



# City of San Juan Bautista

*The “City of History”*

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

**CITY COUNCIL  
REGULAR MEETING  
TUESDAY, FEBRUARY 20, 2024, 6:00 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. PUBLIC COMMENT**

*Public comments generally are limited to three minutes per speaker on items that are not on the agenda and are under the City's subject matter jurisdiction. The Mayor may further limit the time for public comments depending on the agenda schedule.*

#### **3. PRESENTATION**

- A. San Benito County Tobacco Education Program

#### **4. PUBLIC HEARING**

- A. An Ordinance of the City of San Juan Bautista Amending Chapter 5, Refuse Collection and Recycling, of the municipal Code to Update Nonexclusive Franchise Agreements for the Collection of Solid Waste to Comply with SB1383.

**Recommendation:** Introduce an ordinance amending Chapter 5, Refuse Collection and Recycling, of the San Juan Bautista Municipal Code to update the definitions and Franchises for solid waste collection to comply with SB 1383 requirements waive the first reading, and hold a Public Hearing.

## 5. INFORMATIONAL ITEMS AND REPORTS

- A. Treasurer's Report and Monthly Financial Statements  
*Receive Report from City Treasurer Michelle Sabathia*
- B. Reports from City Council Representatives to Regional Organizations and Committees
- C. City Council and Staff 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.*
- D. City Manager's Report
  - a. Fire Department Update
  - b. Sheriff Department Update

## 6. 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. Approve a **RESOLUTION** Authorizing Closure of Streets for Warner Bros Pictures "BC Project"
- C. Approve a **RESOLUTION** Authorizing Closure of Streets for Community Street Mandala.
- D. Approve the Regular Meeting Minutes of October 17, 2023.
- E. Approve the Special Meeting Minutes of November 14, 2023.

## 7. 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. Fiscal Year 2023-2024 Mid-Year Budget Adjustment

**Recommendation:** Approve a **RESOLUTION** amending the budget for Fiscal Year 23/24 as indicated to reflect higher than expected revenues, savings, and several new projects and studies to be initiated before the end of the fiscal year (June 30).

## 8. DISCUSSION ITEMS

- A. Focus on Downtown; A. Parking Management Plan; B. Vacancy Ordinance; C. Façade Improvements.

## 9. FUTURE AGENDA ITEMS

## 10. 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](http://www.san-juan-bautista.ca.us) subject to Staff's ability to post the documents before the meeting, or by emailing Acting City Clerk Elizabeth Soto at [deputycityclerk@san-juan-bautista.ca.us](mailto: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 Elizabeth Soto, CMC, CPMC, Acting 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**

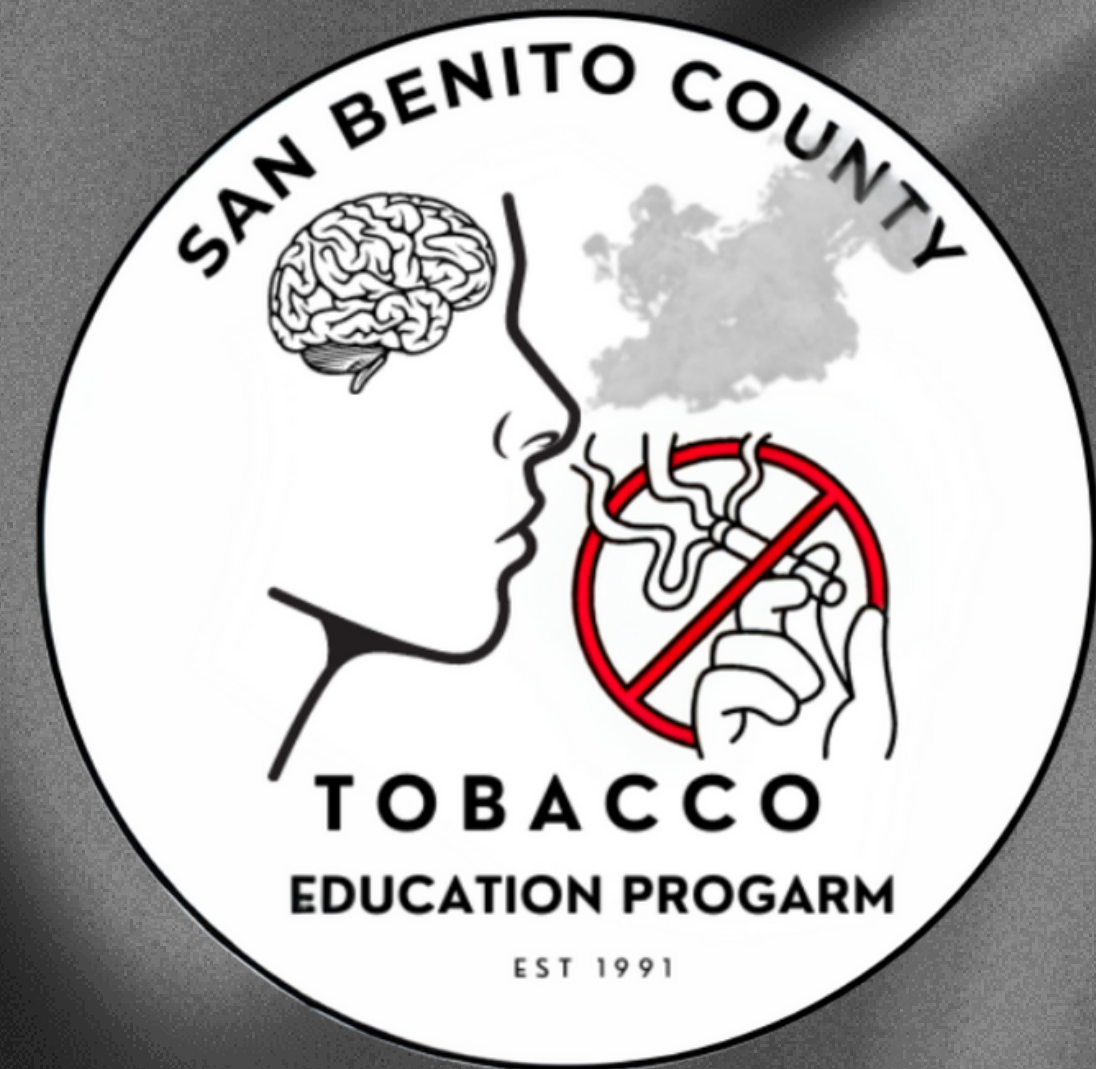
Written comments may be submitted via mail to the City Clerk at City Hall (P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to [deputycityclerk@san-juan-bautista.ca.us](mailto:deputycityclerk@san-juan-bautista.ca.us) no later than 3:00 p.m. on the day of the meeting. Written comments will be read into the record provided that the reading does not exceed three (3) minutes.

## **PUBLIC NOTIFICATION**

This agenda was posted on Friday, February 16, 2024, 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/>.

# San Benito County

## Tobacco Education Program



February 20th, 2024





# Tobacco Products

Referring to Commercial Tobacco

Not traditional tobacco which is used by native and indigenous communities for sacred and medicinal purposes

# Secondhand Smoke

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There is no safe level of exposure to secondhand smoke (SHS); even brief exposure can cause immediate harm

Health problems caused by secondhand smoke in adults who do not smoke include coronary heart disease, stroke, and lung cancer

Secondhand smoke can cause sudden infant death syndrome (SIDS), respiratory infections, ear infections, and asthma attacks in infants and children

# Thirdhand Smoke

Traditional household cleaning often cannot effectively remove thirdhand smoke from many surfaces.

Thirdhand smoke is made up of the pollutants that settle indoors when tobacco is smoked. The chemicals in thirdhand smoke include nicotine as well as cancer-causing substances such as formaldehyde, naphthalene and others

Thirdhand smoke poses a potential health hazard to nonsmokers — especially children.



# San Benito County Stats

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**8.8% of adults over 18 in SBC smoke tobacco compared to only 6.7% of the state**

2020 Ask CHIS

**12% of San Benito County residents are current cigarette smokers, higher than the state average of 9%**

2023 County Health  
Rankings

**23% of 11th grade students said they were current users of vape products**

2019-2021 California  
Healthy Kids Survey







# For questions,

Please reach out to:

Crystal Ortiz  
Project Coordinator  
[crortiz@cosb.us](mailto:crortiz@cosb.us)

Javier Perez  
Community & Coalition Engagement Coordinator  
[jperez@cosb.us](mailto:jperez@cosb.us)

Thank You



# County of San Benito

## Integrated Waste Management

Non-Exclusive Franchise  
Hauling Permit System  
February 20, 2024



# Integrated Waste Management Regional Agency

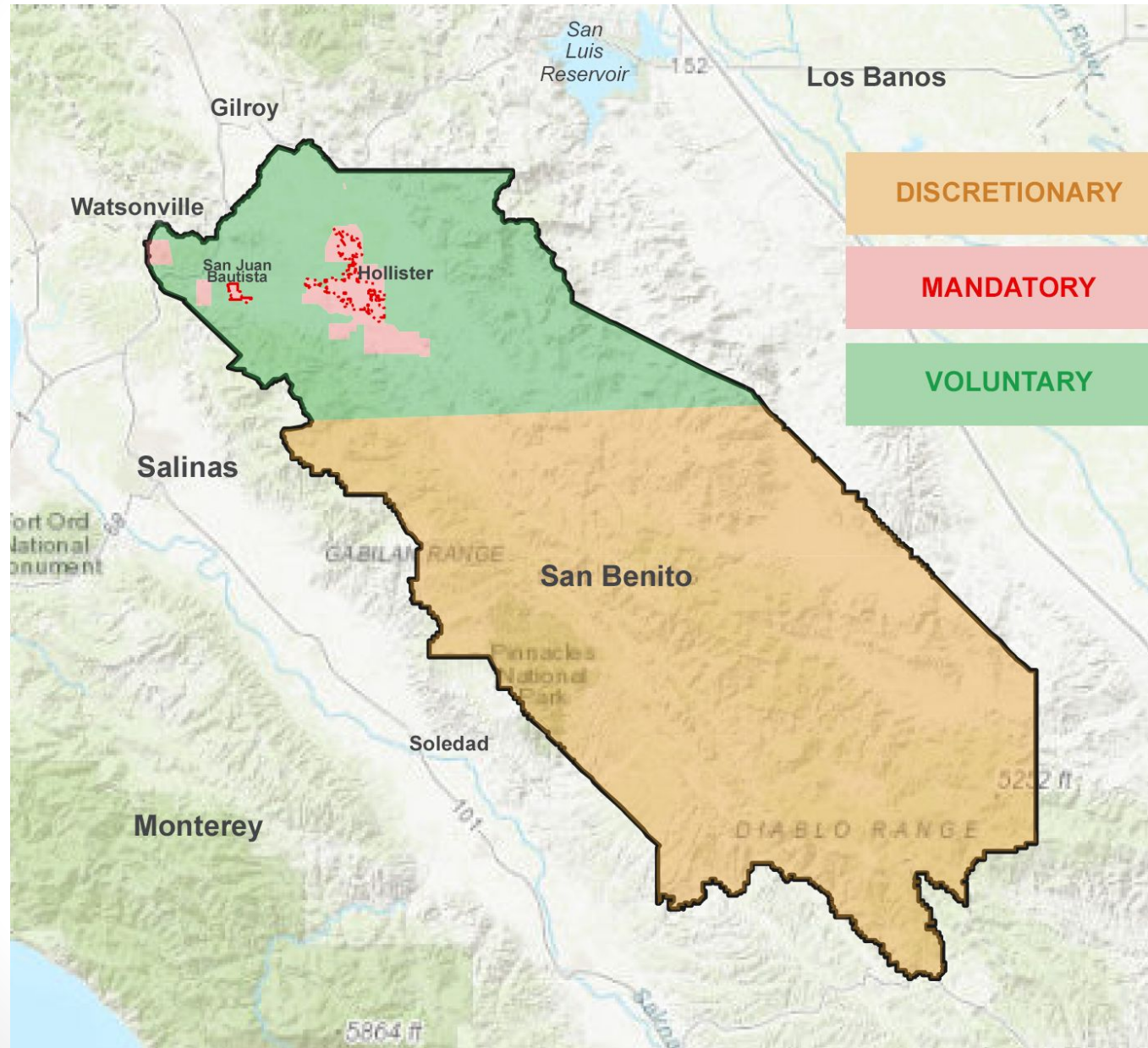
- 1995 Joint Powers Integrated Waste Management Agreement
- 2006 Cost Sharing Agreement and Local Task Force



# Overview - Non-Exclusive Franchise Agreements (NEFA)

Exclusive Franchise (Recology)	Non-Exclusive Franchise
<ul style="list-style-type: none"><li>• Recology San Benito awarded 10 year contract beginning November 1, 2018</li><li>• <b>Mandatory Service Area</b> (mandatory service)</li><li>• <b>Voluntary Service Area</b> (service upon request)</li><li>• <b>Discretionary Service Area</b> (service at Recology's discretion)</li><li>• Does not include temporary Roll-Off or Debris Box Service</li></ul>	<ul style="list-style-type: none"><li>• <b>Voluntary Service Area &amp; Discretionary Service Area</b></li><li>• Construction and Demolition (C&amp;D) debris collection</li><li>• Temporary Roll Off or Debris Box Service</li><li>• Ongoing and Regular Debris Box Service</li></ul>

# Solid Waste and Recyclables Collections Areas



# Who Needs NEFA?

Any **solid waste hauler** that collects solid waste, recyclables, organic materials, and/or construction and demolition materials in San Benito County, Hollister and San Juan Bautista.

What are the current requirements for the solid waste hauler?

- Monthly reporting
- Monthly payments

# Rural Exemption and Legislative Compliance

- SB 1383 implementation requirements began in January 2022 and requires the collection of organics Statewide
- San Benito County has an exemption for portions of SB 1383 as a Rural County
- The Rural County Exemption will expire on December 31, 2026 and the proposed permit language anticipates this change

# Proposed Improvements

- Non-Exclusive Franchise Agreement (NEFA) to change to a Permit System for Haulers
- Consolidated administration of State Requirements:
  - To provide recycling & organics service to regular garbage customers (waivers allowed)
  - Standardize container colors/labels
  - Diversion of recycling and organics
  - CalRecycle annual reporting
- Removes requirement to submit Recycling Plan
- MOU formalizes existing IWM oversight over NEFA



# Non-Exclusive Franchise Agreements (NEFA) - Timeline to Date

Date	Action
June 16, 2022	NEFA Presentation: Overview of Process and Compliance Needs to the Local Task Force (LTF)
December 15, 2022	NEFA Presentation: Introduction of Permit to LTF
June 15, 2023	NEFA Presentation: Update & Project Timeline Introduction to LTF
October 26, 2023	NEFA Presentation: Project Timeline Update to LTF
November 2023	Review MOU, permit, and code revisions with County Counsel, and the COH and SJB City Managers and their respective Counsels
December 8, 2023	Inform haulers of anticipated changes and of December 14, 2023 LTF meeting
December 14, 2023	<p>NEFA Presentation: Permit Hauling System</p> <p><b>LTF provided direction to recommend to the City of Hollister, City of San Juan Bautista, and County of San Benito to approve 1) the Memorandum of Understanding for the establishment and administration of a Non-Exclusive Permit System for the collection and diversion of solid waste, and 2) relevant code of ordinance revisions.</b></p>

# Non-Exclusive Franchise Agreements (NEFA) - Timeline Next Steps

February - March 2024	<p>Cities to consider approval of MOU, with hauling permit provided informationally. County to consider approval of MOU and hauling permit. County and Cities to hold public hearings for consider code of ordinance updates.</p> <p><b>Meetings and Public Hearings</b></p> <p>County of San Benito: February 06 and February 27, 2024</p> <p>City of Hollister: February 05 and February 20, 2024</p> <p>City of San Juan Bautista: February 20 and March 19, 2024</p>
Before March 2, 2024	Provide haulers agreement termination letter – 120 day notice by March 2, 2024
March 2024	Hauler Workshop
April 2024	IWM NEFA webpage updated with approved hauling permit & reporting forms
May – June 2024	IWM staff to review and approve permits
June 2024	IWM to remind haulers that existing agreements are lapsing
July 1, 2024	New hauling permit goes into effect

# Staff Recommendation

Staff respectfully recommends that the Board:

- 1) Receive presentation from staff and solid waste consultant R3 that includes first reading of the Ordinance Transitioning from Non-Exclusive Franchise Agreements to Hauling Permits
- 2) Adopt a Memorandum of Understanding between the Integrated Waste Management Regional Agency Members for the establishment of Hauler Permit System



# Feedback & Questions

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN THE COUNTY OF SAN BENITO AND THE CITIES OF SAN JUAN BAUTISTA AND HOLLISTER FOR THE**  
**ESTABLISHMENT AND ADMINISTRATION OF A NON-EXCLUSIVE PERMIT SYSTEM FOR THE COLLECTION AND**  
**DIVERSION OF SOLID WASTE**

THIS MEMORANDUM OF UNDERSTANDING (MOU), entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between the County of San Benito, hereinafter called "the County" and among the City of San Juan Bautista, and the City of Hollister, hereinafter called "the Cities."

**W I T N E S S E T H:**

WHEREAS, the County and the Cities entered into a Joint Powers Integrated Waste Management Agreement in 1995, pursuant to Public Resource Code Section 40970, to form the San Benito County Integrated Waste Management Regional Agency, hereinafter referred to as "Regional Agency"; and

WHEREAS, as the lead agency of the Regional Agency, the County has been assisting the jurisdictions within the County with compliance and any applicable exemptions concerning AB 939, AB 341 and AB 1826 and is assisting with SB 1383 applicable exemptions and compliance;

WHEREAS, the Regional Agency has been granted a rural exemption from SB 1383 requirements to establish an organics waste collection program due to the County's rural composition.

WHEREAS, the SB 1383 rural exemption is anticipated to expire on December 31, 2026 and not all areas of SB 1383 are exempt under the rural exemption granted by CalRecycle, including some elements of program implementation and annual reporting requirements to CalRecycle.

WHEREAS, the County and the Cities will continue working towards SB 1383 compliance and development of effective recycling & organics waste collection programs.

WHEREAS, AB 939 mandates the diversion of 50% of the solid waste generated within the County.

WHEREAS, Article 3, §15.01.041 collection franchise or permit requires that the Board of Supervisors may determine, pursuant to state law, if a collection franchise or permit shall be awarded exclusively or non-exclusively, with or without competitive bidding. The Board shall specify the duration of the franchise or permit and shall specify, by resolution, an appropriate franchise or permit fee.

WHEREAS, the County and the Cities executed the Cost-Sharing Agreement in May of 2006 which further defines that the County oversees refuse and recycling collection, disposal and processing contract operation, and shall provide for strict accountability of all funds received or disbursed by the Regional Agency and shall provide reports of all receipts and disbursements, pursuant to Government Code section 6505. Any contracts entered into as part of duties under the Cost-Sharing Agreement by the County of San Benito, which contemplate a charge to residents and commercial and industrial businesses, shall be reviewed and approved by the Local Task Force and further approved by the representative governing bodies according to their statutory authority.

WHEREAS, the County and its cities have been participating in a non-exclusive franchise agreement (NEFA) system to ensure proper reporting of garbage, recyclables and organics collected and fees paid as appropriate.

WHEREAS, the County intends to formalize this relationship by administering the program on behalf of the Cities through this memorandum of understanding.

WHEREAS, based on best practices, County staff will revise the current NEFA system into a permit system to be more consistent with local regulatory powers and ordinances, to implement a more effective recycling & organics waste collection program, and to ensure ongoing SB 1383 compliance and reporting is conducted on behalf of the County and Cities.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

## **AGREEMENT**

### **1. Recitals.**

The foregoing recitals are true and correct and hereby incorporated herein.

### **2. Term.**

This MOU shall commence on approval of all the parties and remain in full force and effect until terminated as set forth in Section 11.

### **3. County Responsibilities**

The County shall:

- A. Create and coordinate a non-exclusive permit system consistent with Article 5 of the County Code of Regulations and Exhibit A for the collection of garbage, recyclables, and organics on behalf of the City so long as this Memorandum of Understanding is in effect in its entirety. The Board may, from time to time, adopt any regulations governing the issuance of solid waste collection permits. However, any agreements or contracts that contemplate a charge to residents and commercial and industrial businesses, shall be reviewed and approved by the Local Task Force and further approved by the representative governing bodies according to their statutory authority.
- B. Pursuant to Section 15.01.041 of the County Code of Regulations, the Integrated Waste Management Director shall be authorized to execute such a permit in writing with any person desiring to provide solid waste collection and roll-off collection services pursuant to the permit approved by the Board.
- C. Create and oversee the actual permits and reporting mechanisms to be completed by the haulers on behalf of the City so long as this MOU is in effect in its entirety.
- D. As described in the Cost Sharing Agreement between the parties, shall collect, distribute and administer the appropriate fees (franchise fees as set by Cities and the County to be paid to Cities and County, and the permit fee to be retained by County) so long as this MOU is in effect in its entirety.
- E. Implement other administrative necessities to ensure the effective administration of the permit system.
- F. Report annually to the Local Task Force on the effectiveness of the permit system.
- G. Compile the information and data necessary to complete required reports to CalRecycle as the lead agency of the Regional Agency.

#### **4. City Responsibilities**

The Cities shall:

- A. Enter this Memorandum of Understanding.
- B. Provide information. Within thirty (30) days of request by the County, or as soon as such information is available, the City will share with the County, data, documents, contact information for any hauler operating within the City limits in which it is familiar.
- C. Work with the County on any related issues requiring jurisdictional assistance including enforcement to help maximize diversion by all haulers operating within City boundaries.
- D. Review and provide consideration of any changes to agreements or contracts that contemplate a charge to residents and commercial and industrial businesses.

#### **5. Indemnification/Hold Harmless.**

Each Party shall solely be liable for any and all damages, including attorney's fees, resulting from the actions or omissions arising from its performance of the terms of this MOU. Each Party (the "Indemnifying Party") shall indemnify, defend and hold harmless the other Party (the "Indemnified Parties") from and against any and all claims, demands, actions, losses, damages, assessments, charges, judgments, liabilities, costs and expenses (including reasonable attorneys' fees and disbursements) that may from time to time be asserted by third parties against the Indemnified Parties because of any personal injury, including death, to any person or loss of, physical damage to or loss of use of real or tangible personal property, to the extent caused by the negligence or misconduct of the Indemnifying Party, its agents, employees or contractors in the performance of this MOU.

For the purposes of indemnification set forth in this MOU, "Indemnified Parties" means the applicable party, its affiliates, successors, and their employees, directors, officers, agents, and volunteers. The Indemnified Parties: 1) shall notify the Indemnifying Party in writing promptly upon learning of any claim or suit for which indemnification may be sought, provided that failure to do so shall have no effect except to the extent the Indemnifying Party is prejudiced thereby; 2) shall have the right to participate in such defense or settlement with its own counsel and at its own expense, but the Indemnifying Party shall have control of this defense or settlement; and 3) shall reasonably cooperate with the defense.

#### **6. Amendment of MOU and Merger Clause**

This MOU, including the Exhibit attached hereto and incorporated herein by reference, constitutes the sole MOU of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the MOU conflicts with or is inconsistent with any term, condition, provision, requirement, or specification in any exhibit and/or attachment to this MOU, the provisions of this body of the MOU shall prevail. Any prior MOU, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and will become effective when signed by both parties.



## **7. Records**

The County shall maintain and preserve all records relating to this MOU in its possession and those of any third-party performing work related to this MOU for a period of five (5) years from the termination of this MOU.

## **8. Assignability**

The County shall not have the right to assign this MOU or any portion thereof to a third party or subcontract with a third party to perform any act required under this MOU without the prior written consent of the City.

## **9. Notices**

Any written notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when deposited with the United States Postal Service, postage prepaid, or when transmitted by email communication, addressed:

In the case of the County, to:

Integrated Waste Management Director  
County of San Benito  
2301 Technology Parkway  
Hollister, CA 95023  
Email: sbciwm@cosb.us

In the case of San Juan Bautista, to:

City Manager  
City of San Juan Bautista  
311 Second Street  
PO Box 1420  
San Juan Bautista, CA 95045  
Email: citymanager@san-juan-bautista.ca.us

In the case of Hollister, to:

City Manager  
City of Hollister  
375 Fifth Street  
Hollister, CA 95023  
Email: coh.manager@hollister.ca.gov

All notices and communications should be addressed to the jurisdiction contact listed and be sent by both email and through the United States Postal Service to ensure all communications are received by the appropriate jurisdiction contact. Staff changes may occur and communicating via multiple methods will ensure receipt of notifications by the jurisdictions.

**10. Controlling Law and Venue**

The validity of this MOU, the interpretation of its terms and conditions, and the performance of the parties hereto shall be governed by the laws of the State of California. Any action brought to enforce this action must be brought in the Superior Court of California in and for the County of San Benito.

**11. Term and Termination**

Subject to compliance with the terms and conditions of the MOU, the term of this MOU shall commence on January 1, 2024 and shall automatically be renewed from year to year on the same terms and conditions. This MOU may be terminated without cause by the City or the County Board of Supervisors at any time upon thirty (30) days written notice to the other party.

**12. Authority**

The parties warrant that the signatories to the MOU have the authority to bind their respective entities.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

**COUNTY OF SAN BENITO**

By: \_\_\_\_\_

Name

Chair, Board of Supervisors

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

Clerk of the Board of Supervisors

Date: \_\_\_\_\_

Approved as to Legal Form:

San Benito County Counsel's Office

By:  \_\_\_\_\_

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Date: 1/25/2024 \_\_\_\_\_

**CITY OF SAN JUAN BAUTISTA**

By: \_\_\_\_\_

Name

Mayor

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

Clerk, City of San Juan Bautista

Date: \_\_\_\_\_

Approved as to Legal Form:

City Attorney, City of San Juan Bautista

By: \_\_\_\_\_

Date: \_\_\_\_\_

**CITY OF HOLLISTER**

By: \_\_\_\_\_

Name

Mayor

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

Clerk, City of Hollister

City Attorney, City of Hollister

By: \_\_\_\_\_

Date: \_\_\_\_\_

## **EXHIBIT A – PERMIT SYSTEM DESCRIPTION**

The activities listed below make up the County of San Benito’s Non-Exclusive Franchise Solid Waste Collection and Roll-Off Collection Permit System administered by the County on behalf of the Cities.

### **I. ORIGATION OF SOLID WASTE DOCUMENT**

It is unlawful for any person to transport solid waste, soil, or fill material within the county without an origination of waste document. An origination of waste document is a document which identifies the nature of the waste, where the waste was located before it was loaded for transportation, the estimated weight of the solid waste, a statement identifying the person in possession of the solid waste before the transporter of solid waste took possession of the solid waste and a statement identifying all transporters of solid waste. The origination of solid waste document shall be signed by the person in possession of solid waste before transportation of solid waste commenced and all transporters of the solid waste certifying under penalty of perjury the accuracy of the information contained in the origination of solid waste document. The county shall prepare a standard origination of solid waste document. The use of a copy of the standard form or any form substantially similar shall comply with this section.

### **II. NON-EXCLUSIVE PERMIT**

The Board shall approve by written resolution from time to time a non-exclusive permit system authorizing non-exclusive solid waste collection in the discretionary area and roll-off collection throughout the Regional Agency. Following the approval of the permit system, the Integrated Waste Management Director shall be authorized to execute such a permit with any person desiring to collect solid waste in unincorporated area of the County or to provide roll-off collection throughout the Regional Agency. The Board may, from time to time, adopt any regulations governing the issuance of solid waste collection permits.

The County will develop and coordinate a standardized and uniform San Benito Countywide Non-Exclusive Collection Permit Program consistent with and compliant to California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants. The program will operate within San Juan Bautista’s and Hollister’s boundaries and will replace the need for San Juan Bautista and Hollister to create such a non-exclusive collection permit program on their own. This program will operate in the unincorporated areas of the county as well as the jurisdictions in the county agreeing to the MOU.

Through email, letters, or other direct or electronic communication, the County shall annually notify non-exclusive collection haulers within each Jurisdiction of their requirements to hold a permit as established pursuant to Section 18991.3 and 18991.4 of the Regulations.

### **III. TERMS OF PERMITS**

- a. The permit shall provide for a term of three years which shall renew automatically unless revoked as determined by the Director in his/her sole discretion.
- b. The permit shall provide for a permit fee which shall be determined by the County and paid by the permittee at the time of the permit submittal, and upon any permit renewal.
- c. Franchise fees shall be paid on a quarterly basis with payments submitted by permittee every three months. The Board of Supervisors, the City of San Juan Bautista City Council and the City of Hollister City Council may adopt new franchise fees by written resolution from time to time, following a public hearing. Notice of public hearing shall be posted in a newspaper of general circulation not less than ten days prior to the date of the hearing.
- d. The permit shall provide that the Permittees prepare and file reports with the County to include, without limitation, information about the volume and type of solid waste, about the location where the transported solid waste is generated, and information about recycling, composting and other recovery efforts.
- e. The permit may require a bond as an undertaking to insure compliance with this chapter and with other requirements imposed by law.

### **IV. REGULATION OF FEES**

- a. The Board reserves the authority to establish or change, by resolution, a schedule of fees to be charged for the collection of solid waste as regulated by this chapter.
- b. A company operating under a permit shall comply with all conditions specified in the permit and all provisions of this chapter.

