of Hollister at their June 20th, 2023 meeting.

- Due to the length of the Term (40 years plus possible further extensions)
- Hollister asked for a cap equal to the 40-year growth projection
- Treating 160,000 gallons per day now; projected to peak at 430,000 gpd
- Agreement amended so as to not exceed 430,000 (.43 mgpd) gpd

The following members of the public commented on the report:
Michael Ponce
Doug Pike

City Attorney Rathie stated that the amended agreement would supersede the agreement (in its entirety) approved by Council on May 16, 2023.

MOTION:

Upon motion by Mayor Pro Tem Freeman, second by Councilmember Sabathia, the **RESOLUTION** Authorizing the Mayor to Execute the Amended Agreement for Domestic Wastewater Treatment and Disposal with the City of Hollister, as amended, was approved.

AYES: Councilmembers: Freels, Freeman, Sabathia, and Mayor Jordan; NOES: Councilmember Morris-Lopez; ABSTAIN: None; ABSENT: None.

D. Approve the Purchase of Environmental Conservation Credits Related to the Decommissioning of the Wastewater Treatment Plan

City Manager Don Reynolds provided the report and fielded questions from the Council. The purchase of conservation credits is to mitigate the adverse environmental impacts caused by the decommissioning of the wastewater treatment plant as a result of building the City's new sewer force main project.

The following members of the public commented on the report:
Michael Ponce

MOTION:

Upon motion by Councilmember Sabathia, second by Mayor Pro Tem Freeman, the **RESOLUTION** Authorizing the City Manager to Execute an Agreement for the Purchase of Conservation Credits in the amount of \$468,000 to Mitigate the Unavoidable Adverse Impacts caused by Building the Sewer Force Main to Hollister, and the Decommission of the Wastewater Treatment Plant, was approved.

AYES: Councilmembers: Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: Councilmember Freels; ABSTAIN: None; ABSENT: None.

E. Accept the 2022-23 Pavement Management Program Project Improvements, Which Include Streets, Curb and Gutter, Sidewalk, and ADA Compliant Ramp, and Release All Retentions and Performance Bonds to McKim Construction

City Manager Don Reynolds provided the report and fielded questions from the Council.

No public comment received.

MOTION:

Upon motion by Councilmember Sabathia, second by Mayor Pro Tem Freeman, Approved a **RESOLUTION** accepting the 2022-23 pavement management program project improvements, which include streets, curb and gutter, sidewalk, and ADA compliant ramp, and release all retentions and performance bonds to McKim Construction and close the project, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

F. Appoint a City Attorney Ad-Hoc Selection Subcommittee

No public comment received.

MOTION:

Upon motion by Councilmember Sabathia, second by Mayor Pro Tem Freeman, Councilmember Sabathia and Mayor Jordan were appointed to the City Attorney Ad-Hoc Selection Committee and Approved the Selection Process Outlined in the Attached Request for Qualifications (“RFQ”), was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

G. Planning Commission/Historic Resources Board Vacancy

No public comment received.

MOTION:

Upon motion by Councilmember Sabathia, second by Councilmember Freels, Mayor Pro Tem Freeman and Councilmember Morris-Lopez were appointed to the Ad Hoc Committee to Review Candidate Applications for Planning Commission/Historic Resources Board and make a Recommendation to the City Council, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

10. DISCUSSION ITEMS

- A. Accept The San Benito County Comprehensive Economic Development Strategy (CEDS); Consider Planning Commission Additional Community And Staff Recommendations

Brian Fouch, Assistant City Manager/Community Development Director introduced consultant Marie Jones. Assistant City Manager Fouch and Ms. Jones reviewed the San Benito County Comprehensive Economic Development Strategy (CEDS). The CEDS is a 5-year strategy-driven plan that is a partnership between the County of San Benito, the Cities of Hollister and San Juan Bautista, and the EDC. The CEDS contributes to effective economic development in

communities and regions through a locally-based, regionally-driven planning process that engages economic agencies; community leaders; educators; and the public, private, and nonprofit sectors in meaningful conversations and debate about what best serves economic development in the region. It will establish a strategic “roadmap” for regional collaboration and prosperity and builds on the strengths of the region as well as identifies gaps in resources or expertise.

No public comment received.

B. Discuss financing options for City of San Juan Bautista Sanitary Sewer Force Main To Hollister Project

City Manager Don Reynolds introduced Paul Greenway, Doug Pike, Jerry Sanguinetti, Gabe Arnold. Dmitry Semenov, Ridgeline Municipal Strategies, LLC, presented Financing Plan Summary for Wastewater System Compliance Project.

The following members of the public commented on the report:
Michael Ponce

C. Revising Title 13 “Violations” by Repealing and Replacing Article 4 “Noticed Nuisance Abatement Procedure” and Article 5 “Emergency Nuisance Abatement Procedures” of Chapter 1 “Enforcement” by Adoption of an Ordinance Entitled “Alternative Public Nuisance Abatement Procedures.”

The item was table to the next meeting.

D. Revisiting Zoning Code Section 11-04-110 Regarding Regulation of Large-Scale Retail Business, Formula Retail or Formula Restaurant Business, and Formula Visitor Accommodations.

The item was tabled to the next meeting.

11. ADJOURNMENT

Motion to adjourned the meeting by Mayor Pro Tem Freeman, second by Councilmember Sabathia. All in favor.

There being no other business, Mayor Jordan adjourned the meeting at 9:34 p.m. Motion to adjourn by Councilmember Sabathia, second by Mayor Pro Tem Freeman.

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

**CITY OF SAN JUAN BAUTISTA
CITY COUNCIL
UNOFFICIAL MEETING MINUTES
AUGUST 3, 2023**

1. CALL TO ORDER

Mayor Jordan called the regular meeting to order at 6:02 p.m. in the Council Chambers, 311 Second Street, San Juan Bautista California.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Pro Tem John Freeman

Councilmember Jackie Morris-Lopez (via teleconference)

Councilmember EJ Sabathia

Mayor Leslie Q. Jordan

Absent:

Councilmember Scott Freels

Staff Present:

Don Reynolds, City Manager

Robert Rathie, City Attorney

Brian Foucht, Assistant CM/Community Development Director

Elizabeth Soto, Deputy City Clerk

2. PRESENTATION

A. July 4, 2023 Fireworks Compliance De-Briefing

Item was tabled to the August 15th meeting

3. CONSENT

A. Approve the Affidavit of Posting Agenda.

B. Waive the Reading of Ordinances and Resolutions on the Agenda Beyond the Title.

No public comment received.

MOTION:

Upon motion by Mayor Pro Tem Freeman, second by Councilmember Morris-Lopez, Consent Agenda, was approved.

AYES: Councilmembers: Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None;

ABSENT: Councilmember Freels; ABSTAIN: None

4. ACTION ITEMS

A. Approve the Project Budget and Awarding a Contract for City of San Juan Bautista Sanitary Sewer Force Main to Hollister Project and Related Actions.

City Manager Don Reynold and Paul Greenway provided the report.

The following members of the public commented on the report:

Michael Ponce

MOTION:

Upon motion by Councilmember Sabathia, second by Mayor Pro Tem Freeman, **RESOLUTION** Approving the Project Budget, and Awarding the Contract to Specialty Construction, Inc. for City of San Juan Bautista Sanitary Sewer Force Main to Hollister Project, “Project” in the Base Bid Amount of \$18,632,399 less Deductive Bid Items of \$2,113,650 less Contract Change Order \$391,676 for a total amount of \$16,127,073; 2) Authorize the City Manager to execute a Contract Change Order; and 3) Approve the Construction Contingency; and 4) Authorize the City Manager to amend existing Agreement with MNS Engineers, Inc. for inspection services; and 5) Authorize the City Manager to enter into agreement with Stantec Consulting Services, Inc. for resident engineering services approved.

AYES: Councilmembers: Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None;

ABSENT: Councilmember Freels; ABSTAIN: None

B. Authorizing The City Manager to Sign and file a Financial Assistance Application for a Financing Agreement from the State Water Resources Control Board for the City’s Sanitary Sewer Force Main Project (“Project”).

City Manager Don Reynold provided the report and explained the resolution before them was to delegate authority to the City Manager to sign and file a financial assistance application for a financing agreement from the state Water Resources control board for the city's sanitary sewer Force main project.

No public comment received.

MOTION:

Upon by Mayor Pro Tem Freeman, second by Councilmember Sabathia, **RESOLUTION** designating the City Manager to sign and file application and related documents as required by the State Water Resources Control Board and allow the City access the \$3 million State grant awarded in June 2022, was approved.

AYES: Councilmembers: Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None;

ABSENT: Councilmember Freels; ABSTAIN: None

C. Accept First Annual Report of the Economic Development Citizen Advisory Committee (EDCAC) - a Standing Committee of the City Council for Business Improvement, Resiliency, and Overall Community Economic Development

City Manager Reynolds provided that the report and stated that this item was carried over from the July 18, 2023 City Council meeting. The report was presented to the Planning Commission at its meeting.

Mayor Pro Tem Freeman stated that he would like to see yearly updates and quarterly updates to the City Council from Staff or the Committee.

Mayor Jordan stated that she was in support of quarterly meetings and added that it would be beneficial to the community to have the EDCAC come before the Council to do a presentation of what they have accomplished and what they plan to do in the future.

Councilmember Morris-Lopez expressed concern with the group and further added that the Council should have more involvement. Councilmember Morris-Lopez further expressed concerns with the constituency of the membership.

Councilmember Morris-Lopez stated she was not in support of the report due to the language of the report stating the group is requiring an umbrella agency or group over other committees in town and asking them to report to them as to their finances and their activities.

No public comment received.

MOTION:

Upon by Mayor Pro Tem Freeman, second by Councilmember Sabathia, the report of the EDCAC and directed staff and the committee toward preparation of an economic development strategy for San Juan Bautista, was approved.

AYES: Councilmembers: Freeman, Sabathia, and Mayor Jordan; NOES: Councilmember Morris-Lopez; ABSENT: Councilmember Freels; ABSTAIN: None

5. DISCUSSION ITEMS

- A. Revising Title 13 “Violations” by Repealing and Replacing Article 4 “Noticed Nuisance Abatement Procedure” and Article 5 “Emergency Nuisance Abatement Procedures” of Chapter 1 “Enforcement” by Adoption of an Ordinance Entitled “Alternative Public Nuisance Abatement Procedures.”

City Attorney Bob Rathie provided an overview of the current Ordinance.

No public comment received.

- B. Revisiting Zoning Code Section 11-04-110 Regarding Regulation of Large-Scale Retail, Formula Retail, Formula Restaurant and Formula Visitor Accommodations Businesses. City Attorney Bob Rathie provided a brief overview of the Zoning Ordinance relating to Large-Scale Retail, formula retail, Formula restaurant and formula visitor accommodations businesses.

Mayor Pro Tem that another way to develop the town economically and added that the city needs another hotel, a pharmacy and a bank.

Mayor Jordan stated that she would like to see the actual language on the proposed Ordinance.

No public comment received.

6. ADJOURNMENT

Motion to adjourned the meeting by Councilmember Sabathia, second by Mayor Pro Tem Freeman. All in favor.

There being no other business, Mayor Jordan adjourned the meeting at 7:11 p.m.

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

RESOLUTION NO. 2023-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
PROCLAIMING THE TERMINATION OF TWO LOCAL EMERGENCIES RELATED
TO EXCESSIVE WINTER STORMS AFFECTING THE CITY OF SAN JUAN
BAUTISTA**

WHEREAS, the California Emergency Services Act (Cal. Gov't. Code §§8550-8668) requires the governing body of a city to review the need for continuing a local emergency that has previously been declared at least once every 60 days and to proclaim the termination of the local emergency at the earliest possible date that conditions warrant; and

WHEREAS, on January 12, 2023, the City Manager acting as the Director of Emergency Services (Municipal Code 5-33-030) proclaimed a state of emergency in the City of San Juan Bautista to facilitate the City's response to excessive winter storms, which proclamation was subsequently ratified by the City Council by Resolution No. 2023-01 on January 17, 2023; and

WHEREAS, on March 10, 2023, the City Manager acting as the Director of Emergency Services (Municipal Code 5-33-030) proclaimed a second state of emergency in the City of San Juan Bautista due to excessive winter storms and flooding, which proclamation was subsequently ratified by the City Council by Resolution No. 2023-17 on March 15, 2023; and

WHEREAS, this Council reviewed and adopted resolutions confirming the need for continuing the two local emergencies on March 21, 2023, May 16, 2023, June 13, 2023, and last on July 18, 2023; and

WHEREAS, state and local public health and safety emergencies resulting from excessive winter storm activities no longer pose a threat to the health and safety of residents in the City of San Juan Bautista.

NOW, THEREFORE, be it resolved by the City Council of the City of San Juan Bautista that the City Council hereby proclaims and declares that the two local emergencies declared by the City Manager, and subsequently ratified by the City Council by Resolutions 2023-01 and 2023-17 due to excessive winter storms and flooding, shall terminate as of 11:59 p.m. on August 15, 2023

PASSED AND APPROVED by the San Juan Bautista City Council on the 15th day of August, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

DATE: AUGUST 15, 2023

DEPARTMENT: CITY MANAGER

FROM: DON REYNOLDS

BY: DON REYNOLDS

TITLE: APPROVE THE NEGOTIATION OF AN AGREEMENT WITH KENNEDY, ARCHER & GIFFEN, A PROFESSIONAL CORPORATION, AND THE APPOINTMENT OF JON R. GIFFEN AS CITY ATTORNEY

RECOMMENDED MOTION:

A motion is sought that approves the attached Resolution appointing Mr. Jon R. Giffen as the City Attorney, authorizes the City Manager to negotiate an agreement between the City and Kennedy, Archer & Giffen, ("KAG"), and bring that agreement back to the Council for ratification as soon as possible.

RECOMMENDATION:

It is recommended that the City Council consider the qualifications of KAG as provided in KAG's proposal attached to this Resolution and appoint Jon R. Giffen from KAG as the new City Attorney, authorize the City Manager to negotiate a professional legal services agreement with KAG, and to bring the agreement back to the Council for ratification as soon as possible.

EXECUTIVE SUMMARY:

The City has been well represented by the Wellington Law Firm since 2006, and in May 2023, current City Attorney Robert W. Rathie submitted his resignation effective August 15, 2023. The City conducted a Request for Qualification process, appointed a City Council Ad Hoc Committee with Mayor Jordan and Councilmember Sabathia, and concluded interviewing the two firms that responded August 8, 2023. It is recommended that the City Council adopt the attached Resolution appointing Jon R. Giffen as the new City Attorney, authorize the City Manager to negotiate an agreement for legal services with KAG, and to bring the agreement back to the Council for ratification as soon possible.

BACKGROUND:

In Article 2.2 of the Municipal Code, the duties and responsibilities of the City Manager are defined, and it is clear that the appointment or removal of City Clerk, Treasurer and City Attorney are the responsibility of the City Council not the City Manager. When the need arises, the City Council will take the responsibility of selecting the next City Attorney and that time has come.

The Wellington Law Firm has represented the City since 2006, between 2006 and 2015 the City was represented by George C. Thacher and between 2015 and 2022 by Deborah A. Mall. When she retired, the City Council adopted Resolution 2022-12 and appointed Robert W. Rathie from the same firm. Mr. Rathie announced his resignation as City Attorney on May 15, 2023, effective August 15, 2023.

June 30, 2023, the City published a notice inviting proposals from qualified law firms to represent the City. At the July 18, 2023 City Council meeting Mayor Jordan and Councilmember Sabathia were appointed to an ad-hoc selection committee. The RFQ closed July 28th, 2023. Two firms were interviewed; one on Friday August 4 and the other on Tuesday August 8, 2023.

DISCUSSION

The solicitation for City Attorney services resulted in qualified responses received from JRG Attorneys at Law and from KAG. The City Manager joined Councilmember Sabathia and Mayor Jordan in the interviews. A choice of 17 questions was shared between the Ad-Hoc Committee and the City Manager. These questions touched various priorities of the City as a whole, as well as the City administrative services. Growth and development questions were included as well as CEQA experience, Brown Act, Fair Political Practices (“FPPC”), and conflict of interest questions were also posed to each firm. Human resources and risk management inquiries were also included.

KAG was represented in the interview by attorneys Jon R. Giffen and Ryan C. Donlon, who are recommended to serve the City (respectively) as its City Attorney and Deputy City Attorney. KAG is a firm with six attorneys and has represented both private and public entities on the Central Coast collectively for more than 50-years. Their office is in Monterey. Mr. Giffen served as the acting City Attorney for Carmel-by-the-Sea in 2018 - 2019, and Mr. Donlon previously served as Deputy City Attorney for the City of Monterey for four years.

Mr. Giffen has worked with various public entities in the region for more than 30-years. He has a strong familiarity with historic small communities, knows how to work with the community to preserve its identity and its unique position in the world. Collectively, their team of attorneys are experts in the FPPC and ethics, land-use matters, personnel, Brown Act, and the Public Records Act.

In their attached proposal they are committed to dedicating “as many hours as needed” to serve the City and are open to holding regular office hours at City Hall. During the interview, Mr. Giffen and Mr. Donlon conveyed a humble approach. They did their homework, attending the last Council meeting by Zoom, and sought an example of the possible agreement the City uses before the proposal was due. They demonstrated a genuine dedicated approach to their work. Many of their replies were research-based. They did not assume to know all the answers. The Ad-Hoc

Committee was impressed by their effort and demeanor and believes these strengths will serve the City well.

Mr. Rathie's last day with the City is August 15, 2023. The City needs act now and take action to replace its City Attorney as soon as possible. The attached Resolution recommends appointing Jon R. Giffen, immediately. At the same time the City Manager will negotiate a contract with KAG resembling the current agreement with the Wellington Law firm, and bring it back to the Council for ratification as soon as possible.

FISCAL IMPACT:

The Wellington Law firm charges a municipal rate of \$220 per hour. The firm not being recommended was proposing \$275 per hour. KAG is proposing \$295.

ATTACHMENTS:

Proposed Resolution with the KAG Proposal

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE NEGOTIATION OF AN AGREEMENT WITH KENNEDY, ARCHER & GIFFEN, A PROFESSIONAL CORPORATION AND THE APPOINTMENT OF JON R. GIFFEN AS CITY ATTORNEY

WHEREAS, pursuant to written agreement, Wellington Law Offices has provided City Attorney services to City since September of 2006. Between 2006 and 2015 the City was represented by George C. Thacher and between 2015 and 2022 by Deborah A. Mall who was replaced when the City Council adopted Resolution 2022-12 appointing Robert W. Rathie as City Attorney, who on May 15, 2023 submitted his resignation effective on August 15, 2023; and

WHEREAS, on June 30, 2023, a search for a new City Attorney began by publishing the solicitation notice and RFQ, with proposals due Friday July 28, 2023; and

WHEREAS, the RFQ was shared with the Council and the community at the July 18, 2023 City Council meeting and at that meeting the City Council appointed Mayor Jordan and Councilmember Sabathia as an Ad Hoc Committee to interview the interested parties and recommend an appointment to the City Council at the August 15, 2023 City Council meeting; and

WHEREAS, responsive proposals were received from two law firms, both based in Monterey County, and interviews of these two firms occurred Friday, August 4, and Tuesday, August 8, 2023; and

WHEREAS, references for both firms were checked and they validated the qualifications shared in the interviews; and

WHEREAS, the experience, background, expertise, and local familiarity of Kennedy, Archer & Giffen were judged by the Ad Hoc Committee to best suit the City's needs; and

WHEREAS, the information the Ad Hoc Committee considered is d provided in the attached KAG proposal, the staff report for this matter and can be summarized as follows: KAG is proposing the full-time services of Jon R. Giffen, the head of the litigation department at KAG, to serve as the City Attorney. Mr. Giffen has more than 30-years' of experience, including as acting City Attorney for the City of Carmel-by-the-Sea, in-depth experience in land-use law representing the Fort Ord Reuse Authority, with Mr. Giffen as City Attorney being assisted by a Deputy City Attorney, Ryan C. Dolan who has 20-years' of experience including as Deputy City Attorney for the City of Monterey; and

WHEREAS, the City Council has considered the facts as presented herein and agrees with the recommendation of the Ad Hoc Committee to retain the services of KAG and to be represented by Jon R. Giffen, as the City Attorney.

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

SECTION 1. That the facts provided in above recitals are true and correct.

SECTION 2. That Jon R. Giffen, of the firm Kennedy, Archer & Giffen PC be appointed as the City Attorney.

SECTION 3. That an agreement with a term of three-years be negotiated between the City Manager and KAG and be ratified by the City Council as soon as possible.

PASSED AND APPROVED by the San Juan Bautista City Council at a regular meeting held on the 15th day of August, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

Attachment:
KAG Proposal July 28, 2023

Date of Proposal: July 28, 2023

[REDACTED]
[REDACTED]
Monterey, California 93940

Tel (831) 373-7500

Fax (831) 373-7555

Sender's e-mail
[REDACTED]

Cover Sheet

Proposal by Jon Giffen, and the firm of KENNEDY, ARCHER & GIFFEN

in Response to the City of San Juan Bautista's Request for
Qualifications for City Attorney and City Legal Services

KENNEDY, ARCHER & GIFFEN

A Professional Corporation

INTRODUCTION TO OUR MOST RELEVANT AREAS OF SPECIALIZATION

General Municipal Law Expertise

The veteran attorneys at our firm collectively boast *nearly 50 years* of experience representing California public entities. Almost all these years of experience have been focused in our Central Coast region. Very few – if any – firms can make the same claim.

The primarily responsible attorney in this proposal is Jon R. Giffen. Mr. Giffen’s practice has most notably and recently included serving as the Authority Counsel for the Fort Ord Reuse Authority (“FORA”). He represented FORA during its legislatively mandated sunset in 2020, a process that raised numerous unprecedented legal questions and disputes. For example, Mr. Giffen, together with a team of attorneys from KAG and outside bond counsel, closed a bond issuance that resulted in a stream of revenue in the *millions of dollars* to fund removal of blighted buildings situated within the former Fort Ord. Within the past five years, Mr. Giffen has also served as the acting City Attorney for the City of Carmel-by-the-Sea and has represented a public employee on behalf of the County of Monterey, including a 2022 federal jury trial in the Northern District of California.

Mr. Giffen is joined by a team of numerous other attorneys whose qualifications in public law are exceptional. David Willoughby served as counsel for the Monterey Peninsula Airport District for nearly 30 years, was instrumental in the formation of the Cypress Fire Protection District, has advised a variety of other special districts and joint powers authorities, and possesses both an encyclopedic knowledge of California public entity law and a practical familiarity with the process of representing California public entities. Mr. Willoughby has lectured to professional associations on topics including transparency in government and ethics in public entity representation. Ryan C. Donlon served as a Deputy City Attorney for the City of Monterey for several years, advising on matters such as Government Claims Act liability, the California Public Records Act, the Ralph M. Brown Act, code enforcement, public purchasing, public contracts, and more. Zachary Streiff has provided Mr. Giffen with support and assistance on matters for the City of Carmel-by-the-Sea and FORA, including a bond issuance and unprecedented legal questions relating to the statutory sunset of FORA in 2020.

Litigation Defense

For approximately the past 23 years, Mr. Giffen has been the lead attorney on a variety of litigated matters for the following municipal entities in state and federal court: City of Pacific Grove, FORA, County of Monterey, City of Salinas, City of Monterey, City of Carmel-by-the-Sea, King City, and City of Santa Clara. The range of litigated issues is extensive and includes employment, real estate, constitutional, government tort claims, construction, breach of contract, CEQA, writ litigation, appeals and elections law, among other matters.

Mr. Giffen’s most recent public sector jury trial occurred in February and March 2022 and involved the representation of a public employee on behalf of the County of Monterey in a federal civil rights case. Previously, Mr. Giffen successfully defended FORA from a writ petition asking for judicial intervention in FORA’s legislatively determined sunset process. In 2019 and 2020, Mr. Giffen and Mr. Streiff achieved a favorable settlement and/or complete

dismissal of multiple personal injury and property damage actions against the City of Carmel-by-the-Sea. Mr. Giffen also successfully defended a City of Santa Clara police officer from excessive force claims in federal court in San Jose.

Real Property and Land Use

Our firm has exceptional background and experience in real property transactions, spanning over 60 years. The firm's collective transactional, contractual, and land use expertise is widely recognized in the Central Coast region and across California. As an example, in calendar year 2021 alone, KAG's transactional team closed real estate transactions with a combined value *in excess of \$1.2 billion*. KAG lawyer Tom Jamison has experience as lead land use counsel on a number of completed projects in the region, including the Spanish Bay Resort in Del Monte Forest, commercial shopping centers, a community hospital, residential subdivisions, marine museum and research facilities, independent schools, and industrial operations in the coastal zone.

STATEMENT OF QUALIFICATIONS

Proposed City Attorney

Jon R. Giffen (CA Bar No. 142158 - admitted December 1989)

- With over 30 years of experience as a civil litigator in California, Mr. Giffen is the head of the litigation department at KAG. The subject matter of his cases has included (but is not limited to) constitutional issues, construction defect, writ petitions, real property, land use, personal injury (including injuries on public property), and public and private employment.
- Approximately eight years of experience as Authority Counsel for FORA, including regular attendance at Board and Committee meetings.
- Acting City Attorney for the City of Carmel-by-the-Sea for approximately one year (2019); previously served as Assistant City Attorney for the City of Carmel-by-the-Sea (2018-2019).
- Has served as a well-regarded mediator of litigated and non-litigated matters, including matters involving public entities.
- Graduated from the Santa Clara University Law School with a J.D. and from University of California, Davis with a B.A. in English.
- Scholastic honors and professional affiliations include longtime membership in the Monterey County Bar Association, Monterey Rotary Club (including service as Past

President of the Rotary Club) Association of Defense Counsel and service on the Board of Trustees at Santa Catalina School.

References

Michael A. Houlemard, Jr.
Former Executive Officer for the Fort Ord Reuse Authority
(831) 238-3742

Donald Freeman
Former City Attorney for the City of Carmel
(831) 624-5339 ext. 11

Susan Blitch
Chief Assistant County Counsel, County of Monterey
(831) 755-5045

Chip Rerig
City Administrator, City of Carmel-by-the-Sea
(831) 620-2058

Proposed Deputy City Attorney

Ryan C. Donlon, Associate Attorney (CA Bar No. 229292 – admitted December 2003)

- 20 years of experience practicing law in Northern California and Central Coast.
- Deputy City Attorney for City of Monterey for approximately four years, representing the City in civil and criminal litigation (including prosecution of misdemeanor violations of the municipal code), advising boards and commissions, reviewing contracts, and counseling the City on compliance with state and federal law.
- Represented multiple public agencies in liability litigation, including the County of Monterey, the Cities of Carmel and Pacific Grove, and the Fort Ord Reuse Authority.
- Graduated from Santa Clara University with a J.D. in 2003 and with a B.A. in Political Science from the University of California in 2000.

Other Attorneys Proposed to Provide Regular Legal Services to the City

David A. Willoughby, Senior Counsel (CA Bar No. 100481 – admitted December 1981)

- Over 40 years of local practice in business and real estate transactions, property development, and public entity representation.

- Service as District Counsel for the Monterey Peninsula Airport District required providing legal representation in a wide variety of contexts akin to municipal law. For example, the district operated its own police and fire departments, handled its own public works functions, and exercised its own land-use planning and building code regulation authority.
- Service as Counsel for the Cypress Fire Protection District also involved legal representation in matters involving the provision of fire protection as well as emergency medical services as part of the Carmel Regional Fire Ambulance system prior to its consolidation into a larger service area.
- Extensive experience in dealing with the requirements of open meeting laws (including the Ralph M. Brown Act), public access to documents (including under the California Public Records Act), conflict of interest codes, labor negotiations with public employees and unions (including under the Meyers-Milias-Brown Act), public employee discipline (including under the Public Safety Officers Procedural Bill of Rights Act), employee discrimination claims, environmental laws (including the California Environmental Quality Act and the National Environmental Policy Act), disability law rights (including under the Americans with Disabilities Act), construction by public entities (including under the California Uniform Public Construction Cost Accounting Act), purchasing by public entities, contracting with vendors and consultants (including engineers and design professionals), applying for state and federal grant funding and monitoring compliance with grant conditions and requirements, leasing and developing public property, property disposal, supervising and coordinating defense of litigation brought against public entities and officials, monitoring of and advocacy for changes in legislation, and preparation of ordinances, resolutions and related reports. Also experienced in the areas of eminent domain, easements, encroachments, rights of way, interfacing with CalTrans, the Army Corps of Engineers, and other state and federal agencies, enforcement of local ordinances, building codes and standards and zoning regulations, and coordinating with outside counsel when appropriate.
- Graduated from the University of California at Santa Barbara with a B.A. in Law and Society and from the University of California at Berkeley's School of Law with a J.D.
- Member of the State Bar of California and Monterey County Bar Association, having served as a delegate to the California State Bar Conference of Delegates including a term as Chair of the Monterey County delegation and as a member of the Executive Committee of the Monterey County Bar Association.
- Served for two years as a member of the Civil Grand Jury investigating, analyzing, and reporting on the operations of local government entities and their departments including the County of Monterey, charter and general law cities, and special districts located within Monterey County.

Zachary A. Streiff, Associate Attorney (CA Bar No. 307792 – admitted December 2015)

- Approximately 8 years of experience, primarily focusing on civil litigation in both state and federal court. Litigation experience includes successfully defending California public entities from actions involving personal injury, indemnity, and construction contracts.
- Primary involvement in the preparation of a statutory validation action in 2020, on behalf of the Fort Ord Reuse Authority. The successful action validated bonds under the Marks-Roos Act, creating a multi-million-dollar stream of revenue to be used to remediate blighted structures.
- Significant litigation experience with public sector contracts, public sector construction disputes, real property law, disability rights laws, and employment discrimination.
- Currently serving as a Board Member of the Monterey County Bar Association, and as Editor of the Association’s online-only bar journal, *Barline*.
- Presently teaching regular courses at the Monterey College of Law focusing on Legal Writing and Legal Research.
- Received a J.D. degree from the University of California – Berkeley School of Law and a B.A. in Political Science from the University of Richmond in Richmond, Virginia.

Other Attorneys and Support Staff in Our Firm

Shareholder	Nolan M. Kennedy
Shareholder	Daniel F. Archer
Senior Counsel	Thomas H. Jamison
Senior Counsel	Robert G. Simpson
Associate Attorney:	Jessica Shillings-Barrera
Paralegal:	Jo-Anne Boilard

All attorneys disclosed in this proposal are licensed and authorized to practice law in California, and all other professional staff possess the requisite qualifications to perform their assigned roles.

Availability and Commitment to Provide Services

Mr. Giffen will commit to being available as the primary attorney for the City of San Juan Bautista for as much time as is required. Mr. Giffen’s commitments include a full-time civil litigation practice and significant involvement in the community, such as serving as a member of the Monterey Rotary Club and serving on the Board of Trustees of the Santa Catalina School. He will be supported by other KAG attorneys such as Ryan Donlon, David Willoughby, and Zachary Streiff.

Our offices are in Monterey, adjacent to Highway 68. Our offices include well-appointed spaces for small to medium meetings and conferences. Firm policy includes rapidly responding to messages and inquiries regardless of the method of communication. Mr. Giffen's references listed above will uniformly support his superior responsiveness and clarity. Our firm is prepared to commence the representation of the City immediately, or on any timeline as specified by the City.

Actual or Perceived Conflicts

Our firm completed a preliminary analysis of conflicts of interest and did not ascertain any actual conflicts of interest that would exist if we engaged in a new representation of the City. Similarly, we know of no specific potential conflicts of interest. However, there is always a potential that future conflicts may arise from our representation of any of the firm's other existing clients. Our current clients do not include any persons with a known significant property, business, or contractual relationship with the City.

The firm's policy concerning conflicts is to identify, evaluate, and address each of them early and openly. Potential or perceived conflicts are addressed by strict adherence to the California Rules of Professional Conduct.

Public entity clients within the last five years include: the County of Monterey, FORA (now a dissolved entity), the City of Carmel-by-the-Sea, and the City of Monterey. Based on information presently available, these relationships with our firm do not appear to pose an actual conflict of interest at this time.

Our firm has no lawsuit, litigation, or arbitration to disclose within the categories identified in the request for qualifications.

Our firm is independent of the City of San Juan Bautista, and no member of our firm, or family member, is an employee of the City.

Approach to Services

The firm seeks to provide legal services primarily in the following areas: general municipal law advice, civil litigation, and commercial and real property transaction services. Our local presence, our history of representing numerous public entities, and the depth and breadth of our firm's experience in dealing with municipal law issues distinguish us from other law firms.

The primary attorney to represent the City will be Jon Giffen, who has extensive experience representing California public entities, including other cities. Mr. Giffen will consult with or supervise other attorneys and staff who may work on specified projects dictated by the City's needs over time. The primary attorneys and staff from our firm who we anticipate will serve in this role are Ryan C. Donlon, David Willoughby, and Zachary A. Streiff.

Our firm employs a typical practice of keeping our public entity clients apprised of all matters affecting the representation through the presentation of periodic written status reports for all active litigation. Advisory services often involve regular telephone and electronic mail contact with City managers, City council members, and City staff. The attorneys of our firm pride ourselves on our responsiveness, professionalism, and accuracy in responding to client inquiries. Most inquiries can be responded to within the same business day. In the case of complex inquiries, an acknowledgement will be provided along with an estimated time frame for response.



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

DATE: AUGUST 15, 2023

DEPARTMENT: ADMINISTRATION

FROM: ELIZABETH SOTO, CMC, CPMC, DEPUTY CITY CLERK /
ADMINISTRATIVE SERVICES MANAGER

BY:

TITLE: FILL A VACANCY ON THE PLANNING COMMISSION /
HISTORIC RESOURCES BOARD

RECOMMENDED MOTION:

Receive the information provided by the Ad Hoc Committee, and direct the City Council to vote on the candidate application that was received by Staff in order to fill one (1) vacancy on the Planning Commission / Historic Resources Board.

RECOMMENDATION:

The Ad Hoc Committee will provide the City Council the results of their interview, and make a recommendation to the City Council to fill a Vacancy, on the Planning Commission / Historic Resources Board, for an unexpired term that ends December 2026.

EXECUTIVE SUMMARY:

Assistant City Manager/Community Development Director Brian Foucht received an email from Commissioner Newkirk-Smith advising him of her resignation. On Monday, June 26, 2023, staff posted a flyer, announcing a vacancy in the Planning Commission/Historic Resources Board, on the city website and on our three usual posting locations. Staff received one application.

BACKGROUND:

At the City Council meeting on July 18, 2023, the City Council was asked to appoint an Ad Hoc Committee to select a Planning Commissioner, in accordance with Municipal Code Section 2-3-110. Whereupon, it was agreed that Mayor Pro Tem Freeman and Council Member Morris-Lopez would serve on the Ad Hoc Committee.

Staff advertised the vacancy by posting a notice with a deadline of Friday, July 28, 2023. Since the notice of vacancy, one application was received. The application was forwarded to the Ad

Hoc Committee for their review and consideration.

FISCAL IMPACT:

No fiscal impact to the City of San Juan Bautista.

ATTACHMENTS:

Candidate Application

CITY OF SAN JUAN BAUTISTA

APPLICATION FOR COMMISSIONS AND BOARDS

Check one: ☒ Planning Commission/Historic Resources Board
☐ Economic Development Citizens Advisory Committee
☐ Urban Growth Boundary-Sphere of Influence Ad-Hoc Committee

1. Applicant Name: Yolanda Delgado

2. Current Residence: San Juan Bautista Ca 95045
Mailing Address [REDACTED]
E-mail Address: [REDACTED]

3. Telephone Number: (Home) _____ (Work) _____ (Cell) [REDACTED]

4. How long have you been a resident of San Juan Bautista? 13 years

5. Are you currently serving or have you served on a City of San Juan Bautista Board, Commission, or City Council?

If yes, which one? yes Term currently serving Planning Commission
yes Term currently serving Historic Resources Board

6. What motivated you to apply for this Board or Commission? You may attach a separate sheet of paper. see attached

7. What skills or attributes can you bring to this Board or Commission? You may attach a separate sheet of paper. see attached

8. The primary role of a Board or Commission member is to provide advice to the City Council on policy issues that are within the scope of that Board or Commission. With this in mind, what steps would you take to effectively exercise this specific Board or Commission role? You may attach a separate sheet of paper. see attached

9. List any relevant education, training or experience that demonstrates your ability to effectively serve on this Board or Commission. You may attach a separate sheet of paper. see attached

CITY OF SAN JUAN BAUTISTA
APPLICATION FOR COMMISSIONS AND BOARDS

Applicant's Name Yolanda Delgado

10. List and provide a brief description of your current or last occupation. see attached resume
11. Have you attended a City Council, Board or Commission meeting, Town Hall meeting or Public Workshop? If so, please describe what you learned and what improvements you would suggest the City consider. see attached
12. Describe your involvement in community activities, volunteer and civic organizations. see attached
13. Do you have any physical or mental constraints which may limit your ability to perform the duties of a Board or Commission member? If yes, what can be done to accommodate these constraints? none

(Note: Pursuant to the Americans with Disabilities Act, the City of San Juan Bautista will make reasonable efforts to accommodate persons with qualified disabilities during the Boards and Commissions interview process. If you require special accommodations, please contact the City Clerk at least five days in advance of any scheduled interview.)

I certify under penalty of perjury that all statements I have made on this application are true and correct. I hereby authorize the City of San Juan Bautista to investigate the accuracy of this information from any person or organization, and I release the City of San Juan Bautista and all persons and organizations from all claims and liabilities arising from such investigation or the supplying of information for such investigation. I acknowledge that any false statement or misrepresentation on this application or supplementary materials will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment.

YOUR APPLICATION IS NOT COMPLETE UNTIL IT IS SIGNED AND RETURNED.

IMPORTANT NOTICE

A Board or Commission member is a public official. As such, it is necessary to provide contact information to the public. Please note that all information provided on this form becomes a public record after it is officially filed. Please do not include any information on this form that you do not want posted on the City's web site and the City's Official Roster.

Applicants appointed to the Planning Commission and Historical Resources Board are required to file the Fair Political Practices Commission (FPPC) Statements of Economic Interest (Form 700), which are also a public record. A copy of this form is available in the City Clerk's office or by visiting www.fppc.ca.gov.

Signature of Applicant

Date 12/29/2022

Please mail, fax, or deliver to: City Hall, P.O. Box 1420, 311 Second St., San Juan Bautista, CA 95045, FAX: 623-4093.

6) Having served on the Planning Commission over the last four years, I would like to continue serving in my capacity as a member of the Commission. Participation allows me to fulfill my passion for local government as well as my service to my community. Continuing as a member of the Commission will allow me to pay it forward for my City.

7) I have served on various committees and groups exemplifies my ability to work within City government and understand how to get past the "red tape" allows me to fulfill my role to the best of my ability. This experience is crucial for such positions, to ensure the City of San Juan Bautista is operating efficiently and effectively. For example, I continually pursued the Planning Commission as the chair and as a planning commissioner member of the city count ADUs in the city RHNA city manager, and I agreed to place this matter on the planning commission agenda to pass it up to the City Council.

8) I would like to change to having a concrete calendar to meet with the assistant city manager and city manager to go over the agendas so that we can all be on the same page. Also to set a clear boundary for effective communication and ensure a professional working relationship with the city manager and assistant city manager. Have more transparency so that the residents of San Juan.

11) Yes. I have learned how local government works. This knowledge is invaluable in order to a positive direction for our city.

12) I volunteer in the San Juan soccer club as a coach, I volunteer in Junior Giants as a coach and team parent, a parent leader for the scouts 428 of San Juan Bautista, and I am a member of CAB for the San Benito county

Yolanda Delgado

Yolanda Delgado
P.O. Box [REDACTED]
San Juan Bautista, CA 95045
[REDACTED]

Summary: Over 30 years of experience in Transportation, Delivery, and Customer Service
COACH OPERATOR, 15 years' experience
SUPERVISOR, 15 years' experience in Operations and Customer Service. Planning Commissioner and Historical Board City of San Juan Bautista, and CAB for the County of San Benito
Bilingual in English and Spanish

Experience:

Job Title: Bus Driver/Supervisor

Employer: IHELP Monterey, CA

Length: 11/2020 to present

Duties: Operate passenger buses on regular and/or special routes, providing safe and efficient transportation. Collect fares, issue transfers, and give general information regarding routes, schedules and transfer points. Complete accident and other written reports. Complete bus inspection before and after operation. Actively promote good customer relations. Maintain bus schedules. Deal effectively and safely with unexpected circumstances as they arise. Drive every CT vehicle in our fleet. Supervised women to ensure their safety, assist with medical appointments, and to personal needs to keep them safe.

Job Title: Bus Driver

Employer: Sam Trans, San Carlos, CA

Length: 12 years

Duties: Operate passenger buses on regular and/or special routes, providing safe and efficient transportation. Collect fares, issue transfers, and give general information regarding routes, schedules, and transfer points. Complete accident and other written reports. Complete bus inspection before and after operation. Actively promote good customer relations. Maintain bus schedules. Deal effectively and safely with unexpected circumstances as they arise. Drive every CT vehicle in our fleet. On the board of the union. These consisted in negotiations with

contracts, representing union members with grievances.

