CITY OF SOLEDAD
JOINT CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY AND SUCCESSOR HOUSING AGENCY REGULAR MEETING AGENDA

WEDNESDAY, JUNE 19, 2024

CITY HALL, COUNCIL CHAMBERS

6:00 PM

The public meeting will open at 6:00 p.m. and, after taking public comment for closed session items, the Council will immediately recess to closed session.

Welcome to your City of Soledad City Council/Successor Agency Meeting. Your City Councilmembers/Agencymembers are:

Mayor Anna Velazquez
Mayor Pro Tem Maria Corralejo
Councilmember Fernando Cabrera
Councilmember Fernando Ansaldo-Sanchez

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. ADDITIONS/MODIFICATIONS TO THE AGENDA

Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council.

V. PUBLIC COMMENT

At this time any member of the public may address the City Council on items not appearing on the agenda and items of interest to the public that are within the jurisdiction of the Council. A public comment card should be filled out completely to ensure the speaker is called upon to give comment. Public comments are generally limited to three (3) minutes; the mayor may further limit the time for public comments depending on the agenda schedule. Please be brief and to the point. No action or discussion shall be taken on an item not appearing on the agenda.

VI. COUNCIL PRESENTATIONS

1. A Proclamation of the City Council of the City of Soledad Recognizing June 19th, 2024 as Juneteenth.

VII. CONSENT CALENDAR

1. Resolution No. 6104, A Resolution of the City Council of the City of Soledad Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments and Property-Related Fees and Charges for Fiscal Year 2024/2025

Attachments:
Staff Report
Resolution No. 6104

COUNCIL ACTION: _____

2. Resolution No. 6113, a Resolution of the City Council of the City of Soledad Approving a Memorandum of Understanding Between the City of Soledad and the Soledad Police Officers Association Beginning July 1, 2024 and Ending June 30, 2027

Attachments:
Staff Report
Resolution No. 6113

COUNCIL ACTION: _____

3. Resolution No. 6114, A Resolution of the City Council of the City of Soledad Approving a Contract Amendment No. 2 for Professional Services with CSG Consultants, Inc. for a Total Not Exceed $225,000 for Providing Building Division Services, Stormwater Management Services, a Contract Building Official , and other related services.

Attachments:
Staff Report
Resolution No. 6114
Exhibit A
A - CSG Proposal to the City of Soledad - Contract Extension

COUNCIL ACTION: _____

4. Resolution No. 6117, A Resolution of the City Council of the City of Soledad Approving a Consulting Services Agreement Task Order No. 3 in the Amount of $32,770 with Pavement Engineering Inc. for Engineering Support Services to Perform a Pavement Evaluation for the West Street Road Diet and Complete Streets Project and Authorize the City Manager to Execute Said Task Order on Behalf of the City of Soledad

Attachments:
Staff Report
Resolution No. 6117
Exhibit A

COUNCIL ACTION: _____

5. Resolution No. 6118, A Resolution of the City Council of the City of Soledad Accepting the Dixi

Street Sewer and Water Replacement Improvements, City Project No. W22-7 & WW22-03 Project as Complete by Anderson Pacific Engineering Construction, Inc. and Authorizing the Release of Retention in the Amount of $90,574.81

Attachments:
Staff Report
Resolution No. 6118

COUNCIL ACTION: _____

6. Resolution No. 6110, A Resolution of the City Council of the City of Soledad Amending the City's Conflict of Interest Code

Attachments:
Staff Report

COUNCIL ACTION: _____

7. Resolution No. 6011, A Resolution of the City Council of the City of Soledad ELECTIONS

Attachments:
Staff Report

COUNCIL ACTION: _____

8. Resolution No. 6119, a Resolution of the City Council of the City of Soledad Accepting a List of Projects Funded By SB 1: The Road Repair and Accountability Act for Fiscal Year 2024/2025

Attachments:
Staff Report
Resolution No. 6119
Exhibit A - Crack Seal Map Street Locations

COUNCIL ACTION: _____

VIII. PUBLIC HEARING NO. 1

- Receive the Staff Report
- Open the Public Hearing
- Close the Public Hearing
- Council Action

1. Resolution Nos. 6105, 6106, 6107, 6108 & 6109, Resolutions of the City Council of the City of Soledad Ordering the Levy and Collection of Assessments for Various Districts for Fiscal Year 2024/2025

Attachments:
Staff Report
Assessment_District_Map
1. Resolution No. 6105 and Engineer Report - BAD Diamond Ridge No. 1 Levy FY24-25
2. Resolution No. 6106 and Engineer Report - MAD Diamond Ridge No. 1 Levy FY24-25

3. Resolution No. 6107 and Engineer Report - MAD Orchard Villa-Miravalle II Levy FY24-25
4. Resolution No. 6108 and Engineer Report - BAD Orchard Villas-Miravale II Levy FY24-25
5. Resolution No. 6109 and Engineer Report - MAD Rancho San Vicente Levy FY24-25

IX. PUBLIC HEARING NO. 2

- Receive the Staff Report
- Open the Public Hearing
- Close the Public Hearing
- Council Action

1. Ordinance No. 769, Consider Waiver of Reading, Adoption and Read by Title Only Ordinance No. 769 "An Ordinance of the City Council of the City of Soledad Establishing a New Truck Route Pursuant to Chapter 10.62 Truck Routes of Title 10-Vehicles and Traffic of the Soledad Municipal Code"

Attachments:
Staff Report
Attachment A-Current Truck Route
Attachment B-Old Truck Route
Attachment C-Public Notice - Ord. No. 769
Ordinance No. 769
Exhibit A-Old Truck Route

X. PUBLIC HEARING NO. 3

- Receive the Staff Report
- Open the Public Hearing
- Close the Public Hearing
- Council Action

1. Resolution No. 6115, A Resolution of the City Council of the City of Soledad Approving and Accepting the S9oledad Police Department's AB 481 Fiscal Year 2023-2024 Annual Military Equipment Use Report Pursuant to Government Code Section 7071 (d) and Renewing City of Soledad Ordinance No. 743 "Approving Soledad Police Department Policy Manuel Policy 706- Military Equipment"

Attachments:
Staff Report
Resolution No. 6115
Exhibit A - Soledad Police Department Annual Military Equipment Report
Exhibit B - Ordinance No. 743

XI. PUBLIC HEARING NO. 4

- Receive the Staff Report
- Open the Public Hearing
- Close the Public Hearing
- Council Action

1. Resolution No. 6116, A Resolution of the City Council of the City of Soledad Approving Planned Unit Development Permit No. 1 (PUD 2018-02) Miravale Parcel E Amendment No.

1

Attachments:
Staff Report
Resolution No. 6116
3. Exhibit A Parcel E PUD
2- Santa Clara Parcel E Amendment Application

XII. BUSINESS

1. Resolution No. 6112, a Resolution of the City Council of the City of Soledad Approving an Agreement with the California Department of Forestry and Fire Protection for Services from July 1, 2024 to June 30, 2025 at a Not to Exceed Cost of $2,152,140 for the Duration of the Term, and Authorizing the City Manager to Execute Said Agreement on Behalf of the City of Soledad

Attachments:
Staff Report
Resolution No. 6112

COUNCIL ACTION: _____

2. Resolution No. 6103, a Resolution of the City Council of the City of Soledad Approving the Master Fee Schedule for Fiscal Year 2024-2025.

Attachments:
Staff Report
Resolution No. 6103
Exhibit A - Master Fee Schedule Proposed FY 2024-25

COUNCIL ACTION: _____

3. Acceptance of the City and Soledad Successor Agency's Audited Financial Statements for Fiscal Year 2022-2023

Attachments:
Staff Report
Independent Auditor's Report and Financial Statements FY 2022-23
Management Report FY 2022-23
Measure Y and S Letter 2023

COUNCIL ACTION: _____

4. Resolution No. 6102, a Resolution of the City Council of the City of Soledad Approving a Cooperation Agreement with the Department of the Army for P.L. 84-99 Rehabilitation of Federal Flood Control Work with City's Share of Costs in the Amount of $703,698 Plus $50,000 for Construction Contingency for Repairs of the Levee Protecting Soledad's Water Reclamation Facility from Flood Inundation from the Salinas River And Authorizing The City Manager to Execute Said Agreement on Behalf of the City of Soledad

Attachments:

Staff Report
Resolution No. 6102
Exhibit A - USACE Draft Agreement- WRD Fac. Levee Repairs.pdf
WRF Levee Photos

COUNCIL ACTION: _____

XIII. MAYOR'S ANNOUNCEMENTS AND REPORTS

XIV. COUNCILMEMBERS' ANNOUNCEMENTS AND REPORTS

XV. COUNCILMEMBERS' PRAISES

XVI. CITY MANAGER'S REPORT

XVII. FUTURE AGENDA ITEMS

XVIII. ADJOURNMENT

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact Deputy City Clerk Darlene Noriega at (831) 223-5014. Notification of at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (RCRF 35.102-35.104).

"Any writing or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall located at 248 Main Street, Soledad, California during normal business hours."

En caso que usted necesite ayuda en leer o en entender este aviso de Junta Publica, usted puede ponerse en contacto con la oficina del Edificio Municipal en 248 Calle Main o llamar al número (831) 223-5014, y el aviso será traducido para usted.

Advanced submittal of public comments via email are due by 2:00 P.M. on the day of the scheduled meeting to the Deputy City Clerk at darlene.noriega@cityofsoledad.com Comments are limited to 250 words or less and effort will be made to read your comment into the record, but some comments may not be read due to time limitations. The City Clerk will read email comments, provided that the reading shall not exceed three (3) minutes. The email comments submitted shall become part of the record.

Comentarios públicos por correo electrónico deben realizarse no más tarde de las 2:00 p.m. el día de la reunión programada y deben ser enviados al Secretario de la Ciudad a darlene.noriega@cityofsoledad.com. Los comentarios son limitados a 250 palabras o menos y se hará un esfuerzo para leer su comentario en el registro, pero es posible que algunos comentarios no se lean debido a limitaciones de tiempo. El Secretario de la Ciudad leerá los comentarios por correo electrónico, siempre que la lectura no exceda los tres (3) minutos. Los comentarios enviados por correo electrónico pasarán a formar parte del registro.

AGENDA ITEM NO. 1.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6104, A Resolution of the City Council of the City of Soledad Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments and Property-Related Fees and Charges for Fiscal Year 2024/2025**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Donald Wilcox, Public Works Director**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council of the City of Soledad consider and Adopt Resolution No. 6104, Certifying Compliance with State Law with respect to the Levying of General and Special Taxes, Assessments and Property-Related Fees and Charges for Fiscal Year 2024/2025.

Executive Summary

Proposition 218 (Prop 218) was approved by the state's voters in November 1996. In general, the intent of Prop 218 is to ensure that all taxes and most charges to property owners are subject to voter approval. Accordingly, the County's Auditor-Controller requires an annual resolution indicating the City is meeting Prop 218 requirements in order to process FY 2024-25 secured tax roll bills. The County will not place any existing or additional taxes, assessments, fees or charges on the tax roll without a certification resolution on file with their office. Consideration of the attached resolution certifying compliance is necessary for the 2024-2025 year.

Background

Proposition 218 (Prop 218) was approved by the state's voters in November 1996. Prop 218's requirements span a large spectrum, including local initiatives, water standby charges, legal standards of proof, election procedures and the calculation and use of sewer assessment revenues. In general, the intent of Prop 218 is to ensure that all taxes and most charges to property owners are subject to voter approval. Accordingly, the County's Auditor-Controller requires an annual resolution indicating the City is meeting Prop 218 requirements in order to process FY 2024-25 secured tax roll bills.

Review & Analysis

The proposed resolution certifies compliance with Proposition 218 and includes a hold harmless and

indemnification provision for administrative expenses of the County associated with the collection of the City of Soledad's taxes, assessments, fees, and charges other than the 1% ad valorem tax. The County will not place any existing or additional taxes, assessments, fees, or charges on the tax roll without a certification resolution on file with their office. The attached resolution is necessary for the 2024-2025 year.

Financial Considerations

None.

Alternatives

- Adopt the recommended resolution.
- Do not approve the attached resolution.

Planning/CEQA

The approving of the resolution "Certifying Compliance with State Law with respect to the Levying of General and Special Taxes, Assessments and Property-Related Fees and Charges" is not considered a project for the purposes of CEQA since it has no potential for resulting in either a direct or indirect impact to the environment. (See CEQA Guidelines Section 15378.)

Public Notice Requirements

None

Attachment(s):
Resolution No. 6104

RESOLUTION NO. 6104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD CERTIFYING COMPLIANCE WITH STATE LAW WITH RESPECT TO THE LEVYING OF GENERAL AND SPECIAL TAXES, ASSESSMENTS AND PROPERTY-RELATED FEES AND CHARGES FOR FISCAL YEAR 2024/2025

WHEREAS, the City of Soledad ("Public Agency") requests that the Monterey County Auditor-Controller enter those general or special taxes, assessments or property-related Fees or charges identified in Exhibit "A" on the tax roll for collection and distribution by the Monterey County Treasurer-Tax Collector commencing with the property tax bills for fiscal year 2024-2025.

BE IT HEREBY RESOLVED by the City Council of the City of Soledad as follows:

1. The Public Agency hereby certifies that it has, without limitation, complied with all legal procedures and requirements necessary for the levying and imposition of the general or special taxes, assessments or property-related fees or charges identified in **Exhibit A**, regardless of whether those procedures and requirements are set forth in the Constitution of the State of California, in State Statutes or in the applicable decision law of the State of California.

2. The Public Agency further certifies that, except for the sole negligence or misconduct of the County of Monterey, its officers, employees and agents, with regards to the handling of the CD or electronic file identified as Exhibit "A", the Public Agency shall be solely liable and responsible for defending, at its sole expense, cost and risk each and every action, suit or other proceeding brought against the County of Monterey, its officers, employees and agents for every claim, demand or challenge to the levying or imposition of the general or special taxes, assessments or property-related fees or charges identified in Exhibit "A" and that it shall pay or satisfy any judgment rendered against the County of Monterey, its officers, employees and agents on every such action, suit or other proceeding, including all claims for refunds and interest thereon, legal fees and court costs and administrative expenses of the County of Monterey to correct the tax rolls.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 19th day of June 2024, by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Manager

EXHIBIT "A"
TO
RESOLUTION CERTIFYING COMPLIANCE WITH STATE LAW WITH RESPECT TO THE LEVYING OF GENERAL AND SPECIAL TAXES, ASSESSMENTS AND PROPERTY-RELATED FEES AND CHARGES FOR FISCAL YEAR 2024/2025

FISCAL YEAR 2024-25

GENERAL TAXES:

N/A

SPECIAL TAXES:

N/A

ASSESSMENTS:

a.) Diamond Ridge Benefit Assessment District No. 1.
b.) Diamond Ridge Parks and Open Spaces Maintenance Assessment District No. 1 (Miravale, Phase 1).
c.) Parks and Open Space Maintenance Assessment District No. 1, Orchard Villas/Miravale II.
d.) Benefit Assessment District No. 2, Orchard Villas/Miravale II.
e.) Rancho San Vicente Parks and Open Spaces Maintenance Assessment District.

PROPERTY-RELATED FEES AND CHARGES:

N/A

AGENDA ITEM NO. 2.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6113, a Resolution of the City Council of the City of Soledad Approving a Memorandum of Understanding Between the City of Soledad and the Soledad Police Officers Association Beginning July 1, 2024 and Ending June 30, 2027**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Mike Howard, Finance Director**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council of the City of Soledad adopt Resolution No. 6113, Approving a Memorandum of Understanding between the City of Soledad and the Soledad Police Officers Association Beginning July 1, 2024 and Ending June 30, 2027.

Executive Summary

The current three-year Memorandum of Understanding (MOU) with the Soledad Police Officers Association (SPOA) will expire on June 30, 2024. Union Representatives and the City's designated negotiators began negotiations in April 2024 for a successor agreement. Through several meetings the parties reached a tentative agreement on June 3, 2024. The Union Representatives presented the new tentative agreement to the membership on June 5, 2024, where the agreement was ratified by the membership. The MOU is now before the City Council for consideration and adoption.

Background

On July 21, 2021, the City Council approved a three-year MOU with the Soledad Police Officers Association. The MOU, which sets forth specific negotiated terms and conditions of employment, is set to expire on June 30, 2024. The City and representatives of the Soledad Police Officers Association began negotiations in April 2024 for a successor MOU, and have reached a tentative agreement.

Review & Analysis

The City was notified that the tentative agreement was ratified by the SPOA membership on June 5, 2024. Below are key tentative agreements reflected in the MOU:

Term:	*Three years, effective July 1, 2024 through June 30, 2027*

Compensation:	*In year one, a four percent (4.00%) salary increase effective the first full pay period of July 2024, and in year two, an additional three and one-half percent (3.50%) salary increase effective the first full pay period of July 2025, and in year three, an additional three and one-quarter percent (3.25%) salary increase effective the first full pay period of July 2026.* *In the second year of the MOU, Bilingual Pay will be increased from $150/month to $225/month on the first full pay period in July 2025* *A Sworn Office will be paid 3% of their base pay when assigned as a Field Training Officer (FTO). The FTO Pay will only be paid on the days the officer actually works as an FTO. This changes current practice where if an officer worked only one day as an FTO they were paid FTO Pay for the entire pay period.* *A Seargent that is assigned as a Detective will be paid $55/day as Stand-by Pay if and only if the Chief or designee formally places the Detective on Stand-by in writing.*
Other Benefits:	*The annual uniform allowance will be $1,000, payable in two installments; $500 in October and $500 in April. Unit members will now be responsible for the purchase and maintenance of their own uniforms which will reduce City staff time ordering and processing invoices for payment of annual uniforms. This new provision will combine Article 4 Uniform Maintenance Allowance and Article 17 Purchase of Uniforms* *In addition, the City will contribute up to $600 annually, in December, to an employee's 457 plan. The City will contribute $ .20 (twenty cents) for every $1.00 (one dollar) an employee contributes up to the maximum of $600. In order to receive the contribution, the employee must be in active status at the time of the City contribution.* *An additional 5% of base pay will be paid as Longevity Pay once a unit member has reached 20 years of service with the City as a sworn officer.* *The Health Club Membership stipend will be increased from $15/month to $35/month.* *The City will add Juneteenth as an observed City Holiday.*

Full details including additional contract terms are attached in the attached Memorandum of Understanding, marked as **"Exhibit A"**.

Financial Considerations

The cost of the 3-year agreement will be approximately $351,500. Year one of the agreement will cost approximately $143,600, year two will be approximately $117,500, and year three will be approximately $90,400. The current year budget (FY 2024-25) will cover the increase for the first year and the second and third years will be programed into the future budgets.

Alternatives

- Adopted the proposed Resolution No. 6113
- Do not adopt the proposed Resolution. This will require the City to continue negotiations with SPOA

Planning/CEQA

The approving of the Memorandum of Understanding between the City of Soledad and the Soledad Police Officers Association is not considered a project for the purposes of CEQA since it has no potential for resulting in either a direct or indirect impact to the environment. (See CEQA Guidelines Section 15378.)

Public Notice Requirements

None required.

Attachment(s):
Resolution No. 6113

RESOLUTION NO. 6113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SOLEDAD AND THE SOLEDAD POLICE OFFICERS ASSOCIATION BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2027

WHEREAS, the Memorandum of Understanding, "MOU" between the City and the Soledad Police Officers Association (SPOA) is set to expire on June 30, 2024; and

WHEREAS, over the past three months, the City and SPOA representatives have met-and-conferred in good faith and reached an agreement for a successor MOU; and

WHEREAS, on June 5, 2024, SPOA representatives and unit members met and ratified the tentative agreements.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the City Council of the City of Soledad hereby approves the Memorandum of Understanding between the City and the Soledad Police Officers Association for the period July 1, 2024 through June 30, 2027, and all attachments in the form of the document hereunto attached, and incorporated herein by reference, marked **"Exhibit A."**

PASSED AND ADOPTED at a regular meeting duly held on the 19th day of June 2024, by the following vote:

AYES, and in favor thereof Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

AGENDA ITEM NO. 3.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6114, A Resolution of the City Council of the City of Soledad Approving a Contract Amendment No. 2 for Professional Services with CSG Consultants, Inc. for a Total Not Exceed $225,000 for Providing Building Division Services, Stormwater Management Services, a Contract Building Official , and other related services.**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Kao Nou Yang. Community & Economic Development Director**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council of the City of Soledad consider and adopt Resolution No. 6114, "Approving a Contract Amendment No. 2 for Professional Services with CSG Consultants, Inc. for a total not exceed $225,000 to Provide Building Division Services, Stormwater Management Services, a Contract Building Official , and Other Related Services."

Executive Summary

CSG Consultants Inc. has provided professional services to the City of Soledad since 2011, particularly in the Community and Economic Development Department. The contract for professional services has been extended annually. The professional services include a Contract Building Official, building plan review, civil plan review, stormwater compliance, and enforcing construction and demolition recycling requirements. City staff is seeking approval of Amendment No. 2 for a 6-month extension for these services in the 2024-2025 Fiscal Year (July 2024 – December 2024) and adding new services like Stormwater Inspections and additional compliance.

Background

CSG Consultants Inc. has been providing services to the City of Soledad since 2011, mainly for residential and commercial plan checks, fire inspections, and backup inspection services. Funding for these projects has been paid directly by applicants through the payment of permit fees to the City.

In July 2016, the City entered into a side letter with CSG to provide Permit Technician Services to assist at the front counter. Subsequently, on October 3, 2016, the Building Official retired from the City of Soledad. Following this event, CSG ceased the provision of Permit Technician services to the City but continued to offer the services of a Contracted Building Official, as well as plan check services. The

professional relationship between the CSG employees assigned to work in Soledad and both the staff and the public has been positively regarded. As a means to ensure ongoing quality public service with a forward-thinking approach, CSG Consultants has undertaken the provision of inspection services to the City on a part-time basis.

Due to an increase in State reporting requirements, CSG has assumed additional responsibilities to maintain the progress of current projects, specifically in the realm of civil engineering reviews. Moreover, CSG has assumed the responsibility for stormwater plan review tasks, which were previously undertaken by Harris and Associates. Furthermore, in compliance with CalRecycle mandates, external CSG staff is supporting the City of Soledad and the local CSG team in adhering to the intricate construction and demolition recycling requirements.

On June 21, 2023, the City Council approved Amendment No. 1 of the contract for professional services with CSG Consultants, extending the contract for an additional year with the intention of conducting a Request for Proposal/Request for Quote for the 2024-2025 Fiscal Year.

Review & Analysis

The current contract for CSG, approved in June 2023, is set to expire on June 30, 2024. City staff is requesting to amend the current contract to extend it by 6 months (July 2024 to December 2024). This extension will allow the City to prepare a request for proposal/qualifications (RFP/RFQ) to solicit proposals for building services, engineering plan check services, and stormwater management services.

Currently, CSG is paid for the following services at the following rates but not limited to:

CSG Services Provided:	**Fiscal Year 23-24 (Current) Per Hour**	**Fiscal Year 24-25 (Proposed) Per Hour**
Building Official - Staff	$139.00	$146.00
Fire Marshall / Inspector - Staff	$127.00	$135.00
Building Inspections	$110.00	$115.00
Fire Inspections	$135.00	$135
Building / Civil Engineering / Stormwater Plan Check Review	75% of Building Plan Check Fees (Per Permit)	75% of Building Plan Check Fees (Per Permit)
Engineering Services	$147.00-$247.00	$135.00-$270.00

Additional Services:	**Fiscal year 23-24 (Current) Per Hour**	**Fiscal Year 24-25 (Proposed) Per Hour**
Stormwater Inspections (Trained and Performed by Building Official)	N/A	$115.00

The Full Proposed Scope of Services and Staff is in detailed and attached with Exhibit "A" the Professional Service Agreement.

The estimated cost for extending the service for six months, from July 2024 to December 2024 in the 2024-2025 fiscal year, is expected to not exceed $225,000.. It is anticipated that the fees will continue to be funded by ongoing developments that pay for permits, with the majority of the funding coming from dedicated project development reimbursement accounts outside of the General Fund Budget. Currently, the revenue from building and plan checks covers all the costs of the contract.

CSG has been delivering satisfactory services to the City since 2011. However, the City has not conducted a Request for Proposals (RFP) for these services since that period. The City is scheduled to conduct an RFP/RFQ in the 2nd Quarter of 2024 to request proposals for building services, civil engineering plan check services and stormwater management services. It is expected that a substantial number of consultants will submit their proposals, and a service proposal will be presented to the Council before December of 2024.

Financial Considerations

The total contract amount with CSG is anticipated to cost an amount not to exceed $225,000.00 which will be funded by a combination of applicant deposits and a line item in the Building Department (Account 100-5160-3000).

Alternatives

- Approve the Resolution and proposed contract for FY 24-25; or
- Approve the Resolution with modification to the proposed contract; or
- Do not approve the contract amendment. This alternative would require immediate considerations of an alternate method to provide services at the current time.

Planning/CEQA

The proposed professional services are not considered a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378). Because the professional service agreement does not cause a direct or foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

Public Notice Requirements

None Required.

Attachment(s):
Resolution No. 6114
Exhibit A
A - CSG Proposal to the City of Soledad - Contract Extension

RESOLUTION NO. 6114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING A CONTRACT AMENDMENT NO. 2 FOR PROFESSIONAL SERVICES WITH CSG CONSULTANTS, INC. FOR A TOTAL NOT EXCEED $225,000 FOR PROVIDING BUILDING DIVISION SERVICES, STORMWATER MANAGEMENT SERVICES, A CONTRACT BUILDING OFFICIAL, AND OTHER RELATED SERVICES.

WHEREAS, in 2011, the City entered into an Agreement with CSG Consultants Inc. to provide plan check review and building inspection services to the City of Soledad; and

WHEREAS, the City has continued to utilize CSG Consultant, Inc. services to provide a Contracted Building Official, Building, Fire, Civil and Stormwater Plan Reviews, Building and Fire Inspections, and Construction and Demolition Ordinance compliance; and

WHEREAS, the City wants to continue these services listed above as well as add Stormwater compliance and Inspection to the contract to help further assist the City of Soledad process building permits and ensure the safety of new construction projects and existing buildings and structures; and

WHEREAS, these CSG services will be funded by a combination of building permit applicant deposits and a line item in the Building Department (Account 100-5160-3000).

WHEREAS, it is recommended that the Council approve Amendment No. 2 to continue these services with CSG Consultants Inc. for six (6) months, beginning on July 1, 2024, and expiring on December 31, 2024 (Fiscal Year) 2024-2025.