### **V. REPORTING AND RECORDKEEPING**

- a. The County shall develop reporting forms for Quarterly and Annual Reports from Haulers for information required by section 18994.2 of the regulations.
- b. Upon request by a CalRecycle representative, the County will provide access to the Implementation Record within 10 business days. In conformance with the California Public Records Act (Government Code §6250 *et seq.*), County will also respond to a request for public records contained in the Implementation Record. County and the Cities shall each notify the other if either the County or a City receive a request for all or part of the Implementation Record and coordinate a response to such request.

### **VI. ENFORCEMENT**

1. The County will conduct enforcement of the ordinance within the County and participating Cities using a complaint-based system consistent with the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants. The County will respond to complaints, investigate, and resolve reported issue(s).

2. The County will keep detailed records of enforcement in the County and the Cities for a minimum of five (5) years.
3. The County will provide the necessary records to the Cities for required reporting about SB 1383 efforts to CalRecycle.
4. The County will notify the Cities promptly about any related issues that arise that require the Cities assistance or to request the Cities lead in resolving the issue(s) related to noncompliance.
5. The Cities will work with the County on any related issues requiring jurisdictional assistance or lead in resolving the issue(s) related to complaints and/or noncompliance by any waste haulers operating within the County and Cities boundaries.

## **VII. ISSUANCE OF PERMITS, COLLECTION OF FEES, PENALTIES, FINES AND LIQUIDATED DAMAGES**

The County is granted authority to issue permits to non-franchised collection haulers and to collect fees, issue penalties, fines, and liquidated damages to Permittees for implementation of the non-exclusive permit system and for issuing any violations of the permit or Municipal Code regulations.

## **VIII. EXEMPTION FROM REQUIREMENT OF PERMIT**

The following persons are exempt from the permit requirement specified above and may collect solid waste without the approval of the county:

- i. Recyclable and Organic Materials: Other persons shall maintain the right to accept source separated recyclable materials and source separated organic materials provided that such person paid the service recipient for materials, so long as there is no net payment of any type made by the service recipient to such other person including, without limitation, for rental of collection or storage containers, loading or transporting of materials, and/or disposal;
- ii. Self-Hauled Materials: Business owners or residents may dispose of garbage, recyclable materials, and compostable/organic materials generated on their own premises with their own vehicle;
- iii. Donated Materials: Items that are source separated by the generator and are and donated to youth, civic, or charitable organizations;
- iv. Beverage Containers: Containers delivered for Recycling under the California Beverage Container Recycling and Litter Reduction Act, Section 14500, et seq. California Public Resources Code;
- v. Materials Removed by Customer's Permittee as Incidental Part of Services: Garbage, recyclable materials, compostable/organic materials, and/or C&D removed from a premise by a Permittee (e.g., gardener, landscaper, tree-trimming service, construction Permittee, residential clean-out service) using Permittee's

own vehicle, equipment, and employee(s) as an incidental part of the total service offered by that Permittee, rather than as a hauling service;

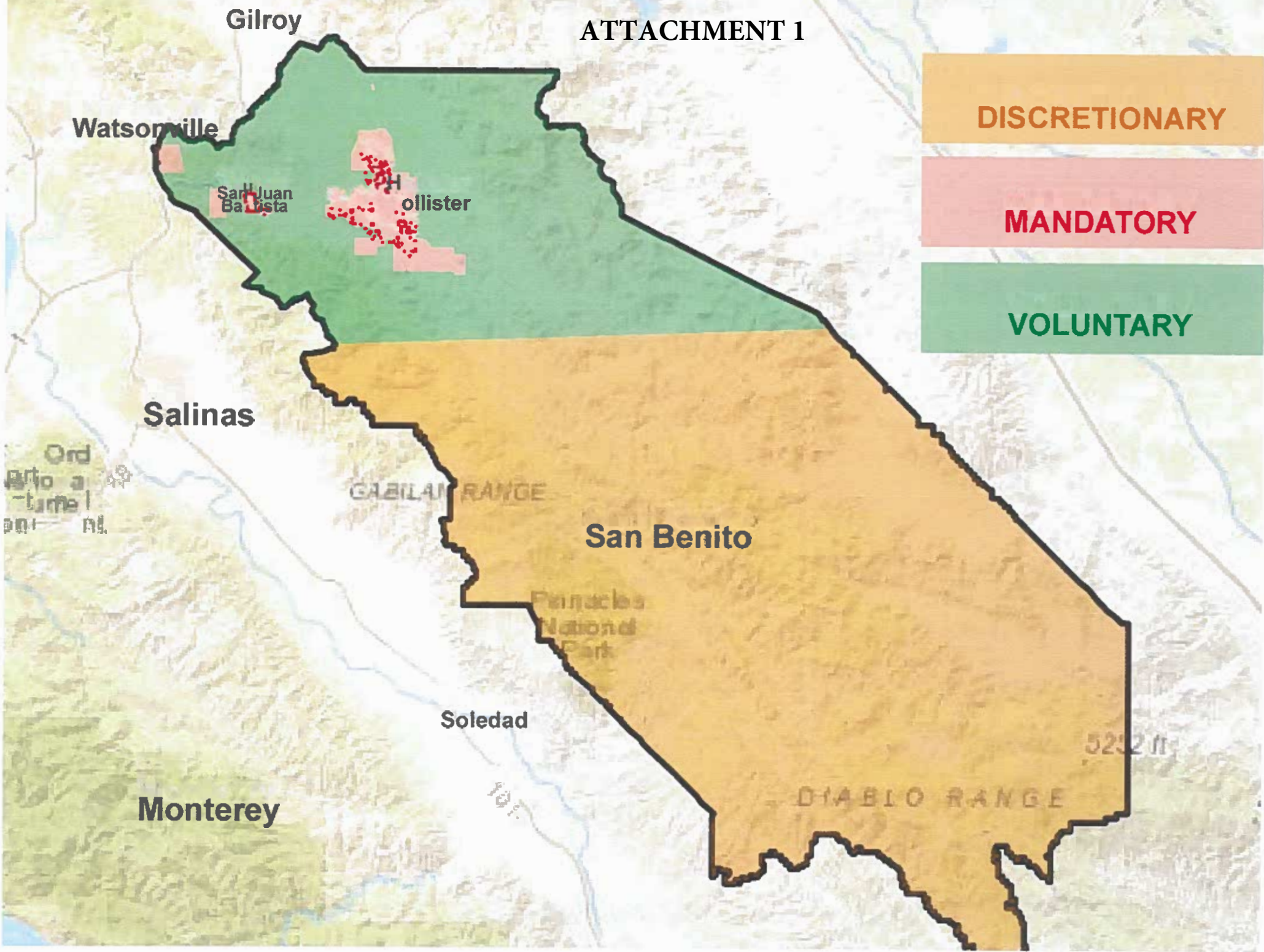
- vi. Source Separated E-Waste and Source Separated Universal Waste: Discarded electronic equipment and Universal Waste including, but not limited to, televisions, computer monitors, central processing units (CPUs), laptop computers, computer peripherals (including external hard drives, keyboards, scanners, and mice), printers, copiers, facsimile machines, radios, stereos, stereo speakers, VCRs, DVDs, camcorders, microwaves, telephones, cellular telephones, and other electronic devices.

“Universal Waste” means all wastes defined by Title 22, Subsections 66273.1 through 156 66273.9 of the California Code of Regulations or successor regulations. These include, but are not limited to, Household Batteries, fluorescent light bulbs, mercury switches, and E-Waste;

- vii. Animal, Grease Waste, and Used Cooking Oil: Animal waste and remains from slaughterhouse or butcher shops, grease, or used cooking oil;
- viii. Sewage Treatment By-Product: By-products of sewage treatment, including sludge, sludge ash, grit, and screenings;
- ix. Excluded Waste: Excluded Waste regardless of its source, which means Hazardous Substances, Hazardous Waste, Biomedical Waste, volatile, corrosive, biomedical, infectious, biohazardous, and toxic substances or material, waste that Permittee reasonably believes would, as a result of or upon Disposal, be a violation of local, State or Federal law, regulation or ordinance, including land use restrictions or conditions, waste that cannot be disposed of in Class III landfills, waste that in Permittee’s reasonable opinion would present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose Permittee or Regional Agency to potential liability; but not including de minimis volumes or concentrations of waste of a type and amount normally found in Residential Solid Waste after implementation of programs for the safe collection, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the California Public Resources Code.
- x. Materials Generated by State, County, and Federal Facilities: Materials generated by State, and Federal facilities located in the Service Area provided that the generator has arranged services with other persons or has arranged services with the Permittee through a separate agreement.



ATTACHMENT 1





## SJB Foodware City Ordinance

	Restaurants	Retail Stores
In Compliance	9	18
Almost in Compliance	3	7
Not in Compliance	4	1

Retail Compliance	# of businesses
Charging and giving out recycled paper bags	7
Giving out paper bags, not charging (or only sometimes)	10
Reusing grocery store bags (not charging)	5

### Doesn't Charge For Bags:

- Noviembre 84 Boutique
- Lois's Home Decor and Gifts
- Pueblo Viejo
- San Juan Mission Gift Shop
- Dalia's
- Utopia
- Visions of Christmas
- Street Urchin
- Livin' the Green Dream

### Business Scenarios:

Livin the Green Dream was given plastic bags from closing business, still has so many left, believes it will take her years to go through, not charging for bags.

- What are alternative uses for the bags? Donating them to the food bank? Of course we do not want them thrown away
- Suggested approach

Inaka refuses to change one of their disposal chopsticks to reusables for dining in, states cleaning it would be gross.

- They are currently asking if it is needed/wanted when people dine-in

The San Juan Bakery has flimsy plastic bags for their loafs of bread

- There currently isn't an easy alternative in ensure the lifespan of the bread stays the same as with the plastic bags
- We could collectively create a list of exempt items if there is no easy alternative, other counties provide similar lists

#### **Businesses We Need Code Enforcement Involved:**

*We wish for fining the businesses to be the very last resort, we do believe these businesses need an extra push from the city that they need to be in compliance with this ordinance.*

- **JJ Burgers:** Uses plastic straws (doesn't give to customers only upon request, immediately gives it to them), gives out plastic utensils, gives out to-go containers in plastic bags
- **K&K Valero Taqueria:** Uses plastic wrapped plastic utensils, still uses styrofoam clamshell containers and small bowls, planning to switch to paper bags for food items
- **GG's Cafe:** Uses plastic wrapped plastic utensils, still uses plastic straws (are only given upon request), plastic bags for to-go orders
- **Livin' The Green Dream:** I suggest going to them after discussing options for the bags and approach

**City of San Juan Bautista**  
**Revenues ~ Budget Vs. Actual**  
**For the Six Month Period Ended December 31, 2023**

Item #5E  
City Council Meeting  
February 20, 2024

<b>REVENUES</b>	<b>FY23</b>	<b>FY24</b>	<b>Annual</b>		<b>YTD</b>	
<b><u>Fund</u></b>	<b><u>Actuals</u></b>	<b><u>Actuals</u></b>	<b><u>Budget</u></b>	<b><u>Difference</u></b>	<b><u>50%</u></b>	<b><u>Notes</u></b>
<b>General Fund</b>	1,337,109	1,123,404	2,142,500	(1,593,243)	52%	
<b>Special Revenue Funds:</b>						
Capital Projects Fund	683,826	167,685	2,836,845	(2,703,471)	6%	<b>A</b>
Community Development	51,228	22,194	404,514	(393,098)	5%	<b>B</b>
COPS	81,901	49,998	100,000	(75,000)	50%	
Parking & Restroom Fd	14,917	18,439	28,000	(16,269)	66%	
Gas Tax Fund	45,052	39,271	101,000	(76,799)	39%	
Valle Vista LLD	13,265	11,940	23,889	(17,919)	50%	
Rancho Vista CFD	33,261	33,756	67,512	(49,481)	50%	
Copperleaf CFD	11,325	8,322	16,645	(12,240)	50%	
<b>Internal Service Funds:</b>						
Blg Rehab. & Replace	19,000	19,000	38,000	(28,500)	50%	
Vehicle Replacement	30,000	30,000	60,000	(45,000)	50%	
<b>Enterprise Funds:</b>						
Water						
Operations	621,588	805,086	1,345,000	(904,085)	60%	
Sewer						
Operations	760,183	921,774	1,390,000	(943,950)	66%	
<b>TOTAL Funds</b>	<b>3,702,654</b>	<b>3,250,869</b>	<b>8,553,905</b>	<b>(6,859,055)</b>	<b>38%</b>	

A ~ The timing of the projects and the related revenue does not always align with the year-to-date percentages.  
B ~ These funds are developer derived and are recognized when invoiced.

**City of San Juan Bautista**  
**Revenues ~ Budget Vs. Actual**

Item #5E  
City Council Meeting  
February 20, 2024

**For the Six Month Period Ended December 31, 2023**

<b>EXPENDITURES</b>	<b>FY23</b>	<b>FY24</b>	<b>Annual</b>		<b>YTD</b>	
<u>Fund</u>	<u>Actuals</u>	<u>Actuals</u>	<u>Budget</u>	<u>Variance</u>	<u>50%</u>	<u>Note</u>
<b>General Fund</b>	904,977	1,013,435	2,117,980	(1,104,545)	48%	
<b>Special Revenue Funds:</b>						
Capital Projects Fund	683,826	167,685	2,836,845	(2,669,160)	6%	A
Community Development	259,854	416,993	674,036	(257,043)	62%	
COPS	50,000	49,998	100,000	(50,002)	50%	
Parking & Restroom Fd	-	-	-	-		
Gas Tax Fund	8,849	8,638	21,500	(12,862)	40%	
Valle Vista LLD	15,608	11,005	22,692	(11,687)	48%	
Rancho Vista CFD	20,107	23,396	37,166	(13,770)	63%	
Copperleaf CFD	10,912	9,068	16,645	(7,577)	54%	
<b>Development Impact Fee Funds</b>						
Public/Civic Facility	1,350	1,350	2,700	(1,350)	50%	
Library	2,220	2,220	4,440	(2,220)	50%	
Storm Drain	1,716	1,716	3,432	(1,716)	50%	
Park In-Lieu	150	150	300	(150)	50%	
Public Safety	426	426	852	(426)	50%	
Traffic	216	216	432	(216)	50%	
<b>Enterprise Funds:</b>						
Water:						
Operations	409,530	342,720	828,749	486,029	41%	
Capital	13,475	34,747		(34,747)		
Sewer						
Operations	485,813	425,137	1,227,618	802,481	35%	
Capital	346,411	2,174,571	18,497,240	16,322,669	12%	A
<b>TOTAL Funds</b>	<b>3,215,439</b>	<b>4,683,471</b>	<b>26,392,627</b>	<b>13,443,708</b>	<b>18%</b>	

**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  
From 12/1/2023 Through 12/31/2023

1110 - Operating  
Acct. 1948

Effective Date	Check Number	Vendor Name	Check Amount
12/15/2023	217235	4Leaf, Inc.	12,921.79
12/15/2023	217236	ACWA Health Benefits Authority	14,179.39
12/15/2023	217237	AFLAC	934.44
12/15/2023	217238	All Clear Water Services	4,100.00
12/15/2023	217239	Ana Gonzalez	700.00
12/15/2023	217240	Association of California Water Agencies	10,635.00
12/15/2023	217241	att.com	76.69
12/15/2023	217242	AVAYA	250.66
12/15/2023	217243	Brigantino Irrigation, Inc.	207.53
12/15/2023	217244	CALNET	387.95
12/15/2023	217245	Clark Pest Control	111.00
12/15/2023	217246	Computershare Corporate Trust	5,000.00
12/15/2023	217247	Cypress Water Services	22,350.00
12/15/2023	217248	Data Ticket Inc.	400.00
12/15/2023	217249	Department of Transportation	744.91
12/15/2023	217250	Don Reynolds	17.00
12/15/2023	217251	Hamner Jewell Associates	74.25
12/15/2023	217252	Judy's Gifts & Awards	12.99
12/15/2023	217253	Margaret Clovis	375.00
12/15/2023	217254	Midwest Tape	63.04
12/15/2023	217255	MNS Engineers, Inc.	720.00
12/15/2023	217256	Monterey Bay Analytical Services	4,616.00
12/15/2023	217257	P G & E	401.39
12/15/2023	217258	Postmaster	1,000.00
12/15/2023	217259	Quadient Leasing USA, Inc.	473.47
12/15/2023	217260	Rx-Tek	1,940.09
12/15/2023	217261	San Benito County Integrated Waste Manag	16,249.49
12/15/2023	217262	Sandra Splitzer or Glenn Spitzer	27.44
12/15/2023	217263	Sound Design A/V Contractors	299.94
12/15/2023	217264	Stantec Consulting Services Inc.	32,668.67
12/15/2023	217265	State Compensation Insurance Fund	5,109.50
12/15/2023	217266	Statewide Traffic Safety Signs	720.44
12/15/2023	217267	Univar Solutions	1,042.61
12/15/2023	217268	Wallace Group	8,736.82
12/15/2023	217269	Wendy L. Cumming, CPA	6,476.25
12/22/2023	217270	4Leaf, Inc.	10,479.54
12/22/2023	217271	Alliant Insurance Services	910.00
12/22/2023	217272	Andrea Balestrieri	148.84
12/22/2023	217273	at&t	306.54
12/22/2023	217274	Baker Supplies and Repairs	22.93
12/22/2023	217275	CALNET	373.05
12/22/2023	217276	Canon Financial Services, Inc	486.74
12/22/2023	217277	Charter Communications	1,163.82
12/22/2023	217278	Code Publishing Company	352.50

City of San Juan Batista  
Check/Voucher Register - Check Register Current Month  
From 12/1/2023 Through 12/31/2023

1110 - Operating  
Acct. 1948

Effective Date	Check Number	Vendor Name	Check Amount
12/22/2023	217279	Data Ticket Inc.	400.00
12/22/2023	217280	Design Line & Granger	712.31
12/22/2023	217281	EMC Planning Group Inc.	7,593.46
12/22/2023	217282	Ezequiel Gonzalez / Araceli Silva Solorio	500.00
12/22/2023	217283	First Alarm	493.41
12/22/2023	217284	Graniterock	619.44
12/22/2023	217285	Hollister Auto Parts, Inc.	434.95
12/22/2023	217286	Kysmet Security & Patrol Inc	11,563.00
12/22/2023	217287	Liebert Cassidy Whitmore	565.50
12/22/2023	217288	MNS Engineers, Inc.	127,776.00
12/22/2023	217289	Monterey Bay Analytical Services	3,355.00
12/22/2023	217290	MuniBilling	463.86
12/22/2023	217291	P G & E	12,219.31
12/22/2023	217292	Philip Chan	47.86
12/22/2023	217293	Ready Refresh	448.91
12/22/2023	217294	Regional Government Services	5,730.00
12/22/2023	217295	Rich Brown.	135.00
12/22/2023	217296	Roger Hausmann	700.00
12/22/2023	217297	Sentry Alarm System	477.00
12/22/2023	217298	Smith & Enright Landscaping	5,540.00
12/22/2023	217299	Stantec Consulting Services Inc.	39,242.10
12/22/2023	217300	State Compensation Insurance Fund	5,109.50
12/22/2023	217301	State Water Resources Control Board	7,721.00
12/22/2023	217302	T-Mobile	259.90
12/22/2023	217303	Valero Wex Bank	1,394.45
12/22/2023	217304	Wallace Group	180.00
12/22/2023	217305	Wendy L. Cumming, CPA	7,012.50
12/28/2023	217307	Specialty Construction, Inc.	<u>307,695.50</u>
Report Total			<u>716,657.67</u>

# CITY MANAGER'S REPORT

## City Staffing

Public Safety Officer ("PSO") accepted job offer- on board by March 11, 2024

Public Safety Officer- 10 candidates 1 to be selected with help from new PSO

PT Admin Asst- have been able to interview candidates

Recruiting for MW2

Recruiting for PT Library Tech

Appoint Deputy City Clerk as Acting City Clerk

# COMMUNITY DEVELOPMENT DEPARTMENT STATUS REPORT

City is Re-Tooling its Community Development Department

Contract Staff from 4-Leaf

Adrianna Ortiz and Magda Gonzalez

Ms. Ortiz has served the cities of Hollister and Santa Barbara as Interim Community Dev. Director

Focus on Current Planning, and Ordinance Revisions

Historic Preservation Ordinance

Zoning Code- TULP Provisions

Economic Development efforts are being reconsidered

Special Events applications are now filed with the City Manager



# COMMUNITY DEVELOPMENT DEPARTMENT STATUS REPORT

## Draft Housing Element

- Sent to the State HCD in September

- Comments returned December 20, 2023

- Revisions due to HCD 120 days after the Statutory Deadline  
(12.15.23 + 120 days = 04.13.24)

- HCD can limit City access to State Grant funding

## Cal Trans Sustainability Grant Application Resubmitted

- City applied for a Cal Trans Planning Grant in 2023

- Grant Purpose is for planning a multi-model transportation hub

  - The Alameda between Hwy 156- and Franklin

  - Was not awarded

  - Resubmitted before the 12.31.23 deadline

  - \$350,000 towards the Third Street Master Plan

# COMMUNITY DEVELOPMENT DEPARTMENT STATUS REPORT

## Project Status

### Gas Station

On track again

Goal is to get the major milestones completed

Then issue a new permit – maximizing the developer's window

### Casa Rosa

Extended building permit to June 30, 2024

Worked with Owner on SWPPP

Retained a local contract to complete infrastructure

### Market on Muckeleme

Slowly working to compete tenant improvements

Spoke this week to owner's daughter

# COMMUNITY DEVELOPMENT DEPARTMENT STATUS REPORT

## HRB Meeting 02.06.24

- Complete the CLG Reports for 2022 and 2023

- Update Historic Preservation Ordinance

  - New “Context Statement”

  - New Grants to update the balance

  - Include HRB Membership review

## Planning Commission

- New CD Contract Staff attended

- Reviewed proposed Zoning Code Change- TULP

- Hillside Development (3<sup>rd</sup> Street) - Reintroduced

## CITY MANAGER'S REPORT

### Other Enforcement Updates

- Reorganizing Public Safety (new staff referenced above)

- Security Cameras being installed now

- Informal Discussions to the Fire Contract

- Fire District Feasibility study – February meeting not productive

- City Manager part of the selection of a new Fire Chief

### ADU Improvement Program

- 1 application is process

- Need to use \$75,000 by the end of March

# CITY MANAGER'S REPORT

UGB/SOI Committee Meeting 01.23.24

County RMA and LAFCO attended

LAFCO is publishing a draft *regional* MSR on wastewater soon

It can be used for the City's MSR required with the LAFCO SOI Ap

Substantially easier to complete the MSR this way

Not budgeted by LAFCO until new Fiscal Year 24/25

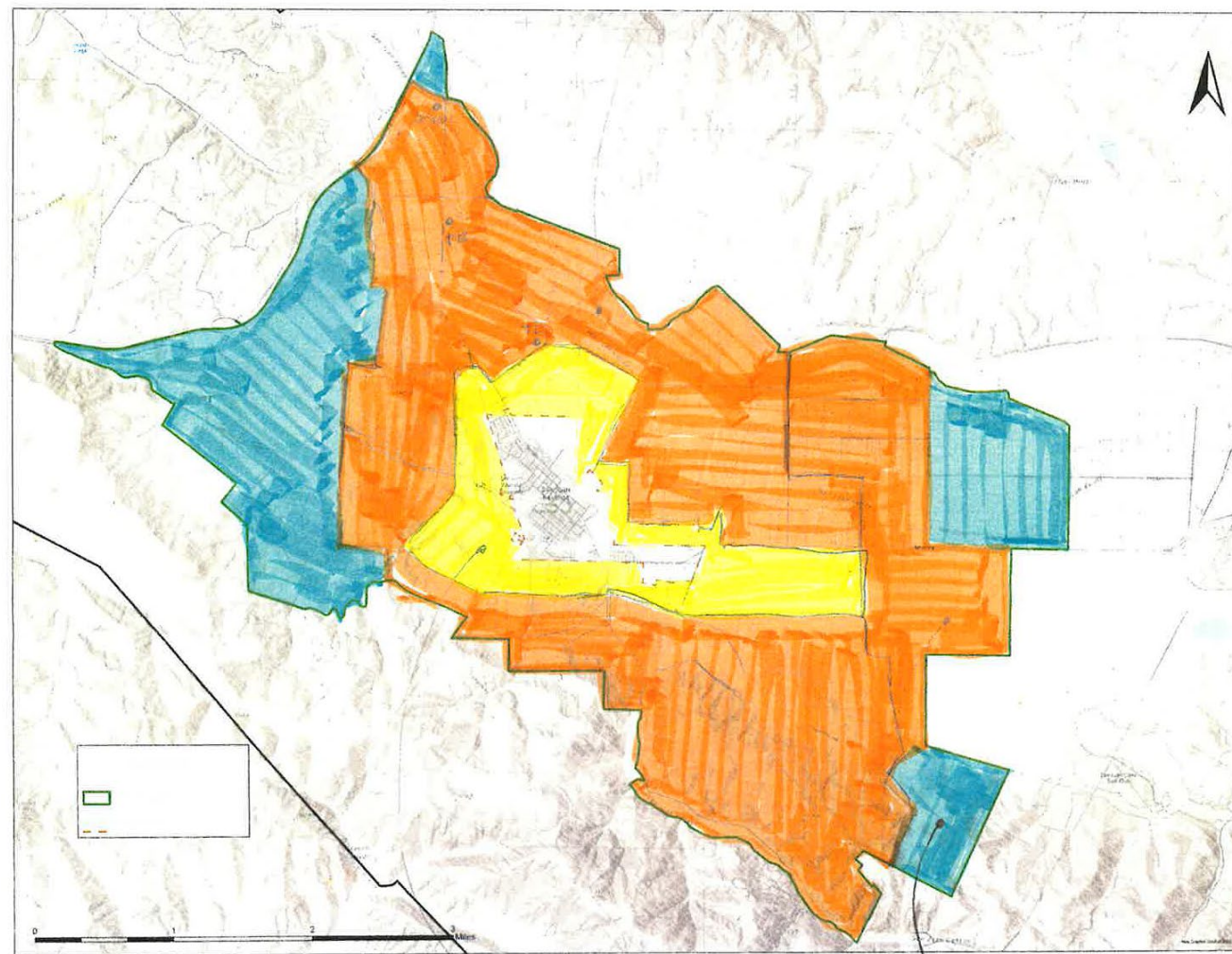
**Before LAFCO considers changing the SOI, get a good agreement with the County**

County RMA has a \$500,000 to complete an ag preservation plan

City and RMA will work together

County has already alerted RMA staff to work closely on County projects with the City

Discussed definitions of different levels of City interest



✓ TIER THREE

# CITY MANAGER'S REPORT

## COG – Hwy 25

Half Day discussion with Caltrans

“CAPTI” requirement (Post MG election)

CalTrans no longer supports adding new lanes alone

Needs to reduce Vehicle Miles Traveled as well

MG = \$150 million; project cost is \$600-800 million

Can be done Santa Barbara Example

Re-Scope in small phases – sophisticated public campaign

COG to present at March meeting

# CITY MANAGER'S REPORT

## Recreation

Date Night/Speed Dating 02.03.24

Very Successful – 35 attendees

Coming Soon –

Fire Dept Open House (March)

Earth Day at the Plaza (April)

Movie Nights at Verutti Park (May)



# CITY MANAGER'S REPORT

Rojas Communication Group= new lobbyist

Discussed funding for the water project

State applications due March 1

Federal application moving forward

Planning a day in Sacramento- March 21 (Council invited!)

Help with FEMA applications

Luk Park Master Plan funding

# CITY MANAGER'S REPORT

## Water

- Analyzing water qualities and quantities

- Feedback for Hollister and SBC Water District

- Microvi Install as W6 out to be soon

- 30% drawing for Water import reviewed by City Engineer

- Meeting with Caltrans RGS the use of HWY 156

## Wastewater/Force main

- Moving forward after 8 change orders

- Sub-grade variations are extreme

# CITY MANAGER'S REPORT

League's City Manager Conference

CRBT Ballot Measure-

loss of local control

Reso Against

"AI" at City Hall

Need a use policy

Employee use- for city business

Website is critical

Warner Brothers Film Update

## **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 16th day of February 2024, 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 16th day of February 2024.

  
\_\_\_\_\_  
Elizabeth Soto, CMC, CPMC  
Deputy City Clerk / Administrative Services Manager

**RESOLUTION NO. 2024-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA  
AUTHORIZING CLOSURE OF STREETS FOR CERTAIN SPECIAL EVENTS IN 2024**

**WHEREAS,** The City has received an application for a Special Event in 2024, and authorization for Street Closure are a prerequisite for issuance of such permits for the following events:

**Warner Bros Pictures “BC Project”**

Second Street Between Franklin St. & Muckelemi St. (Exhibit A)

Polk Street Between 3<sup>RD</sup> St. & 2<sup>ND</sup> St.

Mariposa Between 3<sup>RD</sup> St. & 2<sup>ND</sup> St.

Washington Street Between 3<sup>RD</sup> St. & 2<sup>ND</sup> St.

El Camino Real Between Franklin St. & San Jose St.