Job Title: **Bus Driver**

Employer: VTA, San Jose, CA

Dates: 9/01 to 7/02

Duties: Operate passenger buses on regular and/or special routes, providing safe and efficient transportation. Collect fares, issue transfers, and give general information regarding routes, schedules and transfer points. Complete accident and other written reports. Complete bus inspection before and after operation. Actively promote good customer relations. Maintain bus schedules. Deal effectively and safely with unexpected circumstances as they arise. Drive every CT vehicle in our fleet.

Job Title: **Courier**

Employer: FedEx, San Jose, Ca

Dates: 4/97 to 9/01

Duties: Deliver and pick packages. Give great customer service; handle any problems in a professional manner. Report all accidents. Handle money and then turn it in at the end of the day. Place the packages I was unable to deliver away in the allocated area. I was in training to become a dispatcher.

Job Title: **Supervisor**

Employer: United States Post Office, San Jose, CA

Dates: 7/82 to 4/97

Duties: In charge of operations, customers service, employee attendance, finance, front windows, work with the Postal Inspectors, torts, claims, injury to employees, taking injured employees to doctors, vehicle accidents reports, daily reports, safety supervisor, route restructures, in charge of reporting all new buildings, audit the window clerks' stock and money, also did route checks and implemented Address Mailing system AMS and zip plus 4.

Education:

High School diploma from Andrew P. Hill High School.
Associates of Science from Gavilan College.
Attending California State University Monterey Bay.

CA Drivers

License Class:

B air brake, passengers endorsed, and M1



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

DATE: AUGUST 15, 2023

DEPARTMENT: CITY MANAGER

FROM: DON REYNOLDS

BY: DON REYNOLDS

TITLE: ADOPT THE STRATEGIC PLAN AND HIGH LEVEL ORGANIZATIONAL, FINANCIAL AND PUBLIC SAFETY REVIEW

RECOMMENDED MOTION:

A motion is sought to approve a Resolution adopting a new City “Strategic Plan, and High Level Organizational Financial and Public Safety Review,” (“Report”) and its recommended core findings as City policy.

RECOMMENDATION:

It is recommended that the attached Resolution and Report be adopted by the City Council, establishing a new Strategic Plan along with the core recommended findings in the high level organizational, financial, and public safety review.

EXECUTIVE SUMMARY:

For the second time in four years, the City retained the services of Citygate and Associates to develop a new strategic plan, and conduct a high level organizational, financial, and public safety review. Over a six-month period, a comprehensive public outreach effort occurred, with many interviews, a city services survey, and two two-day public workshops to discuss the needs and desires of the citizens of San Juan Bautista. This feedback has been presented in draft form in the Report attached to the Proposed Resolution. Section 7 provides the Strategic Plan, and Section 9 provides the recommended core findings. This Resolution is presented to adopt to this Strategic Plan, and to begin implementing the Report’s findings and recommendations.

BACKGROUND:

Since the spring of 2020, the City has adopted a meaningful budget process that begins its annual cadence with consideration of its Strategic Plan. The original Plan was first drafted in 2020 with the help of Citygate consultants, and amended in subsequent years through FY 2022/23. Each of the City Budgets have reflected and implemented these Strategic Plans.

January 24, 2023, the City considered the need for a new Strategic Plan, and organizational study. In the past 3 years, the City has managed its way through four State of Emergencies including the implementation of COVID 19 pandemic restrictions, established a meaningful strategy to bring its wastewater and water systems up to State standards, made several organizational adjustments including a new Community Development and Economic Development programs, and completed several high priority capital improvement projects. The City Council added two new members after the November 2022 election. At its January 24, 2023 Council meeting, Resolution 2023-05 was adopted, launching a new program with Citygate and Associates.

DISCUSSION

Citygate embarked on a comprehensive outreach program described in Section 1.2.1 “Core Tasks” described page 14. Documents relevant to the project were compiled and reviewed. Videoconference interviews with the City Manager and City Council, key City staff, business, and numerous community members. Community and employee surveys were completed at a high rate of return. Reviewed the City organizational strengths and weaknesses, and workloads. Facilitated a six-hour strategic planning workshop with the City Council presenting the feedback received during the outreach efforts. The report was then drafted and reviewed with the City. In June, the City held Action and Implementation Plan Workshops. The tasks were prioritized, and sourced when possible. Specific accountability tools for each objective are identified. An improved communication plan was established.

Sections 1-4 of the Report, introduce the study, and summarize results of the outreach. Employee Survey results are in Section 3, starting on page 22, and the Community survey results are provided in Section 4 on page 33.

Section 5 of the report summarizes the fiscal review. This review was conducted with a focus on audits related to the General Fund and Enterprise Funds. Interviews with the City Manager and City CPA occurred. A review of the new chart of accounts, and new municipal accounting software were included in this review. Page 51 of the Review provides the summary of fiscal findings.

5.4.1 Findings

Finding #1: The General Fund is fiscally healthy and meets reserves recommended by GFOA best practice and the City’s reserve policy requirement.

Finding #2: Water and sewer rate increases, in addition to application and receipt of various loans and grants, will help improve the fiscal strength of both water and sewer operations.

- Finding #3:** The implementation of the new MIP financial system began in January 2023 and will provide additional capabilities and controls to help improve overall fiscal operational efficiency, monitoring, and transparency.
- Finding #4:** General fees and charges have not been reviewed in several years, indicating that the City may not be recouping the cost of providing the services associated with the applicable fees and charges.
- Finding #5:** The City does not have a formal, comprehensive long-term Capital Improvement Plan to identify and address aging infrastructure.
- Finding #6:** The City does not have a formal financial forecasting process to develop a long-term delineation between ongoing revenues and expenditures versus one-time revenues and expenditures to ensure accurate reflection and monitoring of the City's fiscal condition.
- Finding #7:** The City's current fiscal policies are incomplete when compared to best practice. A lack of formal financial policies and procedures can lead to confusion and inconsistency and weaken internal control.

The Fiscal recommendations are provided on page 52:

5.4.2 Recommendations

- Recommendation #1:** Auditors should be directed to segregate Measure G fiscal activity in the audited financial statements while maintaining Generally Accepted Accounting Principles (GAAP) to improve clarity and transparency and reduce confusion.
- Recommendation #2:** Designate fund reserves as outlined in the City's reserve policy.
- Recommendation #3:** Expedite the completion of the new financial system's implementation to the extent possible to allow the City to take advantage of increased efficiency, monitoring, internal control, and transparency capabilities.
- Recommendation #4:** The City should develop a succession plan, particularly in the Finance Department, to ensure continuity of fiscal operations.

- Recommendation #5:** To ensure a long-term focus on identification of issues and provide time to develop plans of action to address the issues, the City should utilize the templates provided by Citygate during its previous review as a guide to develop formal, long-term financial forecasts and capital improvement plans.
- Recommendation #6:** Finance Department staff should review the GFOA list of approximately 200 best practice recommendations related to municipal financial operations and use it as a guide when developing written policies for the City.
- Recommendation #7:** The budget development process should include identification of performance measures to ensure departments are monitoring and achieving individual department objectives to meet overall City goals and objectives.
- Recommendation #8:** If City Hall hours of operation are extended, consider hiring new personnel to help provide adequate coverage and address risk avoidance and confidentiality concerns.
- Recommendation #9:** To improve internal controls, revise the payroll process to more definitively separate the duties of the individual processing the payroll from the individual who ultimately approves release of the completed payroll.

The City Council approved a part-time position in the FY 2023/24 Budget, to help extend office hours in the afternoon. Adding performance measures to the Budget process and other recommendations will be made a priority between now and the end of the Calendar Year so they can be incorporated into the process for next Fiscal Year.

Section 6 is the high-level public safety organizational overview. The City's reliance on part-time supervision, and private security were evaluated. The Hollister Fire Department is in the midst of a feasibility study to establish a regional Fire District. The Sheriff indicated in December the need to review its services with the City and develop a new contract. City gate assigned retired Undersheriff from Riverside County to conduct interviews and questions for this review. The Findings are on page 58 of the Report.

6.4.1 Findings

- Finding #8:** Public safety services have no central point of contact other than the City Manager.
- Finding #9:** The City currently contracts for 40 hours of dedicated patrol per week from the Sheriff's Office, which, in Citygate's assessment, is inadequate.
- Finding #10:** The City contracts with a private security company to provide private patrol for 68 hours per week. Citygate assesses that private patrols are not a viable public safety alternative to fully sworn patrol services provided by the Sheriff's Office.
- Finding #11:** The City is not receiving adequate status reporting from the Sheriff's Office related to services rendered.
- Finding #12:** The Fire Services contract with the City of Hollister is serving the City well.

The recommended Public Safety reorganizational changes are provided on page 59.

6.4.2 Recommendations

- Recommendation #10:** Add a management-level public safety position that reports directly to the City Manager and is responsible for all public safety-related issues discussed in this report.
- Recommendation #11:** Add a second patrol Deputy position to the law enforcement services contract with the San Benito County Sheriff's Office to expand dedicated patrol coverage to seven days a week and 80 hours. In time, the goal should be to increase dedicated patrol coverage to 24 hours a day, 7 days a week.
- Recommendation #12:** Ensure that a renewed service contract with the Sheriff's Office includes a requirement for workload reporting. Work with the regional dispatch center (Santa Cruz Regional 911) to develop a monthly custom reporting tool to assist in monitoring the Sheriff's dedicated patrol activity.

Recommendation #13: Consider converting the contracted private security contract to full-time or part-time Community Service Officer positions that work under the Public Safety Manager to enhance the Sheriff’s patrols and can also serve as disaster service workers during emergencies.

The changes to Public Safety are all supported in the FY 2023/24 Budget. The City needs to approve the fulltime job description for the Public Safety Coordinator, and the full-time Community Services Officer positions and initiate recruitment. The use of Private Security will continue until the positions are filled and transition can be completed.

Section 7 is the Strategic Plan Development. Using “guiding questions” at the April workshop, the City Council agreed on a new Vision Statement, Mission Statement, Core Values, and Guiding Priorities. On Page 62, this new direction is provided:

7.2.1 Approved Vision Statement

San Juan Bautista is a vibrant, thriving community that strives to tell its complete history and cultural heritage while honoring the needs of its residents and businesses. The City offers the world a unique destination with its boundless natural beauty, open spaces, and agricultural resources.

7.2.2 Approved Mission Statement

The City of San Juan Bautista strives to provide exceptional service to the community by fostering a sustainable economy while preserving its uniqueness through collaboration, honesty, and resourcefulness.

7.2.3 Approved Core Values

- ◆ Collaboration
- ◆ Honesty
- ◆ Resourcefulness
- ◆ Accountability
- ◆ Integrity

7.2.4 Approved Guiding Priorities

- ◆ Infrastructure
- ◆ Economic development
- ◆ Public safety including code enforcement and disaster preparedness
- ◆ Recreation and activities
- ◆ Fiscal stability

Section 7.3 includes “other observations” including developing a 5-year strategic plan. It has always been the purpose of working on these strategies to see that they become incorporated into the City budget.

7.3.1 Important Steps

The City can recognize significant organizational improvements by taking the following steps to establish routine strategic planning and budget cycles and by establishing routine approval authorities and processes.

- ◆ Establish a Five-Year Strategic Plan and goals.
- ◆ Establish an annual City Council meeting calendar and adhere to it, including a cycle for annual review of the Five-Year Strategic Plan, annual work program adoption, and annual budget. *(Done)*
- ◆ Establish an achievable annual work program and goals for the City that are in line with Five-Year Strategic Plan goals.
- ◆ Ensure annual expenditures reflect Five-Year Strategic Plan goals and include resources necessary to achieve annual work programs.
- ◆ Institute performance measures.
- ◆ Evaluate annual achievements prior to adopting a work program for the new year. *(this is being done)*
- ◆ Expedite the completion of the new financial system’s implementation to the extent possible to allow the City to take advantage of increased efficiency, monitoring, internal control, and transparency capabilities. *(Done)*

Section 7.3.2 includes Financial Management Policies. The City is actively achieving most of these recommendations now. But this list adds clarity for the community and City Council to understand.

7.3.2 Financial Management Policies

Cities following best practices adopt and impose sound and wide-ranging financial management policies. Examples of these winning budgeting-related strategies include the following:

- ◆ The budget must be balanced.
- ◆ There will be no unfunded positions included in the budget or staffing resolution.
- ◆ No new positions will be considered unless there is new income for the position that covers not only the cost of the position, but any indirect and overhead-related costs as well.

- ◆ There must be a reasonable expectation that there will be an ongoing funding stream of at least three years or more for any new position.
- ◆ Only use reserve funds for one-time expenditures or for purposes for which the reserve is designated. Every effort will be made to preserve reserve funds.
- ◆ Economic development will remain a priority.
- ◆ Technology should be invested in continually.
- ◆ The budget format and terminology should be standardized so that pertinent and relevant performance and financial information is provided for presentation to the City Council and the public.
- ◆ Income streams should be identified for the continual improvement of the City's capital facilities.

The final Section 8, focusses on implementation. This includes executive communication training as was provided in the June workshops. Both the City's executive team and City Council worked together to reach a new understanding and appreciation for this work being done at City Hall. Page 69 includes the final 4 Recommendations:

Recommendation #14: The City should utilize annual or semi-annual communication training courses throughout the organization.

Recommendation #15: New tools and philosophies can and should be utilized as part of a five-point accountability measure and general performance guide for employee evaluations.

Recommendation #16: The City should leverage periodic 360 survey assessments, which are a good tool to help measure a point-in-time success rate related to service standards, communications, and other organizational benefits—including higher morale among employees; increased positive engagement, connection, and trust; higher productivity; stronger job satisfaction; more empowered employees and community members; better clarity; reduction of conflict and misunderstandings; and a sense of cohesiveness for efficient decision-making and problem solving.

These considerations are summarized in the Report's findings in the final two pages 73-75. They become the basis for a five-year strategic plan moving forward.

If accepted, the strategies and priorities presented in the Citygate report are backed up by solid data from the community. It will serve the City for several years, and help keep the staff and resources on track. But as was the case in 2020, things change (!!). So annual reviews of the strategies will occur after the new year annually before the budget is drafted.

FISCAL IMPACT:

By accepting this Report, the City is not obligated to any new fiscal changes.

But many of the recommendations may have fiscal impacts and cause additional costs to implement, but they will be considered one at a time as they are being implemented. It is also possible, that changes will include savings, as well (like the reorganization of public safety services eliminating private security).

ATTACHMENTS:

Resolution with the Strategic Plan, and High Level Organizational Financial and Public Safety Review, ("Report")

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE CITY OF SAN JUAN BAUTISTA ADOPTING A STRATEGIC PLAN AND HIGH-LEVEL ORGANIZATIONAL, FINANCIAL AND PUBLIC SAFETY REVIEW

WHEREAS, it is in the best interest of the City of San Juan Bautista to make the most efficient use of its limited resources, be certain that its organization is efficient and effective in carrying out these services, and the City Council’s Strategic Plan aligns and supports these shared goals of the community; and

WHEREAS, the Consultant “Citygate” was founded in 1990, and provides an executive organizational consultant service dedicated to improve public agency efficiency and delivery of public services having conducted over 500 studies for more than 300 different local governments; and

WHEREAS, on January 21, 2020, the City adopted Resolution 2020-03A and retained Citygate to facilitate the creation of a Strategic Plan for the City which advised the “COVID” Budget of 2020, and subsequently amended and adopted for the 2021 Budget with Resolution 2021-15, and updated in 2022; and

WHEREAS, the end of mandatory COVID restrictions, the changes in City leadership, changes to the services needed in the City and changes to the critical funding sources in the City all justify the need for developing a new Strategic Plan for the City, reviewing its revenues streams and organizational capacities and needs and review of law enforcement services; and

WHEREAS, on the 24th of January 2023, the City Council adopted Resolution 2023-05 once again retaining the services of Citygate to develop a new “Strategic Plan, and High Level Organizational, Fiscal and Public Safety Review;” and

WHEREAS, over the past 6 months Citygate conducted extensive public outreach including many personal interviews, citizen satisfaction surveys, and two 2-day workshops; and

WHEREAS, many of the trends and recommendations that emerged from this feedback are reflected in the City’s Fiscal Year 2023/24 Budget, and summarized in the detailed attached draft “Strategic Plan, and High Level Organizational, Fiscal and Public Safety Review;” and

WHEREAS, the City Council has considered Section 9 “Citygate’s Core Findings and Recommendations” and is prepared to adopt and implement them as City policy.

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

- 1) That the Staff report submitted and its conclusions are hereby deemed to be true and correct, the City Council agrees with their conclusions, and this report is made a part of this resolution by reference.
- 2) That the City Council hereby accepts those findings described in the attached Report titled “Strategic Plan, and High Level Organizational, Fiscal and Public Safety Review,” adopts

the recommended core findings, and is hereby committed to implementing the recommendations in the Report to the best of its abilities.

PASSED AND APPROVED by the San Juan Bautista City Council on the 15th day of August 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

Attachment
Strategic Plan, and High Level Organizational, Fiscal and Public Safety Review



CITY GATE
ASSOCIATES

HIGH-LEVEL ORGANIZATIONAL, FINANCIAL, AND LAW ENFORCEMENT REVIEW

CITY OF SAN JUAN BAUTISTA, CA

AUGUST 10, 2023



CITY GATE
ASSOCIATES

WWW.CITYGATEASSOCIATES.COM

600 COOLIDGE DR., STE. 150 FOLSOM, CA 95630

PHONE: (916) 458-5100
FAX: (916) 983-2090



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City of San Juan Bautista, CA
High-Level Organizational, Financial, and Law Enforcement Review

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City of San Juan Bautista, CA
High-Level Organizational, Financial, and Law Enforcement Review

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FINAL REPORT EXECUTIVE BRIEF

This single-page Executive Brief provides a synopsis of the organizational review's context, the work performed by Citygate, the City's Priority Implementation Plan, and key takeaways and recommendations.

Request – Perform strategic planning, facilitation and implementation sessions including a high-level organizational, public safety, and budget analysis.

Core Deliverables – High-Level Organizational, Financial, and Law Enforcement Review Report and Priority Implementation Plan Worksheet including recommendations and implementation strategies based on organizational assessment, survey data, planning sessions, town hall meetings, and document review | Mission, Vision, Core Priorities, and Values statements | Executive Training Session

Mission – The City strives to provide exceptional service to the community by fostering a sustainable economy while preserving its uniqueness through collaboration, honesty, and resourcefulness.

Vision – San Juan Bautista is a vibrant, thriving community that strives to tell its complete history and cultural heritage while honoring the needs of its residents and businesses. The City offers the world a unique destination with its boundless natural beauty, open spaces, and agricultural resources.

Values – Collaboration | Honesty | Resourcefulness | Accountability | Integrity

Core Council Priorities – Fiscal stability | Infrastructure | Economic Development | Public Safety | Communication | General Plan | Parks and Recreation

Community Priorities – See sections 3 and 4 and appendices B and C for Employee and Community Survey results | Water quality and costs | Infrastructure (roads, streets, sidewalks) | Economic development (downtown improvements and business friendliness) | Schools | Recreation | Growth and development

Five-Year Priority Implementation Plan – See: Table 1 and **Appendix A**.

Primary Recommendations – See Section 2.2 for 11 Overall Themes in addition to Citygate's 16 Core Recommendations:

- ◆ New Public Safety Coordinator | Reorganization | Disaster Preparedness and Recovery
- ◆ Fiscal policies in line with Government Finance Officers Association (GFOA) | Staff support for extended hours for City Hall | Fund balance designation and forecasting for long-term strategic goals and capital projects | Fee assessment | Staffing
- ◆ Parks and Recreation Coordinator position | General Plan review/update | Economic development programs | Recreational activities | Communication strategy | Improvements to water quality | Infrastructure improvements

Executive Communications and Leadership Training – See Section 8.4 | Innovation in Government | Belief Systems and Stories | Communication and Success Signals | Leadership Defined | Roles and Responsibilities | Service Philosophy Development

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EXECUTIVE SUMMARY

Citygate Associates, LLC (Citygate) is pleased to present this high-level organizational review including financial and law enforcement reviews for the City of San Juan Bautista (City). It was evident to Citygate’s Project Team members who have had the pleasure of working on this project that the City’s elected officials, staff, and residents all have a passion for their community and its future.

Founded in 1797 and incorporated in 1869, the City of San Juan Bautista is located in San Benito County, CA. The City is largely an agricultural community, though it also has a strong tourist industry due to its historic and cultural sites, which include the Mission San Juan Bautista (founded in 1812) and seven National Historic Landmarks—including two historic districts listed in the National Register of Historic Places (San Juan Bautista Plaza Historic District and Third Street Historic District). As of the 2020 Census, the City had a population of approximately 2,089.

Through conversations with residents and City staff, Citygate found a sense of pride and deep care from all stakeholders, who take an active role in honoring the City’s heritage and community. Citygate also recognized and heard that there are several desires and concerns related to bringing smart economic growth, infrastructure improvements, more recreational activities, and appropriate protections and attention to the City’s water supply. These were but some of the many ideas offered during Citygate’s interviews, but currently, no framework exists for bringing them into focus.

Civic leaders invested time and resources into having this study conducted to clarify where the City currently stands both operationally and financially. The study is intended to serve as the foundation for the strategic planning and goal-setting necessary to focus this small City’s energy on the highest and best potential use of local talent and resources.

This review includes strategic recommendations which accompany the Five-Year Priority Implementation Plan and a realistic framework of recommended actions, current financial analysis, and operational realities that City leaders, staff, and residents can use to begin making critical strategic decisions for the City’s future.

CITYGATE’S ASSESSMENT AND 11 OVERALL THEMES

The City functions as a non-full-service city—in partnership with the County Sheriff’s Department for public safety services, contracted services for security in the “observe and report” capacity, and contracted services with the City of Hollister for fire protection efforts. The City provides limited services related to planning and building, engineering, public works, parks, water and wastewater utilities, and a library.

The Challenge Facing a Small City

Small cities are susceptible to disruptions in service delivery and project delays when experiencing high turnover or staffing reductions. Larger cities have more redundancy and capacity built into individual staff roles because they have a greater number of personnel who can help pick up and continue projects or absorb additional work during recruitment efforts. San Juan Bautista has no redundancy built into its staffing, with only a single occupant in most job titles. Vacancies in any position mean that the work previously performed by that position either goes unaddressed when it is vacant or displaces the duties of another staff member.

The amount of work conducted by the small staff of the City is remarkable, and the work, overall, is performed in a professional manner. City staff is generally keeping up with a number of regulatory requirements, and the City has adopted long-term planning documents, such as the General Plan, a new Five-Year Priority Implementation Plan (included with this report), and other required documents. Citygate found these to be of good quality. The challenge facing the City is to provide City staff with the resources necessary to implement these plans and to ensure that all items receive proper attention—such as regular rate and fee studies and annual reviews of rates for water and sewer services—with the intent to provide the rate revenues necessary to construct and repair City street, water, and sewer infrastructure and ensure that City infrastructure provides for development to take place within the corridors and sites the City intends to be developed.

Some Good News

City personnel are highly commended for their own use of time and limited resources in juggling a wide variety of activities and time pressures. City employees face both the changes taking place within the City organization as well as the changes and challenges within the public perception of them, all of which affect their day-to-day ability to do their jobs.

The good news is that the City possesses a rich resource in the gifted and dedicated people who are both committed to its future and willing to engage in the work necessary to move forward as a more friendly, effective, fiscally stable, and robust community. The City had the courage to commission this study and carefully examine where it is currently and where it needs to be—an undertaking that not all cities are willing to carry out.

The hopeful outcome of this organizational, financial, and law enforcement review is informed public policy making at its best, along with implementation of Citygate's recommendations in a way that engages City Council, City staff, City commissioners, the broader community, volunteers, and businesses in the realization of the common good.

11 Overall Themes

This report consists of 9 sections and includes **Citygate's 12 core findings and 16 core recommendations**, which are discussed throughout the various sections of this report and

summarized in full, sequential order in Section 9. Further, the report identifies **11 overall themes** resulting from Citygate’s review.

The following themes informed Citygate’s recommendations:

- Theme 1:** Improvement and protection of water quality.
- Theme 2:** Investment in infrastructure improvements including sewer, roads, streets, sidewalks, and curbs.
- Theme 3:** Establishment of appropriate staffing levels.
- Theme 4:** Implementation of thoughtful, smart economic development—specifically in the Downtown area—through General Plan amendments, discussions, and policies related to growth, zoning, and conditions of approval.
- Theme 5:** Enhancement of business partnerships, incentives, communications, and process improvements.
- Theme 6:** Enhancement of recreation activities for all with a focus on the youth and seniors.
- Theme 7:** Revitalization of the Downtown area including addressing cleanliness, vacant lots, parking, esthetics, lighting, landscaping, and signage.
- Theme 8:** General enhancement of communication with City staff and volunteers, including messaging, updates, website, and other marketing opportunities.
- Theme 9:** Public safety review including Sheriff’s Department partnership, code enforcement, and current security services.
- Theme 10:** Disaster preparedness related to flooding, fires, state mandates, etc.
- Theme 11:** Fragmentation of the San Juan Bautista Community Business Association into two competing groups.

HIGH-LEVEL FISCAL REVIEW

Small cities are called upon to meet all laws and regulations and produce all of the audits, annual reports, and master plans required of larger communities—in addition to providing around-the-clock city services related to public safety, water, sewers, and streets. Small cities must perform to these measures with far less staff capacity compared to larger cities. It is therefore critical for small cities to do business in the most efficient manner possible.

All cities and counties in California have some sort of commitment to economic development. Typically, they have a designated individual or groups of individuals who are assigned to promote

a city's local economy. Larger agencies will have programs specifically designed to retain existing businesses, expand existing businesses, and attract new businesses. Typically, this involves keeping an inventory of vacant properties, assisting with permit processing, providing fee waivers, circulating marketing brochures and videos, and working with real estate agents, a chamber of commerce, and a visitors' bureau.

The good news is that all of these economic fundamentals are in place in the City in one form or another. The City has several potential partners and volunteer groups, such as the San Juan Bautista Community Business Association—both the new and the original association—and a recently hired Assistant City Manager to help provide a focus on economic development.

During its review, Citygate identified several **fiscal positives** implemented by the City that have helped to improve its overall fiscal health. These include a fiscally healthy General Fund, the sewer and water rate increases of 2021 and 2022 respectively, the hiring of an Assistant City Manager to focus on economic development, and implementation of a new financial system.

Citygate also identified potential **fiscal-related operational issues** during its review. Some of the more obvious areas included a lack of review or adjustment related to current fees and charges, a lack of formalized policies and procedures, the potential noncompliance with California Government Code due to the use of the same auditor service, and the lack of succession planning, cross-training, and long-range financial planning.

Citygate's fiscal review also discusses the development of performance measures, extended hours coverage at City Hall, and adequate separation of duties among City staff.

Stabilizing the City's finances requires a unified effort on the part of the City's elected officials, City staff, and community leaders. A sustained, multi-year, multifaceted rebuilding effort will ensure the City enjoys the benefits of a vibrant, cost-effective, full-service municipal organization well into the future.

HIGH-LEVEL PUBLIC SAFETY REVIEW

Public safety in the City is provided through a combination of private and public contracts as well as some organic City services. Police and Fire services are provided through contracts with the San Benito County Sheriff's Department and the Hollister Fire Department respectively. The City also contracts with a private security firm to provide additional patrols throughout the week. The City employs a part-time Code Enforcement Officer but has no effective Animal Control Services. All of these services are directly managed and supervised by the City Manager.

Given the size of the City, the total volume of public-generated calls for law enforcement service are relatively low, thus making the formation of a municipal police department fiscally impractical. However, the City's percentage of budget expenditures for public safety and policing in particular merit consideration of more investment. Citygate assesses that a management-level public safety

position—reporting directly to the City Manager, and responsible for oversight of all public safety-related issues discussed in this report—would be a beneficial addition.

The City earmarked funding in the current budget to add an additional Deputy Sheriff to the law enforcement service contract, which would, in effect, double the amount of dedicated patrol the City currently maintains. Thus far, the Sheriff’s Office has had difficulty in staffing that position and it has not yet been added. Citygate supports adding this position and expanding dedicated patrol coverage. In time, the goal should be to increase dedicated patrol coverage to 24 hours a day, 7 days a week.

Additionally, while the current Fire services contract is sufficient, the Sheriff’s contract should be expanded via the funds already earmarked for law enforcement to expand the patrol coverage of the Sheriff. Citygate further assesses that private patrols should be eliminated and replaced by Community Service Officer positions working directly within the City’s infrastructure.

THE PRIORITY IMPLEMENTATION PLAN

In addition to Citygate’s core findings and recommendations contained throughout this report, community members, volunteers, and City staff worked diligently and thoughtfully during several meetings and public processes to discuss, debate, and determine goals and priorities for the City. Once community stakeholders established clear mission and vision statements, goals, and priorities; desired outcomes, accountability measures, and timelines were determined. These strategic planning processes undertaken by the community make effective and efficient organizational change possible. The result of these efforts—a Priority Implementation Plan Worksheet developed by the community for this study—is provided as **Appendix A** and discussed, in detail, in Section 7 of this report.

From the full Worksheet representing the City’s efforts, a refined list of ten strategic recommendations and a blueprint for their implementation is presented in the following table, including:

- ◆ The parties responsible to implement each recommendation.
- ◆ The priority and timeframe for implementation of each recommendation.
- ◆ The anticipated benefits of each recommendation.

The table defines the priority of each recommendation indicated by the letters “A” through “C.” It is important to note that priorities have been established independent of the suggested implementation timeframes.

It is also important to note that an “A” priority, which indicates that the recommendation is deemed “mandatory or critical,” should not be interpreted to mean that the recommendation is mandated

by a statute or regulation—it is simply an urgent recommendation of the highest priority according to Citygate.

The Priority Implementation Plan – Strategic Recommendations table contains ten strategic recommendations—including fiscal and other operational recommendations resulting from this review. Citygate has taken care to recognize the limited staff resources available for the City to carry out the action items in this report. Nevertheless, throughout the report, Citygate makes some core recommendations for the City regarding how it should choose to deliver services in the future.

Table 1—Priority Implementation Plan – Strategic Recommendations

Priority Legend: A – Mandatory or critical | B – Highly recommended | C – Recommended

Recommendation	Responsible Parties	Priority	Benefits
<p><u>Strategic Recommendation #1:</u> Prioritize Economic Development</p> <ul style="list-style-type: none">• Increase and broaden the City’s economic development programs and related policies, procedures, ordinances, and zoning regulations.• Hold General Plan discussions and/or workshops in related areas affecting economic development.• Consider full-time, part-time, or limited-term staffing for implementation of economic development-related items listed within the Five-Year Priority Implementation Plan Worksheet.• Prioritize downtown cleanliness.• Develop and implement a vacant property registration program and/or ordinance.• Develop a wayfinding signage program.• Develop business improvement and incentive programs including facades (including forgivable loans and timeline grants).• Fund downtown esthetics with landscaping, lighting, and art.• Evaluate funding opportunities including a Citywide fee assessment, adoption program, benefit districts, facilities and/or art districts, to support downtown fiscal stability.	<p>City Manager, City Council, Assistant City Manager, Planning Commission, San Juan Bautista Business Association(s).</p> <p>Support from new staff, should any be hired and assigned to this area of need.</p>	<p style="text-align: center;">A</p> <p>Begin immediately—workshops and discussions related to the General Plan and adjustments related to growth and economic development.</p> <p>Engage business owners and appropriate volunteer groups to support elements of the Five-Year Strategic / Implementation Plan related to economic development and downtown revitalization efforts, including consideration of a vacant property registration program and/or ordinance.</p>	<p>Reviewing and adopting various new ordinances, zoning guidelines, and policies and procedures will provide clarity, consistency, and more efficient and effective processes for economic development.</p>

City of San Juan Bautista, CA
High-Level Organizational, Financial, and Law Enforcement Review

Recommendation	Responsible Parties	Priority	Benefits
<p><u>Strategic Recommendation #2:</u> Review Public Safety and Pursue Reorganization</p> <ul style="list-style-type: none"> Explore how the City could implement and hire an interdepartmental Executive Public Safety Coordinator position to provide much-needed coordination and facilitation of all public safety-related items including disaster preparedness and response, all public safety contracts (sheriff, fire, animal control, etc.), security services, grants, etc. Recruit and fill the vacant Sheriff's position including written reporting requirements on workload indicators (i.e., calls for service). Consider removing security services and replacing them with City staff Community Services Officer positions that report to the new Public Safety Coordinator. Evaluate recruitment and retention packages (salaries, benefits, other perks) 	<p>City Council, City Manager, City staff, Fire Chief, Sheriffs, and members of both the San Benito County Sheriff's Department and Hollister Fire Departments.</p>	<p>A</p>	<p>A well-organized public safety unit or division has significant influence on its staff (sworn and non-sworn) and the community at large. When public safety is well organized, fewer issues occur, and more efficient and effective outcomes are achieved. These recommendations allow for a more cohesive, cost-effective and (long-term) stable approach to public safety.</p>
<p><u>Strategic Recommendation #3:</u> Prioritize General Plan Updates and Workshops</p> <ul style="list-style-type: none"> On an ongoing basis, evaluate and update elements of the General Plan as listed within the Five-Year Priority Implementation Plan Worksheet, with emphasis on those within the priority areas and based on appropriate listed timelines and various state mandates. Conduct City Council meetings/workshops related to economic growth and development in a thoughtful manner that brings the community benefits with a cost-recovery approach. 	<p>City Council gives direction. City Manager, with support from Assistant City Manager and appropriate staff, provides a process and recommendation.</p>	<p>A</p>	<p>Allows the community to create a vision together. Provides opportunity for creative, thoughtful approaches to policies, processes, and implementation efforts. Offers better decision-making processes for efficient and effective approaches. Helps to create consensus-building and collaborative mindset. Provides clarity, certainty, and understanding. Helps to better protect valued resources. Provides a comprehensive roadmap that supports a healthy and thriving community in both the short- and long-term.</p>

City of San Juan Bautista, CA
High-Level Organizational, Financial, and Law Enforcement Review

Recommendation	Responsible Parties	Priority	Benefits
<p><u>Strategic Recommendation #4:</u> Strengthen Fiscal Stability and Operations Including Adopting Strong, Clear Financial Policies</p> <ul style="list-style-type: none"> Hire part-time staffing support related to extended hours of operation. Adopt a five-year revenue enhancement program. Conduct fee assessments/updates every three years and include an escalation clause. 	<p>City Council, City Manager, and Finance Director.</p> <p>City Finance Director, with assistance of City Manager, proposes financial policies for Council adoption.</p>	<p>B</p> <p>Prepare policies for Council consideration as part of the FY 23/24 budget cycle.</p> <p>Adopt the five-year program by December 2023 for incorporation into the FY 23/24 CIP and budget cycle.</p>	<p>By adopting strong, clear financial policies, the City will have a guidepost for making sound financial decisions.</p> <p>A Five-Year Plan will focus project funding and resources, providing pathways toward critical infrastructure improvements.</p>
<p><u>Strategic Recommendation #5:</u> Increase Parks and Recreation Activities Including a New Lead Position</p> <ul style="list-style-type: none"> Consider a full-time Parks and Recreation position (optional two-year limited term) to support grant applications and monitoring and all related items. Facilitate a volunteer-based Parks and Recreation committee to support new Parks and Recreation position. Involve Parks and Recreation staff in supporting economic development roles and responsibilities, including those determined in the Five-Year Priority Implementation Plan Worksheet 	<p>City Council, City Manager, City staff, potentially volunteer group(s), special districts.</p>	<p>A</p>	<p>Supports better and higher quality of life. Supports and promotes wellness and a healthy community. Provides a connection space and encourages conservation of valuable open green and wildlife spaces. Supports the improvement of property values. Encourages activity in youth and adults. Contributes to community identity. Combats (and can reduce) air pollution.</p>
<p><u>Strategic Recommendation #6:</u> Enhance Communication with Community, Visitors, and City</p> <ul style="list-style-type: none"> Provide quarterly City updates; enhance the City website as per Priority Implementation Plan Worksheet; and continue to increase engagement from the City Manager in community events, meetings, and neighborhood gatherings. 	<p>City Council, City Manager, volunteer groups, and City Clerk.</p>	<p>A</p>	<p>Stronger communication can bring better understanding, structure, knowledge, connection, and certainty to the community. Supports a positive environment and empowers people to find common ground for action. Builds a sense of identity and higher participation to help implement key decisions.</p>

City of San Juan Bautista, CA
High-Level Organizational, Financial, and Law Enforcement Review

Recommendation	Responsible Parties	Priority	Benefits
<u>Strategic Recommendation #7:</u> Improve and Protect Water Quality <ul style="list-style-type: none"> Continue to seek out federal, state, and local funding to support clean water, infrastructure improvements, educational opportunities, and outreach. Utilize volunteers, commissions, and other local and regional partners to support outreach and education efforts, grant activities including research and writing, and possibly monitoring. As necessary, review and revise any policies and zoning regulations related to improving and protecting water quality. 	City Council, City Manager, Public Works City Engineer.	B	Supports potential development as guided by the General Plan / Strategic [Priority Implementation] Plan, quality of life, and healthy living for current and new residents and visitors. Protects agricultural economy.
<u>Strategic Recommendation #8:</u> Prioritize Financial Resources for Key Projects <ul style="list-style-type: none"> Allocate at least 10 percent of the City's annual unassigned General Fund revenues toward infrastructure projects, disaster preparedness, and advancement of the City's economic development goals. 	City Council, City Manager, and Finance Director.	A	Allocating funds will build financial resources for infrastructure projects that advance the City's economic goals.
<u>Strategic Recommendation #9:</u> Improve Infrastructure <ul style="list-style-type: none"> Support infrastructure improvements including development of a Capital Improvement Plan (CIP) for streets, sidewalks, curbs, gutters, and sewers. 	City Council, City Manager, Assistant City Manager, Public Works, City Engineer.	B Complete a CIP in FY 23/24. Seek funding opportunities to support improvements. See: Priority Implementation Plan.	Supports economic development and downtown revitalization efforts, General Plan requirements, quality of life in the City, tourism, and the esthetic appeal of the community while potentially decreasing liabilities.
<u>Strategic Recommendation #10:</u> Strengthen Community Business Association Relationships <ul style="list-style-type: none"> Facilitate mediation/discussions and better communications with the two San Juan Bautista Community Business Associations. 	City Manager or Assistant City Manager, leadership representatives of both business associations, and possibly outside mediation (done in June 2023)	A	Aligns and brings a more cohesive, efficient, and effective volunteer base to the City.

SECTION 1—INTRODUCTION

Citygate Associates, LLC (Citygate) is pleased to present this high-level organizational review for the City of San Juan Bautista (City). Citygate’s report consists of 9 sections. This introductory section will discuss the structure of Citygate’s report and the project work plan, including the approach and assessment factors.

1.1 STRUCTURE OF REPORT

This report consists of the following sections.

Executive Brief	Provides a single-page synopsis of the organizational review’s context, the work performed by Citygate, the City’s five-year strategic planning priorities, and key takeaways and recommendations from the full report.
Executive Summary	Provides a broad outline of major content contained throughout the report—including the 11 overall themes which shaped Citygate’s analysis and recommendations, challenges and opportunities facing the City, highlights from the financial and public safety reviews conducted by Citygate, and a refined list of ten strategic recommendations with a blueprint for implementation presented as a Priority Implementation Plan.
Section 1	Introduction – Introduces the review and explains its scope and objectives, how the work was conducted, and the approach and assessment factors utilized by Citygate.
Section 2	San Juan Bautista’s Unique Situation – Describes the themes heard from the community through interviews and document review. Further describes the organization of City departments, personnel, and services. Challenges and opportunities facing the City are discussed.
Section 3	Overview of City Departments and Employee Survey – Provides a summary and analysis of the results of the Employee Survey conducted by Citygate.
Section 4	Overview of Community Survey Results – Provides a summary and analysis of the results of the Community Survey administered by Citygate.
Section 5	High-Level Financial Review – Provides analysis of the City’s financial situation, including all major funds, fiscal positives, and fiscal issues facing the City.

- Section 6** **High-Level Public Safety Review** – Provides a summary of the City’s public safety services and contracts.
- Section 7** **Strategic Plan Development** – Discusses the strategic planning and development process utilized for this project in addition to other strategic observations and important steps to be taken.
- Section 8** **Progress: Moving Forward** – Provides discussion on implementation strategies, roadblocks and debilitating myths, the executive leadership and communication training held by the City, and best practices for small cities.
- Section 9** **Citygate’s Findings and Recommendations** – Provides a full and sequential list of all findings and recommendations contained throughout this report, curated by section.

This “big picture” overview should be used to inform and guide stakeholders through the process of reading the full report.

1.2 PROJECT WORK PLAN

The scope of the study encompassed the following tasks, which were completed by Citygate.