WHEREAS, proposed Amendment no. 2 of the professional services are not considered a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378)

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad to approve Amendment No. 2 of Professional Service Agreement between the City and CSG Consultants, Inc., in an amount not to exceed $225,000, a copy of which is attached hereto as **"Exhibit A"** and Attachment No. A by this reference incorporated herein, is hereby approved and the City Manager is authorized and directed to execute the same on Behalf of the City.

FURTHER BE IT RESOLVED that the City Council of the City of Soledad approve the $225,000 expenditure in Fiscal Year 24/25 and direct Staff to include it in the Fiscal Year 24/25 Budget to be presented to the Council in June of 2024.

PASSED AND ADOPTED at a meeting of the City Council of the City of Soledad duly held on the 19th day of June 2024, by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

June 19, 2024

CONTRACT AMENDMENT NUMBER 2
TO THE CONTRACT TITLED:

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF SOLEDAD AND CSG CONSULTANTS, INC.

On June 19, 2024, the City Council of the City of Soledad Adopted Resolution No. 6114 Approving a Contract Amendment No. 2 for Professional Services with CSG Consultants, Inc. for a total not exceed $225,000 to Provide Building Division Services, Stormwater Management Services, a Contract Building Official, and Other Related Services

By This Amendment:

1. The Consulting Professional Services Agreement between the City of Soledad and CSG Consultants, Inc., dated July 6, 2022, and Amendment No. 1, dated June 21, 2023, is being amended to include services as described in the attached proposal, marked as Attachment A for an amounting to not exceed $225,000.
2. The term of the aforesaid agreement is extended from July 1, 2024, to December 31, 2024. (6-month extension)
3. Except for the abovementioned changes, all other provisions of the 2022 Agreement and Amendment No. 1 remain in full force and effect.

Megan Hunter City Manager City of Soledad	Cyrus Kianpour, PE, PLS President CSG Consultants, INC.

550 Pilgrim Drive
Foster City, CA 94404
phone 650.522.2500
fax 650.522.2599

www.csgengr.com

June 7, 2024

Kao Nou Yang
Community Development Director
City of Soledad
248 Main Street
Soledad, CA 93960

Re: Contract Extension

Dear Ms. Yang,

CSG Consultants (CSG) appreciates the opportunity to submit our proposal to renew our contract for a six-month period (07/01/2024 - 12/31/24) for building and engineering consultant services for the City of Soledad (City).

Scope of Services

CSG proposes to continue performing all requested services, including building plan review, building inspection, permit technician, fire inspection, engineering plan review, and stormwater plan review and inspection.

John LaTorra, CSG's Regional Manager, will serve as the primary contact for this contract. His contact information is as follows:

> **John LaTorra,** *Regional Manager*
> ***cell*** (650) 208-4264 | johnl@csgengr.com

Once a project is identified, Mr. LaTorra will work with CSG's service managers to ensure the City receives timely responses. **Crickett Brinkman** will serve as the primary contact for all permit and plan review processing and oversees the Newman office where plans will be processed. **Sandra Meditch, PE,** will serve as the manager for engineering services.

Cost of Services

CSG will perform the requested services according to the hourly rates included herein. **Services will be performed for a not to exceed amount of $225,000.**

Please feel free to contact Mr. LaTorra with any questions you may have regarding our proposal and/or services. We greatly look forward to the opportunity to continue providing building and engineering services to the City of Soledad.

Sincerely,

Cyrus Kianpour, PE, PLS
President, CSG Consultants, Inc.

FEE SCHEDULE

CSG's fee schedule which includes fees for personnel providing the proposed scope of work is provided in the table below. We will coordinate the pickup and return of all plans via CSG staff or a licensed courier service. Plan review based on a percentage of plan check fees includes initial plan review and two subsequent reviews. Additional reviews, deferred submittals, revisions and RFIs will be charged at the appropriate hourly rate below. RFIs for larger developments will be performed at an hourly rate, and turnaround times will be agreed upon in advance with the City.

PERSONNEL / REVIEW TYPE	ALL INCLUSIVE FEE / HOURLY RATE
BUILDING SERVICES	
Building Plan Review	75% of City's Plan Check Fee
Structural Plan Review Only	50% of City's Plan Check Fee
Expedited Building Plan Review	95% of City's Plan Check Fee
Building Plan Review	$137
CASp Plan Review/Consultation	$147
Expedited Plan Review (Hourly)	1.5 x Hourly Rate
Building Official	$146
Building Inspector	$116
Permit Technician	$78
FIRE PREVENTION SERVICES	
Fire Plan Review	75% of City's Plan Check Fees
Fire Plan Review (Hourly)	$137
Fire Inspector	$133
Overtime	1.5 x Hourly Rate
ENGINEERING PLAN REVIEW SERVICES	
Principal Engineer	$237
Senior Project Manager	$226
Associate Engineer	$182
Assistant Engineer	$154

All hourly rates include salaries, benefits, workers compensation insurance, local travel, and miscellaneous office expenses. Should the scope of work change, or circumstances develop which necessitate special handling, CSG will notify the Agency prior to proceeding. Overtime services and services provided outside of normal business hours will be billed at 1.5x the applicable hourly rate. Depending on project size and scope, CSG's percentage-based expedited plan review rate may be adjusted if mutually agreed upon between the Agency and CSG. Hourly rates for publicly funded projects will be based on current prevailing wage rates. On July 1 of each year following the contract start year, CSG will initiate an hourly rate increase based on change in CPI for the applicable region. CSG will mail an invoice every month for services rendered during the previous month. Unless otherwise agreed, payment terms are 30-days from receipt of invoice.

CSG CONSULTANTS

Employee-Owned

OFFICES THROUGHOUT CALIFORNIA

SAN FRANCISCO BAY AREA
• Foster City • San Jose • Pleasanton •

SACRAMENTO REGION
• Sacramento •

CENTRAL VALLEY
• Newman • Fresno •

CENTRAL COAST
• Paso Robles •

SOUTHERN CALIFORNIA
• Orange •

WWW.CSGENGR.COM

888.794.2016

AGENDA ITEM NO. 4.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6117, A Resolution of the City Council of the City of Soledad Approving a Consulting Services Agreement Task Order No. 3 in the Amount of $32,770 with Pavement Engineering Inc. for Engineering Support Services to Perform a Pavement Evaluation for the West Street Road Diet and Complete Streets Project and Authorize the City Manager to Execute Said Task Order on Behalf of the City of Soledad**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Donald Wilcox, Public Works Director, Alex Ramos, Assistant Engineer**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council of the City of Soledad Consider and Adopt Resolution No. 6117, "Approving a Consulting Services Agreement Task Order No. 3 in the Amount of $32,770 with Pavement Engineering Inc. for Engineering Support Services to Perform a Pavement Evaluation for the West Street Road Diet and Complete Streets Project and Authorizing the City Manager to Execute said Task Order on Behalf of the City of Soledad".

Executive Summary

On August 31, 2023, the City of Soledad received an RSTP Competitive Grant in the amount of $2,758,000 for the West Street Road Diet and Complete Street Project. As part of this project, City Staff aims to improve the pavement condition along the West Street corridor to deliver a better project for the new proposed improvements and road diet. Due to the substantial amount of effort required to prepare a pavement evaluation report for the rehabilitation and reconstruction options for the West Street corridor, it is recommended that the City Council approve Task Order No. 3 with Pavement Engineering Inc.

Background

On August 31, 2023, the City of Soledad received an Award Notification from TAMC in the amount of $2,758,000 for the West Street Road Diet and Complete Streets Project as part of the Competitive Grant Program.

On March 6, 2024, the City Council approved a consulting services agreement with MNS Engineers,

Inc. for the design and construction management for the West Street Road Diet and Complete Streets Project in an amount not to exceed of $856,075. As part of this project, various improvements will be constructed to improve multimodal mobility for all types of roadway users on West Street between Front Street and Gabilan Drive. These improvements include but are not limited to, buffered bike lanes, a road diet, buffered bike lanes, pedestrian crossings, and marked crosswalks. This project will have funding to improve the pavement condition along the West Street corridor in the form of rehabilitation or reconstruction to deliver a better project and a major roadway with a longer lifespan.

Review & Analysis

As part of MNS's proposal for the West Street Road Diet and Complete Street Project, work related to identifying the specific pavement treatment and therefore field-testing was not included to save cost. It requires a substantial amount of effort to perform field testing to determine the asphalt layer thickness and overall structural section condition throughout the corridor.

Additionally, the City of Soledad submitted an application for the Rubberized Pavement Grant Program 16th Cycle for Fiscal Year 2023-2024 to support the use of Rubberized Asphalt Concrete (RAC) products on one or more street maintenance projects. On February 8, 2024, the City received an award notification for the Rubberized Pavement Grant Program in the amount of $103,060 to be utilized in the Front Street Maintenance Project. To supplement funding for the pavement treatment for the West Street Project, Staff proposes to use the funds received through the Rubberized Pavement Grant Program to partially fund the pavement treatment for West Street in addition to Front Street and therefore requires an analysis of how much RAC along the West Street corridor can be utilized.

The City of Soledad regularly utilizes consulting services to help support facilitating projects to ensure successful project delivery. As a result, the City sought out formal Requests for Qualifications for Professional Engineering and Other Support Services. On November 2, 2022, under Resolution No. 5888, the Soledad City Council approved and established a new On-Call Consultant List to provide Professional and Engineering Support Services. The Public Works Department has since utilized the new On-Call Consultant List to support efforts to complete infrastructure upgrades, capital improvements, and other engineering-related projects.

Pavement Engineering Inc. (PEI) is on the City's on-call consultant list and is qualified and familiar with the City's streets through the Pavement Management Program Update, therefore Staff requested a proposal from PEI to perform a pavement evaluation to provide rehabilitation and reconstruction options for the West Street Corridor. PEI's scope of work will include:

Task 1 – Pavement Evaluation Services

A. Deflection Testing and Coring
B. Native Soil Sample Collection to determine R-value
C. Deflection Analysis
D. Rehabilitation and Reconstruction Options

Task 2 – Provide Design Assistance

A. Design Approach for Plans and Specifications
B. Reviewing PS&E Package

City Staff reviewed the PEI proposal and recommends approval of the budget, scope, and schedule. The City's Standard contractual forms will be used.

Financial Considerations

The cost for services for this Task Order from PEI will be funded through the RSTP Competitive Grant.

Alternatives

- Approve the resolution as presented; or
- Reject the proposed resolution. This is not recommended as the Pavement Evaluation serves as a crucial component in the success of the West Street Road Diet and Complete Streets Project and staff does not have the capacity to undertake the task.

Planning/CEQA

The West Street Complete Street Project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Article 19, Section 15301, Class 1 – Existing Facilities, Section 15302, Class 2 – Replacement or Reconstruction and Section 15303, Class 3 – New Construction or conversion of Small Structures. Class 1 consists of minor alterations of existing facilities involving negligible or no expansion of use. Class 2 involves the reconstruction of existing facilities with existing facilities involving negligible or no expansion of capacity. Class 3 consists of the construction of limited number of new, small facilities or structures. Funding would allow for the reconstruction of West Street, which is an existing facility, but with no changes to capacity.

Public Notice Requirements

None required.

Attachment(s):
Resolution No. 6117
Exhibit A

RESOLUTION NO. 6117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING A CONSULTING SERVICES AGREEMENT TASK ORDER NO. 3 IN THE AMOUNT OF $32,770 WITH PAVEMENT ENGINEERING INC. TO PROVIDE ENGINEERING SUPPORT SERVICES TO PERFORM A PAVEMENT EVALUATION FOR THE WEST STREET ROAD DIET AND COMPLETE STREETS PROJECT AND AUTHORIZE THE CITY MANAGER TO EXECUTE SAID TASK ORDER ON BEHALF OF THE CITY OF SOLEDAD

WHEREAS, the City of Soledad received an Award Notification from TAMC for the RSTP Competitive Grant in the Amount of 2,758,000 for the West Street Road Diet and Complete Street Project; and

WHEREAS, on March 6, 2024, the City Council approved a consulting services agreement with MNS Engineers, Inc. for the design and construction management for the West Street Road Diet and Complete Streets Project to improve multimodal mobility for all types of roadway users along the West Street corridor between Front Street and Gabilan Drive; and

WHEREAS, MSN's proposal for the West Street Road Diet and Complete Streets Project did not include identification of the specific pavement treatment and related field-testing to determine the asphalt layer thickness and overall structural section condition throughout the corridor; and

WHEREAS, the City does not have the sufficient internal staff to perform the pavement evaluation work referenced above along the West Street corridor between Front Street and Gabilan; and

WHEREAS, Pavement Engineering Inc. (PEI) is on the City's on-call consultant list and is qualified and familiar with the City's streets through the Pavement Management Program Update, therefore staff requested a proposal from PEI l to perform a pavement evaluation to provide rehabilitation and reconstruction options for the West Street Corridor; and

WHEREAS, City Staff has reviewed the proposal and recommends approval of the budget scope and schedule included in the PEI proposal; and

WHEREAS, the West Street Complete Street Project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Article 19, Section 15301 Class 1, Section 15302 Class 2, and Section 15303 Class 3; and

WHEREAS, the cost for services for this Task Order will be funded through the RSTP Competitive Grant awarded to the City in 2024.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Soledad, that the consulting services agreement task order between the City of Soledad and Pavement

Engineering Inc. for engineering support services in the not to exceed amount of $32,175, and a copy of the task order with the proposal with Pavement Engineering Inc., attached "**Exhibit A"** and by reference incorporated herein, is hereby approved and the City Manager is hereby authorized and directed to execute the same on the behalf of the City of Soledad.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 19th day of June 2024 by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

Exhibit A

PAVEMENT ENGINEERING INC.

TASK ORDER FOR PROFESSIONAL SERVICES

Task Order No. 3

1. Pursuant to the Non-Exclusive Consulting Services Agreement for on-call engineering services Dated February 1, 2023 ("Agreement") between the City of Soledad ("City") and Pavement Engineering Inc. ("Consultant") City hereby requests that Consultant provide services for the following Project: Proposal for Pavement Evaluation Services for the West Street Road Diet and Complete Streets Project

2. Consultant shall provide the following services: See Attached Proposal.

3. Consultant services for the project are to commence on June 19, 2024.

4. Consultant shall be compensated for its services for the project as follows: See Attached Proposal ($32,770).

City and Consultant agree to the terms and conditions of this Task Order, and upon execution of this Task Order by both parties, this Task Order shall be approved, subject to all terms and conditions contained therein and in the Agreement, and this Task Order shall be appended to and become a part of the Agreement. To the extent there may be a conflict between the consultant proposal terms and the agreement, the City's agreement language prevails.

City of Soledad

_____

By: Megan Hunter

Date: _____

Pavement Engineering Inc.

_____

By: _____

Date: _____

AGENDA ITEM NO. 5.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6118, A Resolution of the City Council of the City of Soledad Accepting the Dixi Street Sewer and Water Replacement Improvements, City Project No. W22-7 & WW22-03 Project as Complete by Anderson Pacific Engineering Construction, Inc. and Authorizing the Release of Retention in the Amount of $90,574.81**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Donald Wilcox, Public Works Director, Alex Ramos, Assistant Engineer**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council of the City of Soledad Consider and Adopt Resolution No. 6118, "Accepting the Dixi Street Sewer and Water Replacement Improvements, City Project No. W22-7 & WW22-03 Project as Complete by Anderson Pacific Engineering Construction, Inc. and Authorizing the Release of Retention in the Amount of $90,574.81".

Executive Summary

Work done by Anderson Pacific Engineering Construction, Inc. (APEC) has been completed and inspected. Staff is therefore recommending that the Dixi Street Sewer and Water Replacement Improvements, City Project No. W22-07 & WW22-03 Project be accepted, and that the City release the retention payment to APEC.

Background

The City of Soledad received $6,285,000 from the American Rescue Plan Act of 2021 stimulus package distributed to local governments throughout the United States with strict guidelines on the use and timeframe of the funds needed to be expended. On December 15, 2021, Staff presented to the City Council a list of Public Works infrastructure projects and proposed allocating $4 million to complete these projects which was thereafter approved by the City Council.

As part of the presented project list taken to Council, the Dixi Street Sewer and Water Replacement Improvements, City Project No. W22-7 & WW22-03 Project (Dixi Street Project) was identified to be a priority project and eligible for ARPA funding.

Staff requested a design proposal from two firms on the on-call list. On March 3, 2021, the City Council

approved a proposal for professional services with Yamabe & Horn Engineering, Inc. in an amount not to exceed $38,000 for Civil Engineering Design for the Dixi Street Project.
Staff then prepared and formally advertised through Planet Bids a formal request for bids for the Dixi Street Sewer and Water Replacement Project. The bid was posted on April 1, 2022, and had a bid close date of April 27, 2022. The City received a total of five (5) bids, with APEC being the lowest responsive bidder.

On May 18, 2022, City Council approved a contract for construction services with APEC in an amount of $1,171,850 with a 10% contingency for the Dixi Street Project.

Review & Analysis

During the construction phase of this project, some modifications were made to the agreement to reflect the needs of the project in a total of seven (7) contract change orders (CCO):

$1,171,850 Total Amount of Contract Approved
+$45,779.98 CCO 1 – Additional potholing to an unforeseen utility conflict and associated costs
+$168,200.00 CCO 2 – Waterline Revision (Moving Waterline Alignment)
+$44,490.00 CCO 3 – Demo and replacement of Storm drain inlets and pipe at Dixi/Monterey
+$122,515.00 CCO 5 – Installation of five ADA curb ramps along Dixi Street
+$54,985.00 CCO 6 – HMA Leveling Course to prevent cracks and deformation on Dixi Street.
+$39,753.07 CCO 7 – Remaining T&M Work for the Sewer, Water, and Miscellaneous Work.
$1,647,573.05 Total Construction Cost

Contract Change Order 4 was not included in the total construction cost for the Dixi Street project as the work performed under CCO 4 was for the delivery and placement of the Asphalt Grindings at the Water Reclamation Facility (WRF). Therefore, funding of CCO 4 was not through ARPA but the Wastewater Operations Fund.

Public Works Staff has inspected and reported that the Dixi Street Sewer and Water Replacement Improvements are completed by the project documents and all work performed by APEC is now complete. Therefore, Staff is recommending that the City accept the project as complete and release retention.

Financial Considerations

This project was funded by the American Rescue Plan Act (ARPA) and under Resolution No. 5949 allocated an additional $150,000 in contingency to cover contract change orders. The remaining contingency balance of $92,301 shall cover the retention payment for this project.

Alternatives

- Approve the resolution as presented; or
- Reject the proposed resolution.

Planning/CEQA

This project is categorically exempt under Section 15302 – Replacement or Reconstruction Class 2(c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. This project meets the negligible qualifying criteria provided under CEQA Guidelines Section 15302.

Public Notice Requirements

None required.

Attachment(s):
Resolution No. 6118

RESOLUTION NO. 6118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ACCEPTING THE DIXI STREET SEWER AND WATER REPLACEMENT IMPROVEMENTS, CITY PROJECT NO. W22-7 & WW22-03 PROJECT AS COMPLETE BY ANDERSON PACIFIC ENGINEERING CONSTRUCTION, INC. AND AUTHORIZING THE RELEASE OF RETENTION IN THE AMOUNT OF $90,574.81

WHEREAS, the City of Soledad received $6,285,000 from the American Rescue Plan Act (ARPA) of 2021 stimulus package distributed to local governments throughout the United States with strict guidelines on the use and timeframe of the funds needed to be expended; and

WHEREAS, on December 15, 2021, Staff presented to the City Council a list of Public Works infrastructure projects and proposed allocating $4 million to complete these projects which was thereafter approved by the City Council ; and

WHEREAS, as part of the presented project list taken to City Council, the Dixi Street Sewer and Water Replacement Improvements, City Project No. W22-7 & WW22-03 Project (Dixi Street Project) was identified to be a priority project and eligible for ARPA funding; and

WHEREAS, on March 3, 2021, the City Council approved a proposal for professional services with Yamabe & Horn Engineering, Inc. in an amount not to exceed $38,000 for Civil Engineering Design for the Dixi Street Project; and

WHEREAS, Staff prepared and formally advertised through Planet Bids the Dixi Street Project and the City received a total of five (5) bids; and

WHEREAS, Anderson Pacific Engineering Construction, Inc. (APEC) was the lowest responsive bidder, and on May 18, 2022, Council approved a contract for construction services with APEC in an amount of $1,171,850 with a 10% contingency for the Dixi Street Project; and

WHEREAS, during the construction phase of this project, some modifications were made to the agreement to reflect the needs of the project in a total of seven (7) contract change orders for a total construction cost of $1,647,573.05; and

WHEREAS, Public Works Staff has inspected and reported that the Dixi Street Sewer and Water Improvements are completed by the project documents and all work performed by APEC is now complete, therefore, Staff is recommending that the City accept the project as complete and release retention in the amount of $90,574.81.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Soledad, that Dixi Street Project Sewer and Water Improvements are hereby accepted and the release of the agreement retention payment to APEC is hereby authorized.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 19th day of June 2024 by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

AGENDA ITEM NO. 6.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6110, A Resolution of the City Council of the City of Soledad Amending the City's Conflict of Interest Code**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Mike Rodriquez, City Attorney**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council consider and adopt Resolution No. 6110, "Amending the City's Conflict of Interest Code."

Executive Summary

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or, alternatively, that the Code must be amended. The Code identifies the City positions/classifications subject to the State Conflict of Interest Code and lists the type of information that must be disclosed by all designated parties. Changes to the Code are usually only required when the City has had a change in positions or classifications. While changes to the Code have not been necessary for several cycles, a number of changes in designation require Code updating in 2024. Staff has prepared a revised Conflict of Interest Code as reflected in the attached Resolution for City Council consideration and adoption.

Background

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or, alternatively, that the Code must be amended. Once the determination has been made, a notice must be submitted to the Code reviewing body no later than October 1 of even-numbered years. The City Council is the Code reviewing body for the City. Attachment A to this Staff Report is a copy of the City Clerk's 2024 Local Agency Biennial Notice which indicates that an amendment to the Conflict of Interest Code is required.

Review & Analysis

The City Council initially adopted a Conflict of Interest Code by way of Resolution No. 1222. On December 4, 1996, the City Council adopted an updated Conflict of Interest Code via Resolution No. 2551 and rescinded the previous Resolution No. 1222. Amendments to the Code were adopted by way of Resolution No. 3426 on March 3, 2004; December 3, 2008 via Resolution No. 4314; August 4, 2010

via Resolution No. 4551; August 1, 2012 via Resolution No. 4799; July 2, 2014 by Resolution No. 4991 and on September 5, 2018 by Resolution No. 5440. A determination was made in 2016, 2020 and 2022 that no Code amendment was required.

Since the last revision on September 5, 2018, there have been changes to the status of several positions in the City, thus necessitating amendments to the Code. The revised Code will delete the position of Building Official, which no longer exists, and add the position of Parks and Recreation Director.

The proposed Appendix A reflects the City positions/classifications subject to the Conflict of Interest Code. Appendix B lists the disclosure categories. To bring the City of Soledad into conformance, Staff recommends that the City Council adopt a revised Conflict of Interest Code as reflected in the attached Resolution with accompanying Appendices A and B.

Financial Considerations

None.

Alternatives

- Adopt the proposed Resolution
- Do not amend the Conflict of Interest Code at this time.
- Modify the Resolution

Planning/CEQA

The City has determined that adoption of the revised Conflict of Interest Code is not considered a project for the purposes of CEQA since it has no potential for resulting in either a direct or indirect impact to the environment. (See CEQA Guidelines Section 15378.)

Public Notice Requirements

None required.

AGENDA ITEM NO. 7.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6011, A Resolution of the City Council of the City of Soledad ELECTIONS**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Mike Rodriquez, City Attorney**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

Executive Summary

Background

Review & Analysis

Financial Considerations

Alternatives

Planning/CEQA

Public Notice Requirements

AGENDA ITEM NO. 8.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6119, a Resolution of the City Council of the City of Soledad Accepting a List of Projects Funded By SB 1: The Road Repair and Accountability Act for Fiscal Year 2024/2025**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Donald Wilcox, Public Works Director, Alex Ramos, Assistant Engineer**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council of the City of Soledad Consider and Adopt Resolution No. 6119, "Accepting a List of Projects Funded by SB 1: The Road Repair and Accountability Act for Fiscal Year 2024/2025".

Executive Summary

Senate Bill 1 (SB 1) is a funding opportunity apportioned by formula to eligible cities and counties for basic road maintenance, rehabilitation, and safety projects. To be eligible to receive SB1 funding, the City needs to develop and submit a list of projects and a project expenditure report and satisfy reporting requirements for the California Transportation Commission each fiscal year before their respective deadlines. In addition, SB1 requires a resolution from the City Council adopted during a regular public council meeting attached to the submittal list of projects by the deadline of July 1st. Although the Council previously approved a resolution on June 5, 2024, Staff is bringing a new resolution for Council consideration and approval with modifications requested by the California Transportation Commission.

Background

Senate Bill 1 (SB 1), which is known as the Road Repair and Accountability Act of 2017, provides additional funding through a combination of taxes and fees to address basic road maintenance, rehabilitation, and critical safety needs on the State's roadway network. To receive RMRA funding each year, cities and counties must submit a list of projects to the California Transportation Commission (CTC). The project list must be accompanied by evidence of inclusion in an adopted budget. This staff report is meant to provide the required project and budgetary information needed to satisfy the funding and reporting requirements.

Review & Analysis

Staff originally brought this item to the Council for approval on June 5, 2024, at a regular public council meeting. However, after submitting the adopted resolution and proposed project list to the California Transportation Commission, Staff was informed that the Resolution had to be modified to reflect the specific locations in which work is to be performed if the project has been identified to be in the construction phase.

The FY 24/25 Crack Seal Project is the only project currently in the proposed project submittal list to be in the construction phase and will be updated in the resolution to reflect the street locations. Due to the number of streets the FY 24/25 Crack Seal Project plans to address, the project location description shall refer to the Crack Seal Map attached as "Exhibit A". The FY 24/25 Slurry Seal Project is still in the pre-construction phase and requires plans, specifications, and estimates (PS&E) before moving toward construction and is fine to remain as is.

All proposed projects must be included in a city or county budget that is adopted by the city council or board of supervisors at a regular public meeting. The Capital Improvement Program (CIP) for FY 25-28 shall have said project(s) programmed for the subsequent years once approved. The estimated revenue increases from SB 1 will be accounted for in Fund 212, "Gas Tax", as the new RMRA funds will be distributed to the City in much the same way that the Gas Tax revenues currently are. Projects to be funded from Gas Tax revenues will also be shown in the CIP report. The following project(s) will be funded all or in part by the RMRA funding, which is estimated at $714,879 for fiscal year 24/25.

- Fiscal Year 24/25 Street Maintenance Projects (Crack Seal & Slurry Seal) - $714,879

Financial Considerations

This is revenue that comes from the State to the City of Soledad to rehabilitate failed roads and add useful life span to those sections. The use of this funding for street maintenance will be reflected in the FY 24/25 budget.