February 26-28, 2024, from 4:00 PM – 6:00AM

**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 20th day of February 2024 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:**

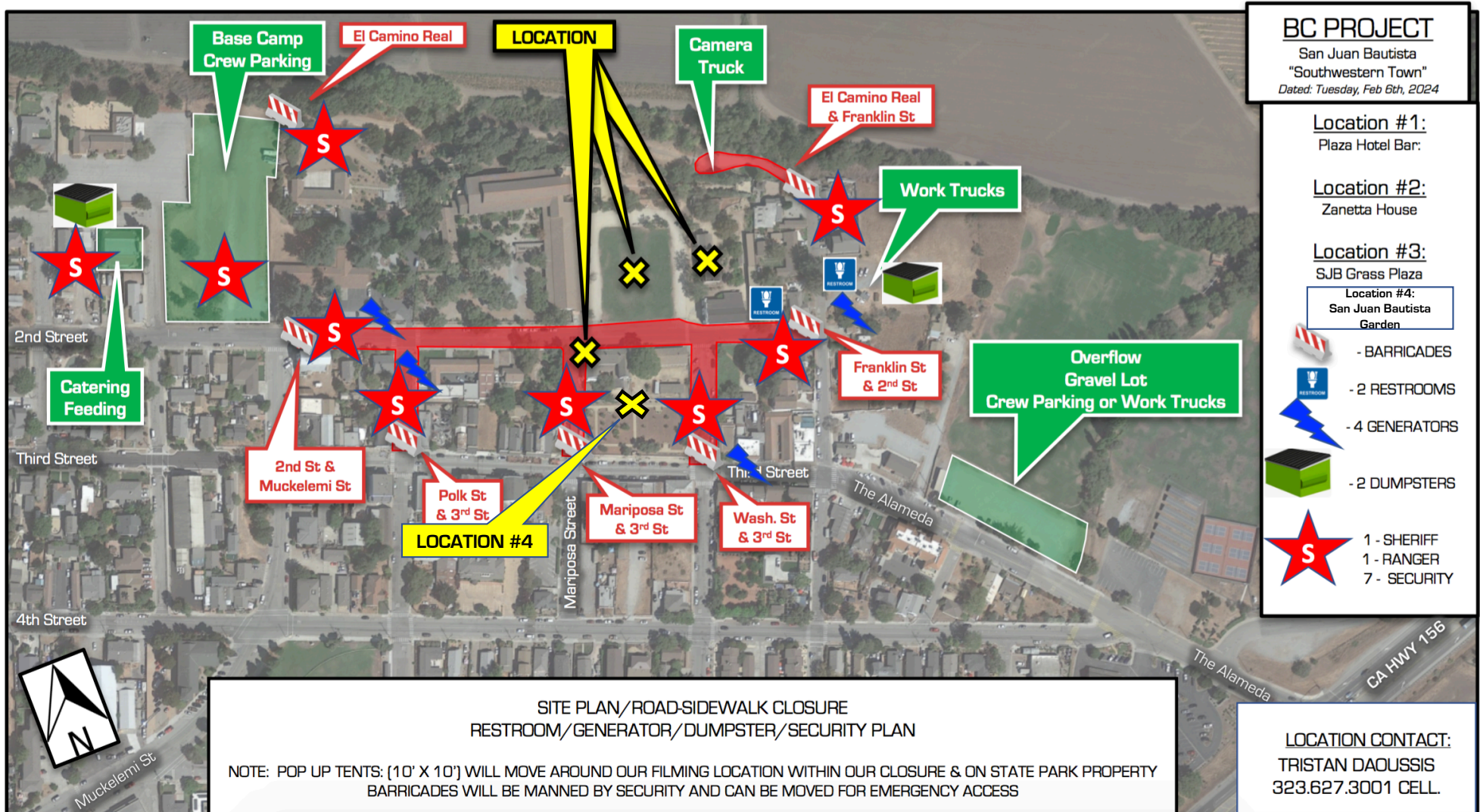
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Scott Freels, Mayor

**ATTEST:**

---

Elizabeth Soto, CMC, CPMC, Acting City Clerk



**RESOLUTION NO. 2024-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA  
AUTHORIZING CLOSURE OF STREETS TO ENABLE A COMMUNITY STREET  
MANDALA ON APRIL 13, 2024:**

**BE IT RESOLVED** that the City Council does hereby authorizes Ramona Hill of Credo Studio to close the following streets on the day(s) and time as follows:

**Community Street Mandala**  
April 13, 2024 from 8:00 AM to 6:00 PM  
Franklin Street between Third and Fourth Streets

**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** by the San Juan Bautista City Council on this 20th day of February of 2024 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:**

---

Scott Freels, Mayor

**ATTEST:**

---

Elizabeth Soto, CMC, Deputy City Clerk



**CITY OF SAN JUAN BAUTISTA  
CITY COUNCIL  
UNOFFICIAL MEETING MINUTES  
OCTOBER 17, 2023**

**1. CALL TO ORDER**

Mayor Jordan called the regular meeting to order at 5:01 p.m. in the Council Chambers, 311 Second Street, San Juan Bautista California.

**PLEDGE OF ALLEGIANCE**

Councilmember Sabathia led the pledge of allegiance.

**ROLL CALL**

Present:

Councilmember Scott Freels  
Mayor Pro Tem John Freeman  
Councilmember Jackie Morris-Lopez  
Councilmember EJ Sabathia  
Mayor Leslie Q. Jordan

Absent:

Staff Present:

Don Reynolds, City Manager  
Jon R Giffen, City Attorney  
Brian Foucht, Assistant CM/Community Development Director  
Elizabeth Soto, Deputy City Clerk

*Mayor Jordan recessed to closed session at 5:03 p.m.*

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

*The City Council will recess to closed session pursuant to:*

- a. 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.

City Attorney Giffen announced that the City Council met in closed session but there was no reportable action taken.

*Mayor Jordan reconvened the meeting at 6:02 p.m.*

**3. PROCLAMATION**

The City of San Juan Bautista proclaimed:

- A. Philanthropy Day, November 16, 2023
- B. National Hispanic Heritage Month, September 15-October 15, 2023

The City Council honored Heidi Balz for being named the Philanthropist of the Year for 2023.

#### **4. PRESENTATION**

##### **A. Hazel Hawkins Memorial Hospital Update**

Mr. Ray Espinosa, CEO for San Benito County introduced Cecilia Montalvo, ECG Management Consultants. The County of Board of Supervisors missioned staff to review options that will help the hospital in the long run.

Ms. Montalvo provided a brief overview of the Hazel Hawkins Memorial Hospital Assessment.

Councilmember Freels expressed concerned regarding having the city provide any type of funding to Hazel Hawkins Memorial Hospital.

No public comment.

#### **5. INTRODUCTION**

##### **A. Introduce Caitlin Brady, Recreation Assistant**

City Manager Reynolds introduced newly hired Recreation Assistant Caitlin Brady. Ms. Brady introduced herself. The City Council welcomed Ms. Brady.

#### **6. GENERAL PUBLIC COMMENT**

Received general public comment.

#### **7. INFORMATIONAL ITEMS AND REPORTS**

##### **A. Treasurer's Report and Monthly Financial Statements**

City Treasurer Michelle Sabathia provided the monthly Financial Statement for July 2023. No public comments were received.

**B. Reports from City Council Representatives to Regional Organizations and Committees**  
Councilmembers reported on meetings they attended. No public comments were received.

##### **C. City Council Announcements**

Councilmembers announced upcoming events happening in the city. No public comments were received.

##### **D. City Manager's Report**

City Manager Reynolds provided a staff report accompanied by a PowerPoint presentation.

##### **a. Fire Department Update –**

Fire Marshal/Deputy Fire Marshal Charlie Bedolla provided an update on calls received and incidents that happened for September 2023. No public comments were received.

##### **b. Sheriff Department Update –**

## 8. 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** Authorizing a Street Closure for a Special Event. *Pulled*
- D. Adopt 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.” *(Second Reading)*
- E. Approve a **RESOLUTION** changing the Location of the Public Art Installation at San Juan Bautista Library.
- F. Authorize the City Manager to Reject the Claim of Kazuko Kurasaki and Kurt Kurasaki.
- G. Approve the Minutes of the Regular Meeting of September 19, 2023. *Tabled*

*Item C was pulled*

*Item G was tabled to the next meeting.*

No public comment received.

### MOTION:

Upon motion by Councilmember Sabathia, second Councilmember Morris-Lopez, Consent Agenda items A,B and D-F, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

## 9. ACTION ITEMS

### A. Agreement with Flock Group, Inc. to Install and Operate a Citywide Security Camera System

City Manager Don Reynolds provided the report. The initial goal of investing in this highly technical equipment, is to cover the basics – entrances and exits. If additional coverage is warranted, additional cameras can be added to each of these systems.

The Flock service agreement is full service – they install, monitor, and maintain all of it. There is a fee for replacing damaged cameras. The City’s role and responsibilities are reduced to accessing stored data for evidence, and the use of the live feed software when needed. The system administrator is intended to be the newly recruited Public Safety Coordinator.

The proposed agreement that is attached is for only two-years at \$18,000 per year (\$3,000 per camera times 6-cameras). The first year includes \$2,100 for the installation, training and testing of the system.

### MOTION:

Upon motion by Councilmember Sabathia, second by Mayor Pro Tem Freeman, RESOLUTION Authorizing the City Manager to Execute an Agreement with Flock Group, Inc. for the Lease of a Citywide Security Camera System, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

**B. Agreement with National Main Street Centers**

City Manager Don Reynolds and Assistant City Manager/Community Development Director Brian Foucht provided the report. The City Council accepted the annual report of the EDCAC and directed staff and the Committee to prepare an economic development strategy for the City. The EDCAC is expected to partner with State and County agencies and entities to draft a strategy that is based on the City's history and assets. revitalization of Third Street, envisioned by the Third Street Master Plan, is viewed by the EDCAC as an essential part of an overall economic development strategy.

Amanda Elliott, Program Manager for Main Street America reviewed the Community Assessment and Transformation Strategy Development.

The following members of the public comment commented on the report:

Wanda Guibert

Darlene Boyd

The City Councilmembers expressed concern and were not in favor of supporting the agreement with Main Street Centers.

Motion failed and the City Council took no action.

**C. Notice of Intention to Amend the General Plan by Accepting Urban Growth Boundary Ad Hoc Committee Recommended Sphere of Influence, Urban Growth Boundary, and Planning Area**

Receive Report from City Manager Don Reynolds and the Urban Growth Boundary Ad Hoc Committee Chair Chris Martorana.

The following members of the public comment commented on the report:

Rosa Loayza

Bob Fulton

Jose Aranda

Fran Fitzharris

Dan DeVries

**MOTION:**

Upon motion by Councilmember Freels, second Councilmember Sabathia, to bring back the Notice of Intention to Amend the General Plan by Accepting Urban Growth Boundary Ad Hoc Committee Recommended Sphere of Influence, Urban Growth Boundary, and Planning Area, for further discussion, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

**D. Fill a Vacancy on the Planning Commission / Historic Resources Board**

City Manager Reynolds stated that the Ad Hoc Committee did not have an opportunity to meet and interview the candidates.

Councilmember Morris-Lopez expressed concern regarding the application process.

City Attorney Giffen stated that at the last Council meeting, the candidate to fill a vacancy was voted down. The Municipal Code states that when one candidate is voted down then a new candidate or candidates should be submitted.

Councilmember Sabathia recommend the Council to appoint a new Ad Hoc Committee.

Receive feedback from the Ad-Hoc Committee, and direct the City Council to a) Re-direct the Ad-Hoc Committee to interview the candidates together; b) Appoint a new Ad-Hoc Committee; c) Consider re-opening the application process for one position on the Planning Commission/HRB.

**MOTION:**

Upon motion by Councilmember Sabathia, second by Councilmember Freels, to appoint a new Ad Hoc Committee, was approved.

AYES: Councilmembers: Freels, Freeman, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: Councilmember Morris-Lopez; ABSENT: None.

**MOTION:**

Upon motion by Mayor Jordan, second by Councilmember Freels, to appoint Councilmember Sabathia and Councilmember Morris-Lopez to the Ad Hoc Committee, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: Councilmember; ABSENT: None.

**10. DISCUSSION ITEMS**

A. First Steps in Considering and Establishing a Golf Cart/NeV Transportation Plan in San Juan Bautista

Item was tabled to the next meeting.

**B. Third Street Parklet Status**

City Manager Reynolds announced there are changes coming. In March the City Council voted to continue the parklets for food and beverage and retail. Before December 21, 2023, the City Council will need to decide in what direction to move forward.

Mayor Pro Tem Freeman in favor of continuing the parklets until state law allows.

The following members of the public commented on the report:

Leanna Brothers

Elise in favor of continuing the parklets

Chris Martorana in favor of restricting the parklets to food and beverage

Rhonda Io in favor of parklets

Fran Fitzharris

Jose Aranda in support of business

Margot Tankersley in favor of parklets for food and beverage establishments

Wanda Guibert in support of continuing hospitality parklets

Cara Vonk

The City Council directed staff to bring back a Resolution at the November 14 meeting to rescind existing resolution.

### **C. Status of Safety Consideration for State Highway 156 During Construction**

Item tabled to the next meeting.

### **11. ADJOURNMENT**

Motion to adjourn the meeting by Councilmember Sabathia, second by Councilmember Freels.  
All in favor.

There being no other business, Mayor Jordan adjourned the meeting at 12:05 a.m.

### **APPROVED:**

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Leslie Q. Jordan, Mayor

### **ATTEST:**

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Elizabeth Soto, Deputy City Clerk

**CITY OF SAN JUAN BAUTISTA  
CITY COUNCIL  
UNOFFICIAL MEETING MINUTES  
NOVEMBER 14, 2023**

**1. CALL TO ORDER**

Mayor Jordan called the special meeting to order at 5:06 p.m. in the Council Chambers, 311 Second Street, San Juan Bautista California.

**PLEDGE OF ALLEGIANCE**

Councilmember Morris-Lopez led the pledge of allegiance.

**ROLL CALL**

Present:

Councilmember Scott Freels  
Mayor Pro Tem John Freeman  
Councilmember Jackie Morris-Lopez  
Councilmember EJ Sabathia  
Mayor Leslie Q. Jordan

Absent:

Staff Present:

Don Reynolds, City Manager  
Jon R Giffen, City Attorney  
Brian Foucht, Assistant CM/Community Development Director  
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.

No public comment received.

Adjourned to closed session at 5:08 p.m.

City Attorney Giffin announced that there no reportable action.

Open Session was reconvened at 6:15 p.m.

**3. 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** Authorizing a Street Closure for Special Events.

- D. Approve a **RESOLUTION** Extending Ridgeline Agreements for the Force Main project.
- E. Approve a **RESOLUTION** Awarding Landscaping Contract in Three Special Districts to Smith and Enright.
- F. Approve a **RESOLUTION** Authorizing the City Manager to Execute a Contract with Paperless Solutions (CPS) for the Purchase of Laserfiche Cloud Municipality Site License for Records Management System.
- G. Approve the Minutes of the Regular Meeting of September 19, 2023.
- H. Approve the Minutes of the Regular Meeting of October 17, 2023

Consent item H was tabled to next meeting.

No public comment.

**MOTION:**

Upon motion by Councilmember Sabathia, second by Mayor Pro Tem Freeman, Consent Agenda, items A, B, and D-G, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None

Mayor Jordan pulled item C for correction. The event is on May 23-24,2024.

**MOTION:**

Upon motion by Councilmember Morris-Lopez, second by Sabathia, Consent Agenda, items C, was approved as amended.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None

#### **4. INFORMATIONAL ITEMS AND REPORTS**

##### **A. Treasurer's Report and Monthly Financial Statements**

City Treasurer Michelle Sabathia provided the financial information for October 2023.

The following member of the public commented on the report:  
Michael Ponce

##### **B. Reports from City Council Representatives to Regional Organizations and Committees**

Councilmembers reported on meetings they attended. No public comments were received.



### **C. City Council Announcements**

Councilmembers reported on upcoming events happening in the city. No public comments were received.

### **D. City Manager's Report**

City Manager Don Reynold presented the report followed by a PowerPoint presentation.

The following members of the public commented on the report:

Michael Ponce

#### **a. Fire Department Update –**

Fire Marshal/Deputy Fire Marshal Charlie Bedolla provided an update on calls received and incidents that happened for October 2023.

#### **b. Sheriff Department Update –**

Sergeant Penney is out of the office cost of project / water

## **5. ACTION ITEMS**

### **A. Draft Parklet Resolution Extending Existing Food and Beverage Parklets to June 2026 Consistent with State Law AB 1217 Signed October 8, 2023**

City Manager Don Reynolds provided the report and fielded questions from the Council. The current Parklet Policy allows both retail and catering businesses to use parklets until the deadline January 1, 2024. This was the State deadline established for the sale of alcohol on catering parklets by the previous law AB61. If the City Council wishes to modify the policy consistent with AB1217, a resolution has been drafted to make this policy change for catering businesses only. It can be further modified if the Council deems this to be appropriate. If the Council does not act, all parklets will end January 1, 2024.

Mayor Jordan in favor of extending food and beverage until June 2026.

Councilmember Freels asked for clarification regarding the new regulations.

The following members of the public commented on the report:

Wanda Guibert in favor of food and beverage parklets if Council decide to extend

Dr, Mary Bains in favor of extending all parklets

Margaret Galvan in favor of removing all parklets

Jose Aranda in support of all parklets

Professor Bains in favor of extending all parklets

Chris Martorana parklets should be limited to food and beverage

Dan DeVries

Luke Kerbs in support of parklets for food and beverage

Councilmember Freels stated that he was in favor of keeping the food and beverage parklets per the state law extension and eliminating the retail parklet at the end of the year and keeping the street to a one way.

Mayor Pro Tem Freeman support the law as it states

Councilmember Morris-Lopez stated the bakery owner reached out to express concern with the with loss of business from having one-way streets. Councilmember Morris-Lopez stated that she would like to see a master plan that looks at outdoor dining.

Councilmember Sabathia stated that he would like to see a fee schedule in order for the city to recuperate what it has lost.

Mayor Jordan supports the resolution and is in favor of the city recuperating fees for those parklets that are taking up some of the parking spaces.

**MOTION:**

Upon motion by Mayor Jordan, second by Mayor Pro Tem Freeman, **RESOLUTION** Extending the Existing Food and Beverage Parklets to June 2026, Consistent with State Law AB 1217, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

**B. Notice of Intention to Amend the General Plan by Accepting Urban Growth Boundary Ad Hoc Committee Recommended Sphere of Influence, Urban Growth Boundary, and Planning Area** *(Continued from October 17, 2023)*

Receive Report from City Manager Don Reynolds and Ad Hoc Committee Chair Martorana  
The UGB Ad Hoc Committee reviewed the Greenbelt model established in 2022, considered property owner input and established a draft Sphere of Influence and Greenbelt. The Committee also reviewed resource and constraints maps including soils, slopes, fire, flood and geologic hazard areas. The Committee concluded that many areas of the Sphere of Influence depicted in the General Plan are areas of prime soils, constrained by Agriculture Land Conservation Contracts or were areas of steep slopes, very high fire hazard, flood hazard, and geologic hazards.

A sphere of influence is a planning boundary outside of an agency's legal boundary (such as the city limit line) that designates the agency's probable future boundary and service area is reviewed every five years.

The Committee's recommended UGB is an area that coincides with the City Limit on the North, South and West, and is within the City Limit on the East. The recommended UGB is intended to prohibit urban development and the extension of services to lands outside that boundary. The following General Plan policies would apply to this area. restrict urban development to those areas so delineated.

Three key features underly the Planning Area concept: 1) Information from the County regarding policies, programs, regulations, and development within the recommended area and 2) Mutual consideration by SJB and County input; and 3) Concerted City and County action.

Implementation methods, timing and anticipated results are proposed to be determined within a MOU or MOA between SJB and the County. The Planning Area is intended to offer a similar level of assurance as the Area of Concern expressed in General Plan Policy 4.4.1, referenced below, with the effective influence of this area determined solely through agreement with the County.

The following members of the public commented on the report:

Rosa Loayza thanked the Council for adding the property

Phil Esparza is pleased to see that the Loayza property was added to the map

Bob Fulton asked the Council to consider adding the Chritopher Ranch project

**MOTION:**

Upon motion by Mayor Jordan, second by Mayor Pro Tem Freeman, RESOLUTION Accepting the Urban Growth Boundary/Sphere of Influence Committee's Recommendation; State the Intention to Amend the 2035 General Plan; and Direct the Urban Growth Boundary Ad Hoc Committee to work with San Benito County to establish a Planning Area and related Memorandum of Agreement/Understanding, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

**C. Fill a Vacancy on the Planning Commission / Historic Resources Board**

Receive Report/Recommendation from Ad Hoc Committee

Councilmember Sabathia reported out. No public comments were received.

**MOTION:**

Upon motion by Freels, second by Mayor Jordan, to appointed Iraida H. Pisano to serve on the on the Planning Commission / Historic Resources Board to fill one (1) vacancy for the remainder of the term, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

**D. Approve a Resolution Seeking from Cal Trans, County, and CHP Increased Safety Measures on Hwy 156 during Construction**

City Manager Don Reynolds provided the staff report and fielded questions from the Council. Construction began on State Highway 156 between Hollister and San Juan Bautista transforming it a two-lane highway to a four-lane highway, several serious accidents have occurred. The worst

accidents occur from drivers making left-hand turns from County roads onto eastbound Highway 156. This was also an issue on Highway 25, and measures were taken to prohibiting left turns during the hours of 3PM and 7PM. This was on the Agenda at the September Intergovernmental Committee meeting, then take up by COG at its October 11, 2023 meeting. Caltrans directed the County to send a request to them to include the State Highway Patrol requesting that additional safety measures be taken as soon as possible. At the November 1, 2023 Intergovernmental Committee meeting the cities were encouraged to support the County's request to Caltrans.

The following members of the public commented on the report:

Margaret Galvan

Mikolai

Margot Tankersley

### **MOTION:**

Upon motion by Mayor Pro Tem Freeman, second by Councilmember Morris-Lopez, RESOLUTION requesting the State, County, and CHP to implement increased traffic safety measures on State Highway 156 as soon as possible, was approved.

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan; NOES: None; ABSTAIN: None; ABSENT: None.

### **E. Discussion and Direction to Staff: San Juan Bautista Economic Development Program**

Recommendation: Discuss and provide direction to staff regarding the overall purpose, organization and staff support for San Juan Bautista economic development.

Brian Foucht, Assistant City Manager/Community Development director provided the report

Councilmember Freels in favor of hitting pause and going to a more focus grass roots  
Focus on true economic development.

Mayor Pro Tem Freeman agrees with Councilmember Freels.

Councilmember Morris-Lopez stated attention should be focused on Third street; membership should be reviewed and is in favor of having the Committee be disbanded.

Councilmember Sabathia in favor of dissolving the committee.

Mayor Jordan thanked GoBiz as advisors and Renee Wells from Economic Development. In favor of dissolving the committee and move in another direction.

The following members of the public commented on the report:

Michael Ponce

Rhonda Io in support of dissolving the EDCAC

Margot Tankersley in favor of disbanding the committee

**6. DISCUSSION ITEMS**

**A. First Steps in Considering and Establishing a Golf Cart/NeV Transportation Plan in San Juan Bautista**

City Manager Don Reynolds provided the report. Golf Cart/Neighborhood Environmental Vehicles (NEV)

**B. City Council Rules of Civility and Decorum for Conduct of City Officials, Employees, and Members of the Public during Public Meetings**

City Attorney Jon Giffen reviewed the City Council Rules of Civility and Decorum for Conduct of City Officials, Employees, and Members of the Public during Public Meetings and fielded questions from the Council.

**C. Consider Workshop on “Wedge Issues” with Special Speaker from California Intergovernmental Risk Authority (CIRA)**

Item was tabled to the next regular meeting.

**D. 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 10:30 p.m.

**APPROVED:**

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Leslie Q. Jordan, Mayor

**ATTEST:**

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Elizabeth Soto, Deputy City Clerk



## **CITY OF SAN JUAN BAUTISTA CITY COUNCIL STAFF REPORT**

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**DATE:** FEBRUARY 20, 2024

**DEPARTMENT:** CITY MANAGER

**FROM:** DON REYNOLDS

**BY:** DON REYNOLDS

**TITLE:** FISCAL YEAR 2023/24 MID YEAR BUDGET ADJUSTMENTS

### RECOMMENDED MOTION:

Receive a motion to approve the attached Resolution amending the budget for Fiscal Year 2023/24 as indicated to reflect higher than expected revenues, savings and a few new projects and studies to be completed this fiscal year.

### RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution making certain adjustments at mid-year to the 2023/24 Budget.

### EXECUTIVE SUMMARY:

Following the acceptance of the Audit (Resolution 2024-014), the Budget “cadence” considers the need for mid-year adjustments. It provides an analysis of the City’s progress towards accomplishing its goals for the year, and recommends adjustments when justified. This year the revenues were stable and in line with the predictions made in June 13, 2023 when the Budget was adopted. There are considerable savings however, allowing for the consideration of a few one-time expenses, or for increasing the City strategic Initiatives. The table provided as the attachment to the Resolution summarizes these findings.

### BACKGROUND:

For the past four years, the City has followed a Budget “Cadence” that begins with the new Fiscal Year on July 1. During the summer the City closes its books for the prior fiscal year and prepares for its audit. The audit is prepared in the fall for the City Council’s acceptance in December or January. The Audit confirms the projections made in the third-quarter of the fiscal year as the Budget is prepared. Following any necessary mid-year adjustments, the City works on updating its Strategic Plan and begins the budget process over again in April and May.

## FY 2023/24 INITIATIVES

“Attachment 1” to the 2023 Budget Resolution identified 9-programs to be funded from the General Fund Reserve valued at \$425,000 for the City to consider last summer with its new Budget.

MAY 25, 2023 BUDGET WORKSHOP						
UPDATED		6/7/2023				
BUDGET CONSIDERATION					FINAL DRAFT BUDGET TO INCLUDE	
SERVICE OBJECTIVE		IMPLEMENTATION	PROPOSED COST GENERAL FUND	SUPPORT	OUTCOME	
					Operations	GF Reserve
1	Reorganize Public Safety	Add FT Public Safety Coordinator and FT Community Service Officer; eliminate private security Adjusted June 5, 2023 for second FT positon (+\$13,705)	\$ (21,295)	\$ (21,295)	\$ (21,295)	
2	Reorganize City general services	Add PT Admin Asst	\$ 15,000	\$ 15,000	\$ 15,000	\$ -
		Add FT Maintenance Worker	\$ 15,000	\$ -	\$ -	\$ -
3	Economic Development	Add PT Econ. Dev Assistant	\$ 40,000	\$ -	\$ -	\$ -
		Catalyst One Time funding for Training Implementation projects	\$ 50,000	\$ 31,165	\$ -	\$ 31,165
4	Historic Preservation	Catalyst One Time Funding to Support programs, ordinance and inventory update	\$ 25,000	\$ 12,500	\$ -	\$ 12,500
5	Recreation	Catalyst One Time Funding for summer programs now and new Rec Tech Position + new summer programs	\$ 50,000	\$ -		\$ 15,400
6	Capital Improvement Program	Replace Abbe Park Ball Field Lights, add funding for Luck Park Master Plan and Community Hall acoustical upgrades	\$ 300,000	\$ 300,000		\$ 300,000
7	Climate Action Plan	Consultant		\$ 50,000		\$ 50,000
8	Library Rain Gutters	Informal Contract		\$ 5,000		\$ 5,000
9	CD Fee Study	Together with Impact Fee Study	\$ 35,000	\$ 70,000		\$ 35,000
Totals			\$ 473,705	\$ 462,370	\$ (6,295)	\$ 449,065
Proposed Budget May 25					\$ 43,000	\$ 425,000

Program 1 is to re-organize Public Safety. The City is recruiting for its new Public Safety Coordinator now. Program 2 is to recruit help for administrative staff and to keep City Hall open until 5 PM. The recruitment has begun, but the position has not yet been filled.

Program 3 is Economic Development. The Part-Time position was not approved (\$40,000) but the Council did approve \$31,165 for several programs including the California Main Street program. The Council did not approve the contract with the California Main Street program. Training was approved for the members of the Economic Development Citizen’s Advisory Committee and that occurred. In December, the Council ended the Committee.

Economic Development One Time Budget Catalyst Funding Detail					
Line Item		Maximum Cost Estimate	Budgeted	One-Time Fund Recommendation	Comments
CAL-ED Membership- City		\$ 350	\$ -	\$ 350	<a href="https://caled.org/">https://caled.org/</a>
CAL-ED Membership- EDCAC Members		\$ 1,000		\$ 1,000	Access to resources on-line, and other cities
CAL-ED Conference- City staff		\$ 1,200	\$ -	\$ 1,200	<a href="https://caled.org/2023-caled-pre-conference-conference-agenda/">https://caled.org/2023-caled-pre-conference-conference-agenda/</a>
CAL ED Conference EDCAC 5-members		\$ 6,000	\$ -	\$ 6,000	\$3,400 was suggested s for a portable stage
CAL ED Basic Training- ED Cert for city staff		\$ 2,350	\$ -	\$ 2,350	<a href="https://caled.org/introduction-economic-development-certificate-program/">https://caled.org/introduction-economic-development-certificate-program/</a>
California Main Street Membership		\$ 1,765	\$ -	\$ 1,765	<a href="https://www.californiamainstreet.org/">https://www.californiamainstreet.org/</a>
Community Engagement and Assessment		\$ 15,000	\$ -	\$ 15,000	Third Street Transformation- in the Main Street framework described at the link above
Tool Kits and Self Trainings		\$ 3,500	\$ -	\$ 3,500	Specific programs to the benefit of City needs
Catakyst funding for Downtown		\$ 18,000	\$ -	\$ -	Downtown Organizational needs- feasibility study remove 6.6.23 wrk shp
		\$ 49,165	\$ -	\$ 31,165	

Program 4 focuses on Historic Preservation. The Council agreed to fund half of the recommended \$25,000. These funds are actively being used to complete the Certified Local Government reports for 2022 and 2023 that will allow the City to receive grant funds from the State Historic Preservation Office to update the Historic Preservation Ordinance. Details of this work, including a new “Context Statement” were discussed at the last HRB meeting.