1.2.1 Core Tasks

- ◆ Held conference call with City Manager to initiate the assessment, coordinate the strategic planning session, and discuss the on-site interview schedule and overall project scope and schedule.
- ◆ Accessed documents relevant to this project on City website and/or as provided by the City Manager. Utilized individual City staff as informational sources throughout the project.
- ◆ Conducted videoconference interviews, beginning with the City Manager and Council members, followed by those the City Manager designated to include key staff, specified community stakeholders, and key business leaders.
- ◆ Completed community and employee surveys to assist in identifying general and operational issues/priorities and the associated development of Council priorities.
- ◆ Performed high-level organizational assessment, including:
 - Assessment of three to five current issues before City and suggested priorities.
 - Recommendations for workload management.

- Suggested topics for further in-depth study as needed.
- ◆ Facilitated a six-hour strategic planning session with City Council, coordinated with the City Manager, covering:
 - Presentation and discussion of community and staff input and feedback from surveys.
 - Assistance in establishing vision and mission statements, values, and an equity statement.
 - Assistance in identifying City strategic goals, up to five core priorities, and objectives.
 - Assistance in developing a process to monitor task completion and identify necessary revisions.
 - Assistance in developing a periodic Strategic Plan updating process.
 - Assistance with developing a Five-Year Strategic Plan document.
- ◆ Prepared a Draft Report for the City Manager to review summarizing the strategic planning process and outcomes and Citygate's high-level findings and recommendations.
- ◆ Based on the results of the Draft Report review process, Citygate completed this Final Report and discussed it with the City Manager via videoconference.

1.2.2 Action and Implementation Plan Workshop Tasks

- ◆ Citygate facilitated a separate on-site implementation planning workshop including an additional Town Hall meeting to accomplish the following:
 - Assist in determining what action tasks are needed to meet the intended goal or objective.
 - Assist with identifying what resource allocations (human, financial, technical) are required for each task.
 - Assist with determining roles and responsibilities for each goal.
 - Assist with accountability tools for objectives.
 - Assist with specific timelines for each task.
 - Assist with development of a communication roll-out plan.
 - Assist with development of an assessment and improvement plan.

- ◆ Citygate prepared an implementation plan tool for the City to use and complete.

1.2.3 Fiscal Review/Update Tasks

- ◆ Conducted kick-off call with City Manager and identified documents for review.
- ◆ Reviewed documents and policies and procedures to compare to prior Citygate report.
- ◆ Conducted interviews with applicable staff to determine issues and validate the information provided.
- ◆ Reviewed the City's use of documents, policies, and procedures and conducted interviews to determine status of prior Citygate report recommendations.
- ◆ Reviewed fiscal information, updated financial spreadsheets, and developed a high-level fiscal review as a part of the strategic planning session.
- ◆ Conducted a fiscal mid-project update videoconference review with City Manager.

1.2.4 Law Enforcement Review and Recommendation Tasks

- ◆ Conducted discovery by researching the City's contract with the Sheriff's Office, the parties involved, and local issues.
- ◆ Participated in one contract meeting with the Sheriff and the City Manager to gather further context and discuss emerging findings and recommendations.

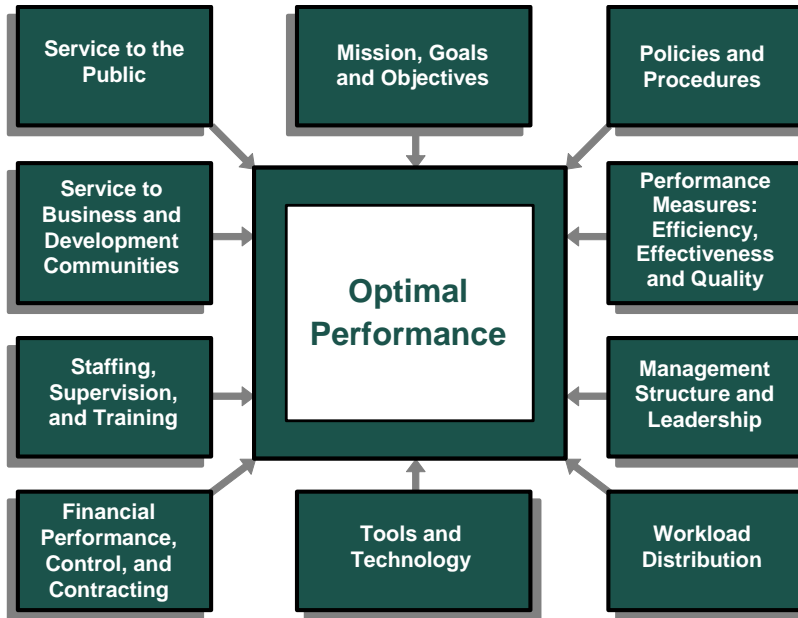
1.2.5 Executive Leadership and Communication Tasks

- ◆ Conducted executive leadership and communication training:
 - Town hall meeting
 - Executive training presentation and facilitation.

1.3 CITYGATE'S PROFILE OF ASSESSMENT FACTORS

In conducting this study, Citygate used the following assessment factors to form the backdrop to the questions and the review of materials and to inform the findings and recommendations.

Figure 1—Citygate’s Profile of Assessment Factors



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SECTION 2—SAN JUAN BAUTISTA’S UNIQUE SITUATION

2.1 THE STORY AND THE GOOD NEWS

San Juan Bautista is largely an agricultural community, though it also has a strong tourist industry due to its historic and cultural sites. Located within the region known as the largest producer of organic salads in the U.S., San Juan Bautista (Spanish for “Saint John the Baptist”) is located in San Benito County, California. With a current population of approximately 2,089, San Juan Bautista was founded in 1797 by the Spanish under Fermin de Lasuen, with the Mission San Juan Bautista being established in 1812—the 15th of 21 California Missions and also the largest. The community was eventually incorporated in 1869. The City is home to seven National Historic Landmarks including two historic districts listed in the National Register of Historic Places: San Juan Bautista Plaza Historic District and Third Street Historic District. The San Juan Bautista Historical Society was then established in 1965 and is currently located at the Luck Museum.

Just one block from the plaza is Third Street, the City’s main street. Lined with a collection of historic structures, including adobes dating back to the 1800s, the street has many great restaurants and interesting shops. The historic core of town is pedestrian friendly and quiet. You may see chickens wandering the streets or cats sleeping beneath the pews in the mission church. Despite its smaller size, the City has a busy calendar of annual community events, celebrations, and festivals supported by its many caring volunteers and locals.

Today, the City remains rich in agriculture and tourism, with many visitors touring and utilizing the beautiful San Juan Bautista Mission. The City’s population of over 2,000 includes new families as well as many that have lived in the community for over 50 years or are generational residents.

The community has a deep passion and care for their community and its future. While acknowledging that the City has seen some tough times including recent flooding, Citygate found the City representatives interviewed—officials, businesses owners, City staff, residents, volunteers, and commissioners—to be dedicated to securing a sound and prosperous future for the City, its residents, and guests. Many of the City’s people “wear more than one hat” in this endeavor, serving on multiple boards, holding various jobs, and volunteering their time and energy to the City’s greater good.

City personnel are highly commended for their own use of time and limited resources in juggling a wide variety of activities and time pressures. City employees face both the changes taking place within the City organization as well as the changes and challenges within the public perception of them, all of which affect their day-to-day ability to do their jobs.

The good news is that the City possesses a rich resource in the gifted and dedicated people who are both committed to its future and willing to engage in the work necessary to move forward as a more friendly, effective, fiscally stable, and robust community. The City had the courage to

commission this study and carefully examine where it is currently and where it needs to be—an undertaking that not all cities are willing to carry out.

The hopeful outcome of this organizational, financial, and law enforcement review is informed public policy making at its best, along with implementation of Citygate’s recommendations in a way that engages City Council, City staff, City commissioners, the broader community, volunteers, and businesses in the realization of the common good.

2.2 *IMPORTANT CONTEXTUAL THEMES*

To best understand the City’s current challenges and opportunities, it is important to understand the contextual themes identified during the course of this study. These 11 themes are specific to the City, underlying all aspects life and work for City stakeholders:

- Theme 1:** Improvement and protection of water quality.
- Theme 2:** Investment in infrastructure improvements including sewer, roads, streets, sidewalks, and curbs.
- Theme 3:** Establishment of appropriate staffing levels.
- Theme 4:** Implementation of thoughtful, smart economic development—specifically in the Downtown area—through General Plan amendments, discussions and policies related to growth, zoning, and conditions of approval.
- Theme 5:** Enhancement of business partnerships, incentives, communications, and process improvements.
- Theme 6:** Enhancement of recreation activities for all with a focus on the youth and seniors.
- Theme 7:** Revitalization of the Downtown area including addressing cleanliness, vacant lots, parking, esthetics, lighting, landscaping, and signage.
- Theme 8:** General enhancement of communications with City, volunteers, messaging, updates, website, and other marketing opportunities.
- Theme 9:** Public safety review including Sheriff’s Department partnership, code enforcement, and current security services.
- Theme 10:** Disaster preparedness related to flooding, fires, state mandates, etc.
- Theme 11:** Fragmentation of the San Juan Bautista Community Business Association into two competing groups.

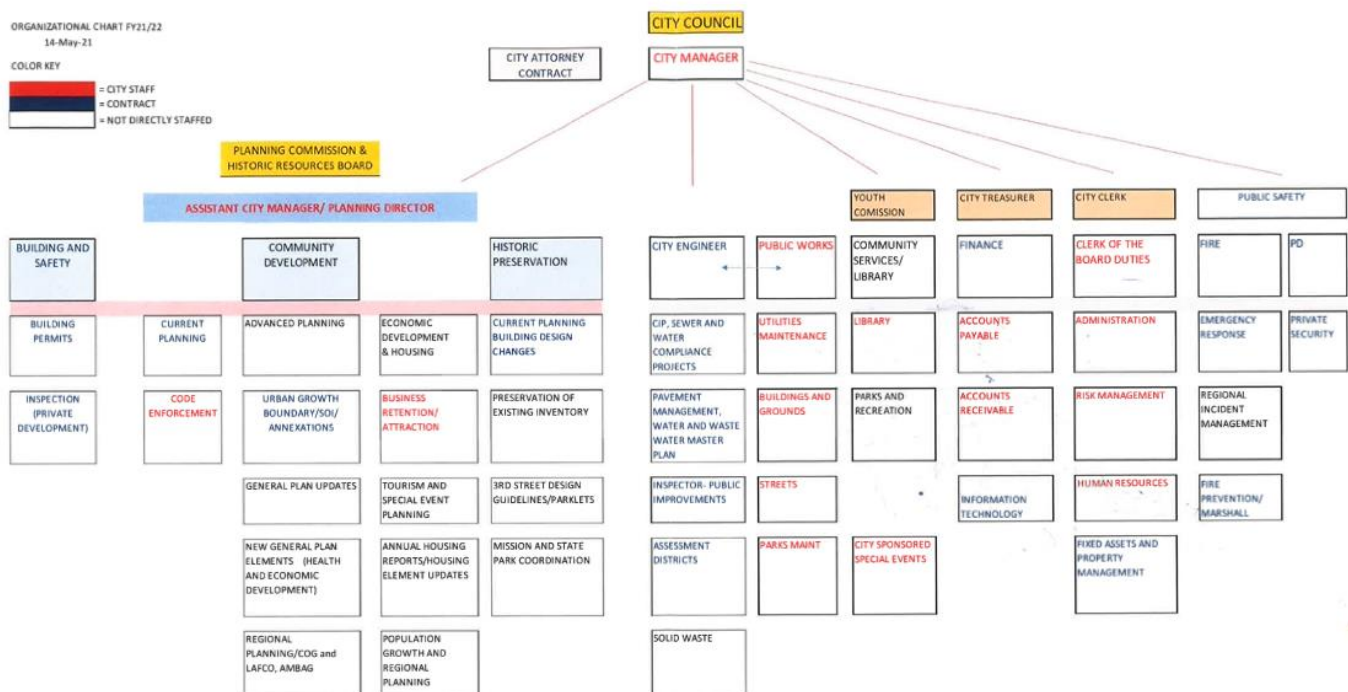
2.3 OVERVIEW OF CITY DEPARTMENTS AND SERVICES

The City functions as a non-full-service city—in partnership with the County Sheriff’s Department for public safety services, contracted services for security in the “observe and report” capacity, and contracted services with the City of Hollister for fire protection efforts. The City provides limited services related to planning and building, engineering, public works, parks, water and wastewater utilities, and a library.

2.3.1 Current Organizational Structure

The following figure reflects the City’s organizational structure as of FY 21/22.

Figure 2—City of San Juan Bautista Organizational Chart (FY 21/22)



As the figure shows, City staff is small, with a significant amount of work being completed via contract, and many other City services not being directly staffed.

As of the time of this review, Citygate is assisting the City in the creation of an updated chart to reflect the organizational composition of the City as of summer 2023.

2.4 THE CHALLENGE FACING A SMALL CITY

Small cities are susceptible to disruptions in service delivery and project delays when experiencing high turnover or staffing reductions. Larger cities have more redundancy and capacity built into individual staff roles because they have a greater number of personnel who can help pick up and continue projects or absorb additional work during recruitment efforts. San Juan Bautista has no redundancy built into its staffing, with only a single occupant in most job titles. Vacancies in any position mean that the work previously performed by that position either goes unaddressed when it is vacant or displaces the duties of another staff member.

The amount of work conducted by the small staff of the City is remarkable, and the work, overall, is performed in a professional manner. City staff is generally keeping up with a number of regulatory requirements, and the City has adopted long-term planning documents, such as the General Plan, a new Five-Year Priority Implementation Plan (included with this report), and other required documents. Citygate found these to be of good quality. The challenge facing the City is to provide City staff with the resources necessary to implement these plans and to ensure that all items receive proper attention—such as regular rate and fee studies and annual reviews of rates for water and sewer services—with the intent to provide the rate revenues necessary to construct and repair City street, water, and sewer infrastructure and ensure that City infrastructure provides for development to take place within the corridors and sites the City intends to be developed.

SECTION 3—EMPLOYEE SURVEY RESULTS

3.1 EMPLOYEE SURVEY ANALYSIS

Citygate conducted an internet-based employee survey between March 28, 2023 and April 5, 2023. Based on information provided by the City, all employees were invited to participate in this survey. The availability of the survey was announced via direct email invitations to staff. In total, there were 12 completed surveys, with an employee response rate of 75 percent. Complete Employee Survey results are included as **Appendix B** to this report.

Details of the deployment are shown in the following table.

Table 2—Employee Survey Summary

Launch Date	March 28, 2023
Close Date	April 5, 2023
Survey Recipients	16
Total Responses	12

Apart from two basic employee classification questions, the survey consisted mostly of closed-ended statements with which employees could rate their level of agreement, and eight open-ended questions for employees to provide a written response. For closed-ended statements, respondents rated their level of agreement from “Strongly Agree” to “Strongly Disagree” or “N/A or Don’t Know.”

3.1.1 Organization of Analysis

The survey results are organized in the following order.

Summary of Results

- ◆ The five statements receiving the overall highest and lowest mean score.

Response for Each Statement

- ◆ All the survey statements are presented with the calculation of the mean and standard deviation, along with the percentage of each type of response.

Open-Ended Responses

- ◆ Responses to the open-ended questions have been summarized to protect the identity of employees participating in the survey.

3.1.2 Definition of Terms

The following terms are encountered in assessment of the survey results.

Mean

An arithmetic mean that is the sum of the responses for each statement divided by the number of responses for each statement.

Mode

The response value that occurs most frequently.

Standard Deviation

Standard deviation shows how spread out the responses are from the arithmetic mean. Technically, 68 percent of responses can be found within plus or minus one standard deviation of the mean. A standard deviation close to zero indicates that most responses are close to the mean response and that a greater degree of agreement exists among employees regarding the statement. A greater standard deviation indicates that there was a wider spread of variation in the responses and that a greater degree of disagreement exists among employees regarding the statement.

3.2 SUMMARY OF RESULTS

3.2.1 Five Highest Rated Statements

The following table shows the five highest-rated (most agreed to) employee survey statements presented in descending order with the calculation of the mean and standard deviation of responses, along with the percentage of each type of response, including “Don’t Know or N/A.” The lowest degree of agreement is -2 (Strongly Disagree). The highest degree of agreement is 2 (Strongly Agree). Neutrality is represented by 0.

Table 3—Employee Survey –Most Agreed to Statements Regarding Working for the City

Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
The City supports diversity.	1.3	0.8	0.0%	0.0%	16.7%	41.7%	41.7%	0.0%
I believe good teamwork exists in my department.	1.3	1.0	0.0%	8.3%	8.3%	33.3%	50.0%	0.0%
Customer inquiries are responded to in a reasonable amount of time.	1.3	0.6	0.0%	0.0%	8.3%	58.3%	33.3%	0.0%
The work environment in my department is supportive and positive.	1.2	1.0	0.0%	8.3%	16.7%	25.0%	50.0%	0.0%
It is clear to me what my role is and how it contributes to the larger purpose of my department.	1.2	0.6	0.0%	0.0%	8.3%	66.7%	25.0%	0.0%
I am treated fairly.	1.2	0.8	0.0%	0.0%	25.0%	33.3%	41.7%	0.0%

The following table shows the five lowest-rated (least agreed to) employee survey statements presented in ascending order with the calculation of the mean and standard deviation of responses, along with the percentage of each type of response.

Table 4—Employee Survey – Least Agreed to Statements Regarding Working for the City

Least Agreed-To Statements	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
The performance evaluations I have received have been completed in a timely manner and according to schedule.	-0.2	1.2	8.30%	25.00%	25.00%	8.30%	8.30%	25.00%
I have sufficient opportunities for advancement and promotional upward mobility.	0	1.3	16.70%	0.00%	58.30%	0.00%	16.70%	8.30%
Compared to similar organizations, I am satisfied with the salary and benefit package I receive.	0	1.4	25.00%	0.00%	41.70%	16.70%	16.70%	0.00%
Clear, written policies and procedures are in place to assist me in the performance of my job responsibilities.	0	1	8.30%	16.70%	50.00%	16.70%	8.30%	0.00%
There is good coordination of projects and functions between my department and other departments in the city.	0.2	1.2	16.70%	0.00%	41.70%	33.30%	8.30%	0.00%
The current compensation and promotion process rewards me for higher-than-average levels of performance.	0.2	1.4	16.70%	8.30%	25.00%	25.00%	16.70%	8.30%

3.3.2 Responses for Each Statement

The following table shows all the employee survey statements with the calculation of the mean and standard deviation of responses, along with the percentage of each type of response.

Table 5—Employee Survey – Responses for Each Statement

Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
The City supports diversity.	1.3	0.8	0.0%	0.0%	16.7%	41.7%	41.7%	0.0%
I believe good teamwork exists in my department.	1.3	1.0	0.0%	8.3%	8.3%	33.3%	50.0%	0.0%
Customer inquiries are responded to in a reasonable amount of time.	1.3	0.6	0.0%	0.0%	8.3%	58.3%	33.3%	0.0%
The work environment in my department is supportive and positive.	1.2	1.0	0.0%	8.3%	16.7%	25.0%	50.0%	0.0%

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Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
It is clear to me what my role is and how it contributes to the larger purpose of my department.	1.2	0.6	0.0%	0.0%	8.3%	66.7%	25.0%	0.0%
I am treated fairly.	1.2	0.8	0.0%	0.0%	25.0%	33.3%	41.7%	0.0%
The management of my department contributes to the productivity of the department.	1.1	0.8	0.0%	0.0%	25.0%	41.7%	33.3%	0.0%
Service to the public is strongly emphasized in my department.	1.1	0.9	0.0%	8.3%	8.3%	50.0%	33.3%	0.0%
I am given opportunity to improve my skills.	1.1	0.5	0.0%	0.0%	8.3%	75.0%	16.7%	0.0%
I am adequately recognized for my good work.	1.1	0.8	0.0%	0.0%	25.0%	33.3%	33.3%	8.3%
Overall, I believe the decision-making within my department is consistent with City Council priorities.	1.0	0.7	0.0%	0.0%	25.0%	50.0%	25.0%	0.0%
Leadership realizes that "perfection" is unachievable and has realistic expectations for measuring employee performance.	1.0	0.7	0.0%	0.0%	16.7%	50.0%	16.7%	16.7%
We resolve conflict honestly, effectively, and quickly.	0.9	1.4	8.3%	8.3%	8.3%	25.0%	41.7%	8.3%
The management of my department listens to employees.	0.9	1.0	0.0%	8.3%	25.0%	33.3%	33.3%	0.0%
Overall, I feel the City organization is successful.	0.9	0.7	0.0%	0.0%	25.0%	50.0%	16.7%	8.3%
Overall, I believe my department's performance is above average.	0.9	0.8	0.0%	0.0%	33.3%	41.7%	25.0%	0.0%
My manager/supervisor keeps commitments they make to me.	0.9	0.7	0.0%	0.0%	25.0%	50.0%	16.7%	8.3%
My manager/supervisor encourages my professional development.	0.9	0.9	0.0%	8.3%	16.7%	41.7%	25.0%	8.3%
We have a set of values and beliefs that guides our decisions about work.	0.8	0.9	0.0%	8.3%	25.0%	50.0%	16.7%	0.0%
Resources and equipment needed for the performance of my job tasks are properly maintained.	0.8	0.9	0.0%	8.3%	25.0%	50.0%	16.7%	0.0%
My manager/supervisor encourages teamwork in my department.	0.8	1.1	8.3%	0.0%	25.0%	41.7%	25.0%	0.0%

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Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
My department is an inspiring place to work.	0.8	1.5	16.7%	0.0%	8.3%	33.3%	41.7%	0.0%
I believe the workload within my department is equally divided among my co-workers.	0.8	1.1	0.0%	16.7%	16.7%	41.7%	25.0%	0.0%
I believe opportunities for employee involvement in goal setting, decision-making, and other aspects of my work are adequate.	0.8	0.9	0.0%	8.3%	25.0%	41.7%	25.0%	0.0%
I believe my department is an efficient, well-run organization.	0.8	0.9	0.0%	8.3%	25.0%	50.0%	16.7%	0.0%
I believe my department has a solution-oriented philosophy.	0.8	1.1	0.0%	16.7%	16.7%	33.3%	33.3%	0.0%
I believe my department functions proactively and does not simply react to crises.	0.8	1.1	0.0%	16.7%	16.7%	41.7%	25.0%	0.0%
I am actively encouraged to try creative approaches to my work, even to the point of taking the initiative.	0.8	0.9	0.0%	8.3%	25.0%	41.7%	25.0%	0.0%
I agree with the mission, vision, and values statement that guides all City staff members.	0.8	1.1	8.3%	0.0%	25.0%	41.7%	25.0%	0.0%
The internal practices of the City support my ability to deliver a high standard of quality to our customers.	0.7	0.9	0.0%	8.3%	33.3%	41.7%	16.7%	0.0%
The goals and objectives of my department are reasonable.	0.7	0.8	0.0%	8.3%	25.0%	58.3%	8.3%	0.0%
Our staff meetings are filled with open and honest participation.	0.7	1.1	0.0%	16.7%	25.0%	33.3%	25.0%	0.0%
I receive clear and specific direction from my supervisor(s) regarding my work assignments.	0.7	1.2	8.3%	0.0%	33.3%	33.3%	25.0%	0.0%
Given the level of staffing within my department, the goals and objectives of the department are achievable.	0.7	0.9	0.0%	8.3%	33.3%	41.7%	16.7%	0.0%
The City has an effective process for listening to community or customer concerns.	0.6	1.0	0.0%	16.7%	25.0%	41.7%	16.7%	0.0%
Leaders handle human errors on the part of staff in a constructive and respectful manner.	0.6	1.4	16.7%	0.0%	16.7%	41.7%	25.0%	0.0%
I understand my manager's/supervisor's expectations of the job I perform.	0.6	1.2	8.3%	0.0%	41.7%	25.0%	25.0%	0.0%

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Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
Generally, I have adequate decision-making authority	0.6	1.2	8.3%	8.3%	16.7%	50.0%	16.7%	0.0%
Written policies and procedures are available and consistently followed in day-to-day operations.	0.5	0.8	0.0%	8.3%	41.7%	41.7%	8.3%	0.0%
The established goals and objectives of my department have been clearly communicated to me.	0.5	1.0	0.0%	16.7%	33.3%	33.3%	16.7%	0.0%
Regulations and/or policies I am responsible for administering are reasonable and enforceable.	0.5	1.2	16.7%	0.0%	8.3%	66.7%	8.3%	0.0%
My manager/supervisor values my time as much as their own.	0.5	1.2	0.0%	25.0%	25.0%	25.0%	25.0%	0.0%
I believe that my department's approach to employee discipline is fair and evenly administered.	0.5	1.3	16.7%	0.0%	16.7%	50.0%	16.7%	0.0%
There is an effective flow of information between managers/supervisors and staff within my department.	0.4	1.3	8.3%	16.7%	25.0%	25.0%	25.0%	0.0%
The City does a good job communicating about changes or decisions that affect employees?	0.4	1.1	8.3%	0.0%	50.0%	25.0%	16.7%	0.0%
I have sufficient resources to complete my work, such as office space, computers, etc.	0.4	1.3	8.3%	16.7%	25.0%	25.0%	25.0%	0.0%
I feel that I have sufficient authority to uphold recommendations and policies when challenged.	0.4	1.2	8.3%	8.3%	33.3%	33.3%	16.7%	0.0%
I believe that customers perceive that my department is consistently doing a good job.	0.4	0.8	0.0%	8.3%	50.0%	33.3%	8.3%	0.0%
The equipment and technology used in my department are up to date.	0.3	1.1	8.3%	8.3%	33.3%	41.7%	8.3%	0.0%
I receive sufficient training for the effective completion of my job responsibilities.	0.3	1.0	0.0%	25.0%	33.3%	33.3%	8.3%	0.0%
There is good coordination of projects and functions between my department and other departments in the City.	0.2	1.2	16.7%	0.0%	41.7%	33.3%	8.3%	0.0%
The current compensation and promotion process rewards me for higher-than-average levels of performance.	0.2	1.4	16.7%	8.3%	25.0%	25.0%	16.7%	8.3%
I have sufficient opportunities for advancement and promotional upward mobility.	0.0	1.3	16.7%	0.0%	58.3%	0.0%	16.7%	8.3%

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Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
Compared to similar organizations, I am satisfied with the salary and benefit package I receive.	0.0	1.4	25.0%	0.0%	41.7%	16.7%	16.7%	0.0%
Clear, written policies and procedures are in place to assist me in the performance of my job responsibilities.	0.0	1.0	8.3%	16.7%	50.0%	16.7%	8.3%	0.0%
The performance evaluations I have received have been completed in a timely manner and according to schedule.	-0.2	1.2	8.3%	25.0%	25.0%	8.3%	8.3%	25.0%

3.2.3 Open-Ended Questions

The following tables show summaries of responses to the open-ended employee survey questions. The results are summarized by common themes identified in each response and are organized by count (frequency) of each response. The following eight questions will show what the top two responses were for each (in the case of ties, more responses will be shown). Please see the full survey results in **Attachment B** for details.

Open-Ended Question #1: Where could the City strengthen partnership with the community?

3	The City should improve the way it listens to residents or listen to residents more frequently.
2	The City should ensure that Council Members adhere to the same regulations that the public is required to adhere to or take accountability for its actions.

Open-Ended Question #2: What does a good quality of life mean to you?

5	Job and financial stability contribute to a good quality of life.
5	A safe, peaceful, and/or supportive environment, both at work and in the community, contribute to a good quality of life.

Open-Ended Question #3: What existing activities and processes are functioning well and should be continued that currently support your department and the City's goals?

2	Staff parties and events.
1	Communication with City Hall via emails and phone calls.

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Open-Ended Question #4: What processes or activities should be discontinued or are no longer providing value?

2	None.
2	Don't know.

Open-Ended Question #5: If there was one thing you could change and or would like to see changed, what would it be?

1	Current engineering lacks the skills to complete Public Works projects.
1	None
1	Staff meetings are currently just a review of the City Council meetings. It would be more useful to discuss tasks and work.
1	Having a full-time manager.
1	Being able to attend meetings remotely.
1	Displaying a sign at the front counter that encourages customers to treat employees with respect, and that cussing and threatening staff will not be tolerated.
1	Enforcing all rules equally regardless of political position or friendships.
1	There would be better communication and more clear job responsibilities.
1	Records should be preserved better, which cannot happen because the building has been outgrown.
1	Having better equipment and vehicles.
1	Having input into decisions.

Open-Ended Question #6: What is the biggest strength of the organization?

4	Our employees and our willingness to help one another (Teamwork).
2	Our residents.

Open-Ended Question #7: What do you think are the biggest challenges in the community right now?

2	The poor condition of the streets.
1	Completing important infrastructure.
1	Flooding and global cooling.
1	Politicians acting overly entitled, and/or yell or complain.
1	Security.
1	Unreasonable expectations.
1	Increasing revenue from new projects because the community does not want change.
1	Traffic enforcement has been too lax.
1	Communicating to residents in a way that helps them to understand.
1	The community and the Councilmembers not trusting City staff.
1	Low budgets.
1	Water and sewer rate increases.

Open-Ended Question #8: Please add any specific comments or suggestions you may have for improving services in your department.

All feedback related to management styles, communications, office hours, team-building, and staffing levels.

1	Upper management should not micromanage.
1	Upper management should take responsibility for decisions.
1	Pavement
1	Office hours
1	We need a full-time supervisor or manager. 20 hours per week is insufficient.
1	In light of our current staffing, business hours should be from 9:00am to 1:00pm, Monday through Friday.
1	We should improve communication with all service providers.
1	The City is a small jurisdiction which sometimes makes it difficult for Council to act without affecting someone they know. Sometimes they rescind their actions for fear of "stepping on toes."
1	Team-building activities
1	Inventory control

SECTION 4—OVERVIEW OF COMMUNITY SURVEY RESULTS

Community surveys are a means to confidentially measure how residents of a city feel, and what their perceptions are regarding various city services, priorities, and ultimately, a city’s direction or trajectory. As such, community surveys often play a pivotal and critical role in any data-gathering efforts during a period of assessment or analysis, helping to determine a community’s needs and attitudes toward city staff, functions, and progress. Surveys can represent a cost-effective mechanism for gathering data to assist in setting goals and establishing objectives, as they bring awareness to city officials regarding how they are measuring up in the eyes of their communities, and can also serve as a form of check-and-balance to support accountability, collaboration, and progress. While the desire is to hear from all constituents, surveys offer but one process for gathering data.

Following are the results from San Juan Bautista’s confidential Community Survey, which yielded a high percentage of responses for a small city.

4.1 COMMUNITY SURVEY ANALYSIS

Citygate conducted an internet-based community survey between March 27, 2023 and April 27, 2023, for the San Juan Bautista community. The availability of the survey was announced via direct email invitations and hard copies were available at both City Hall and the San Juan Bautista Library. The survey was available in English and Spanish. In total, there were 158 completed surveys, with a community response rate of approximately seven percent. Complete Community Survey results are included as **Appendix C** to this report.

Details of the deployment are shown in the following table.

Table 6—Community Survey Summary

Launch Date	March 27, 2023
Close Date	April 27, 2023
Total Responses	158

Apart from four basic community member informational questions, the survey consisted of closed-ended statements for which community members could (1) rate their level of agreement from “Strongly Agree” to “Strongly Disagree” or “N/A or Don’t Know,” (2) rate their level of satisfaction from “Very Satisfied” to “Very Dissatisfied” or “N/A or Don’t Know,” and (3) rate their overall assessment of general, Citywide operations from “Very Good” to “Very Bad” or “N/A or Don’t Know.” The survey concluded with open-ended questions for which community members were to provide written responses.

4.1.1 Organization of Analysis

The results for the survey are organized in the following order.

Basic Information Results

- ◆ The raw data for all community informational questions included in the survey.

Degree of Agreement / Level of Satisfaction / General Assessment Results

- ◆ Scores for each closed-ended statement, organized from highest to lowest mean score.

Open-Ended Questions – Response Summary

- ◆ The questions for which community members provided an open-ended response, with answer themes arranged by frequency.

4.1.2 Definition of Terms

The following terms are encountered in assessment of the survey results.

Mean

An arithmetic mean that is the sum of the responses for each statement divided by the number of responses for each statement.

Standard Deviation

Standard deviation tells how spread out the responses are from the arithmetic mean. A standard deviation close to zero indicates that most responses are close to the mean response and that a greater degree of agreement exists regarding the statement. A greater standard deviation indicates that there was a wider spread of variation in the responses and that a greater degree of disagreement exists regarding the statement.

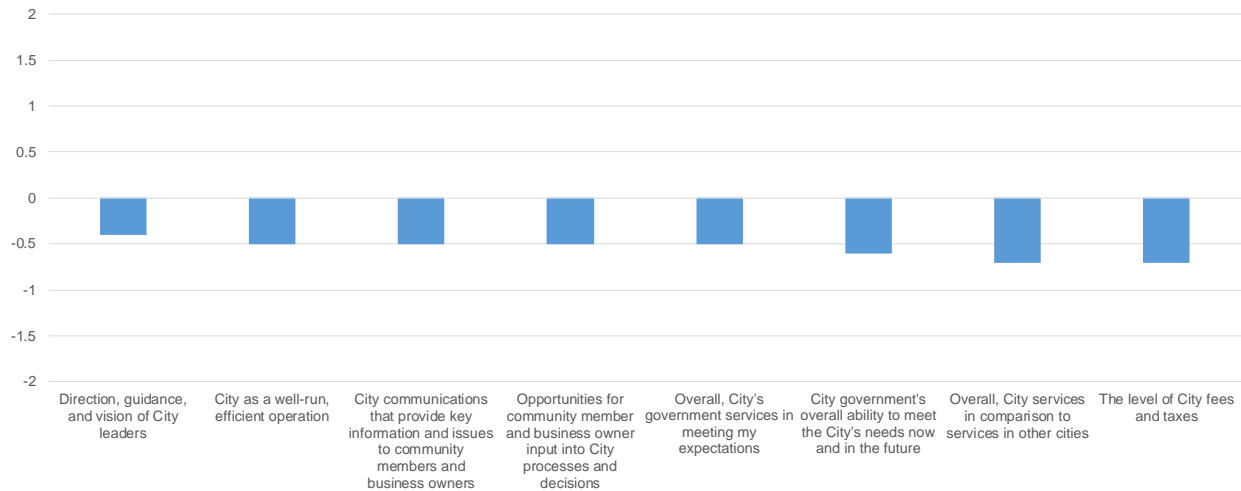
4.2 SUMMARY OF RESULTS

4.2.1 Degree of Agreement, Satisfaction, or Assessment Statement Results

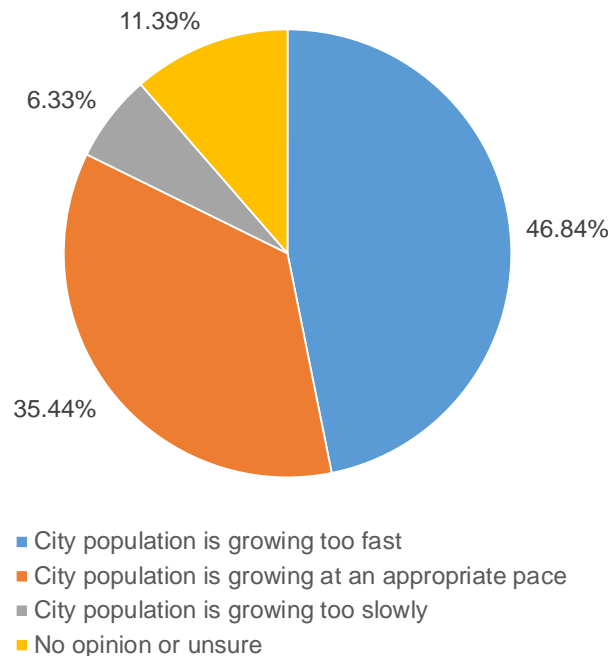
Results for each statement are organized from highest to lowest by mean score. The highest possible agreement is 2 (Strongly Agree). The lowest possible agreement is -2 (Strongly Disagree). A score of 0 represents neutrality.

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High-Level Organizational, Financial, and Law Enforcement Review

Please rate the following areas that address general, Citywide operations from "Very Good" to "Very Bad" or "N/A."



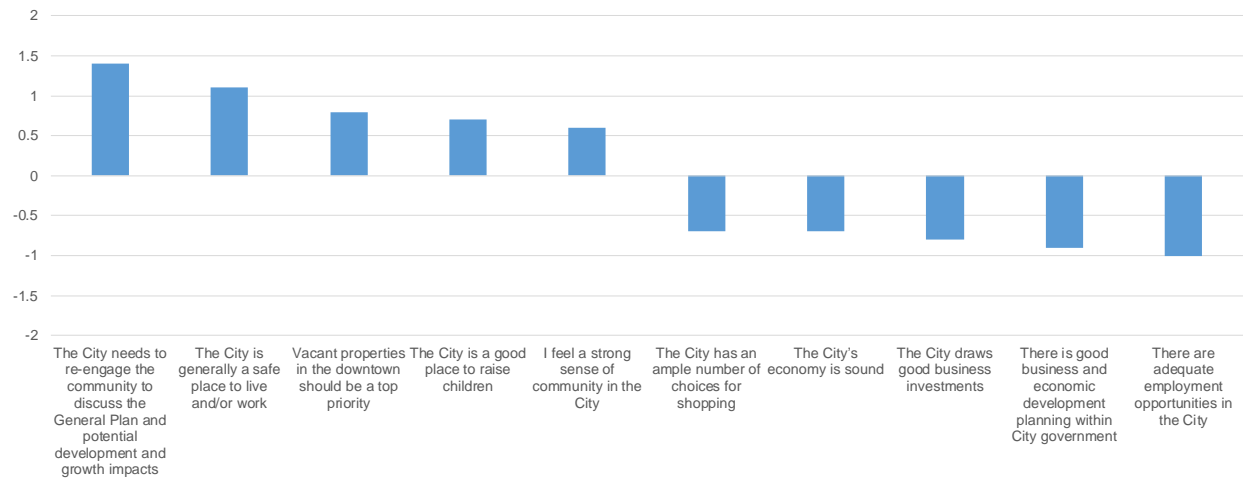
Please evaluate the pace of the City's population growth.



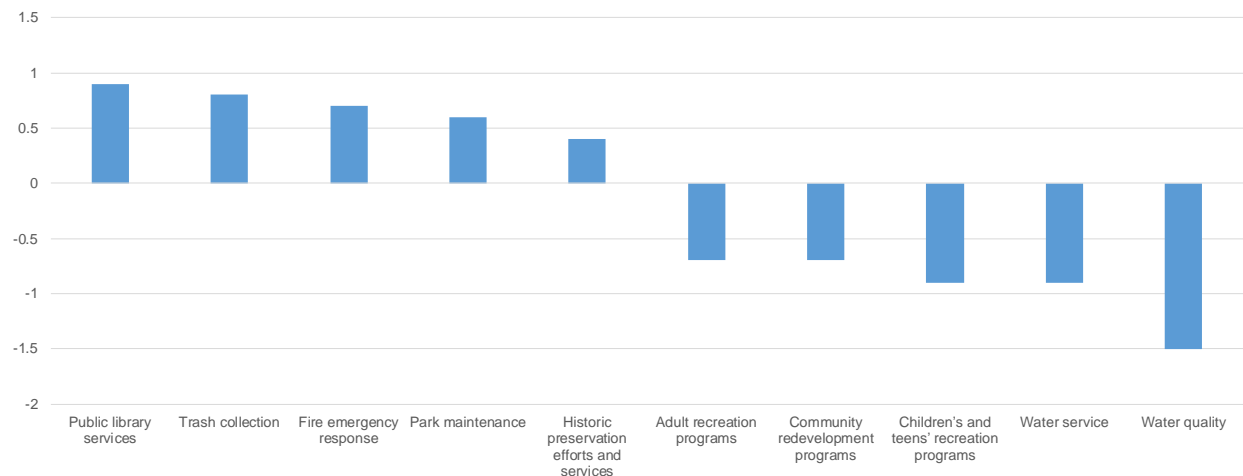
The mean score of community responses to the following statements are represented graphically in the two following images. The top 5 most agreed-to statements are listed first, followed by the 5 least agreed-to statements.

City of San Juan Bautista, CA
High-Level Organizational, Financial, and Law Enforcement Review

*Please rate your **LEVEL OF AGREEMENT** with the following statements from "Strongly Agree" to "Strongly Disagree" or "N/A."*



*Please rate your **LEVEL OF SATISFACTION** with the following City services from "Very Satisfied" to "Very Dissatisfied" or "N/A."*



4.2.2 Open-Ended Questions – Response Summary

The following tables show a summary of responses to the open-ended community survey questions. The results are summarized by common themes identified in each response and are organized by count (frequency) of each response.

Open-Ended Question #1 (Top 5 Responses): In your opinion, what are the top five priorities that should be focused on by the City in order of importance?