Alternatives

- Approve the resolution as presented; or
- Reject the proposed resolution. This is not recommended because the City would be ineligible to receive additional revenue for street maintenance.

Planning/CEQA

The proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378). Because the matter does not cause a direct or foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

Public Notice Requirements

None required.

Attachment(s):

Resolution No. 6119
Exhibit A - Crack Seal Map Street Locations

RESOLUTION NO. 6119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD TO ACCEPT A LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 FOR FISCAL YEAR 2024/2025

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Soledad are aware of the projects proposed for funding in our community, which projects have been completed each fiscal year; and

WHEREAS, the City of Soledad must include a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City will receive an estimated $714,879 in RMRA funding in Fiscal Year 2024-2025 from SB 1; and

WHEREAS, maintaining and preserving the local street and road system in good condition will reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduced vehicle emissions, helping the State achieve its air quality and greenhouse gas emissions reductions goals; and

WHEREAS, restoring roads before they fail also reduces construction time, which results in less air pollution from heavy equipment and less water pollution from site run-off; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials, and practices will have significant positive co-benefits statewide.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Soledad finds as follows:

1. All of the recitals set forth above are true and correct to the best of its knowledge and are incorporated herein.

2. The non-enterprise capital improvement program (CIP) budget for Fiscal Year 2024-25 will incorporate the following list of projects planned to be funded with Road Maintenance and Rehabilitation Account revenues:

Project Title	Project Description	Project Location	Estimated Useful Life	Anticipated Year of Construction
FY 24/25 – Crack Seal Project	To perform a Crack Seal Project on eligible streets and add useful life span to those sections.	Please see the attached map for street locations herein referenced as **"Exhibit A."**	5 years	Fiscal Year 2024/2025
FY 24/25 – Slurry Seal Project	To perform a light maintenance project in the form of a slurry seal on eligible streets, dependent on the design and cost estimates.	Locations are to be determined during the pre-construction phase of this project.	10 Years	Fiscal Year 2024/2025

BE IT FURTHER RESOLVED, that Resolution No. 6099, adopted by the City Council at a regular meeting on June 5, 2024, is hereby rescinded in its entirety.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 19th day of June 2024 by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

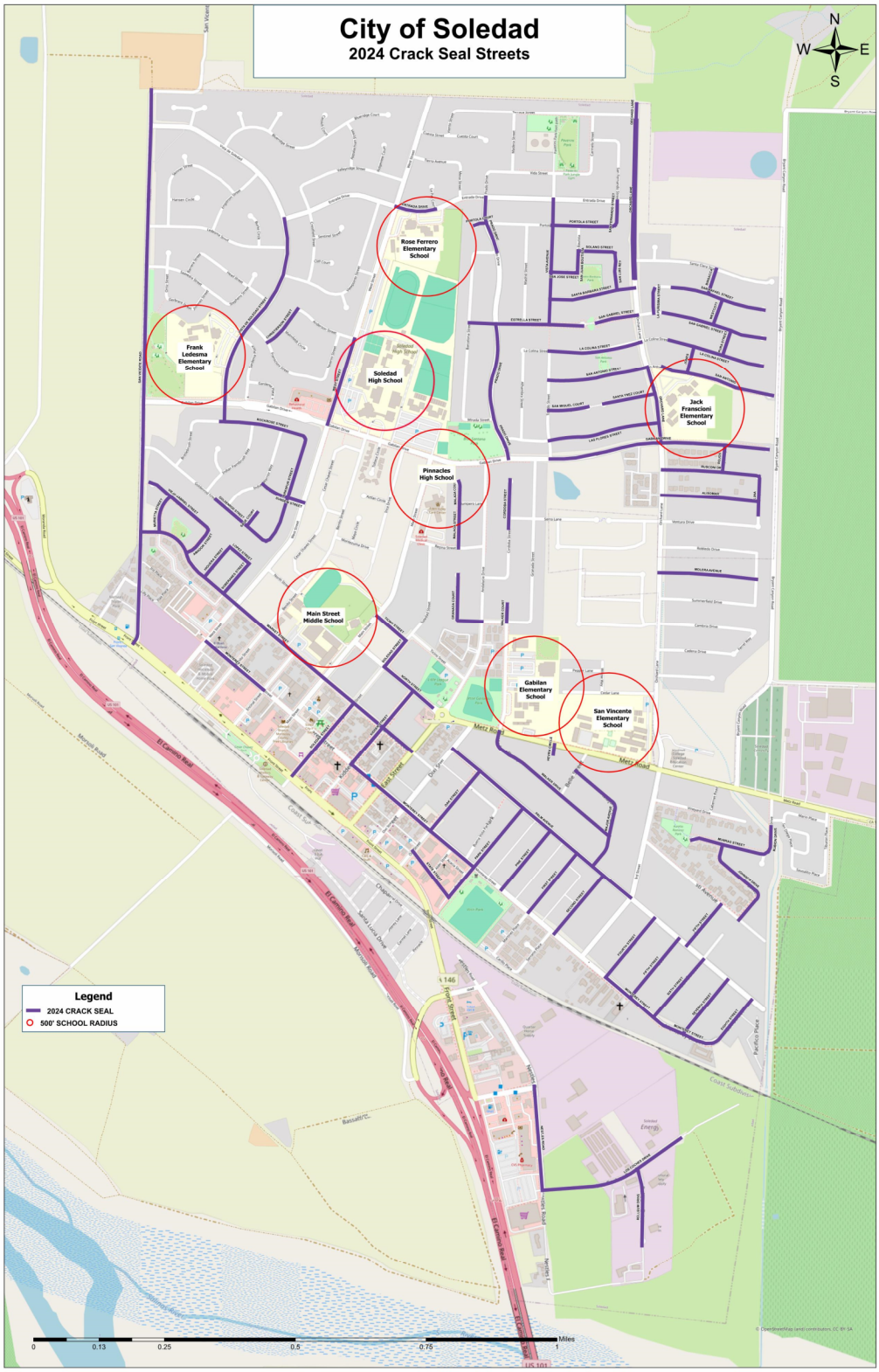
ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

Exhibit A



LOCATION MAP

City of Soledad, California

AGENDA ITEM NO. 1.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution Nos. 6105, 6106, 6107, 6108 & 6109, Resolutions of the City Council of the City of Soledad Ordering the Levy and Collection of Assessments for Various Districts for Fiscal Year 2024/2025**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Donald Wilcox, Public Works Director, Leon Gomez, Interim City Engineer**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

- Staff Report
- Open hearing to the public for each Assessment District:
  - Diamond Ridge (MAD and BAD)
  - Orchard Villas (MAD and BAD)
  - Rancho San Vicente (MAD only)
- Close hearing to the public for each Assessment District:
  - Diamond Ridge (MAD and BAD)
  - Orchard Villas (MAD and BAD)
  - Rancho San Vicente (MAD only)
- Council discussion
- Council Action

It is recommended that the City Council consider and adopt the following Resolutions of the City Council of the City of Soledad:

a. Resolution No. 6105, Ordering the Levy and Collection of Assessments Within the Diamond Ridge Benefit Assessment District No. 1 (Diamond Ridge, Phase I) for Fiscal Year 2024/2025.
b. Resolution No. 6106, Ordering the Levy and Collection of Assessments Within the Diamond Ridge Parks and Open Space Maintenance Assessment District No. 1 (Miravale I, Phase I) for Fiscal Year 2024/2025.
c. Resolution No. 6107, Ordering the Levy and Collection of Assessments Within the Parks and Open Space Maintenance Assessment District No. 1, Annexation No. 1 (Orchard Villas/Miravale II) for Fiscal Year 2024/2025.
d. Resolution No. 6108, Ordering the Levy and Collection of Assessments Within the Benefit Assessment District No. 2 (Orchard Villas/Miravale II) for Fiscal Year 2024/2025.

e. Resolution No. 6109, Ordering the Levy and Collection of Assessments Within the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District for Fiscal Year 2024/2025.

Executive Summary

The City of Soledad has five Assessment Districts formed to levy and collect assessments against the lots or parcels of land within such districts to pay for the costs and expenses of operating, maintaining, and servicing improvements and facilities located within public places within the districts' boundaries. All five Assessment Districts' proposed levies are generally following FY 23/24's patterns, and as such, the respective increases of the proposed assessments are due to the 3% annual adjustment for Rancho San Vicente-CHISPA and by CPI inflation adjustments for three of the other four districts. Consideration of resolutions approving the annual levy and collection of assessments is before the Council this evening.

Background

In 2003, the City Council of the City of Soledad formed the Diamond Ridge Benefit Assessment District No. 1 (Diamond Ridge, Phase I); Diamond Ridge Parks and Open Space Maintenance Assessment District No. 1 (Miravale I, Phase I); and the Rancho San Vicente Parks and Open Space Maintenance Assessment District. In 2006 the Council formed the Parks and Open Space Maintenance Assessment District No. 1, and the Annexation No. 1 (Orchard Villas/Miravale II); Benefit Assessment District No. 2 (Orchard Villas/Miravale II). In January 2022 the Council approved the Liberty Court Annexation to the Parks and Open Space Maintenance Assessment District No. 1 (Orchard Villas/Miravale II) and also to the Benefit Assessment District No. 2 (Orchard Villas/Miravale II). All of these Districts were formed to levy and collect assessments against the lots or parcels of land within such districts to pay for the costs and expenses of operating, maintaining, and servicing improvements and facilities located within public places within the boundaries of the Districts.

Each year the City is required to approve an updated Engineer's Annual Levy Report for the District that describes the District and the proposed levy and collection of assessments upon eligible parcels of land within the District. This report is presented at a public hearing to give the public an opportunity to comment.

Review & Analysis

With the formation of the various districts, as approved by the property owners pursuant to a mailed ballot election conducted in accordance with Article XIII D of the California Constitution, the City Council in subsequent fiscal years thereafter has the ability to impose the initial maximum assessment rate that was established at the year of formation which can be adjusted on an annual basis by the Consumer Price Index (CPI) of the San Francisco-Oakland-Hayward area. Notwithstanding the fact that the maximum assessment rate is adjusted on an annual basis, the maximum assessment is not always assessed on all or any of the properties within a given district, and in some cases, where a district has been formed prior to the time that all of the involved public improvements have been constructed, properties may be assessed with a minimal assessment simply to cover administrative costs.

The City Council must order, by Resolution, to levy and collect assessments against the assessable lots and parcels of land within each District for that portion of the fiscal year commencing July 1, 2024, and ending June 30, 2025 to pay applicable operating, maintenance and service costs and expenses of identified improvements.

On May 15, 2024, the City Council approved Resolution Nos. 6082 and 6083 setting the public hearing and preliminarily approving the Engineer's Annual Levy Report for the Diamond Ridge Benefit Assessment District No. 1 (Diamond Ridge Phase 1) and Diamond Ridge Parks and Open Space Maintenance Assessment District No. 1 (Miravale 1, Phase 1). The public hearing was set for June 19, 2024.

On May 15, 2024, the City Council approved Resolution No. 6086 setting the public hearing and preliminarily approving the Engineer's Annual Levy Report for the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District. The public hearing was set for June 19, 2024.
On May 15, 2024, the City Council approved Resolution Nos. 6084 and 6085 setting the public hearing and preliminarily approving the Engineer's Annual Levy Report approved the Parks and Open Space Maintenance Assessment District No. 1, Annexation No. 1 (Orchard Villas/Miravale II) and Benefit Assessment District No. 2 (Orchard Villas/Miravale II). The public hearing was set for June 19, 2024.
The attached resolutions, if approved, will provide final approval of the Engineer's Annual Levy Report for each district, authorize the levy and collection of said assessments and order the maintenance, operating and/or servicing of the improvements identified in each Engineer's Annual Levy Report. It is worth noting that the Engineer's Annual Levy Reports establish both a "recommended" Fiscal Year 2024-2025 assessment as well as the "maximum" Fiscal Year 2024-2025 assessment for each parcel in each district.

Consideration and action on the five (5) resolutions should only be taken after public hearings on said matters have been completed. Once the resolutions are approved, Staff will forward the documents to the County so that the assessments can be paid through the property tax roll system.

The table below shows a summary of the maximum allowable assessments, recommended Fiscal Year ("FY") 2024-2025 assessments and previous year's assessments. Preliminary Annual Engineer's Reports for each District are available for review in the City Clerk's Office. On behalf of the City, DTA reviewed all the City's maintenance and benefit assessment districts' fund balances and has recommended the following assessments for each of the districts for Fiscal Year 2024/2025:

City of Soledad

Historical MAD and BAD Yearly Assessment per EDU

FUND	Description	Short Description	FY 24/25 Maximum Assessment Allowable	Rates Applied Per EDU[1]						
				FY[2] 24/25	FY 23/24	FY 22/23	FY 21/22	FY 20/21	FY 19/20	FY 18/19
647	Rancho San Vicente-CHISPA	San Vicente	$819.66	$819.66	$795.79	$772.61	$750.11	$728.26	$707.05	$686.46
649	Diamond Ridge Assessment PH 1	BAD #1	$490.68	$255.68	$243.08	$238.10	$223.39	$211.31	$201.24	$151.72
650	Diamond Ridge Assessment Parks	MAD#1	$475.14	$475.14	$457.89	$439.47	$418.56	$403.21	$398.78	$209.08
651	Miravale Orchard Landscaping	MAD #1,	$1,360.87	$610.57	$649.76	$676.15	$625.75	$595.95	$567.57	$548.22
652	Miravale Orchard Benefit	Annex No. 1 BAD #2	$281.16	$281.16	$274.66	$260.84	$247.96	$244.13	$237.24	$229.16

[1] Rates are only applied, and do not reflect approved Maximum Assessment Rates.
[2] Levy for FY 24/25 is the Proposed Rate per EDU (Equivalent Dwelling Unit).

All five Assessment Districts' proposed levies are generally following FY 23/24's patterns; and, as such, the respective increases of the proposed assessments are due to the 3% annual adjustment for

Rancho San Vicente - CHISPA and by CPI inflation adjustments for three of the other four districts.

The total assessment intended to be collected for the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District is $819.66 per lot. Funds collected for this assessment are used for park maintenance, street landscaping, parkway water charges, park water charges, park electrical charges, sound wall maintenance, street lighting electrical and replacement.

The total assessment intended to be collected for the Diamond Ridge Benefit Assessment District No. 1 (Diamond Ridge, Phase I) is $255.68 per lot. Funds collected for this assessment are to be used for routine maintenance and dredging of the percolation pond, street sweeping, storm drain repair and maintenance, engineering plans and specifications, inspection and overhead.

The total assessment intended to be collected for the Diamond Ridge Parks and Open Spaces Maintenance District No. 1 (Miravale I, Phase I) is $475.14 per lot. Funds collected for this assessment are to be used for maintenance of the parks, playgrounds, streets and landscaping, street landscape water charges, park water charges, park electrical charges, planter wall maintenance, sound wall replacement and painting, street lighting electrical and replacement.

The total assessment intended to be collected for the Parks and Open Space Maintenance Assessment District No. 1 (Orchard Villas/Miravale II) is $610.57 per lot, a reduction from last year. Funds collected for this assessment are to be used for maintenance of the parks, streets and landscaping, street landscape water charges, park water charges, park electrical charges, planter wall maintenance, sound wall replacement and painting, street lighting electrical and replacement. The assessment reduction is due to the addition of new parcels within the District, which results in total costs being spread over a greater number of parcels than in the preceding year.

The total assessment intended to be collected for the Benefit Assessment District No. 2 (Orchard Villas/Miravale II) is $281.16 per lot. Funds collected for this assessment are used for routine maintenance such as street sweeping, repairs, replacement, electric current, supervision, debris removal, pest abatement, engineering and inspection, and any other items of work necessary and incidental for the proper maintenance and operation.

DTA has prepared and filed a Final Engineer's Report ("Report(s)") for each District and recommends funding each District with the assessments shown in the table above. The Reports are available in the City Clerk's office for review.

Financial Considerations

All costs incurred by the City in the preparation and administration of the involved assessment districts will be charged against each district and paid by affected property owners. The costs include all maintenance as well as costs to service the districts including City administration, required engineer's reports, contingency reserves and the County fee. The total collected and anticipated to be expended in the 2024-2025 year per district is listed below:

$109,834.44	647 - Rancho San Vicente
$88,720.91	649 - Diamond Ridge BAD
$164,873.58	650 - Diamond Ridge MAD
$338,990.80	651 - Miravale Orchard MAD
$156,098.78	652 - Miravale Orchard BAD
$820,805.26	**Total Assessed and Collected**

Alternatives

- Adopt the recommended resolutions.
- Do not approve the attached resolutions; this alternative is not recommended as the City does not have funding to provide the services needed without these Assessments.

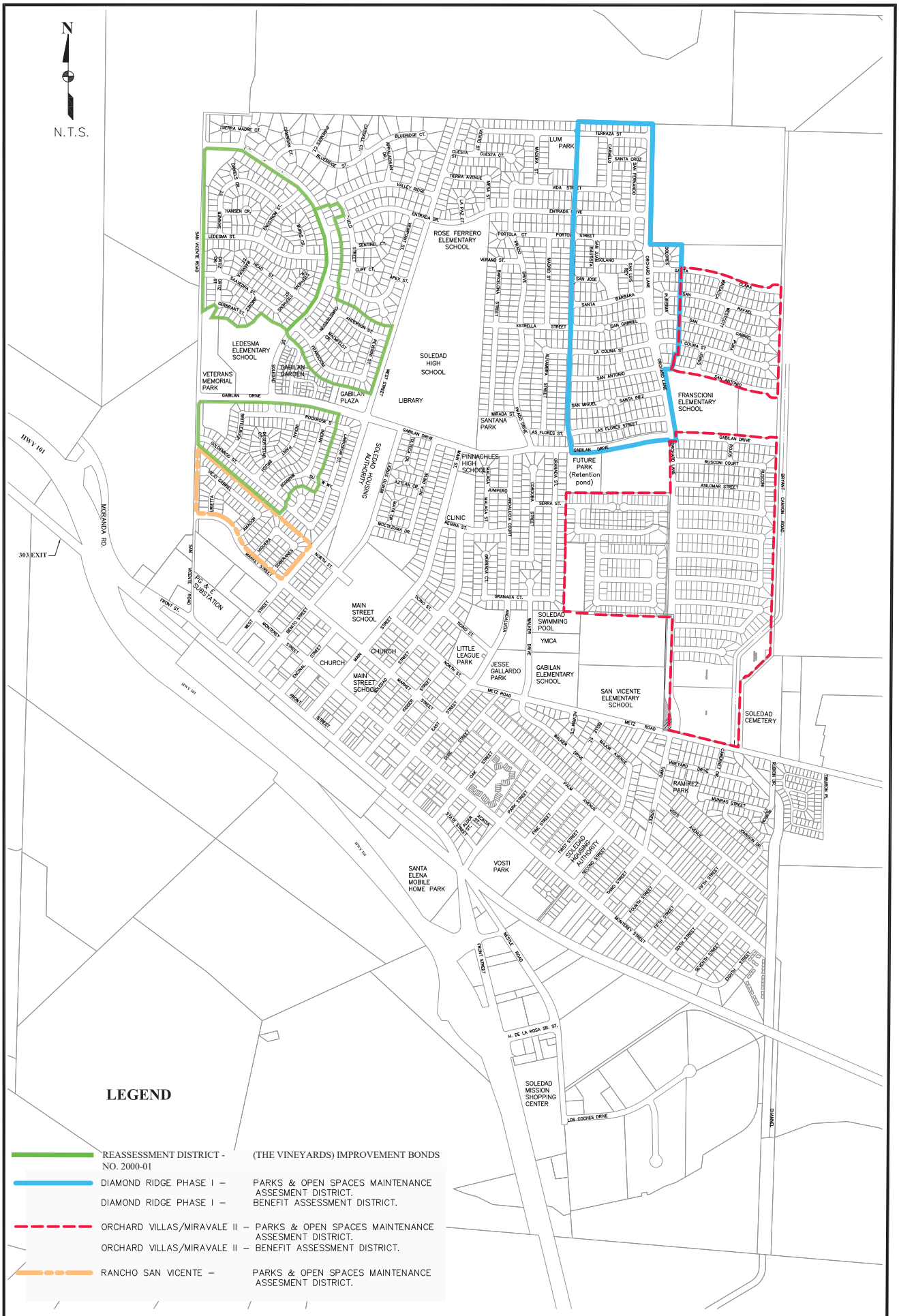
Planning/CEQA

The City has determined that ordering to levy and collect annual assessments is exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) pursuant to State CEQA Guidelines, Sections 15061, subd. (b)(3) and 15273. The amendments adjust District fees that are used to meet District operating expenses and have no possibility of causing significant environmental effects.

Public Notice Requirements

The Public Hearing Notice for all five districts was published on May 29, 2024 in the Salinas Valley Tribune.

Attachment(s):
Assessment_District_Map
1. Resolution No. 6105 and Engineer Report - BAD Diamond Ridge No. 1 Levy FY24-25
2. Resolution No. 6106 and Engineer Report - MAD Diamond Ridge No. 1 Levy FY24-25
3. Resolution No. 6107 and Engineer Report - MAD Orchard Villa-Miravalle II Levy FY24-25
4. Resolution No. 6108 and Engineer Report - BAD Orchard Villas-Miravale II Levy FY24-25
5. Resolution No. 6109 and Engineer Report - MAD Rancho San Vicente Levy FY24-25



CITY OF SOLEDAD - DEPARTMENT OF PUBLIC WORKS
ASSESSMENT DISTRICTS

Exhibit A
April 2022

RESOLUTION NO. 6105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE DIAMOND RIDGE BENEFIT ASSESSMENT DISTRICT NO. 1 (DIAMOND RIDGE, PHASE I) FOR FISCAL YEAR 2024/2025

The City Council of the City of Soledad, California (hereinafter referred to as the "City") does resolve as follows:

WHEREAS, the City Council has by previous Resolutions initiated proceedings and declared its intention to levy assessments for the Diamond Ridge Benefit Assessment District No. 1 (hereafter referred to as the "District") for the fiscal year commencing July 1, 2024 and ending June 30, 2025 pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of Part 1 of Division 2, Article 4 of the Government Code of California, beginning with Section 54703* (hereafter referred to as the "Act") to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within public places within the boundaries of the District; and,

WHEREAS, DTA has prepared and filed with the City Clerk, and the City Clerk has presented to the Council, the Engineer's Annual Levy Report (hereafter referred to as the "Report") for the District that describes the District and the proposed levy and collection of assessments upon eligible parcels of land within the District, and the Council did by previous Resolution give preliminary approval of said Report; and,

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2024 and ending June 30, 2025 to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within the boundaries of the District; and,

WHEREAS, this City and DTA have reviewed the provisions of Section XIIID of the California State Constitution and found that the proposed assessments comply with these provisions.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF SOLEDAD FOR THE DIAMOND RIDGE BENEFIT ASSESSMENT DISTRICT NO. 1 AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests, and communications made or filed by interested persons regarding these matters.

Section 2 Based upon its review (and amendments, as applicable) of the Report, the City Council hereby finds and determines that:

i) the land within the District will receive special benefit by the operation, maintenance, and servicing of improvements and facilities located in public places within the boundaries of the District; and,

ii) the District includes all of the lands so benefited; and,

iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the fiscal year commencing July 1, 2024 and ending June 30, 2025 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services. This Fiscal Year assessment for the Diamond Ridge Benefit Assessment District No.1 is $255.68 per parcel.

Section 3 The Report and assessments as presented to the City Council and on file in the Office of the City Clerk are hereby confirmed as filed and approved by the City Council.

Section 4 The maintenance, operation, and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the maintenance and operation of the following described improvements of a local nature on public lands within said District including street sweeping, storm drain lines, storm retention pond silt removal, bank stabilization and restoring percolation, including necessary cleaning, repairs, replacement, electric current, supervision, debris removal, engineering and supervision and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. The Report describes all new improvements or substantial changes in existing improvements.

Section 5 The County Auditor of the County of Monterey shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6 The City Finance Director shall deposit all money representing assessments collected by the County for the District to the credit of a fund known as the "Improvement Fund, City of Soledad, Diamond Ridge Benefit Assessment District No. 1" and such monies shall be expended only for the maintenance, operation, and servicing improvements and facilities as described in Section 4.

Section 7 The adoption of this Resolution constitutes the District levy for the fiscal year commencing July 1, 2024 and ending June 30, 2025.

Section 8 The City Clerk or their designate is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

PASSED, APPROVED and **ADOPTED** this 19th day of June 2024 by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Manager

www.FinanceDTA.com

FINAL ENGINEER'S REPORT

DIAMOND RIDGE

BENEFIT ASSESSMENT DISTRICT NO. 1

FUND #649

CITY OF SOLEDAD | COUNTY OF MONTEREY

Beginning Fiscal Year: 2024-2025

Intent Meeting: May 15, 2024

Public Hearing: June 19, 2024

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CITY COUNCIL AND STAFF

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MAYOR PRO TEMPORE

Maria Corralejo

COUNCIL MEMBERS

Fernando Cabrera

Fernando Ansaldo-Sanchez

PUBLIC WORKS DIRECTOR

Donald Wilcox, P.E.

PROFESSIONAL SERVICES

ASSESSMENT ENGINEERING

Stephen A. Runk, P.E.

DTA

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APPENDICES

APPENDIX A ASSESSMENT ROLL

I AFFIDAVIT AND CERTIFICATES

CITY OF SOLEDAD

DIAMOND RIDGE
BENEFIT ASSESSMENT DISTRICT NO. 1

This Engineer's Report ("Report") and the enclosed descriptions, budget, and assessment diagram outlines the District and includes the proposed assessments for each lot, parcel, and subdivision of land within said District to be levied for Fiscal Year 2024-2025 as they existed at the time of the passage of the Resolution of Intention.

Reference is hereby made to the Monterey County Assessor's Maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated this _____ day of _____, 2024.

DTA
Assessment Engineer
On Behalf of the City of Soledad

By: _____
Kuda Wekwete
Project Manager

By: _____
Stephen A. Runk, P.E.
License Number: C23473

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Soledad, California, on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

II ENGINEER'S REPORT

WHEREAS, the City Council of the City of Soledad ("City"), pursuant to the provisions of the Benefit Assessment Act of 1982, Chapter 64 of Division 2 of the California Government Code ("1982 Act"), adopted its resolution ("Resolution") initiating proceedings for the levy of Fiscal Year 2024-2025 assessments against properties in the Diamond Ridge Benefit Assessment District No. 1 (the "District") to fund maintenance and operation of street and storm water improvements that have been determined to specially benefit properties in the District ("Improvements").