Program 5 is focused on new Recreation Programs. This year the City hired an ambitious Recreation Assistant at 20-hours per week. She needs the tools to build a strong program and at its last Council meeting the City Council approved a new recreation software program for the City to use in scheduling classes, programs and facility uses. The \$15,400 added to the \$30,000 budget provides \$45,000 of which only \$12,000 has been spent.

Recreation One Time Budget Catalyst Funding Detail					
Line Item		Maximum Cost Estimate	Budgeted	One-Time Fund Recommendation	Comments
Recreation Technician		\$ 35,000	\$ 26,422	\$ -	Recruitment will determine- underway now
Volunteer Processing				\$ 2,000	background checks, finger-printing, etc
New Summer Program Funding				\$ 5,000	To start July 1 before the Rec Tech is hired
Program Supplies		\$ 52,000	\$ 750	\$ 5,200	
Equipment, Tables & chairs		\$ 6,000	\$ -	\$ 1,200	\$1,000 a week is a lot; suggesting \$100 a week for starting new programs
Staff/Volunteer Training		\$ 2,000	\$ 1,000	\$ 2,000	\$3,400 was suggested s for a portable stage
Uniform Allowance- T Shirts		\$ 5,000	\$ 500		Annual Conference for Rec Tech = \$1,500
		\$ 100,000	\$ 28,672	\$ 15,400	Total 1st Year Budget would be \$29,072

Program 6 adds \$300,000 of funding from the General fund reserve to existing CIP's that need help. Half the funds are allocated to the Abbe Filed Ball Pak Lights, \$75,000 were budgeted to reinforce the \$50,000 Community Hall Acoustic project and \$75,000 was allocated for the Luck Park Historic Improvements.

Programs 7-9 have not been initiated this fiscal year. The Climate Action Plan (#7) will require an RFP and award of a contract to local consulting firm. The rain gutters have been issued a work order and we are seeking informal bids. The City's contract planning staff are putting an RFP together for the fee update.



Of the \$425,000, the City has spent approximately \$100,000. There is no need for additional funds this Fiscal Year for any of these programs except maybe the Luck Park Master Plan.

## LEGACY INITIATIVES

Since 2022, the City has been focused on three initiatives: CIP21.11 - Urban Growth Boundary/Sphere of Influence, (“UGB/SOI”), CIP 22.01 the 3<sup>rd</sup> Street Master Plan, and CIP 22.02 - Public Safety Committee recommendations.

CIP		Orig Budget	Decrease	Balance
21.11	UGB/SOI	\$ 200,752	\$ 93,297	\$ 107,455
22.01	3rd Street	\$ 552,580	\$ 330,440	\$ 222,140
22.02	Public Safety	\$ 200,000	\$ 22,000	\$ 178,000

The UGB/SOI funds have been supplemented by State SB2 grant, preparing a General Plan Amendment to accompany the new SOI. The Third Street Master Plan progress was slowed when a \$330,000 grant from CalTrans was not awarded last fall. A second grant application was submitted to CalTrans in December focused on the 3<sup>rd</sup> Street multi-modal transportation center. The initial goal of the Public Safety Initiative was to purchase a security camera system, but the City agreed to lease the system rather than purchase one. With the set-up costs the City used \$22,000 of the \$200,000, leaving a balance of \$178,000.

## DISCUSSION

The attached Resolution summarizes the status of the three funds most important to the Budget; the General Fund, Water and Sewer Enterprise funds. The General Fund is showing a small growth caused mostly by good interest rates. It is growing 2% faster than anticipated in the Budget, which slower than past years. The two utilities are growing at 10% (water) and 16% (sewer) higher than budget which is strong progress. These are the funds being reserved to pay for the two large water and sewer compliance projects. All three funds are showing various degrees of savings during the first 6-months. The General Fund savings are mostly attributable Public Safety because the second Sheriff Deputy has not yet been filled (\$150,000 annual cost, saving \$75,000 at midyear).

## OPERATIONS

In payroll, the City needs to make three adjustments. These recommended adjustments will be offset this fiscal year by payroll savings within each Department.

1. The Library needs to operate with three employees to assure that it can stay open 6 days a week for between 6 and 7 hours, for a total of 39-hours per week. Recently, only two part-time employees have been working and at times the Library has had to close early. It is recommended that the Library payroll be extended from one to two positions at 20-hours per week, and one position (Lead Library Tech) remains at 30-hours per week.
2. The Recreation Assistant has been very busy identifying and addressing needs in the City. She has been welcomed with open arms by the community and demand is high. It is

recommended that these part-time hours be extended from 20-hours per week to 30-hours per week.

3. The Public Safety Coordinator position was approved for a salary range of between \$50-\$67 per hour with a footnote that it may need to be increased. In June it was budgeted at \$50 per hour plus benefits for a total annual cost of \$142,566. The most recent recruitment has proven that \$67 was the mid-range not the top of the range. To budget at \$67 per hour would increase the annual budget for the position up \$41,177 above the current budget. It is recommended that the salary for this position be increased from a range of \$50- \$67 per hour, to \$60- \$74 per hour.

Department	Position(s)	Current Annual Budget	Proposed Annual Budget	Annual Cost Increase	Fiscal Year Impact (4-months)
Library	2 Library Tech 1 Library Lead Tech	\$ 68,021	\$ 92,859	\$ 24,838	\$ 7,451
Recreation	Rec Assistant	\$ 29,642	\$ 39,633	\$ 9,991	\$ 3,003
Public Safety	Pub Safety Coord	\$ 142,566	\$ 186,737	\$ 44,171	\$ 13,251
				\$ 79,000	\$ 23,705

To support Program 1 and the re-organization of Public Safety, the Public Safety Department also will have to fund uniforms, computer, training, and supplies. The cost is estimated to be \$5,000.

The City has received two requests for funding; one from a not-for-profit and one other community group. These include \$5,000 to support the re-establishment of the San Benito Leadership Academy and \$1,500 for the Credo Mandala project. They total of \$6,500 can be funded from the current “General Government” Department Budget (45).

The City needs to revisit Program 3 mentioned above, and reconsider its economic development programs. The “One Time Budget Catalyst Funding” table provided above has a \$31,165 budget, of which \$16,000 was spent for training and memberships, leaving \$15,000. Staff has attended and participated in the County Economic Development Subcommittee re-organization, and has had several conversations with their consultant MRG. The cities and County strategies have to be in alignment. At its last meeting October 18, 2023, the EDCAC was to consider the need for an Economic Development Strategic Plan. Simply put, “if you do not have a plan, you might wind-up somewhere you don’t want to be.” The packet for the October 18 meeting includes a San Juan Bautista Economic Development Strategy completed by a Cal Poly student in 2014. It is interesting and perhaps a good place to start.

Staff has been attending as many economic development seminars with the League of California Cities and other places to hear what others are doing. For example, the City of Moorpark published an RFP for a consultant to develop their first ED Strategy June 2, 2023. In October they awarded a \$115,000 contract to consulting firm familiar with their part of Southern California. Maybe the \$15,000 could be used to work with MRG to develop an RFP for the City to prepare a new ED Strategic Plan to be included in next Fiscal Year’s budget.

Lastly, the City has been relying on contract services for planning work since December. To continue this level of service additional funding is required. It is estimated that \$50,000 will cover 6-months to the end of the fiscal year. This can be paid for by the unexpected increase in the City's earned interest.

## CAPITAL IMPROVEMENTS

The total CIP is budget is \$21 million, with \$18 million being used on the Sewer Force Main CIP 23.02. That is the City's highest priority. It began construction last October. As described above, the City budgeted \$300,000 from the General Fund Reserve for the CIP in addition to the funds unspent from prior years. The Community Hall Acoustic project CIP 21.24 was increased from a budget of \$50,000 to \$125,000 using \$75,000 of these funds. It was completed at a cost of \$90,437, freeing up \$34,500 for the fire station roof that needs repairs as soon as possible. \$150,000 of the \$300,000 budget was set aside for the Abbe Park Ball Field lights which is next on the schedule. Another \$75,000 was set aside to improve the historical buildings at Luck Park.

Adequate funding exists for the City's immediate priorities that include the Abbe Park Ball Field lights (Program 6). New needs include:

1. A re-roof of the flat roofed Fire Station 4 dormitory. Cost estimates are between \$35,000 and \$40,000 (equal to the savings from the Community Hall Acoustic project).
2. Vehicle for the second public safety officer (Program 1) – (specs to be determined) estimate is \$73,000
3. It is recommended that the City replenish CIP 22.05 after these funds were used to replace the pump at Well 1 last fall. Pump replacement can cost \$30,000 and would be funded from reserves by the utility that needs it, between now and June 30<sup>th</sup>.

The savings in the Public Safety Initiative of \$178,000 can be used to pay for a new vehicle and the support supplies and services as indicated under Operations. This would leave \$100,000 for new safety initiatives.

## FISCAL IMPACT:

This report summarizes the impacts of the Operations Budget and Capital Improvement. It concludes that adequate savings have occurred to present the changes recommended herein with no net impact on the General Fund and only a minor \$30,000 dip in the utility enterprise funds.

## ATTACHMENTS:

### Mid-Year Budget Resolution

- A) Revenues to date
- B) Expenses to date
- C) Summary of recommended mid-year adjustment

## **RESOLUTION NO. 2024-XX**

### **A RESOLUTION OF THE CITY OF SAN JUAN BAUTISTA MAKING CERTAIN FINDINGS IN RELATION TO THE FY 2023/24 BUDGET AND APPROVING CERTAIN ADJUSTMENTS AT THE MID-YEAR TO ACCOUNT FOR SEVERAL SMALL VARIANCES FROM THE ORIGINAL FY 2023/24 BUDGET**

**WHEREAS**, Resolution 2023-43 was adopted June 13, 2023, and the City adopted its budget for FY 2023/24; and

**WHEREAS**, Resolution 2024-04 was adopted January 16, 2024, the City Council received its audit for FY 2022/23, and the auditor opinion is unmodified, or it is a “clean” report with no material findings; and

**WHEREAS**, in the attached staff report, analyzing the audit results and final fund balances moving forward, and after reviewing City’s budget performance over the past six months staff has summarized its Mid-Year budget review in the two attachments (“Exhibits A” and “B”), one for revenue adjustments and one for expenditure adjustments; and

**WHEREAS**, in Exhibit A, staff anticipates a slight growth in the General Fund revenues, particularly attributable to better interest rate returns, transient occupancy tax and property tax revenues; at Mid-Year, the General Fund can be summarized as follows:

- 1) **General Fund** revenues are running at 52% for the year to date. Correspondingly, General Fund expenditures are at 48% for the year to date. The net effect is a positive change in general fund balance of \$110k.

**WHEREAS**, as a result of its review, the Water Enterprise Fund and Wastewater Enterprise Funds can be summarized as follows:

- 1) **Water Enterprise Fund** ~ The water Enterprise Fund revenues are running at 60% for the year to date, and expenses are at 41%. The net effect is a positive change in the water Enterprise Fund of \$462k.
- 2) **Sewer Enterprise Fund** ~ The sewer Enterprise Fund revenues are running at 66% for the year to date, and expenses are at 35%. The net effect is a positive change in the sewer Enterprise Fund of \$497k.

**WHEREAS**, Exhibit C outlines several one-time adjustments to the Operational Budget in the amount of \$100,205 including staffing changes, additional costs associated with the Public Safety Reorganization, re-purposing funds for economic development additional contractual services for Community Development to cover the current vacancy.

**WHEREAS**, also described in Exhibit C are three new Capital Improvement Project budget request in the amount of \$143,000 for the re-roof of the fire house dormitories, a new public safety vehicle for the second Officer, and to replenish the emergency pump replacement CIP.

**WHEREAS**, of the requested changes in Exhibit C total \$243,205, and will be paid by enterprise fund reserves (pump replacement CIP), re-purposing existing budgeted CIPs, and savings during the first half of the year.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of San Juan Bautista:

- 1) That the Staff report submitted for the February 20, 2024 Council meeting and its conclusions are hereby deemed to be true and correct, and are made a part of this resolution by reference.
- 2) That the completed Audit of the FY 2022/23 has confirmed and finalized the fund balances heading into FY 2024/25, and that a Mid-Year Budget review of this fiscal year's activity has been completed and that the assumptions and projections made in prior budget preparations have been confirmed and quantified.
- 3) The details of the recommended Mid-Year Budget adjustments for Fiscal Year 2023/24 are provided in Exhibit "A" for revenues, and Exhibit "B" for expenditures and "C" for the allocation of \$143,000 to the CIP, and savings in the Operational Budget repurposed for \$100,205.
- 4) That the balance of savings in all funds will be used to increase the reserve amounts in each of the three funds for consideration of new programs and initiatives during FY 24/25.

**PASSED AND APPROVED** at a regular meeting of the San Juan Bautista City Council on the 20<sup>st</sup> day of February 2024, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:**

---

Scott Freels, Mayor

**ATTEST:**

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Elizabeth Soto, Deputy City Clerk

**Attachments:**

**A. Revenue Summary**

**B. Expense Summary**

**C. Summary of Proposed Adjustments**

## EXHIBIT A

		Proposed		
REVENUES	Annual	Revised		
<u>Fund</u>	<u>Budget</u>	<u>Budget</u>	<u>Difference</u>	<u>Footnotes</u>
<b>General Fund</b>	2,142,500	2,244,000	(101,500)	<b>A</b>
<b>Special Revenue Funds:</b>				
Capital Projects Fund	2,836,845	2,836,845	-	
Community Development	404,514	404,514	-	
COPS	100,000	100,000	-	
Parking & Restroom Fd	28,000	28,000	-	
Gas Tax Fund	101,000	101,000	-	
Valle Vista LLD	23,889	23,889	-	
Rancho Vista CFD	67,512	67,512	-	
Copperleaf CFD	16,645	16,645	-	
<b>Internal Service Funds:</b>				
Blg Rehab. & Replace	38,000	38,000	-	
Vehicle Replacement	60,000	60,000	-	
<b>Enterprise Funds:</b>				
Water				
Operations	1,345,000	1,345,000	-	
Sewer				
Operations	1,390,000	1,390,000	-	
<b>TOTAL Funds</b>	<b>8,553,905</b>	<b>8,655,405</b>	<b>(101,500)</b>	
<b>Footnotes ~</b>				
A ~ Increase in interest income (100k) over anticipated budget, as well as recreation income.				

## EXHIBIT B

		<b>Proposed</b>			
<b>EXPENDITURES</b>	<b>Annual</b>	<b>Revised</b>			
<b><u>Fund</u></b>	<b><u>Budget</u></b>	<b><u>Budget</u></b>	<b><u>Variance</u></b>	<b><u>Footnotes</u></b>	
<b>General Fund</b>	2,117,980	2,217,980	100,000	<b>A</b>	
<b>Special Revenue Funds:</b>					
Capital Projects Fund	2,836,845	2,836,845	-		
Community Development	674,036	724,036	50,000	<b>B</b>	
COPS	100,000	100,000	-		
Gas Tax Fund	21,500	21,500	-		
Valle Vista LLD	22,692	22,692	-		
Rancho Vista CFD	37,166	37,166	-		
Copperleaf CFD	16,645	16,645	-		
<b>Development Impact Fee Funds</b>					
Public/Civic Facility	2,700	2,700	-		
Library	4,440	4,440	-		
Storm Drain	3,432	3,432	-		
Park In-Lieu	300	300	-		
Public Safety	852	852	-		
Traffic	432	432	-		
<b>Enterprise Funds:</b>					
Water:					
Operations	828,749	828,749	-		
Sewer					
Operations	1,227,618	1,227,618	-		
<b>TOTAL Funds</b>	<b>7,895,387</b>	<b>8,045,387</b>	<b>150,000</b>		
<b>Footnotes:</b>					
A ~ Increase in wages for the 4th quarter of the fiscal year for Safety Co-ordinator (approx. \$13k), increased hours for recreation assistant from 20-30 per week (approx. 3k), additional parttime position for library (approx. 7k).					
B ~ Additional contract services for planning.					

# EXHIBIT C

OPERATIONS	DEPARTMENT	CURRENT	CHANGE	ANNUAL IMPACT	FY IMPACT (30%)	FY 23/24 PAID BY?
	Library	2 part-time positions; 1 @ 20 hrs; 2nd at 30 hr per week	Add 1 PT position @ 20 hr/week	\$ 24,838	\$ 7,451	Increaseed Gen. Fund Revenues
	Recreation	1 part time position @ 20 hr/week	1 part time position @ 30hr/wk	\$ 9,991	\$ 3,003	Department savings
	Public Safety	Salary Range \$50- \$67/hr	Salary Range \$60-\$74/hr (start at \$67/hr)	\$ 44,171	\$ 13,251	Department Savings
	Public Safety	\$0 budget for uniforms, training & supplies	\$5,000 budget for uniforms, training & supplies	\$ 15,000	\$ 5,000	Department Savings
	General Government	Not specifically budgeted	Restart Leadership Institute \$5,000	\$ 5,000	\$ 5,000	Increaseed Gen. Fund Revenues
			Credo Manadal Project \$1,500	\$ 1,500	\$ 1,500	Increaseed Gen. Fund Revenues
	Economic Development	CA Main Street	Consultant for ED Strategic Plan RFP	\$ 15,000	\$ 15,000	Balance of funds not used for CA Main Street
	Community Development	Contract Services	Additional Contract Services	\$ 50,000	\$ 50,000	Increaseed Gen. Fund Revenues
CAPITAL OUTLAY						
	Fire House Dorm Re-roof			\$ 40,000	\$ 40,000	Savings from Comm Center Acoustics
	Vehicle for 2nd PS Officer			\$ 73,000	\$ 73,000	Speical Initiative Funding available of \$178,000
	Emergency Pump Replacement CIP			\$ 30,000	\$ 30,000	Water or Sewer Enterprise Reserves
				\$ 308,500	\$ 243,205	
Total amount relying on General Fund Increased Revenues					\$ 63,951	





## EXHIBIT D

JUNE 6, 2022 CIP				
05.31.2022	CAPITAL IMPROVEMENT BUDGET FY 22/23	Project #	FY 22/23 Budget	Status 02.21.23
<b>Street Projects</b>				
	Hwy 156 RTL	20.03	590,643	Acq ROW/Cal Trans Plan Check
\$\$	PMP- Shurry Seal, Overlay	21.22	1,100,160	30% Complete
	Landscape for Third Street Improvements	22.06	40,500	Included in PMP
NEW	Sidewalk Repairs	23.01	200,000	Included in PMP
<b>Utility projects</b>				
*	Rancho Vista Lift Station	20.05	125,000	
	Transfer Switches for Wells 1 + 5	21.07	4,350	Well 5 only so far
	Design Force Main to Hollister	21.20	334,343	100% complete
NEW	Construct Force Main to Hollister	23.02	18,000,000	Bid in March
\$\$	Dias Lift Station Pump Upgrades	22.03	74,572	Purchased Pumps
\$\$	Telemetry	22.04	150,000	
	Lift Station Pump-Emergency Repl	22.05	16,780	
	Emergency Generators	21.23	170,000	
MY	Waste Water Treatment Plant - Mid Year	22.06	23,000	100% Complete
<b>Parks Projects</b>				
FY 21-22	Franklin Park	21.01	267,240	100% Complete
FY 21-22	Verutti Park	19.42	189,701	100% Complete
MY	Joint Use of School	22.07	100,000	100% Complete
NEW	Track and Field Contribution	23.04	50,000	
NEW	Parks Tables and Benches	23.05	20,000	
NEW	Luck Park Historical Imps	23.03	15,000	Assessment complete
	Trail Plan (ATP)	21-02	205,458	95% Complete
<b>Community Facilities Projects</b>				
\$\$	Community Hall Acoustics	21.24	50,000	Bid in March
\$\$	Fire Station Apparatus Bay	21.23	70,000	
<b>Equipment</b>				
	Pipe Threader	21.18	2,500	
\$\$	Steel Trench Plates	21.25	5,000	
<b>Studies</b>				
\$\$	Water/Sewer Rate Study (Prop 218)	21.09	31,993	100% Complete
	Impact Fee Nexus Study	21.10	35,000	
	SB 2 Grant HCD	21.12	159,087	90% Complete
\$\$	LEAP Grant HCD	21.13	20,334	90% Complete
	REAP Grant HCD	21.14	2,611	90% Complete
NEW	Fire District Study	23.06	12,500	RFP/Grant Feasibility
NEW	Housing Element (half this FY half next FY)	23.07	25,000	RFP in March
<b>Special Initiatives</b>				
	Urban Growth/Sphere of Infl	21.11	103,203	Draft SOI/New Committee
\$\$	Third Street Master Plan	22.01	215,000	Following ATP
\$\$	Public Safety Committee Initiative	22.02	200,000	Assesment Concluded/SO and Fire Contracts
			22,152,034	
	Subtract Force-Main to Hollister		(18,000,000)	
			4,152,034	

# 7A- Mid Year Budget Amendments

Every year the City compares its audit figures to the projections made while putting the budget together

The Revenues and Expenses are analyzed in a manner that prepares the City to launch its next budget cycle

Often due to circumstances out of staff's control, changes are necessary

This year, there are more good changes than bad

# 7A- Mid Year Budget Amendments

Budget Revenues are stable, trending slightly higher than projected (GF)

One exception is Interest Earned- it is trending a lot better than expected (+\$100,000)

Exhibit A in the Resolution

Budget Expenses are trending lower than projected (GF)

Staffing vacancies

Sheriff Dedicated Officer vacancy

Exhibit B in the Resolution

# 7A- Mid Year Budget Amendments

MAY 25, 2023 BUDGET WORKSHOP					
UPDATED	6/7/2023				
BUDGET CONSIDERATION				FINAL DRAFT BUDGET TO INCLUDE	
SERVICE OBJECTIVE	IMPLEMENTATION	PROPOSED COST GENERAL FUND	SUPPORT	OUTCOME	
				Operations	GF Reserve
1 Reorganize Public Safety	Add FT Public Safety Coordinator and FT Community Service Officer; eliminate private security Adjusted June 5, 2023 for second FT position (+\$13,705)	\$ (21,295)	\$ (21,295)	\$ (21,295)	
2 Reorganize City general services	Add PT Admin Asst Add FT Maintenance Worker	\$ 15,000 \$ 15,000	\$ 15,000 \$ -	\$ 15,000 \$ -	\$ - \$ -
3 Economic Development	Add PT Econ. Dev Assistant Catalyst One Time funding for Training Implementation projects	\$ 40,000 \$ 50,000	\$ - \$ 31,165	\$ - \$ -	\$ - \$ 31,165
4 Historic Preservation	Catalyst One Time Funding to Support programs, ordinance and inventory update	\$ 25,000	\$ 12,500	\$ -	\$ 12,500
5 Recreation	Catalyst One Time Funding for summer programs now and new Rec Tech Position + new summer programs	\$ 50,000	\$ -		\$ 15,400
6 Capital Improvement Program	Replace Abbe Park Ball Field Lights, add funding for Luck Park Master Plan and Community Hall acoustical upgrades	\$ 300,000	\$ 300,000		\$ 300,000
7 Climate Action Plan	Consultant		\$ 50,000		\$ 50,000
8 Library Rain Gutters	Informal Contract		\$ 5,000		\$ 5,000
9 CD Fee Study	Together with Impact Fee Study	\$ 35,000	\$ 70,000		\$ 35,000
Totals		\$ 473,705	\$ 462,370	\$ (6,295)	\$ 449,065
Proposed Budget May 25				\$ 43,000	\$ 425,000

“Attachment 1” to the 2023 Budget Resolution identified 9-programs to be funded from the General Fund Reserve valued at \$425,000 for the City to consider last summer with its new Budget.

# 7A- Mid Year Budget Amendments

Economic Development: Out of \$31,165, \$15,000 remains

Economic Development One Time Budget Catalyst Funding Detail					Date
Line Item	Maximum Cost Estimate	Budgeted	One-Time Fund Recommendation	Comments	
CAL-ED Membership- City	\$ 350	\$ -	\$ 350	<a href="https://caled.org/">https://caled.org/</a>	
CAL-ED Membership- EDCAC Members	\$ 1,000		\$ 1,000	Access to resources on-line, and other cities	
CAL-ED Conference- City staff	\$ 1,200	\$ -	\$ 1,200	<a href="https://caled.org/2023-caled-pre-conference-conference-agenda/">https://caled.org/2023-caled-pre-conference-conference-agenda/</a>	
CAL ED Conference EDCAC 5-members	\$ 6,000	\$ -	\$ 6,000	\$3,400 was suggested s for a portable stage	
CAL ED Basic Training- ED Cert for city staff	\$ 2,350	\$ -	\$ 2,350	<a href="https://caled.org/introduction-economic-development-certificate-program/">https://caled.org/introduction-economic-development-certificate-program/</a>	
California Main Street Membership	\$ 1,765	\$ -	\$ 1,765	<a href="https://www.californiamainstreet.org/">https://www.californiamainstreet.org/</a>	
Community Engagement and Assessment	\$ 15,000	\$ -	\$ 15,000	Third Street Transformation- in the Main Street framework described at the link above	
Tool Kits and Self Trainings	\$ 3,500	\$ -	\$ 3,500	Specific programs to the benefit of City needs	
Catakyst funding for Downtown	\$ 18,000	\$ -	\$ -	Downtown Organizational needs- feasibility study remove 6.6.23 wrk shp	
	\$ 49,165	\$ -	\$ 31,165		

# 7A- Mid Year Budget Amendments

Recreation- of \$45,000 budgeted, only \$12,000 has been spent

Recreation One Time Budget Catalyst Funding Detail					
Line Item		Maximum Cost Estimate	Budgeted	One-Time Fund Recommendation	Comments
Recreation Technician		\$ 35,000	\$ 26,422	\$ -	Recruitment will determine- underway now
Volunteer Processing				\$ 2,000	background checks, finger-printing, etc
New Summer Program Funding				\$ 5,000	To start July 1 before the Rec Tech is hired
Program Supplies		\$ 52,000	\$ 750	\$ 5,200	\$1,000 a week is a lot; suggesting \$100 a week for starting new programs
Equipment, Tables & chairs		\$ 6,000	\$ -	\$ 1,200	\$3,400 was suggested s for a portable stage
Staff/Volunteer Training		\$ 2,000	\$ 1,000	\$ 2,000	Annual Conference for Rec Tech = \$1,500
Uniform Allowance- T Shirts		\$ 5,000	\$ 500		
		\$ 100,000	\$ 28,672	\$ 15,400	Total 1st Year Budget would be \$29,072

# 7A- Mid Year Budget Amendments

Proposed Budget Amendments include \$105,000 in General fund expenses

Increase existing Rec hours from 20 to 30 hours  
(no budget change needed)

Adding a 3<sup>rd</sup> Part-Time Library Tech (shared position with City Hall)  
Budget change required- this is necessary for staffing stability  
To avoid temporarily closing the Library

Increasing the Public Safety Coordinator salary range  
from \$50-\$67 per hour to \$60-\$74 per hour



# 7A- Mid Year Budget Amendments

Additional Changes to Public Safety (no new funds needed)

\$5,000 for uniforms, training and general operations

\$73,000 for a second vehicle (CIP)

Taken from the Initiative set aside for Security Cameras (\$200,000)

leased instead of purchased (\$22,000)

From \$178,000 to \$100,00 balance

General Government using funds already generally budgeted

Support the Reinitiation of the Leadership Academy (\$5,000)

CREDA Mandala Project (\$1,500)

Community Development – Contractual Services Increase of \$50,000

Two additional CIP's; Firehouse Dorm Roof & Emergency Pump Replacement

# 7A- Mid Year Budget Amendments

OPERATIONS	DEPARTMENT	CURRENT	CHANGE	ANNUAL IMPACT	FY IMPACT (30%)	FY 23/24 PAID BY?
	Library	2 part-time positions; 1 @ 20 hrs; 2nd at 30 hr per week	Add 1 PT position @ 20 hr/week	\$ 24,838	\$ 7,451	Increased Gen. Fund Revenues
	Recreation	1 part time position @ 20 hr/week	1 part time position @ 30hr/wk	\$ 9,991	\$ 3,003	Department savings
	Public Safety	Salary Range \$50- \$67/hr	Salary Range \$60-\$74/hr (start at \$67/hr)	\$ 44,171	\$ 13,251	Department Savings
	Public Safety	\$0 budget for uniforms, training & supplies	\$5,000 budget for uniforms, training & supplies	\$ 15,000	\$ 5,000	Department Savings
	General Government	Not specifically budgeted	Restart Leadership Institute \$5,000	\$ 5,000	\$ 5,000	Increased Gen. Fund Revenues
			Credo Manadal Project \$1,500	\$ 1,500	\$ 1,500	Increased Gen. Fund Revenues
	Economic Development	CA Main Street	Consultant for ED Strategic Plan RFP	\$ 15,000	\$ 15,000	Balance of funds not used for CA Main Street
	Community Development	Contract Services	Additional Contract Services	\$ 50,000	\$ 50,000	Increased Gen. Fund Revenues
CAPITAL OUTLAY						
	Fire House Dorm Re-roof			\$ 40,000	\$ 40,000	Savings from Comm Center Acoustics
	Vehicle for 2nd PS Officer			\$ 73,000	\$ 73,000	Special Initiative Funding available of \$178,000
	Emergency Pump Replacement CIP			\$ 30,000	\$ 30,000	Water or Sewer Enterprise Reserves
				\$ 308,500	\$ 243,205	
Total amount relying on General Fund Increased Revenues					\$ 63,951	

# 7A- Mid Year Budget Amendments

Of the \$100,000 additional General Fund revenue,  
this Budget amendment proposes using \$63,951  
(\$36,000 balance for adding to Reserves)

Using \$30,000 from the Utility reserves for emergency pump replacement

Funding Remains available for the three Legacy Initiatives

UGB/SOI	\$107,455	
3 <sup>rd</sup> Street Master Plan	\$222,140	(new grant applied for)
Public Safety	\$100,000	(after using \$78,000)



## CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION STAFF REPORT

**AGENDA TITLE:** INTRODUCTION TO DOWNTOWN PARKING  
STRATGEIES

**DATE:** January 2, 2020

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

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**RECOMMENDED ACTION:** Receive a Downtown Parking report for discussion purposes only.