Respondents were asked to prioritize their responses, with responses being weighted based on priority. The first item mentioned is given a 5-point weight; the second item mentioned is given a

4-point weight; etc., until the fifth item mentioned by respondents is not weighted. *Thus, the weighted count factors in the importance of items early in respondents' priority order. Of 58 items, the top 21 are charted below.*

Table 7—Community Survey Summary

Count	Weighted Count	Item
50	210	Water quality
44	143	Roads and streets
25	86	Economic development
19	76	Water cost
23	63	Downtown improvement
17	60	Business friendliness
16	57	Slow development/growth
18	55	City cleanliness, empty lots, blight, trash, etc.
19	53	Sidewalks and curbs
14	52	Sewer service quality
17	50	Schools
13	43	Responsiveness/Communication with citizens or businesses
14	41	Preserving and maintaining historic buildings and esthetic
11	39	City staff capability
14	37	Youth recreation opportunities
12	35	Traffic and traffic enforcement
11	35	Crime and safety
11	35	Police
7	34	Water (unspecified)
9	28	Tourism
10	26	Expanded shopping and dining options

Open-Ended Question #2 (Top 5 Responses): What do you like best about the City of San Juan Bautista?

Count	Item
43	Small town feel
28	Sense of community
18	Historic allure
17	Quiet
14	Safety

Open-Ended Question #3 (Top 5 Responses): What is your current biggest concern about the City of San Juan Bautista?

Count	Item
21	Water quality
18	Staff or leadership capability
16	Growing too fast
9	Water cost
7	Infrastructure

Preferred Method of Contact for Community Members

Count	Comment
68	Email newsletter
53	Printed newsletter
51	City website
47	City Manager's Mission Village Voice article
35	Facebook

4.3 COMMUNITY STAKEHOLDERS INTERVIEW DATA

Over the course of three days in March 2023, Citygate's project manager interviewed 22 individuals including City Council, City commissioners, volunteers, business owners, and residents on-site and in person. Following (in order of priority) are the top concerns and themes that arose from those conversations. An in-depth comparison of the community and employee surveys and stakeholder interview data was presented during the public City Council strategic session on April 14, 2023, and the community town hall held the following day.

Core concerns included communications, economic development, disaster preparedness, efficiencies, and recreation.

- ◆ Communication (agency/community, technology, internet, marketing, customer service, professionalism, training for education, skills, service, management, personality styles) [26]
- ◆ Thoughtful economic development (workforce housing, General Plan updates and mixed-use new businesses, revitalization, retention, parking, need for a chamber of commerce) [13]
- ◆ Disaster preparedness plan (fires, flooding, water safety, state mandates) [10]
- ◆ Efficient practices (permitting and over all City processes) [7]
- ◆ Youth and senior activities and recreation [5]
- ◆ County partnership is challenged [4]
- ◆ Fiscal stability (including needing a fee study) [2]
- ◆ Code enforcement and public safety [2]

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SECTION 5—HIGH-LEVEL FINANCIAL REVIEW

As is the case for numerous cities, the effects of the COVID-19 pandemic are beginning to dissipate; however, they have not been eliminated. According to information provided by City staff, sales tax revenue collections in FY 22 (excluding Measure G sales tax activity) have increased almost 17 percent when compared to pre-COVID-19 FY 19 levels. This seems to indicate that the City is recovering from the economic impacts of the pandemic. Per City staff, however, some City businesses are still experiencing lingering impacts. Citygate is uncertain as to how much, if any, of the sales tax growth previously mentioned is related to collection adjustments, delinquencies, or other anomalies.

Some agencies hire sales and property tax consultants to provide a detailed analysis of sales and property tax activity to determine anomalies versus actual growth and help fine-tune growth estimates. To date, the City has chosen not to contract for this resource.

5.1 BY THE NUMBERS

The following figures (5, 7, and 8) reflect a comparison of fiscal activity for the major funds—General (excluding Measure G activity), Water, and Sewer—between FY 19/20 and the current budget for FY 22/23. Also shown (Figure 6) is a comparison of General Fund tax-related revenues actually collected from FY 18/19 through FY 21/22.

The actual amounts shown in the figures for the General Fund, which were reflected in the City’s audited financial statements, were revised to remove fiscal activity related to Measure G—the sales tax measure approved by voters in 2018, which auditors had combined into the General Fund. It should be noted that, per the City’s accounting system, fiscal activity related to Measure G is recorded in a separate fund to meet the requirements of the legislation.

Given that Measure G proceeds are restricted to certain functions, the auditors’ decision to combine Measure G activity with the General Fund in the audit serves to artificially inflate General Fund unassigned reserves. Citygate recommends that auditors be directed to segregate Measure G fiscal activity in the audited financial statements while maintaining Generally Accepted Accounting Principles (GAAP).

Figure 3—Multi-Year Actual – General Fund

City of San Juan Bautista
Multi-year Actual - General Fund

Actual per audited financial statement documents

	FY 19/20 Actual	FY 20/21 Actual	FY 21/22 Actual	FY 22/23 Budget
Revenues	2,715,655	3,552,448	3,464,856	2,737,935
Expenditures	2,702,251	3,645,393	2,964,010	2,425,349
Net Operating Income/(Loss)	13,404	(92,945)	500,846	312,586
Beginning Total Fund Balance	4,693,027	4,706,431	4,613,486	5,114,332
Ending Total Fund Balance	4,706,431	4,613,486	5,114,332	5,426,918
Beginning Unassigned Fund Balance	2,674,751	2,658,489	2,150,415	2,272,678
Ending Unassigned Fund Balance	2,658,489	2,150,415	2,272,678	2,585,264 Est
Cash Balance (unrestricted)	3,504,097	2,050,164	2,802,922	3,115,508 Est

As the figure shows, the City has begun to recover from the most pronounced effects of COVID-19, and has attained a fiscally healthy unassigned fund balance in the General Fund of approximately \$2.3 million as of FY 21/22—which is estimated to grow to approximately \$2.6 million in FY 22/23 if budget estimates are realized. The FY 22 Annual Comprehensive Financial Report (ACFR) reflected a General Fund unassigned fund balance of approximately \$3 million; however, the audit amount reflects a fund balance of approximately \$738,000 from Measure G funds, which have spending restrictions. The amounts reflected in Figure 5 adjust for Measure G funds. Additionally, these unassigned reserves are supported by cash.

Figure 4—General Fund Tax-Related Revenues

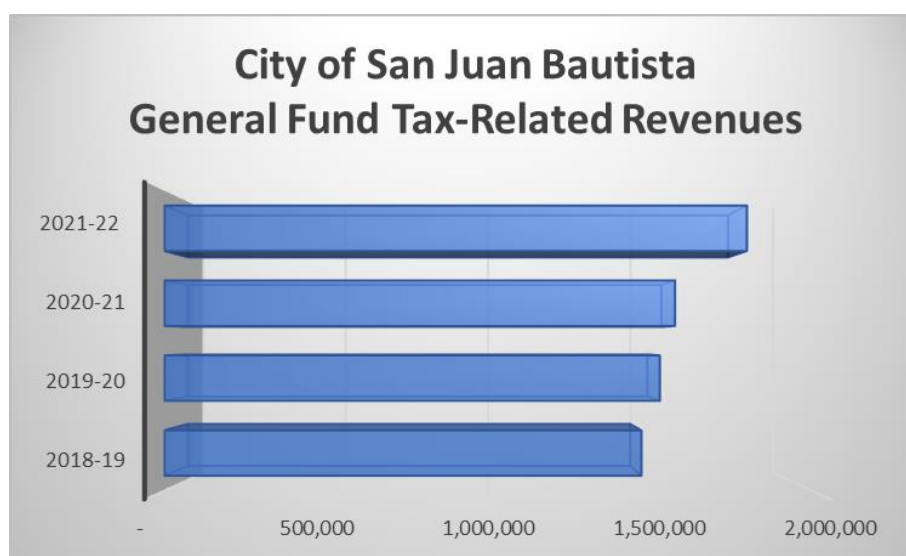


Figure 5—Multi-Year – Water Funds

City of San Juan Bautista

Multi-year - Water Funds

Actual per audited financial statement documents

	FY 19/20 Actual	FY 20/21 Actual	FY 21/22 Actual	FY 22/23 Budget
Revenues	1,022,680	1,407,833	1,123,541	1,213,800
Expenditures	1,157,456	1,636,851	1,218,268	805,232
Net Operating Income/(Loss)	(134,776)	(229,018)	(94,727)	408,568
Beginning Total Net Position	2,856,035	2,721,259	2,492,241	2,397,514
Ending Total Net Position	2,721,259	2,492,241	2,397,514	2,806,082
Beginning Unrestricted Net Position	686,973	471,968	365,758	897,022
Ending Unrestricted Net Position	471,968	365,758	897,022	1,305,590 Est
Cash Balance (unrestricted)	795,730	663,383	1,123,068	1,531,636 Est

Figure 6—Multi-Year – Sewer Funds

City of San Juan Bautista

Multi-year - Sewer Funds

Actual per audited financial statement documents

	FY 19/20 Actual	FY 20/21 Actual	FY 21/22 Actual	FY 22/23 Budget
Revenues	1,154,798	1,114,390	1,235,197	1,185,000
Expenditures	1,149,132	1,458,001	1,215,746	923,911
Net Operating Income/(Loss)	5,666	(343,611)	19,451	261,089
Beginning Total Net Position	2,049,401	2,055,067	1,711,456	1,730,907
Ending Total Net Position	2,055,067	1,711,456	1,730,907	1,991,996
Beginning Unrestricted Net Position	607,038	695,165	273,445	(135,493)
Ending Unrestricted Net Position	695,165	273,445	(135,493)	125,596 Est
Cash Balance (unrestricted)	1,255,850	753,526	241,198	502,287 Est

As can be seen in figures 7 and 8, the City's water and sewer functions have been in a weak financial position in the past; however, due to recent rate increases and the acquisition of various grants and loans, the fiscal conditions of both the water and sewer functions are expected to improve in FY 23/24.

5.2 FISCAL POSITIVES

During its review, Citygate identified several fiscal positives implemented by the City that have helped to improve its overall fiscal health. The following is a discussion of some of these items.

5.2.1 Specific Items

Fiscally Healthy General Fund

According to the FY 22 audit report, the City's General Fund unassigned fund balance totaled approximately \$3.01 million. However, in discussions with City staff, and subsequent to the initial strategic planning workshop, it was determined that approximately \$738,405 (rather than approximately \$400,000) of this amount was the result of net proceeds from Measure G. On a related note, the City has received notice that Measure G allocations to the City will be deferred until FY 28. This is due to the fact that Measure G Tier II allocations have been front-loaded through FY 24. From FY 25 through FY 28, Tier I Measure G will be allocated with all Measure G funds collected to make up for the Tier II front-loading.

After netting out the applicable Measure G proceeds, the remaining FY 22 unassigned fund balance in the General Fund was approximately \$2.3 million. This balance represents approximately 9.2 months of operating cushion. The City has a very well-written reserve policy which establishes the unassigned fund balance at a minimum level of 20 percent (2.4 months). Based on FY 22 operations, this would equate to approximately \$585,000. The City's reserve policy also reflects how any unassigned fund balance in excess of the 20 percent minimum should be allocated. Per City policy, the components of distribution of excess unassigned fund balance include:

- ◆ Offsetting projected future deficits
- ◆ Addressing anticipated intergovernmental fiscal impacts
- ◆ Addressing one-time funding, non-recurring needs
- ◆ Addressing capital improvement projects
- ◆ Paydown of long-term debt.

The Government Finance Officers Association (GFOA) best practice recommends an operating cushion of at least 2 months.¹ As of FY 22, General Fund reserves exceed both the City reserve policy and GFOA best practice recommendations.

Overall FY 22 General Fund revenues, net of Measure G activity, increased by approximately 38.5 percent compared to pre-COVID-19 levels—an amount driven primarily by tax-related General

¹ GFOA fund balance guidelines: <https://www.gfoa.org/fund-balance-guidelines-general-fund>

Fund revenues, which grew by approximately 22.1 percent. In contrast, FY 22 General Fund expenditures only grew by approximately 23 percent compared to pre-COVID-19 levels.

Water Rate Increase – August 2022

Although rate increases are usually unpopular, appropriate increases in rates are crucial in ensuring a fiscally strong and reliable water operation. Based on a rate study commissioned by the City, water rates were increased effective November 2022, with automatic increases through FY 26 to improve the fiscal health of the water operations function. As a result of this and other fiscally prudent measures, as of FY 22, the Water Fund had unrestricted reserves of approximately \$900,000, or 8.8 months of expenditures (based on FY 22 operations).

The City's reserve policy calls for three separate reserves:

1. **Emergency Operating Reserve** – equivalent to 90 days of operations (\$304,500 per FY 22 operations).
2. **Emergency Capital Reserve** – budgeted at \$57,000 per year until \$171,000 is attained.
3. **Rate Stabilization Fund Reserve** – equivalent to five percent of the prior year's water operating revenues, which would equate to approximately \$70,300 for FY 22.

GFOA best practice recommends a 1.5-month minimum working capital reserve or operational reserve for enterprise funds.² Consequently, the City's water operation seems relatively strong, meeting both the City's current policy and GFOA best practice. Of course, this does not take into account large capital improvements that may be desired as a result of the strategic planning process.

Sewer Rate Increase – December 2021

As was the case with the previously discussed water rate increase, the City implemented a much-needed sewer rate increase to help stabilize operations and improve service provision to customers. Other measures initiated by the City include acquisition of various loans and grants to complete the Force Main to Hollister Project,³ which will allow transportation of City sewage to the Hollister sewage treatment plant for more economic processing, thus helping to minimize future cost increases related to sewage treatment. These loans/grants consist of approximately \$8 million in grants and \$10 million in a USDA low-interest loan in FY 23/24. The rate increase is intended to cover the expected debt service on the loan at 2.5 percent over a 40-year period. Although FY 22

² <https://www.gfoa.org/materials/working-capital-targets-for-enterprise-funds>

³ https://www.san-juan-bautista.ca.us/departments/planning/sanitary_sewer_force_main_to_hollister_project.php

financial activity reflected a negative unrestricted reserve, this is primarily caused by the advancement of funds totaling approximately \$1 million to design and initiate the Force Main to Hollister Project—funds which will be reimbursed from the various grants and loans acquired for the project, anticipated to be received in early FY 24. This infusion will result in a substantial improvement in the fiscal health of the Sewer Fund.

Hiring of Assistant City Manager to Focus on Economic Development

In FY 21, the City hired an Assistant City Manager to manage Community Development work including long-range planning and historic preservation, as well as to provide an increased focus on economic development. This action has produced the reactivation of the Economic Development Citizens Advisory Council to assist with the generation of a comprehensive Economic Development Plan for the City. The Plan consists of writing an Economic Development Strategy for the City including identification of economic development opportunities, streamlining City processes related to economic development, review and analysis of the General Plan and other specific plans, and fees and changes to increase overall efficiency and effectiveness related to economic development within the City to benefit its residents.

Implementation of a New Financial System

A critical factor of successful operations for any agency is an effective and efficient financial system. The public and City leaders rely on accurate and timely fiscal information to make good operational decisions to benefit the City as a whole. In January 2023, the City implemented the MIP financial system for the current QuickBooks financial system. Regardless of the size of an agency, the effective implementation of any new financial system is not an easy task. It requires the review of operational procedures, practices, and policies to identify operational inefficiencies, errors, and ways to take advantage of new capabilities included in the new system, such as increased internal control features to help minimize potential fraud risks. The City has revised its chart of accounts, which form the base of any financial system. This was a time-consuming process which caused some delays in some of the fiscal activities of the City. According to City staff, these issues will be addressed by the end of the fiscal year and the City will benefit from a more robust and comprehensive financial system that will increase operational efficiency and monitoring, transparency, and internal control.

5.3 FISCAL ISSUES

Citygate also identified potential fiscal-related operational issues during its review. The project scope consisted of a high-level fiscal review, so the following items (as is the case with the fiscal positives discussed above) are not intended to be an all-inclusive list. Rather, they reflect some of the more obvious areas identified.

5.3.1 Specific Items

Current Fees and Charges

According to City staff, the City's fees and charges have not been reviewed or adjusted for several years. Consequently, it is uncertain whether the current fees and charges adequately cover the cost of providing services related to the same fees and charges.

Policies and Procedures

A GFOA best practice is the development of financial policies. The City's financial policies previously reviewed by Citygate included reserves, investments, travel, purchasing, and personnel. Citygate found these policies to be comprehensive and well written. However, there remain some important financial policies that the City lacks. Some of the more important policies that the City should adopt include those related to cash-handling, debt, internal control, and budget.

Another important financial area that could be improved is documented financial operating procedures. These procedures address how various financial operating processes are completed. Examples include:

- ◆ Accounts payable
- ◆ Payroll
- ◆ Journal voucher and other general ledger posting
- ◆ Accounts receivable
- ◆ Utility billing
- ◆ Business licensing
- ◆ Permitting.

The GFOA website has many examples of best practices, including policies and procedures, which can be utilized by the City.^{4,5}

Citygate understands that the development of formal written policies and procedures is time consuming and difficult to implement—especially for a city of San Juan Bautista's size—but whatever effort the City can put into addressing this best practice will help to improve fiscal operational consistency and minimize potential fraud risk. A lack of formal financial policies and procedures can lead to confusion and inconsistency and weaken internal control.

⁴ GFOA best practices can be found at <https://www.gfoa.org/best-practices>.

⁵ GFOA financial policy examples can be found at <https://www.gfoa.org/financialpolicies>.

Auditor

The City has used the same auditors since (at least) FY 14. Per the California Government Code section 12410.6(b): “Commencing with the 2013-14 fiscal year, a local agency shall not employ a public accounting firm to provide audit services to a local agency if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local agency for six consecutive fiscal years.” Consequently, the City may be required to change audit firms unless the current firm is large enough to assign a different partner lead or the City gets a waiver from the State Controller based on no other eligible public accounting firm being available to perform the audit.

Succession Planning / Cross-Training

It is always difficult to address the need for succession planning and cross-training in small jurisdictions like San Juan Bautista. However, smaller jurisdictions are impacted more severely than larger jurisdictions by the sudden loss of staff because individual staff members tend to be responsible for numerous operational tasks that are taken on out of necessity and with little training. Consequently, the loss of any single staff member has the potential to cause a major disruption in operations until a new staff member is hired and trained. Larger jurisdictions with larger staffs can usually absorb the sudden loss of a staff member.

Citygate recommends that the City identify its critical operational areas (such as finance, water, sewer, etc.) for continuity weaknesses and develop a succession plan, including structured cross-training to help address unanticipated operational disruptions due to loss of staff.

Long-Range Financial Planning

An essential component of the operations of any organization is the development of formal long-range planning for financial operations and capital improvements. Per discussions with City staff, due to factors such as the implementation of a new financial system and the creation of a new chart of accounts, the City has not been able to develop long-range planning models based on what was provided by Citygate during its previous engagement.

Additionally, as a part of the long-range financial planning and forecast, a delineation should be made between ongoing revenues and expenditures versus one-time revenues and expenditures to ensure accurate reflection and monitoring of the City’s fiscal condition.

Citygate recommends that the City implement the long-range planning models as soon as possible.

Bank Reconciliations

Bank reconciliations are two months behind. Since internal control checks in the City rely on current bank reconciliations, emphasis must be placed on ensuring current bank reconciliations.

Citygate was informed that the bank reconciliation delay caused by implementation of the new financial system is now rectified.

5.3.2 Other Issues

Performance Measures

The GFOA has developed approximately 200 best practice recommendations related to municipal financial operations.⁶ Finance Department staff should review this list and use it as a guide when developing written policies for the City.

One specific area identified by Citygate during its review is the overall lack of Citywide goals or performance measures to reflect how departments are meeting those goals. One recommendation of this review is the enhanced development and usage of performance measures as a tool to gauge operational effectiveness. Performance measurement is an essential element of budget development and monitoring regardless of the size of an agency. The GFOA recommends that all organizations identify, track, and communicate performance measures to monitor financial and budgetary status, service delivery, program outcomes, and community conditions as a best practice.

The GFOA further recommends that, when identifying performance measurements, governments should focus on making sure that measures meet the following conditions.⁷

- ◆ **Useful** – Measures should provide information that is helpful to decision making, understanding, or accountability efforts.
- ◆ **Relevant** – Measures can be clearly linked to the service delivery/program outcomes that they are intended to measure, appropriate for the outcome being measured, and are readily understandable.
- ◆ **Reliable** – Collection methods and measure definitions need to be understood so stakeholders can rely on the information.
- ◆ **Adequate** – Ensure enough and an appropriate variety of measures are used to measure performance and that measures do not incentivize behavior that adversely impacts the measures, such as a quantity versus quality scenario. There is often not a single measure that can provide sufficient context and understanding.
- ◆ **Collectible** – Measures are readily available and do not involve excessive time/effort to collect.

⁶ <https://www.gfoa.org/best-practices>

⁷ <https://gfoa.org/performance-measures>

- ◆ **Consistent** – Measures can be regularly collected to track outcomes over time and avoid the need to continuously identify new measures.
- ◆ **Environment** – Measures include variables related to externalities that impact service delivery and program performance.
- ◆ **Responsibility** – Clearly identify responsibilities for collection, storage, and dissemination of the data.
- ◆ **Systems** – Existing data collection capacities are leveraged appropriately, or new systems are identified to ease the burden of data collection.

While Citygate does not recommend that the City establish extensive and complicated performance measures, it is recommended that the City identify a few performance measures applicable to each department, which should be developed to reflect that City resources are being used in support of City goals and objectives.

Extended Hours Coverage

Per City staff, there has been a discussion about extending the hours that City Hall is open to the public. Currently, the closure of City Hall at 1:00 pm allows staff to complete tasks such as preparation of the daily deposits that should be completed away from the public. It is a best practice and a good risk avoidance measure to ensure that the deposit preparation is in a location that is separate from the public. Additionally, individuals preparing a deposit should have uninterrupted time to help minimize errors. Citygate's understanding is that the Finance & Admin Clerk, in addition to other duties, is the primary person responsible for counter traffic while also having the primary responsibility for daily cash handling, preparation of the daily deposit, and transportation of the deposit to the bank. The City's current process of closing City Hall (counter) addresses the best practice and risk avoidance issue.

Citygate was informed that the Deputy City Clerk position is currently used to help backfill for the counter, which seems to work under the current schedule. However, one concern is that the Deputy City Clerk is also responsible for the Human Resources (HR) and risk management functions of the City. These duties can require confidential and time-sensitive discussions that have been addressed with the current schedule. However, under a schedule with extended hours, there would be less flexibility for the Deputy City Clerk to address counter backfill requirements if an HR or risk management conflict arose. Filing and (in some cases) answering phones can be less time sensitive than dealing with confidential personnel or risk management issues. Although it probably would not occur that frequently, if a critical personnel or risk management matter occurred that was being handled by the Deputy City Clerk while the Finance & Admin Clerk is preparing and delivering the deposit, coverage of the counter would not be readily available.

If the City decides to expand the hours in which City Hall is open to the public, Citygate would recommend consideration of additional personnel—such as a part-time position—to provide adequate and consistent counter coverage and allow for secure and confidential handling of cash and human resources/risk management issues.

Separation of Duties

Adequate separation of duties is a best practice and risk avoidance measure necessary for all agencies. While it is often difficult to manage for a smaller city, striving to ensure separation of duties should nonetheless be a goal. Based on Citygate’s review, the City does make a conscious effort to ensure the separation of duties. Payroll processing internal control could be strengthened by separating duties between the individual inputting payroll and the individual approving release of payroll direct deposits and checks.

5.4 SUMMARY OF FISCAL FINDINGS AND RECOMMENDATIONS

5.4.1 Findings

- Finding #1:** The General Fund is fiscally healthy and meets reserves recommended by GFOA best practice and the City’s reserve policy requirement.
- Finding #2:** Water and sewer rate increases, in addition to application and receipt of various loans and grants, will help improve the fiscal strength of both water and sewer operations.
- Finding #3:** The implementation of the new MIP financial system began in January 2023 and will provide additional capabilities and controls to help improve overall fiscal operational efficiency, monitoring, and transparency.
- Finding #4:** General fees and charges have not been reviewed in several years, indicating that the City may not be recouping the cost of providing the services associated with the applicable fees and charges.
- Finding #5:** The City does not have a formal, comprehensive long-term Capital Improvement Plan to identify and address aging infrastructure.

Finding #6: The City does not have a formal financial forecasting process to develop a long-term delineation between ongoing revenues and expenditures versus one-time revenues and expenditures to ensure accurate reflection and monitoring of the City's fiscal condition.

Finding #7: The City's current fiscal policies are incomplete when compared to best practice. A lack of formal financial policies and procedures can lead to confusion and inconsistency and weaken internal control.

5.4.2 Recommendations

Recommendation #1: Auditors should be directed to segregate Measure G fiscal activity in the audited financial statements while maintaining Generally Accepted Accounting Principles (GAAP) to improve clarity and transparency and reduce confusion.

Recommendation #2: Designate fund reserves as outlined in the City's reserve policy.

Recommendation #3: Expedite the completion of the new financial system's implementation to the extent possible to allow the City to take advantage of increased efficiency, monitoring, internal control, and transparency capabilities.

Recommendation #4: The City should develop a succession plan, particularly in the Finance Department, to ensure continuity of fiscal operations.

Recommendation #5: To ensure a long-term focus on identification of issues and provide time to develop plans of action to address the issues, the City should utilize the templates provided by Citygate during its previous review as a guide to develop formal, long-term financial forecasts and capital improvement plans.

- Recommendation #6:** Finance Department staff should review the GFOA list of approximately 200 best practice recommendations related to municipal financial operations and use it as a guide when developing written policies for the City.
- Recommendation #7:** The budget development process should include identification of performance measures to ensure departments are monitoring and achieving individual department objectives to meet overall City goals and objectives.
- Recommendation #8:** If City Hall hours of operation are extended, consider hiring new personnel to help provide adequate coverage and address risk avoidance and confidentiality concerns.
- Recommendation #9:** To improve internal controls, revise the payroll process to more definitively separate the duties of the individual processing the payroll from the individual who ultimately approves release of the completed payroll.

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SECTION 6—HIGH-LEVEL PUBLIC SAFETY OVERVIEW

Public safety in the City is centrally managed within the City Manager's Office and consists of the following service types:

- ◆ Law enforcement services
- ◆ Private Security patrols
- ◆ Code enforcement
- ◆ Fire services
- ◆ Animal control services
- ◆ Emergency services.

6.1 LAW ENFORCEMENT SERVICES

The City has no full-time police department, but rather, contracts with the San Benito County Sheriff's Department for law enforcement services. The contract relationship with the Sheriff's Department has been in place since at least the early 2000s, as the City's response to the document request provided copies of a draft contract for the period July 2001 to June 2003.

The City also provided an executed contract dated 2009 that stipulated the contract shall automatically renew annually unless terminated by either the City or the County (Sheriff). The scope of the contract provides that the County (Sheriff) shall provide law enforcement services within the City. The outlined level of service within the scope includes one full-time Deputy Sheriff who works 80 hours during a two-week pay period. Other components of the contract's scope of service include the following.

- ◆ Overtime assigned at the Sheriff's discretion not to exceed 10 percent of total hours of the agreement unless approved by the City (with emergency public safety exceptions).
- ◆ Patrol plan, hours of coverage, and similar details to be coordinated by mutual agreement with the Sheriff and City Manager.
- ◆ Sheriff or representative to meet with Public Safety Committee not less than once per year.
- ◆ Additional services available by request at cost.
- ◆ Deputy or other designated Sheriff representative to provide monthly reports to the City Council on activity during the previous month (report may be verbal or in writing).

- ◆ County provides law enforcement services by on-duty patrol deputies when contract deputy is not on duty.
- ◆ Sheriff as County Emergency Services Director will provide designated City staffing emergency services training and assistance with continuity of operations planning.

Given the size of the City, the total volume of public-generated calls for law enforcement service are relatively low, thus making the formation of a municipal police department fiscally impractical. However, the City's percentage of budget expenditures for public safety and policing in particular merit consideration of more investment. Citygate assesses that a management-level public safety position—reporting directly to the City Manager, and responsible for oversight of all public safety-related issues discussed in this report—would be a beneficial addition.

The City earmarked funding in the current budget to add an additional Deputy Sheriff to the law enforcement service contract, which would, in effect, double the amount of dedicated patrol the City currently maintains. Thus far, the Sheriff's Office has had difficulty in staffing that position and it has not yet been added. Citygate supports adding this position and expanding dedicated patrol coverage. In time, the goal should be to increase dedicated patrol coverage to 24 hours a day, 7 days a week.

In discussions with City staff, it appears that there is limited visibility of the Sheriff's patrol activity as it relates to calls for service within the City. This can be remedied by ensuring that reporting requirements are clearly articulated in the annual service contract. Currently, there is language in the contract that provides for the Sheriff's Office to deliver monthly reports. In discussing the issue with Sheriff's representatives, they concur that this should be done.

The City should also consider developing a custom reporting tool with the Santa Cruz Regional 911 communications center, which provides dispatch services in the City. The custom reporting tool can be developed to provide monthly reporting on all public calls for service and patrol deputy-initiated activity.

6.2 PRIVATE SECURITY PATROLS

The City contracts with Kysmet Security & Patrol Inc. to provide private patrols within the City. Kysmet is a private company licensed by the State of California as a Private Patrol Operator. The contract calls for Kysmet to provide four uniformed private patrol officers in marked security vehicles for up to 68 hours per week.

The private patrol duties and authorities include the following:

- ◆ Patrol and monitor properties assigned by the City within City limits.

- ◆ Approach and question suspicious persons and notify the Sheriff's Department if crime is suspected.
- ◆ Initiate citizen's arrest if necessary.
- ◆ Provide high-visibility patrols throughout the City.
- ◆ Assist City Manager during emergencies.
- ◆ Provide detailed activity reports.
- ◆ Assist City in preparing emergency action plans.
- ◆ Assist Sheriff's Office as necessary within the City.

Although not listed in the contract, Kysmet has been delegated the task of parking enforcement within the City, which has received a favorable response from the City Manager's Office and other members of the community.

Citygate assesses that private security patrols are not consistent with best practices for providing direct public safety services, but rather, should be used for special circumstances such as special events or providing static security of specific facilities.

Many municipalities that contract for police services with their Sheriff's Office also build public safety capacity by directly employing non-sworn community service officers to assist with minor quality-of-life issues such as parking enforcement, high-visibility security patrols, abandoned vehicle abatement, animal control, etc. These community service officers can work in conjunction with code enforcement officers and perform all the duties currently being provided by the private security company in addition to acting as disaster service workers for emergency management purposes.

6.3 OTHER SERVICES

6.3.1 Code Enforcement

The City employs one part-time Code Enforcement Officer. The Code Enforcement Officer is a retired San Benito County Sheriff's Deputy who spent over 16 years as the City's contract Deputy. His knowledge of the community, in addition to his understanding of the Sheriff's Office, has put him in a position of trust with the City Manager. He is the de facto the public safety coordinator, having been described as the City Manager's "eyes and ears" on the street. The contracted private security company Kysmet coordinates their communications with the City through the Code Enforcement Officer.

6.3.2 Animal Control Services

There is no formal Animal Control Service contract in place, and the number of calls related to animal services likely does not merit a standalone contract. However, in the current model, the Code Enforcement Officer and the City Manager have responded to vicious and/or stray animal calls. This is not an efficient use of City resources. If community service officers are employed by the City, they can be trained to handle the relatively few animal calls that the City receives.

6.3.3 Fire Services

The City currently contracts with the City of Hollister for Fire Services. Citygate has assessed the current contract fire services provided by Hollister are adequate and does not recommend any changes to this service delivery method.

6.3.4 Emergency Services

As with other public safety services in the City, Emergency Services are provided by the City Manager, who serves as the Director of Emergency Services. The City's private security contract has language which states that private patrol officers will respond as necessary during emergency circumstances. While this arrangement is better than having no arrangement at all, Citygate questions the efficacy of utilizing contract employees as disaster service workers in the case of emergencies.

6.4 SUMMARY OF PUBLIC SAFETY FINDINGS AND RECOMMENDATIONS

6.4.1 Findings

Finding #8: Public safety services have no central point of contact other than the City Manager.

Finding #9: The City currently contracts for 40 hours of dedicated patrol per week from the Sheriff's Office, which, in Citygate's assessment, is inadequate.

Finding #10: The City contracts with a private security company to provide private patrol for 68 hours per week. Citygate assesses that private patrols are not a viable public safety alternative to fully sworn patrol services provided by the Sheriff's Office.

Finding #11: The City is not receiving adequate status reporting from the Sheriff's Office related to services rendered.

Finding #12: The Fire Services contract with the City of Hollister is serving the City well.

6.4.2 Recommendations

Recommendation #10: Add a management-level public safety position that reports directly to the City Manager and is responsible for all public safety-related issues discussed in this report.

Recommendation #11: Add a second patrol Deputy position to the law enforcement services contract with the San Benito County Sheriff's Office to expand dedicated patrol coverage to seven days a week and 80 hours. In time, the goal should be to increase dedicated patrol coverage to 24 hours a day, 7 days a week.

Recommendation #12: Ensure that a renewed service contract with the Sheriff's Office includes a requirement for workload reporting. Work with the regional dispatch center (Santa Cruz Regional 911) to develop a monthly custom reporting tool to assist in monitoring the Sheriff's dedicated patrol activity.

Recommendation #13: Consider converting the contracted private security contract to full-time or part-time Community Service Officer positions that work under the Public Safety Manager to enhance the Sheriff's patrols and can also serve as disaster service workers during emergencies.
[Note: During the course of Citygate's review, it was found that a full-time CSO position has already been approved in the City budget.]

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SECTION 7—STRATEGIC PLAN DEVELOPMENT

7.1 STRATEGIC PLAN DEVELOPMENT PROCESS

On April 14, 2023, Citygate facilitated a full-day strategic planning session. Four key deliverables included the development of foundational organizational pillars that entailed defining core values, determining top guiding priorities, and vision and mission statements. The process included defining each pillar, reviewing and discussing the guiding questions, and ultimately holding breakout sessions to create and vote on best ideas that ultimately support and reflect the goals of the community and City—based on surveys, interviews, historical data, and point-in-time voting to ensure the best future for San Juan Bautista.

During this strategic session, the Council, in collaboration with the community and City staff, also began work on selecting, categorizing, and prioritizing all items (“wish lists”) that were gleaned from both community and employee surveys, stakeholder interviews, historical data, the General Plan, previous strategic plans, and point-in-time items. This resulted in a comprehensive Priority Implementation Plan Worksheet (**Appendix A**) that included General Plan items. The Worksheet was categorized into five sections—each depicting one year’s time, with three tiers for prioritization within each. This Worksheet was later modified for the implementation planning session to be categorized into three sections, each encompassing 18 months, with three tiers in each section. After the implementation session held on June 3, 2023, the Worksheet was finalized. Ultimately, the Worksheet included 105 specific items for action and implementation.

7.1.1 Key Definitions

To establish mutual understanding and promote helpful exercises for community participation, the following definitions were presented in Citygate’s strategic planning session.

Vision Statement

A vision statement details where the organization aspires to GO, your DESTINATION. Why does the City exist? What do you hope to ACCOMPLISH? Focuses on tomorrow. Promotes growth internally and externally. This invites innovation, sense of purpose, your WHY!

Values

Values are individual, basic, fundamental BELIEFS that guide or motivate people to act or behave in a particular way. They are the things that you believe are important in the way you live and work. They can mean one’s moral ideals. Values are the words or qualities which describe the type of life you want to live or that help guide an organization. Values are the STANDARDS or ideals with which we evaluate actions, people, things, or situations.

Mission Statement

A mission statement is what drives the organization. It is what you DO. The CORE of the organization. It SHAPES the community culture. It can MOTIVATE stakeholders and provide CLARITY. From this, your OBJECTIVES are created. A mission statement focuses on TODAY and what the organization does to achieve it.

Guiding Priorities

Guiding priorities provide DIRECTION on how to achieve the City's mission. The rules that govern what we DO. They are the tools that GUIDE policy and decision-making for staff.

7.1.2 Guiding Questions

The strategic planning session was further shaped and provided direction via the following guiding questions.

1. If success was a place, how do we know when we have arrived?
2. What does success, or winning, look like to our team or organization?
3. What measurable impact will this have?
4. What do we want the future to look like for our team, community, and bottom line?
5. Is this in alignment with mission/vision/ of the City Council and this community's values?
6. What is the likely outcome of making this a priority?
7. Will it help us grow?
8. Does this resonate with me and my values?
9. Is this something we want to be remembered for?
10. Do we have what we need to accomplish this? Is it attainable? (Resources, Budget)
11. Does this align with our General Plan? To what degree?
12. Is this the best outcome right now?

7.2 STATEMENTS, VALUES, AND PRIORITIES FOR SAN JUAN BAUTISTA

The following elements reflect the City-approved results of a collaborative effort between City Council, City staff, and community members.

7.2.1 Approved Vision Statement

San Juan Bautista is a vibrant, thriving community that strives to tell its complete history and cultural heritage while honoring the needs of its residents and businesses. The City offers the world a unique destination with its boundless natural beauty, open spaces, and agricultural resources.

7.2.2 Approved Mission Statement

The City of San Juan Bautista strives to provide exceptional service to the community by fostering a sustainable economy while preserving its uniqueness through collaboration, honesty, and resourcefulness.

7.2.3 Approved Core Values

- ◆ Collaboration
- ◆ Honesty
- ◆ Resourcefulness
- ◆ Accountability
- ◆ Integrity

7.2.4 Approved Guiding Priorities

- ◆ Infrastructure
- ◆ Economic development
- ◆ Public safety including code enforcement and disaster preparedness
- ◆ Recreation and activities
- ◆ Fiscal stability

7.3 OTHER STRATEGIC OBSERVATIONS

Small cities are called upon to meet all laws and regulations and produce all of the audits, annual reports, and master plans required of larger communities—in addition to providing around-the-clock city services related to public safety, water, sewers, and streets. Small cities must perform to these measures with far less staff capacity compared to larger cities. It is therefore critical for small cities to do business in the most efficient manner possible.

7.3.1 Important Steps

The City can recognize significant organizational improvements by taking the following steps to establish routine strategic planning and budget cycles and by establishing routine approval authorities and processes.

- ◆ Establish a Five-Year Strategic Plan and goals.
- ◆ Establish an annual City Council meeting calendar and adhere to it, including a cycle for annual review of the Five-Year Strategic Plan, annual work program adoption, and annual budget.
- ◆ Establish an achievable annual work program and goals for the City that are in line with Five-Year Strategic Plan goals.
- ◆ Ensure annual expenditures reflect Five-Year Strategic Plan goals and include resources necessary to achieve annual work programs.
- ◆ Institute performance measures.
- ◆ Evaluate annual achievements prior to adopting a work program for the new year.
- ◆ Expedite the completion of the new financial system's implementation to the extent possible to allow the City to take advantage of increased efficiency, monitoring, internal control, and transparency capabilities.

7.3.2 Financial Management Policies

Cities following best practices adopt and impose sound and wide-ranging financial management policies. Examples of these winning budgeting-related strategies include the following:

- ◆ The budget must be balanced.
- ◆ There will be no unfunded positions included in the budget or staffing resolution.
- ◆ No new positions will be considered unless there is new income for the position that covers not only the cost of the position, but any indirect and overhead-related costs as well.
- ◆ There must be a reasonable expectation that there will be an ongoing funding stream of at least three years or more for any new position.
- ◆ Only use reserve funds for one-time expenditures or for purposes for which the reserve is designated. Every effort will be made to preserve reserve funds.
- ◆ Economic development will remain a priority.
- ◆ Technology should be invested in continually.

- ◆ The budget format and terminology should be standardized so that pertinent and relevant performance and financial information is provided for presentation to the City Council and the public.
- ◆ Income streams should be identified for the continual improvement of the City's capital facilities.

7.2.3 Economic Development and Stabilization

All cities and counties in California have some sort of commitment to economic development. Typically, they have a designated individual or groups of individuals who are assigned to promote a city's local economy. Larger agencies will have programs specifically designed to retain existing businesses, expand existing businesses, and attract new businesses. Typically, this involves keeping an inventory of vacant properties, assisting with permit processing, providing fee waivers, circulating marketing brochures and videos, and working with real estate agents, a chamber of commerce, and a visitors' bureau.

The good news is that all of these economic fundamentals are in place in the City in one form or another. The City has several potential partners and volunteer groups, such as the San Juan Bautista Community Business Association—both the new and the original association—and a recently hired Assistant City Manager to help provide a focus on economic development.

Stabilizing the City's finances requires a unified effort on the part of the City's elected officials, City staff, and community leaders. A sustained, multi-year, multifaceted rebuilding effort will ensure the City enjoys the benefits of a vibrant, cost-effective, full-service municipal organization well into the future.

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SECTION 8—PROGRESS: MOVING FORWARD

8.1 *IMPLEMENTATION STRATEGIES*

While there are various styles and tools for implementation, taking a human-centered and long-term approach is a method which has been proven to be successful, leading to healthy and collaborative processes which yield significant benefits related to thriving organizations and communities.

The City Manager has various opportunities when it comes to accountability and implementation approaches. As these are tested and utilized, the City manager may choose varying paths to support the desires and needs of the Council and community related to the execution of this plan. These include:

- ◆ Annual detailed reports to City Council (recommended prior to budget session)
- ◆ The use of technology
- ◆ Smart sheets
- ◆ Fun, employee-engaging events as communication tools
- ◆ Empowering employees
- ◆ Ongoing support and training for staff
- ◆ Positive work environments
- ◆ Managing risks
- ◆ Building capacity
- ◆ Facilitating effective workshops
- ◆ Monthly or quarterly meetings/updates with City Council and/or the community
- ◆ Timely executive memos or briefings of progress to City Council and the community
- ◆ Support from volunteers on current or newly formed task force groups.