WHEREAS, the Resolution designates DTA as Assessment Engineer and directed the Assessment Engineer to prepare and file a report ("Engineer's Report" or "Report") pursuant to the 1982 Act and Article XIIID of the California Constitution ("Proposition 218").

This Report includes the following sections:

- **Plans and Specifications** – Plans and specifications for services to be provided. Plans and specifications are a part of this Report whether or not separately bound.
- **Cost Estimate** – An estimate of the annual cost of services to be provided. Also included, are administrative and incidental costs that include maintenance, reserve, repairs, and rehabilitation expenses.
- **Assessment Roll** – An assessment roll, showing the amount to be assessed against each parcel of real property within this District and the names and addresses of the property owners. An Assessor's Parcel number or other designation describes each parcel. Each parcel is also assigned an "assessment number" that links the Assessment Roll to the Assessment Diagram.
- **Method of Assessment** – A statement of the method by which the Assessment Engineer determined the amount to be assessed against each parcel, based on special benefits to be derived by each parcel from the services.
- **Assessment Diagram** – A diagram showing all of the parcels of real property to be assessed within this District. The diagram corresponds with the Assessment Roll by assessment number.
- **Termination of District/Limitations of Report –** A statement as to the duration of the District and the accuracy of the data and information necessary for the development of this annual Report.

NOW THEREFORE, the undersigned, acting as an agent for DTA, Assessment Engineer for the District, by virtue of the power vested under the 1982 Act and the order of the City, hereby submits this Engineer's Report and makes the following assessment to cover the portion of the estimated costs of the Improvements, including the incidental costs and expenses, to be paid by the District.

The net assessment in Fiscal Year 2024-2025 is summarized in Table 1.

Table 1: Net Assessment for Fiscal Year 2024-2025

Item	Amount
Maintenance Costs	$25,702
Capital Improvement Costs	$289,001
Administration Costs	$40,928
Levy Adjustments (Reserve Fund Credit)	($266,910)
Net Assessment*	$88,721

***Note**: Figures may not sum due to rounding.

DTA does hereby assess the net amount to be assessed upon all assessable lots or parcels of land within the District by apportioning the amount allocable among the several lots or parcels of each in proportion to the estimated special benefits to be received by each such lot or parcel from the Improvements, as more particularly set forth in the list attached as Appendix A ("Assessment Roll") and by this reference made as part of this Engineer's Report. The District diagram appearing herein is a representation of the assessment diagram that was approved by resolution of the City Council. Reference is hereby made to the Assessor's Maps of the County of Monterey for Fiscal Year 2024-2025 for a more particular description of the properties within the District. Each parcel of land assessed is described on the Assessment Roll by reference to its parcel number as shown on the County of Monterey Assessment Roll.

DTA

_____ _____

Kuda Wekwete
Managing Director

Date

_____ _____

Stephen A. Runk, P.E.
License Number: C23473

Date

III PLANS AND SPECIFICATIONS

The plans, specifications, and studies of the Improvements for this District are voluminous and will not be bound in this Report, but by this reference are incorporated as if attached to this Report. The plans and specifications are on file with the City of Soledad and/or the County of Monterey, California.

A Description of the District

The District is generally bounded by the northerly boundary of Miravale, Phase I Tract Map to the north, Gabilan Drive to the south, Orchard Lane to the east, and Toledo Street to the west. A District diagram incorporated herein under Section VII of this Report outlines the boundaries of the District. This diagram incorporates all lots, parcels, and subdivisions of land within the District as the same existed at the time this Report was prepared, a complete listing of which is provided in **Appendix A** of this Report.

B District Improvements, Facilities, and Services

The following descriptions, provided in the formation documents of the District, identify the types of improvements that will be maintained by the District. Detailed maps and descriptions of these improvements are on file with the City and are available for inspection in the office of the City Engineer and have been incorporated into this Report by reference.

B.1 Street Improvements

The maintenance and operation of the improvements located on the streets within the District includes street sweeping, storm drain lines, including necessary cleaning, repairs, replacement, electric current, supervision, debris removal, engineering and inspection, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. Additionally, maintenance and operation includes all additions, improvements, and enlargements which may be made on the previously described work within the following streets and on appurtenant improvement plans.

Improvements that are covered under the maintenance and operations of the District are located on the following streets: Toledo Street (East Half), Orchard Lane, Gabilan Drive, San Antonio, Santa Ynez, San Miguel, Los Flores Street, La Colina Street, Estrella Street, San Gabriel, Vista Avenue, Santa Barbara, San Jose, Solano, San Luis Rey, San Juan Bautista, Portola Street, Entrada Drive, San Fernando, Vida Street, Carmelo Street, Santa Cruz, Terraza Street, Dolores, Santa Clara, La Purisima, and San Rafael.

B.2 Storm Water Improvements

Maintenance and operation includes storm retention pond silt removal, bank stabilization and restoring percolation, including necessary cleaning, repairs, replacement, electric current, supervision, debris removal, pest abatement, engineering and inspection, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. Additionally, maintenance and operation includes all additions, improvements, and enlargements which may be made on the previously described work within the following area and on appurtenant improvement plans.

B.3 Incidental and Other Expenses

Incidental costs include contingencies and assessment district incidentals such as engineering, printing, notices to property owners, collection costs, legal fees, administration, and supervision.

IV COST ESTIMATE

Applicable law requires the Engineer's Report to contain an estimate of the costs of the Improvements for Fiscal Year 2024-2025, including estimates of (i) the total costs for Improvements for Fiscal Year 2024-2025, including incidental expenses, (ii) the amount of any surplus in the improvement fund to be carried over from a previous Fiscal Year, (iii) the amount of any contributions to be made from sources other than assessments levied pursuant to this part, (iv) the amount, if any, of the annual installment for the Fiscal Year where the legislative body has ordered an assessment for the estimated cost of any improvements to be levied and collected in annual installments, and (v) the net amount to be assessed upon assessable lands within the District. Estimates of these amounts are provided below.

The following describes the costs that are funded through the District.

A Costs of Improvements

A.1 Projected Annual Maintenance Costs & Capital Improvement Costs

Included in the City's Public Works Department Budget Request are estimated costs for the annual maintenance, servicing and funding of all improvements within the District. District direct maintenance expenses are estimated at $25,702 for Fiscal Year 2024-2025 as shown in Table 2a below. District's direct capital improvement costs are estimated at $289,001 for Fiscal Year 2024-2025 as shown in Table 2b below.

Table 2a: Projected Annual Direct Maintenance Costs

Item Description	Cost Estimate
Percolation Pond	$6,781
Street Sweeping	$14,206
Storm Drain Repair/Maintenance	$3,358
Engineering	$1,357
City Inspection and Overhead	$0
Reserve Collection/(Transfer)	$0
Total*	**$25,702**

***Note**: Figures may not sum due to rounding.

Table 2b: Projected Capital Improvement Costs

Item Description	Cost Estimate
Crack Seal / Slurry Seal Project*	$289,001
Total	**$289,001**

*Funded by the available funds in the capital reserve account.

A.2 Projected Annual Administration Costs

In addition to the costs listed above, there will be costs attributed to the administration of the District. As shown in Table 3, the District administration costs are estimated to be $40,928 for Fiscal Year 2024-2025. These costs are summarized below.

Table 4: Projected Annual Administration Costs

Item Description	Cost Estimate
City Administration	$26,816
Contingency	$2,583
District Administration	$5,000
Printing and Advertising	$1,323
County Collection	$5,205
Total*	**$40,928**

***Note**: Figures may not sum due to rounding.

A.3 Projected Annual Levy Adjustment

Finally, in addition to the costs listed above, certain levy adjustments will be made to account for any operating or capital reserve credits or required capital collections to the District's reserve fund. As shown in Table 4, an Operating Reserve Credit of $53,050 and Capital Reserve Credit of $289,001 have been applied to offset the required Capital Reserve Collection of $75,141. Therefore, a net total of $266,910 Reserve Fund Credit has been applied to the Fiscal Year 2024-2025 assessment.

Table 5: Projected Annual Levy Adjustment

Item Description	Cost Estimate
Capital Reserve Collection	$75,141
Operating Reserve Credit	($53,050)
Capital Reserve Credit	($289,001)
Total	**($266,910)**

B Annual Cost Indexing

B.1 City/District Administration, Printing, and Advertising

With the passage of Proposition 218, any proposed increase in assessments must be approved by impacted property owners via a mail ballot and public hearing process, similar to these proceedings. A weighted simple majority of ballots received (weighted according to each parcel's proportionate assessment obligation) must be affirmative for the City Council to confirm and levy the increased assessments. For small assessment districts or districts with relatively low dollar assessments, the cost of an Engineer's Report, balloting, and the public hearing process can potentially

exceed the total amount of the increase. The incidental costs of these proceedings may be added to the assessments, resulting in even higher assessments.

Therefore, indexing assessments annually to the published "San Francisco Consumer Price Index for Urban Consumers" ("SF CPI") allows for minor increases in normal maintenance and operating costs, without incurring the costs of ballot proceedings required by Proposition 218. Any other significant changes to the District (e.g., increases in service, modification of the boundary, etc.) would still require Proposition 218 proceedings and, ultimately, property owner approval.

Thus, on each July 1, commencing on July 1, 2003, the maximum authorized unit assessment rates established in these proceedings will be indexed (increased) annually by a factor equal to the published April SF CPI from the preceding Fiscal Year.

The most recent data for the increase in the SF CPI is the increase between April 2023 and April 2024 and shows an increase equal to 3.77%. Therefore, on July 1, 2024, the maximum assessment will thus be increased by 3.77%.

Since the maximum assessment is likely sufficient to cover the cost estimates for improvements and other expenses for Fiscal Year 2024-2025, an amount equal to only the total projected costs will be assessed on the property within the District. The assessment levy in future years may be any amount less than or equal to the maximum assessment in that year.

B.2 Collection Fees

The County Auditor/Controller also charges an additional 0.25% of the total amount assessed.

B.3 Reserve Collection/Transfer

The applicable law provides for a District Reserve Fund that provides for the collection of funds to cover District operations between July 1 (beginning of the Fiscal Year) and the date on which the County remits first installment of assessments collected from the property tax bills (typically January or February). Any negative amounts entries for this budget item represent transfers from the Reserve Fund to reduce the assessment in a given fiscal year. A fully funded Reserve enables the District to (i) cover operational expenses incurred in the six (6) months of the fiscal year, without any City funds from non-District accounts; and (ii) address any unforeseen or unusual expenditures that may occur during the year.

C Contributions from Other Sources

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred…" In accordance with that provision, it is determined that there will be no general benefit from the Improvements in Fiscal Year 2024-2025, as explained in Section VI of this Report.

D Annual Installments

The entire amount of the net assessment, as shown in Table 5 below, will be assessed in Fiscal Year 2024-2025.

E Net Assessment

Pursuant to the foregoing, Table 5 shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 6: Net Assessment for Fiscal Year 2024-2025

Item	Total Costs	Special Benefit Allocated	Net Assessment
Maintenance Costs (Direct)			
Percolation Pond	$6,781	100%	$6,781
Street Sweeping	$14,206	100%	$14,206
Storm Drain Repair/Maintenance	$3,358	100%	$3,358
Engineering	$1,357	100%	$1,357
City Inspection and Overhead	$0	100%	$0
Reserve Collection/Transfer	$0	100%	$0
Capital Improvement Costs (Direct)			
Crack Seal / Slurry Seal Project**	$289,001	100%	$289,001
Administration Costs			
City Administration	$26,816	100%	$26,816
Contingency	$2,583	100%	$2,583
District Administration	$5,000	100%	$5,000
Printing and Advertising	$1,323	100%	$1,323
County Collection	$5,205	100%	$5,205
Levy Adjustments			
Capital Reserve Collection	$75,141	100%	$75,141
Operating Reserve Credit	($53,050)	100%	($53,050)
Capital Reserve Credit	($289,001)	100%	($289,001)
Net Assessment*	**$88,721**	**N/A**	**$88,721**

***Note**: Figures may not sum due to rounding.

**Funded by the available funds in the capital reserve account.

V ASSESSMENT ROLL

The Assessment Engineer has prepared an Assessment Roll for the District as required by applicable law, based upon the assessment methodology described in this Engineer's Report. The Assessment Roll includes the net total assessment for Fiscal Year 2024-2025 and shows the Fiscal Year 2024-2025 assessment, assessment number, Assessor's Parcel Number, and land use designation for each parcel.

The Assessment Roll, as provided in **Appendix A**, lists the Assessor's Parcel Numbers within this Assessment District by assessment number. The assessment numbers appearing on the Assessment and the names and addresses of the property owners are as shown on the last equalized assessment roll for taxes or as known to the Assessor of Monterey County.

All parcel information has been provided to DTA by the City Public Works Department, the previous Assessment Engineer, and the County of Monterey.

VI METHOD OF ASSESSMENT

A Background

Pursuant to the 1982 Act, the legislative body establishes and determines the "estimated benefit received" by each parcel from the Improvements.

In addition, Article XIIID of the California Constitution, added in November 1996 through the passage of Proposition 218 by voters of the State of California, requires, inter alia, that (i) only special benefits be assessable, (ii) no assessment may exceed the proportional special benefit conferred on the parcel assessed, and (iii) publicly owned parcels shall not be exempt from assessment unless clear and convincing evidence demonstrates that such publicly owned parcels receive no special benefits from the improvements for which the assessment is levied.

"Special benefit" is a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large. Importantly, the general enhancement of property value does not constitute special benefit. As such, this Engineer's Report has been designed to comply with these requirements, as well as to incorporate recent California court decisions such as: *Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (2008), Beutz v. County of Riverside (2010), Golden Hills Neighborhood Association v. City of San Diego (2011),* and *Concerned Citizens v. West Point Fire Protection District (2011)*.

Methodologically, it is necessary and essential to identify the special benefit that the improvements, facilities, and services will render to the properties within the District. It is also necessary that the properties receive a special and direct benefit as distinguished from benefit to the general public.

The Assessment Engineer is appointed for the purpose of analyzing the facts and determining the method and formula for apportionment of the assessment obligation to the benefited properties. For these proceedings, the City has retained the firm of DTA as the Assessment Engineer.

The Assessment Engineer makes his or her recommendation for the method of apportionment in this Engineer's Report for consideration at the public hearing. However, the final authority and action rests with the City Council after hearing all testimony and evidence presented at the public hearing. Upon conclusion of the public hearing, the City Council must make the final action in determining that the assessment has been made in direct proportion to the special benefit received.

In determining the net amount to be assessed upon parcels within the District, Section 22573 of the California Streets and Highways Code states that such amount "may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Proposition 218 further states that "no assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel," where "special benefit" means "a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large." This Section VI describes the methodology used to calculate the net amount to be assessed on each parcel within the District in proportion to the special benefit conferred on each such parcel.

B Benefits of Improvements

The benefits associated with the local landscaping improvements are shown in Table 6 below.

Table 7: Benefits from Landscaping Improvements

Landscaping Improvements
Enhanced desirability of properties through association with the improvements.
Improved aesthetic appeal of properties within the District providing a positive representation of the area.
Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
Environmental enhancement through improved erosion resistance, and dust and debris control.
Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
Enhanced environmental quality of the parcels within the District by moderating temperatures, providing oxygenation, and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods as identified in Table 7 below.

Table 8: Benefits from Street Lighting Improvements

Street Lighting Improvements
Enhanced deterrence of crime and the aid to police protection.
Increased nighttime safety on roads and highways.
Improved ability of pedestrians and motorists to see.
Improved ingress and egress to property.
Reduced vandalism and other criminal acts and damage to improvements or property.
Improved traffic circulation and reduced nighttime accidents and personal property loss.
Increased promotion of business during nighttime hours in the case of commercial properties.

C Categories of Benefit

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred on a parcel," where "Special Benefit means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large." It is therefore necessary to establish definitions of General Benefit and Special Benefit as such terms relate to the benefit to be derived from the Improvements.

The Improvements to be maintained and operated in the District were within or in areas in close proximity to the proposed developed residential lots. As a result, the developed residential lots in the District will receive 100% of the special benefits of the operation and maintenance of the Improvements. These benefits include enhanced neighborhood health and safety, improved quality of life from drainage, flood control and street improvements, protection of improved property, enhanced comfort, and increased desirability of the immediate surroundings of the residential units within the District. Importantly, because of the location of the improvements within or close to the District itself, there is no general benefit to properties outside the District or the community as a whole. Any such general benefit is so incidental and negligible that it cannot be calculated for purposes of assessment.

D Allocation of Special Benefit to Parcels

In accordance with the provisions in the formation documents, the annual maintenance and operation budget is developed for improvements located in the entire Diamond Ridge Subdivision Project. As discussed previously, developed parcels in the District are the only parcels that derive special benefit from maintenance and operations and as such, must bear the cost of these activities. However, it is anticipated that as future subdivisions develop the assessments will be prorated to reflect the District's proportionate share of the costs of a given operation and maintenance activity.

Importantly, Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. As a result, the following property will be considered exempt from the assessment: areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and right-of-way, public greenbelts and public parkways, and that portion of public property that is not developed and used for business purposes similar to private commercial, industrial, and institutional activities.

Factored development unit calculations for residential areas are as follows:

Low Density Single-Family Residential = 1.0 Unit

Future Medium Density Residential = 0.8 Unit

E Amount of Assessment

Pursuant to the foregoing, Table 8 below shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 9: Fiscal Year 2024-2025 Assessment Rates in the District

Assessment Per EDU Fiscal Year 2023-2024	Assessment Per EDU Fiscal Year 2024-2025	Max Assessment Per EDU Fiscal Year 2024-2025
$243.08	$255.68	$490.68

Table 10: Fiscal Year 2024-2025 Cost Estimate

City of Soledad Engineer's Report Diamond Ridge Benefit Assessment District No.1 - FUND #649 Fiscal Year 2024-2025 Cost Estimate			
Description	**Total Amount ($)**	**Special Benefit Apportioned to District**	**Fiscal Year 2024-2025 Total Budget (Amount Funded to District)**
(A) Annual Maintenance (Direct Costs)			
Operating Expenses			
Percolation Pond	$6,780.93	100%	$6,780.93
Street Sweeping	$14,206.36	100%	$14,206.36
Storm Drain Repair/Maintenance	$3,357.86	100%	$3,357.86
Engineering	$1,356.69	100%	$1,356.69
City Inspection & Overhead	$0.00	100%	$0.00
Reserve Collection/ (Transfer)	$0.00	100%	$0.00
(B) Capital Improvements			
Crack Seal / Slurry Seal Project*	$289,001.00	100%	$289,001.00
(C) Administration			
City Administration	$26,816.17	100%	$26,816.17
Contingency	$2,583.22	100%	$2,583.22
District Administration	$5,000.00	100%	$5,000.00
Printing & Advertising	$1,323.26	100%	$1,323.26
County Collection	$5,205.00	100%	$5,205.00
Subtotal (A+B)	**$355,630.49**	**NA**	**$355,630.49**
(D) Levy Adjustments			
Capital Reserve Collection			$75,141.43
Operating Reserve Transfer In/(Out)			-$53,050.00
Capital Reserve Transfer Out			-$289,001.00
Balance to Levy (A+B+C)	**NA**	**NA**	**$88,720.91**
(E) District Assessment			
Total EDUs Count	347		
Total Parcels Count	347		
Total Parcels Levied	347		
FY 2024-2025 Calculated Assessment per EBU	**$255.68**		
FY 2024-2025 Maximum Assessment per EBU	**$490.68**		
FY 2024-2025 Maximum Levy	**$170,265.96**		
(F) Fund Balance Information			
Beginning Fund Balance FY 2024-2025	**$594,434.58**		
Reserve Fund Adjustments	**($266,909.57)**		
Anticipated Ending Balance FY 2024-2025	**$327,525.01**		

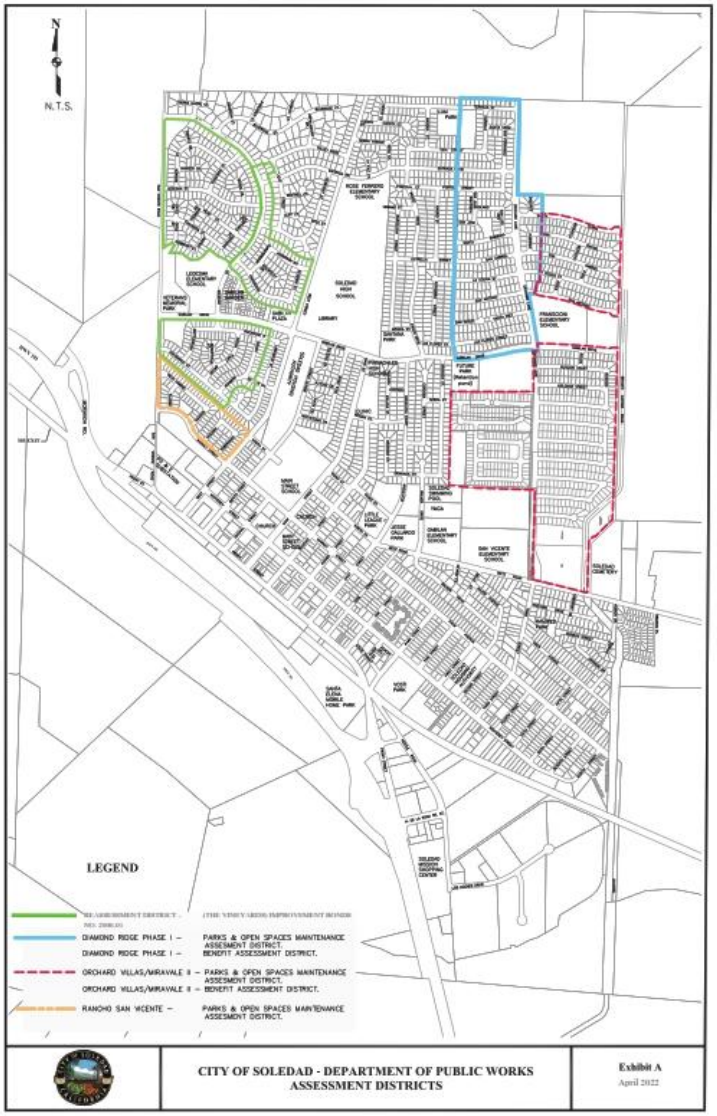
*Funded by the available funds in the capital reserve account.

VII ASSESSMENT DIAGRAM AND BOUNDARY MAP

The boundary map for the District has been previously approved and submitted to the City in the format required by the 1972 Act, and is on file in the Office of the City Clerk.

The parcels within the District generally consist of the lots, parcels, and subdivisions of land found within the following District Diagram and are based on the Monterey County Assessor's Maps and the Monterey County Assessor's information that existed at the time this Report was prepared.

Figure 1: Assessment Diagram



VIII TERMINATION OF DISTRICT/LIMITATIONS OF REPORT

A Termination of District

Assessments associated with the District will be levied each Fiscal Year until the District is dissolved by the City Council.

B Limitations of Report

The conclusions, calculations, and recommendations in this Report rely on the substantial data and information provided to DTA at the time of the writing of the Report by the following parties:

1. City of Soledad, specifically the Public Works Department;
2. The previous Assessment Engineer; and
3. The County of Monterey.

APPENDIX A

City of Soledad
Diamond Ridge Benefit Assessment District No. 1
Fiscal Year 2024-2025

ASSESSMENT ROLL

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RESOLUTION NO. 6106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE DIAMOND RIDGE PARKS AND OPEN SPACE MAINTENANCE ASSESSMENT DISTRICT NO. 1 (MIRAVALE I, PHASE I) FOR FISCAL YEAR 2024/2025

The City Council of the City of Soledad, California (hereinafter referred to as the "City") does resolve as follows:

WHEREAS, the City Council has by previous Resolutions initiated proceedings and declared its intention to levy assessments for the Diamond Ridge Parks and Open Space Maintenance Assessment District No. 1 (Miravale I, Phase I) (hereafter referred to as the "District") for the fiscal year commencing July 1, 2024 and ending June 30, 2025 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500* (hereafter referred to as the "Act") to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within the boundaries of the District; and,

WHEREAS, DTA has prepared and filed with the City Clerk, and the City Clerk has presented to the Council, the Engineer's Annual Levy Report (hereafter referred to as the "Report") for the District that describes the District and the proposed levy and collection of assessments upon eligible parcels of land within the District, and the Council did by previous Resolution give preliminary approval of said Report; and,

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2024 and ending June 30, 2025 to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within the boundaries of the District; and,

WHEREAS, this City and DTA have reviewed the provisions of Section XIIID of the California State Constitution and found that the proposed assessments comply with these provisions.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF SOLEDAD FOR THE DIAMOND RIDGE PARKS AND OPEN SPACES MAINTENANCE ASSESSMENT DISTRICT NO. 1 (MIRAVALE I, PHASE I) AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests, and communications made or filed by interested persons regarding these matters.

Section 2 Based upon its review (and amendments, as applicable) of the Report, the City Council hereby finds and determines that:

i) the land within the District will receive special benefit by the operation, maintenance, and servicing of improvements and facilities located within the boundaries of the District; and,

ii) the District includes all of the lands so benefited; and,

iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the fiscal year commencing July 1, 2024 and ending June 30, 2025 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services. This Fiscal Year assessment for the Diamond Ridge Parks and Open Spaces Maintenance Assessment District No. 1 (Miravale I, Phase I) is $475.14 per parcel.

Section 3 The Report and assessments as presented to the City Council and on file in the Office of the City Clerk are hereby confirmed as filed and approved by the City Council.

Section 4 The maintenance, operation, and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the maintenance and operation of street lights and any or all public landscaping and irrigation improvements of a local nature on landscaped strips of land adjacent to curbs of the following described streets, including jogging paths, planter walls, grass berms, appurtenant irrigation systems; ornamental plantings including lawns, shrubs, and trees; including necessary repairs, replacements, water, electric current, spraying, care, supervision, debris removal, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. The Report describes all new improvements or substantial changes in existing improvements.

Section 5 The County Auditor of the County of Monterey shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6 The City Finance Director shall deposit all money representing assessments collected by the County for the District to the credit of a fund known as the "Improvement Fund, City of Soledad, Diamond Ridge Parks and Open Space Maintenance Assessment District No. 1 (Miravale I, Phase I) and such monies shall be expended only for the maintenance, operation, and servicing improvements and facilities as described in Section 4.

Section 7 The adoption of this Resolution constitutes the District levy for the fiscal year commencing July 1, 2024 and ending June 30, 2025.

Section 8 The City Clerk or their designate is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

PASSED, APPROVED and **ADOPTED** this 19th day of June 2024 by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Manager

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FINAL ENGINEER'S REPORT

DIAMOND RIDGE

PARKS AND OPEN SPACE MAINTENANCE ASSESSMENT DISTRICT NO. 1

FUND #650

CITY OF SOLEDAD | COUNTY OF MONTEREY

Beginning Fiscal Year: 2024-2025

Intent Meeting: May 15, 2024

Public Hearing: June 19, 2024

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PUBLIC WORKS DIRECTOR

Donald Wilcox, P.E.