**BACKGROUND INFORMATION:** The City of San Juan Bautista's historic downtown attracts thousands of visitors every year, from 4<sup>th</sup> graders coming to the Mission during the school year, to the many weddings and celebrations that occur every weekend, and the many festivals that occur every year. Weekends and evenings are certainly the busiest times to be downtown and it is not unusual to park three or four blocks from 3<sup>rd</sup> Street on a Saturday afternoon.

Whether or not the City has a downtown parking problem is really a matter of perspective. And generally speaking, it is a good thing to have a parking problem downtown. It means the town is vibrant and has established itself as a destination. Parking is one of the most emotional issues for citizens in a community to consider. This makes changing parking policies a challenge. If there is no formal parking system, an informal system will fill the void, and unintentional systems can create unintentional results. I have spent much of my time over the past 30-years working with downtowns, analyzing parking "systems" both on street and off-street, parking enforcement, paid parking, time limited parking, and of course "free parking." In this report, I will share some of the lessons learned, and introduce a study San Juan Bautista's Downtown conducted last June that provides a few parking options, and their cost.

**The High Cost of Free Parking** is a non-fiction urban planning book by UCLA professor Donald Shoup. It deals with the costs of free parking policies on society. It is structured as a criticism of how parking is planned and regulated, especially the use of parking minimums and off-street parking requirements. It was published in 2005, the same year the new parking garage opened in downtown Salinas. By 2007, I relied on Shoup's expertise and completed a thorough analysis of downtown Salinas parking, created pro-formas and business plans, and proposed a parking program where half the revenue would be used by the downtown business association to maintain its historic and beautiful heritage. That plan was flatly rejected by the business community and I was nearly kicked out of town. It turns out that many stakeholders in Salinas still remember the celebration that occurred when parking meters were removed back in the 1970's.



Shoup's concept is simple. Identify every component of a parking system, assign values, depreciation and maintenance costs, and consider parking rates to off-set the costs. A key component often overlooked is enforcement. Sometimes the correct or desired parking habits require enforcement. Parking prices are based on a supply and demand system, based on convenience and proximity to popular destinations (in Salinas that would be Main Street's 100, 200 and 300 blocks). Revenues come from daily and hourly parking fees (short-term parking), long-term or monthly parking passes for employees and residents, and enforcement. As the need for enforcement declines the enforcement revenues decline as well. In downtown San Luis Obispo, parking four blocks from the destination is free, but as you move closer to the center of town, the cost and time restrictions are applied, and the closer to downtown it is, the higher the price.

But it doesn't always work that way. At the same time the new parking garage was opened in Salinas, the parking lot across from the new cinema (now the corporate headquarters for Taylor Farms), established "pay-by-space" parking system using kiosks and numbered parking spaces. The garage opened at .50 cents per day, and the surface parking lot opened at \$1 per day. The lot would always fill up before the garage, and only on a few occasions has the garage actually filled to capacity. The City was earning close to \$10,000 a month from the parking lot, and only \$3,500 a month from the garage. The issue was safety; many perceived the garage to be less safe than the parking lot.

This is what I have learned about parking policies in San Juan Bautista. The 2016 General Plan has an Objective CI 2.3 "Provide Adequate Parking." The first objective is to develop a "Parking Plan." The City will identify available properties for parking, develop a partnership with the State Park and Diocese to provide adequate parking for these destinations, explore technology, using parking meters, and develop parking systems for large events. There are also two objectives related to bike parking. The first attachment includes this page of the General Plan for the Commission's consideration. Chapter 11-11 of the Zoning Code is dedicated to parking. Many of these development related requirements were considered with the recent approval of the Casa Rosa project. They include FAR in mixed use districts, joint use parking, and parking in-lieu fees. They specify the number of parking spaces required in a table 11-11.110 and 11-11.160 describing various different land uses and the number of parking spaces required. Shoup's criticism is that an over-prescriptive zoning code that specifically ties the use of a property to its parking requirement, often results in far more parking than is needed, and does not allow for or encourage shared parking. This policy is provided to the Commission in the second attachment.

## DISCUSSION

In June 2019, Harris and Associates completed the report provided in the third attachment: "Preliminary Downtown Parking Strategy." As a preliminary study, it focusses on the downtown historic district, does not make reference to the General Plan, and merely suggests various methods that the City may consider if it decides to move forward with a plan like this. There are three alternative lay-outs described. In summary, the report suggests that with an investment of between \$1.1 and \$1.4 million, the City could establish between 73 and 94 off-street parking spaces in its downtown, without considering the Mission parking lot, or the School District's Soccer field

parking lot. That's assuming the property is purchased at an estimated cost of \$9,000 per parking space. Below is a table summarizing the three alternatives.

	TOTAL COST	# OF SPACES	Cost/space
Alternative 1	\$ 1,435,748.00	94	\$ 15,273.91
Alternative 2	\$ 1,408,326.00	89	\$ 15,823.89
Alternative 3	\$ 1,178,252.00	73	\$ 16,140.44

If the cost of land is taken out of the costs, the cost per space equals this:

	TOTAL COST	# OF SPACES	Land value	Adjusted Cost	Cost/space
Alternative 1	\$ 1,435,748.00	94	\$ 846,000.00	\$ 589,748.00	\$ 6,273.91
Alternative 2	\$ 1,408,326.00	89	\$ 801,000.00	\$ 607,326.00	\$ 6,823.89
Alternative 3	\$ 1,178,252.00	73	\$ 657,000.00	\$ 521,252.00	\$ 7,140.44

The City's in-leu parking fee is \$7,520 per space, and is closer to the cost of a surface parking space without having to buy the property. A parking space in a parking garage is estimated to cost closer to \$35,000 per space without having to buy the property. The in-lieu parking fee should be set to include the cost of the property. And a Parking Plan will consider options that include leasing properties not just acquiring them.

The study does not include the cost estimates related to parking enforcement. Without enforcement the "plan" will have limited success, and this enforcement has to be available at peak hours and include weekends and evenings.

The study does not include the Mission parking lot or the School District lot. If these two options are explored, it may have a positive impact on the costs due to the fact that the partners already control the real-estate. Lastly, the study does not take into consideration Objective CI2.3.1.4- on street paid parking. When paid parking is implemented, there is more staff overhead involved in collecting payments, and maintaining equipment.

On pages 4-11 the parking study considers different funding mechanisms. Three different property assessment systems are described suggesting that the stake holders will be willing to pay for the cost of the off-street parking lots. In Salinas, the business district is very involved in these decisions, and if or when paid parking in that town "breaks even," the profit would be shared equally between the business district and the parking district. This is the system modeled in the High Cost of Free Parking, using historic downtown Pasadena as an example. Parking revenues are returned the district to maintain its safe and charming environment. The fourth attachment describes this process.

Staff appreciates the Commission's feedback on this analysis, and consideration of the next steps identified on page 11 of the report. I added enforcement, but clearly there is a greater need identified: conversations with stakeholders. Several months of stakeholder meetings are recommended to implement a transformational change such as the one described in this report. This is a big project that needs to get started, but move slowly until a "plan" evolves that everyone can embrace. In the mean-time, the City may be able to start a small pilot program and test the waters. More to follow.

# Attachment 1 General Plan

## **Objective CI 2.3**

**Provide adequate parking.**

### **Policy CI 2.3.1**

**Develop a vehicle parking plan.**

#### **Program CI 2.3.1.1**

**Identify available private parking that could be used for public parking during non-business hours.**

#### **Program CI 2.3.1.2**

**Develop a partnership with Diocese and State Parks to provide expanded visitor parking for the Mission and State Park facilities.**

#### **Program CI 2.3.1.3**

**Explore technological solutions for parking management.**

#### **Program CI 2.3.1.4**

**Assess feasibility of utilizing parking meters in highly desirable locations and peak demand locations.**

#### **Program CI 2.3.1.5**

**Explore residential parking permit plan.**

#### **Program CI 2.3.1.6**

**Develop parking management systems for large events.**

### **Policy 2.3.2**

**Develop a bicycle parking plan.**

#### **Program CI 2.3.2.1**

**Expand minimum bicycle parking requirements for new development.**

#### **Program CI 2.3.2.2**

**Develop bicycle parking fund to expand bicycle parking in developed areas.**

## **Objective CI 2.4**

### **Policy CI 2.4.1**

**Incorporate a wayfinding signage system in the City.**

# Attachment 2

## Chapter 11-11 PARKING

### Sections:

#### Article 1. Standards

- 11-11-010 Intent.**
- 11-11-020 Establishment of or expansion of an existing parking lot.**
- 11-11-030 Continuing character of obligation.**
- 11-11-040 Conditional uses.**
- 11-11-050 Size and location.**
- 11-11-060 Driveways – Aisles.**
- 11-11-070 Other standards.**
- 11-11-080 Plan approval.**
- 11-11-090 Paving and marking.**
- 11-11-100 Screening and lighting.**
- 11-11-110 Number required – Generally.**
- 11-11-120 Mixed use district.**
- 11-11-130 Findings.**
- 11-11-140 Condition.**
- 11-11-150 Number required – Dwellings.**
- 11-11-160 Number required – Other uses.**
- 11-11-170 Loading spaces.**

#### Article 1. Standards

##### **11-11-010 Intent.**

The intent of this Section is to:

(A) Provide standards and requirements for off-street automobile parking spaces for every building and use. No building or structure shall be erected or altered unless there is already in existence, or unless provision therefor is made concurrently with such erection or structural alteration or new use, the number of parking spaces necessary to meet the minimum requirements set forth; and

(B) Provide off-street spaces for parking of the automobiles of tenants of the premises, and for visitors, clients, customers, employees and callers.

##### **11-11-020 Establishment of or expansion of an existing parking lot.**

Establishment of or expansion of an existing parking lot shall require design review approval.

##### **11-11-030 Continuing character of obligation.**

The continuance and maintenance of the parking spaces required by this Chapter shall be the continuing obligation of the owner of the property upon which the building or structure is located as long as the building or structure exists and the use requiring such spaces continues.



**11-11-040 Conditional uses.**

Nothing in this Chapter shall be deemed to limit the power of the City to require adequate provision of **parking** spaces as a condition of approval of a conditional use when, under the circumstances of the particular case, a greater number of spaces than specified is found to be necessary.

**11-11-050 Size and location.**

(A) Every required **parking** space shall have a width not less than nine feet (9') and a length not less than eighteen feet (18'), exclusive of maneuvering space and driveways which shall be provided as required herein, to make each **parking** space independently accessible from the street at all times.

(B) The City Manager or designee may allow reduction of up to ten percent (10%) of the required **parking** spaces to eight (8) by sixteen feet (16') in size for accommodation of compact-sized cars. Backup and maneuvering space may be reduced proportionately, subject to approval of the City Manager or designee.

(C) No **parking** space shall occupy any front yard, or any required street side yard of a corner lot, or in a required rear yard on a double-frontage lot.

(D) Except in the mixed use district and when SJBMC [11-11-120](#) applies, off-street **parking** facilities shall be located on the same site, or shall be located no more than one hundred fifty feet (150') and with reasonable access from the use for which the spaces are required.

(E) **Parking** areas shall be designed so that vehicles enter public streets in a forward direction.

(F) All required **parking** shall be kept accessible at all times for required **parking**, and the use of any such required space or spaces, or of any driveway or maneuvering space necessary to provide access thereto, for the storage of boats, vehicle trailers or goods of any kind shall constitute discontinuance of the intended use and a violation of this Chapter.

**11-11-060 Driveways – Aisles.**

The width of the driveway providing access to **parking** spaces shall be not less than fifteen feet (15'), unless:

(A) Where the number of spaces is less than four (4), or where the movement of vehicles is limited to a single direction, the access aisle width shall not be less than twelve feet (12').

(B) Where **parking** spaces for four (4) or more cars are designed to lie on either side or on both sides of an access aisle, the width thereof shall be:

(1) Not less than fifteen feet (15') where the spaces are at an angle of forty-five (45) degrees to the aisle;

(2) Not less than eighteen feet (18') where the spaces are at a greater angle but not more than sixty (60) degrees to the aisle; and

(3) Not less than twenty-five feet (25') where the spaces are at any angle to the aisle greater than sixty (60) degrees.

**11-11-070 Other standards.**

(A) Bicycle racks shall be provided in any **parking** area in a commercial or mixed use district. Individual bicycle **parking** spaces shall be provided at a ratio of one (1) bike space for every ten (10) vehicle spaces, with a minimum of one (1) space.

(B) As required by the building code, special provisions for access by the physically handicapped from public rights-of-way, across intervening spaces and into structures, including **parking** facilities specifically designed and located for the use of the handicapped, shall be required. Standards for such facilities shall be based on the standards of the American Standards Association and/or other applicable guidelines.

(C) All off-street **parking** areas shall be provided with a minimum of ten percent (10%) of the area of the lot planted with live plant material. Trees not less than five feet (5') in height and fifteen (15) gallon container in size shall be planted throughout the lot and along any street frontage.

(D) Curbs, wheel stops, and markings for **parking** lots and spaces shall be provided as follows:

(1) Except for spaces that serve single or two (2) family dwellings, all off-street **parking** spaces shall have wheel stops. Wheel stops must be continuous curbing and shall not be separate blocks.

(2) Opposing ranks of **parking** stalls shall be separated by a raised curbed island.

(3) All off-street **parking** areas shall be provided with entrance, exit, and traffic flow markings so arranged and marked as to provide for orderly and safe **parking** of automobiles, subject to the approval of the City Engineer.

#### **11-11-080 Plan approval.**

Whenever four (4) or more **parking** spaces are required, a site plan of the premises, showing the location of the building or buildings and other improvements, the location and dimensions of all **parking** spaces, and the provisions for maneuvering space and access driveways thereto from a public thoroughfare, including proposed curb cuts, shall be submitted to the City Manager or designee to review for consistency with the standards of this Chapter as well as the San Juan Bautista Design Guidelines prior to issuance of the building permit. No approval of occupancy shall be issued upon completion of a building, or the structural alteration of a building, unless and until all such spaces as required by this Chapter and shown upon the approved plans and made a part of the building permit are in place and ready to use.

#### **11-11-090 Paving and marking.**

All **parking** spaces, access driveways and maneuvering areas required, and as shown on the approved site plan, shall be graded and well-drained, and shall be maintained with dust-free surfacing, and in all districts shall be paved with two inches (2") of asphaltic concrete, or an equivalent approved by the City Manager or designee, and shall be clearly marked on the ground. Exceptions to the paving requirement may be made in the case of private streets or, in the case of a single lot in a low-density residential zone with at least fifty feet (50') of frontage on a public street, the City Manager or designee may waive the requirement where the rural character of the area makes this desirable and an oiled, dust-free surface is provided.

#### **11-11-100 Screening and lighting.**

(A) Wherever the exterior boundary of an open **parking** area providing space for four (4) or more automobiles is less than ten feet (10') from any lot in an R district, such area shall be screened by a solid masonry wall having the maximum height permitted by this Title; provided, however, that where a lot is used for a **parking** facility required for a use or building on an abutting lot in the same ownership, no separating wall shall be required.

(B) Lighting of **parking** spaces shall conform to Chapter [11-13](#) SJBMC.

(C) Pavement Edge and Planter Protection. Landscaped areas and pavement edges in all mixed use, multiple-family, commercial, and industrial zones shall be protected from damage and deterioration by the

placement of six-inch (6") high, securely anchored, continuous curbs or similar barriers, which have a minimum width of six inches (6").

#### **11-11-110 Number required – Generally.**

The number of **parking** spaces required shall be as specified in SJBMC [11-11-150](#) and [11-11-160](#). When the calculation results in a fractional number, any fraction of one-half (1/2) or greater shall be rounded up and any fraction less than one-half (1/2) shall be rounded down. In the case of any use not specifically mentioned in these regulations, the minimum number of **parking** spaces required shall be the same as for a specified use having similar characteristics in relation to the need for **parking** spaces. When two (2) or more buildings or uses occupy the same lot, the required number of **parking** spaces shall be the sum of the requirements of the various buildings or uses computed separately. The Planning Commission may allow a reduction of up to fifteen percent (15%) of the spaces required where several uses have a common **parking** area, and the timing or sporadic nature of anticipated **parking** makes the full requirement unnecessary.

#### **11-11-120 Mixed use district.**

Within the mixed use district, the following standards shall apply:

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

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

(C) Residential. For each residential unit, one and one-half (1-1/2) **parking** spaces shall be provided. Exceptions to this standard include:

- |                           |                                 |
|---------------------------|---------------------------------|
| (1) Emergency shelter:    | One (1) space per five (5) beds |
| (2) Transitional housing: | One (1) space per unit          |
| (3) Affordable housing:   | One (1) space per unit          |

(D) Location. Required **parking** spaces for commercial or mixed uses shall be located on the same parcel or another parcel not further than five hundred feet (500') from the parcel they are intended to serve. Reciprocal or egress easements shall be required for the off-site **parking** prior to establishing the use for which **parking** is required. For areas bounded by Second Street, Muckelemy Street, Fourth Street, and Franklin Street, off-site or street **parking** is preferred.

(E) Joint-Use **Parking**. Joint-use **parking** shall be permitted upon Planning Commission approval of a use permit. Joint-use **parking** standards are based on the assumption that patrons will use a single

**parking** space for more than one (1) destination in the MU district and that one (1) **parking** space will be open and available for short-term **parking** to serve many different uses which may have different peak hours. The applicant shall submit an agreement in a form as prescribed by the City Attorney that ensures that the required number of joint-use **parking** spaces required shall be provided. Said agreement shall run with the land and be recorded on each parcel contributing to joint-use **parking**, regardless of whether the parcel is owned by the applicant.

(F) In-Lieu Fee. The Planning Commission may determine that strict compliance with the off-street **parking** standard set forth in this Chapter is contrary to the goal of preserving and enhancing the historical character and pedestrian nature of the MU district. Upon making such a determination, an in-lieu **parking** fee shall be imposed in the manner and amount set by City Council. The funds shall be retained by the City and shall be used exclusively for the purpose of acquiring and developing public off-street **parking** facilities to serve the MU district.

#### **11-11-130 Findings.**

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

#### **11-11-140 Condition.**

All applicants for uses which fall under this policy will be required to sign a copy of the policy indicating that they have received, read, understood, and agreed to the following condition:

At such time that a **parking** impact fee is established by the City Council, the permittee shall be required to pay all fees that would be applicable to this use for the number of **parking** spaces required for this use. The number of **parking** spaces required by this Section for the existing use at the time of the implementation of the **parking** impact fee shall provide the basis by which the total amount of **parking** spaces, and thereby the **parking** impact fee, will be determined.

#### **11-11-150 Number required – Dwellings.**

(A) Single-Family Dwellings. Every single-family dwelling shall be provided with at least two (2) **parking** spaces. At least one (1) space shall be covered by garage or carport.

(B) Multifamily Dwellings. Required **parking** spaces for multifamily dwellings shall be:

(1) Studio:	One (1) covered space
(2) One (1) Bedroom:	One (1) covered space
(3) Two (2) Bedroom:	One (1) covered/ One (1) uncovered space
(4) Three (3) Bedroom:	One (1) covered/ One (1) uncovered space
(5) Four (4) Bedroom:	One (1) covered/ Two (2) uncovered spaces

(6) Covered **Parking**. The Planning Commission may waive the requirement for covered **parking** for multiple-family dwellings when such requirement is found not to be in the best interest of good design or the public health, safety or welfare, based on one (1) or more of the following:

- (a) The project will be better suited to unusual lot shape or topography;
  - (b) Design or appearance of the project will be improved; or
  - (c) The housing costs will be made affordable to low and moderate-income residents. All uncovered **parking** must be screened by means of an earth berm and/or landscaping;
- (7) Guest **Parking**. In multifamily dwellings, guest **parking** shall be provided at the ratio of one-half (1/2) space per unit.

#### 11-11-160 Number required – Other uses.

(A) The number of **parking** spaces required to be provided for uses other than dwellings shall be not less than specified in the following table:

Hotel, motel, lodging house, apartment, or private club providing sleeping accommodations	One (1) space for each guest room or rental unit, or for each two (2) beds, whichever is greater plus one (1) space for each employee on a given shift
Mobile home <b>parks</b>	There shall be two (2) <b>parking</b> spaces for every mobile home; one (1) additional <b>parking</b> space per two (2) mobile homes shall be provided for guest <b>parking</b> , and shall be dispersed throughout the <b>park</b>
Place of public assembly, including church, community center, private club or lodge, auditorium (including principal assembly, school or college auditorium), or gymnasium	One (1) space for each four (4) seats in the area or room or one (1) space for each forty (40) square feet in the principal assembly area or room if fixed seats are not provided
Theater	One (1) space for each three (3) seats or fraction thereof
Nursing home or other institution providing sleeping accommodations	One (1) space for each five (5) beds or fraction thereof
Hospital	One (1) space for each two (2) patient beds or fraction thereof
Convalescent hospital, rest home or sanitarium	One (1) space for each three (3) patient beds or fraction thereof
Library, museum, art gallery, or similar use	One (1) space for each three (3) employees, plus such additional spaces as may be prescribed by the Planning Commission
College, art, craft, music or dancing school; business, professional or trade including teachers and administrators	One (1) space for each three (3) employees, and one (1) space for each four (4) students, plus such additional spaces as may be prescribed by the Planning Commission
Day school or nursery school	One (1) space for each three (3) employees, plus one (1) space for each ten (10) children
Medical or dental office	One (1) space for each two hundred twenty-five (225) square feet of gross floor area
Other business – office, technical service, professional office, or administrative office	One (1) space for each office two hundred fifty (250) square feet of gross floor area



Restaurant, soda fountain, bar, cocktail lounge, or similar establishment for the sale and consumption of food or beverage on the premises not in a shopping center	One (1) space for each sixty (60) square feet of dining area, plus one (1) additional space for each three (3) employees or fraction thereof
Bowling alley, billiard parlor	Five (5) spaces for each lane; two (2) spaces per table plus one (1) space for each two (2) employees on the largest shift
Game arcade	One (1) space for each three (3) game machines and one (1) <b>parking</b> space for bicycles for each machine
Bank, financial institution, public or private utility office not in a shopping center	One (1) space for each one hundred eighty (180) square feet of gross floor area
Personal service establishment, including barber or beauty shop, cleaning or laundry agency, or similar use not in a shopping center	One (1) space for each two hundred fifty (250) square feet of gross floor area
Food store, grocery store, delicatessen, supermarket, or similar use not in a shopping center	One (1) space for each one hundred fifty (150) square feet of gross floor area
Plant nursery or similar outdoor sales and display establishment	Five (5) spaces, plus one (1) additional space for each five hundred (500) square feet of outdoor sales, display, or service area
Schools, elementary and middle	One (1) space per employee
Schools, secondary	One (1) space per employee, plus one (1) space per ten (10) students
Shopping center, retail store, or service establishment	One (1) space for each two hundred fifty (250) square feet of gross floor area, except for floor area used exclusively for truck loading; City Manager or designee has discretion to allow up to ten percent (10%) reduction if proof of joint use
Shopping center, retail store or retail service establishment in the MU district	One (1) space for each two hundred twenty (220) square feet of gross floor area, except for floor area used exclusively for truck loading
Service stations	Two (2) spaces for each working bay plus one (1) space for each employee on the largest shift
Manufacturing, storage, warehouse wholesale stores, heavy industrial uses, heavy commercial uses	One (1) space for each one thousand (1,000) square feet of gross area

### 11-11-170 Loading spaces.

(A) Required. Any structure having a floor space of ten thousand (10,000) square feet or more, which is to be occupied by a manufacturing plant, storage facilities, warehouse facilities, goods display, retail store, wholesale store, markets, hotels, hospital, mortuary, laundry, dry cleaning establishment, or other uses similarly requiring the receipt or distribution by vehicles or trucks of materials or merchandise, shall provide on the same lot or parcel at least one (1) off-street loading space, plus one (1) additional such loading space for each twenty thousand (20,000) square feet of floor area. Such off-street loading spaces shall be maintained during the existence of the building or use they are required to serve. A required loading space may occupy a required rear yard or any part thereof.

(B) Improvement Standards. Loading spaces required by subsection (A) of this Section shall be developed pursuant to the following standards, to the extent other more restrictive standards prescribed elsewhere in

this Chapter do not apply:

(1) Size of Off-Street Loading Spaces. Each off-street loading space required by subsection (A) of this Section shall be not less than ten feet (10') wide, thirty feet (30') long, and not more than fifteen feet (15') high, exclusive of driveways for ingress and egress and maneuvering areas.

(2) Driveways for Ingress and Egress and Maneuvering Areas. Each off-street loading space required by subsection (A) of this Section shall be provided with driveways for ingress and egress and maneuvering space of the same type which is required for off-street **parking** spaces.

(3) Location of Off-Street Loading Spaces. No off-street loading space required by subsection (A) of this Section shall be located closer than forty feet (40') to any street.

Legislative History: Ord. 2007-03 (2/20/07).

Mobile Version



# **CITY OF SAN JUAN BAUTISTA**

## **PRELIMINARY DOWNTOWN PARKING STUDY**

**JUNE 2019**

**PREPARED BY**



**Harris & Associates**





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Table 6: Estimated Annual Costs, Alternative #3

Table 7: Downtown Parking District Benefit Units

Table 8: Estimated Capital Improvement and Land Cost per Parcel/Acre, Alternative #1

Table 9: Estimated Annual Assessment for Capital Improvement and Land Costs, Alternative #1

Table 10: Estimated Annual Maintenance, Operations and Capital Reserve Replacement Costs, Alternative #1

Table 11: Estimated Capital Improvement and Land Cost per Parcel/Acre, Alternative #2

Table 12: Estimated Annual Assessment for Capital Improvement and Land Costs, Alternative #2

Table 13: Estimated Annual Maintenance, Operations and Capital Reserve Replacement Costs, Alternative #2

Table 14: Estimated Capital Improvement and Land Cost per Parcel/Acre, Alternative #3

Table 15: Estimated Annual Assessment for Capital Improvement and Land Costs, Alternative #3

Table 16: Estimated Annual Maintenance, Operations and Capital Reserve Replacement Costs, Alternative #3

## OVERVIEW

### Downtown Parking Study Area

For the purposes of this study, the Downtown Parking Study Area is generally the area in San Juan Bautista with a northerly border near 2<sup>nd</sup> Street, an easterly border near Franklin Street, a southerly border near 4<sup>th</sup> Street, and a westerly border near San Jose Street. Figure 1 shows the boundaries of the study area.

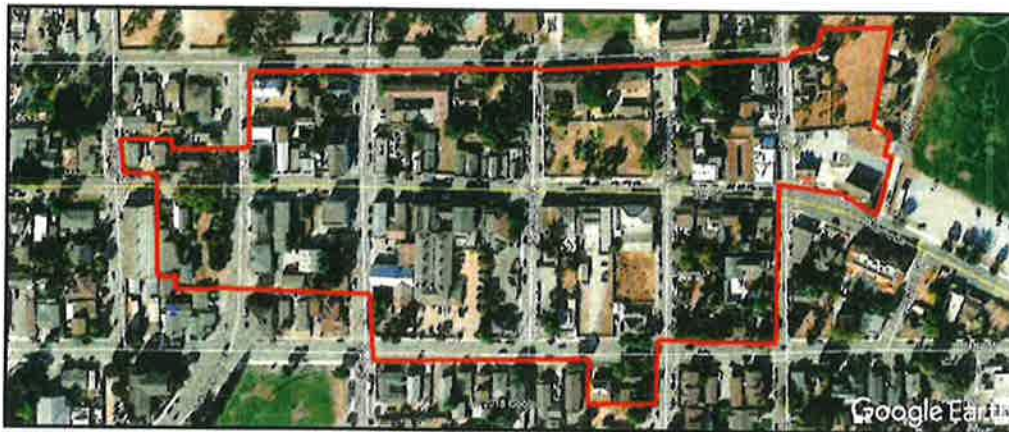


Figure 1: Downtown Parking Study Area

Not the same  
as the Historic  
District  
- Does not  
Address several  
G.P. objectives  
- Intended to  
serve Historic  
District

### Downtown Parking Improvements

The Downtown Parking Improvements are proposed to include the addition of up to five (5) public parking lots to add up to 94 parking spaces including landscaping in the downtown area. Figure 2 provides an artist rendering of what a downtown parking lot might look like in the City of San Juan Bautista.



Figure 2: Artist rendering of downtown parking area in Lafayette, California



*Storm Water  
retention  
Basins*

Additional proposed improvements include BMP treatment areas and refuse containment area. Figure 3 provides an artist rendering of what a refuse containment areas might look like in the City of San Juan Bautista.