8.2 *“FAIL FACTS” AND MYTHS*

Why do plans not always work out the way we envision them? Often, once a plan has been carefully developed, things can (and do) go awry. This is a fact. Ongoing daily attention and care must be taken throughout the implementation process to achieve optimal results. It is important to

recognize that, even with the best of intentions, efficient efforts, and resource alignment, the end result may differ than the original vision.

8.2.1 Fail Facts

As the City develops a strategic plan, some important elements of that process often go overlooked in many organizations. The City must be aware of these potential challenges:

- ◆ Minimal investment/buy-in to aligning with the new plan.
- ◆ Lack of clear, consistent communication from leadership.
- ◆ Add-ons – Adding to staff’s workload while nothing is taken away.⁸
- ◆ Lack of accountability from the top down.
- ◆ Lack of patience. Some things take more time—be mindful of requests and the level of response needed.
- ◆ Lack of clarity regarding the strategy among staff members.
- ◆ Everything is a priority syndrome (i.e., my issues *first* and *now*).
- ◆ No true allocation of resources.
- ◆ Lack of perceived fairness, recognition, rewards, etc.
- ◆ Lack of fostering innovation by leadership.
- ◆ Was the right approach utilized in the execution?
- ◆ Some failures are success. Experimentation is important—there must be room for new ideas, trial and error, etc.
- ◆ Lack of understanding the real problem.⁸
- ◆ Understanding organizational capabilities.⁸
- ◆ Lack of understanding cultural landscape (if they did it before will they do it again?).

8.2.2 Myths

The assumption of validity where common myths are concerned can present a serious roadblock to beneficial evolution and progress within any organization. Granting such myths space will ultimately stagnate growth and prevent needed change from happening.

⁸ Harvard Business Review, 2022.

The following table reflects some common myths⁹ as well as helpful realities to reorient organizational perspectives.

Table 8—Common Myths and Helpful Realities

Myth	Reality
Myth #1: Execution means alignment.	Reality: Setting limited goals that are specific and measurable will foster alignment.
Myth #2: Execution means “sticking to the plan.”	Reality: Flexibility is crucial to execution. Look for opportunities.
Myth #3: Communication equals understanding.	Reality: Promote understanding with simple and clear communications, with those engaged in dialog utilizing two-way repetition to ensure retainment.
Myth #4: A performance culture drives execution.	Reality: Execution is driven by broad recognition and rewards (innovation, agility, etc.).
Myth #5: Execution should be driven from top to bottom.	Reality: Execution is driven from all levels by all members of an organization.

8.3 PRIORITY IMPLEMENTATION PLAN WORKSHEET

Implementation plans are a critical and effective tool for organizations to assist employees and leadership and ensure they can address the basic elements of any task or activity. An implementation plan brings clarity and efficiency to processes, taking ideas and developing them into actionable steps to that can be followed. Such a guiding document helps organize funding strategies and is an integral part of any budgetary process or decisions going forward.

On June 3, 2023, City Council met in a public forum and participated in a final strategic session to complete the Priority Implementation Plan which had begun during the April 2023 session with community stakeholders. After Citygate and City staff revised, discussed, and drafted an updated Worksheet, the Council spent two hours discussing, voting, and gathering final feedback from the community for a final Five-Year Priority Implementation Plan. All items were thoughtfully placed in a priority order that will serve as a road map for City staff, City council and the community over the next five years. This plan will also serve as an important document that will be incorporated

⁹ <https://www.outsourcedpharma.com/doc/myths-of-strategic-execution-that-you-may-hold-0001> and <https://www.outsourcedpharma.com/doc/myths-of-strategic-execution-that-you-may-hold-part-0001>.

into the next General Plan update. See **Appendix A—Priority Implementation Plan Worksheet** for itemized goals and priorities.

8.4 EXECUTIVE LEADERSHIP AND COMMUNICATION TRAINING

In response to the community and staff surveys and stakeholder interviews, on June 3, 2023, the City Manager and City Council approved and participated in an on-site executive leadership and communication training conducted by Citygate.

Executive communications training is central to the healthy functioning of any successful organization. Effective communicators bring countless benefits to individuals, teams, organizations, and communities. Some of these benefits include higher morale among employees; increased positive engagement, connection, and trust; higher productivity; stronger job satisfaction; more empowered employees and community members; better clarity; reduction of conflict and misunderstandings; and a sense of cohesiveness for efficient decision-making and problem solving.

The participatory training conducted on June 3 included the following modules.

- ◆ Innovation in Government
- ◆ Understanding Belief Systems and Stories
- ◆ Communication and Success Signals
- ◆ Leadership Practices and Statements
- ◆ Roles and Responsibilities
- ◆ Service Philosophy Development
- ◆ Support Structures
- ◆ Messaging and Branding
- ◆ Self-Accountability
- ◆ Best Practices Helpful Hints

8.4.1 Recommendations

Following are Citygate’s core recommendations related to the executive leadership and communication training sessions.

Recommendation #14: The City should utilize annual or semi-annual communication training courses throughout the organization.

Recommendation #15: New tools and philosophies can and should be utilized as part of a five-point accountability measure and general performance guide for employee evaluations.

Recommendation #16: The City should leverage periodic 360 survey assessments, which are a good tool to help measure a point-in-time success rate related to service standards, communications, and other organizational benefits—including higher morale among employees; increased positive engagement, connection, and trust; higher productivity; stronger job satisfaction; more empowered employees and community members; better clarity; reduction of conflict and misunderstandings; and a sense of cohesiveness for efficient decision-making and problem solving.

8.5 SMALL CITY SPECIFICS

Small cities, especially those in remote and/or rural locations, often share several common attributes including a committed and engaged citizenry; significant natural, scenic, and/or historic resources; financial constraints; challenges in attracting qualified staff and outside investment; and a remote location that makes it difficult to access training and networking opportunities.

8.5.1 Best Practices

The following best practices identify strategies that small cities can employ to enhance the community's quality of life and economic vitality.

Build a common vision and plan for the future.

Engage residents from all segments of the community, business owners, and other stakeholders to develop a vision for the community's future that reflects the community's desires, needs, and goals while generating public support that can maintain momentum through election cycles and over times of City staff turnover.

Identify and build upon existing assets.

Identify the community's key assets that enhance quality of life and offer opportunities to attract businesses, investment, and visitors—such as natural beauty, outdoor recreation, historic architecture, or arts and cultural institutions—and develop strategies to support, protect, and enhance those assets.

Take advantage of outside funding and leverage financial opportunities for strategic priorities.

Identify and pursue available funding targeted to specific priority community projects and initiatives. Even a small amount of outside grants or other funding applied strategically to support a community's vision and plans can help move priority projects forward. At the same time, chasing grants or other funding simply because they are available can distract focus and staff time from identified community priorities.

Identify and utilize a system of support.

Take advantage of opportunities for education, training, and networking with colleagues in other communities such as those workshops provided through municipal and professional organizations. A modest budget for staff and City Council training/education can pay big dividends by fostering new ideas, “big picture” thinking, and better visibility for the community.

Encourage civic engagement and volunteer participation.

Harness the expertise and talent that exists within the community to help implement specific initiatives and complete projects that address the community's strategic priorities.

Encourage communication, coordination, and cooperation within the community and across the region.

Build relationships with other governmental agencies and community and regional organizations to encourage the development of shared priorities and to leverage the assets that each party can bring to the table to assure that necessary services are available for residents and visitors.

Support a clean and healthy environment.

Protect natural resources and develop long-term plans and funding for ongoing maintenance and rehabilitation of utility and transportation infrastructure systems to assure their productive operation and use. Avoid environmental contamination and help spur business and development investment.

8.6 RAMPING UP

It is important to be aware that, with any new plan, there is a ramp-up period to ensure buy-in and ultimate success in implementation. It takes time, care, and strategic planning approaches to

gradually increase workloads, skills, training, support, resources, and revenues / revenue generating programs, and assessments to achieve improved performance, productivity, and desired outcomes. Additionally, various monitoring and accountability measures will occur. Allowing for necessary adjustments along the way will be a key element of success.

It is recommended to schedule an initial launch date of the implementation element of the plan 90–180 days after final development of the plan. During this accelerated timeline, this approach gives leadership, staff, potential volunteers, and the community time to communicate, understand, and formulate the best approaches. Particular attention should be given to thoughtfully communicating goals and desired outcomes, fiscal needs, and the actions to be taken to support the stated goals while managing risk and caring for growing pains. This is a crucial step in the long-term success of any government agency in today’s dynamic, competitive, and challenging landscape.

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SECTION 9—CITYGATE’S CORE FINDINGS AND RECOMMENDATIONS

Citygate’s 12 core findings and 16 core recommendations are presented in full sequential order.

9.1 FINDINGS

9.1.1 Fiscal Findings

- Finding #1:** The General Fund is fiscally healthy and meets reserves recommended by GFOA best practice and the City’s reserve policy requirement.
- Finding #2:** Water and sewer rate increases, in addition to application and receipt of various loans and grants, will help improve the fiscal strength of both water and sewer operations.
- Finding #3:** The implementation of the new MIP financial system began in January 2023 and will provide additional capabilities and controls to help improve overall fiscal operational efficiency, monitoring, and transparency.
- Finding #4:** General fees and charges have not been reviewed in several years, indicating that the City may not be recouping the cost of providing the services associated with the applicable fees and charges.
- Finding #5:** The City does not have a formal, comprehensive long-term Capital Improvement Plan to identify and address aging infrastructure.
- Finding #6:** The City does not have a formal financial forecasting process to develop a long-term delineation between ongoing revenues and expenditures versus one-time revenues and expenditures to ensure accurate reflection and monitoring of the City’s fiscal condition.
- Finding #7:** The City’s current fiscal policies are incomplete when compared to best practice. A lack of formal financial policies and procedures can lead to confusion and inconsistency and weaken internal control.

9.1.2 Public Safety Findings

- Finding #8:** Public safety services have no central point of contact other than the City Manager.
- Finding #9:** The City currently contracts for 40 hours of dedicated patrol per week from the Sheriff’s Office, which, in Citygate’s assessment, is inadequate.

Finding #10: The City contracts with a private security company to provide private patrol for 68 hours per week. Citygate assesses that private patrols are not a viable public safety alternative to fully sworn patrol services provided by the Sheriff's Office.

Finding #11: The City is not receiving adequate status reporting from the Sheriff's Office related to services rendered.

Finding #12: The Fire Services contract with the City of Hollister is serving the City well.

9.2 RECOMMENDATIONS

9.2.1 Fiscal Recommendations

Recommendation #1: Auditors should be directed to segregate Measure G fiscal activity in the audited financial statements while maintaining Generally Accepted Accounting Principles (GAAP) to improve clarity and transparency and reduce confusion.

Recommendation #2: Designate fund reserves as outlined in the City's reserve policy.

Recommendation #3: Expedite the completion of the new financial system's implementation to the extent possible to allow the City to take advantage of increased efficiency, monitoring, internal control, and transparency capabilities.

Recommendation #4: The City should develop a succession plan, particularly in the Finance Department, to ensure continuity of fiscal operations.

Recommendation #5: To ensure a long-term focus on identification of issues and provide time to develop plans of action to address the issues, the City should utilize the templates provided by Citygate during its previous review as a guide to develop formal, long-term financial forecasts and capital improvement plans.

Recommendation #6: Finance Department staff should review the GFOA list of approximately 200 best practice recommendations related to municipal financial operations and use it as a guide when developing written policies for the City.

Recommendation #7: The budget development process should include identification of performance measures to ensure departments are monitoring and achieving individual department objectives to meet overall City goals and objectives.

Recommendation #8: If City Hall hours of operation are extended, consider hiring new personnel to help provide adequate coverage and address risk avoidance and confidentiality concerns.

Recommendation #9: To improve internal controls, revise the payroll process to more definitively separate the duties of the individual processing the payroll from the individual who ultimately approves release of the completed payroll.

9.2.2 Public Safety Recommendations

Recommendation #10: Add a management-level public safety position that reports directly to the City Manager and is responsible for all public safety-related issues discussed in this report.

Recommendation #11: Add a second patrol Deputy position to the law enforcement services contract with the San Benito County Sheriff's Office to expand dedicated patrol coverage to seven days a week and 80 hours. In time, the goal should be to increase dedicated patrol coverage to 24 hours a day, 7 days a week.

Recommendation #12: Ensure that a renewed service contract with the Sheriff's Office includes a requirement for workload reporting. Work with the regional dispatch center (Santa Cruz Regional 911) to develop a monthly custom reporting tool to assist in monitoring the Sheriff's dedicated patrol activity.

Recommendation #13: Consider converting the contracted private security contract to full-time or part-time Community Service Officer positions that work under the Public Safety Manager to enhance the Sheriff's patrols and can also serve as disaster service workers during emergencies.
[Note: During the course of Citygate's review, it was found that a full-time CSO position has already been approved in the City budget.]

9.2.3 Executive Leadership Recommendations

Recommendation #14: The City should utilize annual or semi-annual communication training courses throughout the organization.

Recommendation #15: New tools and philosophies can and should be utilized as part of a five-point accountability measure and general performance guide for employee evaluations.

Recommendation #16: The City should leverage periodic 360 survey assessments, which are a good tool to help measure a point-in-time success rate related to service standards, communications, and other organizational benefits—including higher morale among employees; increased positive engagement, connection, and trust; higher productivity; stronger job satisfaction; more empowered employees and community members; better clarity; reduction of conflict and misunderstandings; and a sense of cohesiveness for efficient decision-making and problem solving.

APPENDIX A

PRIORITY IMPLEMENTATION PLAN WORKSHEET (INCLUDED SEPARATELY)

The Priority Implementation Plan Worksheet is included separately as an .xlsx file formatted for Microsoft Excel.

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APPENDIX B

EMPLOYEE SURVEY SUMMARY

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CITY OF SAN JUAN BAUTISTA EMPLOYEE SURVEY SUMMARY

OVERVIEW AND METHODOLOGY

Citygate Associates, LLC (Citygate) conducted an internet-based employee survey between March 28, 2023, and April 5, 2023, as part of our Citywide Organizational Review for the City of San Juan Bautista (City), California. All City personnel were invited by the City to participate in this survey. In total, there were 12 completed survey responses.

Survey Summary	
Launch Date	March 28, 2023
Close Date	April 5, 2023
Total Responses	12

Apart from two basic employee classification questions, the survey consisted mostly of closed-ended statements with which employees could rate their level of agreement, and eight open-ended questions for employees to provide written response. For closed-ended statements, respondents rated their level of agreement from “Strongly Agree” to “Strongly Disagree” or “N/A or Don’t Know.”

Employees were not required to answer every question. Additionally, they were permitted to respond “Don’t Know or N/A” to many statements, and these responses were excluded from the mean response calculations. Therefore, the response totals to a particular question may not always correspond with the total of 12 completed surveys.

ORGANIZATION OF ANALYSIS

The results for the survey are organized in the following order:

Classification Results

- ◆ The raw data for both employee classification questions included on the survey.

Degree of Agreement Statement Results

- ◆ Scores for each closed-ended statement.

Open-Ended Questions – Response Summary

- ◆ Each of the eight questions for which employees provided an open-ended response, with answer themes arranged by frequency.

DEFINITION OF TERMS

The terms defined below are encountered in the information that follows:

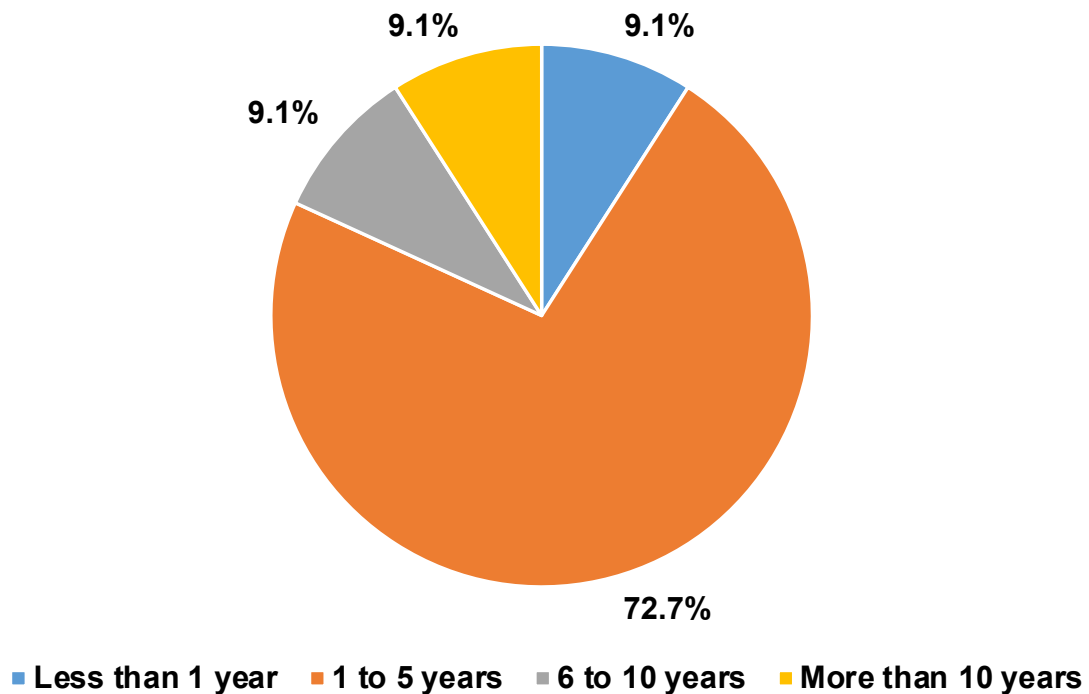
- ◆ Mean: An arithmetic mean that is the sum of the responses for each statement divided by the number of responses for each statement.
- ◆ Standard Deviation: Standard deviation expresses how spread apart the responses are from the arithmetic mean. A standard deviation close to zero indicates that most responses are close to the mean response and that a greater degree of agreement exists regarding the statement. A greater standard deviation indicates that there was a wider spread of variation in the responses and that a greater degree of disagreement exists regarding the statement.

CLASSIFICATION RESULTS

How long have you worked for the City?

Response	Number of Responses	Response Ratio
Less than 1 year	1	9.1%
1 to 5 years	8	72.7%
6 to 10 years	1	9.1%
More than 10 years	1	9.1%

This information is represented graphically in the following image:



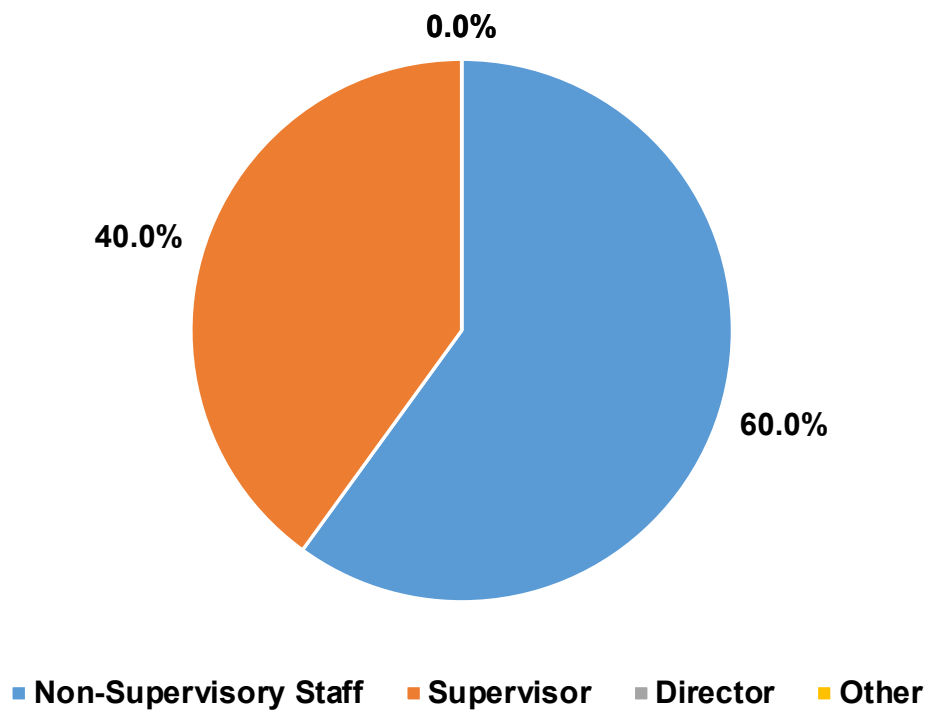
City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

What is your job function?

Response	Number of Responses	Response Ratio
Non-Supervisory Staff	6	60.0%
Supervisor	4	40.0%
Director	0	0.0%
Other	0	0.0%

This information is represented graphically in the following image:



City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

RESPONSES FOR EACH STATEMENT

The following table shows all the employee survey statements with the calculation of the mean and standard deviation of responses, along with the percentage of each type of response, including “Don’t Know or N/A.” The lowest degree of agreement is -2 (Strongly Disagree). The highest degree of agreement is 2 (Strongly Agree). Neutrality is represented by 0.

Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
The City supports diversity.	1.3	0.8	0.0%	0.0%	16.7%	41.7%	41.7%	0.0%
I believe good teamwork exists in my department.	1.3	1.0	0.0%	8.3%	8.3%	33.3%	50.0%	0.0%
Customer inquiries are responded to in a reasonable amount of time.	1.3	0.6	0.0%	0.0%	8.3%	58.3%	33.3%	0.0%
The work environment in my department is supportive and positive.	1.2	1.0	0.0%	8.3%	16.7%	25.0%	50.0%	0.0%
It is clear to me what my role is and how it contributes to the larger purpose of my department.	1.2	0.6	0.0%	0.0%	8.3%	66.7%	25.0%	0.0%
I am treated fairly.	1.2	0.8	0.0%	0.0%	25.0%	33.3%	41.7%	0.0%
The management of my department contributes to the productivity of the department.	1.1	0.8	0.0%	0.0%	25.0%	41.7%	33.3%	0.0%
Service to the public is strongly emphasized in my department.	1.1	0.9	0.0%	8.3%	8.3%	50.0%	33.3%	0.0%
I am given opportunity to improve my skills.	1.1	0.5	0.0%	0.0%	8.3%	75.0%	16.7%	0.0%
I am adequately recognized for my good work.	1.1	0.8	0.0%	0.0%	25.0%	33.3%	33.3%	8.3%

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
Overall, I believe the decision-making within my department is consistent with City Council priorities.	1.0	0.7	0.0%	0.0%	25.0%	50.0%	25.0%	0.0%
Leadership realizes that “perfection” is unachievable and has realistic expectations for measuring employee performance.	1.0	0.7	0.0%	0.0%	16.7%	50.0%	16.7%	16.7%
We resolve conflict honestly, effectively, and quickly.	0.9	1.4	8.3%	8.3%	8.3%	25.0%	41.7%	8.3%
The management of my department listens to employees.	0.9	1.0	0.0%	8.3%	25.0%	33.3%	33.3%	0.0%
Overall, I feel the City organization is successful.	0.9	0.7	0.0%	0.0%	25.0%	50.0%	16.7%	8.3%
Overall, I believe my department’s performance is above average.	0.9	0.8	0.0%	0.0%	33.3%	41.7%	25.0%	0.0%
My manager/supervisor keeps commitments they make to me.	0.9	0.7	0.0%	0.0%	25.0%	50.0%	16.7%	8.3%
My manager/supervisor encourages my professional development.	0.9	0.9	0.0%	8.3%	16.7%	41.7%	25.0%	8.3%
We have a set of values and beliefs that guides our decisions about work.	0.8	0.9	0.0%	8.3%	25.0%	50.0%	16.7%	0.0%
Resources and equipment needed for the performance of my job tasks are properly maintained.	0.8	0.9	0.0%	8.3%	25.0%	50.0%	16.7%	0.0%
My manager/supervisor encourages teamwork in my department.	0.8	1.1	8.3%	0.0%	25.0%	41.7%	25.0%	0.0%
My department is an inspiring place to work.	0.8	1.5	16.7%	0.0%	8.3%	33.3%	41.7%	0.0%
I believe the workload within my department is equally divided among my co-workers.	0.8	1.1	0.0%	16.7%	16.7%	41.7%	25.0%	0.0%

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
I believe opportunities for employee involvement in goal setting, decision-making, and other aspects of my work are adequate.	0.8	0.9	0.0%	8.3%	25.0%	41.7%	25.0%	0.0%
I believe my department is an efficient, well-run organization.	0.8	0.9	0.0%	8.3%	25.0%	50.0%	16.7%	0.0%
I believe my department has a solution-oriented philosophy.	0.8	1.1	0.0%	16.7%	16.7%	33.3%	33.3%	0.0%
I believe my department functions proactively, and does not simply react to crises.	0.8	1.1	0.0%	16.7%	16.7%	41.7%	25.0%	0.0%
I am actively encouraged to try creative approaches to my work, even to the point of taking the initiative.	0.8	0.9	0.0%	8.3%	25.0%	41.7%	25.0%	0.0%
I agree with the mission, vision, and values statement that guides all City staff members.	0.8	1.1	8.3%	0.0%	25.0%	41.7%	25.0%	0.0%
The internal practices of the City support my ability to deliver a high standard of quality to our customers.	0.7	0.9	0.0%	8.3%	33.3%	41.7%	16.7%	0.0%
The goals and objectives of my department are reasonable.	0.7	0.8	0.0%	8.3%	25.0%	58.3%	8.3%	0.0%
Our staff meetings are filled with open and honest participation.	0.7	1.1	0.0%	16.7%	25.0%	33.3%	25.0%	0.0%
I receive clear and specific direction from my supervisor(s) regarding my work assignments.	0.7	1.2	8.3%	0.0%	33.3%	33.3%	25.0%	0.0%
Given the level of staffing within my department, the goals and objectives of the department are achievable.	0.7	0.9	0.0%	8.3%	33.3%	41.7%	16.7%	0.0%
The City has an effective process for listening to community or customer concerns.	0.6	1.0	0.0%	16.7%	25.0%	41.7%	16.7%	0.0%
Leaders handle human errors on the part of staff in a constructive and respectful manner.	0.6	1.4	16.7%	0.0%	16.7%	41.7%	25.0%	0.0%

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
I understand my manager's/supervisor's expectations of the job I perform.	0.6	1.2	8.3%	0.0%	41.7%	25.0%	25.0%	0.0%
Generally, I have adequate decision-making authority	0.6	1.2	8.3%	8.3%	16.7%	50.0%	16.7%	0.0%
Written policies and procedures are available and consistently followed in day-to-day operations.	0.5	0.8	0.0%	8.3%	41.7%	41.7%	8.3%	0.0%
The established goals and objectives of my department have been clearly communicated to me.	0.5	1.0	0.0%	16.7%	33.3%	33.3%	16.7%	0.0%
Regulations and/or policies I am responsible for administering are reasonable and enforceable.	0.5	1.2	16.7%	0.0%	8.3%	66.7%	8.3%	0.0%
My manager/supervisor values my time as much as their own.	0.5	1.2	0.0%	25.0%	25.0%	25.0%	25.0%	0.0%
I believe that my department's approach to employee discipline is fair and evenly administered.	0.5	1.3	16.7%	0.0%	16.7%	50.0%	16.7%	0.0%
There is an effective flow of information between managers/supervisors and staff within my department.	0.4	1.3	8.3%	16.7%	25.0%	25.0%	25.0%	0.0%
The City does a good job communicating about changes or decisions that affect employees?	0.4	1.1	8.3%	0.0%	50.0%	25.0%	16.7%	0.0%
I have sufficient resources to complete my work, such as office space, computers, etc.	0.4	1.3	8.3%	16.7%	25.0%	25.0%	25.0%	0.0%
I feel that I have sufficient authority to uphold recommendations and policies when challenged.	0.4	1.2	8.3%	8.3%	33.3%	33.3%	16.7%	0.0%
I believe that customers perceive that my department is consistently doing a good job.	0.4	0.8	0.0%	8.3%	50.0%	33.3%	8.3%	0.0%
The equipment and technology used in my department are up to date.	0.3	1.1	8.3%	8.3%	33.3%	41.7%	8.3%	0.0%

City of San Juan Bautista, CA

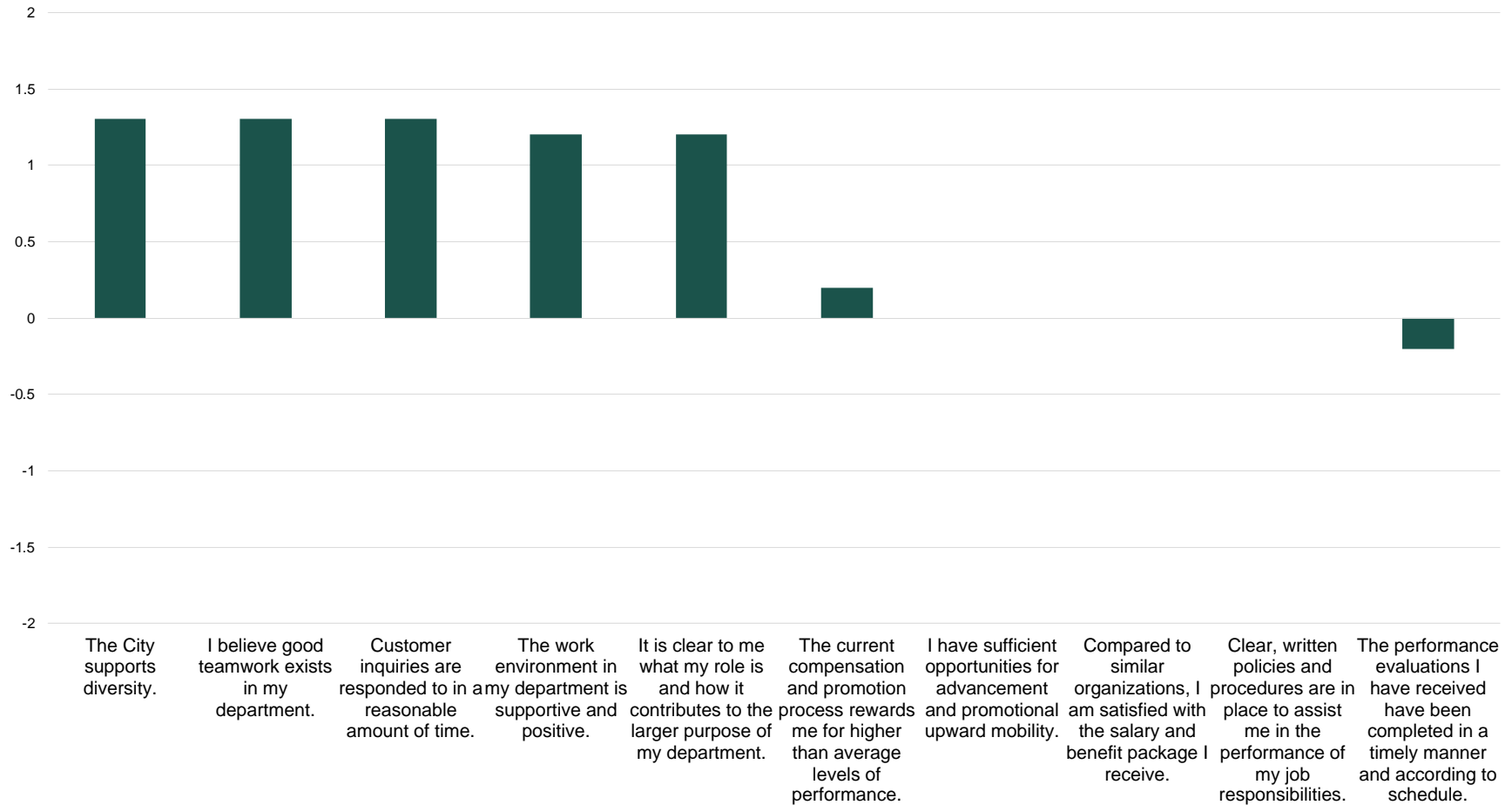
High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
I receive sufficient training for the effective completion of my job responsibilities.	0.3	1.0	0.0%	25.0%	33.3%	33.3%	8.3%	0.0%
There is good coordination of projects and functions between my department and other departments in the City.	0.2	1.2	16.7%	0.0%	41.7%	33.3%	8.3%	0.0%
The current compensation and promotion process rewards me for higher than average levels of performance.	0.2	1.4	16.7%	8.3%	25.0%	25.0%	16.7%	8.3%
I have sufficient opportunities for advancement and promotional upward mobility.	0.0	1.3	16.7%	0.0%	58.3%	0.0%	16.7%	8.3%
Compared to similar organizations, I am satisfied with the salary and benefit package I receive.	0.0	1.4	25.0%	0.0%	41.7%	16.7%	16.7%	0.0%
Clear, written policies and procedures are in place to assist me in the performance of my job responsibilities.	0.0	1.0	8.3%	16.7%	50.0%	16.7%	8.3%	0.0%
The performance evaluations I have received have been completed in a timely manner and according to schedule.	-0.2	1.2	8.3%	25.0%	25.0%	8.3%	8.3%	25.0%

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

The mean score of employee responses to the preceding statements are represented graphically in the following images. The top 5 most agreed-to statements are listed first, followed by the 5 least agreed-to statements.



OPEN-ENDED QUESTIONS – RESPONSE SUMMARY

The following tables show summaries of responses to the open-ended employee survey questions. The results are summarized by common themes identified in each response and are organized by count (frequency) of each response.

Where could the City strengthen partnership with the community?

Count	Comment
3	The City should improve the way it listens to residents or listen to residents more frequently.
2	The City should ensure that Council Members adhere to the same regulations that the public is required to adhere to or take accountability for its actions.
1	The City could be more transparent.
1	The City could discontinue wasteful spending.
1	The City could use City-provided policing services.
1	The City should foster a more positive attitude from volunteers toward City staff and community engagement.
1	The City needs to be doing everything that it can.
1	The City needs to repave the streets.

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

What does a good quality of life mean to you?

Count	Comment
5	Job and financial stability contribute to a good quality of life.
5	A safe, peaceful, and/or supportive environment, both at work and in the community, contribute to a good quality of life.
4	Having sufficient time off and work-life balance are important for a good quality of life
3	Having a positive impact in the community contributes to a good quality of life.
1	A good quality of life means everything to me.

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

What existing activities and processes are functioning well and should be continued that currently support your department and the City goals?

Count	Comment
2	Staff parties and events.
1	Communication with City Hall via emails and phone calls.
1	While execution could be improved, the idea behind the budget process is positive.
1	Having an independently managed department rather than being managed by City Hall.
1	Access to electronics and software.
1	Working hard at customer service and working on a team.
1	The utilization of private security to augment law enforcement services.
1	The current staff help one another.
1	Training and education.
1	Incentives system.

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

What processes or activities should be discontinued or are no longer providing value?

Count	Comment
2	None.
2	Don't know.
1	Hiring consulting firms.
1	Politicians.
1	The inability to order paper for the department.
1	Allowing council members to attend meetings remotely.
1	The City Council no valuing City staff.
1	Paper.
1	The Independent Sewer Department.

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

If there was one thing you could change and or would like to see changed, what would it be?

Count	Comment
1	Current engineering lacks the skills to complete Public Works projects.
1	None
1	Staff meetings are currently just a review of the City Council meetings. It would be more useful to discuss tasks and work.
1	Having a full-time manager.
1	Being able to attend meetings remotely.
1	Displaying a sign at the front counter that encourages customers to treat employees with respect, and that cussing and threatening staff will not be tolerated.
1	Enforcing all rules equally regardless of political position or friendships.
1	There would be better communication and more clear job responsibilities.
1	Records should be preserved better, which cannot happen because the building has been outgrown.
1	Having better equipment and vehicles.
1	Having input into decisions.

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

What is the biggest strength of the organization?

Count	Comment
4	Our employees and our willingness to help one another (Teamwork).
2	Our residents.
1	We are well rounded in all areas to provide solutions for day-to-day issues.
1	We have a good understanding of the needs of our community.
1	Our leadership and/or knowledgeable supervisors.
1	Projects that are started are completed on time.
1	Our City Manager.

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

What do you think are the biggest challenges in the community right now?

Count	Comment
2	The poor condition of the streets.
1	Completing important infrastructure.
1	Flooding and global cooling.
1	Politicians acting overly entitled, and/or yell or complain.
1	Security.
1	Unreasonable expectations.
1	Increasing revenue from new projects because the community does not want change.
1	Traffic enforcement has been too lax.
1	Communicating to residents in a way that helps them to understand.
1	The community and the Councilmembers not trusting City staff.
1	Low budgets.
1	Water and sewer rate increases.

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Employee Survey Summary

Please add any specific comments or suggestions you may have for improving services in your department.

Count	Comment
1	Upper management should not micromanage.
1	Upper management should take responsibility for decisions.
1	Pavement
1	Office hours
1	We need a full-time supervisor or manager. 20 hours per week is insufficient.
1	In light of our current staffing, business hours should be from 9:00am to 1:00pm, Monday through Friday.
1	We should improve communication with all service providers.
1	The City is a small jurisdiction which sometimes makes it difficult for Council to act without affecting someone they know. Sometimes they rescind their actions for fear of "stepping on toes."
1	Team-building activities
1	Inventory control

APPENDIX C

COMMUNITY SURVEY SUMMARY

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CITY OF SAN JUAN BAUTISTA COMMUNITY SURVEY SUMMARY

OVERVIEW AND METHODOLOGY

Citygate Associates, LLC (Citygate) conducted an internet-based community survey between March 27, 2023, and April 26, 2023, as part of our Citywide Organizational Review for the City of San Juan Bautista (City), California. The community was invited by the City to participate in this survey. In total, there were 158 completed survey responses.

Survey Summary	
Launch Date	March 27, 2023
Close Date	April 27, 2023
Total Responses	158

Apart from four basic community member informational questions, the survey consisted of closed-ended statements for which community members could (1) rate their level of agreement from “Strongly Agree” to “Strongly Disagree” or “N/A or Don’t Know,” (2) rate their level of satisfaction from “Very Satisfied” to “Very Dissatisfied” or “N/A or Don’t Know,” and (3) rate their overall assessment of general, Citywide operations from “Very Good” to “Very Bad” or “N/A or Don’t Know.” The survey concluded with open-ended questions for which community members were to provide written response.

Community members were not required to answer every question. Additionally, “Don’t Know or N/A” responses were excluded from the mean response calculations. Therefore, the response totals to a particular question may not always correspond with the total of 158 completed surveys.

ORGANIZATION OF ANALYSIS

The results for the survey are organized in the following order:

Basic Information Results

- ◆ The raw data for all community informational questions included in the survey.

Degree of Agreement / Level of Satisfaction / General Assessment Results

- ◆ Scores for each closed-ended statement, organized from highest to lowest mean score.

Open-Ended Questions – Response Summary

- ◆ The questions for which community members provided an open-ended response, with answer themes arranged by frequency.

DEFINITION OF TERMS

The terms defined below are encountered in the information that follows:

- ◆ Mean: An arithmetic mean that is the sum of the responses for each statement divided by the number of responses for each statement.
- ◆ Standard Deviation: Standard deviation tells how spread out the responses are from the arithmetic mean. A standard deviation close to zero indicates that most responses are close to the mean response and that a greater degree of agreement exists regarding the statement. A greater standard deviation indicates that there was a wider spread of variation in the responses and that a greater degree of disagreement exists regarding the statement.