PROFESSIONAL SERVICES

ASSESSMENT ENGINEERING

Stephen A. Runk, P.E.

DTA

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APPENDICES

APPENDIX A ASSESSMENT ROLL

I AFFIDAVIT AND CERTIFICATES

CITY OF SOLEDAD DIAMOND RIDGE PARKS AND OPEN SPACES MAINTENANCE ASSESSMENT DISTRICT NO. 1

This Engineer's Report ("Report") and the enclosed descriptions, budget, and assessment diagram outlines the District and includes the proposed assessments for each lot, parcel, and subdivision of land within said District to be levied for Fiscal Year 2024-2025 as they existed at the time of the passage of the Resolution of Intention.

Reference is hereby made to the Monterey County Assessor's Maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated this _____ day of _____, 2024.

DTA
Assessment Engineer
On Behalf of the City of Soledad

By: _____
Kuda Wekwete
Project Manager

By: _____
Stephen A. Runk, P.E.
License Number: C23473

CITY OF SOLEDAD DIAMOND RIDGE PARKS AND OPEN SPACES MAINTENANCE ASSESSMENT DISTRICT NO. 1

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Soledad, California, on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

II ENGINEER'S REPORT

WHEREAS, the City Council of the City of Soledad ("City"), pursuant to the provisions of the Benefit Assessment Act of 1982, Chapter 64 of Division 2 of the California Government Code ("1982 Act"), adopted its resolution ("Resolution") initiating proceedings for the levy of Fiscal Year 2024-2025 assessments against properties in the Diamond Ridge Park and Open Space Maintenance Assessment District No. 1 (the "District") to fund maintenance and operation of street lights and any or all public landscaping and irrigation improvements that have been determined to specially benefit properties in the District ("Improvements").

WHEREAS, the Resolution designates DTA as Assessment Engineer and directed the Assessment Engineer to prepare and file a report ("Engineer's Report" or "Report") pursuant to the 1982 Act and Article XIIID of the California Constitution ("Proposition 218").

This Report includes the following sections:

- **Plans and Specifications** – Plans and specifications for services to be provided. Plans and specifications are a part of this Report whether or not separately bound.
- **Cost Estimate** – An estimate of the annual cost of services to be provided. Also included, are administrative and incidental costs that include maintenance, reserve, repairs, and rehabilitation expenses.
- **Assessment Roll** – An assessment roll, showing the amount to be assessed against each parcel of real property within this District and the names and addresses of the property owners. An Assessor's Parcel number or other designation describes each parcel. Each parcel is also assigned an "assessment number" that links the Assessment Roll to the Assessment Diagram.
- **Method of Assessment** – A statement of the method by which the Assessment Engineer determined the amount to be assessed against each parcel, based on special benefits to be derived by each parcel from the services.
- **Assessment Diagram** – A diagram showing all of the parcels of real property to be assessed within this District. The diagram corresponds with the Assessment Roll by assessment number.
- **Termination of District/Limitations of Report** – A statement as to the duration of the District and the accuracy of the data and information necessary for the development of this annual Report.

NOW THEREFORE, the undersigned, acting as an agent for DTA, Assessment Engineer for the District, by virtue of the power vested under the 1982 Act and the order of the City,

hereby submits this Engineer's Report and makes the following assessment to cover the portion of the estimated costs of the Improvements, including the incidental costs and expenses, to be paid by the District.

The net assessment in Fiscal Year 2024-2025 is summarized in Table 1.

Table 1: Net Assessment for Fiscal Year 2024-2025

Item	Amount
Maintenance Costs	$31,329
Administration Costs	$38,532
Levy Adjustments (Reserve Fund Debit)	$95,013
Net Assessment*	**$164,874**

***Note**: Figures may not sum due to rounding.

DTA does hereby assess the net amount to be assessed upon all assessable lots or parcels of land within the District by apportioning the amount allocable among the several lots or parcels of each in proportion to the estimated special benefits to be received by each such lot or parcel from the Improvements, as more particularly set forth in the list attached as Appendix A ("Assessment Roll") and by this reference made as part of this Engineer's Report. The District diagram appearing herein is a representation of the assessment diagram that was approved by resolution of the City Council. Reference is hereby made to the Assessor's Maps of the County of Monterey for Fiscal Year 2024-2025 for a more particular description of the properties within the District. Each parcel of land assessed is described on the Assessment Roll by reference to its parcel number as shown on the County of Monterey Assessment Roll.

DTA

_____ _____

Kuda Wekwete
Managing Director

Date

_____ _____

Stephen A. Runk, P.E.
License Number: C23473

Date

III PLANS AND SPECIFICATIONS

The plans, specifications, and studies of the Improvements for this District are voluminous and will not be bound in this Report, but by this reference are incorporated as if attached to this Report. The plans and specifications are on file with the City of Soledad and/or the County of Monterey, California.

A Description of the District

The District is generally bounded by the northerly boundary of Miravale, Phase I Tract Map (Terraza Street) to the north, Gabilan Drive to the south, Orchard Lane to the east, and Toledo Street to the west. A District diagram incorporated herein under Section VII of this Report outlines the boundaries of the District. This diagram incorporates all lots, parcels, and subdivisions of land within the District as the same existed at the time this Report was prepared, a complete listing of which is provided in **Appendix A** of this Report.

B District Improvements, Facilities, and Services

The following descriptions, provided in the formation documents of the District, identify the types of improvements that will be maintained by the District. Detailed maps and descriptions of these improvements are on file with the City and are available for inspection in the office of the City Engineer and have been incorporated into this Report by reference.

B.1 Street Light Improvements

The maintenance and operations in the District include all street light improvements within the Miravale, Phase I Subdivision.

B.2 Public Landscaping and Irrigation Improvements

Maintenance and operation of any or all public landscaping and irrigation improvements of a local nature on landscaped strips (of land adjacent to curbs within the District) includes the following: jogging paths, planter walls, grass berms, appurtenant irrigation systems, ornamental plantings including lawns, shrubs, and trees; including necessary repairs, replacements, water, electric current, spraying, care, supervision, debris removal, engineering and inspection, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. Additionally, maintenance and operation includes all additions, improvements, and enlargements which may be made on the previously described work.

Public landscaping and irrigation improvements covered under the maintenance and operations of the District are located on Gabilan Drive and Orchard Lane, and include the strip of land varying in width from face of curb lines (including planter walls) (i) along the north side of Gabilan Drive from Toledo Street to Orchard Lane, and (ii) along the east and west side of Orchard Lane from Gabilan Drive to the north

limit of Miravale, Phase I Tract Map.

B.3 Storm Water and Park Improvements

Maintenance and operation includes storm retention pond, appurtenant irrigation system, ornamental plantings including lawns, shrubs and trees; including necessary repairs, replacements, water, electric current, spraying, care, supervision, debris removal, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. Additionally, maintenance and operation includes all additions, improvements, and enlargements which may be made on the previously described work within the following area and on appurtenant improvement plans.

The following improvements are covered under the maintenance and operations of the District: Park Parcel "A" (including a storm water retention pond), San Antonio Park, Santa Barbara Park, and Peverini Park.

B.4 Incidental and Other Expenses

Incidental costs include contingencies and District incidentals such as engineering, printing, notices to property owners, collection costs, legal fees, administration, and supervision.

IV COST ESTIMATE

Applicable law requires the Engineer's Report to contain an estimate of the costs of the Improvements for Fiscal Year 2024-2025, including estimates of (i) the total costs for Improvements for Fiscal Year 2024-2025, including incidental expenses, (ii) the amount of any surplus in the improvement fund to be carried over from a previous Fiscal Year, (iii) the amount of any contributions to be made from sources other than assessments levied pursuant to this part, (iv) the amount, if any, of the annual installment for the Fiscal Year where the legislative body has ordered an assessment for the estimated cost of any improvements to be levied and collected in annual installments, and (v) the net amount to be assessed upon assessable lands within the District. Estimates of these amounts are provided below.

The following describes the costs that are funded through the District.

A Costs of Improvements

A.1 Projected Annual Maintenance Costs

Included in the City's Public Works Department Budget Request are estimated costs for the annual maintenance and servicing of all improvements within the District. District direct maintenance expenses are estimated at $31,329 for Fiscal Year 2024-2025 as shown in Table 2 below.

Table 2: Projected Annual Direct Maintenance Costs

Item Description	Cost Estimate
Parks/Street/Percolation Pond/ Landscape Maintenance	$15,588
Street Landscape Water Charges	$4,563
Park Water Charges	$6,644
Park/Landscape Electrical Charges	$652
Planter Wall Maintenance	$1,825
Sound Wall Reserve	$1,435
Street Lighting Electrical and Replacement	$621
Reserve Collection/Transfer	$0
Total*	**$31,329**

***Note**: Figures may not sum due to rounding.

A.2 Projected Annual Administration Costs

In addition to the costs listed above, there will be costs attributed to the administration of the District. As shown in Table 3, the District administration costs are estimated to be $38,532 for Fiscal Year 2024-2025. These costs are summarized below.

Table 3: Projected Annual Administration Costs

Item Description	Cost Estimate
City Administration	$27,662
District Administration	$5,000
Printing and Advertising	$665
County Collection	$5,205
Total*	**$38,532**

***Note**: Figures may not sum due to rounding.

A.3 Projected Annual Levy Adjustment

Finally, in addition to the costs listed above, certain levy adjustments will be made to account for any operating reserve credits or required capital collections to the District's reserve fund. As shown in Table 4, an Operating Reserve Collection of $31,497 and the required Capital Reserve Collection of $63,515, resulting in a total of $95,013 Reserve Fund Debit has been applied to the Fiscal Year 2024-2025 assessment.

Table 4: Projected Annual Levy Adjustment

Item Description	Cost Estimate
Capital Reserve Collection	$63,515
Operating Reserve Debit/Credit	$31,497
Total*	**$95,013**

***Note**: Figures may not sum due to rounding.

B Annual Cost Indexing

B.1 City/District Administration, Printing, and Advertising

With the passage of Proposition 218, any proposed increase in assessments must be approved by impacted property owners via a mail ballot and public hearing process, similar to these proceedings. A weighted simple majority of ballots received (weighted according to each parcel's proportionate assessment obligation) must be affirmative for the City Council to confirm and levy the increased assessments. For small assessment districts or districts with relatively low dollar assessments, the cost of an Engineer's Report, balloting, and the public hearing process can potentially exceed the total amount of the increase. The incidental costs of these proceedings

may be added to the assessments, resulting in even higher assessments.

Therefore, indexing assessments annually to the published "San Francisco Consumer Price Index for Urban Consumers" ("SF CPI") allows for minor increases in normal maintenance and operating costs, without incurring the costs of ballot proceedings required by Proposition 218. Any other significant changes to the District (e.g., increases in service, modification of the boundary, etc.) would still require Proposition 218 proceedings and, ultimately, property owner approval.

Thus, on each July 1, commencing on July 1, 2003, the maximum authorized unit assessment rates established in these proceedings will be indexed (increased) annually by a factor equal to the published April SF CPI from the preceding Fiscal Year.

The most recent data for the increase in the SF CPI is the increase between April 2023 and April 2024 and shows an increase equal to 3.77%. Therefore, on July 1, 2024, the maximum assessment will thus be increased by 3.77%.

Since the maximum assessment is likely sufficient to cover the cost estimates for improvements and other expenses for Fiscal Year 2024-2025, an amount equal to only the total projected costs will be assessed on the property within the District. The assessment levy in future years may be any amount less than or equal to the maximum assessment in that year.

B.2 Collection Fees

The County Auditor/Controller also charges an additional 0.25% of the total amount assessed.

B.3 Reserve Collection/Transfer

The applicable law provides for a District Reserve Fund that provides for the collection of funds to cover District operations between July 1 (beginning of the Fiscal Year) and the date on which the County remits first installment of assessments collected from the property tax bills (typically January or February). Any negative amounts entries for this budget item represent transfers from the Reserve Fund to reduce the assessment in a given fiscal year. A fully funded Reserve enables the District to (i) cover operational expenses incurred in the six (6) months of the fiscal year, without any City funds from non-District accounts; and (ii) address any unforeseen or unusual expenditures that may occur during the year.

C Contributions from Other Sources

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred…" In accordance with that provision, it is determined that there will be no general benefit from the Improvements in Fiscal Year 2024-2025, as explained in Section VI of this Report.

D Annual Installments

The entire amount of the net assessment, as shown in Table 5 below, will be assessed in Fiscal Year 2024-2025.

E Net Assessment

Pursuant to the foregoing, Table 5 shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 5: Net Assessment for Fiscal Year 2024-2025

Item	Total Costs	Special Benefit Allocated	Net Assessment
Maintenance Costs (Direct)			
Parks/Street/Percolation Pond/Landscape Maintenance	$15,588	100%	$15,588
Street Landscape Water Charges	$4,563	100%	$4,563
Park Water Charges	$6,644	100%	$6,644
Park/Landscape Electrical Charges	$652	100%	$652
Planter Wall Maintenance	$1,825	100%	$1,825
Sound Wall Reserve	$1,435	100%	$1,435
Street Lighting Electrical and Replacement	$621	100%	$621
Reserve Collection/Transfer	$0	100%	$0
Administration Costs			
City Administration	$27,662	100%	$27,662
District Administration	$5,000	100%	$5,000
Printing and Advertising	$665	100%	$665
County Collection	$5,205	100%	$5,205
Levy Adjustments			
Capital Reserve Collection	$63,515	100%	$63,515
Operating Reserve Debit/Credit	$31,497	100%	$31,497
Net Assessment*	**$164,874**	**N/A**	**$164,874**

***Note**: Figures may not sum due to rounding.

V ASSESSMENT ROLL

The Assessment Engineer has prepared an Assessment Roll for the District as required by applicable law, based upon the assessment methodology described in this Engineer's Report. The Assessment Roll includes the net total assessment for Fiscal Year 2024-2025 and shows the Fiscal Year 2024-2025 assessment, assessment number, Assessor's Parcel Number, and land use designation for each parcel.

The Assessment Roll, as provided in **Appendix A**, lists the Assessor's Parcel Numbers within this Assessment District by assessment number. The assessment numbers appearing on the Assessment and the names and addresses of the property owners are as shown on the last equalized assessment roll for taxes or as known to the Assessor of Monterey County.

All parcel information has been provided to DTA by the City Public Works Department, the previous Assessment Engineer, and the County of Monterey.

VI METHOD OF ASSESSMENT

A Background

Pursuant to the 1982 Act, the legislative body establishes and determines the "estimated benefit received" by each parcel from the Improvements.

In addition, Article XIIID of the California Constitution, added in November 1996 through the passage of Proposition 218 by voters of the State of California, requires, inter alia, that (i) only special benefits be assessable, (ii) no assessment may exceed the proportional special benefit conferred on the parcel assessed, and (iii) publicly owned parcels shall not be exempt from assessment unless clear and convincing evidence demonstrates that such publicly owned parcels receive no special benefits from the improvements for which the assessment is levied.

"Special benefit" is a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large. Importantly, the general enhancement of property value does not constitute special benefit. As such, this Engineer's Report has been designed to comply with these requirements, as well as to incorporate recent California court decisions such as: *Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (2008), Beutz v. County of Riverside (2010), Golden Hills Neighborhood Association v. City of San Diego (2011),* and *Concerned Citizens v. West Point Fire Protection District (2011)*.

Methodologically, it is necessary and essential to identify the special benefit that the improvements, facilities, and services will render to the properties within the District. It is also necessary that the properties receive a special and direct benefit as distinguished from benefit to the general public.

The Assessment Engineer is appointed for the purpose of analyzing the facts and determining the method and formula for apportionment of the assessment obligation to the benefited properties. For these proceedings, the City has retained the firm of DTA as the Assessment Engineer.

The Assessment Engineer makes his or her recommendation for the method of apportionment in this Engineer's Report for consideration at the public hearing. However, the final authority and action rests with the City Council after hearing all testimony and evidence presented at the public hearing. Upon conclusion of the public hearing, the City Council must make the final action in determining that the assessment has been made in direct proportion to the special benefit received.

In determining the net amount to be assessed upon parcels within the District, Section 22573 of the California Streets and Highways Code states that such amount "may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Proposition 218 further states that "no assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel," where "special benefit" means "a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large." This Section VI describes the methodology used to calculate the net amount to be assessed on each parcel within the District in proportion to the special benefit conferred on each such parcel.

B Benefits of Improvements

The benefits associated with the local landscaping improvements are shown in the Table 6 below.

Table 6: Benefits from Landscaping Improvements

Landscaping Improvements
Enhanced desirability of properties through association with the improvements.
Improved aesthetic appeal of properties within the District providing a positive representation of the area.
Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
Environmental enhancement through improved erosion resistance, and dust and debris control.
Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
Enhanced environmental quality of the parcels within the District by moderating temperatures, providing oxygenation, and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods as identified in Table 7 below.

Table 7: Benefits from Street Lighting Improvements

Street Lighting Improvements
Enhanced deterrence of crime and the aid to police protection.
Increased nighttime safety on roads and highways.
Improved ability of pedestrians and motorists to see.
Improved ingress and egress to property.
Reduced vandalism and other criminal acts and damage to improvements or property.
Improved traffic circulation and reduced nighttime accidents and personal property loss.
Increased promotion of business during nighttime hours in the case of commercial properties.

C Categories of Benefit

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred on a parcel," where "Special Benefit means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large." It is therefore necessary to establish definitions of General Benefit and Special Benefit as such terms relate to the benefit to be derived from the Improvements.

The Improvements to be maintained and operated in the District were within or in areas in close proximity to the proposed developed residential lots. As a result, the developed residential lots in the District will receive 100% of the special benefits of the operation and maintenance of the Improvements. These benefits include enhanced neighborhood health and safety, improved quality of life from drainage, flood control and street improvements, protection of improved property, enhanced comfort, and increased desirability of the immediate surroundings of the residential units within the District. Importantly, because of the location of the improvements within or close to the District itself, there is no general benefit to properties outside the District or the community as a whole. Any such general benefit is so incidental and negligible that it cannot be calculated for purposes of assessment.

D Allocation of Special Benefit to Parcels

In accordance with the provisions in the formation documents, the annual maintenance and operation budget is developed for improvements located in the entire Diamond Ridge Subdivision Project. As discussed previously, developed parcels in the District are the only parcels that derive special benefit from maintenance and operations and as such, must bear the cost of these activities. However, it is anticipated that as future subdivisions develop the assessments will be prorated to reflect the District's proportionate share of the costs of a given operation and maintenance activity.

Importantly, Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. As a result, the following property will be considered exempt from the assessment: areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and right-of-way, public greenbelts and public parkways, and that portion of public property that is not developed and used for business purposes similar to private commercial, industrial, and institutional activities.

Factored development unit calculations for residential areas are as follows:

Low Density Single-Family Residential = 1.0 Unit

E Amount of Assessment

Pursuant to the foregoing, Table 8 below shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 8: Fiscal Year 2024-2025 Assessment Rates in the District

Assessment Per EDU Fiscal Year 2023-2024	Assessment Per EDU Fiscal Year 2024-2025	Max Assessment Per EDU Fiscal Year 2024-2025
$457.89	$475.14	$475.14

Table 9: Fiscal Year 2024-2025 Cost Estimate

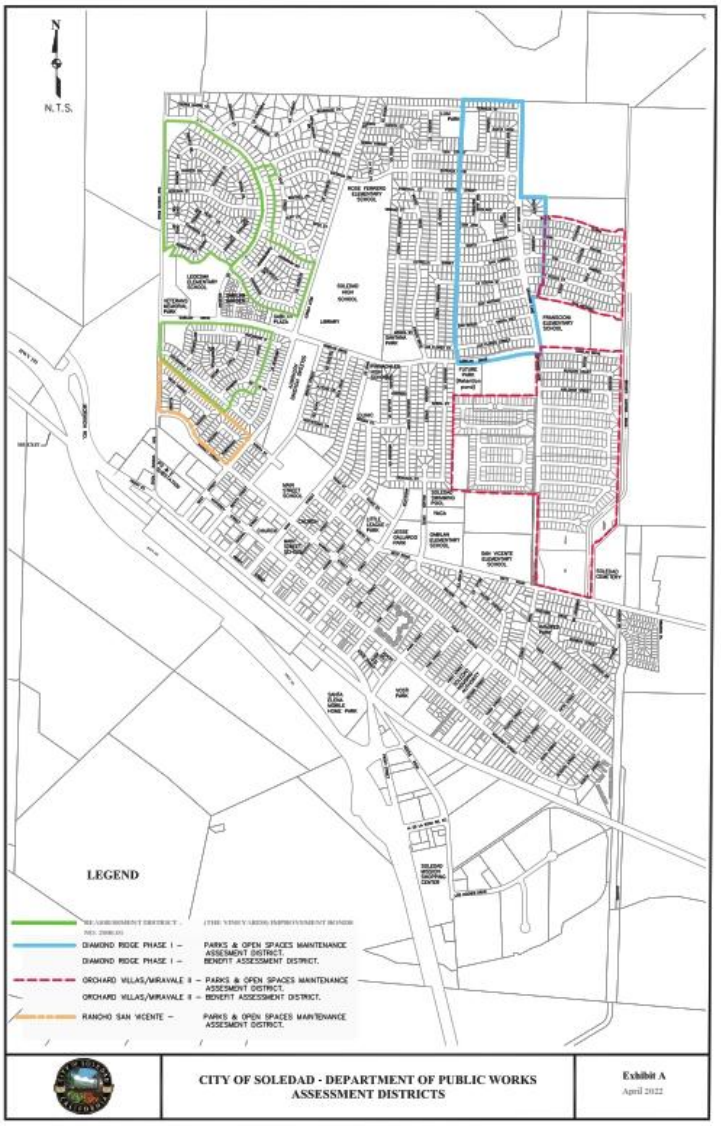
City of Soledad Engineer's Report Diamond Ridge Parks and Open Space Maintenance Assessment District No.1 - Fund #650 Fiscal Year 2024-2025 Cost Estimate			
Description	Total Amount ($)	Special Benefit Apportioned to District	Fiscal Year 2024-2025 Total Budget (Amount Funded to District)
(A) Annual Maintenance (Direct Costs)			
Operating Expenses			
Parks/Street/Percolation Pond/ Landscape Maintenance	$15,588.12	100%	$15,588.12
Street Landscape Water Charges	$4,563.36	100%	$4,563.36
Park Water Charges	$6,644.31	100%	$6,644.31
Park/Landscape Electrical Charges	$652.26	100%	$652.26
Planter Wall Maintenance	$1,825.35	100%	$1,825.35
Sound Wall Reserve (Replacement & Painting -$15K every 5 yrs.)	$1,434.72	100%	$1,434.72
Street Lighting Electrical & Replacement	$620.90	100%	$620.90
Reserve Collection / (Transfer)	$0.00	100%	$0.00
(B) Administration			
City Administration	$27,662.33	100%	$27,662.33
District Administration	$5,000.00	100%	$5,000.00
Printing & Advertising	$664.56	100%	$664.56
County Collection	$5,205.00	100%	$5,205.00
Subtotal (A+B)	$69,860.91	N/A	$69,860.91
(C) Levy Adjustments			
Capital Reserve Collection			
Santa Barbara Park ($160,000 Total)			$29,671.67
Peverini Park ($105,000 Total)			$18,095.17
Other Improvements			$15,748.61
Operating Reserve Transfer In/(Out)			$31,497.21
Balance to Levy (A+B+C)	N/A	N/A	$164,873.58
(D) District Assessment			
Total EDUs Count	347		
Total Parcels Count	347		
Total Parcels Levied	347		
FY 2024-2025 Calculated Assessment per EBU	$475.14		
FY 2024-2025 Maximum Assessment per EBU	$475.14		
FY 2024-2025 Maximum Levy	$164,873.58		
(E) Fund Balance Information			
Beginning Fund Balance FY 2024 -2025	$389,802.55		
Reserve Fund Adjustments	$95,012.67		
Anticipated Ending Balance FY 2024-2025	$484,815.22		

VII ASSESSMENT DIAGRAM AND BOUNDARY MAP

The boundary map for the District has been previously approved and submitted to the City in the format required by the 1972 Act and is on file in the Office of the City Clerk.

The parcels within the District generally consist of the lots, parcels, and subdivisions of land found within the following District Diagram and are based on the Monterey County Assessor's Maps and the Monterey County Assessor's information that existed at the time this Report was prepared.

Figure 1: Assessment Diagram



VIII TERMINATION OF DISTRICT/LIMITATIONS OF REPORT

A Termination of District

Assessments associated with the District will be levied each Fiscal Year until the District is dissolved by the City Council.

B Limitations of Report

The conclusions, calculations, and recommendations in this Report rely on the substantial data and information provided to DTA at the time of the writing of the Report by the following parties:

1. City of Soledad, specifically the Public Works Department;
2. The previous Assessment Engineer; and
3. The County of Monterey.

APPENDIX A

City of Soledad
Diamond Ridge Parks and Open Space
Maintenance Assessment District No. 1
Fiscal Year 2024-2025

ASSESSMENT ROLL

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RESOLUTION NO. 6107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE PARKS AND OPEN SPACE MAINTENANCE ASSESSMENT DISTRICT NO. 1 ANNEXATION NO. 1 (ORCHARD VILLAS/MIRAVALE II) FOR FISCAL YEAR 2024/2025

The City Council of the City of Soledad, California (hereinafter referred to as the "City") does resolve as follows:

WHEREAS, the City Council has by previous Resolutions initiated proceedings and declared its intention to levy assessments for the Parks and Open Space Maintenance Assessment District No. 1 as Annexation No. 1, Orchard Villas/Miravale II (hereafter referred to as the "District") for the fiscal year commencing July 1, 2024 and ending June 30, 2025 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500* (hereafter referred to as the "Act") to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within the boundaries of the District; and,

WHEREAS, DTA has prepared and filed with the City Clerk, and the City Clerk has presented to the Council, the Engineer's Annual Levy Report (hereafter referred to as the "Report") for the District that describes the District and the proposed levy and collection of assessments upon eligible parcels of land within the District, and the Council did by previous Resolution give preliminary approval of said Report; and,

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2024 and ending June 30, 2025 to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within the boundaries of the District; and,

WHEREAS, this City and DTA have reviewed the provisions of Section XIIID of the California State Constitution and found that the proposed assessments comply with these provisions.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF SOLEDAD FOR THE PARKS AND OPEN SPACES MAINTENANCE ASSESSMENT DISTRICT NO. 1 AS ANNEXATION NO. 1 (ORCHARD VILLAS/MIRAVALE II) AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests, and communications made or filed by interested persons regarding these matters.