Figure 3: Image of refuse containment area

This study looks at three (3) different Downtown Parking Alternatives, as follows:

### Downtown Parking Alternative #1

Exhibit A of this study shows an image of Downtown Parking Alternative #1, which includes the following:

- Five (5) public parking lots adding 94 parking spaces to the downtown area
- 1,980 square feet of landscape area
- 1,520 square feet of bmp treatment area
- Five (5) refuse containment areas

### Downtown Parking Alternative #2

Exhibit B of this study shows an image of Downtown Parking Alternative #2, which includes the following:

- Five (5) public parking lots adding 89 parking spaces to the downtown area
- One parking lot connector area between Lots 3 and 4
- 2,520 square feet of landscape area
- 1,520 square feet of bmp treatment area
- Five (5) refuse containment areas

### Downtown Parking Alternative #3

Exhibit C of this study shows an image of Downtown Parking Alternative #3, which includes the following:

- Four (4) public parking lots adding 73 parking spaces to the downtown area
- 3,100 square feet of landscape area
- 1,690 of bmp treatment area
- Four (4) refuse containment areas



## ESTIMATE OF COSTS

### DOWNTOWN PARKING ALTERNATIVE #1

#### Estimated Capital Improvement and Land Costs

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
<b>MOBILIZATION, DEMOLITION &amp; GRADING</b>					
1.	Contractor Profit and Overhead (12.5% of All Other Items)	1	LS	\$31,925.17	\$31,925
2.	Mobilization (10% of All Other Items)	1	LS	\$25,540.14	\$25,540
3.	Traffic Control	1	LS	\$10,000.00	\$10,000
4.	Removal and Disposal of Existing Trees	4	EA	\$1,000.00	\$4,000
5.	Excavation and Placement	1,277	CY	\$15.00	\$19,148
<b>PAVING, CONCRETE, BMP TREATMENT, LANDSCAPE, STRIPING &amp; REFUSE</b>					
6.	AC Pavement (4")	646	TON	\$130.00	\$84,013
7.	Class 2 Aggregate Base (12")	957	CY	\$100.00	\$95,741
8.	Slurry Seal (Lots 2 & 3)	1,300	SY	\$4.50	\$5,850
9.	Concrete Curb (6")	1,460	LF	\$25.00	\$36,500
10.	BMP Treatment	1,520	SF	\$18.00	\$27,360
11.	Landscape	1,980	SF	\$5.00	\$9,900
12.	Signing and Striping	1	LS	\$10,000.00	\$10,000
13.	Refuse Containment Area	5	EA	\$8,500.00	\$42,500
<b>LAND ACQUISITION/LEASING COST</b>					
14.	Land Cost per Parking Space	94	EA	\$9,000.00	\$846,000
<b>Subtotal =</b>					<b>\$1,248,477</b>
<b>Contingency (15%) =</b>					<b>\$187,272</b>
<b>Project Total =</b>					<b>\$1,435,748</b>

Table 1: Estimated Capital Improvement and Land Costs, Alternative #1

#### Estimated Annual Costs

Item	Unit	Quantity	Cost/Unit	Cycle	Cost/Yr
<b>Annual Operations and Maintenance Cost</b>					
Landscape Area	SF	1,980	\$1.25	1	\$2,475
BMP Treatment Area Maintenance	SF	1,520	\$5.00	1	\$7,600
Annual Administrative Costs	LS	1	\$5,000	1	\$5,000
<b>Subtotal Operations and Administrative Cost</b>					<b>\$15,075</b>
<b>Annual Capital Replacement Cost</b>					
AC Pavement (4")	TON	646	\$130	20	\$4,199
Slurry Seal (Lots 2 and 3)	SY	1,300	\$4.50	7	\$836
Concrete Curb (6")	LF	1,460	\$25.00	50	\$730
Signing and Striping	LS	1	\$10,000	7	\$1,429
Refuse Containment Area	EA	5	\$9,000	20	\$2,250
<b>Subtotal Annual Capital Replacement Cost</b>					<b>\$9,443</b>
<b>Total Estimated Annual Cost</b>					<b>\$24,518</b>

Table 2: Estimated Annual Costs, Alternative #1

## DOWNTOWN PARKING ALTERNATIVE #2

### Estimated Capital Improvement and Land Costs

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
<b>MOBILIZATION, DEMOLITION &amp; GRADING</b>					
1.	Contractor Profit and Overhead (12.5% of All Other Items)	1	LS	\$28,872.57	\$28,873
2.	Mobilization (10% of All Other Items)	1	LS	\$23,098.06	\$23,098
3.	Traffic Control	1	LS	\$10,000.00	\$10,000
4.	Removal and Disposal of Existing Trees	4	EA	\$1,000.00	\$4,000
5.	Excavation and Placement	1,328	CY	\$15.00	\$19,926
<b>PAVING, CONCRETE, BMP TREATMENT, LANDSCAPE, STRIPING &amp; REFUSE</b>					
6.	AC Pavement (4")	673	TON	\$130.00	\$87,425
7.	Class 2 Aggregate Base (12")	996	CY	\$100.00	\$99,630
8.	Slurry Seal (Lots 2 & 3)	1,271	SY	\$4.50	\$5,720
9.	Concrete Curb (6")	2,100	LF	\$25.00	\$52,500
10.	BMP Treatment	1,520	SF	\$18.00	\$27,360
11.	Landscape	2,520	SF	\$5.00	\$12,600
12.	Signing and Striping	1	LS	\$10,000.00	\$10,000
13.	Refuse Containment Area	5	EA	\$8,500.00	\$42,500
<b>LAND ACQUISITION/LEASING COST</b>					
14.	Land Cost per Parking Space	89	EA	\$9,000.00	\$801,000
<b>Subtotal =</b>					<b>\$1,224,631</b>
<b>Contingency (15%) =</b>					<b>\$183,695</b>
<b>Project Total =</b>					<b>\$1,408,326</b>

Table 3: Estimated Capital Improvement and Land Costs, Alternative #2

### Estimated Annual Costs

Item	Unit	Quantity	Cost/Unit	Cycle	Cost/Yr
<b>Annual Operations and Maintenance Cost</b>					
Landscape Area	SF	2,520	\$1.25	1	\$3,150
BMP Treatment Area Maintenance	SF	1,520	\$5.00	1	\$7,600
Annual Administrative Costs	LS	1	\$5,000	1	<u>\$5,000</u>
<b>Subtotal Operations and Administrative Cost</b>					<b>\$15,750</b>
<b>Annual Capital Replacement Cost</b>					
AC Pavement (4")	TON	673	\$130	20	\$4,375
Slurry Seal (Lots 2 and 3)	SY	1,271	\$4.50	7	\$817
Concrete Curb (6")	LF	2,100	\$25.00	50	\$1,050
Signing and Striping	LS	1	\$10,000	7	\$1,429
Refuse Containment Area	EA	5	\$9,000	20	<u>\$2,250</u>
<b>Subtotal Annual Capital Replacement Cost</b>					<b>\$9,920</b>
<b>Total Estimated Annual Cost</b>					<b>\$25,670</b>

Table 4: Estimated Annual Costs, Alternative #2

## DOWNTOWN PARKING ALTERNATIVE #3

### Estimated Capital Improvement and Land Costs

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
<b>MOBILIZATION, DEMOLITION &amp; GRADING</b>					
1.	Contractor Profit and Overhead (12.5% of All Other Items)	1	LS	\$25,265.97	\$25,266
2.	Mobilization (10% of All Other Items)	1	LS	\$20,212.78	\$20,213
3.	Traffic Control	1	LS	\$8,000.00	\$8,000
4.	Removal and Disposal of Existing Trees	4	EA	\$1,000.00	\$4,000
5.	Excavation and Placement	1,175	CY	\$15.00	\$17,630
<b>PAVING, CONCRETE, BMP TREATMENT, LANDSCAPE, STRIPING &amp; REFUSE</b>					
6.	AC Pavement (4")	595	TON	\$130.00	\$77,350
7.	Class 2 Aggregate Base (12")	881	CY	\$100.00	\$88,148
8.	Slurry Seal (Lot 2)	787	SY	\$4.50	\$3,540
9.	Concrete Curb (6")	1,460	LF	\$25.00	\$36,500
10.	BMP Treatment	1,690	SF	\$18.00	\$30,420
11.	Landscape	3,100	SF	\$5.00	\$15,500
12.	Signing and Striping	1	LS	\$7,000.00	\$7,000
13.	Refuse Containment Area	4	EA	\$8,500.00	\$34,000
<b>LAND ACQUISITION/LEASING COST</b>					
14.	Land Cost per Parking Space	73	EA	\$9,000.00	\$657,000
<b>Subtotal =</b>					<b>\$1,024,567</b>
<b>Contingency (15%) =</b>					<b>\$153,685</b>
<b>Project Total =</b>					<b>\$1,178,252</b>

Table 5: Estimated Capital Improvement and Land Costs, Alternative #3

### Estimated Annual Costs

Item	Unit	Quantity	Cost/Unit	Cycle	Cost/Yr
<b>Annual Operations and Maintenance Cost</b>					
Landscape Area	SF	3,100	\$1.25	1	\$3,875
BMP Treatment Area Maintenance	SF	1,690	\$5.00	1	\$8,450
Annual Administrative Costs	LS	1	\$5,000	1	<u>\$5,000</u>
<b>Subtotal Operations and Administrative Cost</b>					<b>\$17,325</b>
<b>Annual Capital Replacement Cost</b>					
AC Pavement (4")	TON	595	\$130	20	\$3,868
Slurry Seal (Lot 2)	SY	787	\$4.50	7	\$506
Concrete Curb (6")	LF	1,460	\$25.00	50	\$730
Signing and Striping	LS	1	\$10,000	7	\$1,429
Refuse Containment Area	EA	5	\$9,000	20	<u>\$2,250</u>
<b>Subtotal Annual Capital Replacement Cost</b>					<b>\$8,782</b>
<b>Total Estimated Annual Cost</b>					<b>\$26,107</b>

Table 6: Estimated Annual Costs, Alternative #3

## PROJECT FUNDING

Four (4) possible funding sources have been identified to pay for capital improvements, land acquisition and annual costs:

- Downtown Parking District
- Development Impact Parking-in-Lieu Fee Revenue
- Covered Solar Parking Revenue
- Pay Parking Revenue

### Downtown Parking District

The primary funding source will be some type of Downtown Parking District whereby property owners will be assessed annually to pay back the initial capital improvements and land costs and to pay for annual maintenance and operations, including capital replacement reserves. There are a number of types of special districts that might be used for such purposes, for example, a Property-Based Business Improvement District (PBID), a 1915 Act Assessment District, or a Mello-Roos Community Facilities District (CFD). Further study is necessary to determine the optimum type of special district to use for downtown parking in San Juan Bautista.

In any case, a special district will utilize a methodology to spread costs based on land use to the parcels within the proposed Downtown Parking Area Assessment District. Initial proposed boundaries of such a district are provided in Exhibit D.

### Estimated Costs to Parcels

A typical assessment spread methodology that might be used for a Downtown Parking District would be based on benefit units. For purposes of this preliminary study, in order to determine estimated costs to parcels, a methodology is used whereby all residential parcels located within the boundaries of the proposed assessment district area are assigned one (1) benefit unit per dwelling unit. All non-residential parcels are assigned 36 benefit units per acre, with a minimum assignment of six (6) benefit units per parcel for parcels less than 0.167 acres in size. This is based upon a requirement of one (1) parking space per 150-250 square feet of floor area depending on use for non-residential parcels. The parking lot parcels are not assessed. Table 7 provides a breakdown of the number of benefit units (BU) assigned using this methodology.

*M.V. Parcels?*

Land Use Category	Parcel Count	BU Assignment	Acreage	Total BU
Residential Parcels	14	1.0 BU per dwelling unit		14.0
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel		174.0
Non- Residential Parcels ≥ 0.167 acres	14	36.0 BU per acre	6.1	219.6
<b>Total Benefit Units</b>				<b>407.6</b>

Table 7: Downtown Parking District Benefit Units



Dividing estimated capital improvement and land costs and estimated annual costs for each of the downtown parking alternatives by the total number of benefit units determines the cost per benefit unit for each scenario.

#### Downtown Parking Alternative #1

Tables 8 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated capital improvement and land costs for Downtown Parking Alternative #1.

Capital Improvement and Land Cost	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$1,435,748	÷	407.6	\$3,522
Land Use Category	Parcels/Acres	BU Assignment	Capital Improvement and Land Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$3,522 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$21,135 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$126,808 per acre

Table 8: Estimated Capital Improvement and Land Cost per Parcel/Acre, Alternative #1

With a Downtown Parking District, upfront costs for capital improvements and land could be financed whereby property owners would pay the assessment over a period of 20-25 years. Depending on the term, the annual assessments would be equal to approximately 7.5%-10% of the total amount financed. Table 9 provides the estimated annual assessment range for parcels within the downtown parking area for Downtown Parking Alternative #1.

Land Use Category	Parcels/Acres	BU Assignment	Annual Assessment
Residential Parcels	14	1.0 BU per dwelling unit	\$265 - \$350 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$1,590 - \$2,100 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$9,540 - \$12,600 per acre

Table 9: Estimated Annual Assessment for Capital Improvement and Land Costs, Alternative #1

Tables 10 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated annual maintenance, operations and capital replacement reserve costs for Downtown Parking Alternative #1.

Annual Maintenance Cost	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$24,518	÷	407.6	\$60
Land Use Category	Parcels/Acres	BU Assignment	Annual Maintenance Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$60 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$361 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$2,166 per acre

Table 10: Estimated Annual Maintenance, Operations and Capital Reserve Replacement Costs, Alternative #1

### Downtown Parking Alternative #2

Tables 11 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated capital improvement and land costs for Downtown Parking Alternative #2.

Capital Improvement and Land Cost	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$1,408,326	÷	407.6	\$3,455
Land Use Category	Parcels/Acres	BU Assignment	Capital Improvement and Land Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$3,455 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$20,731 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$124,386 per acre

Table 11: Estimated Capital Improvement and Land Cost per Parcel/Acre, Alternative #2

With a Downtown Parking District, upfront costs for capital improvements and land could be financed whereby property owners would pay the assessment over a period of 20-25 years. Depending on the term, the annual assessments would be equal to approximately 7.5%-10% of the total amount financed. Table 12 provides the estimated annual assessment range for parcels within the downtown parking area for Downtown Parking Alternative #2.

Land Use Category	Parcels/Acres	BU Assignment	Annual Assessment
Residential Parcels	14	1.0 BU per dwelling unit	\$260 - \$345 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$1,560 - \$2,070 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$9,360 - \$12,420 per acre

Table 12: Estimated Annual Assessment for Capital Improvement and Land Costs, Alternative #2

Tables 13 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated annual maintenance, operations and capital replacement reserve costs for Downtown Parking Alternative #2.

Annual Maintenance Costs	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$25,670	÷	407.6	\$63
Land Use Category	Parcels/Acres	BU Assignment	Annual Maintenance Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$63 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$378 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$2,267 per acre

Table 13: Estimated Annual Maintenance, Operations and Capital Reserve Replacement Costs, Alternative #2

### Downtown Parking Alternative #3

Tables 14 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated capital improvement and land costs for Downtown Parking Alternative #3.

Capital Improvement and Land Cost	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$1,178,252	÷	407.6	\$2,891
Land Use Category	Parcels/Acres	BU Assignment	Capital Improvement and Land Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$2,891 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$17,344 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$104,065 per acre

Table 14: Estimated Capital Improvement and Land Cost per Parcel/Acre, Alternative #3

With a Downtown Parking District, upfront costs for capital improvements and land could be financed whereby property owners would pay the assessment over a period of 20-25 years. Depending on the term, the annual assessments would be equal to approximately 7.5%-10% of the total amount financed. Table 15 provides the estimated annual assessment range for parcels within the downtown parking area for Downtown Parking Alternative #3.

Land Use Category	Parcels/Acres	BU Assignment	Annual Assessment
Residential Parcels	14	1.0 BU per dwelling unit	\$215 - \$290 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$1,290 - \$1,740 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$7,740 - \$10,440 per acre

Table 15: Estimated Annual Assessment for Capital Improvement and Land Costs, Alternative #3

Tables 16 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated annual maintenance, operations and capital replacement reserve costs for Downtown Parking Alternative #3.

Annual Maintenance Costs	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$26,107	÷	407.6	\$64
Land Use Category	Parcels/Acres	BU Assignment	Annual Maintenance Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$64 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$384 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$2,306 per acre

Table 16: Estimated Annual Maintenance, Operations and Capital Reserve Replacement Costs, Alternative #3

Cost for each of these scenarios may be offset by other funding sources as discussed below.

## Parking and Public Restrooms Revenue

A portion of the City's Transient Occupancy Tax ("TOT") revenue is deposited in the Parking and Public Restrooms Fund to pay for public parking improvements and restrooms for visitors. The amount collected is equal to 22.2% of the TOT, or 2 of the 9% rate applied to hotels, motels, and transient RV parks.

Estimated Parking and Public Restrooms Revenue for fiscal year 2019/20 is \$32,200 with projected expenditures equal to \$15,000. The projected balance in the Parking and Public Restrooms Fund on June 30, 2019, is approximately \$178,000. This fund balance along with along with future parking and public restrooms revenue may be utilized to offset costs associated with a downtown parking program, if implemented.

26,968

pg 30 = 154,085

Utilization of the current fund balance along with revenue from a new Downtown Parking District as described above would result in a reduction of approximately 12% in the rates shown in Tables 8-9 or Tables 11-12 for Alternatives #1 and #2 respectively, or a reduction of approximately 15% in the rates shown in Tables 14-15 for Alternatives #3.

## Development Impact Parking-in-Lieu Fee Revenue

The City receives Development Impact Parking-in-Lieu Fee Revenue for new development as it occurs. The current Development Impact Parking-in-Lieu Fee is \$7,532.20 per parking space require, but not provided.

The current balance in the Development Impact Parking-in-Lieu Fee Fund is approximately \$11,000. This fund balance along with future Development Impact Parking-in-Lieu Fee Revenue may be utilized to offset costs associated with a downtown parking program, if implemented.

Utilization of the current fund balance along with revenue from a new Downtown Parking District as described above would result in minimal reduction in the rates shown in Tables 8-9, Tables 11-12 or Table 14-15 for Alternatives #1, #2 or #3 respectively.

## Covered Solar Parking Revenue

Another possible funding source is revenue from covered solar parking. This option requires further research.



Figure 4: Image of covered solar parking



### Pay Parking Revenue

Another possible funding source is revenue from pay parking. This option requires further research.

Figure 5: Signs for pay by phone parking in Temecula, California

### Next Steps

To move forward beyond this preliminary study, there are a number of next steps to be taken:

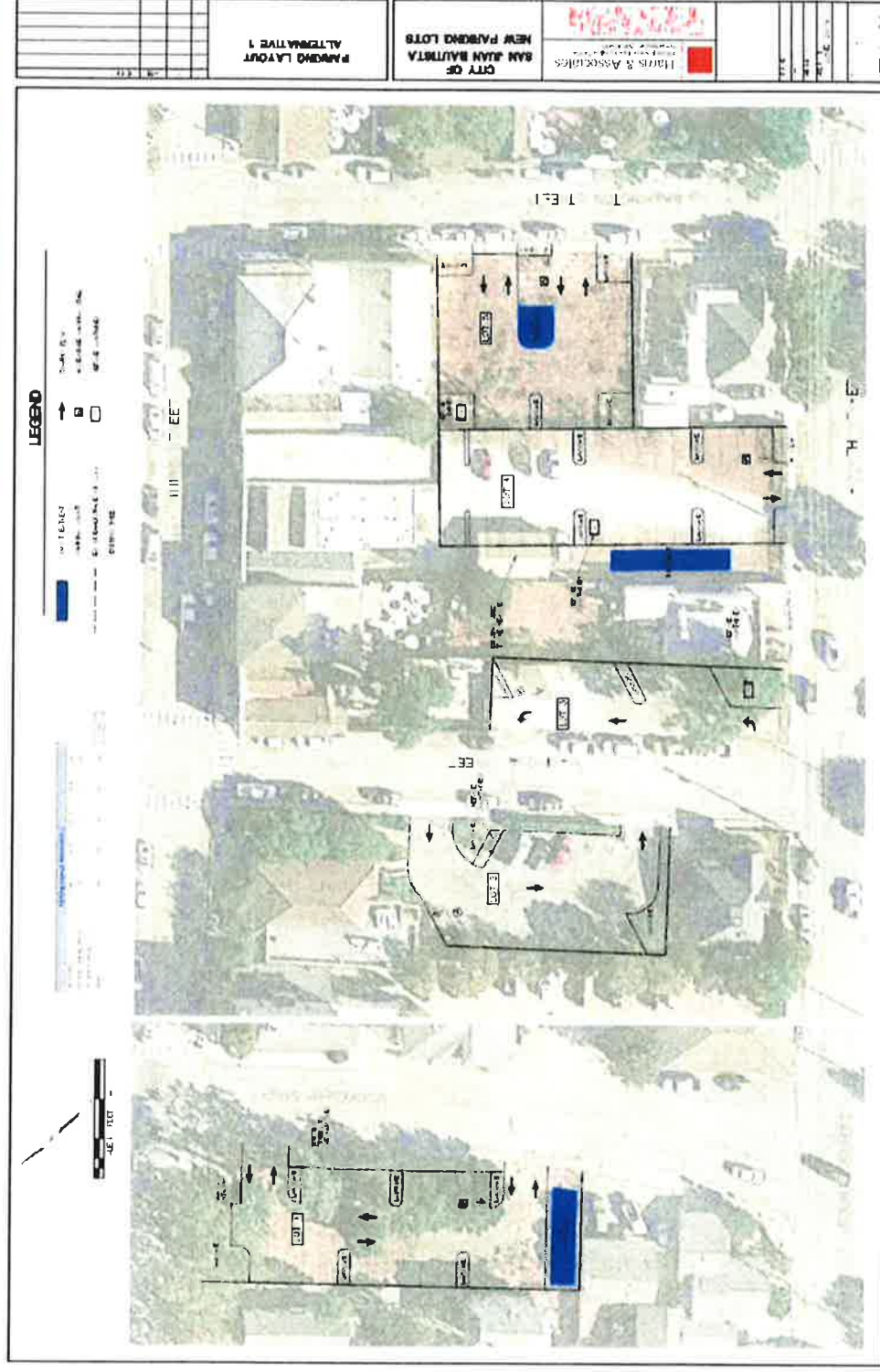
- Research on land acquisition/leasing options and refinement of related cost estimates
- Analysis to determine the best assessment district financing mechanism
- Refinement of the assessment spread methodology to allocate costs to parcels
- Research on the feasibility and benefits of covered solar parking
- Research on the feasibility and benefits of pay parking lots

• Enforcement

• Stakeholder Buy-in & involvement

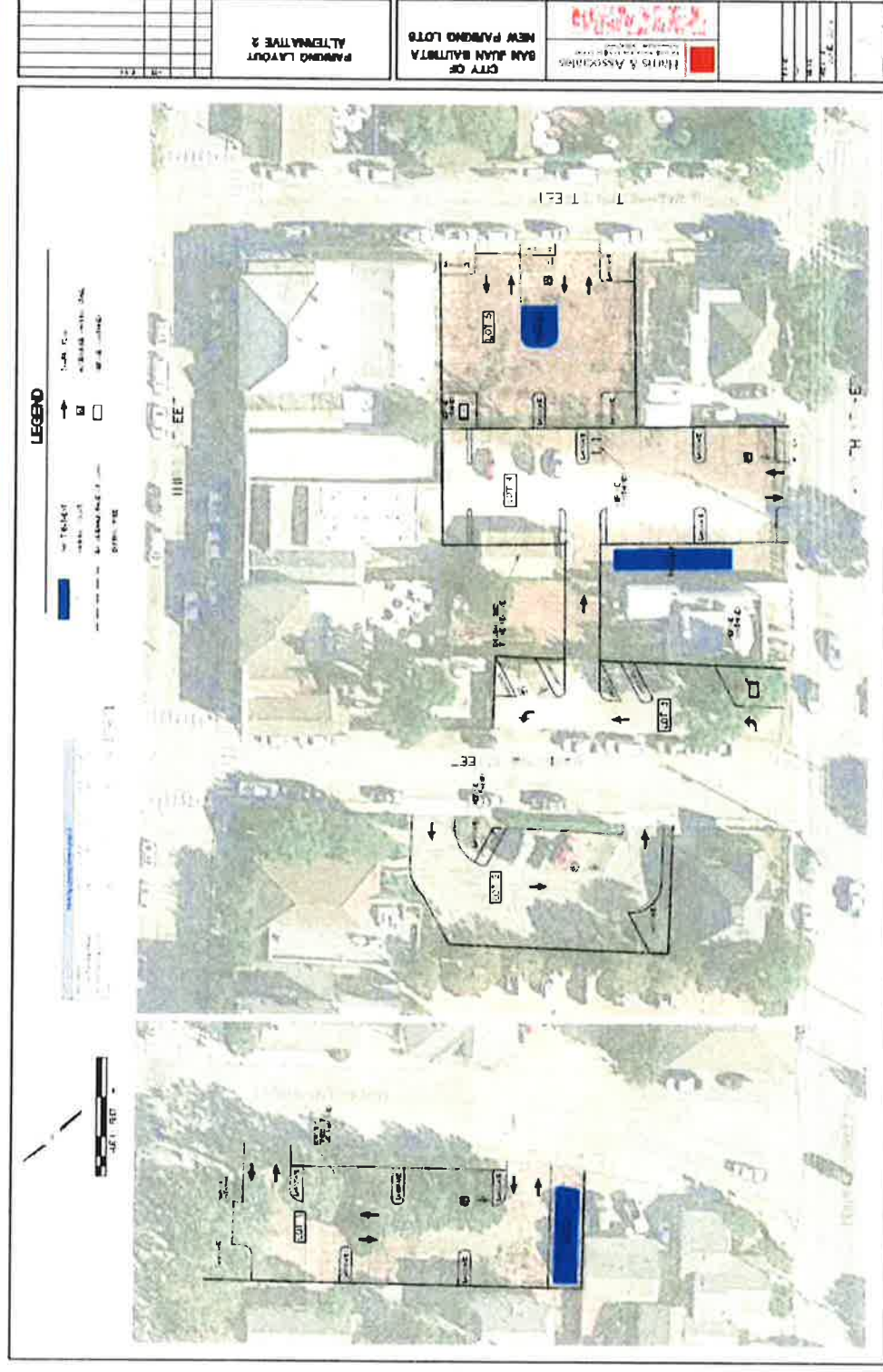


# EXHIBIT A – DOWNTOWN PARKING ALTERNATIVE #1





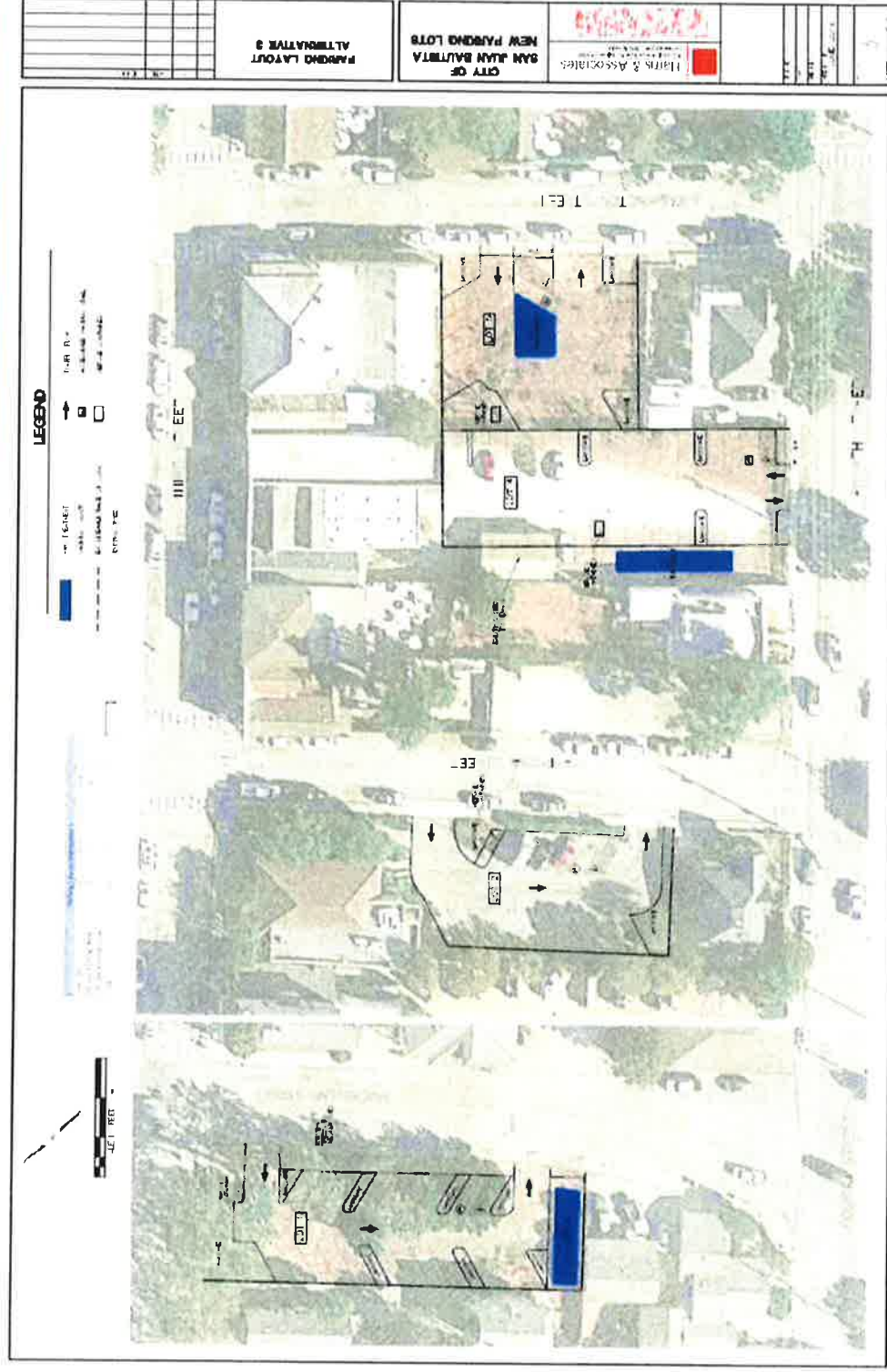
## EXHIBIT B – DOWNTOWN PARKING ALTERNATIVE #2