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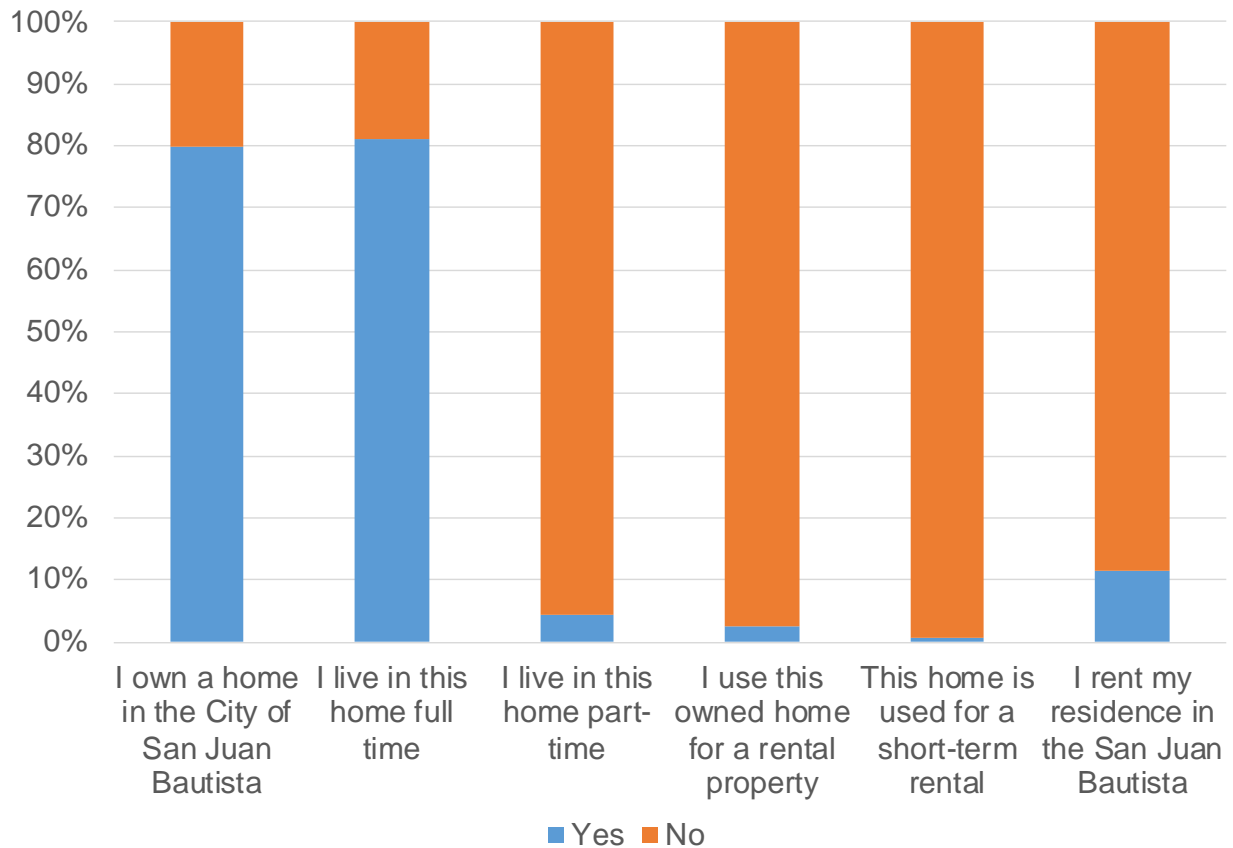
High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

BASIC INFORMATION RESULTS

Please tell us a little about yourself. This information will help us to better understand your responses and respond to your concerns.

Statement	Yes	Response Ratio	No	Response Ratio
I own a home in the City of San Juan Bautista	126	79.7%	32	20.3%
I live in this home full time	128	81.0%	30	19.0%
I live in this home part-time	7	4.4%	151	95.6%
I use this owned home for a rental property	4	2.5%	154	97.5%
This home is used for a short-term rental	1	0.6%	157	99.4%
I rent my residence in the San Juan Bautista	18	11.4%	140	88.6%

This information is represented graphically in the following image:



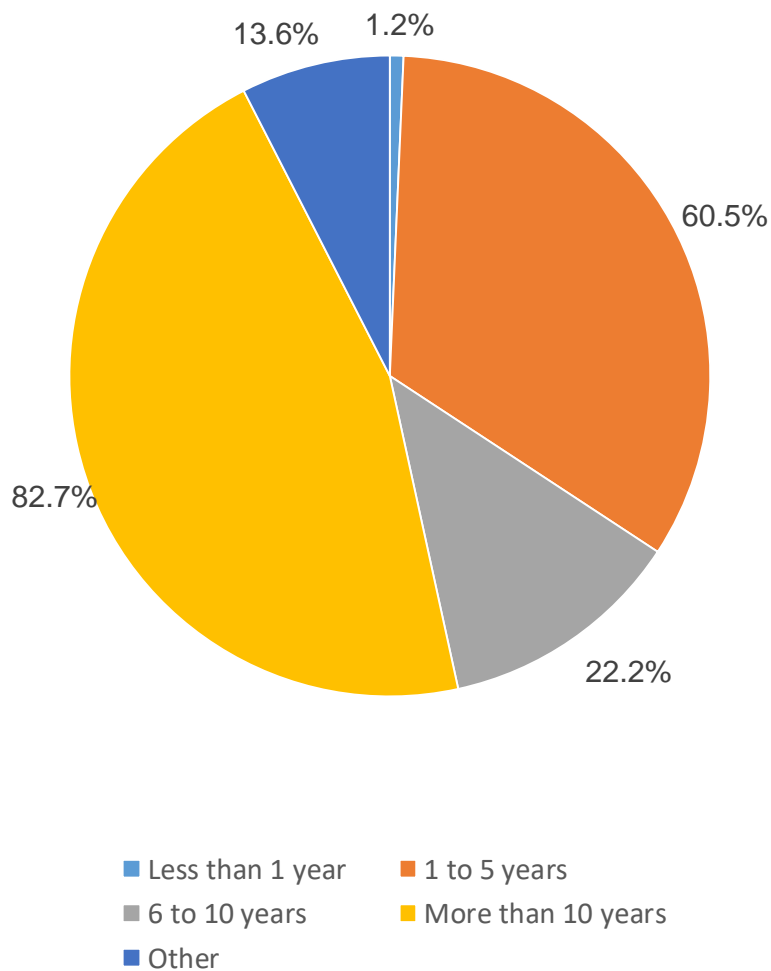
City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

I have been living in the City for:

Residency	Count	Response Ratio
Less than 1 year	1	1.2%
1 to 5 years	49	60.5%
6 to 10 years	18	22.2%
More than 10 years	67	82.7%
Other	11	13.6%

This information is represented graphically in the following image:



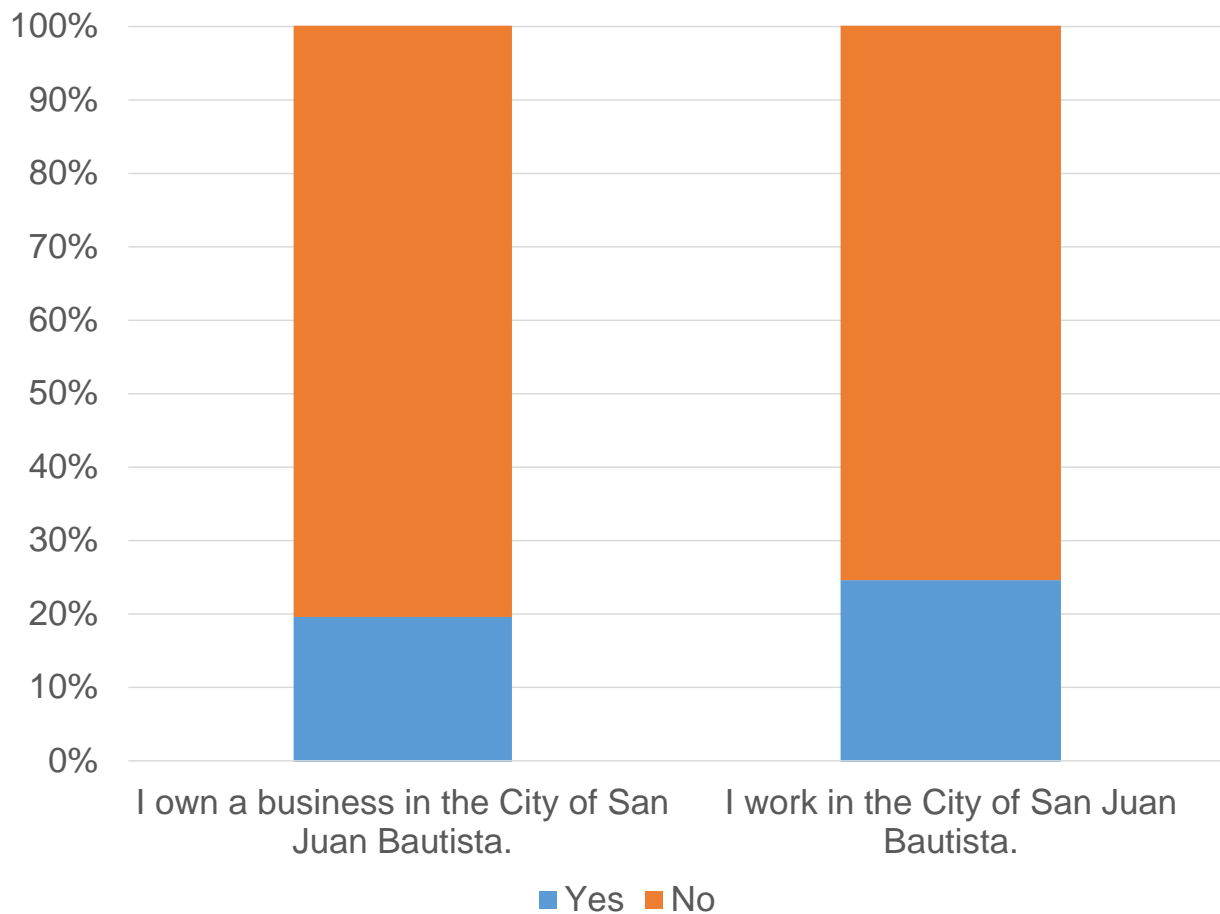
City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

Please answer “yes” or “no” to the following statements:

Statement	Yes	Response Ratio	No	Response Ratio
I own a business in the City of San Juan Bautista.	31	19.6%	127	80.4%
I work in the City of San Juan Bautista.	39	24.7%	119	75.3%

This information is represented graphically in the following image:



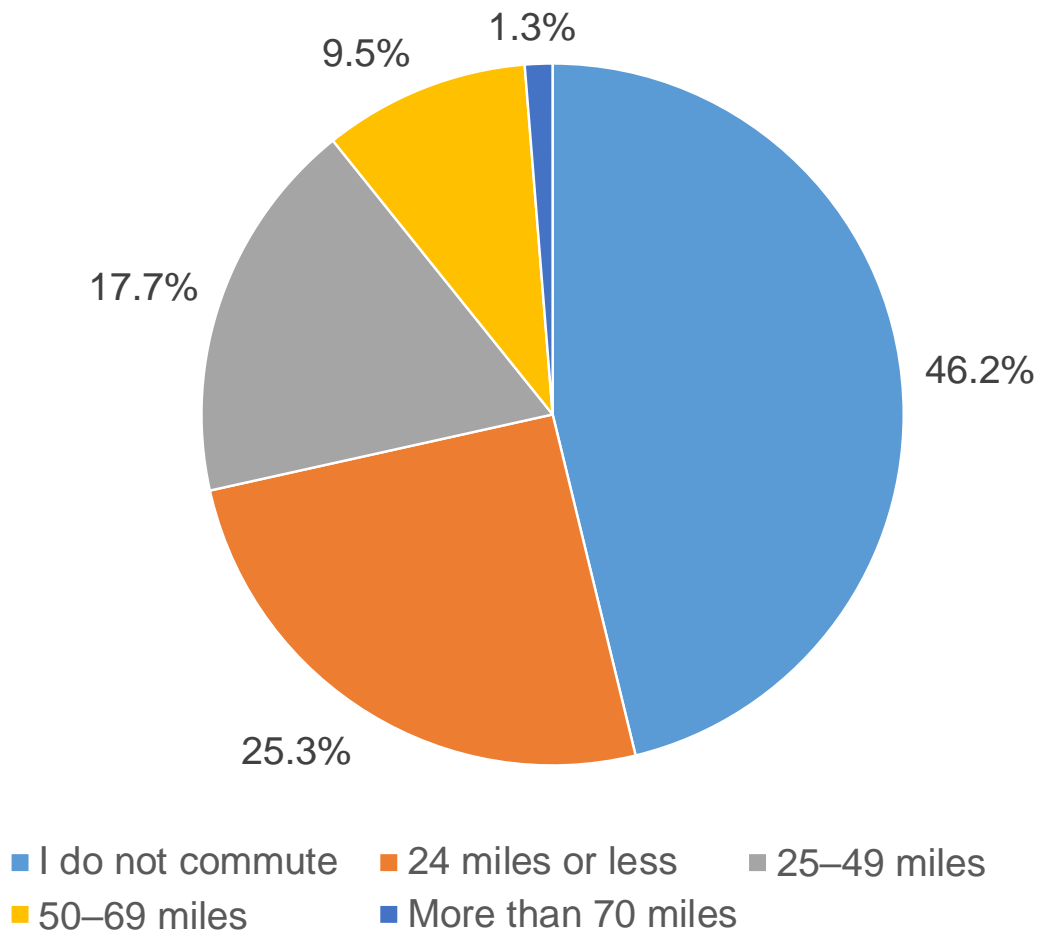
City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

I commute to work:

Commute	Count	Response Ratio
I do not commute	73	46.2%
24 miles or less	40	25.3%
25–49 miles	28	17.7%
50–69 miles	15	9.5%
More than 70 miles	2	1.3%

This information is represented graphically in the following image:



City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

DEGREE OF AGREEMENT, SATISFACTION, OR ASSESSMENT STATEMENT RESULTS – SORTED BY MEAN SCORE

Results for each statement are organized from highest to lowest mean score. The highest possible agreement is 2 (Strongly Agree). The lowest possible agreement is -2 (Strongly Disagree). A score of 0 represents neutrality.

*Please rate your **LEVEL OF AGREEMENT** with the following statements from "Strongly Agree" to "Strongly Disagree" or "N/A."*

Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
The City needs to re-engage the community to discuss the General Plan and potential development and growth impacts	1.4	0.7	0.0%	1.3%	6.3%	41.8%	48.7%	1.9%
The City is generally a safe place to live and/or work	1.1	0.8	0.0%	3.8%	12.7%	54.4%	28.5%	0.6%
Vacant properties in the downtown should be a top priority	0.8	1.0	1.9%	8.9%	24.1%	36.7%	27.2%	1.3%
The City is a good place to raise children	0.7	0.9	2.5%	7.0%	24.7%	44.9%	17.7%	3.2%
I feel a strong sense of community in the City	0.6	1.1	5.1%	13.9%	15.8%	42.4%	22.8%	0.0%
The overall quality of life in the City is high	0.5	1.0	3.8%	13.9%	21.5%	46.2%	12.7%	1.9%
The City is environment-friendly	0.3	0.9	3.2%	12.7%	40.5%	31.6%	7.6%	4.4%
The residential areas in the City are attractive	0.2	1.0	7.6%	15.2%	38.0%	29.7%	8.9%	0.6%
The City has a vibrant downtown area	0.0	1.2	13.9%	20.9%	31.0%	23.4%	10.8%	0.0%
The commercial areas in the City are attractive	-0.1	1.1	9.5%	32.3%	24.7%	28.5%	4.4%	0.6%
The downtown has adequate parking	-0.1	1.1	12.0%	31.0%	17.1%	34.8%	4.4%	0.6%
There are adequate parks and recreation amenities in the City	-0.1	1.1	10.8%	31.0%	19.6%	33.5%	3.2%	1.9%
There is good access to arts and cultural opportunities in the City	-0.1	1.0	8.2%	26.6%	33.5%	23.4%	3.8%	4.4%
Retail shopping areas in the City are attractive	-0.2	1.1	13.9%	27.8%	26.6%	27.2%	2.5%	1.9%
The City has adequate internet options	-0.3	1.0	12.0%	30.4%	29.7%	16.5%	3.8%	7.6%

City of San Juan Bautista, CA

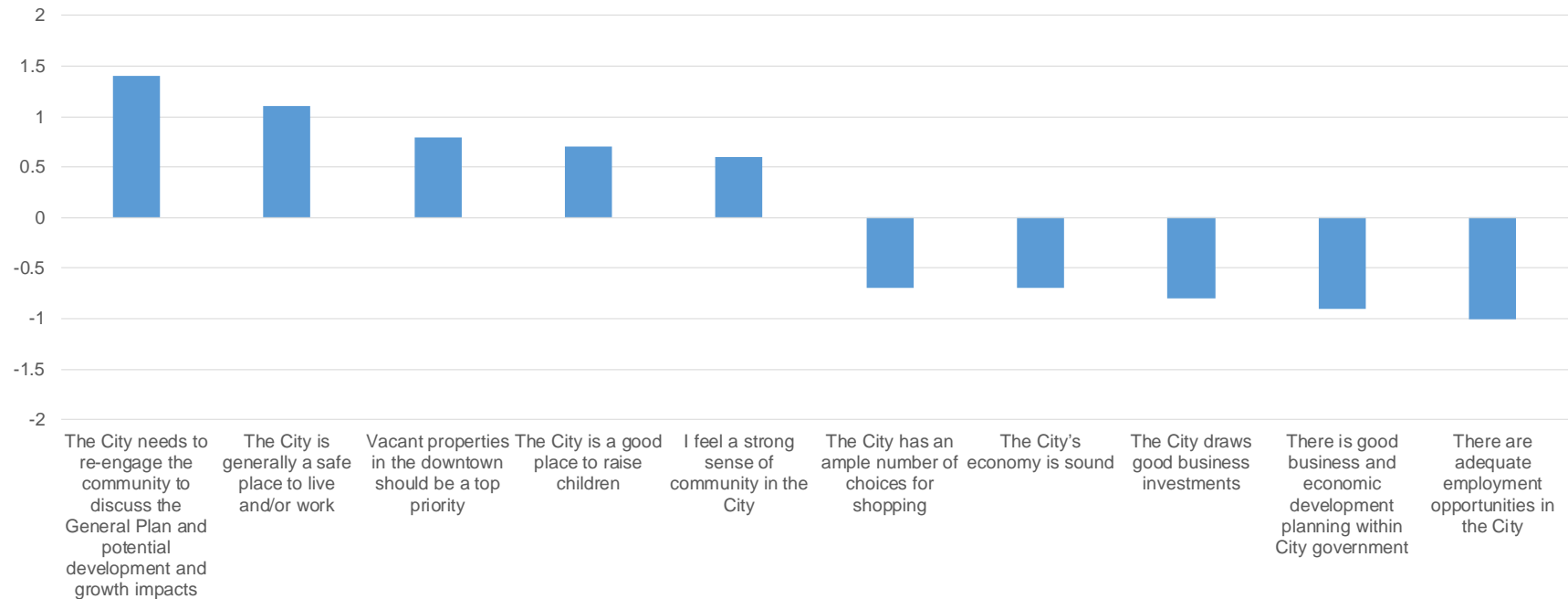
High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

Statement	Mean	Std. Dev.	% Strongly Disagree (-2)	% Disagree (-1)	% Neutral (0)	% Agree (1)	% Strongly Agree (2)	% Don't Know / N/A
The City has an ample number of restaurant options	-0.3	1.2	18.4%	29.7%	22.2%	22.8%	5.7%	1.3%
The City provides plenty of opportunities to enjoy the nightlife	-0.6	1.1	25.3%	31.0%	20.9%	17.1%	3.2%	2.5%
The downtown has adequate parking for big events	-0.6	1.2	25.9%	34.8%	13.9%	22.2%	1.9%	1.3%
The City has an ample number of choices for shopping	-0.7	1.1	27.2%	36.7%	18.4%	13.9%	2.5%	1.3%
The City's economy is sound	-0.7	0.9	19.0%	36.1%	29.1%	4.4%	1.9%	9.5%
The City draws good business investments	-0.8	1.0	23.4%	33.5%	27.2%	6.3%	1.3%	8.2%
There is good business and economic development planning within City government	-0.9	0.9	28.5%	30.4%	25.9%	5.7%	0.6%	8.9%
There are adequate employment opportunities in the City	-1.0	0.9	32.3%	39.9%	14.6%	7.6%	0.0%	5.7%

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

This information is represented graphically in the following image. The mean score of community responses to the preceding statements is shown, with the top 5 most agreed-to statements listed first, followed by the 5 least agreed-to statements.



City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

*Please rate your **LEVEL OF SATISFACTION** with the following City services from "Very Satisfied" to "Very Dissatisfied" or "N/A."*

Statement	Mean	Std. Dev.	% Very Dissatisfied (-2)	% Dissatisfied (-1)	% Neither Satisfied nor Dissatisfied (0)	% Satisfied (1)	% Very Satisfied (2)	% Don't Know / N/A
Public library services	0.9	0.8	0.6%	3.8%	22.8%	43.7%	22.8%	6.3%
Trash collection	0.8	0.9	1.9%	4.4%	24.1%	50.6%	19.0%	0.0%
Fire emergency response	0.7	0.9	2.5%	3.8%	27.2%	46.8%	13.3%	6.3%
Park maintenance	0.6	0.9	3.8%	7.0%	24.1%	53.8%	10.1%	1.3%
Historic preservation efforts and services	0.4	1.0	5.1%	13.3%	27.2%	39.2%	9.5%	5.7%
Special events sponsored by the City	0.3	1.1	8.2%	12.7%	29.7%	35.4%	8.9%	5.1%
Fire prevention	0.2	1.0	8.2%	10.1%	34.2%	36.7%	4.4%	6.3%
Organization and accessibility of City website	0.2	1.0	5.1%	16.5%	31.6%	32.9%	5.7%	8.2%
Friendliness and welcoming nature of City staff	0.1	1.2	15.2%	11.4%	30.4%	29.1%	9.5%	4.4%
City building facilities	0.0	0.9	7.0%	16.5%	48.1%	21.5%	2.5%	4.4%
Crime prevention	0.0	1.1	8.9%	21.5%	30.4%	29.7%	7.0%	2.5%
Timeliness of information on City website	0.0	1.0	7.0%	18.4%	39.2%	22.8%	3.2%	9.5%
Law enforcement emergency response	-0.1	1.1	9.5%	27.2%	24.7%	23.4%	7.0%	8.2%
Process of obtaining information I have requested	-0.1	1.1	10.8%	13.9%	35.4%	20.3%	4.4%	15.2%
Street sweeping services	-0.1	1.1	14.6%	17.7%	30.4%	29.7%	4.4%	3.2%
The City's preparedness to support the community during disasters	-0.1	1.1	15.2%	14.6%	31.6%	24.1%	5.1%	9.5%

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

Statement	Mean	Std. Dev.	% Very Dissatisfied (-2)	% Dissatisfied (-1)	% Neither Satisfied nor Dissatisfied (0)	% Satisfied (1)	% Very Satisfied (2)	% Don't Know / N/A
City staff's responsiveness to my concerns or comments	-0.2	1.2	19.0%	14.6%	33.5%	15.2%	7.6%	10.1%
Maintenance of street trees and landscaping	-0.2	1.2	19.0%	20.3%	24.7%	31.6%	3.2%	1.3%
Residential and commercial building inspection services	-0.2	0.9	9.5%	11.4%	42.4%	8.9%	2.5%	25.3%
Utility billing services	-0.2	1.1	13.9%	28.5%	24.1%	27.8%	4.4%	1.3%
Animal control services	-0.4	1.2	22.2%	16.5%	31.0%	17.7%	3.2%	9.5%
Code enforcement	-0.4	1.2	20.9%	22.2%	26.6%	15.8%	4.4%	10.1%
Senior Center	-0.4	0.9	8.9%	21.5%	30.4%	7.0%	1.3%	31.0%
Transit services	-0.4	0.9	11.4%	20.3%	32.9%	8.2%	1.3%	25.9%
Commercial vehicle enforcement	-0.5	1.0	17.7%	21.5%	32.9%	14.6%	1.3%	12.0%
Community housing programs	-0.5	0.9	13.3%	14.6%	38.0%	2.5%	1.3%	30.4%
Law enforcement public education programs	-0.5	1.0	14.6%	23.4%	33.5%	10.8%	1.9%	15.8%
Long-range planning and development	-0.5	1.1	19.0%	22.8%	31.0%	11.4%	2.5%	13.3%
Senior recreation programs	-0.5	0.8	7.6%	23.4%	30.4%	5.7%	0.6%	32.3%
Senior services	-0.5	0.8	7.0%	25.9%	30.4%	4.4%	0.6%	31.6%
Storm water drainage	-0.5	1.0	19.6%	25.9%	35.4%	15.8%	0.6%	2.5%
Street maintenance	-0.5	1.2	27.8%	29.1%	14.6%	23.4%	3.8%	1.3%
Traffic enforcement	-0.5	1.2	24.1%	21.5%	27.2%	20.9%	2.5%	3.8%
Building and development permit process (i.e., assistance, application, plan review)	-0.6	0.9	14.6%	21.5%	35.4%	5.7%	0.6%	22.2%

City of San Juan Bautista, CA

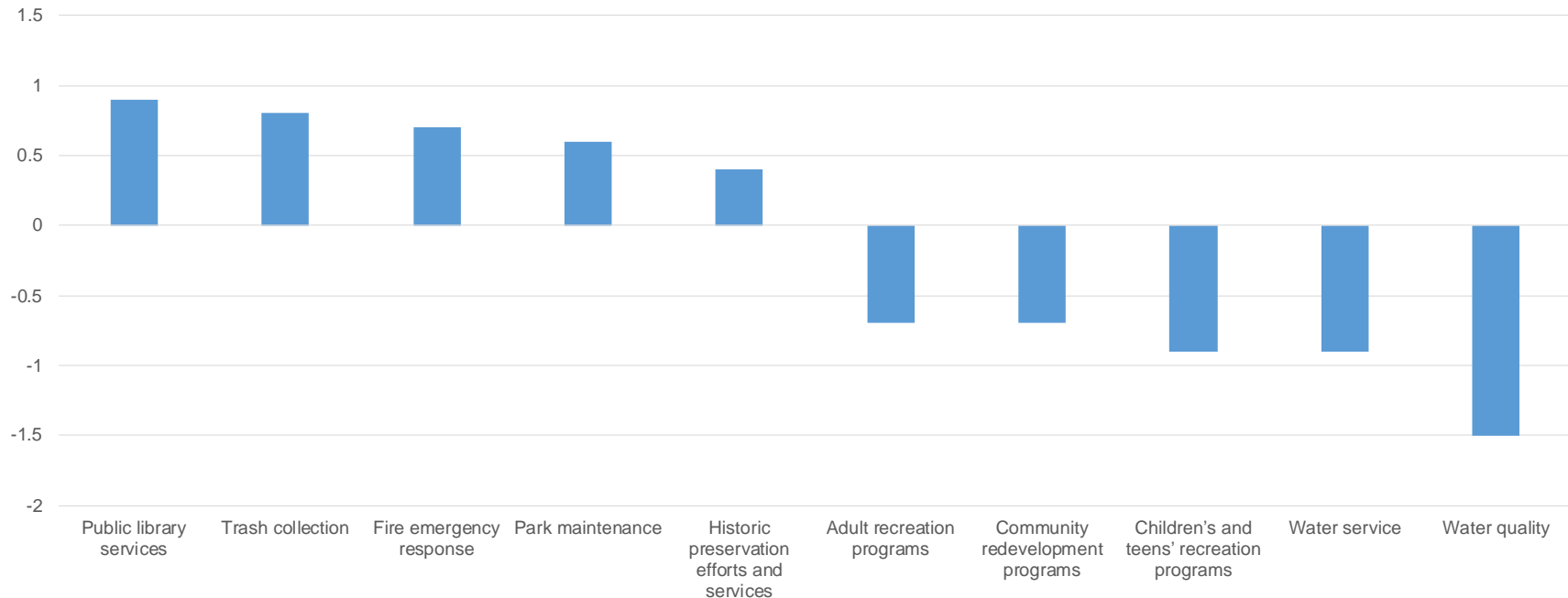
High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

Statement	Mean	Std. Dev.	% Very Dissatisfied (-2)	% Dissatisfied (-1)	% Neither Satisfied nor Dissatisfied (0)	% Satisfied (1)	% Very Satisfied (2)	% Don't Know / N/A
Dependability of the City's sewer system	-0.6	1.1	27.2%	22.2%	29.7%	15.2%	3.2%	2.5%
Maintenance of sidewalks	-0.6	1.2	26.6%	31.0%	18.4%	21.5%	1.9%	0.6%
Adult recreation programs	-0.7	0.8	12.0%	32.9%	30.4%	2.5%	1.3%	20.9%
Community redevelopment programs	-0.7	0.9	15.8%	18.4%	31.6%	3.2%	0.6%	30.4%
Children's and teens' recreation programs	-0.9	0.9	25.3%	31.6%	18.4%	3.8%	1.3%	19.6%
Water service	-0.9	1.0	36.7%	29.1%	22.2%	10.1%	0.6%	1.3%
Water quality	-1.5	0.8	58.9%	25.3%	10.8%	1.9%	0.0%	3.2%

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

This information is represented graphically in the following image. The mean score of community responses to the preceding statements is shown, with the top 5 most agreed-to statements listed first, followed by the 5 least agreed-to statements.



Please rate the following areas that address general, Citywide operations from "Very Good" to "Very Bad" or "N/A."

Statement	Mean	Std. Dev.	% Very Bad (-2)	% Bad (-1)	% Neutral (0)	% Good (1)	% Very Good (2)	% Don't Know / N/A
Direction, guidance, and vision of City leaders	-0.4	1.1	17.7%	22.2%	31.0%	19.0%	0.6%	9.5%
City as a well-run, efficient operation	-0.5	1.1	22.8%	20.9%	32.3%	12.7%	3.8%	7.6%
City communications that provide key information and issues to community members and business owners	-0.5	1.1	19.0%	23.4%	29.1%	15.2%	2.5%	10.8%

City of San Juan Bautista, CA

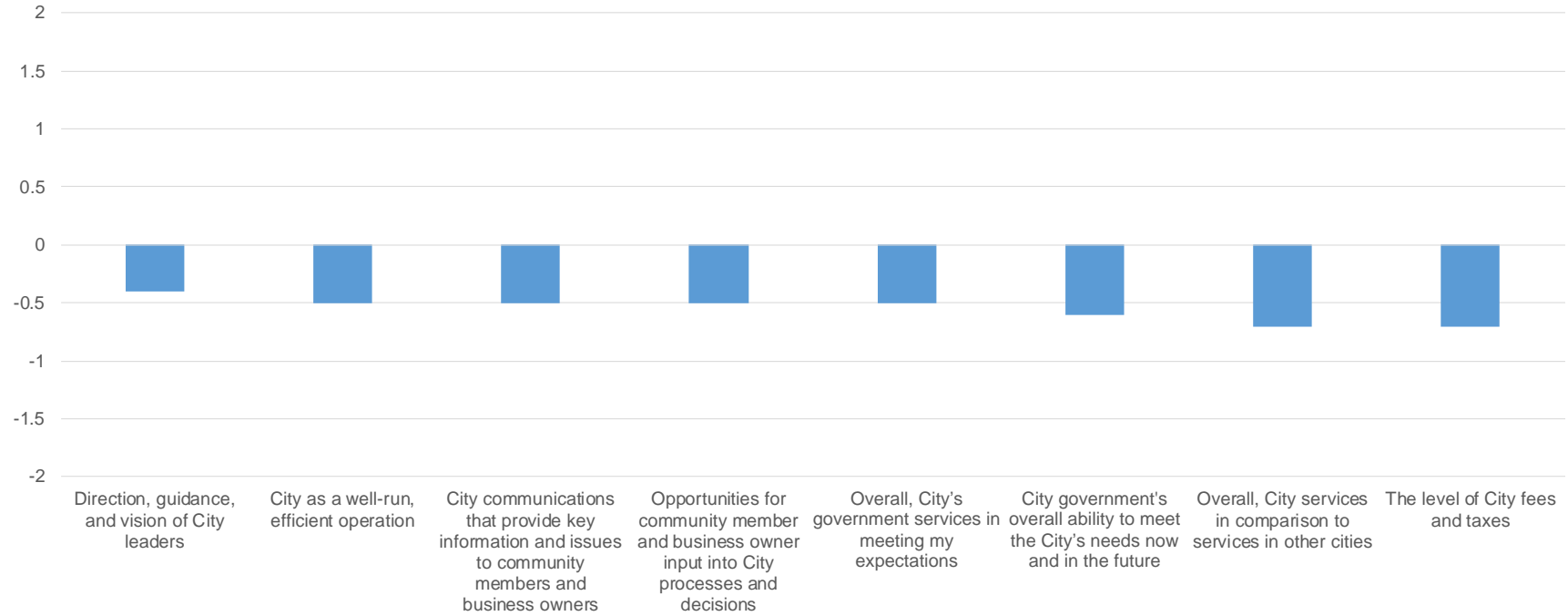
High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

Statement	Mean	Std. Dev.	% Very Bad (-2)	% Bad (-1)	% Neutral (0)	% Good (1)	% Very Good (2)	% Don't Know / N/A
Opportunities for community member and business owner input into City processes and decisions	-0.5	1.2	23.4%	15.8%	31.0%	12.0%	4.4%	13.3%
Overall, City's government services in meeting my expectations	-0.5	1.1	22.8%	18.4%	38.0%	12.7%	2.5%	5.7%
City government's overall ability to meet the City's needs now and in the future	-0.6	1.1	24.1%	19.6%	32.9%	12.7%	1.3%	9.5%
Overall, City services in comparison to services in other cities	-0.7	1.1	27.2%	23.4%	25.3%	9.5%	1.9%	12.7%
The level of City fees and taxes	-0.7	1.1	25.3%	25.3%	26.6%	11.4%	1.3%	10.1%

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

This information is represented graphically in the following image:



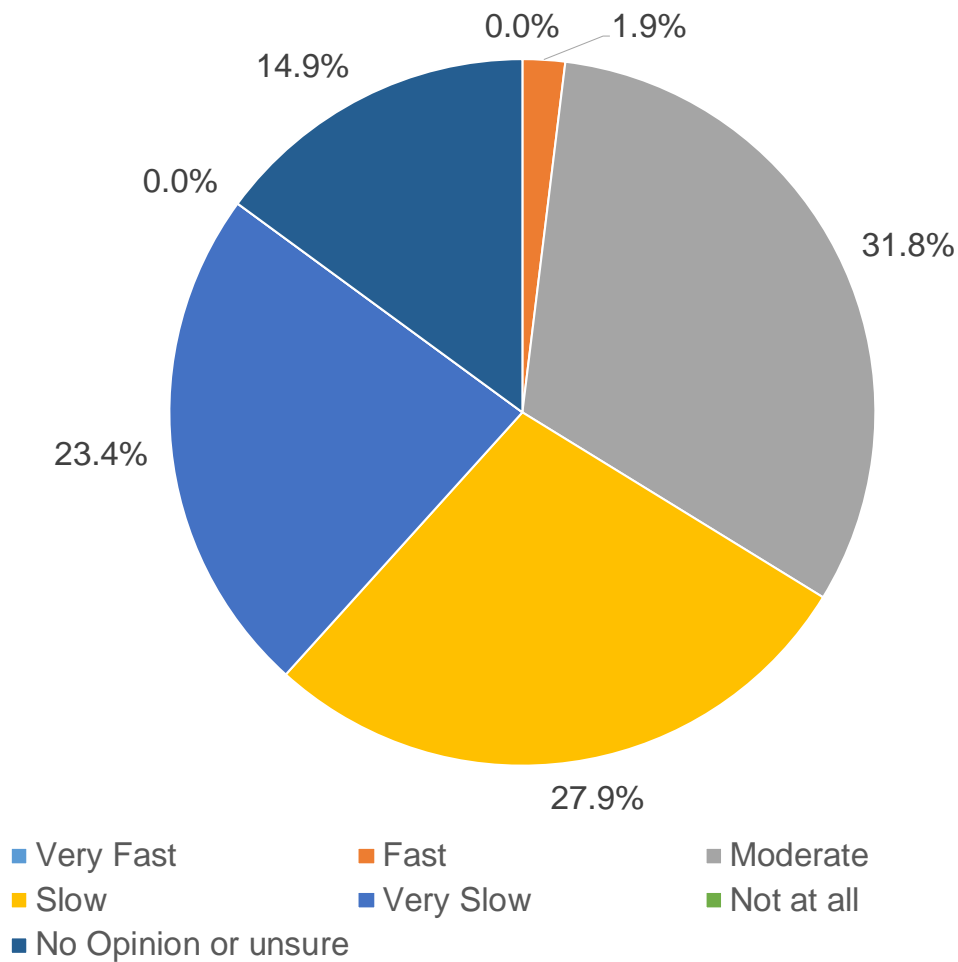
City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

How fast should the City's population grow?

Statement	Count	Response Ratio
Very Fast	0	0.0%
Fast	3	1.9%
Moderate	49	31.8%
Slow	43	27.9%
Very Slow	36	23.4%
Not at all	0	0.0%
No Opinion or unsure	23	14.9%

This information is represented graphically in the following image:



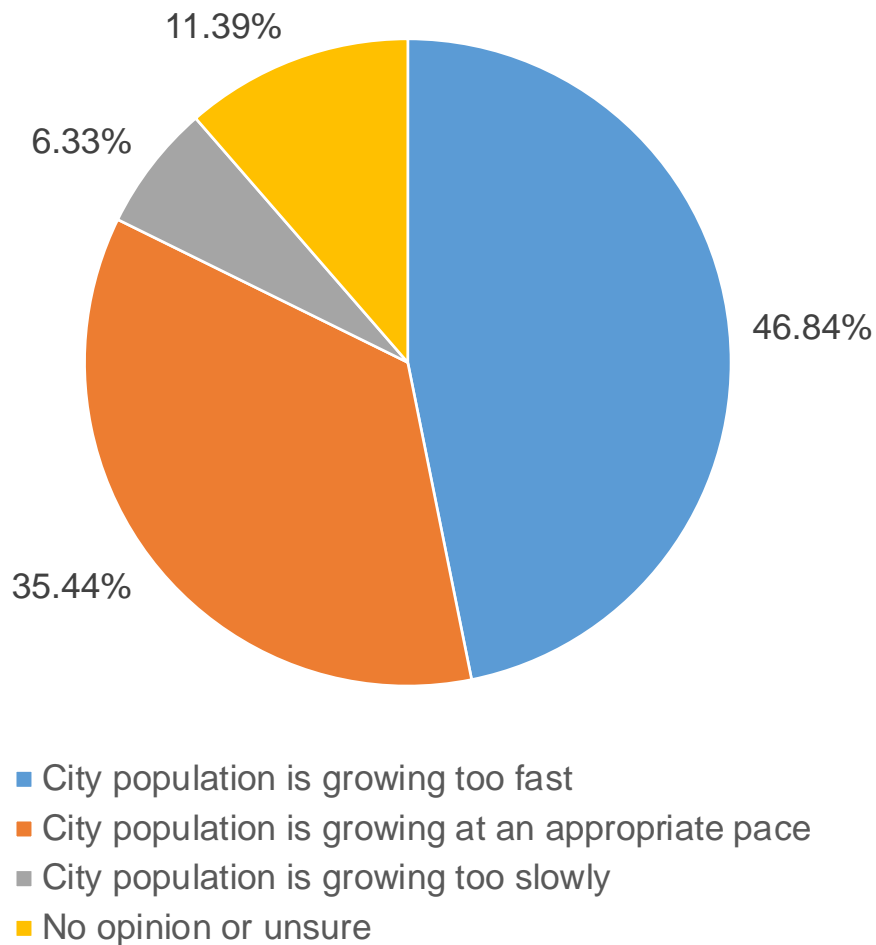
City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

Please evaluate the pace of the City's population growth.

Statement	Count	Response Ratio
City population is growing too fast	74	46.8%
City population is growing at an appropriate pace	56	35.4%
City population is growing too slowly	10	6.3%
No opinion or unsure	18	11.4%

This information is represented graphically in the following image:



OPEN-ENDED QUESTIONS – RESPONSE SUMMARY

The following tables show a summary of responses to the open-ended community survey questions. The results are summarized by common themes identified in each response and are organized by count (frequency) of each response.

In your opinion, what are the top five priorities that should be focused on by the City in order of importance?

Since respondents were asked to prioritize their response, responses have been weighted based on priority. The first item mentioned is given a 5-point weight. The second item mentioned is given a 4-point weight, etc., until the fifth item mentioned by respondents was not weighted. Thus, the weighted count factors in the importance of items early in respondents' priority order.

Count	Weighted Count	Item
50	210	Water quality
44	143	Roads and streets
25	86	Economic development
19	76	Water cost
23	63	Downtown improvement
17	60	Business friendliness
16	57	Slow development/growth
18	55	City cleanliness, empty lots, blight, trash, etc.
19	53	Sidewalks and curbs
14	52	Sewer service quality
17	50	Schools
13	43	Responsiveness/Communication with citizens or businesses
14	41	Preserving and maintaining historic buildings and aesthetic
11	39	City staff capability
14	37	Youth recreation opportunities
12	35	Traffic and traffic enforcement
11	35	Crime and safety
11	35	Police
7	34	Water (unspecified)
9	28	Tourism
10	26	Expanded shopping and dining options

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

Count	Weighted Count	Item
8	24	City maintenance
7	24	Dog park
7	21	Financial efficiency
7	20	Community events
6	19	Code Enforcement
6	18	Sewer Cost
7	17	Public parking
6	17	Entertainment/night life
7	16	Parks and recreation
5	16	Support for arts and culture
5	16	Community involvement
6	15	Senior services
5	15	Planning
4	14	Preserving open space
4	14	Preventing tract developments
5	13	Fire protection
4	12	Animal services
3	12	Government transparency
4	11	Home mail delivery
3	11	Sewer (Unspecified)
3	11	Community building/center
2	10	Growth boundary
4	9	Housing
3	9	Remove retail from sidewalks
3	9	Partnering with the state park and mission
2	9	Highway 156 pedestrian bridge
3	8	Permitting / design review process
3	8	Flooding and flood control
2	8	Multi-family housing
3	7	Public restrooms
2	7	More affordable goods
2	7	Smart growth

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

Count	Weighted Count	Item
2	7	City plumbing
2	7	Cleanliness standards for business
2	6	Expanded childcare options
2	6	City facility maintenance
2	6	Attitude of elected officials
2	6	Limit medium and high-density housing
2	5	Improve quality of life
1	5	Attract professional jobs / young professionals
1	5	Revenue
1	5	Support volunteers
2	4	Technology infrastructure/internet connectivity
2	4	Lower Taxes
1	4	Tennis courts
1	4	Al fresco dining
2	3	Biking and hiking
1	3	Civility
1	3	4th of July parade
1	3	Government corruption
1	3	EDEAC efficiency
1	2	Capitalizing on local specialties
1	2	Horse rentals for the trail
1	2	City website updating
1	2	Media
1	2	Farm and Farmworker Assistance
1	1	Housing equity and accessibility
1	1	Environmental sustainability

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

What is the best thing you like about the City of San Juan Bautista?