Section 2 Based upon its review (and amendments, as applicable) of the Report, the City Council hereby finds and determines that:

i) the land within the District will receive special benefit by the operation, maintenance, and servicing of improvements and facilities located within the boundaries of the District; and,

ii) the District includes all of the lands so benefited; and,

iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the fiscal year commencing July 1, 2024 and ending June 30, 2025 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services. This Fiscal Year assessment for the Parks and Open Spaces Maintenance Assessment District No. 1 as Annexation No. 1 (Orchard Villas/Miravale II) is $610.57 per parcel.

Section 3 The Report and assessments as presented to the City Council and on file in the Office of the City Clerk are hereby confirmed as filed and approved by the City Council.

Section 4 The maintenance, operation, and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the maintenance, servicing, including repair, replacement, removal, and operation of landscape improvements, park maintenance, graffiti removal, water for irrigation and fountains, and associated appurtenances located within the public right-of-way and dedicated landscape easements and parks, including retention pond. Improvements within the District are generally parks, parkways and block walls located throughout the Orchard Villas and Miravale II developments. These improvements include turf, ground cover, shrubs and trees, irrigation systems, graffiti removal, and walkways. Services provided include all necessary service, operations, and maintenance required to keep the improvements in a healthy, vigorous condition and in proper working order. The Report describes all new improvements or substantial changes in existing improvements.

Section 5 The County Auditor of the County of Monterey shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6 The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund known as the "Improvement Fund, City of Soledad, Parks and Open Space Maintenance Assessment District No. 1 as Annexation No. 1, as Orchard Villas/Miravale II" and such monies shall be expended only for the maintenance, operation, and servicing improvements and facilities as described in Section 4.

Section 7 The adoption of this Resolution constitutes the District levy for the fiscal year commencing July 1, 2024 and ending June 30, 2025.

Section 8 The City Clerk or their designate is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

PASSED, APPROVED and **ADOPTED** this 19th day of June 2024 by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Manager

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FINAL ENGINEER'S REPORT

ORCHARD VILLAS/MIRAVALE II

PARKS AND OPEN SPACE MAINTENANCE ASSESSMENT DISTRICT NO. 1,

ANNEXATION NO. 1

FUND #651

CITY OF SOLEDAD | COUNTY OF MONTEREY

Beginning Fiscal Year: 2024-2025

Intent Meeting: May 15, 2024

Public Hearing: June 19, 2024

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MAYOR PRO TEMPORE

Maria Corralejo

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Fernando Cabrera

Fernando Ansaldo-Sanchez

PUBLIC WORKS DIRECTOR

Donald Wilcox, P.E.

PROFESSIONAL SERVICES

ASSESSMENT ENGINEERING

Stephen A. Runk, P.E.

DTA

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APPENDICES

APPENDIX A ASSESSMENT ROLL

I AFFIDAVIT AND CERTIFICATES

CITY OF SOLEDAD PARKS AND OPEN SPACE
MAINTENANCE ASSESSMENT DISTRICT NO. 1
ANNEXATION NO. 1, ORCHARD VILLAS/MIRAVALE II

This Engineer's Report ("Report") and the enclosed descriptions, budget, and assessment diagram outlines the District and includes the proposed assessments for each lot, parcel, and subdivision of land within said District to be levied for Fiscal Year 2024-2025 as they existed at the time of the passage of the Resolution of Intention.

Reference is hereby made to the Monterey County Assessor's Maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated this _____ day of _____, 2024.

DTA
Assessment Engineer
On Behalf of the City of Soledad

By: _____
Kuda Wekwete
Project Manager

By: _____
Stephen A. Runk, P.E.
License Number: C23473

CITY OF SOLEDAD PARKS AND OPEN SPACE MAINTENANCE ASSESSMENT DISTRICT NO. 1 ANNEXATION NO. 1, ORCHARD VILLAS/MIRAVALE II

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Soledad, California, on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

II ENGINEER'S REPORT

WHEREAS, the City Council of the City of Soledad ("City"), pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "1972 Act"), adopted its resolution ("Resolution") initiating proceedings for the levy of Fiscal Year 2024-2025 assessments against properties in the Orchard Villas/Miravale II Parks and Open Space Maintenance Assessment District No. 1, Annexation No. 1 (the "District") to fund maintenance and operation of park, landscape, and street light improvements within City streets, that have been determined to specially benefit the District ("Improvements").

WHEREAS, the Resolution designates DTA as Assessment Engineer and directed the Assessment Engineer to prepare and file a report ("Engineer's Report" or "Report") pursuant to the 1972 Act and Article XIIID of the California Constitution ("Proposition 218").

This Report includes the following sections:

- **Plans and Specifications** – Plans and specifications for services to be provided. Plans and specifications are a part of this Report whether or not separately bound.
- **Cost Estimate** – An estimate of the annual cost of services to be provided. Also included, are administrative and incidental costs that include maintenance, reserve, repairs, and rehabilitation expenses.
- **Assessment Roll** – An assessment roll, showing the amount to be assessed against each parcel of real property within this District and the names and addresses of the property owners. An Assessor's Parcel number or other designation describes each parcel. Each parcel is also assigned an "assessment number" that links the Assessment Roll to the Assessment Diagram.
- **Method of Assessment** – A statement of the method by which the Assessment Engineer determined the amount to be assessed against each parcel, based on special benefits to be derived by each parcel from the Improvements.
- **Assessment Diagram** – A diagram showing all of the parcels of real property to be assessed within this District. The diagram corresponds with the Assessment Roll by assessment number.
- **Termination of District/Limitations of Report –** A statement as to the duration of the District and the accuracy of the data and information necessary for the development of this annual Report.

NOW THEREFORE, the undersigned, acting as an agent for DTA, Assessment Engineer for the District, by virtue of the power vested under the 1972 Act and the order of the City, hereby submits this Engineer's Report and makes the following assessment to cover the portion of the estimated costs of the Improvements, including the incidental costs and expenses, to be paid by the District.

The net assessment in Fiscal Year 2024-2025 is summarized in Table 1.

Table 1: Net Assessment for Fiscal Year 2024-2025

Item	Amount
Maintenance Costs	$345,190
Administration Costs	$38,800
Levy Adjustments (Reserve Fund Credit/Debit)	($45,000)
Net Assessment*	$338,991

***Note**: Figures may not sum due to rounding.

DTA does hereby assess the net amount to be assessed upon all assessable lots or parcels of land within the District by apportioning the amount allocable among the several lots or parcels of each in proportion to the estimated special benefits to be received by each such lot or parcel from the Improvements, as more particularly set forth in the list attached as Appendix A ("Assessment Roll") and by this reference made as part of this Engineer's Report. The District diagram appearing herein is a representation of the assessment diagram that was approved by resolution of the City Council. Reference is hereby made to the Assessor's Maps of the County of Monterey for Fiscal Year 2024-2025 for a more particular description of the properties within the District. Each parcel of land assessed is described on the Assessment Roll by reference to its parcel number as shown on the County of Monterey Assessment Roll.

DTA

_____ _____

Kuda Wekwete
Managing Director

Date

_____ _____

Stephen A. Runk, P.E.
License Number: C23473

Date

III PLANS AND SPECIFICATIONS

The plans, specifications, and studies of the Improvements for this District are voluminous and will not be bound in this Report, but by this reference are incorporated as if attached to this Report. The plans and specifications are on file with the City of Soledad and/or the County of Monterey, California.

A Description of the District

The District is generally located between Orchard Lane and Granada Street, south of Gabilan Drive, west of Bryant Canyon Road, and east of Orchard Lane. A District diagram incorporated herein under Section VII of this Report outlines the boundaries of the District. This diagram incorporates all lots, parcels, and subdivisions of land within the District as the same existed at the time this Report was prepared, a complete listing of which is provided in **Appendix A** of this Report.

B District Improvements, Facilities, and Services

The following descriptions, provided in the formation documents of the District, identify the types of improvements that will be maintained by the District. Detailed maps and descriptions of these improvements are on file with the City and are available for inspection in the office of the City Engineer and have been incorporated into this Report by reference.

B.1 Landscape Improvements

Maintenance and operation includes maintenance, servicing (including repair, replacement, removal), and operation of landscape improvements, park maintenance, graffiti removal, water for irrigation and fountains, and associated appurtenances located within the public right-of-way and dedicated landscape easements.

These maintenance and operation activities are generally performed on parkways and block walls located throughout the Orchard Villas and Miravale II developments. Currently the proposed Improvements to be maintained include:

- A total of 13,343 square feet of landscaping, plus a future 61-acre park (parcel "G"), located in Orchard Villas; and
- A total of 65,790 square feet of landscaping plus a future 7.91-acre park located in Miravale II.

B.2 Street Light Improvements

Maintenance and operation related to street light improvements includes (i) the maintenance, operation, and servicing of local street lights within approximately 90 feet to certain lots and parcels and therefore provides a direct special benefit to such lots or parcels; and (ii) the maintenance, operation, and servicing of arterial street lights that provide a special benefit to all the assessable parcels within the District

whether or not such parcels are in close proximity to such lighting.

Importantly, the improvements that are covered under these maintenance and operation activities include:

- Within Orchard Villas, street lights along Orchard Lane, Villa Street, Tomasini Trail, Tankersley Street Luchessa Way, Serra Court, Rusconi Court, Camino Arroyo, Davalos Lane, Luna Drive, and Calle Valverde; and
- Within Miravale II, street lights along Bryant Canyon Road, Santa Clara, San Rafael, San Gabriel, La Colina Street, San Antonio, Jones, Westcott, Binsacca, Gabilan Drive, Rojos Way, Rusconi Court, Asilomar Street, Orchard Lane, and additional streets within the Miravale II development that are not named at this time.

B.3 Incidental and Other Expenses

Incidental costs include contingencies and assessment district incidentals such as engineering, printing, notices to property owners, collection costs, legal fees, administration, and supervision.

IV COST ESTIMATE

Applicable law requires the Engineer's Report to contain an estimate of the costs of the Improvements for Fiscal Year 2024-2025, including estimates of (i) the total costs for Improvements for Fiscal Year 2024-2025, including incidental expenses, (ii) the amount of any surplus in the improvement fund to be carried over from a previous Fiscal Year, (iii) the amount of any contributions to be made from sources other than assessments levied pursuant to this part, (iv) the amount, if any, of the annual installment for the Fiscal Year where the legislative body has ordered an assessment for the estimated cost of any improvements to be levied and collected in annual installments, and (v) the net amount to be assessed upon assessable lands within the District. Estimates of these amounts are provided below.

The following describes the costs that are funded through the District.

A Costs of Improvements

A.1 Projected Annual Maintenance Costs

Included in the City's Public Works Department Budget Request are estimated costs for the annual maintenance and servicing of all improvements within the District. District direct maintenance expenses are estimated at $345,190 for Fiscal Year 2024-2025 as shown in Table 2 below.

Table 2: Projected Annual Direct Maintenance Costs

Item Description	Cost Estimate
Landscape Maintenance (Easements)	$150,071
Park Maintenance	$101,100
Street Lights	$72,491
Graffiti	$21,528
Reserve Collection/(Transfer)	$0
Total*	**$345,190**

***Note**: Figures may not sum due to rounding.

A.2 Projected Annual Administration Costs

In addition to the costs listed above, there will be costs attributed to the administration of the District. As shown in Table 3, the District administration costs are estimated to be $38,800 for Fiscal Year 2024-2025. These costs are summarized below.

Table 3: Projected Annual Administration Costs

Item Description	Cost Estimate
City Administration	$29,198
District Administration	$5,282
Printing and Advertising	$647
County Collection	$3,673
Total*	**$38,800**

***Note**: Figures may not sum due to rounding.

A.3 Projected Annual Levy Adjustment

Finally, in addition to the costs listed above, certain levy adjustments will be made to account for any operating reserve credits or required capital collections to the District's reserve fund. As shown in Table 4, an Operating Reserve Credit of $45,000 has been applied to offset the required Capital Reserve Collection. Therefore, a net total of $45,000 Reserve Fund Credit has been applied to the Fiscal Year 2024-2025 assessment.

Table 4: Projected Annual Levy Adjustment

Item Description	Cost Estimate
Capital Reserve Collection	$0
Operating Reserve Credit	($45,000)
Total	**($45,000)**

B Annual Cost Indexing

B.1 City/District Administration, Printing, and Advertising

With the passage of Proposition 218, any proposed increase in assessments must be approved by impacted property owners via a mail ballot and public hearing process, similar to these proceedings. A weighted simple majority of ballots received (weighted according to each parcel's proportionate assessment obligation) must be affirmative for the City Council to confirm and levy the increased assessments. For small assessment districts or districts with relatively low dollar assessments, the cost of an Engineer's Report, balloting, and the public hearing process can potentially exceed the total amount of the increase. The incidental costs of these proceedings may be added to the assessments, resulting in even higher assessments.

Therefore, indexing assessments annually to the published "San Francisco Consumer Price Index for Urban Consumers" ("SF CPI") allows for minor increases in normal maintenance and operating costs, without incurring the costs of ballot proceedings required by Proposition 218. Any other significant changes to the District (e.g., increases in service, modification of the boundary, etc.) would still require Proposition 218 proceedings and, ultimately, property owner approval.

Thus, on each July 1, commencing on July 1, 2007, the maximum authorized unit assessment rates established in these proceedings will be indexed (increased) annually by a factor equal to the published SF CPI from the preceding Fiscal Year.

The most recent data for the increase in the SF CPI is the increase between February 2023 and February 2024 and shows an increase equal to 2.37%. Therefore, on July 1, 2024, the maximum assessment will thus be increased by 2.37%.

Since the maximum assessment is likely sufficient to cover the cost estimates for improvements and other expenses for Fiscal Year 2024-2025, an amount equal to only the total projected costs will be assessed on the property within the District. The assessment levy in future years may be any amount less than or equal to the maximum assessment in that year.

B.2 Collection Fees

The County Auditor/Controller also charges an additional 0.25% of the total amount assessed.

B.3 Reserve Collection/Transfer

The applicable law provides for a District Reserve Fund that provides for the collection of funds to cover District operations between July 1 (beginning of the Fiscal Year) and the date on which the County remits first installment of assessments collected from the property tax bills (typically January or February). Any negative amounts entries for this budget item represent transfers from the Reserve Fund to reduce the assessment in a given fiscal year. A fully funded Reserve enables the District to (i) cover operational expenses incurred in the six (6) months of the fiscal year, without any City funds from non-District accounts; and (ii) address any unforeseen or unusual expenditures that may occur during the year.

C Contributions from Other Sources

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred…" In accordance with that provision, it is determined that there will be no general benefit from the Improvements in Fiscal Year 2024-2025, as explained in Section VI of this Report.

D Annual Installments

The entire amount of the net assessment, as shown in Table 5 below, will be assessed in Fiscal Year 2024-2025.

E Net Assessment

Pursuant to the foregoing, Table 5 shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 5: Net Assessment for Fiscal Year 2024-2025

Item	Total Costs	Special Benefit Allocated	Net Assessment
Maintenance Costs (Direct)			
Landscape Maintenance(Easements)	$150,071	100%	$150,071
Park Maintenance	$101,100	100%	$101,100
Street Lights	$72,491	100%	$72,491
Graffiti	$21,528	100%	$21,528
Reserve Collection/(Transfer)	$0	100%	$0
Administration Costs			
City Administration	$29,198	100%	$29,198
District Administration	$5,282	100%	$5,282
Printing and Advertising	$647	100%	$647
County Collection	$3,673	100%	$3,673
Levy Adjustments			
Capital Reserve Collection	$0	100%	$0
Operating Reserve Credit	($45,000)	100%	($45,000)
Net Assessment*	**$338,991**	**N/A**	**$338,991**

***Note**: Figures may not sum due to rounding.

V ASSESSMENT ROLL

The Assessment Engineer has prepared an Assessment Roll for the District as required by applicable law, based upon the assessment methodology described in this Engineer's Report. The Assessment Roll includes the net total assessment for Fiscal Year 2024-2025 and shows the Fiscal Year 2024-2025 assessment, assessment number, Assessor's Parcel Number, and land use designation for each parcel.

The Assessment Roll, as provided in **Appendix A**, lists the Assessor's Parcel Numbers within this Assessment District by assessment number. The assessment numbers appearing on the Assessment and the names and addresses of the property owners are as shown on the last equalized assessment roll for taxes or as known to the Assessor of Monterey County.

All parcel information has been provided to DTA by the City Public Works Department, the previous Assessment Engineer, and the County of Monterey.

VI METHOD OF ASSESSMENT

A Background

Pursuant to the 1972 Act, the legislative body establishes and determines the "estimated benefit received" by each parcel from the Improvements.

In addition, Article XIIID of the California Constitution, added in November 1996 through the passage of Proposition 218 by voters of the State of California, requires, inter alia, that (i) only special benefits be assessable, (ii) no assessment may exceed the proportional special benefit conferred on the parcel assessed, and (iii) publicly owned parcels shall not be exempt from assessment unless clear and convincing evidence demonstrates that such publicly owned parcels receive no special benefits from the improvements for which the assessment is levied.

"Special benefit" is a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large. Importantly, the general enhancement of property value does not constitute special benefit. As such, this Engineer's Report has been designed to comply with these requirements, as well as to incorporate recent California court decisions such as: *Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (2008), Beutz v. County of Riverside (2010), Golden Hills Neighborhood Association v. City of San Diego (2011),* and *Concerned Citizens v. West Point Fire Protection District (2011)*.

Methodologically, it is necessary and essential to identify the special benefit that the improvements, facilities, and services will render to the properties within the District. It is also necessary that the properties receive a special and direct benefit as distinguished from benefit to the general public.

The Assessment Engineer is appointed for the purpose of analyzing the facts and determining the method and formula for apportionment of the assessment obligation to the benefited properties. For these proceedings, the City has retained the firm of DTA as the Assessment Engineer.

The Assessment Engineer makes his or her recommendation for the method of apportionment in this Engineer's Report for consideration at the public hearing. However, the final authority and action rests with the City Council after hearing all testimony and evidence presented at the public hearing. Upon conclusion of the public hearing, the City Council must make the final action in determining that the assessment has been made in direct proportion to the special benefit received.

In determining the net amount to be assessed upon parcels within the District, Section 22573 of the California Streets and Highways Code states that such amount "may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Proposition 218 further states that "no assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel," where "special benefit" means "a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large." This Section VI describes the methodology used to calculate the net amount to be assessed on each parcel within the District in proportion to the special benefit conferred on each such parcel.

B Benefits of Improvements

The special benefits associated with the local landscaping improvements are shown in the Table 6 below.

Table 6: Benefits from Landscaping Improvements

Landscaping Improvements
Enhanced desirability of properties through association with the improvements.
Improved aesthetic appeal of properties within the District providing a positive representation of the area.
Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
Environmental enhancement through improved erosion resistance, and dust and debris control.
Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
Enhanced environmental quality of the parcels within the District by moderating temperatures, providing oxygenation, and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods as identified in Table 7 below.

Table 7: Benefits from Street Lighting Improvements

Street Lighting Improvements
Enhanced deterrence of crime and the aid to police protection.
Increased nighttime safety on roads and highways.
Improved ability of pedestrians and motorists to see.
Improved ingress and egress to property.
Reduced vandalism and other criminal acts and damage to improvements or property.
Improved traffic circulation and reduced nighttime accidents and personal property loss.
Increased promotion of business during nighttime hours in the case of commercial properties.

C Categories of Benefit

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred on a parcel," where "Special Benefit means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large." It is therefore necessary to establish definitions of General Benefit and Special Benefit as such terms relate to the benefit to be derived from the Improvements. The following special benefit allocation was determined at the time the District was formed.

C.1 Landscaping

- Proper maintenance of landscaping and appurtenant facilities specially benefit parcels within the District by moderating temperatures, providing oxygenation, attenuating noise from adjacent streets, and controlling dust for those properties in close proximity to the landscaping, thereby enhancing the environmental quality of the parcels and making them more desirable;
- Spraying and treating of landscaping for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout the properties within the District; and
- Proper maintenance of the landscaping, ornamental structures, and appurtenant facilities (i) reduces property-related crimes (especially vandalism) against properties in the District through the abatement of graffiti and the screening of properties within the Annexation from arterial streets; and (ii) improves the attractiveness of properties within the District and provides a positive visual experience.

C.2 Street Lighting

The special benefit from the maintenance, operation, and servicing of street lighting within the District only accrues to parcels within the District located in areas where such lighting is provided. Therefore, parcels within the District, regardless of location, are considered to benefit from such improvements installed within the District.

C.3 Parks

The special benefit from the maintenance of park improvements is determined based on the potential use by the property owners within the District. Based on City standards, it has been determined that each parcel within the District will benefit from one-tenth (1/10) of each acre of developed parkland within the City. Using this projection, the total number of acres, and future population, only approximately 80% of the proposed parks maintenance within the Annexations will be assessed towards the Annexation parcels.

As a result, properties in the District will receive 100% of the special benefits of the operation and maintenance of the Improvements. Importantly, because of the location of the Improvements within or close to the District itself, there is no general benefit to properties outside the District or the community as a whole. Any such general benefit is so incidental and negligible that it cannot be calculated for purposes of assessment.

D Allocation of Special Benefit to Parcels

Each fiscal year, the Maximum Assessment Rate per EDU plus the cost-of-living adjustment (CPI) will be determined, and be brought before the City Council for approval prior to the start of the fiscal year. Additionally, improvements within the District will be reviewed to determine the extent of the improvements accepted for maintenance by the City. If it is determined that a portion of the improvements has either not been installed, or is installed but not accepted by the City for maintenance, a credit will be applied to Maximum Assessment rate per EDU. The credit will equal the portion of the annual maintenance costs associated with any improvements that have not been accepted for maintenance, and will be reflected in the final assessments placed on the County tax rolls for the fiscal year. This process will continue until such time that all improvements are complete and fully accepted by the City for maintenance.

As discussed previously, parcels in the District are the only parcels that derive special benefit from maintenance and operations and as such, must bear the cost of these activities. In accordance with the formation documents for the District, for each fiscal year the development status of parcels within the District will be reviewed to determine whether parcels are developed or vacant as described below. Each parcel within the District will then be assigned to one of the following four (4) categories based on that parcel's development status:

D.1 Developed Accepted

This category includes parcels that have been developed and for which the City has accepted maintenance responsibilities. These parcels will be charged for their proportionate share of Total Direct Maintenance and Administration Expenses, based on each parcel's share of the Maximum Assessment.

D.2 Developed Not Accepted

This category includes parcels that have been or are in the process of being developed and for which the City is not expecting to accept maintenance responsibilities in the upcoming fiscal year. These parcels will be charged for their proportionate share of the Administration Expenses and Storm Drain Maintenance Expenses, based on each parcel's share of the Maximum Assessment.

D.3 No Development

This category includes parcels that have not been developed and the City is not expecting to accept maintenance responsibilities for the upcoming fiscal year. These parcels will be charged for their proportionate share of the Total Administration Expenses based on each parcel's share of the Maximum Assessment.

D.4 Pending Annexation

This category includes parcels that are within the boundaries of the District but have not been annexed into the City. These parcels will not be charged for any expenses.

Importantly, Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. As a result, the following property will be considered exempt from the assessment: areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and right-of-way, public greenbelts and public parkways, and that portion of public property that is not developed and used for business purposes similar to private commercial, industrial, and institutional activities.

Each parcel in the District is assigned a weighting factor known as an Equivalent Dwelling Unit ("EDU"). The following shows the EDU factors for each property type in the District:

Developed, Single-Family Residential = 1.0 EDU per Parcel

Developed, Multi-Family Residential = 1.0 EDU per Unit

Vacant Land, Future Residential = 0.3 EDU per Acre

E Amount of Assessment

Pursuant to the foregoing, Table 8 below shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 8: Fiscal Year 2024-2025 Assessment Rates in the District

Assessment Per EDU Fiscal Year 2023-2024	Assessment Per EDU Fiscal Year 2024-2025	Max Assessment Per EDU Fiscal Year 2024-2025
$649.76	$610.57	$1,360.87

Table 9: Fiscal Year 2024-2025 Cost Estimate

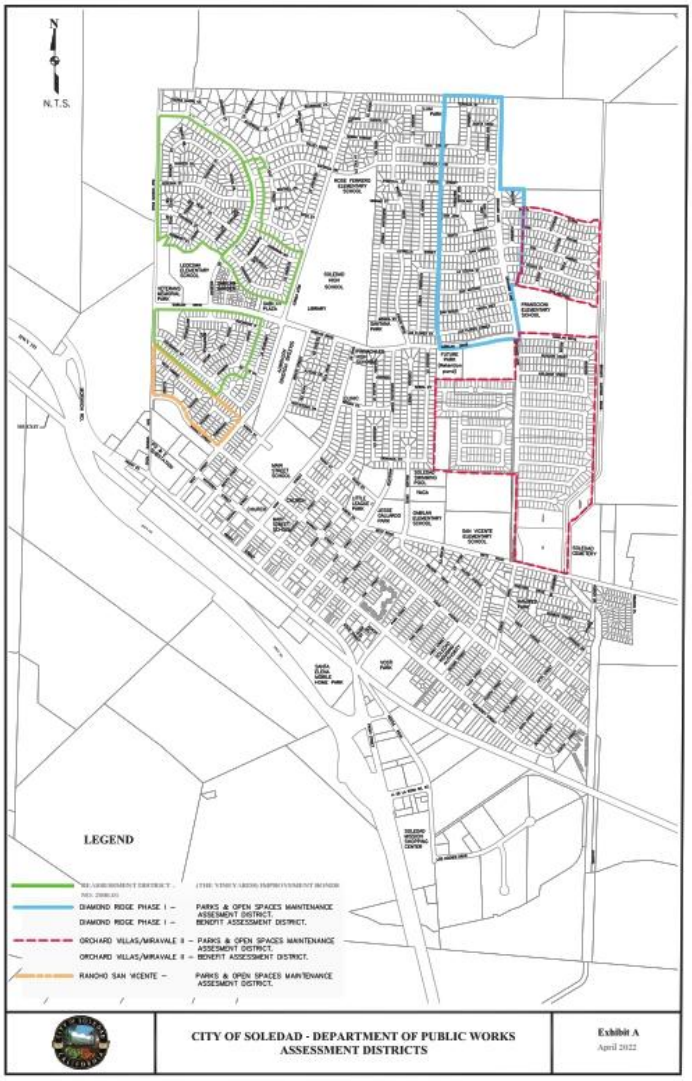
City of Soledad Engineer's Report Parks and Open Space Maintenance Assessment District No. 1, Annexation No. 1, Orchard Villas/Miravale II - Fund #651 Fiscal Year 2024-2025 Cost Estimate			
Description	**Total Amount ($)**	**Special Benefit Apportioned to District**	**Fiscal Year 2024-2025 Total Budget (Amount Funded to District)**
(A) Direct Cost			
Operating Expenses			
Landscape Maintenance (Easements)	$150,071.31	100%	$150,071
Park Maintenance	$101,100.00	100%	$101,100
Street Lights	$72,491.13	100%	$72,491
Graffiti	$21,527.88	100%	$21,528
Operating Reserve Fund Collection	$0.00	100%	$0
(B) Administration			
City Administration	$29,198.19	100%	$29,198
District Administration	$5,281.84	100%	$5,282
Printing and Advertising	$647.27	100%	$647
County Collection	$3,673.18	100%	$3,673
Subtotal (A+B)	**$383,990.80**	**NA**	**$383,991**
(C) Levy Adjustments			
Capital Reserve Collection			$0.00
Operating Reserve Credit			($45,000.00)
Balance to Levy (A+B+C)	**NA**	**NA**	**$338,990.80**
(D) District Assessment			
Total EDUs Count	555.20		
Total Parcels Count	665		
Total Parcels Levied	665		
FY 2024-2025 Calculated Assessment per EBU	**$610.57**		
FY 2024-2025 Maximum Assessment per EBU	**$1,360.87**		
FY 2024-2025 Maximum Levy	**$755,548.95**		
(E) Fund Balance Information			
Beginning Fund Balance FY 2024 -2025	**$1,372,064.57**		
Reserve Fund Adjustments	**($45,000.00)**		
Anticipated Ending Balance FY 2024-2025	**$1,327,064.57**		

VII ASSESSMENT DIAGRAM AND BOUNDARY MAP

The boundary map for the District has been previously approved and submitted to the City in the format required by the 1972 Act and is on file in the Office of the City Clerk.