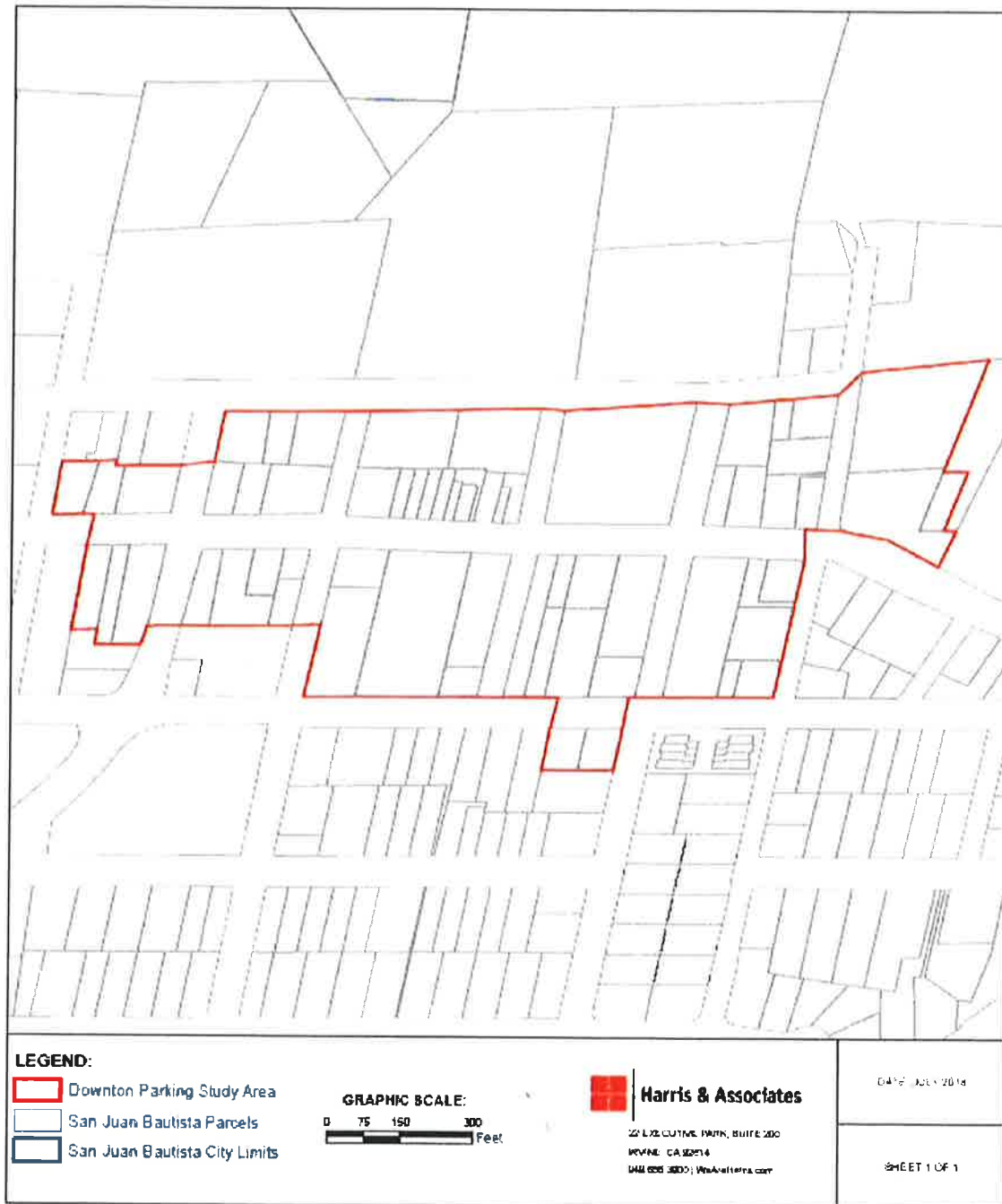


## EXHIBIT C – DOWNTOWN PARKING ALTERNATIVE #3





## EXHIBIT D – DOWNTOWN PARKING DISTRICT



# Old Pasadena Thanks Parking Meters for the Change

By KURT STREETER  
MARCH 2, 2004

12 AM

TIMES STAFF WRITER

Consider the parking meter, a civic piggybank in all its ubiquitous glory.

In auto-obsessed Southern California, it is often despised. Seen as a threat to pocketbook and personal freedom. Scorned by drivers looking to go where they want, park where they need to and keep their cars plopped down on city streets as long as necessary.

But there is one place where the parking meter gets good love: Pasadena, where it is heralded as a savior.

The reason becomes clear to anyone strolling through Old Pasadena, one of the region's most walkable and well-appointed shopping districts, thanks to an unusual plan for using meter money specifically for street improvements. Merchants say that all the quarters, dimes and nickels pumped into the meters and then reinvested in Old Pasadena helped to usher in change.

A 21-block district, Old Pasadena has been transformed over the last decade from a moribund place known as the city's skid row into something both special and profitable. It now bustles with people, restaurants and high-end shops. The district's metamorphosis is underscored by rising sales tax revenue, which reached nearly \$140 million last year, a sevenfold increase since 1990.

"We've come a long, long way," said Marilyn Buchanan, a longtime property owner in the district. "This might seem silly to some people, but if not for our parking meters, it's hard to imagine we'd have the kind of success we're enjoying.... They've made a huge difference."

In the 1980s and early '90s, businesses and residents in Old Pasadena were focused on reinjecting some verve into the neighborhood, which in the early 1900s was the center of Pasadena's commercial and civic life. Decisions to preserve the district's historic architecture sparked the change, grabbed the headlines and eventually helped attract businesses such as Crate and Barrel, Banana Republic and Saks Fifth Avenue.

Far less heralded was Old Pasadena's decision to leverage its parking. There were no meters on Old Pasadena streets then. Drivers could park and leave their cars for two hours. Many did, particularly those who worked in the neighborhood. They tended to gobble up good parking spots near their jobs, leave their cars for a couple of hours, then move to another choice parking spot to avoid getting a ticket. The result: Finding parking in Old Pasadena was tough, and there were few good spaces for shoppers and no real benefit for businesses.

That changed when a group of local merchants agreed with a proposal from Pasadena City Hall to install meters. The merchants agreed, in 1993, on one condition: Instead of going into the general fund, as it does in most cities, all money from the parking meters would be kept in Old Pasadena and used to improve the streets, sidewalks and alleyways there.

"At first it was a struggle to get people to agree to the meters," Buchanan recalled. "But when we figured out the money would stay here, that the money would be used to improve the amenities, it was an easy sell."

Old Pasadena put up about 700 meters and used them aggressively, charging \$1 per hour in most cases. Unlike parking meters in many Southern California cities, which stop collection at 6 p.m. and don't charge on Sundays, most Old Pasadena meters operate seven days a week, until 8 p.m. Sunday through Thursday and until midnight on Fridays and Saturdays.

Over the last five years, the meters have pumped \$6.4 million into Old Pasadena upgrades. Each year, nearly 40% of the money pays down debt on a \$5-million bond that jump-started streetscape beautification with improvements such as sidewalk widening and the conversion of decrepit alleyways into walkable areas lined with brick and ivy.

The leftover money pays for a constant round of improvements: trees, benches, well designed street signs, sidewalk steam cleaning and a private security force.

"This is just such a creative way to pay for making a public space better, and it's working fantastic," said UCLA professor Donald Shoup, who researches how parking affects urban landscapes and has studied Old Pasadena. Shoup's research found that Pasadena was the only city in the region dedicating meter money to a specific neighborhood; he believes the system may be unique nationally.

"The streets and sidewalks, their look, their cleanliness, the walkability -- it's about as good as it gets," Shoup said. "Compare it to some of the shopping areas in Los Angeles like Melrose and Westwood, where the sidewalks are narrow and buckled and there's black spots and chewing gum all over.... These kinds of things seem like they are small details, but they are very important to how successful you are at attracting people. All you've got to do is spend a little time out there to see the difference."

Interviews with walkers and shoppers in Old Pasadena seemed to confirm Shoup's belief. After parking her white Range Rover near Colorado Boulevard on a recent day, Safia Muhamed put a few quarters in a meter and started walking away to give the district a once-over.

"This place, it's perfect really," said Muhamed, searching for an available storefront for a small retail business she hopes to start. "They've kept the buildings and the streets well. That makes it so attractive. People are walking around because they like the way it looks and feels. It's something you just don't see here in Los Angeles. As a driver, I don't mind paying more for what you have here. I tell you what: For this, I will pay."

If you have a question, gripe or story idea about driving in Southern California, write to Behind the Wheel, c/o Los Angeles Times, 202 W. 1st St., Los Angeles, CA 90012, or send an e-mail to [behindthewheel@latimes.com](mailto:behindthewheel@latimes.com).

Kurt Streeter

Kurt Streeter wrote news features, covered transportation and crime, and was a columnist for the Sports section during his tenure at the Los Angeles Times.



# **CITY OF SAN JUAN BAUTISTA**

## **PRELIMINARY DOWNTOWN PARKING STUDY**

**JUNE 2019**

**PREPARED BY**



**Harris & Associates**



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## OVERVIEW

### Downtown Parking Study Area

For the purposes of this study, the Downtown Parking Study Area is generally the area in San Juan Bautista with a northerly border near 2<sup>nd</sup> Street, an easterly border near Franklin Street, a southerly border near 4<sup>th</sup> Street, and a westerly border near San Jose Street. Figure 1 shows the boundaries of the study area.

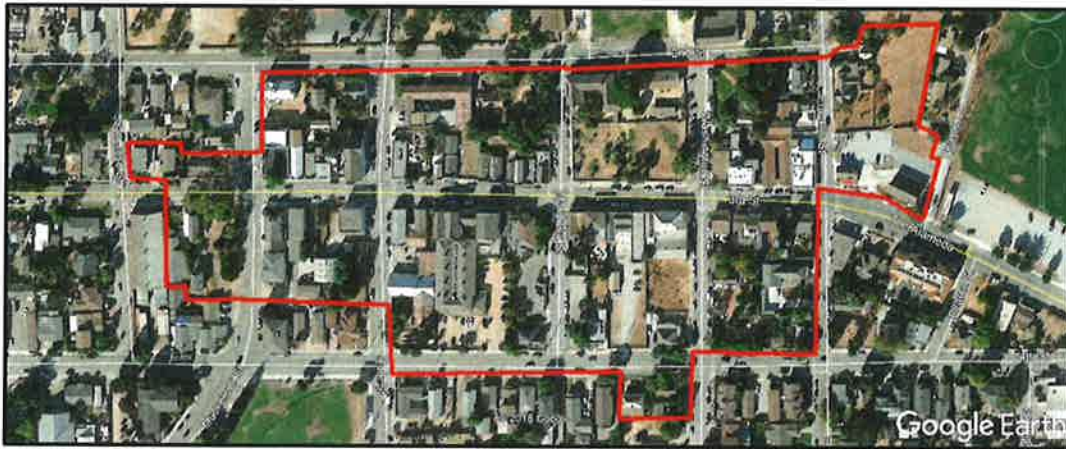


Figure 1: Downtown Parking Study Area

### Downtown Parking Improvements

The Downtown Parking Improvements are proposed to include the addition of up to five (5) public parking lots to add up to 94 parking spaces including landscaping in the downtown area. Figure 2 provides an artist rendering of what a downtown parking lot might look like in the City of San Juan Bautista.



Figure 2: Artist rendering of downtown parking area in Lafayette, California



Additional proposed improvements include BMP treatment areas and refuse containment area. Figure 3 provides an artist rendering of what a refuse containment areas might look like in the City of San Juan Bautista.



Figure 3: Image of refuse containment area

This study looks at three (3) different Downtown Parking Alternatives, as follows:

### Downtown Parking Alternative #1

Exhibit A of this study shows an image of Downtown Parking Alternative #1, which includes the following:

- Five (5) public parking lots adding 94 parking spaces to the downtown area
- 1,980 square feet of landscape area
- 1,520 square feet of bmp treatment area
- Five (5) refuse containment areas

### Downtown Parking Alternative #2

Exhibit B of this study shows an image of Downtown Parking Alternative #2, which includes the following:

- Five (5) public parking lots adding 89 parking spaces to the downtown area
- One parking lot connector area between Lots 3 and 4
- 2,520 square feet of landscape area
- 1,520 square feet of bmp treatment area
- Five (5) refuse containment areas

### Downtown Parking Alternative #3

Exhibit C of this study shows an image of Downtown Parking Alternative #3, which includes the following:

- Four (4) public parking lots adding 73 parking spaces to the downtown area
- 3,100 square feet of landscape area
- 1,690 of bmp treatment area
- Four (4) refuse containment areas

## ESTIMATE OF COSTS

### DOWNTOWN PARKING ALTERNATIVE #1

#### Estimated Capital Improvement and Land Costs

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
<b>MOBILIZATION, DEMOLITION &amp; GRADING</b>					
1.	Contractor Profit and Overhead (12.5% of All Other Items)	1	LS	\$31,925.17	\$31,925
2.	Mobilization (10% of All Other Items)	1	LS	\$25,540.14	\$25,540
3.	Traffic Control	1	LS	\$10,000.00	\$10,000
4.	Removal and Disposal of Existing Trees	4	EA	\$1,000.00	\$4,000
5.	Excavation and Placement	1,277	CY	\$15.00	\$19,148
<b>PAVING, CONCRETE, BMP TREATMENT, LANDSCAPE, STRIPING &amp; REFUSE</b>					
6.	AC Pavement (4")	646	TON	\$130.00	\$84,013
7.	Class 2 Aggregate Base (12")	957	CY	\$100.00	\$95,741
8.	Slurry Seal (Lots 2 & 3)	1,300	SY	\$4.50	\$5,850
9.	Concrete Curb (6")	1,460	LF	\$25.00	\$36,500
10.	BMP Treatment	1,520	SF	\$18.00	\$27,360
11.	Landscape	1,980	SF	\$5.00	\$9,900
12.	Signing and Striping	1	LS	\$10,000.00	\$10,000
13.	Refuse Containment Area	5	EA	\$8,500.00	\$42,500
<b>LAND ACQUISITION/LEASING COST</b>					
14.	Land Cost per Parking Space	94	EA	\$9,000.00	\$846,000
<b>Subtotal =</b>					<b>\$1,248,477</b>
<b>Contingency (15%) =</b>					<b>\$187,272</b>
<b>Project Total =</b>					<b>\$1,435,748</b>

Table 1: Estimated Capital Improvement and Land Costs, Alternative #1

#### Estimated Annual Costs

Item	Unit	Quantity	Cost/Unit	Cycle	Cost/Yr
<b>Annual Operations and Maintenance Cost</b>					
Landscape Area	SF	1,980	\$1.25	1	\$2,475
BMP Treatment Area Maintenance	SF	1,520	\$5.00	1	\$7,600
Annual Administrative Costs	LS	1	\$5,000	1	<u>\$5,000</u>
<b>Subtotal Operations and Administrative Cost</b>					\$15,075
<b>Annual Capital Replacement Cost</b>					
AC Pavement (4")	TON	646	\$130	20	\$4,199
Slurry Seal (Lots 2 and 3)	SY	1,300	\$4.50	7	\$836
Concrete Curb (6")	LF	1,460	\$25.00	50	\$730
Signing and Striping	LS	1	\$10,000	7	\$1,429
Refuse Containment Area	EA	5	\$9,000	20	<u>\$2,250</u>
<b>Subtotal Annual Capital Replacement Cost</b>					\$9,443
<b>Total Estimated Annual Cost</b>					<b>\$24,518</b>

Table 2: Estimated Annual Costs, Alternative #1

## DOWNTOWN PARKING ALTERNATIVE #2

### Estimated Capital Improvement and Land Costs

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
<b>MOBILIZATION, DEMOLITION &amp; GRADING</b>					
1.	Contractor Profit and Overhead (12.5% of All Other Items)	1	LS	\$28,872.57	\$28,873
2.	Mobilization (10% of All Other Items)	1	LS	\$23,098.06	\$23,098
3.	Traffic Control	1	LS	\$10,000.00	\$10,000
4.	Removal and Disposal of Existing Trees	4	EA	\$1,000.00	\$4,000
5.	Excavation and Placement	1,328	CY	\$15.00	\$19,926
<b>PAVING, CONCRETE, BMP TREATMENT, LANDSCAPE, STRIPING &amp; REFUSE</b>					
6.	AC Pavement (4")	673	TON	\$130.00	\$87,425
7.	Class 2 Aggregate Base (12")	996	CY	\$100.00	\$99,630
8.	Slurry Seal (Lots 2 & 3)	1,271	SY	\$4.50	\$5,720
9.	Concrete Curb (6")	2,100	LF	\$25.00	\$52,500
10.	BMP Treatment	1,520	SF	\$18.00	\$27,360
11.	Landscape	2,520	SF	\$5.00	\$12,600
12.	Signing and Striping	1	LS	\$10,000.00	\$10,000
13.	Refuse Containment Area	5	EA	\$8,500.00	\$42,500
<b>LAND ACQUISITION/LEASING COST</b>					
14.	Land Cost per Parking Space	89	EA	\$9,000.00	\$801,000
<b>Subtotal =</b>					<b>\$1,224,631</b>
<b>Contingency (15%) =</b>					<b>\$183,695</b>
<b>Project Total =</b>					<b>\$1,408,326</b>

Table 3: Estimated Capital Improvement and Land Costs, Alternative #2

### Estimated Annual Costs

Item	Unit	Quantity	Cost/Unit	Cycle	Cost/Yr
<b>Annual Operations and Maintenance Cost</b>					
Landscape Area	SF	2,520	\$1.25	1	\$3,150
BMP Treatment Area Maintenance	SF	1,520	\$5.00	1	\$7,600
Annual Administrative Costs	LS	1	\$5,000	1	\$5,000
<b>Subtotal Operations and Administrative Cost</b>					<b>\$15,750</b>
<b>Annual Capital Replacement Cost</b>					
AC Pavement (4")	TON	673	\$130	20	\$4,375
Slurry Seal (Lots 2 and 3)	SY	1,271	\$4.50	7	\$817
Concrete Curb (6")	LF	2,100	\$25.00	50	\$1,050
Signing and Striping	LS	1	\$10,000	7	\$1,429
Refuse Containment Area	EA	5	\$9,000	20	\$2,250
<b>Subtotal Annual Capital Replacement Cost</b>					<b>\$9,920</b>
<b>Total Estimated Annual Cost</b>					<b>\$25,670</b>

Table 4: Estimated Annual Costs, Alternative #2

## DOWNTOWN PARKING ALTERNATIVE #3

### Estimated Capital Improvement and Land Costs

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
<b>MOBILIZATION, DEMOLITION &amp; GRADING</b>					
1.	Contractor Profit and Overhead (12.5% of All Other Items)	1	LS	\$25,265.97	\$25,266
2.	Mobilization (10% of All Other Items)	1	LS	\$20,212.78	\$20,213
3.	Traffic Control	1	LS	\$8,000.00	\$8,000
4.	Removal and Disposal of Existing Trees	4	EA	\$1,000.00	\$4,000
5.	Excavation and Placement	1,175	CY	\$15.00	\$17,630
<b>PAVING, CONCRETE, BMP TREATMENT, LANDSCAPE, STRIPING &amp; REFUSE</b>					
6.	AC Pavement (4")	595	TON	\$130.00	\$77,350
7.	Class 2 Aggregate Base (12")	881	CY	\$100.00	\$88,148
8.	Slurry Seal (Lot 2)	787	SY	\$4.50	\$3,540
9.	Concrete Curb (6")	1,460	LF	\$25.00	\$36,500
10.	BMP Treatment	1,690	SF	\$18.00	\$30,420
11.	Landscape	3,100	SF	\$5.00	\$15,500
12.	Signing and Striping	1	LS	\$7,000.00	\$7,000
13.	Refuse Containment Area	4	EA	\$8,500.00	\$34,000
<b>LAND ACQUISITION/LEASING COST</b>					
14.	Land Cost per Parking Space	73	EA	\$9,000.00	\$657,000
<b>Subtotal =</b>					<b>\$1,024,567</b>
<b>Contingency (15%) =</b>					<b>\$153,685</b>
<b>Project Total =</b>					<b>\$1,178,252</b>

Table 5: Estimated Capital Improvement and Land Costs, Alternative #3

### Estimated Annual Costs

Item	Unit	Quantity	Cost/Unit	Cycle	Cost/Yr
<b>Annual Operations and Maintenance Cost</b>					
Landscape Area	SF	3,100	\$1.25	1	\$3,875
BMP Treatment Area Maintenance	SF	1,690	\$5.00	1	\$8,450
Annual Administrative Costs	LS	1	\$5,000	1	<u>\$5,000</u>
<b>Subtotal Operations and Administrative Cost</b>					<b>\$17,325</b>
<b>Annual Capital Replacement Cost</b>					
AC Pavement (4")	TON	595	\$130	20	\$3,868
Slurry Seal (Lot 2)	SY	787	\$4.50	7	\$506
Concrete Curb (6")	LF	1,460	\$25.00	50	\$730
Signing and Striping	LS	1	\$10,000	7	\$1,429
Refuse Containment Area	EA	5	\$9,000	20	<u>\$2,250</u>
<b>Subtotal Annual Capital Replacement Cost</b>					<b>\$8,782</b>
<b>Total Estimated Annual Cost</b>					<b>\$26,107</b>

Table 6: Estimated Annual Costs, Alternative #3

## PROJECT FUNDING

Four (4) possible funding sources have been identified to pay for capital improvements, land acquisition and annual costs:

- Downtown Parking District
- Development Impact Parking-in-Lieu Fee Revenue
- Covered Solar Parking Revenue
- Pay Parking Revenue

### Downtown Parking District

The primary funding source will be some type of Downtown Parking District whereby property owners will be assessed annually to pay back the initial capital improvements and land costs and to pay for annual maintenance and operations, including capital replacement reserves. There are a number of types of special districts that might be used for such purposes, for example, a Property-Based Business Improvement District (PBID), a 1915 Act Assessment District, or a Mello-Roos Community Facilities District (CFD). Further study is necessary to determine the optimum type of special district to use for downtown parking in San Juan Bautista.

In any case, a special district will utilize a methodology to spread costs based on land use to the parcels within the proposed Downtown Parking Area Assessment District. Initial proposed boundaries of such a district are provided in Exhibit D.

### Estimated Costs to Parcels

A typical assessment spread methodology that might be used for a Downtown Parking District would be based on benefit units. For purposes of this preliminary study, in order to determine estimated costs to parcels, a methodology is used whereby all residential parcels located within the boundaries of the proposed assessment district area are assigned one (1) benefit unit per dwelling unit. All non-residential parcels are assigned 36 benefit units per acre, with a minimum assignment of six (6) benefit units per parcel for parcels less than 0.167 acres in size. This is based upon a requirement of one (1) parking space per 150-250 square feet of floor area depending on use for non-residential parcels. The parking lot parcels are not assessed. Table 7 provides a breakdown of the number of benefit units (BU) assigned using this methodology.

Land Use Category	Parcel Count	BU Assignment	Acreage	Total BU
Residential Parcels	14	1.0 BU per dwelling unit		14.0
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel		174.0
Non- Residential Parcels ≥ 0.167 acres	14	36.0 BU per acre	6.1	219.6
<b>Total Benefit Units</b>				<b>407.6</b>

Table 7: Downtown Parking District Benefit Units



Dividing estimated capital improvement and land costs and estimated annual costs for each of the downtown parking alternatives by the total number of benefit units determines the cost per benefit unit for each scenario.

### Downtown Parking Alternative #1

Tables 8 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated capital improvement and land costs for Downtown Parking Alternative #1.

Capital Improvement and Land Cost	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$1,435,748	÷	407.6	\$3,522
Land Use Category	Parcels/Acres	BU Assignment	Capital Improvement and Land Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$3,522 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$21,135 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$126,808 per acre

Table 8: Estimated Capital Improvement and Land Cost per Parcel/Acre, Alternative #1

With a Downtown Parking District, upfront costs for capital improvements and land could be financed whereby property owners would pay the assessment over a period of 20-25 years. Depending on the term, the annual assessments would be equal to approximately 7.5%-10% of the total amount financed. Table 9 provides the estimated annual assessment range for parcels within the downtown parking area for Downtown Parking Alternative #1.

Land Use Category	Parcels/Acres	BU Assignment	Annual Assessment
Residential Parcels	14	1.0 BU per dwelling unit	\$265 - \$350 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$1,590 - \$2,100 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$9,540 - \$12,600 per acre

Table 9: Estimated Annual Assessment for Capital Improvement and Land Costs, Alternative #1

Tables 10 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated annual maintenance, operations and capital replacement reserve costs for Downtown Parking Alternative #1.

Annual Maintenance Cost	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$24,518	÷	407.6	\$60
Land Use Category	Parcels/Acres	BU Assignment	Annual Maintenance Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$60 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$361 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$2,166 per acre

Table 10: Estimated Annual Maintenance, Operations and Capital Reserve Replacement Costs, Alternative #1

### Downtown Parking Alternative #2

Tables 11 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated capital improvement and land costs for Downtown Parking Alternative #2.

Capital Improvement and Land Cost	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$1,408,326	÷	407.6	\$3,455
Land Use Category	Parcels/Acres	BU Assignment	Capital Improvement and Land Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$3,455 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$20,731 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$124,386 per acre

Table 11: Estimated Capital Improvement and Land Cost per Parcel/Acre, Alternative #2

With a Downtown Parking District, upfront costs for capital improvements and land could be financed whereby property owners would pay the assessment over a period of 20-25 years. Depending on the term, the annual assessments would be equal to approximately 7.5%-10% of the total amount financed. Table 12 provides the estimated annual assessment range for parcels within the downtown parking area for Downtown Parking Alternative #2.

Land Use Category	Parcels/Acres	BU Assignment	Annual Assessment
Residential Parcels	14	1.0 BU per dwelling unit	\$260 - \$345 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$1,560 - \$2,070 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$9,360 - \$12,420 per acre

Table 12: Estimated Annual Assessment for Capital Improvement and Land Costs, Alternative #2

Tables 13 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated annual maintenance, operations and capital replacement reserve costs for Downtown Parking Alternative #2.

Annual Maintenance Costs	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$25,670	÷	407.6	\$63
Land Use Category	Parcels/Acres	BU Assignment	Annual Maintenance Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$63 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$378 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$2,267 per acre

Table 13: Estimated Annual Maintenance, Operations and Capital Reserve Replacement Costs, Alternative #2

### **Downtown Parking Alternative #3**

Tables 14 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated capital improvement and land costs for Downtown Parking Alternative #3.

Capital Improvement and Land Cost	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$1,178,252	÷	407.6	\$2,891
Land Use Category	Parcels/Acres	BU Assignment	Capital Improvement and Land Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$2,891 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$17,344 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$104,065 per acre

Table 14: Estimated Capital Improvement and Land Cost per Parcel/Acre, Alternative #3

With a Downtown Parking District, upfront costs for capital improvements and land could be financed whereby property owners would pay the assessment over a period of 20-25 years. Depending on the term, the annual assessments would be equal to approximately 7.5%-10% of the total amount financed. Table 15 provides the estimated annual assessment range for parcels within the downtown parking area for Downtown Parking Alternative #3.

Land Use Category	Parcels/Acres	BU Assignment	Annual Assessment
Residential Parcels	14	1.0 BU per dwelling unit	\$215 - \$290 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$1,290 - \$1,740 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$7,740 - \$10,440 per acre

Table 15: Estimated Annual Assessment for Capital Improvement and Land Costs, Alternative #3

Tables 16 shows the estimated cost per parcel/acre for downtown parking area parcels for estimated annual maintenance, operations and capital replacement reserve costs for Downtown Parking Alternative #3.

Annual Maintenance Costs	Divided by	Total Benefit Units	Cost Per Benefit Unit
\$26,107	÷	407.6	\$64
Land Use Category	Parcels/Acres	BU Assignment	Annual Maintenance Cost
Residential Parcels	14	1.0 BU per dwelling unit	\$64 per dwelling unit
Non- Residential Parcels < 0.167 acres	29	6.0 BU per parcel	\$384 per parcel
Non- Residential Parcels ≥ 0.167 acres	6.1	36.0 BU per acre	\$2,306 per acre

Table 16: Estimated Annual Maintenance, Operations and Capital Reserve Replacement Costs, Alternative #3

Cost for each of these scenarios may be offset by other funding sources as discussed below.