Count	Item
43	Small town feel
28	Sense of community
18	Historic allure
17	Quiet
14	Safety
7	beauty
7	Rural
6	Charm
6	Location
6	The Mission
4	Downtown
4	Walkable
4	Weather
3	Open space
3	Quality of life
1	Affordability
1	Affordable
1	al fresca dining
1	Business opportunities
1	Hospitality businesses working together
1	Library
1	Walkable/bikeable

City of San Juan Bautista, CA*High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary****What is your current biggest concern about the City of San Juan Bautista?***

Count	Item
21	Water quality
18	Staff or leadership capability
16	Growing too fast
9	Water cost
7	Infrastructure
6	Water (unspecified)
5	Roads and streets
5	Sewer services cost
3	Lack of services
3	Not business friendly
3	Schools
2	Communication with citizens and businesses
2	Crime
2	Economic development
2	Government corruption
2	Growing too big
2	Growing too slow
2	Lack of vision
2	Limited dining and shopping options
2	Low-quality developments
2	No police force
2	Not business friendly
2	Sewer
2	Sewer services quality
2	Small farmers and farm workers
2	Trash/crime
1	Growing at all
1	Homelessness
1	Limited / No childcare options
1	Mentality of Volunteers
1	Not friendly to community
1	Revenue

City of San Juan Bautista, CA

High-Level Organizational, Financial, and Law Enforcement Review – Community Survey Summary

Count	Item
1	Too many antique/thrift stores
1	Tourism
1	Walking across the highway
1	Youth engagement

PREFERRED METHOD OF CONTACT FOR COMMUNITY MEMBERS

Count	Comment
68	Email newsletter
53	Printed newsletter
51	City website
47	City Manager's Mission Village Voice article
35	Facebook
24	Attending City Council meetings
14	Nextdoor
5	Twitter
2	All of the above
1	All media platforms
1	City Council Meetings Remotely
1	Informal meetings
1	MVV
0	Instagram

Policies, procedures, ordinances, registration, etc.. (w/City)	x	x							X	X	
Joint Use MOU agreements (schools, state parks, Hollister Parks n Rec)		x							X	X	Yes to schools and Hollister
Communications											
Promotional materials for Downtown Shops (Chamber/Subcommittee)		x	x						X		
Quarterly City Updates to Community (water bill insert) 1 Page	x	x							X		
Improve email distribution list	x										
More prominent location on website for quarterly Updates	x	x							X		
Consider more locations for printed publications of quarterly updates	x										
Updates to Website	x								X		
City Hall & Staff											
Staff Compensation Analysis (recruitment & retention offerings)		x	x								
Trainings for Technical aspects of job		x	x					X			
Evaluate hours of operations	XX							X			
Customer Service, Leadership, Professional Growth, Team Building Trainings	x	x	x						X		
Budget											
Fee Study			x	x				X			
Opportunities for Revenues (Vacant prop, other)		x	x	x				X			
Set asides for Disasters etc..	x							X			X
Grant writer and opportunities		x	x								X
Sewer Fund	x	x	x					X	X		
CIP Plan and Fund (to establish long-term fiscal forecasting)				x	x	x		X	X		
Written Policies as recommended by GFOA		x	x	x	x				No Action		
Maintenance of Parks and Open Space											
Establish agreements between the City, State Parks, and Church for shared responsibility to maintain and operate parks and open space in a Parks Maintenance Plan.							x	x	x	X (No Action)	
Develop volunteer based programs for park maintenance with neighborhood participation.				x	x		x		Rec Program	X	
Promotion of Public Open Spaces											
Utilize Abbe Park for festivals and cultural events.				x	x					No Action	
Create efficient lighting in parks and open spaces.					x		x	x		No Action	
Evaluate existing parks and open space for design and safety improvements.					x					No Action	
Maintenance of historic and cultural parks and open space											
Implement historic preservation plans for parks and open spaces.			x							No Action	
Build awareness and community support for historical and cultural sites with public events and publications in local newspapers.			x						X	X	
Educate the public regarding laws, codes, and ordinances forbidding the collection of items associated with archeological, historical, and paleontological sites.			x							No Action	
Identify and work towards the preservation of significant historic and cultural lands.			x							No Action	
Noise Programs											
State Route 156 noise											
Implement traffic calming devices on State Route 156 and City streets to slow traffic speeds.			x							X (ATP)	
Neighborhood Streets											
Implement traffic calming devices on City streets to slow traffic speeds.			x							X (ATP)	
Disaster Prepardness (Flood related hazards)											
Disaster prep for floods and fire			x								
Urban and Wildland Fire Hazards											

Require landowners to abide by defensible space standards

Maintain mutual aid agreements with the California Department of Forestry and Fire Protection for wildland fire protection.

Forestry and Fire Protection for wildland fire protection.

Healthy Environment for the Youth

Establish a youth commission for the purpose of reporting, representation, and increasing involvement in activities.

Establish mentoring programs and opportunities for youth and

seniors to work together.

Integrate the visual and performing arts into recreational activities for youth, families, and seniors.

For youth, families, and seniors.

X **X**

x

X

x

x

x

x

Being Done

In Place Now

X

No Action

X (Rec Program)

Treasurer's Report
For the Year Ended June 30, 2023
(100% of fiscal year)

General Fund ~

General revenues are at 97% for the year to date. Correspondingly, general fund expenditures are at 71% for the year to date. The net effect is a positive change in general fund balance of \$674k.

Water Enterprise Fund ~

The water enterprise fund revenues are at 104% for the year to date, and expenses are at 94%. The net effect is a positive change in the water enterprise fund of \$502k.

Sewer Enterprise Fund ~

The sewer enterprise fund revenues are running at 128% for the year to date, and expenses are at 102%. The net effect is a positive change in the sewer enterprise fund of \$571k.

City of San Juan Bautista
Revenues ~ Budget Vs. Actual
For the Year Ended June 30, 2023

Item #
City Council Meeting
August 15, 2023

REVENUES	FY22	FY23	Annual		YTD	
Fund	Actuals	Actuals	Budget	Difference	100%	Notes
General Fund	2,254,608	2,646,028	2,737,935	(91,907)	97%	
Special Revenue Funds:						
Capital Projects Fund	383,299	2,499,378	3,186,996	(687,618)	78%	B
Community Development	115,307	90,951	404,514	(313,563)	22%	A
COPS	143,869	143,693	100,000	43,693	144%	C
Parking & Restroom Fd	27,889	24,917	26,000	(1,083)	96%	
Gas Tax Fund	97,250	95,115	98,520	(3,405)	97%	
Valle Vista LLD	25,928	26,529	26,529	-	100%	
Rancho Vista CFD	64,529	66,521	66,521	-	100%	
Copperleaf CFD	20,957	22,650	22,650	-	100%	
Internal Service Funds:						
Blg Rehab. & Replace	38,000	38,000	38,000	-	100%	
Vehicle Replacement	60,000	60,000	60,000	-	100%	
Enterprise Funds:						
Water						
Operations	1,143,332	1,256,502	1,213,800	42,702	104%	
Capital	9,255	-	79,350	(79,350)	0%	B
Sewer						
Operations	1,282,193	1,517,023	1,185,000	332,023	128%	
Capital	6,244	-	484,352	(484,352)	0%	B
TOTAL Funds	3,428,673	5,841,279	9,730,167	3,888,888	60%	

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

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

C ~ COPS revenues are coming in higher than anticipated at the time of budget.

City of San Juan Bautista
Expenditures ~ Budget Vs. Actual
For the Year Ended June 30, 2023

Item :
City Council Meeting
August 15, 2023

EXPENDITURES	FY22	FY23	Annual		YTD	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>100%</u>	<u>Note</u>
General Fund	1,729,693	1,971,832	2,425,349	(453,517)	81%	
Special Revenue Funds:						
Capital Projects Fund	383,299	2,499,378	3,186,996	(687,618)	78%	A
Community Development	628,558	747,529	671,289	76,240	111%	
COPS	100,000	100,000	100,000	-	100%	
Parking & Restroom Fd	20,000	-	2,500	(2,500)	0%	
Gas Tax Fund	16,646	20,717	19,000	1,717	109%	
Valle Vista LLD	60,853	26,483	26,529	(46)	100%	
Rancho Vista CFD	80,670	47,592	66,521	(18,929)	72%	
Copperleaf CFD	17,172	20,735	22,650	(1,915)	92%	
Development Impact Fee Funds						
Public/Civic Facility	2,700	2,700	2,700	-	100%	
Library	11,240	4,440	4,440	-	100%	
Storm Drain	3,432	3,432	3,432	-	100%	
Park In-Lieu	2,981	300	300	-	100%	
Public Safety	852	852	852	-	100%	
Traffic	432	432	432	-	100%	
Enterprise Funds:						
Water:						
Operations	782,992	754,618	805,232	50,614	94%	
Capital	157,837	13,475	79,350	65,875	17%	A
Sewer						
Operations	863,080	945,888	923,911	(21,977)	102%	
Capital	813,103	591,105	484,352	(106,753)	122%	
TOTAL Funds	3,945,847	5,779,675	8,825,835	3,046,160	65%	

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.

City of San Juan Batista
Check/Voucher Register - Check Register Current Month
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Acct. 1948

Effective Date	Check Number	Vendor Name	Matching Document Date	Check Amount
6/1/2023	216739	AFLAC	5/31/2023	934.44
6/1/2023	216740	at&t	5/7/2023	91.37
6/1/2023	216741	Baker Supplies and Repairs	5/4/2023	785.98
6/1/2023	216742	California Association for Local Economic De	5/26/2023	3,600.00
6/1/2023	216743	CALNET	5/19/2023	352.84
6/1/2023	216744	CMAP	3/31/2023	1,027.14
6/1/2023	216745	CSG Consultants, Inc.	1/1/2023	10,445.00
6/1/2023	216746	California State University Fresno, Foundatic	10/16/2023	900.00
6/1/2023	216747	Cypress Water Services	2/28/2023	22,350.00
6/1/2023	216748	David Medeiros.	2/6/2023	95.00
6/1/2023	216749	Destiny Software Inc.	7/1/2023	4,500.00
6/1/2023	216750	Ethan Usher	5/18/2023	231.51
6/1/2023	216751	FedEx	5/17/2023	34.26
6/1/2023	216752	Home Depot Credit Services	4/26/2023	315.51
6/1/2023	216753	J.C.J. Electric Corp.	5/18/2023	891.33
6/1/2023	216754	J.V. Orta's Rent A Fence	7/27/2023	225.00
6/1/2023	216755	Joe's Lanscaping & Concrete, Inc	1/1/2023	18,852.33
6/1/2023	216756	Kimley-Horn and Associates, Inc.	4/30/2023	11,080.00
6/1/2023	216757	Landscape Design By Rosemary Bridwell CC	5/17/2023	200.00
6/1/2023	216758	Liebert Cassidy Whitmore	4/30/2023	1,462.00
6/1/2023	216759	Margaret Clovis	5/26/2023	1,650.00
6/1/2023	216760	Miguel Garfias	5/13/2023	700.00
6/1/2023	216761	MNS Engineers, Inc.	4/30/2023	38,773.78
6/1/2023	216762	Monterey Bay Analytical Services	4/27/2023	4,633.00
6/1/2023	216763	New SV Media	5/26/2023	441.30
6/1/2023	216764	P G & E	5/21/2023	745.21
6/1/2023	216765	Pet Waste Co	5/18/2023	217.85
6/1/2023	216766	Pinnacle Healthcare Medical Group	5/19/2023	80.00
6/1/2023	216767	Ready Refresh	5/12/2023	223.98
6/1/2023	216768	Regional Government Services	3/3/2023	1,836.20
6/1/2023	216769	Rx-Tek	5/18/2023	790.00
6/1/2023	216770	San Benito County Sheriff	5/7/2023	2,470.00
6/1/2023	216771	San Benito Tire Pros	5/16/2023	99.95
6/1/2023	216772	Smith & Enright Landscaping	5/31/2023	3,915.00
6/1/2023	216773	Sound Design A/V Contractors	5/22/2023	1,127.58
6/1/2023	216774	Sprint	5/7/2023	452.72
6/1/2023	216775	Stantec Consulting Services Inc.	4/28/2023	7,298.00
6/1/2023	216776	Staples	5/13/2023	342.61
6/1/2023	216777	State Compensation Insurance Fund	6/21/2023	5,338.75
6/1/2023	216778	True Value Hardware	5/12/2023	419.03
6/1/2023	216779	US Bank	4/20/2023	8,460.27
6/1/2023	216780	US Bank Equipment Finance	6/7/2023	249.61
6/1/2023	216781	Valero Wex Bank	5/11/2023	1,126.00
6/1/2023	216782	Valley Welding	5/15/2023	650.00

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6/1/2023	216783	Wendy L. Cumming, CPA	5/10/2023	5,073.75
6/13/2023	216784	4Leaf, Inc.	5/31/2023	970.11
6/13/2023	216785	All Clear Water Services	5/31/2023	4,100.00
6/13/2023	216786	att.com	6/1/2023	66.69
6/13/2023	216787	AVAYA	6/5/2023	250.66
6/13/2023	216788	Brigantino Irrigation, Inc.	5/12/2023	76.54
6/13/2023	216789	Charter Communications	5/27/2023	581.95
6/13/2023	216790	Citygate Associates, LLC	5/31/2023	6,921.66
6/13/2023	216791	Clark Pest Control	6/5/2023	111.00
6/13/2023	216792	Data Ticket Inc.	4/30/2023	220.25
6/13/2023	216793	Erika Amezcua	6/9/2023	700.00
6/13/2023	216794	FedEx	5/27/2023	31.93
6/13/2023	216795	Hamner Jewell Associates	5/31/2023	485.00
6/13/2023	216796	iWorQ Systems	7/1/2023	6,000.00
6/13/2023	216797	J.V. Orta's Rent A Fence	7/4/2023	600.00
6/13/2023	216798	Kysmet Security & Patrol Inc	5/31/2023	9,973.00
6/13/2023	216799	Monterey Bay Analytical Services	4/25/2023	2,829.00
6/13/2023	216800	Rx-Tek	5/2/2023	2,270.18
6/13/2023	216801	Wallace Group	4/30/2023	1,096.25
6/13/2023	216802	William Vance	6/9/2023	25.91
6/16/2023	216803	Baker Supplies and Repairs	5/17/2023	446.37
6/16/2023	216804	Data Ticket Inc.	1/31/2023	680.00
6/16/2023	216805	Government Forms and Supplies	5/31/2023	233.01
6/16/2023	216806	Heliena Walton	6/19/2023	298.50
6/16/2023	216807	P G & E	6/4/2023	12,281.08
6/16/2023	216808	Patricia Bains	6/19/2023	298.50
6/19/2023	216835	McKim Corporation	5/31/2023	84,883.52
6/27/2023	216815	AFLAC	6/30/2023	934.44
6/27/2023	216816	at&t	6/7/2023	101.36
6/27/2023	216817	CALNET	6/19/2023	349.19
6/27/2023	216818	Cypress Water Services	5/31/2023	11,175.00
6/27/2023	216819	Dale Coke.	6/30/2023	3,000.00
6/27/2023	216820	Data Ticket Inc.	5/31/2023	200.00
6/27/2023	216821	Design Line & Granger	6/16/2023	434.82
6/27/2023	216822	First Alarm	7/1/2023	493.41
6/27/2023	216823	Michelle Sabathia.	6/30/2023	300.00
6/27/2023	216824	Monterey Bay Analytical Services	6/8/2023	1,360.00
6/27/2023	216825	Pacific Crest Engineering Inc.	4/28/2023	2,925.00
6/27/2023	216826	Pet Waste Co	6/19/2023	217.85
6/27/2023	216827	Quadient Leasing USA, Inc.	7/1/2023	473.47
6/27/2023	216828	Ready Refresh	6/12/2023	213.92
6/27/2023	216829	Sentry Alarm System	7/1/2023	837.00
6/27/2023	216830	Smith & Enright Landscaping	6/30/2023	5,296.59
6/27/2023	216831	Sound Design A/V Contractors	6/8/2023	978.75
6/27/2023	216832	Sprint	6/7/2023	452.72

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6/27/2023	216833	Stantec Consulting Services Inc.	5/19/2023	16,085.63
6/27/2023	216834	US Bank	5/22/2023	<u>3,789.75</u>
Report Total				<u>351,538.31</u>

CITY MANGER'S MONTHLY STATUS REPORT

Recreation Technician Recruitment

- Identified a new source for job announcements

- More than 20- applicants

- Using the new source for advertising the Admin Assistant

- Working on JD for Public Safety positions

- Need to advertise for PW's Project Manager

- Recruiting a interior designer for City Hall

- Community Hall Improvements to begin in two-three weeks

- Abbe Park Field Lights- great quote- looking for energy efficiency grants

CITY MANGER'S MONTHLY STATUS REPORT

Community Development

Making progress to abate Public Nuisance on San Juan Hollister Road

REAP 2 Grant Application being submitted to AMBAG

Requires focus on affordable housing

Looking to “upzone” the MX zoning Downtown and expand it

PC Ad-Hoc Committee (DeVries and Aranda) reviewing ZC 11-30-040

How to allow Pop-Up businesses; September PC consideration

UGB/SOPI Subcommittee met in July- new map of SOI drafted

Housing Element Joint Meeting August 29, 2023

Loayza Issued Grading Permit

“Neal’s” Market –

New Market owners

Subject to Historic Survey

“Brewery” on the Alameda sold to new owners in S.J.

CITY MANGER'S MONTHLY STATUS REPORT

Wastewater Project Status

Contract for Construction being Executed

Notice proceed pending USDA approval (goal is 8.17.23)

Ground Breaking Ceremony- inviting everyone! No date set yet

Funding

Final steps submitted for EPA (\$1 mill)

Nearing Finals Steps for State (\$3 mill)

Local USDA submitted \$2.2 mill grant to D.C. Headquarters

Line of Credit is open- used to pay the Env. Mitigation Credits (\$468,000)

Regulatory Status report due 08.01.23 (EOP-AOC, Settlement Agreement)

Submitted on time

CITY MANGER'S MONTHLY STATUS REPORT

IMPORT SURFACE WATER

- Update the new Route along Hwy 156

 - HDR to update their 2021 Report

 - New cost design in 60-days

 - New cost estimates (originally was \$7 million)

- Reviewed plans from the District to construct casings under Hwy 156 at Mission Vineyard Road

 - Goal is to have Cal Trans Contractor do this now

 - District will execute agreement for work

CITY MANGER'S MONTHLY STATUS REPORT

Microvi

Water Board approved new Water blending Permit w/Well 6 in May

Permit to connect Well 6 written by the Wallace Group

Sole Source for Wallace Gp to design the connection

Microvi will remove equipment and update it

Wallace Gp will complete design and bid the work (if necessary)

Microvi will return equipment

Connect Well 6 to the system (November-ish)

CITY MANGER'S MONTHLY STATUS REPORT

District Regional Water Master Plan

Manager's Group met 8.09.23 (Governance Meeting week of 8.14.23)

Master Plan identifies a need of 1,500 Acre Feet

Rate Study Prepared to accommodate the cost to capital imp

Estimated cost is \$69 million

Proposing a Developer Impact Fee

- Recovers cost from new Development only

- \$12,265 per Single Family Dwelling Unit

- New Commercial/Industrial user

 - Billed for "Equivalent Dev Units" (EDU's) –

 - based on volumetric rates

CITY MANGER'S MONTHLY STATUS REPORT

Other PWs and Engineering

- Received Grant for ADA Assessment-

 - looking at sidewalks and public accessibility

- Designing ADA access for Luck Park Gas Station

- Completing FEMA Storm assessments (weekly FEMA Meetings)

 - Contact with Granite Rock for cleaning silt from storm drains

 - New Tractor (or Motor)

- COG TAC Meeting

 - Hosting California Transportation Commission 09.20-09.21.23

 - at Jardines the evening of 09.20- City is "hosting"

- Met with Meritage 8.11.23 concerning RV sewer connections

- Gas Station at the Alameda picking up speed again- new engineer assigned

- Cal Trans Mural at Washington Street underpass underway

- Small Grant award from 3CE for electrifying fleet (\$14,000)

- Landscape RFP to go out by Friday the 18th



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

DATE: AUGUST 15, 2023

DEPARTMENT: CITY ATTORNEY

BY: CITY ATTORNEY

TITLE: OPEN A PUBLIC HEARING, RECEIVE COMMENTS FROM MEMBERS OF THE PUBIC, CONSIDER INTRODUCING AN ORDINANCE REVISING TITLE 13 “VIOLATIONS” BY REPEALING AND REPLACING ARTICLE 4 “NOTICED NUISANCE ABATEMENT PROCEDURE” AND ARTICLE 5 “EMERGENCY NUISANCE ABATEMENT PROCEDURE” OF CHAPTER 1 “ENFORCEMENT” BY ADOPTION OF AN ORDINANCE ENTITLED “ALTERNATIVE PUBLIC NUISANCE ABATEMENT PROCEDURES.”

CEQA: EXEMPT PER CEQA GUIDELINE 15061(B)(3)

During the discussion at the City Council meetings on April 18, and July 18, 2023, Council Members directed that a new version of a nuisance abatement ordinance be provided for review and then, on July 18 directed that it be brought forward for introduction. An Ordinance follows for that purpose.

The City Council may provide by ordinance for the abatement of any nuisance at the expense of the person maintaining it. The applicable sections of the California Government Code are found at §§38773 through 38773.5. The city may establish procedures by ordinance for recovery of abatement and related administrative costs by a nuisance abatement lien on the real property. However, that remedy is not currently provided by the nuisance abatement procedures now part of the Municipal Code which provide for collection of costs incurred by the city in abatement actions through a special municipal assessment collected on the tax roll. If adopted, the accompanying Ordinance provides for:

- Expansive and operative definitions including what constitutes a nuisance.
- Enumeration of what constitutes abatement costs.
- Continuation of emergency abatement for an immediate threat to public health, safety or welfare.
- Provisions for non-owner-occupied properties.
- Provision for violations of building standards codes life-safety regulations.

- Provision for issuance and recording of notices of violation, notices to abate, post-deprivation notices, stop work notices and notices of refusal to issue permits. An administrative hearing officer may be delegated to conduct appeals, with the City Council having the ability to review *de novo* the decision of the hearing officer.
 - Provisions for alternate procedures to recover abatement costs by a special assessment on the tax roll or through a lien on the real property that is the situs of the violation.
 - Provision for the successor in interest to the owner to be required to sign a statement accepting responsibility for the abatement of a violation existing at the time of sale.
 - Provision for civil penalties up to the maximums allowed by law.
- The attached ordinance is submitted for purposes of introduction.

-RWR

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA DETERMINING THIS PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND REVISING TITLE 13 “VIOLATIONS” OF THE SAN JUAN BAUTISTA MUNICIPAL CODE BY REPEALING AND REPLACING ARTICLE 4 “NOTICED ABATEMENT PROCEDURE” AND ARTICLE 5 “EMERGENCY NUISANCE ABATEMENT PROCEDURE” OF CHAPTER 13.1 “ENFORCEMENT” BY ADOPTION OF AN ORDINANCE ENTITLED “ALTERNATIVE PUBLIC NUISANCE ABATEMENT PROCEDURES AND REMEDIES”

WHEREAS, California law declares that anything which is injurious to health or obstructs the free use of property, so as to interfere with the comfortable enjoyment of life or property, triggers local police powers and under existing law public agencies can address public nuisance within their jurisdictions; and

WHEREAS, the City Council may provide by ordinance for the abatement of any public nuisance at the expense of the person maintaining same by establishing local administrative procedures; and

WHEREAS, the City of San Juan Bautista previously adopted local administrative provisions, codified as Article 4 (“Noticed Nuisance Abatement Procedure”) of Chapter 13.1 (“Enforcement”) of Title 13 (“Violations”) of the San Juan Bautista Municipal Code and Article 5 (“Emergency Nuisance Abatement Procedure”) of Chapter 13.1 of Title 1 of the San Juan Bautista Municipal Code; and

WHEREAS, the City Council reviewed and evaluated at a public meeting the recommended regulations and standards for the abatement of public nuisance as attached hereto as “Exhibit A”; and

WHEREAS, the City Council, in an effort to streamline the regulations for the abatement of public nuisance and to improve on existing processes and procedures provided now by the San Juan Bautista Municipal Code, has determined to repeal and replace Article 4 of Chapter 13.1 “Enforcement” of Title 13 “Violations” of the San Juan Bautista Municipal Code with “Exhibit A,” consisting of 21 pages, entitled “Alternative Public Nuisance Abatement Procedures and Remedies”; and

WHEREAS, as “Exhibit A” includes authority for summary abatement of any nuisance constituting an immediate threat to public health, safety, and/or welfare, in an effort to streamline the regulations for the abatement of public nuisance and to improve on existing processes and procedures in the Municipal Code, the City Council has determined to repeal and not replace Article 5 “Emergency Nuisance Abatement Procedure” of Chapter 13.1 “Enforcement” of Title 13 “Violations” of the San Juan Bautista Municipal Code; and

WHEREAS, on August 4, 2023, a Notice of Public Meeting for this matter was posted in three locations in the city designated by the City Council for posting of notices within the City; and

WHEREAS, on August 15, 2023, the City Council held a duly noticed public hearing on amendment of Title 13 of the Municipal Code at which time the City Council reviewed and considered the agenda report, reviewed and considered written correspondence from the public, testimony and other information in the record; and

WHEREAS, the City Council finds that establishing regulations, processes and procedures for the abatement of public nuisance is necessary for the health, safety and general welfare of the residents of the City.

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

1. Environmental Determination. The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(B)(3) based on the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed Ordinance would increase the ability of the City to assure code compliance within the City and would not have any potential for creation of a significant environmental impact.
2. Article 4 of Chapter 13.1 of Title 13 Repealed and Replaced. Article 4 of Chapter 13.1 of Title 13 of the San Juan Bautista Municipal Code entitled “Noticed Nuisance Abatement Procedure” is hereby repealed in its entirety and replaced in the San Juan Bautista Municipal Code as set forth on the attached twenty-one (21) pages, Marked “Exhibit A” entitled “Article 4 Alternative Public Nuisance Abatement Procedures and Remedies” and incorporated herein by this reference thereto.
3. Article 5 of Chapter 13.1 of Title 13 Repealed and Not Replaced Article 5 of Chapter 13.1 of Title 13 of the San Juan Bautista Municipal Code entitled “Emergency Nuisance Abatement Procedure” is hereby repealed in its entirety and not replaced.
4. Effective Date. This Ordinance shall be in full force and effect 30 days after its final passage and adoption.
5. Severability. If any portion of this Ordinance is found to be unconstitutional or invalid the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part.
6. Posting of Ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted on the internet and in the public places designated by resolution of the City Council.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of San Juan Bautista duly held on August 15, 2023, and was passed and adopted at a regular meeting duly held on September 19, 2023.

PASSED AND ADOPTED by the San Juan Bautista City Council on the 19th day of September 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Article 4. Alternative Public Nuisance Abatement Procedures and Remedies

Section

- 13-1-400 Purpose, effect, authority, and policy
- 13-1-410 Definitions
- 13-1-420 Conditions creating public nuisance
- 13-1-430 Nuisance abatement authority
- 13-1-440 No duty to enforce
- 13-1-450 Duty of owners and occupants; no unlawful activity permitted
- 13-1-460 Administrative civil remedies
- 13-1-470 Notices
- 13-1-480 Service of notices
- 13-1-490 Recordation of notices
- 13-1-500 Administrative hearing
- 13-1-510 Enforcement of abatement order
- 13-1-520 Liability for abatement costs and/or administrative penalties; interest
- 13-1-530 Lien hearing
- 13-1-540 Alternative lien hearing procedure
- 13-1-550 Enforcement by civil action
- 13-1-560 Refusal to issue permits
- 13-1-570 Transfer of title, interest, or possession
- 13-1-580 Remedies cumulative
- 13-1-590 Severability

13-1-400 Purpose Effect, Authority, and Policy.

(A) It is the intent of the City Council of the City of San Juan Bautista in adopting this article to provide alternative procedures that govern the identification and abatement of public nuisances, as well as, the imposition, enforcement, collection, and administrative review of administrative penalties for violation of the San Juan Bautista Municipal Code and/or State laws within the City of San Juan Bautista.

(B) The provisions of this chapter are supplementary to and cumulative with all other remedies provided in the San Juan Bautista Municipal Code and applicable state and federal law. Nothing herein shall be read, interpreted or construed in any manner so as to limit any existing right or power of the City of San Juan Bautista or any other authorized governmental entity to enforce city ordinances, abate any and all nuisances, or employ any remedy otherwise available at law or in equity.

(C) Pursuant to the authority granted by Article XI, Section 7 of the California Constitution, and Cal. Gov't Code, §§ 38773.1 and 53069.4, the City Council does enact this article, which shall be known and may be cited as the "Alternative Public Nuisance Abatement Procedures and Remedies."

(D) It is the policy of the City of San Juan Bautista to seek voluntary compliance with these provisions, but to provide an effective means of enforcement if such compliance is not obtained.

13-1-410 Definitions.

The following definitions shall apply to this chapter as written unless context indicates or requires a different meaning.

Abatement. The removal of the condition(s) constituting a nuisance as identified in the notice issued by the enforcing officer.

Abatement Costs. Any costs or expenses, including city staff time reasonably related to the abatement of a public nuisance under this chapter, and shall include, but shall not be limited to, enforcement, investigation, summaries, reports, notices, telephonic contact, correspondence, mailing expense, title search costs, administrative costs, including the total direct and indirect costs of enforcement established by generally accepted accounting principles that are reasonably and necessarily incurred by the city to investigate, inspect, or cure any violation or monitor the recurrence of any violation that is the subject of a notice issued by the enforcing officer, including, but not limited to, scheduling and participation at hearings, hearing officer costs, expenses incurred by the city, and any other costs associated with the removal, abatement or correction of a violation.

City. The City of San Juan Bautista.

City Hearing Officer. A person designated by the City Manager and appointed to the position of Hearing Officer, established by San Juan Bautista Municipal 2-7-130 (C) and who is independently authorized to conduct administrative hearings and issue recommended decisions pursuant to and as authorized by the San Juan Bautista Municipal Code.

Contiguous. Any two legal parcels which share a mutual boundary. Notwithstanding the foregoing, legal parcels shall be considered contiguous, even if they are separated by roads, streets, utility easements or railroad rights-of-way.

Enforcing Officer or Code Enforcement Officer. The City of San Juan Bautista Code Enforcement Officer, Building Official, Building Inspector, Fire Chief, or their authorized deputies or designee(s). each of whom is independently authorized to

enforce this chapter, together with those persons designated by Section 2-7-105 (C) of the San Juan Bautista Municipal Code.

Legal Parcel. Any parcel of real property for which one legal title exists that may be separately sold in compliance with the Subdivision Map Act (commencing with Cal. Gov't Code § 66410, Title 7, Div. 2). Where contiguous Legal Parcels are under common ownership or control, such Legal Parcels shall be counted as a single premises for purposes of this article.

Premises. A single, legal parcel of real property. In addition, where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall be counted as a single Premises for purposes of this article.

Responsible Party. An individual or legal entity, or the agent or legal guardian of such individual or entity, whose action or failure to act results in a violation. This term specifically means and includes, but is not limited to, any of the following:

- (1) Any person or entity that causes, maintains, permits, or allows a violation of this article;
- (2) Any person or entity that owns, possesses, or controls any parcel of real property in the city upon which a violation of this article is maintained;
- (3) Any trustee of any trust that holds legal title to any parcel of real property in the city upon which a violation of this article is maintained;
- (4) Any person or entity that owns, possesses, operates, manages, or controls any business within the city that is responsible for causing or maintaining a violation of this article.

13-1-420 Conditions Creating Public Nuisance.

(A) Without limiting any other provision of this code, any and all of the following are hereby declared unlawful and a public nuisance and a violation of this code:

- (1) Any condition, act, or omission declared by any statute of the State of California or any provision of this code to be a public nuisance;
- (2) Any public nuisance known or recognized in common law or equity;
- (3) Any condition that constitutes a nuisance as defined in Cal. Civil Code § 3479;
- (4) Any use or condition of property that:
 - (a) Poses a danger to human life; or
 - (b) Is unsafe or detrimental to the public health, safety, or welfare.
- (5) Any use of land, buildings, or premises established, operated, or maintained contrary to the provisions of any provision of this code or state law;
- (6) Any real property that has been the situs for nuisance activity and/or violations of any provision of this code or any other state or federal law or regulation, including, but not limited to: disturbing the peace, unreasonably loud noise, loitering, harassment

of passersby, illegal gambling, prostitution, sale of stolen goods, acts of violence, acts of vandalism, acts of lewd conduct, public urination, illegal drug activity, public drunkenness, drinking alcoholic beverages in public, or excessive littering.

(7) Any condition that constitutes a visual blight to a reasonable person of average sensibilities. For purposes of this chapter, visual blight is any unreasonable or unlawful condition or use of real property, premises, or building exteriors which by reason of its appearance as viewed at ground level from the public right-of-way or from neighboring premises, is detrimental to the property of others or to the value of property of others, offensive to the senses, or significantly degrades the aesthetic appearance of the neighborhood. Visual blight may include, but is not limited to, the keeping, storing, depositing, scattering over or accumulation on the premises any of the following:

(a) Junk, trash, debris, scrap metal, wood, rubbish, or packing materials, including, but not limited to, building, construction, salvage, and/or recyclable material;

(b) Abandoned, discarded or unused objects or equipment, such as furniture, stoves, appliances, refrigerators, freezers, or other household fixtures, cans or containers, or automotive parts and equipment;

(c) Abandoned, wrecked, disabled, dismantled or inoperative vehicles or parts thereof except inoperative vehicles that are not abandoned, are either registered or are certified pursuant to Cal. Vehicle Code § 4604 and are in an active state of renovation or restoration, or are maintained and stored in accordance with Cal. Vehicle Code § 5052;

(d) Stagnant water or abandoned excavations;

(e) The existence of overgrown, dead, decayed, diseased or hazardous trees, and other vegetation, including but not limited to dead agricultural groves which are:

1. Likely to attract rodents, vermin or other nuisances;
2. Constitutes a fire hazard; or
3. Is dangerous to the public safety and welfare.

(f) Any personal property, object, device, decoration, design, fence, structure or clothesline which is unsightly by reason of its condition or its inappropriate location.

(8) Any condition that constitutes an attractive nuisance; those dangerous objects or conditions that, by their nature may attract children or other curious individuals, including, but not limited to, unprotected hazardous or unfilled pools, ponds, ice boxes, refrigerators, freezers, abandoned wells, shafts, septic tanks, or other excavations.

(9) Continuation of any use or activity on any property after a stop work notice has been issued by an enforcing officer.

(B) Acts, omissions, or conditions in violation of this chapter that continue, exist, or occur on more than one calendar day constitute separate violations on each day. Violations continuing, existing, or occurring on the service date, the effective date, and each day between the service date and the effective date are separate violations. For

each day the nuisance continues to exist, a separate administrative penalty shall be imposed.

(C) The City Council of the City of San Juan Bautista finds that certain conditions as defined in this section cause annoyance, inconvenience or damage to the public with respect to the public's comfort, health, safety, welfare and enjoyment of property. It is the purpose and intent of the City Council to define and proscribe those conditions which are injurious to the public and which constitute a public nuisance, having carefully weighed the interests of the public against the interests of private property owners and possessors in the free use of their property.

13-1-430 Nuisance Abatement Authority.

(A) Whenever necessary to investigate and ascertain, and/or to abate any violation of the provisions of this chapter, or whenever there is reasonable cause to believe that there exists a violation of this chapter, the enforcing officer may enter onto any premises or into any building upon presentation of proper credentials to the owner and/or the occupant thereof. Notwithstanding the foregoing, the enforcing officer may enter onto any premises or into any building under authority of a warrant issued pursuant to Cal. Code of Civil Procedure §§ 1822.50 *et seq.* All costs incurred by the city in seeking and obtaining an inspection and/or abatement warrant may be recoverable as abatement costs.

(B) Upon discovering a public nuisance as defined in this chapter, the enforcing officer may do any one or more of the following:

- (1) Issue a notice of violation, and record the notice of violation;
- (2) Issue a notice to abate a public nuisance, record the notice to abate, and abate the public nuisance;
- (3) Impose, determine, and collect an administrative civil penalty;
- (4) Issue a stop work order requiring immediate cessation of the use or activity in accordance with this chapter;
- (5) Seek relief from any court to abate the nuisance and/or collect civil penalties and abatement costs through the Office of the City Attorney, without first going through the administrative procedures set forth in this chapter; or
- (6) Notwithstanding any other provision of this chapter, when any nuisance described in §13-1-420 constitutes an immediate threat to public health, safety, and/or welfare, and when the procedures set forth in this chapter would not result in abatement of that nuisance within a short enough time period to avoid that threat, the enforcing officer may direct any officer or employee of the city to summarily abate the nuisance. The enforcing officer shall make reasonable efforts to notify the responsible parties, but the formal notice and hearing procedures in this chapter shall not apply; however, the enforcing officer shall issue a post-deprivation notice to the responsible parties. The city may nevertheless recover all its costs for abating that nuisance in the manner set forth in this article.

13-1-440 No Duty to Enforce.

Nothing in this chapter shall be construed as imposing on the enforcing officer or the City of San Juan Bautista any duty to issue any notice hereunder, nor to abate any nuisance, nor to take any other action with regard to any nuisance. Neither the enforcing officer nor the City of San Juan Bautista shall be liable for failure to issue any notice hereunder, nor for failure to abate any nuisance, nor for failure to take any other action with regard to any nuisance.

13-1-450 Duty of Owners and Occupants; No Unlawful Activity Permitted.

No person or entity owning, leasing, occupying or having charge or possession of any premises within the incorporated area of the City of San Juan Bautista shall cause, permit, maintain, conduct or otherwise suffer or allow a public nuisance to exist. It shall be the duty of every owner, occupant, and person that controls any land or interest therein within the incorporated area of the City of San Juan Bautista to remove, abate, and prevent the reoccurrence of the public nuisance upon such land. Such duty of an owner shall exist regardless of whether the owner is in actual possession of his or her real property, and may include an obligation to take action to evict or otherwise remove an occupier who creates a public nuisance upon the owner's property. Nothing in this chapter shall be deemed to authorize or permit any activity that violates any provision of state or federal law.

13-1-460 Administrative Civil Remedies.

(A) In addition to any other remedy or penalty prescribed in this chapter, each day any nuisance violation exists shall be a separate violation and may be subject to an administrative civil penalty assessed pursuant to California Government Code § 36900, as presently written or hereafter amended, in the following amounts or as hereafter amended:

- (1) Up to \$100 per day, or part thereof, for the first violation.
- (2) Up to \$200 per day, or part thereof, for a second violation of the same ordinance within one year;
- (3) Up to \$500 per day, or part thereof, for each additional violation of the same ordinance within one year of the first violation;
- (4) Notwithstanding divisions (A)(1) through (A)(3), any nuisance resulting from a violation of local building and safety codes may be subject to an administrative penalty of up to \$130 per day, or part thereof, for the first violation, up to \$700 per day, or part thereof, for a second violation of the same ordinance within one year, and up to \$1,300 per day, or part thereof, for each additional violation of the same ordinance within one year of the first violation;
- (5) Notwithstanding any other provision of this code, any violation of Chapter 5-31, Cannabis Facilities Regulatory Permit, shall constitute a misdemeanor and shall be subject to an administrative penalty of up to \$1,000 per day, or part thereof;

(6) Notwithstanding any other part of this article, any violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements, if the violation exists as a result of, or to facilitate, the illegal cultivation, manufacture, or distribution of cannabis, shall be subject to immediate fines of \$1,000 per day, per violation. However, a reasonable period of time to remedy the violation(s) shall be provided prior to the imposition of such fine if the responsible party proves all of the following are true at a hearing:

(a) A tenant is in possession of the property that is the subject of the administrative action;

(b) The rental property owner or agent can provide evidence that the rental or lease agreement prohibits the cultivation, manufacture, or distribution of cannabis; and

(c) The rental property owner or agent did not know the tenant was illegally cultivating, manufacturing, or distributing cannabis and no complaint, property inspection, or other information caused the rental property owner or agent to have actual notice of the illegal cannabis cultivation.

(7) Notwithstanding any other part of this code, any violation of a stop work notice shall be subject to an immediate fine of \$1,000 per day.

(8) Civil penalties, excluding interest, shall not exceed the amounts set forth in the California Government Code.

(9) The assessment of civil penalties may begin to accrue on the date of initial occurrence of the violation, as identified by the city of San Juan Bautista.