The parcels within the District generally consist of the lots, parcels, and subdivisions of land found within the following Assessment Diagram and are based on the Monterey County Assessor's Maps and the Monterey County Assessor's information that existed at the time this Report was prepared.

Figure 1: Assessment Diagram



VIII TERMINATION OF DISTRICT/LIMITATIONS OF REPORT

A Termination of District

Assessments associated with the District will be levied each Fiscal Year until the District is dissolved by the City Council.

B Limitations of Report

The conclusions, calculations, and recommendations in this Report rely on the substantial data and information provided to DTA at the time of the writing of the Report by the following parties:

1. City of Soledad, specifically the Public Works Department;
2. The previous Assessment Engineer; and
3. The County of Monterey.

APPENDIX A

City of Soledad
Orchard Villas/Miravale II
Parks and Open Space Maintenance Assessment District No. 1
Annexation No. 1
Fiscal Year 2024-2025

ASSESSMENT ROLL

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RESOLUTION NO. 6108

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE BENEFIT ASSESSMENT DISTRICT NO. 2 (ORCHARD VILLAS/MIRAVALE II) FOR FISCAL YEAR 2024/2025

The City Council of the City of Soledad, California (hereinafter referred to as the "City") does resolve as follows:

WHEREAS, the City Council has by previous Resolutions initiated proceedings and declared its intention to levy assessments for the Benefit Assessment District No. 2, Orchard Villas/Miravale II (hereafter referred to as the "District") for the fiscal year commencing July 1, 2024 and ending June 30, 2025 pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of Part 1 of Division 2, Article 4 of the Government Code of California, beginning with Section 54703* (hereafter referred to as the "Act") to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within public places within the boundaries of the District; and,

WHEREAS, DTA has prepared and filed with the City Clerk, and the City Clerk has presented to the Council, the Engineer's Annual Levy Report (hereafter referred to as the "Report") for the District that describes the District and the proposed levy and collection of assessments upon eligible parcels of land within the District, and the Council did by previous Resolution give preliminary approval of said Report; and,

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2024 and ending June 30, 2025 to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within the boundaries of the District; and,

WHEREAS, this City and DTA have reviewed the provisions of Section XIIID of the California State Constitution and found that the proposed assessments comply with these provisions.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF SOLEDAD FOR THE BENEFIT ASSESSMENT DISTRICT NO. 2 (ORCHARD VILLAS/MIRAVALE II) AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests, and communications made or filed by interested persons regarding these matters.

Section 2 Based upon its review (and amendments, as applicable) of the Report, the City Council hereby finds and determines that:

i) the land within the District will receive special benefit by the operation, maintenance, and servicing of improvements and facilities located in public places within the boundaries of the District; and,

ii) the District includes all of the lands so benefited; and,

iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the fiscal year commencing July 1, 2024 and ending June 30, 2025 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services. This Fiscal Year assessment for the Benefit Assessment District No. 2 (Orchard Villas/Miravale II) is $281.16 per parcel.

Section 3 The Report and assessments as presented to the City Council and on file in the Office of the City Clerk are hereby confirmed as filed and approved by the City Council.

Section 4 The maintenance, operation, and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the maintenance and operation including street sweeping, storm drain lines, Bryant Canyon Storm Drainage Channel as well as the onsite and offsite storm drain system, necessary cleaning, repairs, replacement, electric current, supervision, debris removal, engineering and inspection, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. Assessments for the District are also being levied to provide funding for the maintenance, operation, and servicing storm retention pond silt removal, bank stabilization and restoring percolation, including necessary cleaning, repairs, replacement, electric current, supervision, debris removal, engineering and inspection, and any other items of work necessary and incidental for the proper maintenance and operation thereof. The Report describes all new improvements or substantial changes in existing improvements.

Section 5 The County Auditor of the County of Monterey shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6 The City Finance Director shall deposit all money representing assessments collected by the County for the District to the credit of a fund known as the "Improvement Fund, City of Soledad, Benefit Assessment District No. 2 (Orchard Villas/Miravale II) and such monies shall be expended only for the maintenance, operation, and servicing improvements and facilities as described in Section 4.

Section 7 The adoption of this Resolution constitutes the District levy for the fiscal year commencing July 1, 2024 and ending June 30, 2025.

Section 8 The City Clerk or their designate is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

PASSED, APPROVED and **ADOPTED** this 19th day of June 2024 by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Manager

www.FinanceDTA.com

FINAL ENGINEER'S REPORT

ORCHARD VILLAS/MIRAVALE II
BENEFIT ASSESSMENT DISTRICT NO. 2
FUND #652
CITY OF SOLEDAD | COUNTY OF MONTEREY

Beginning Fiscal Year: 2024-2025

Intent Meeting: May 15, 2024

Public Hearing: June 19, 2024

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PROFESSIONAL SERVICES

ASSESSMENT ENGINEERING

Stephen A. Runk, P.E.

DTA

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APPENDICES

APPENDIX A ASSESSMENT ROLL

I AFFIDAVIT AND CERTIFICATES

CITY OF SOLEDAD BENEFIT ASSESSMENT DISTRICT NO. 2
ORCHARD VILLAS/MIRAVALE II

This Engineer's Report ("Report") and the enclosed descriptions, budget, and assessment diagram outlines the District and includes the proposed assessments for each lot, parcel, and subdivision of land within said District to be levied for Fiscal Year 2024-2025 as they existed at the time of the passage of the Resolution of Intention.

Reference is hereby made to the Monterey County Assessor's Maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated this _____ day of _____, 2024.

DTA
Assessment Engineer
On Behalf of the City of Soledad

By: _____
Kuda Wekwete
Project Manager

By: _____
Stephen A. Runk, P.E.
License Number: C23473

CITY OF SOLEDAD BENEFIT ASSESSMENT DISTRICT NO. 2
ORCHARD VILLAS/MIRAVALE II

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Soledad, California, on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

II ENGINEER'S REPORT

WHEREAS, the City Council of the City of Soledad ("City"), pursuant to the provisions of the Benefit Assessment Act of 1982, Chapter 64 of Division 2 of the California Government Code ("1982 Act"), adopted its resolution ("Resolution") initiating proceedings for the levy of Fiscal Year 2024-2025 assessments against properties in the City of Soledad Benefit Assessment District No. 2 (the "District") to fund maintenance and operation street and storm drain improvements that have been determined to specially benefit the District ("Improvements").

WHEREAS, the Resolution designates DTA as Assessment Engineer and directed the Assessment Engineer to prepare and file a report ("Engineer's Report" or "Report") pursuant to the 1982 Act and Article XIIID of the California Constitution ("Proposition 218").

This Report includes the following sections:

- **Plans and Specifications** – Plans and specifications for services to be provided. Plans and specifications are a part of this Report whether or not separately bound.
- **Cost Estimate** – An estimate of the annual cost of services to be provided. Also included, are administrative and incidental costs that include maintenance, reserve, repairs, and rehabilitation expenses.
- **Assessment Roll** – An assessment roll, showing the amount to be assessed against each parcel of real property within this District and the names and addresses of the property owners. An Assessor's Parcel number or other designation describes each parcel. Each parcel is also assigned an "assessment number" that links the Assessment Roll to the Assessment Diagram.
- **Method of Assessment** – A statement of the method by which the Assessment Engineer determined the amount to be assessed against each parcel, based on special benefits to be derived by each parcel from the services.
- **Assessment Diagram** – A diagram showing all of the parcels of real property to be assessed within this District. The diagram corresponds with the Assessment Roll by assessment number.
- **Termination of District/Limitations of Report –** A statement as to the duration of the District and the accuracy of the data and information necessary for the development of this annual Report.

NOW THEREFORE, the undersigned, acting as an agent for DTA, Assessment Engineer for the District, by virtue of the power vested under the 1982 Act and the order of the City, hereby submits this Engineer's Report and makes the following assessment to cover the portion of the estimated costs of the Improvements, including the incidental costs and expenses, to be paid by the District.

The net assessment in Fiscal Year 2024-2025 is summarized in Table 1.

Table 1: Net Assessment for Fiscal Year 2024-2025

Item	Amount
Maintenance Costs	$26,040
Capital Improvement Costs	$243,369
Administration Costs	$37,823
Levy Adjustments (Reserve Fund Debit)	($151,133)
Net Assessment*	**$156,099**

***Note**: Figures may not sum due to rounding.

DTA does hereby assess the net amount to be assessed upon all assessable lots or parcels of land within the District by apportioning the amount allocable among the several lots or parcels of each in proportion to the estimated special benefits to be received by each such lot or parcel from the Improvements, as more particularly set forth in the list attached as Appendix A ("Assessment Roll") and by this reference made as part of this Engineer's Report. The District diagram appearing herein is a representation of the assessment diagram that was approved by resolution of the City Council. Reference is hereby made to the Assessor's Maps of the County of Monterey for Fiscal Year 2024-2025 for a more particular description of the properties within the District. Each parcel of land assessed is described on the Assessment Roll by reference to its parcel number as shown on the County of Monterey Assessment Roll.

DTA

_____ _____

Kuda Wekwete
Managing Director

Date

_____ _____

Stephen A. Runk, P.E.
License Number: C23473

Date

III PLANS AND SPECIFICATIONS

The plans, specifications, and studies of the Improvements for this District are voluminous and will not be bound in this Report, but by this reference are incorporated as if attached to this Report. The plans and specifications are on file with the City of Soledad and/or the County of Monterey, California.

A Description of the District

The District is generally located between Orchard Lane and Granada Street, south of Gabilan Drive, west of Bryant Canyon Road, and east of Orchard Lane. A District diagram incorporated herein under Section VII of this Report outlines the boundaries of the District. This diagram incorporates all lots, parcels, and subdivisions of land within the District as the same existed at the time this Report was prepared, a complete listing of which is provided in **Appendix A** of this Report.

B District Improvements, Facilities, and Services

The following descriptions, provided in the formation documents of the District, identify the types of improvements that will be maintained by the District. Detailed maps and descriptions of these improvements are on file with the City and are available for inspection in the office of the City Engineer and have been incorporated into this Report by reference.

B.1 Street and Storm Drain Improvements

The maintenance and operation of the improvements located on the streets within the District includes the following: street sweeping, storm drain lines, including necessary cleaning, repairs, replacement, electric current, supervision, debris removal, engineering and inspection, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. Additionally, maintenance and operation includes all additions, improvements, and enlargements which may be made on the previously described work within the following streets and on appurtenant improvement plans.

The improvements that are covered under the maintenance and operations of the District are located on the following streets:

- Serra Court, Rusconi Court, Villas Street, Camino Arroyo, Luchessa Way, Orchard Lane, Tomasini Trail, Davalos Land, Tankersley Street, Luna Drive, Calle Val Verde, Liberty Court, and Liberty Way located in Orchard Villas; and
- Santa Clara, Binsacca, San Rafael, Westcott, San Gabriel, Pura, La Colina Street, Jones, San Antonio Bryant Canyon Road, Gabilan Drive, Rojos Way, Rusconi Court, Asilomar Street, Rusconi Court, Orchard Lane, and currently un-named streets located in Miravale II.

Additionally, District maintenance and operations include the Bryant Canyon Storm Drainage Channel as well as the onsite and offsite storm drain system.

B.2 Storm Water Improvements

Maintenance and operation includes storm retention pond, necessary cleaning, repairs, replacement, electric current, supervision, debris removal, pest abatement, engineering and inspection, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. Additionally, maintenance and operation includes all additions, improvements, and enlargements which may be made on the previously described work within the following area and on appurtenant improvement plans.

The improvements that are covered under the maintenance and operations of the District are located in Miravale II, and include an 8-acre underground storm water retention facility, shown on the approved improvement plans for the Miravale II subdivision and any subsequent revisions.

B.3 Incidental and Other Expenses

Incidental costs include contingencies and District incidentals such as engineering, printing, notices to property owners, collection costs, legal fees, administration, and supervision.

IV COST ESTIMATE

Applicable law requires the Engineer's Report to contain an estimate of the costs of the Improvements for Fiscal Year 2024-2025, including estimates of (i) the total costs for Improvements for Fiscal Year 2024-2025, including incidental expenses, (ii) the amount of any surplus in the improvement fund to be carried over from a previous Fiscal Year, (iii) the amount of any contributions to be made from sources other than assessments levied pursuant to this part, (iv) the amount, if any, of the annual installment for the Fiscal Year where the legislative body has ordered an assessment for the estimated cost of any improvements to be levied and collected in annual installments, and (v) the net amount to be assessed upon assessable lands within the District. Estimates of these amounts are provided below.

The following describes the costs that are funded through the District.

A Costs of Improvements

A.1 Projected Annual Maintenance Costs & Capital Improvement Costs

Included in the City's Public Works Department Budget Request are estimated costs for the annual maintenance, servicing, and funding of all improvements within the District. District direct maintenance expenses are estimated at $26,040 for Fiscal Year 2024-2025 as shown in Table 2a below. District's direct capital improvement costs are estimated at $243,369 for Fiscal Year 2024-2025 as shown in Table 2b below.

Table 2a: Projected Annual Direct Maintenance Costs

Item Description	Cost Estimate
Detention Basin Maintenance	$3,761
Storm Drain Maintenance	$4,298
Bryant Canyon Channel	$5,576
Street Sweeping	$11,007
Engineering Inspection	$1,398
Total*	**$26,040**

***Note**: Figures may not sum due to rounding.

Table 2b: Projected Capital Improvement Costs

Item Description	Cost Estimate
Crack Seal / Slurry Seal Project*	$243,369
Total*	**$243,369**

*Funded by the available funds in the capital reserve account.

A.2 Projected Annual Administration Costs

In addition to the costs listed above, there will be costs attributed to the administration of the District. As shown in Table 3, the District administration costs are estimated to be $37,823 for Fiscal Year 2024-2025. These costs are summarized below.

Table 4: Projected Annual Administration Costs

Item Description	Cost Estimate
City Administration	$28,237
District Administration	$5,282
Printing and Advertising	$643
County Collection	$3,662
Total*	**$37,823**

***Note**: Figures may not sum due to rounding.

A.3 Projected Annual Levy Adjustment

Finally, in addition to the costs listed above, certain levy adjustments will be made to account for any operating reserve credits or required capital collection to the District's reserve fund. As shown in Table 4, an Operating Reserve Credit of $31,245 and Capital Reserve Credit of $243,369 have been applied to offset the required Capital Reserve Collection of $123,481. Therefore, a net total of $151,133 Reserve Fund Credit has been applied to the Fiscal Year 2024-2025 assessment.

Table 5: Projected Annual Levy Adjustment

Item Description	Cost Estimate
Capital Reserve Collection	$123,481
Operating Reserve Credit	($31,245)
Capital Reserve Credit	($243,369)
Total	**($151,133)**

***Note**: Figures may not sum due to rounding.

B Annual Cost Indexing

B.1 City/District Administration, Printing, and Advertising

With the passage of Proposition 218, any proposed increase in assessments must be approved by impacted property owners via a mail ballot and public hearing process, similar to these proceedings. A weighted simple majority of ballots received (weighted according to each parcel's proportionate assessment obligation) must be affirmative for the City Council to confirm and levy the increased assessments. For small assessment districts or districts with relatively low dollar assessments, the cost of an Engineer's Report, balloting, and the public hearing process can potentially

exceed the total amount of the increase. The incidental costs of these proceedings may be added to the assessments, resulting in even higher assessments.

Therefore, indexing assessments annually to the published "San Francisco Consumer Price Index for Urban Consumers" ("SF CPI") allows for minor increases in normal maintenance and operating costs, without incurring the costs of ballot proceedings required by Proposition 218. Any other significant changes to the District (e.g., increases in service, modification of the boundary, etc.) would still require Proposition 218 proceedings and, ultimately, property owner approval.

Thus, on each July 1, commencing on July 1, 2007, the maximum authorized unit assessment rates established in these proceedings will be indexed (increased) annually by a factor equal to the published SF CPI from the preceding Fiscal Year.

The most recent data for the increase in the SF CPI is the increase between February 2023 and February 2024 and shows an increase equal to 2.37%. Therefore, on July 1, 2024, the maximum assessment will thus be increased by 2.37%.

Since the maximum assessment is likely sufficient to cover the cost estimates for improvements and other expenses for Fiscal Year 2024-2025, an amount equal to only the total projected costs will be assessed on the property within the District. The assessment levy in future years may be any amount less than or equal to the maximum assessment in that year.

B.2 Collection Fees

The County Auditor/Controller also charges an additional 0.25% of the total amount assessed.

B.3 Reserve Collection/Transfer

The applicable law provides for a District Reserve Fund that provides for the collection of funds to cover District operations between July 1 (beginning of the Fiscal Year) and the date on which the County remits first installment of assessments collected from the property tax bills (typically January or February). Any negative amounts entries for this budget item represent transfers from the Reserve Fund to reduce the assessment in a given fiscal year. A fully funded Reserve enables the District to (i) cover operational expenses incurred in the six (6) months of the fiscal year, without any City funds from non-District accounts; and (ii) address any unforeseen or unusual expenditures that may occur during the year.

C Contributions from Other Sources

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred…" In accordance with that provision, it is determined that there will be no general benefit from the Improvements in Fiscal Year 2024-2025, as explained in Section VI of this Report.

D Annual Installments

The entire amount of the net assessment, as shown in Table 5 below, will be assessed in Fiscal Year 2024-2025.

E Net Assessment

Pursuant to the foregoing, Table 5 shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 6: Net Assessment for Fiscal Year 2024-2025

Item	Total Costs	Special Benefit Allocated	Net Assessment
Maintenance Costs (Direct)			
Detention Basin Maintenance	$3,761	100%	$3,761
Storm Drain Maintenance	$4,298	100%	$4,298
Bryant Canyon Channel	$5,576	100%	$5,576
Street Sweeping	$11,007	100%	$11,007
Engineering Inspection	$1,398	100%	$1,398
Capital Improvement Costs (Direct)			
Crack Seal / Slurry Seal Project**	$243,369	100%	$243,369
Administration Costs			
City Administration	$28,237	100%	$28,237
District Administration	$5,282	100%	$5,282
Printing and Advertising	$643	100%	$643
County Collection	$3,662	100%	$3,662
Levy Adjustments			
Capital Reserve Collection	$123,481	100%	$123,481
Operating Reserve Credit	($31,245)	100%	($31,245)
Capital Reserve Credit	($243,369)	100%	($243,369)
Net Assessment*	**$156,099**	**N/A**	**$156,099**

***Note**: Figures may not sum due to rounding.

**Funded by the available funds in the capital reserve account.

V ASSESSMENT ROLL

The Assessment Engineer has prepared an Assessment Roll for the District as required by applicable law, based upon the assessment methodology described in this Engineer's Report. The Assessment Roll includes the net total assessment for Fiscal Year 2024-2025 and shows the Fiscal Year 2024-2025 assessment, assessment number, Assessor's Parcel Number, and land use designation for each parcel.

The Assessment Roll, as provided in **Appendix A**, lists the Assessor's Parcel Numbers within this Assessment District by assessment number. The assessment numbers appearing on the Assessment and the names and addresses of the property owners are as shown on the last equalized assessment roll for taxes or as known to the Assessor of Monterey County.

All parcel information has been provided to DTA by the City Public Works Department, the previous Assessment Engineer, and the County of Monterey.

VI METHOD OF ASSESSMENT

A Background

Pursuant to the 1982 Act, the legislative body establishes and determines the "estimated benefit received" by each parcel from the Improvements.

In addition, Article XIIID of the California Constitution, added in November 1996 through the passage of Proposition 218 by voters of the State of California, requires, inter alia, that (i) only special benefits be assessable, (ii) no assessment may exceed the proportional special benefit conferred on the parcel assessed, and (iii) publicly owned parcels shall not be exempt from assessment unless clear and convincing evidence demonstrates that such publicly owned parcels receive no special benefits from the improvements for which the assessment is levied.

"Special benefit" is a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large. Importantly, the general enhancement of property value does not constitute special benefit. As such, this Engineer's Report has been designed to comply with these requirements, as well as to incorporate recent California court decisions such as: *Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (2008), Beutz v. County of Riverside (2010), Golden Hills Neighborhood Association v. City of San Diego (2011),* and *Concerned Citizens v. West Point Fire Protection District (2011)*.

Methodologically, it is necessary and essential to identify the special benefit that the improvements, facilities, and services will render to the properties within the District. It is also necessary that the properties receive a special and direct benefit as distinguished from benefit to the general public.

The Assessment Engineer is appointed for the purpose of analyzing the facts and determining the method and formula for apportionment of the assessment obligation to the benefited properties. For these proceedings, the City has retained the firm of DTA as the Assessment Engineer.

The Assessment Engineer makes his or her recommendation for the method of apportionment in this Engineer's Report for consideration at the public hearing. However, the final authority and action rests with the City Council after hearing all testimony and evidence presented at the public hearing. Upon conclusion of the public hearing, the City Council must make the final action in determining that the assessment has been made in direct proportion to the special benefit received.

In determining the net amount to be assessed upon parcels within the District, Section 22573 of the California Streets and Highways Code states that such amount "may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Proposition 218 further states that "no assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel," where "special benefit" means "a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large." This Section VI describes the methodology used to calculate the net amount to be assessed on each parcel within the District in proportion to the special benefit conferred on each such parcel.

B Benefits of Improvements

The benefits associated with District Improvements are shown in the Table 6 below.

Table 7: Benefits from Street/Storm Drain Improvements

Street/Storm Drain Improvements
Alleviation of excess water during periods of rain.
Safe and efficient movement of people and goods within motor vehicles.
Development of parcels in the District contingent on completion of Improvements.

C Categories of Benefit

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred on a parcel," where "Special Benefit means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large." It is therefore necessary to establish definitions of General Benefit and Special Benefit as such terms relate to the benefit to be derived from the Improvements.

The Improvements to be maintained and operated in the District were within or in areas in close proximity to properties in the District. As a result, properties in the District will receive 100% of the special benefits of the operation and maintenance of the Improvements. These benefits include enhanced neighborhood health and safety, improved quality of life from drainage, flood control and street improvements, protection of improved property, enhanced comfort, and increased desirability of the immediate surroundings of the residential units within the District. Importantly, because of the location of the improvements within or close to the District itself, there is no general benefit to properties outside the District or the community as a whole. Any such general benefit is so incidental and negligible (less than 1%) that it cannot be calculated for purposes of assessment.

D Allocation of Special Benefit to Parcels

Each fiscal year, the Maximum Assessment Rate per EDU plus the cost-of-living adjustment (CPI) will be determined, and be brought before the City Council for approval prior to the start of the fiscal year. Additionally, improvements within the District will be reviewed to determine the extent of the improvements accepted for maintenance by the City. If it is determined that a portion of the improvements has either not been installed, or is installed but not accepted by the City for maintenance, a credit will be applied to Maximum Assessment rate per EDU. The credit will equal the portion of the annual maintenance costs

associated with any improvements that have not been accepted for maintenance, and will be reflected in the final assessments placed on the County tax rolls for the fiscal year. This process will continue until such time that all improvements are complete and fully accepted by the City for maintenance.

As discussed previously, parcels in the District are the only parcels that derive special benefit from maintenance and operations and as such, must bear the cost of these activities. In accordance with the formation documents for the District, for each fiscal year the development status of parcels within the District will be reviewed to determine whether parcels are developed or vacant as described below. Each parcel within the District will then be assigned to one of the following four (4) categories based on that parcel's development status:

D.1 Developed Accepted

This category includes parcels that have been developed and for which the City has accepted maintenance responsibilities. These parcels will be charged for their proportionate share of Total Direct Maintenance and Administration Expenses, based on each parcel's share of the Maximum Assessment.

D.2 Developed Not Accepted

This category includes parcels that have been or are in the process of being developed and for which the City is not expecting to accept maintenance responsibilities in the upcoming fiscal year. These parcels will be charged for their proportionate share of the Administration Expenses and Storm Drain Maintenance Expenses, based on each parcel's share of the Maximum Assessment.

D.3 No Development

This category includes parcels that have not been developed and the City is not expecting to accept maintenance responsibilities for the upcoming fiscal year. These parcels will be charged for their proportionate share of the Total Administration Expenses based on each parcel's share of the Maximum Assessment.

D.4 Pending Annexation

This category includes parcels that are within the boundaries of the District but have not been annexed into the City. These parcels will not be charged for any expenses.

Importantly, Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. As a result, the following property will be considered exempt from the assessment: areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and right-of-way, public greenbelts and public parkways, and that portion of public property that is not developed and used for business purposes similar to private commercial, industrial, and institutional activities.