## Parking and Public Restrooms Revenue

A portion of the City's Transient Occupancy Tax ("TOT") revenue is deposited in the Parking and Public Restrooms Fund to pay for public parking improvements and restrooms for visitors. The amount collected is equal to 22.2% of the TOT, or 2 of the 9% rate applied to hotels, motels, and transient RV parks.

Estimated Parking and Public Restrooms Revenue for fiscal year 2019/20 is \$32,200 with projected expenditures equal to \$15,000. The projected balance in the Parking and Public Restrooms Fund on June 30, 2019, is approximately \$178,000. This fund balance along with along with future parking and public restrooms revenue may be utilized to offset costs associated with a downtown parking program, if implemented.

Utilization of the current fund balance along with revenue from a new Downtown Parking District as described above would result in a reduction of approximately 12% in the rates shown in Tables 8-9 or Tables 11-12 for Alternatives #1 and #2 respectively, or a reduction of approximately 15% in the rates shown in Tables 14-15 for Alternatives #3.

## Development Impact Parking-in-Lieu Fee Revenue

The City receives Development Impact Parking-in-Lieu Fee Revenue for new development as it occurs. The current Development Impact Parking-in-Lieu Fee is \$7,532.20 per parking space require, but not provided.

The current balance in the Development Impact Parking-in-Lieu Fee Fund is approximately \$11,000. This fund balance along with future Development Impact Parking-in-Lieu Fee Revenue may be utilized to offset costs associated with a downtown parking program, if implemented.

Utilization of the current fund balance along with revenue from a new Downtown Parking District as described above would result in minimal reduction in the rates shown in Tables 8-9, Tables 11-12 or Table 14-15 for Alternatives #1, #2 or #3 respectively.

## Covered Solar Parking Revenue

Another possible funding source is revenue from covered solar parking. This option requires further research.



Figure 4: Image of covered solar parking



### Pay Parking Revenue

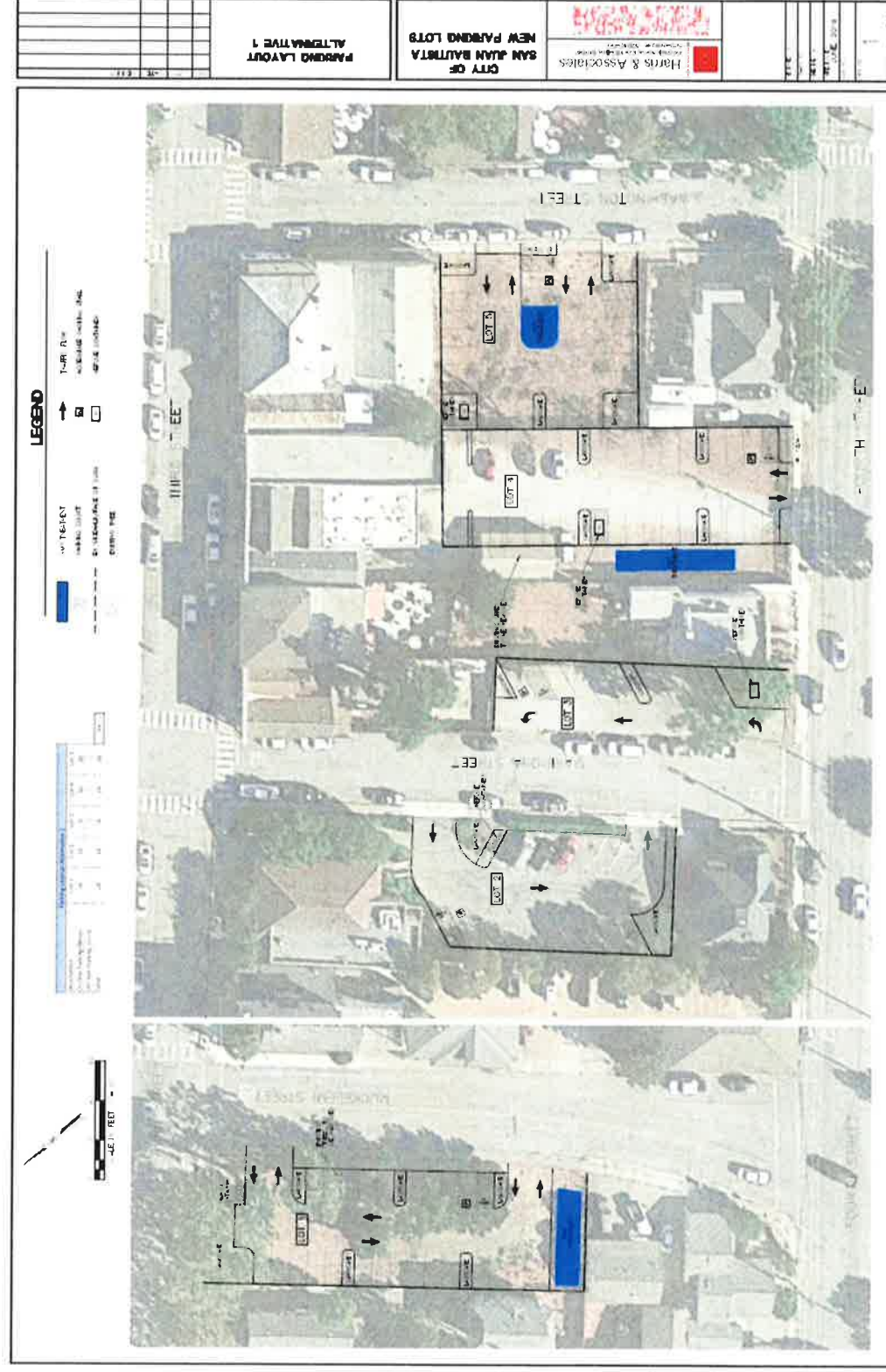
Another possible funding source is revenue from pay parking. This option requires further research.

Figure 5: Signs for pay by phone parking in Temecula, California

### Next Steps

To move forward beyond this preliminary study, there are a number of next steps to be taken:

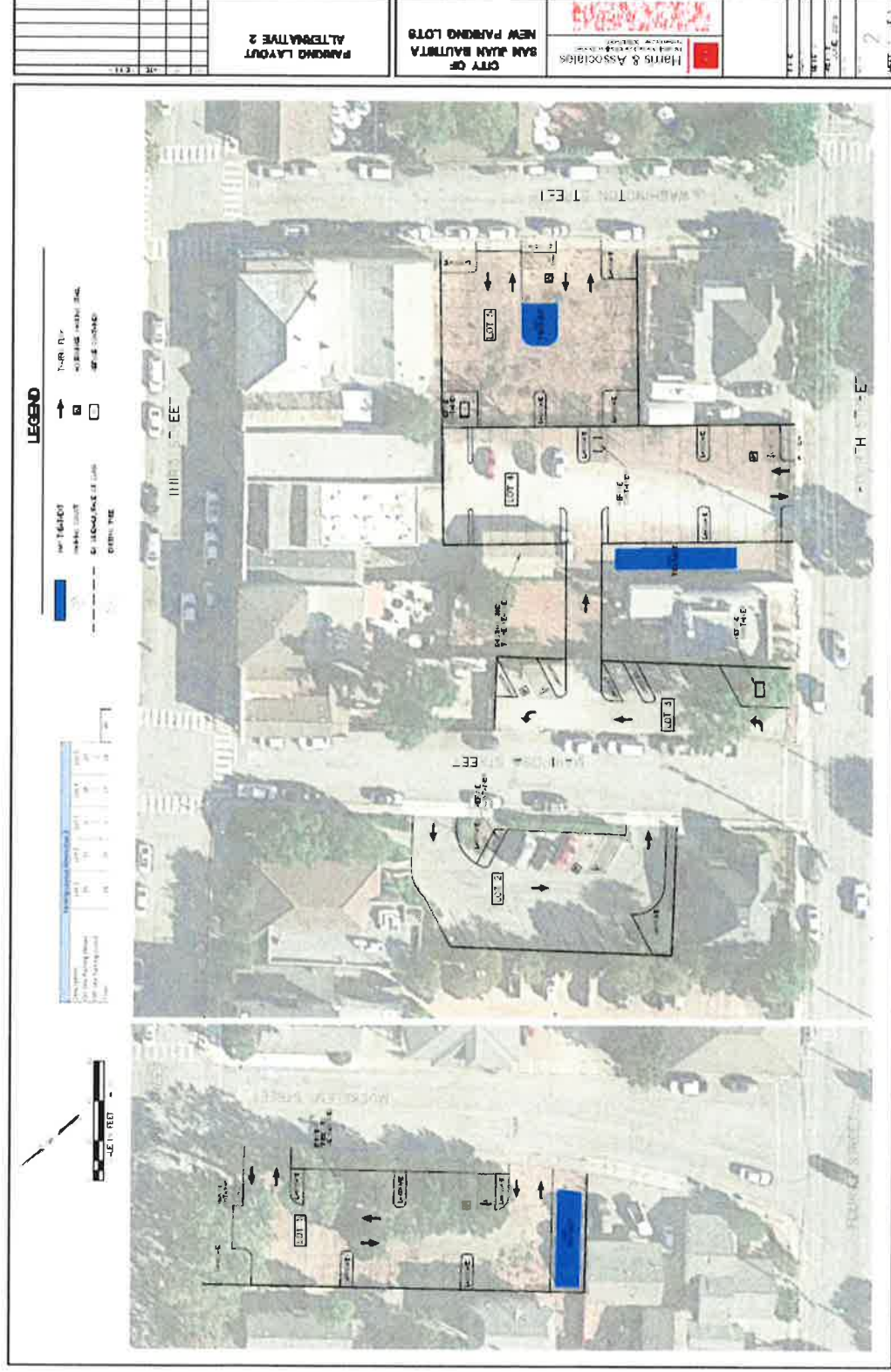
- Research on land acquisition/leasing options and refinement of related cost estimates
- Analysis to determine the best assessment district financing mechanism
- Refinement of the assessment spread methodology to allocate costs to parcels
- Research on the feasibility and benefits of covered solar parking
- Research on the feasibility and benefits of pay parking lots



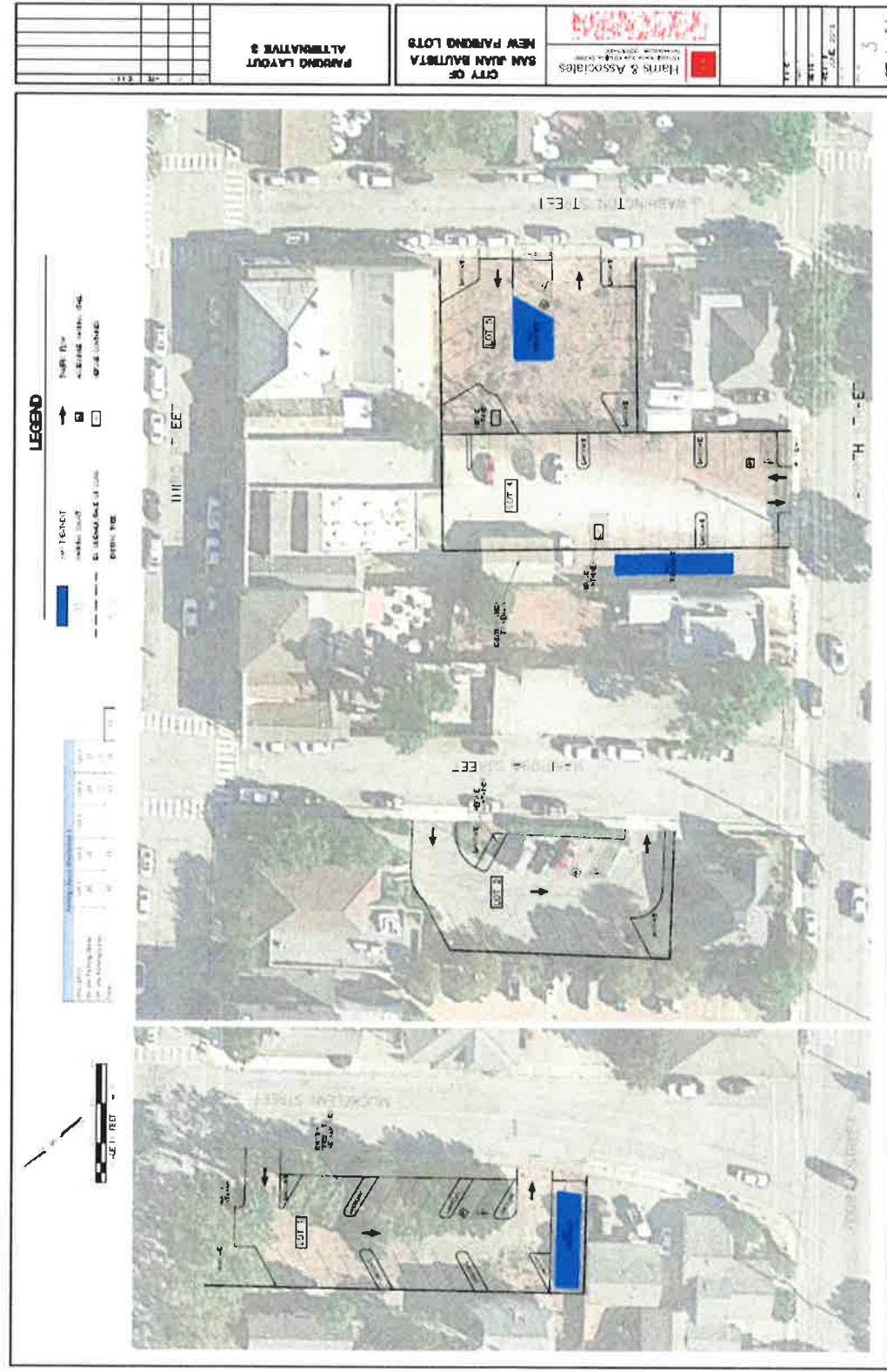




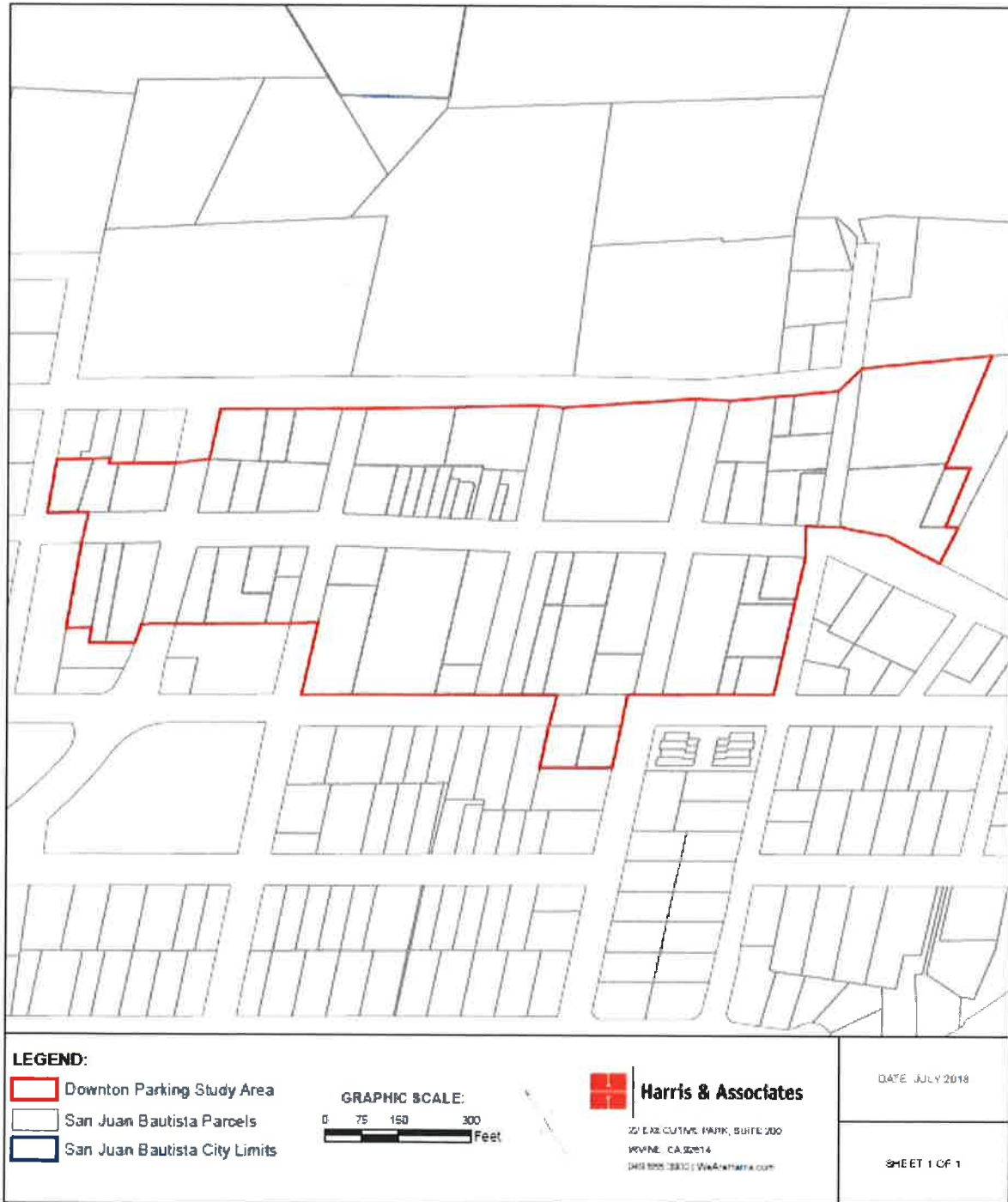
## EXHIBIT B – DOWNTOWN PARKING ALTERNATIVE #2



# EXHIBIT C – DOWNTOWN PARKING ALTERNATIVE #3



## EXHIBIT D – DOWNTOWN PARKING DISTRICT





## CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

**AGENDA TITLE:** VACANCY TAX OPTIONS

**MEETING DATE:** October 18, 2022

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

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### **RECOMMENDED ACTION(S):**

Receive report and provide direction to staff.

### **SUMMARY**

The Vacancy Tax is unique relative to the current tools the City has for abating nuisance properties and dangerous conditions. The Vacancy Tax is intended to incentivize property owners to actively seek occupants for their properties.

### **BACKGROUND INFORMATION:**

This item is informational only. It does not adopt a tax or request changes to a tax. This report provides information on different types of parcel tax models, outlines the steps that would be necessary to enact such a tax, and explains why a tax might be useful.

#### **Existing Vacancy Abatement Program**

The City of San Juan Bautista has building codes that establish standards for properties, aimed at ensuring the health, safety, and general well-being of their occupants and the community (see the City's Municipal Code Chapters 5-8 "Property Maintenance" and 5-22 "Dilapidated Buildings"). Common issues that Code Enforcement addresses include overgrown grass, illegal dumping, buildings with dry rot, deteriorated balconies, and other nuisances, which could negatively impact public health, safety, and welfare. To resolve these problems, Code Enforcement typically issues property owner's administrative citations which directs the owners to remediate or remove the code violations on their property or pay fines. Continued violations results in a potential for the City to declare a public nuisance, condemning the property and/or pursuing abatement of the nuisance. For example, in 2019 the City adopted Resolution 2019-03 and 2019-09 declaring a public nuisance to exist on a building on 3rd Street. During this process the City consumed considerable public attention and resources. There may be other policies available to the City to increase code compliance.

#### **The Problem of Vacant Properties**

Vacant properties can contribute to community wide problems such as crime, lower investment, and housing affordability. The City of San Juan Bautista presents itself as a small and charming



city in the County of San Benito with many historic attractions. Given its size, even just one commercial or residential vacancy could create a highly visible problem for the whole City.

The “Broken Windows” theory presents the idea that blighted properties serve as a form of advertisement for vandalism and crimes of opportunity. Such neglected properties have been linked to a growing fear and lower investor confidence in a community. A decrease in visible quality of life is tied to a decrease in tax revenues, which limits the resources available for dealing with vacant or blighted properties (Hirokawa and Gonzalez, 2010). Further, spatial justice involves “the fair and equitable distribution in space of socially valued resources and opportunities to use them” (Soja, 2009). The space we live in can have negative as well as positive consequences on everything we do.

The vacant property also imposes an opportunity cost on the City in lost tax dollars. Instead of providing a space for jobs or housing, the property sits underutilized and unproductive. The 2020 UCLA Affordable Housing Brief found 17% of homeowners and 30% of renters pay more than half of their household income for housing in California, while the state’s population grows faster than the housing supply. Meanwhile, the California Association of Realtors estimated that around 1.2 million units, apartments and single-family homes may sit vacant around California. Each vacant residential unit contributes to the lack of housing inventory and may also represent one less resident who shops locally and contributes to the community socially.

## **DISCUSSION:**

### **The Solution to Vacant Properties**

Local governments have multiple tools at their disposal to address vacant properties, each with their own limited uses, the most common options include condemnation/receivership, regulatory programs, and taxing vacant property with a parcel tax. The focus of this report will be on the parcel tax, with the alternatives listed at the end.

#### **Vacant Property Tax**

There are several different types of taxes and fees that a California city has authority to establish, each with its own set of pros and cons. In this endeavor the City’s optimum option is a specific type of property tax that is unique to California, the parcel tax.

A parcel tax is a tax on parcels of real property collected as part of a parcel’s property tax bill. Unlike the property tax, the parcel tax is not based on the value of property and is therefore considered a ‘special tax’ which is allowable under Prop 13. It is typically a flat tax per parcel but may vary with the size or characteristics of the parcel. The parcel tax is a main source of revenue for schools, colleges, hospitals, and special districts. The simplest parcel tax is a flat tax, a tax that does not vary with the size, improvements, or use of a parcel, for example \$6,000 per parcel per year. \$6,000 is the average annual 1% property tax—this rate would essentially double the taxes to compensate for the loss of use of the site.

The parcel tax must be approved by two-thirds of voters, dedicated to a specific purpose, and established by ordinance. The ordinance does not have to include a sunset date but most in CA have one to adjust the fees and confirm voter approval. Most have annual cost of living adjustments tied to CPI and annual override of the Gann’s appropriations limit. Many have exemptions to the

tax that include, legal disputes, substantially complete building permit, financial hardships, or non-profit, although exemptions are not necessary.

### Vacant Property Tax Examples

In late 2018, voters in Oakland, California, passed a flat \$6,000 tax on property that is not in use for more than 50 days out of the calendar year, with some exceptions. In California, similar measures have been considered in San Diego and Los Angeles, and a vacancy tax on empty retail storefronts was passed in San Francisco in early 2020, but postponed until 2022 due to the Covid-19 pandemic. Santa Cruz voters are considering a measure this November and the City Council of West Hollywood will be introducing a measure soon.

In the Oakland example, the voters adopted the tax to support and fund homelessness programs and services, affordable housing, code enforcement, and clean-up of blighted properties and illegal dumping. There is a ‘maintenance-of-effort’ clause that mandates the City not reduce code enforcement and illegal dumping budgets below fiscal year 2016-2017 levels in-lieu of receiving the parcel tax funds. Also, their measure creates an oversight board and allows the City Council to establish exemptions and rules for exemptions by ordinance.

Oakland has ten exemptions, the allowable exemptions for qualified owners and properties are:

- A. “Very Low Income”
- B. “Financial Hardship”
- C. “Demonstrable Hardship Unrelated to Personal Finances”
- D. “Exceptional Specific Circumstances”
- E. “Active Construction”
- F. “Building Permit Application”
- G. “Low Income Senior”
- H. “Disabled Owner”
- I. “Non-profit Organization
- J. “Substantially Complete Application for Planning”

Exemption must be applied for by petitioning, in Oakland. If you are mailed a notice of vacancy, the notice will list a property you own that has been identified based on available data as likely vacant during calendar year 2021. This initial determination notice provides the opportunity to file a “Petition of Vacancy” or apply for one of the ten (10) allowable exemptions. In order to submit a qualified exemption and be granted relief from the VPT, exemption applications must be completed and returned within twenty (20) days of the date of notice, and include appropriate evidence demonstrating that the property was not vacant or was entitled to an exemption.

The City of San Juan Bautista would not need to have an exemption protocol or could implement alternatives such as providing deferment periods. A measure’s text to create a system for deferments might read as follows:

Deferments.

1. The following shall be exempt from the tax imposed by this Ordinance for the first six months of being levied:

a. An Owner who qualifies as very low-income, as the term "very low income" is defined by the United States Department of Housing and Urban Development.

b. An Owner who can demonstrate that exceptional specific legal circumstances prevent the use or development of the property.

c. Etc..."

The more complex the measure, the more staff hours will be needed for implementation—the complexity of the tax measure should be balanced with available staff capacity of the City.

Proposition 13, adopted by California voters in 1978, mandates a property tax rate of one percent, requires that properties be assessed at market value at the time of sale, and allows assessments to rise by no more than 2 percent per year until the next sale. The City does not have the option of adopting a property tax based on the value of a property.

## **ANALYSIS**

### **Fiscal Impact - What can the City expect in revenue from a vacant property tax?**

The City only needs a few variables to project potential revenues: vacancy rate, tax rate, and number of parcels in the City. According to the most recent San Benito County Office of the Assessor property database for the City San Juan Bautista the current tax rolls represent an assessed value of just under \$705k with 1,115 parcels. The State of California has an average vacancy rate of 8.5% for residential, and the nearest metro areas of South San Jose and Salinas held a vacancy rate of 12.59% and 5%, respectively, for commercial property. San Juan Bautista's vacancy rate might be expected to be within these ranges and we can use nearby markets as reference points. However, San Juan Bautista is likely to have far less vacancies because of its limited inventory compared to nearby markets—a downward adjustment in the projected vacancy-rate range was factored. If a vacant property tax of \$6,000 or \$3,000 were to be levied we could expect the following revenues:

**Figure 1: Projected Annual Revenues of a flat 'Vacant Property Tax' (Parcel Tax) Levied in the City of San Juan Bautista**

Vacancy Rate	Tax Rate per Parcel	
	\$6,000	\$3,000
Low (2%, 22 parcels)	\$133,800	\$66,900
Mid (5%, 56 parcels)	\$334,500	\$167,250
High (8%, 89 parcels)	\$535,200	\$267,600

### **Steps for Ballot Initiative**

In order to implement a vacancy tax the City Council would need to adopt a resolution placing a measure on the next ballot. The measure must be decided at a statewide primary, general, or special election or a regularly scheduled local election (the 2015 California Voter Participation Rights Act, SB 415, Hueso, consolidated most local elections in California).

A proposed vacancy tax would be considered a special tax and requires a 2/3rds approval rate for it to be adopted. If such a resolution is adopted, the City would need to notify those affected by the tax within one week, including non-residents. The City may initiate a special election, in which San Juan Bautista would pay for all of the costs, or wait for the next statewide election on March 5, 2024. If the City initiates a special election, the last day to file the local Measure with the County is 88 days before the election date.

The City may also consider initiating community engagement and collecting feedback from community members by conducting “study sessions” with local community and economic partners to discuss the business case, various components of such a measure, and use of funds. The City would also require assistance from their Municipal Advisor and a Special Tax Attorney.

### **Sample Timeline for 2024 Ballot**

Next upcoming election: Statewide Consolidated Primary Election March 5, 2024

The following is an approximate calendar for City actions to file the local measure with the County for the March 2024 ballot. The County of San Benito ‘Clerk, Auditor & Recorder, Registrar of Voters’ will publish a final schedule in 2023 or sooner.

<b>Action</b>	<b>Start Date</b>	<b>End Date</b>
Last day to file a Local Measure	December 11, 2023	December 11, 2023
10-day public review period of local measure on the ballot	December 12, 2023	December 21, 2023
Period to file Primary Arguments in favor of or against local ballot measures	December 12, 2023	December 17, 2023
Last day for local jurisdiction to withdraw ballot measure	December 16, 2023	December 16, 2023
Last day to file Impartial Analysis regarding local ballot measures	December 17, 2023	December 17, 2023

Period to file Rebuttal Arguments in favor of or against local ballot measures	December 18, 2023	December 24, 2023
10-day public review period for rebuttals	December 25, 2023	January 4, 2024

## **ALTERNATIVES**

### **Receivership**

While most code enforcement activity is effective, sometimes it is not enough. Continued violation of these codes presents a public nuisance. Cities may pursue condemnation, eminent domain, or court appointed receivership per California Health and Safety “H&S” Code §§ 17980.6 and 17980.7. When a receiver is appointed cities are not responsible for paying receivers. A receiver is a neutral agent of the court and cannot be paid by any of the parties. Courts have specifically held that receivers act as hands of the court. The receiver is usually paid an hourly rate determined by the court and is paid that amount through property in the receivership estate. This setup incentivizes the receiver to improve the property and sell it at fair market value. The sale proceeds of the property usually exceed the receiver fees. This typically allows cities to recover its attorney fees and enforcement costs related to appointing the receiver. Therefore, not only is the receivership cost neutral, but the city may also recover the administrative costs it incurs in the normal course of practice (such as unpaid fines or citations, city staff fees and hard costs such as board up costs expended by the city prior to receivership). Most importantly, the once dilapidated property is abated and even assessed with a new tax base, which generates increased revenue for years to come.

### **Regulatory Programs**

The City may consider adopting a regulatory program to mandate the registration of vacant properties. Property owners in the program would pay an annual fee that would offset the costs of services. The City would routinely inspect and monitor the vacant properties for compliance with City code. The City may impose additional security and maintenance requirements. The registration of the vacant property is valid until the property no longer remains vacant. The property owner(s) would be compelled to cure any deficiencies in the property, including issues relating to appearance and/or health and safety or be subject to citation.