(10) Payment of the penalty shall not excuse a failure to correct the violation nor shall it bar further enforcement action by the city.

(11) The failure of any person to pay a penalty assessed by administrative citation within the time specified on the citation shall result in the assessment of a late fee. The amount of the late fee shall be fifth percent (50%) of the total amount of the administrative penalty owed.

(12) A civil penalty assessed by administrative citation constitutes a debt to the city. In the event any person fails to pay a civil penalty within the time specified, the city may take such action as is appropriate to collect the debt, including but not limited to an action in small claims court, an assessment lien, or any other legal remedy.

(B) In determining the amount of the administrative penalty, the enforcing officer, or the court if the violation requires court enforcement without an administrative process, shall take into consideration the nature, circumstances, duration, extent, and gravity of the violation(s), any prior history of violations, the degree of culpability, economic impact, impact of the nuisance upon the community, and any other factors as justice may require.

(C) The administrative penalty may be imposed via the administrative processes set forth in this chapter, as provided in Cal. Gov't Code § 53069.4, or may be imposed by the court if the violation requires court enforcement without an administrative process.

(D) In the case of a continuing violation, if the violation does not create an immediate danger to health or safety, or is not subject to immediate fines as set forth herein, the enforcing officer or the court shall provide for a reasonable period of time, not to exceed ten calendar days, for the person responsible for the violation to correct or otherwise remedy the violation prior to the imposition of administrative penalties.

13-1-470 Notices.

Whenever the enforcing officer determines that a public nuisance as described in this chapter exists on any real property within the incorporated area of the City of San Juan Bautista, he or she is authorized to issue any of the following notices in accordance with this chapter:

(A) *Notice of violation ("NOV")*. The notice of violation shall be in writing and shall:

(1) Identify the responsible parties, including owner(s) of the property upon which the nuisance exists, as named in the records of the San Benito County Assessor, and occupant(s), if other than the owner(s), and if known or reasonably identifiable (collectively, the "recipients");

(2) Describe the location of such property by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the property;

(3) Identify such property by reference to the assessor's parcel number;

(4) Contain a statement that one or more conditions described in §13-1-420 exist on the premises and that it has been determined by the enforcing officer to be a public nuisance as described in this chapter. The statement required under this paragraph shall describe the nuisance conditions with reference to applicable provisions of this code and/or state law upon which the enforcing officer based his or her determination;

(5) Contain a statement that the recipient(s) must abate the nuisance within ten calendar days after the date that the notice of violation was served, describe the action(s) required to abate the nuisance, and set forth the proposed amount of any administrative penalty (per violation, per day) to be imposed if the conditions are not abated within the time stated;

(6) Contain a statement that unless the recipient(s) voluntarily abate the nuisance within the time specified in division (A)(5) of this section, that the enforcing officer may issue additional notices in accordance with this chapter, and may further record the notice of violation on the subject property with the San Benito County Recorder's Office;

(7) Contain a statement that the recipient(s) may request an administrative hearing to determine whether the conditions identified in the notice of violation constitute a public nuisance by submitting a written request to the enforcing officer no later than seven calendar days of the date of the notice of violation. This written request must identify the recipient(s), provide the recipient(s) contact information, and set forth the reason(s) the hearing is requested. If any responsible party properly requests a hearing, they shall be notified when the matter has been set for hearing. Failure of the

recipient(s) to appear at the scheduled hearing and present evidence shall constitute a failure to exhaust administrative remedies.

(B) *Notice to abate a public nuisance ("notice to abate")*. The notice to abate a public nuisance shall be in writing and shall:

(1) Identify the responsible parties, including owner(s) of the property upon which the nuisance exists, as named in the records of the County Assessor, and occupant(s), if other than the owner(s), and if known or reasonably identifiable (collectively, the "recipients");

(2) Describe the location of such property by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the property;

(3) Identify such property by reference to the assessor's parcel number;

(4) Contain a statement that one or more conditions described in §13-1-420 exist on the premises and that it has been determined by the enforcing officer to be a public nuisance as described in this chapter. The statement required under this paragraph shall describe the nuisance conditions with reference to applicable provisions of this code and/or state law upon which the enforcing officer based his or her determination;

(5) Contain a statement that the recipient(s) must abate the nuisance within ten calendar days after the date that the notice of abate was served, describe the action(s) required to abate the nuisance, set forth the proposed amount of any administrative penalty (per violation, per day) to be imposed if the conditions are not abated within the time stated, and the enforcing officer's intent to record a Notice of Pending Nuisance Abatement Proceeding with the San Benito County Recorder in accordance with §13-1-490.

(6) Contain a statement that the recipient(s) may request an administrative hearing to determine whether the conditions identified in the notice of abate constitute a public nuisance by submitting a written request to the enforcing officer no later than seven calendar days of the date of the notice of abate. This written request must identify the recipient(s), provide the recipient(s) contact information, and set forth the reason(s) the hearing is requested. If any responsible party properly requests a hearing, they shall be notified when the matter has been set for hearing. Failure of the recipient(s) to appear at the scheduled hearing and present evidence shall constitute a failure to exhaust administrative remedies.

(7) Contain a statement that, unless the recipient(s) timely abate the nuisance, or show good cause before the City Hearing Officer why the conditions should not be abated, the enforcing officer will abate the nuisance. It shall also state that the abatement costs, including administrative costs, may be made a special assessment added to the county assessment roll and/or become a lien on the real property, or be placed on the unsecured tax roll in accordance with this chapter.

(C) *Post-deprivation notice*. The post-deprivation notice shall be in writing and shall:

(1) Identify the responsible parties, including owner(s) of the property upon which the nuisance exists, as named in the records of the San Benito County Assessor, and occupant(s), if other than the owner(s), if known or reasonably identifiable (collectively, the "recipients");

(2) Describe the location of such property by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the property;

(3) Identify such property by reference to the assessor's parcel number;

(4) Contain a statement that one or more conditions described in §13-1-420 existed on the premises and that it was determined by the enforcing officer to be a public nuisance as described in this article. The statement required under this paragraph shall describe the nuisance conditions with reference to applicable provisions of this code and/or state law upon which the enforcing officer based his or her determination, and set forth the proposed amount of any administrative penalty (per violation, per day) to be imposed;

(5) That the enforcing officer summarily abated the nuisance existing on the premises after it was deemed that other administrative procedures would not result in abatement of the nuisance, which constituted an immediate threat to public health, safety, and/or welfare, within a short enough period of time to avoid said threat;

(6) Contain a statement that the recipient(s) may request an administrative hearing to determine whether the conditions identified in the notice of abate constituted a public nuisance by submitting a written request to the enforcing officer no later than seven calendar days of the date of the notice of abate. This written request must identify the recipient(s), provide the recipient(s) contact information, and set forth the reason(s) the hearing is requested. If any responsible party properly requests a hearing, they shall be notified when the matter has been set for hearing. Failure of the recipient(s) to appear at the scheduled hearing and present evidence shall constitute a failure to exhaust administrative remedies.

(D) *Stop work notice.* The stop work notice shall be in writing and shall:

(1) Identify the responsible parties, including owner(s) of the property upon which the nuisance exists, as named in the records of the San Benito County Assessor, and occupant(s), if other than the owner(s), if known or reasonably identifiable (collectively, the "recipients");

(2) Describe the location of such property by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the property;

(3) Identify such property by reference to the assessor's parcel number;

(4) Contain a statement that one or more conditions described in §13-1-420 exist on the premises and that it has been determined by the enforcing officer to be a public nuisance as described in this article. The statement required under this paragraph shall

describe the nuisance conditions with reference to applicable provisions of this code and/or state law upon which the enforcing officer based his or her determination;

(5) Contain a statement that the enforcing officer has ordered the immediate cessation of any use or activity constituting a public nuisance, and set forth the proposed amount of any administrative penalty (per violation, per day) to be imposed if the conditions are not abated within the time stated;

(6) Contain a statement that it is unlawful and a violation of this code for any person to resume any use or activity that the enforcing officer ordered to be stopped, unless the enforcing officer has expressly authorized the recipient(s) to resume the use or activity based upon the recipient(s) written agreement to take corrective action to abate the nuisance;

(7) Contain a statement that the recipient(s) may request an administrative hearing to determine whether the conditions identified in the stop work notice constitute a public nuisance by submitting a written request to the enforcing officer no later than seven calendar days of the date of the stop work notice. This written request must identify the recipient(s), provide the recipient(s) contact information, and set forth the reason(s) the hearing is requested. If any responsible party properly requests a hearing, they shall be notified when the matter has been set for hearing. Failure of the recipient(s) to appear at the scheduled hearing and present evidence shall constitute a failure to exhaust administrative remedies.

(8) Contain a statement that the timely submission of a request for hearing shall not permit the resumption of the use or activity that the enforcing officer ordered to be ceased.

(E) *Notice of refusal to issue permits* ("refusal to issue"). The refusal to issue shall be in writing and shall:

(1) Identify the responsible parties, including owner(s) of the property upon which the nuisance exists, as named in the records of the San Benito County Assessor, and occupant(s), if other than the owner(s), and if known or reasonably identifiable (collectively, the "recipients");

(2) Describe the location of such property by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the property;

(3) Identify such property by reference to the assessor's parcel number;

(4) Contain a statement that one or more conditions described in §13-1-420 exist on the premises and that it has been determined by the enforcing officer to be a public nuisance as described in this chapter. The statement required under this paragraph shall describe the nuisance conditions with reference to applicable provisions of this code and/or state law upon which the enforcing officer based his or her determination.

(5) (a) If the applicant disagrees with the determination that a violation exists, he or she may request a hearing in accordance with §13-1-500 within 30 calendar days

after issuance of the refusal to issue. A written request for hearing shall be submitted to the City Manager.

(b) If any applicant requests a hearing in accordance with this subdivision, they shall be notified in accordance with §13-1-480, when the matter has been set for hearing. Failure of the applicant(s) to appear at the scheduled hearing and present evidence shall constitute a failure to exhaust administrative remedies.

(F) *Invoice for abatement costs and/or administrative penalties ("invoice")*. The invoice shall be in writing and shall:

(1) Identify the responsible parties, including owner(s) of the property upon which the nuisance exists, as named in the records of the San Benito County Assessor, and occupant(s), if other than the owner(s), if known or reasonably identifiable (collectively, the "recipients");

(2) Describe the location of such property by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the property;

(3) Identify such property by reference to the assessor's parcel number;

(4) Set forth the amount(s) due and owing for abatement costs, including administrative costs incurred by the county to abate the nuisance and/or administrative penalties imposed, including any interest which has accrued on any amount due under this article from the effective date of the City Council's decision, as set forth in this article;

(3) A demand for payment of said costs, including accrued interest, to be paid within 30 calendar days after service of the invoice;

(4) If said amounts due and owing are not timely satisfied in full, a lien hearing may be held in accordance with §§13-1-530 and 13-1-540.

13-1-480 Service of Notices.

(A) Any notice issued by the enforcing officer in accordance with this chapter may be served in the following manner:

(1) By delivering it personally to the responsible parties. Service shall be deemed to have been completed upon personal delivery;

(2) By certified mail, addressed to:

(a) The owner at the address shown on the last equalized assessment roll or as otherwise known to the enforcing officer; and

(b) To anyone known to the enforcing officer to be in possession of the property at the street address of the property subject to the notice, if the property is capable of receiving mail. Service shall be deemed to have been completed upon the deposit of said notice, postage prepaid, in the United States mail.

(3) In the event that, after reasonable effort, the enforcing officer is unable to serve the notice as set forth above, service shall be accomplished by posting a copy of such notice conspicuously along the frontage of the real property subject to the notice, or if the property has no frontage, upon any street, highway, or road then upon the portion of the property nearest to a street, highway, or road, or most likely to give actual notice to the owner and any person known by the enforcing officer to be in possession of the property. Service shall be deemed to have been completed upon posting.

(B) The failure to serve any person described in this section shall not affect the validity of service or the validity of any administrative penalties imposed pursuant to this chapter upon any other person.

(C) The failure of any responsible party to receive such notice shall not affect the validity of the proceedings.

(D) Notwithstanding the foregoing, with the consent of a responsible party, notices under this chapter may be provided by electronic mail (e-mail) or any other means reasonably calculated to provide notice.

13-1-490 Recordation of Notices.

(A) *Notice of pending nuisance abatement proceeding.*

(1) Upon issuance of a notice to abate, the enforcing officer may record a notice of pending nuisance abatement proceeding with the San Benito County Recorder and shall notify the responsible parties of such action. A notice of pending nuisance abatement proceeding shall describe the premises and the condition in violation of this chapter.

(2) If a notice of pending nuisance abatement proceeding is recorded, the enforcing officer shall serve and record a notice of final disposition when the nuisance abatement proceeding has been completed, including any appeals and the completion of any work necessary to abate the nuisance.

(B) *Notice of final disposition.* If the work to abate the nuisance is performed at city expense, the notice of final disposition need not be issued until those costs have been paid or a lien for those costs has been recorded in accordance with §§13-1-530 and 13-1-540. A fee shall be paid by the responsible parties for processing the notice of final disposition. The notice of final disposition shall be served upon any party that was served with the notice and order.

(C) *Notice of non-compliance.*

(1) The enforcing officer may record a notice of non-compliance with the San Benito County Recorder on the property which is the subject of a notice under this chapter if:

- (a) The time limit for abatement expires and abatement has not occurred;
- (b) A use or activity continues after issuance of a stop work notice; or
- (c) If a hearing is held, after the city hearing officer has determined responsibility.

(2) The notice of non-compliance filed with the San Benito County Recorder shall include a copy of the applicable notice as an attachment.

(D) *Notice of compliance.*

(1) Upon completion of all work to abate a nuisance, including securing of permits where required, and payment of all abatement costs and/or administrative penalties imposed pursuant to this chapter, the enforcing officer may record a notice of compliance with the San Benito County Recorder and shall notify the owner(s) of such action.

(E) *Notice of pendency.*

(1) Whenever the city institutes a judicial action or proceeding to enforce a land use ordinance, a notice of pendency of the action or proceeding may be filed with the San Benito County Recorder's Office. The notice of pendency may be filed at the time of the commencement of the action or proceeding and upon recordation of the notice of pendency, shall have the same effect as a notice recorded in compliance with the Cal. Code of Civil Procedure, §§ 405.20 *et seq.*, as amended.

(2) Upon motion of a party to the judicial action or proceeding, the notice of pendency may be vacated upon an appropriate showing of need therefore by an order of a judge of the court in which the action or proceeding is pending.

13-1-500 Administrative Hearing.

(A) If the enforcing officer determines that all violations have been timely corrected, the enforcing officer may clear the notice and no hearing shall be required.

(B) The City Council may delegate its authority to conduct the administrative proceedings set forth in this section to the City Hearing Officer appointed by the City Manager pursuant to §2-7-130(C) of the San Juan Bautista Municipal Code, as amended. The Hearing Officer shall have full authority and duty to preside over hearings in the manner set forth in §2-7-140 of the San Juan Bautista Municipal Code.

(C) *Administrative hearing and recommended decision.* Pursuant to California law, and §2-7-140 of the San Juan Bautista Municipal Code, the City Hearing Officer shall hold an administrative hearing as follows:

(1) A hearing shall be held within 30 days of the city's receipt of a written request for an administrative hearing, unless the parties agree otherwise, and the city shall provide notice of the time, date, and location of the hearing. Hearings may be held virtually at the election of the city.

(2) At the hearing, the City Hearing Officer shall determine:

(a) With respect to a notice of violation:

1. Whether the conditions existing on the property constitute a nuisance under this chapter;

2. Whether to impose, modify, or disapprove, in whole or in part, any proposed administrative penalties; and

3. Whether the enforcing officer may record any notices.

(b) With respect to a notice to abate:

1. Whether the conditions existing on the property constitute a nuisance under this article;

2. Whether there is any other good cause why those conditions should not be abated;

3. Whether the hearing officer should impose, modify, or disapprove, in whole or in part, any proposed administrative penalties; and

4. Whether the hearing officer should permit the enforcing officer to record any notices.

(c) With respect to post-deprivation notices:

1. Whether the conditions existing on the property constitute a nuisance under this chapter;

2. Whether the conditions existing on the property constituted an immediate threat the public health, safety, and/or welfare such that the alternative procedures set forth in this chapter would not have resulted in abatement of the nuisance within a short enough period of time to avoid said threat;

3. Whether the Hearing Officer should impose, modify, or disapprove, in whole or in part, any proposed administrative penalties; and

4. Whether the means of abatement were reasonable.

(d) With respect to stop work notices.

1. Whether the conditions existing on the property constitute a nuisance under this article;

2. Whether the hearing officer should impose, modify, or disapprove, in whole or in part, any proposed administrative penalties.

(e) With respect to a notice of refusal to issue permits:

1. Whether the conditions existing on the property constitute a nuisance under this chapter.

(3) At the hearing, the responsible parties shall be given an opportunity to present and elicit testimony and other relevant evidence. Failure of the responsible parties to appear and present evidence at the hearing shall be deemed a withdrawal of the request for hearing or a waiver of the right to be personally present at the hearing, and shall constitute a failure to exhaust administrative remedies.

(4) In the event that the responsible parties do not appear and present evidence at the hearing, the City Hearing Officer may base its recommended decision solely upon the evidence submitted by the enforcing officer.

(5) Any hearing conducted pursuant to this article need not be conducted according to technical rules relating to evidence, witnesses and hearsay. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions. The City Hearing Officer has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.

(6) The standard of proof shall be by a preponderance of the evidence and the burden of proof to establish the existence of the nuisance shall be borne by the enforcing official. The burden of proof that the nuisance has been abated shall be borne by the responsible parties.

(7) The City Hearing Officer may continue the hearing from time to time. Prior to a scheduled hearing, the enforcing officer or the responsible parties may submit a written request for continuance to the city hearing officer. The City Hearing Officer shall issue his or her determination by any means likely to provide notice to the parties at the soonest time possible. In the event the request for continuance is granted, the city hearing officer shall also provide the date and time for the rescheduled hearing.

(8) The City Hearing Officer shall consider the matter de novo.

(9) After the hearing, the City Hearing Officer shall issue a recommended decision in the form of a resolution which shall be served in any manner agreed upon by the parties. If no manner is agreed upon, then service shall be by first class mail, postage prepaid, to, or personally served upon, all parties appearing at the hearing and any other parties upon whom the notice was served.

(D) The City Council shall review the following for all recommended decisions from the City Hearing Officer as follows:

(1) The city manager shall promptly present the recommended decision to the City Council. The City Council may adopt the recommendation without further notice of hearing, or may set the matter for a de novo hearing before the City Council.

(2) In the event that the City Council sets the matter for de novo hearing, such hearing shall be held in accordance with the provisions of this section.

(3) The decision of the City Council shall become effective upon issuance thereof and shall be served by first class mail, postage prepaid, or personally served upon, all parties appearing at the hearing and any other parties upon whom the notice was served. Service shall be deemed to have been completed upon personal service and/or the deposit of said decision, postage prepaid, in the United States mail.

(4) The decision of the City Council shall be final and conclusive.

13-1-510 Enforcement of Abatement Order.

(A) Any responsible party may abate the nuisance or cause it to be abated at any time prior to commencement of abatement by, or at the direction of, the enforcing officer. Such abatement by any responsible party shall not impair the enforcing officer's ability to impose any administrative penalty accrued prior to such abatement.

(B) Notwithstanding the foregoing, whenever the enforcing officer becomes aware that a responsible party has failed to abate any nuisance within 14 calendar days of the date of service of the decision of the City Council requiring such abatement, or such other time specified by the City Council, the enforcing officer may enter upon the property and abate the nuisance by city personnel, or by private contractor under the direction of the enforcing officer. The enforcing officer may apply to a court of competent jurisdiction for a warrant authorizing entry upon the property for purposes of undertaking the work, if necessary. If any part of the work is to be accomplished by private contract, that contract shall be submitted to and approved by the City Manager or City Council, as applicable, prior to commencement of work. Nothing herein shall be construed to require that any private contract under this code be awarded through competitive bidding procedures where such procedures are not required by the general laws of the State of California.

(C) The costs of abatement and administrative costs for every abatement carried out under this section may be recovered in accordance with this chapter.

13-1-520 Liability for Abatement Costs and/or Administrative Penalties; Interest.

(A) In any enforcement action brought pursuant to this chapter, whether by administrative proceedings, judicial proceedings, or summary abatement, each responsible party who causes, permits, suffers, or maintains the nuisance to exist shall be personally liable for:

(1) All costs incurred by the city, including, but not limited to, abatement costs, including administrative costs, and any and all costs incurred to undertake, or to cause or compel any responsible party to undertake, any abatement action in compliance with the requirements of this article, whether those costs are incurred prior to, during, or following enactment of this article. In addition, the prevailing party shall be entitled to a recovery of the reasonable attorneys' fees incurred. Recovery of attorneys' fees under this subdivision shall be limited to those actions or proceedings in which the city elects, at the initiation of that action or proceeding, to seek recovery of its own attorneys' fees. In no action, administrative proceeding, or special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the city in the action or proceeding;

(2) Any administrative penalty imposed pursuant to this article. In the event that an administrative penalty is imposed pursuant to this article on two or more responsible parties for the same violation, all such responsible parties shall be jointly and severally liable for the full amount of the administrative penalty imposed. Payment of administrative penalties imposed pursuant to this article does not excuse or discharge any continuation or repeated occurrence of the violation. Payment of the administrative

penalty does not bar the city from taking any other enforcement action regarding a violation that is not corrected.

(B) Interest shall accrue on all amounts due under this article, from the effective date of the City Council's Decision, as set forth in §13-1-500, to the date paid pursuant to the laws applicable to civil money judgments.

(C) At such time as the information becomes known, the enforcing officer shall make a demand for abatement costs and/or accrued administrative penalty by issuing an invoice in accordance with §13-1-470 to the responsible parties.

(D) Whenever the amount of abatement costs, including administrative costs, incurred by the city to abate the nuisance, or the amount of any administrative penalty imposed pursuant to this article has not been satisfied in full within 30 calendar days after service of the invoice, and/or has not been timely appealed to the Superior Court in accordance with Cal. Gov't Code § 53069.4(b), or if appealed, such appeal has been dismissed or denied, all or any part of, this obligation may constitute a lien against the real property on which the violation occurred in accordance with the procedures set forth in §§13-1-530 and 13-1-540.

(E) In addition to any other remedy, the city may prosecute a civil action through the City Attorney to collect any costs incurred to abate the nuisance and/or any administrative penalty imposed pursuant to this chapter.

13-1-530 Lien Hearing.

At such time as an invoice for abatement costs and/or administrative penalties due and has not timely been paid:

(A) The enforcing officer shall prepare and present a written report of abatement costs and/or administrative penalties ("report") to the City Council stating, as applicable:

(1) For each abatement carried out, an account of the abatement costs, including costs of administration; and/or

(2) For each accrued administrative penalty, the amount of delinquent administrative penalty.

(B) Upon receipt of the report, the city shall serve a written notice of a lien hearing regarding the report, along with a copy of the invoice upon the responsible parties.

(C) At the time and date set for the lien hearing, the City Council shall meet to review and consider the report and any protests or objections to it, and determine whether the amounts owed shall be assessed against such parcel or otherwise attempted to be collected from the owner(s) of such parcel.

(D) At the conclusion of the lien hearing, the City Council may make such modifications in the report as it deems necessary and thereafter shall adopt a resolution confirming, modifying, or discharging the lien amount. As part of the resolution, the City Council may order that all or any part of the cost to abate the nuisance pursuant to this article, including the administrative costs, as confirmed by the City Council be placed upon the county tax roll by the San Benito County Auditor as special assessments

against the respective parcels of land, or placed on the unsecured roll, pursuant to Cal. Gov't Code §38772.1; provided, however, that the abatement costs, including the cost of administration, as finally determined, shall not be placed on the tax roll if paid in full prior to entry of said costs on the tax roll.

(E) The liens provided herein shall have no force and effect until recorded with the San Benito County Recorder. The city may cause notices of abatement lien and/or notices of administrative penalty lien to be recorded against the respective parcels of real property pursuant to Cal. Gov't Code §38773.1. Upon recordation, the city shall serve, in the manner set forth in §13-1-480, a copy of the recorded notice(s).

(F) Within 30 calendar days following the City Council's adoption of a resolution imposing a lien, the city will file the judgment lien in the San Benito County Recorder's Office.

(G) Once recorded, any costs or penalties not specially assessed by the City Council pursuant to this section shall have the same force and effect and priority of a judgment lien governed by the provisions of Cal. Code of Civil Procedure § 697.340, and may be extended as provided in Cal. Code of Civil Procedure §§ 683.110 to 683.220, inclusive.

(H) Interest shall accrue on the principal amount of any lien remaining unsatisfied pursuant to the law applicable to civil money judgments.

(I) Once the city receives full payment for outstanding principal, penalties, and costs, the city will record a notice of satisfaction. A fee shall be paid by the responsible parties for processing the notice of satisfaction. This notice of satisfaction will cancel the city's lien under this section.

(J) The lien may be foreclosed and the real property sold, by the filing of a complaint for foreclosure in a court of competent jurisdiction, and the issuance of a judgment to foreclose. There shall be no right to trial by jury. The city shall be entitled to its attorneys' fees and costs.

13-1-540 Alternative Lien Hearing Procedure.

If a City Hearing Officer has been appointed in accordance with §2-7-130(C) of the code, the city hearing officer is authorized to conduct the hearing required under §13-1-530 and shall prepare a recommended decision and resolution for the City Council pursuant to Cal. Gov't Code §§38773.1. The recommended decision and resolution shall include any proposed modifications to the report. The Hearing Officer shall promptly submit that recommendation and the administrative record to the city staff, who shall promptly present it to the City Council. The City Council may adopt the recommended decision and resolution without further notice of hearing, or may set the matter for a de novo hearing before the City Council. In the event that the City Council sets the matter for de novo hearing, such hearing shall be held in accordance with the provisions of §13-1-530.

13-1-550 Enforcement by Civil Action.

As an alternative to any other procedure set forth in this article, the city may abate any nuisance described in this chapter by the prosecution of a civil action through the City

Attorney, including an action for injunctive relief. The remedy of injunctive relief may take the form of a court order, enforceable through civil contempt proceedings, prohibiting the maintenance of the violation of this chapter or requiring compliance with other terms. In addition to any other remedy provided by law or equity, the court in such an action may appoint a receiver for the property upon which the violation is occurring, pursuant to Cal. Code of Civil Procedure, § 564, who shall be authorized to take such actions as may be necessary to remedy and remove the violation.

13-1-560 Refusal to Issue Permits.

(A) No department, commission or employee of the City of San Juan Bautista vested with the duty or authority to issue or approve permits, licenses or other entitlements shall do so when there is an outstanding violation, including, but not limited to, a failure to abate a nuisance as described in this article within 14 calendar days of the date of service of the decision of the City Council requiring abatement, or such other time specified by the City Council, involving the real property to which the pending application pertains.

(B) The authority to deny shall apply whether the applicant was the occupant or owner of record at the time of such violation or whether the applicant is either the current occupant or owner of record or a vendor of the current owner of record pursuant to a contract of sale of the real property, with or without actual or constructive knowledge of the violation at the time he or she acquired his or her interest in such real property.

(C) Upon recordation of Notice of violation or notice to abate, all departments, commissions, and/or employees shall refuse to issue permits, licenses, or entitlements involving the premises except those necessary to abate such violation.

(D) Written notice of the refusal to issue identified in §13-1-470 shall be served upon the applicant in accordance with §13-1-480.

(E) The enforcing officer may waive the provisions of this section regarding refusal to issue if he or she determines such waiver to be required to allow necessary or desirable remedial, protective or preventative work.

13-1-570 Transfer of Title, Interest, or Possession.

(A) It shall be unlawful for the owner of any real property to sell, transfer, mortgage, lease, or otherwise dispose of any real property knowing there is a notice issued by the enforcing officer in accordance with §13-1-470 involving that real property until the violations are corrected or until such owner first furnishes the grantee, transferee, mortgagee, or lessee with a true copy of any such notice and shall furnish to the enforcing officer a signed and notarized statement from the grantee, transferee, mortgage, or lessee acknowledging the receipt of a true copy of such notice and fully accepting the responsibility without condition for making the corrections or repairs required by such documents or stating intentions to timely challenge such notice. Failure to provide notice as required in this section is a misdemeanor. The transfer of ownership in violation of this section shall not abrogate the transfer.

(B) Upon transfer of any property with a violation on file indicating the property is unsafe, dangerous or otherwise not habitable, the new owner shall not occupy or use the property until the enforcing officer expressly authorizes such occupation or use.

13-1-580 Remedies Cumulative.

All remedies provided for herein are cumulative and not exclusive, and are in addition to any other remedy or penalty provided by law.

13-1-590 Severability.

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



CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT

DATE: AUGUST 15, 2023

DEPARTMENT: CITY ATTORNEY

BY: CITY ATTORNEY

TITLE: OPEN A PUBLIC HEARING AND RECEIVE COMMENTS FROM MEMBERS OF THE PUBLIC; CONSIDER INTRODUCTION OF AN ORDINANCE REVISING TITLE 11 “ZONING” SECTION 11-04-110 REGARDING REGULATION OF LARGE-SCALE RETAIL, FORMULA RETAIL, FORMULA RESTAURANT BUSINESSES.

CEQA: EXEMPT PER CEQA GUIDELINE 15061(B)(3)

During the discussion at the City Council meetings on March 21 and July 18, 2023, Council Members discussed and received comments from members of the public concerning revisiting the “Formula Business Ordinance” with the goal of encouraging a bank, pharmacy or another hotel to locate in San Juan Bautista. On July 18, 2023, the City Council requested that an ordinance revision be brought back at this meeting for introduction. The attached Ordinance revising Section 11-04-110 is submitted for that purpose.

If adopted this Ordinance would establish a purpose for the regulation and describe the three types of businesses that would continue to be regulated - large-scale retail, formula retail and formula restaurant and further describe and define the attributes of “large-scale” retail and “formula” retail and restaurant businesses. Reference to “Visitor accommodations” is deleted in this Ordinance.

Neither the present version of 11-04-110 or this Ordinance effect a total ban on such businesses and the findings required for a conditional use permit, required in each instance, remain the same.

The proposal would exclude as formula businesses banks or credit unions, pharmacies not otherwise located within a large-scale retail business, grocery stores, and gas stations. Hotels, motels and inns are also excluded from categorization as formula businesses and each is permitted as a conditional use in the Commercial and Mixed-Use Districts. Banks are a permitted use in the Commercial and Mixed-Use Districts as are drug stores and grocery stores. Gas stations are conditional uses in the Commercial and Industrial Districts. “Large-scale retail business development” is defined in the Zoning Code as meaning any structure of 5,000 square feet or greater occupied by one retail establishment.

The Ordinance also provides that in the event of any conflict with another section of the Municipal Code, Section 11-04-110 would control and that in the event an applicant challenges the designation of the business as one of the types of businesses regulated by Section 11-04-110 the burden is on the applicant to prove otherwise.

California has a well-established history with formula business regulation at the city level. In addition to prominent “big box” store regulations, many cities of varying size across the state have enacted prohibitions against formula businesses. California courts have largely upheld these restrictions against legal challenges under the dormant commerce¹ and equal protection clauses of the U.S. Constitution.

It is also a well-established legal principle that a city’s police power has broad application to protect the public health, safety and welfare of its residents which has been interpreted to include regulating formula businesses.

The attached Ordinance revising Section 11-04-110 is submitted for purposes of introduction.

-RWR

¹ The Dormant Commerce Clause, or Negative Commerce Clause, in American constitutional law, is a legal doctrine that courts in the United States have inferred from the Commerce Clause in Article I of the US Constitution. The primary focus of the doctrine is barring state protectionism. The Dormant Commerce Clause is used to prohibit state legislation that discriminates against, or unduly burdens, interstate or international commerce.

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY OF SAN JUAN BAUTISTA DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND REVISING TITLE 11 “ZONING” OF THE SAN JUAN BAUTISTA MUNICIPAL CODE BY REPEALING AND REPLACING SECTION 11-04-110 “LARGE-SCALE RETAIL BUSINESS, FORMULA RETAIL OR RESTAURANT BUSINESS, AND FORMULA VISITOR ACCOMMODATIONS” OF ARTICLE 1 “DEVELOPMENT STANDARDS” OF CHAPTER 11-04 “ADDITIONAL DEVELOPMENT STANDARDS” BY ADOPTION OF A REVISED SECTION 11-04-110 ENTITLED “LARGE-SCALE RETAIL BUSINESS, FORMULA RETAIL OR FORMULA RESTAURANT BUSINESS”

WHEREAS, the City of San Juan Bautista is primarily a rural community and has adopted the motto “The City of History” and desires to retain its unique and historic small town visual appearance and character and maintaining these community characteristics creates a distinct visitor and resident experience; and

WHEREAS, the diversity of the community’s unique commercial area contributes to the quality of life for City residents and promotes the long-term economic health of visitor-serving businesses and the community as a whole and maintaining the economic health and unique appeal of the City’s commercial district is vital to the ongoing preservation and enhancement of the City’s unique historic feel; and

WHEREAS, San Juan Bautista is a well-known destination that draws many visitors each year, as stated in the General Plan:

“The City is a Certified Local Government, designated by the California Office of Historic Preservation, which requires it to maintain a historic resources review body and authorizes it to apply for Federal pass-through grant funds. The City updated its 1981 Historic Resources Inventory in 2006 (approved by the City Council on April 17, 2007), was designated a Preserve America Community by the White House in 2007, and was named a Distinguished Destination by the National Trust for Historic Preservation in 2008. Within the City’s planning San Juan Bautista 2035 General Plan November 1, 2015 area boundaries are three historic districts listed in the National Register of Historic Places. They are (1) San Juan Bautista Plaza Historic District, (2) San Juan Canyon Historic District, and (3) Third Street Historic District. San Juan Bautista is home to seven National Historic Landmarks, boasting the highest number of registered landmarks in the County. The City supports an active Historical Society, monthly living history events are held at the State Park, and the Native Daughters of the Golden West meet regularly in San Juan Bautista. It is fundamentally important to recognize historical and cultural resources as an essential part of the City’s heritage influencing future design and economic opportunities.” [General Plan Summary]; and

WHEREAS, to help advance these attributes the City Council seeks to avoid the proliferation of formula businesses that result in a sense of sameness and familiarity, instead the City desires to encourage elements that promote variety and charm while still leaving opportunities open for all; and

WHEREAS, maintaining a strong and diverse retail base is critical to the success of the City's commercial area and the City recognizes this can be enhanced by a healthy blend of unique and familiar businesses which provide diverse opportunities for visitor and residents alike; and

WHEREAS, the City finds that the unregulated proliferation of formula businesses will conflict with and frustrate the City's goal of maintaining a distinct historic community character; and

WHEREAS, the City previously adopted regulations, codified as Section 11-04-110 of Article 1 "Development Standards" of Chapter 11-04 "Additional Development Standards" of Title 11 "Zoning" of the San Juan Bautista Municipal Code "Large-scale retail business, formula retail or restaurant business, and formula visitor accommodations"; and

WHEREAS, on August 4, 2023, a Notice of Public Meeting for this matter was posted in three locations in the city designated by the City Council for posting of notices within the City; and

WHEREAS, on August 15, the City Council held a duly noticed public hearing on amendment of the Zoning Code at which time the City Council reviewed and considered the agenda report, reviewed and considered written correspondence from the public, testimony and other information in the record; and

WHEREAS, in consideration of the foregoing the City Council finds that the public welfare will be served and advanced by continuing the regulation of the establishment of formula business; and

WHEREAS, the City Council, in an effort to regular formula business, has determined to repeal and replace Section 11-04-110 of Article 1 "Development Standards" of Chapter 11-04 "Additional Development Standards" of Title 11 "Zoning" of the San Juan Bautista Municipal Code with "Exhibit A" consisting of 3 pages, entitled "11-04-110 Large-scale retail business, formula retail or formula restaurant business."

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

1. Environmental Determination. The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with Guidelines Section 15061(b)(3) based on the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed ordinance would continue the ability of the City to regulate formula business within the City and would not have any potential for creation of a significant environmental impact.

2. Section 11-04-110 of Article 1 of Chapter 11-04 of Title 11 Repealed and Replaced. Section 11-04-110 of Article 1 “Development Standards” of Chapter 11-04 “Additional Development Standards” of title 11 “Zoning” of the San Juan Bautista Municipal Code entitled “Large-scale retail business, formula retail or restaurant business, and formula visitor accommodations” is hereby repealed in its entirety and replaced as set forth on the attached three pages (3) pages, marked “Exhibit A” entitled “Large-scale retail business, formula retail or formula restaurant business” and incorporated herein by this reference thereto.
3. Effective Date. This Ordinance shall be in full force and effect 30 days after its final passage and adoption.
4. Severability. If any portion of this Ordinance is found to be unconstitutional or invalid the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part.
5. Posting of Ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted on the internet and in the public places designated by resolution of the City Council.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of San Juan Bautista duly held on August 15, 2023, and was passed and adopted at a regular meeting duly held on September 19, 2023.

PASSED AND APPROVED by San Juan Bautista City Council on the 15th day of August, 2023, by the following vote

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

11-04-110 Large-scale retail business, formula retail or formula restaurant business.

(A) The purpose of this section is to regulate the location and design of large-scale retail business development, formula retail business, and formula restaurant business establishments in order to maintain the unique and historic small town visual appearance and character of the City, the diversity of the community's unique commercial area, the quality of life for City residents, and to promote the long-term economic health of visitor-serving businesses and the community as a whole.

(B) "Large-scale retail" means a commercial retail establishment for the sale of merchandise, services or a product for which the useable area of the building or structure wherein a single business is to be located and conducted is five thousand (5,000) square feet or greater.

(C) "Formula" for purposes of this section means a type of business activity which is required by contractual or other arrangement or affiliation to maintain a standardized ("formula") array of merchandise and/or a product, menu, employee uniforms, décor, façade, design, signage, color scheme, trademark or service mark, name, or similar standardized features which cause it to be substantially identical to other businesses in the United States, regardless of ownership or location, at the time the conditional use permit application required herein is deemed complete.

(D) "Formula retail business" means a commercial retail establishment for the sale of merchandise, services and/or a product including a standard array of merchandise and/or a product and one or more of the other attributes described in subsection (C) above.

(E) "Formula restaurant business" means a retail establishment primarily devoted to the on-site preparation and offering of food and beverage for sale to the public for consumption either on or off the premises and which is required by contractual other arrangement to offer any of the following: standardized menus, ingredients, food preparation, décor, uniforms, architecture, signs or similar standardized features and which causes it to be substantially identical to other restaurants.

(F) Other Definitions.

"Color scheme" means selection of colors used throughout, such as on the furnishings, permanent fixtures, and wall coverings, or as used on the façade.

“Decor” means the style of interior furnishings, which may include, but is not limited to, style of furniture, wall coverings or permanent fixtures.

“Facade” means the face or front of a building, including awnings, looking onto a street or an open space.

“Service mark” means word, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of a service from one party from those of others.

“Signage” means a sign pursuant to Chapter 11-10 of this title.

“Standardized array of merchandise or a product” means fifty (50) percent or more of in-stock merchandise or a product are from a single distributor bearing uniform markings.

“Standardized array of services” means a substantially common menu or set of services priced and performed in a consistent manner.

“Trademark” means a word, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of the goods from one party from those of others.

“Uniform apparel” means standardized items of clothing including but not limited to standardized aprons, pants, shirts, smocks, dresses, hats, and pins (other than name tags) as well as standardized colors of clothing.

(G) A Conditional Use Permit shall be required for any large-scale retail business, formula retail business, or formula restaurant business in the City. Procedures for each such business’ conditional use permit application shall conform to Chapter 11-20. The following findings shall be required:

(1) The business offers merchandise, a product and/or services that serve the unmet needs of the population.

(2) Although a formula-based business may have other store locations throughout the country, State, or region, the business will complement and enhance the existing character of the City.

(3) Both exterior and interior appearance and presentation of the business are compatible with the existing scale of development, distinctive architecture and pedestrian orientation of the town character and result in an enhancement of the look and feel (i.e., unique historic character) of the surrounding area.

(4) Signs shall conform to the City sign standards and design guidelines.

(5) Drive-through food establishments are prohibited.

(H) Large-scale retail, formula retail business, and formula restaurant business are subject to review by the Planning Commission so therefore the business/applicant shall fill out the application requirements for a conditional use permit and any other pertinent applications as specified therein, pay fees specified, and submit plans as set forth therein.

(I) Notwithstanding any other provision of this section, Title, or the San Juan Bautista Municipal Code, the following types of businesses are not formula businesses: hotels, motels, and inns, banks or credit unions, pharmacies not otherwise located within large-scale retail businesses, grocery stores, or automobile service (i.e., gas) stations.

(J) This section is in addition to, and not in replacement of, any other regulations or definitions set forth elsewhere in this title. In the event of a conflict between the provisions of this section, and any other regulations in this title, the provisions of this section shall prevail.

(K) In the event the City determines that a permit application or permit subject to this section is for a large-scale retail or a formula business, the permit applicant or holder bears the burden of proving to the City that the proposed or existing use does not constitute a large-scale retail or a formula business.