Each parcel in the District is assigned a weighting factor known as an Equivalent Dwelling Unit ("EDU"). The following shows the EDU factors for each property type in the District:

Developed, Single-Family Residential = 1.0 EDU per Parcel

Developed, Multi-Family Residential = 1.0 EDU per Unit

Vacant Land, Future Residential = 0.3 EDU per Acre

E Amount of Assessment

Pursuant to the foregoing, Table 7 below shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 8: Fiscal Year 2024-2025 Assessment Rates in the District

Assessment Per EDU Fiscal Year 2023-2024	Assessment Per EDU Fiscal Year 2024-2025	Max Assessment Per EDU Fiscal Year 2024-2025
$274.66	$281.16	$281.16

Table 9: Fiscal Year 2024-2025 Cost Estimate

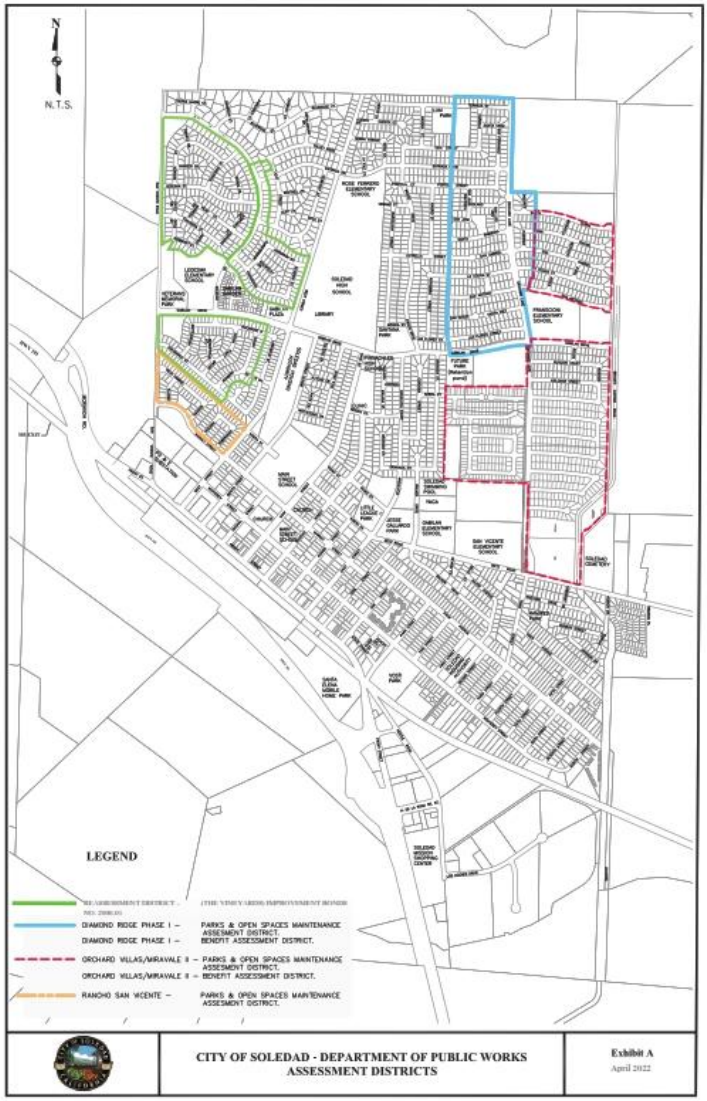
City of Soledad Engineer's Report Benefit Assessment District No.2, Orchard Villas/Miravale II - Fund #652 Fiscal Year 2024-2025 Cost Estimate			
Description	**Total Amount ($)**	**Special Benefit Apportioned to District**	**Fiscal Year 2024-2025 Total Budget (Amount Funded to District)**
(A) Direct Cost			
Operating Expenses			
Detention Basin Maintenance	$3,761.45	100%	$3,761.45
Storm Drain Maintenance	$4,297.71	100%	$4,297.71
Bryant Canyon Channel	$5,575.96	100%	$5,575.96
Street Sweeping	$11,006.60	100%	$11,006.60
Engineering Inspection	$1,397.85	100%	$1,397.85
(B) Capital Improvement Cost			
Crack Seal / Slurry Seal Project*	$243,369.00	100%	$243,369.00
(C) Administration			
City Administration	$28,236.75	100%	$28,236.75
District Administration	$5,281.84	100%	$5,281.84
Printing and Advertising	$642.99	100%	$642.99
County Collection	$3,661.74	100%	$3,661.74
Subtotal (A+B)	**$307,231.90**	**NA**	**$307,231.90**
(D) Levy Adjustments			
Capital Reserve Collection			$123,480.84
Operating Reserve Credit			($31,244.96)
Capital Reserve Transfer Out			($243,369.00)
Balance to Levy (A+B+C)	**NA**	**NA**	**$156,098.78**
(E) District Assessment			
Total EDUs Count	555.20		
Total Parcels Count	665		
Total Parcels Levied	665		
FY 2024-2025 Calculated Assessment per EBU	**$281.16**		
FY 2024-2025 Maximum Assessment per EBU	**$281.16**		
FY 2024-2025 Maximum Levy	**$156,098.78**		
(F) Fund Balance Information			
Beginning Reserve Fund Balance FY (2024 -2025)	**$567,486.80**		
Reserve Fund Adjustments	**($151,133.12)**		
Anticipated Ending Balance in Reserve Fund FY (2024-2025)	**$416,353.68**		
*Funded by the available funds in the capital reserve account.			

VII ASSESSMENT DIAGRAM AND BOUNDARY MAP

The boundary map for the District has been previously approved and submitted to the City in the format required by the 1972 Act and is on file in the Office of the City Clerk.

The parcels within the District generally consist of the lots, parcels, and subdivisions of land found within the following District Diagram and are based on the Monterey County Assessor's Maps and the Monterey County Assessor's information that existed at the time this Report was prepared.

Figure 1: District Diagram



VIII TERMINATION OF DISTRICT/LIMITATIONS OF REPORT

A Termination of District

Assessments associated with the District will be levied each Fiscal Year until the District is dissolved by the City Council.

B Limitations of Report

The conclusions, calculations, and recommendations in this Report rely on the substantial data and information provided to DTA at the time of the writing of the Report by the following parties:

1. City of Soledad, specifically the Public Works Department;
2. The previous Assessment Engineer; and
3. The County of Monterey.

APPENDIX A

City of Soledad
Orchard Villas/Miravale II
Benefit Assessment District No. 2
Fiscal Year 2024-2025

ASSESSMENT ROLL

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RESOLUTION NO. 6109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE RANCHO SAN VICENTE PARKS AND OPEN SPACES MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2024/2025

The City Council of the City of Soledad (hereinafter referred to as the "City") does resolve as follows:

WHEREAS, the City Council has by previous Resolutions initiated proceedings and declared its intention to levy assessments for the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District (hereafter referred to as the "District") for the fiscal year commencing July 1, 2024 and ending June 30, 2025 pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500* (hereafter referred to as the "Act") to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within public places within the boundaries of the District; and,

WHEREAS, DTA has prepared and filed with the City Clerk, and the City Clerk has presented to the Council, the Engineer's Annual Levy Report (hereafter referred to as the "Report") for the District that describes the District and the proposed levy and collection of assessments upon eligible parcels of land within the District, and the Council did by previous Resolution give preliminary approval of said Report; and,

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2024 and ending June 30, 2025 to pay the costs and expenses of operating, maintaining, and servicing improvements and facilities located within the boundaries of the District; and,

WHEREAS, this City and DTA have reviewed the provisions of Section XIIID of the California State Constitution and found that the proposed assessments comply with these provisions.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF SOLEDAD FOR THE RANCHO SAN VICENTE PARKS AND OPEN SPACES MAINTENANCE ASSESSMENT DISTRICT AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair Public Hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests, and communications made or filed by interested persons regarding these matters.

Section 2 Based upon its review (and amendments, as applicable) of the Report, the City Council hereby finds and determines that:

i) the land within the District will receive special benefit by the operation, maintenance, and servicing of improvements located in public places within the boundaries of the District; and,

ii) the District includes all of the lands so benefited; and,

iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the fiscal year commencing July 1, 2024 and ending June 30, 2025 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services. This Fiscal Year assessment for the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District is $819.66 per parcel.

Section 3 The Report and assessments as presented to the City Council and on file in the Office of the City Clerk are hereby confirmed as filed and approved by the City Council.

Section 4 The maintenance, operation, and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the maintenance and operation of and the furnishing of services and materials for landscape maintenance easement areas including open space areas, parkways, and slopes within the boundaries of the District, including, but not limited to trees, shrubs, turf and other ornamental vegetation, drainage and irrigation systems, stitch piers; park maintenance and repairs, and sound wall maintenance repairs; and other appurtenant facilities. The Report describes all new improvements or substantial changes in existing improvements.

Section 5 The County Auditor of the County of Monterey shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6 The City Finance Director shall deposit all money representing assessments collected by the County for the District to the credit of a fund known as the "Improvement Fund, City of Soledad, Rancho San Vicente Parks and Open Spaces Maintenance Assessment District and such monies shall be expended only for the maintenance, operation, and servicing improvements and facilities as described in Section 4.

Section 7 The adoption of this Resolution constitutes the District levy for the fiscal year commencing July 1, 2024 and ending June 30, 2025.

Section 8 The City Clerk or their designate is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

PASSED, APPROVED and **ADOPTED** this 19th day of June 2024 by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____

ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____

MEGAN HUNTER, City Manager

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FINAL ENGINEER'S REPORT

RANCHO SAN VICENTE PARKS AND OPEN SPACES

MAINTENANCE ASSESSMENT DISTRICT

FUND #647

CITY OF SOLEDAD | COUNTY OF MONTEREY

Beginning Fiscal Year: 2024-2025

Intent Meeting: May 15, 2024

Public Hearing: June 19, 2024

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MAYOR PRO TEMPORE

Maria Corralejo

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Fernando Ansaldo-Sanchez

PUBLIC WORKS DIRECTOR

Donald Wilcox, P.E.

PROFESSIONAL SERVICES

ASSESSMENT ENGINEERING

Stephen A. Runk, P.E.

DTA

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APPENDICES

APPENDIX A ASSESSMENT ROLL

I AFFIDAVIT AND CERTIFICATES

CITY OF SOLEDAD RANCHO SAN VICENTE PARKS AND OPEN SPACES MAINTENANCE ASSESSMENT DISTRICT

This Engineer's Report ("Report") and the enclosed descriptions, budget, and assessment diagram outlines the District and includes the proposed assessments for each lot, parcel, and subdivision of land within said District to be levied for Fiscal Year 2024-2025 as they existed at the time of the passage of the Resolution of Intention.

Reference is hereby made to the Monterey County Assessor's Maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated this _____ day of _____, 2024.

DTA
Assessment Engineer
On Behalf of the City of Soledad

By: _____
Kuda Wekwete
Project Manager

By: _____
Stephen A. Runk, P.E.
License Number: C23473

CITY OF SOLEDAD RANCHO SAN VICENTE PARKS AND OPEN SPACES MAINTENANCE ASSESSMENT DISTRICT

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Soledad, California, on the _____ day of _____, 2024.

By: _____
Megan Hunter, City Manager
City of Soledad, Monterey County

II ENGINEER'S REPORT

WHEREAS, the City Council of the City of Soledad ("City"), pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "1972 Act"), adopted its resolution ("Resolution") initiating proceedings for the levy of Fiscal Year 2024-2025 assessments against properties in the Rancho San Vicente Parks and Open Spaces Maintenance Assessment District (the "District") to fund maintenance and operation of park, landscape, and street light improvements that have been determined to specially benefit the District ("Improvements").

WHEREAS, the Resolution designates DTA as Assessment Engineer and directed the Assessment Engineer to prepare and file a report ("Engineer's Report" or "Report") pursuant to the 1972 Act and Article XIIID of the California Constitution ("Proposition 218").

This Report includes the following sections:

- **Plans and Specifications** – Plans and specifications for services to be provided. Plans and specifications are a part of this Report whether or not separately bound.
- **Cost Estimate** – An estimate of the annual cost of services to be provided. Also included, are administrative and incidental costs that include maintenance, reserve, repairs, and rehabilitation expenses.
- **Assessment Roll** – An assessment roll, showing the amount to be assessed against each parcel of real property within this District and the names and addresses of the property owners. An Assessor's Parcel number or other designation describes each parcel. Each parcel is also assigned an "assessment number" that links the Assessment Roll to the Assessment Diagram.
- **Method of Assessment** – A statement of the method by which the Assessment Engineer determined the amount to be assessed against each parcel, based on special benefits to be derived by each parcel from the Improvements.
- **Assessment Diagram** – A diagram showing all of the parcels of real property to be assessed within this District. The diagram corresponds with the Assessment Roll by assessment number.
- **Termination of District/Limitations of Report –** A statement as to the duration of the District and the accuracy of the data and information necessary for the development of this annual Report.

NOW THEREFORE, the undersigned, acting as an agent for DTA, Assessment Engineer for the District, by virtue of the power vested under the 1972 Act and the order of the City, hereby submits this Engineer's Report and makes the following assessment to cover the portion of the estimated costs of the Improvements, including the incidental costs and expenses, to be paid by the District.

The net assessment in Fiscal Year 2024-2025 is summarized in Table 1.

Table 1: Net Assessment for Fiscal Year 2024-2025

Item	Amount
Maintenance Costs	$85,369
Administration Costs	$36,683
Levy Adjustments (Reserve Fund Credit)	($12,217)
Net Assessment*	**$109,834**

***Note**: Figures may not sum due to rounding.

DTA does hereby assess the net amount to be assessed upon all assessable lots or parcels of land within the District by apportioning the amount allocable among the several lots or parcels of each in proportion to the estimated special benefits to be received by each such lot or parcel from the Improvements, as more particularly set forth in the list attached as Appendix A ("Assessment Roll") and by this reference made as part of this Engineer's Report. The District diagram appearing herein is a representation of the assessment diagram that was approved by resolution of the City Council. Reference is hereby made to the Assessor's Maps of the County of Monterey for Fiscal Year 2024-2025 for a more particular description of the properties within the District. Each parcel of land assessed is described on the Assessment Roll by reference to its parcel number as shown on the County of Monterey Assessment Roll.

DTA

_____ _____

Kuda Wekwete
Managing Director

Date

_____ _____

Stephen A. Runk, P.E.
License Number: C23473

Date

III PLANS AND SPECIFICATIONS

The plans, specifications, and studies of the Improvements for this District are voluminous and will not be bound in this Report, but by this reference are incorporated as if attached to this Report. The plans and specifications are on file with the City of Soledad and/or the County of Monterey, California.

A Description of the District

The District is generally bounded by existing Vista Soledad Phases I and II to the northeast, by San Vicente Townhomes to the southwest, West Street to the southeast, and San Vicente Road to the northwest. A District diagram incorporated herein under Section VII of this Report outlines the boundaries of the District. This diagram incorporates all lots, parcels, and subdivisions of land within the District as the same existed at the time this Report was prepared, a complete listing of which is provided in **Appendix A** of this Report.

B District Improvements, Facilities, and Services

The following descriptions, provided in the formation documents of the District, identify the types of improvements that will be maintained by the District. Detailed maps and descriptions of these improvements are on file with the City and are available for inspection in the office of the City Engineer and have been incorporated into this Report by reference.

B.1 Street Light, Landscape, and Irrigation Improvements

The maintenance and operation of the improvements located on landscaped strips (of land adjacent to curbs of the streets identified below within the District) includes the following: jogging paths, planter walls, grass berms, and appurtenant irrigation systems, as well as ornamental plantings such as lawns, shrubs, and trees. Also included are necessary repairs, replacements, water, electric current, spraying, care, supervision, debris removal, and any and all other items of work necessary and incidental for the proper maintenance and operation thereof. Additionally, maintenance and operation includes all additions, improvements, and enlargements which may be made on the previously described work within the following streets and on appurtenant improvement plans.

Improvements that are covered under the maintenance and operations of the District are located on the following streets:

- West Street and San Vicente Road;
- Northwest side of West Street from Market Street to the Vista Soledad Subdivision; and
- Easterly side of San Vicente Road from San Vicente Townhomes north to the Vista Soledad Subdivision.

B.2 Incidental and Other Expenses

Incidental costs include contingencies and assessment district incidentals such as engineering, printing, notices to property owners, collection costs, legal fees, administration, and supervision.

IV COST ESTIMATE

Applicable law requires the Engineer's Report to contain an estimate of the costs of the Improvements for Fiscal Year 2024-2025, including estimates of (i) the total costs for Improvements for Fiscal Year 2024-2025, including incidental expenses, (ii) the amount of any surplus in the improvement fund to be carried over from a previous Fiscal Year, (iii) the amount of any contributions to be made from sources other than assessments levied pursuant to this part, (iv) the amount, if any, of the annual installment for the Fiscal Year where the legislative body has ordered an assessment for the estimated cost of any improvements to be levied and collected in annual installments, and (v) the net amount to be assessed upon assessable lands within the District. Estimates of these amounts are provided below.

The following describes the costs that are funded through the District.

A Costs of Improvements

A.1 Projected Annual Maintenance Costs

Included in the City's Public Works Department Budget Request are estimated costs for the annual maintenance and servicing of all improvements within the District. District direct maintenance expenses are estimated at $85,369 for Fiscal Year 2024-2025 as shown in Table 2 below.

Table 2: Projected Annual Direct Maintenance Costs

Item Description	Cost Estimate
Park Maintenance	$27,380
Street Landscaping	$20,535
Parkway Water Charges	$24,667
Park Water Charges	$3,423
Park Electrical Charges	$1,369
Sound Wall Maintenance	$5,205
Street Lighting Electrical and Replacement	$2,790
Operating Reserve Fund Collection	$0.00
Total	**$85,369**

***Note**: Figures may not sum due to rounding.

A.2 Projected Annual Administration Costs

In addition to the costs listed above, there will be costs attributed to the administration of the District. As shown in Table 3, the District administration costs are estimated to be $36,683 for Fiscal Year 2024-2025. These costs are summarized below.

Table 3: Projected Annual Administration Costs

Item Description	Cost Estimate
City Administration	$29,878
District Administration	$5,000
Printing and Advertising	$500
County Collection	$1,305
Total*	**$36,683**

***Note**: Figures may not sum due to rounding.

A.3 Projected Annual Levy Adjustment

Finally, in addition to the costs listed above, certain levy adjustments will be made to account for any operating reserve credits or required capital collection to the District's reserve fund. As shown in Table 4, an Operating Reserve Credit of $33,505 has been applied to offset the required Capital Reserve Collection of $21,289. Therefore, a net total of $12,217 Reserve Fund Credit has been applied to the Fiscal Year 2024-2025 assessment.

Table 4: Projected Annual Levy Adjustment

Item Description	Cost Estimate
Capital Reserve Collection	$21,289
Operating Reserve Credit	($33,505)
Total*	**($12,217)**

***Note**: Figures may not sum due to rounding.

B Annual Cost Indexing

B.1 City/District Administration, Printing, and Advertising

With the passage of Proposition 218, any proposed increase in assessments must be approved by impacted property owners via a mail ballot and public hearing process, similar to these proceedings. A weighted simple majority of ballots received (weighted according to each parcel's proportionate assessment obligation) must be affirmative for the City Council to confirm and levy the increased assessments. For small assessment districts or districts with relatively low dollar assessments, the cost of an Engineer's Report, balloting, and the public hearing process can potentially exceed the total amount of the increase. The incidental costs of these proceedings

may be added to the assessments, resulting in even higher assessments.

Therefore, adjusting assessments annually by 3.00% allows for minor increases in normal maintenance and operating costs, without incurring the costs of ballot proceedings required by Proposition 218. Any other significant changes to the District (e.g., increases in service, modification of the boundary, etc.) would still require Proposition 218 proceedings and, ultimately, property owner approval.

Thus, on each July 1, commencing on July 1, 2004, the maximum authorized unit assessment rates established in these proceedings will be indexed (increased) annually by 3.00% from the preceding Fiscal Year.

Since the maximum assessment is likely sufficient to cover the cost estimates for improvements and other expenses for Fiscal Year 2024-2025, an amount equal to only the total projected costs will be assessed on the property within the District. The assessment levy in future years may be any amount less than or equal to the maximum assessment in that year.

B.2 Collection Fees

The County Auditor/Controller also charges an additional 0.25% of the total amount assessed.

B.3 Reserve Collection/Transfer

The applicable law provides for a District Reserve Fund that provides for the collection of funds to cover District operations between July 1 (beginning of the Fiscal Year) and the date on which the County remits first installment of assessments collected from the property tax bills (typically January or February). Any negative amounts entries for this budget item represent transfers from the Reserve Fund to reduce the assessment in a given fiscal year. A fully funded Reserve enables the District to (i) cover operational expenses incurred in the six (6) months of the fiscal year, without any City funds from non-District accounts; and (ii) address any unforeseen or unusual expenditures that may occur during the year.

C Contributions from Other Sources

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred…" In accordance with that provision, it is determined that there will be no general benefit from the Improvements in Fiscal Year 2024-2025, as explained in Section VI of this Report.

D Annual Installments

The entire amount of the net assessment, as shown in Table 5 below, will be assessed in Fiscal Year 2024-2025.

E Net Assessment

Pursuant to the foregoing, Table 5 shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 5: Net Assessment for Fiscal Year 2024-2025

Item	Total Costs	Special Benefit Allocated	Net Assessment
Maintenance Costs (Direct)			
Park Maintenance	$27,380	100%	$27,380
Street Landscaping	$20,535	100%	$20,535
Parkway Water Charges	$24,667	100%	$24,667
Park Water Charges	$3,423	100%	$3,423
Park Electrical Charges	$1,369	100%	$1,369
Sound Wall Maintenance	$5,205	100%	$5,205
Street Lighting Electrical and Replacement	$2,790	100%	$2,790
Operating Reserve Fund Collection	$0	100%	$0
Administration Costs			
City Administration	$29,878	100%	$29,878
District Administration	$5,000	100%	$5,000
Printing and Advertising	$500	100%	$500
County Collection	$1,305	100%	$1,305
Levy Adjustments			
Capital Reserve Collection	$21,289	100%	$21,289
Operating Reserve Credit	($33,505)	100%	($33,505)
Net Assessment*	**$109,834**	**N/A**	**$109,834**

***Note**: Figures may not sum due to rounding.

V ASSESSMENT ROLL

The Assessment Engineer has prepared an Assessment Roll for the District as required by applicable law, based upon the assessment methodology described in this Engineer's Report. The Assessment Roll includes the net total assessment for Fiscal Year 2024-2025 and shows the Fiscal Year 2024-2025 assessment, assessment number, Assessor's Parcel Number, and land use designation for each parcel.

The Assessment Roll, as provided in **Appendix A**, lists the Assessor's Parcel Numbers within this Assessment District by assessment number. The assessment numbers appearing on the Assessment and the names and addresses of the property owners are as shown on the last equalized assessment roll for taxes or as known to the Assessor of Monterey County.

All parcel information has been provided to DTA by the City Public Works Department, the previous Assessment Engineer, and the County of Monterey.

VI METHOD OF ASSESSMENT

A Background

Pursuant to the 1972 Act, the legislative body establishes and determines the "estimated benefit received" by each parcel from the Improvements.

In addition, Article XIIID of the California Constitution, added in November 1996 through the passage of Proposition 218 by voters of the State of California, requires, inter alia, that (i) only special benefits be assessable, (ii) no assessment may exceed the proportional special benefit conferred on the parcel assessed, and (iii) publicly owned parcels shall not be exempt from assessment unless clear and convincing evidence demonstrates that such publicly owned parcels receive no special benefits from the improvements for which the assessment is levied.

"Special benefit" is a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large. Importantly, the general enhancement of property value does not constitute special benefit. As such, this Engineer's Report has been designed to comply with these requirements, as well as to incorporate recent California court decisions such as: *Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (2008), Beutz v. County of Riverside (2010), Golden Hills Neighborhood Association v. City of San Diego (2011),* and *Concerned Citizens v. West Point Fire Protection District (2011)*.

Methodologically, it is necessary and essential to identify the special benefit that the improvements, facilities, and services will render to the properties within the District. It is also necessary that the properties receive a special and direct benefit as distinguished from benefit to the general public.

The Assessment Engineer is appointed for the purpose of analyzing the facts and determining the method and formula for apportionment of the assessment obligation to the benefited properties. For these proceedings, the City has retained the firm of DTA as the Assessment Engineer.

The Assessment Engineer makes his or her recommendation for the method of apportionment in this Engineer's Report for consideration at the public hearing. However, the final authority and action rests with the City Council after hearing all testimony and evidence presented at the public hearing. Upon conclusion of the public hearing, the City Council must make the final action in determining that the assessment has been made in direct proportion to the special benefit received.

In determining the net amount to be assessed upon parcels within the District, Section 22573 of the California Streets and Highways Code states that such amount "may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Proposition 218 further states that "no assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel," where "special benefit" means "a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large." This Section VI describes the methodology used to calculate the net amount to be assessed on each parcel within the District in proportion to the special benefit conferred on each such parcel.

B Benefits of Improvements

The special benefits associated with the local landscaping improvements are shown in the Table 6 below.

Table 6: Benefits from Landscaping Improvements

Landscaping Improvements
Enhanced desirability of properties through association with the improvements.
Improved aesthetic appeal of properties within the District providing a positive representation of the area.
Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
Environmental enhancement through improved erosion resistance, and dust and debris control.
Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
Enhanced environmental quality of the parcels within the District by moderating temperatures, providing oxygenation, and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods as identified in Table 7 below.

Table 7: Benefits from Street Lighting Improvements

Street Lighting Improvements
Enhanced deterrence of crime and the aid to police protection.
Increased nighttime safety on roads and highways.
Improved ability of pedestrians and motorists to see.
Improved ingress and egress to property.
Reduced vandalism and other criminal acts and damage to improvements or property.
Improved traffic circulation and reduced nighttime accidents and personal property loss.
Increased promotion of business during nighttime hours in the case of commercial properties.

C Categories of Benefit

Proposition 218 provides that "an agency shall separate the general benefits from the special benefits conferred on a parcel," where "Special Benefit means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large." It is therefore necessary to establish definitions of General Benefit and Special Benefit as such terms relate to the benefit to be derived from the Improvements. The following special benefit allocation was determined at the time the District was formed.

The Improvements to be maintained and operated in the District were within or in areas in close proximity to the proposed developed residential lots. As a result, the developed residential lots in the District will receive 100% of the special benefits of the operation and maintenance of the Improvements. These special benefits include enhanced neighborhood identity and quality of life generated when park landscaping and lighting are in place, improved, operable, safe, clean, and maintained. In short, maintenance and operation of the proposed improvements will provide beautification, shade, and increase the desirability of the immediate surroundings of the residential units within the District. Importantly, because of the location of the improvements within or close to the District itself, there is no general benefit to properties outside the District or the community as a whole. Any such general benefit is so incidental and negligible that it cannot be calculated for purposes of assessment.

D Allocation of Special Benefit to Parcels

As discussed previously, developed parcels in the District are the only parcels that derive special benefit from maintenance and operations and as such, must bear the cost of these activities. As a result, all costs associated with the maintenance and operation of District Improvements, including incidentals and appurtenances, shall be spread to all parcels within the District on a development unit basis.

Factored development unit calculations for residential areas are as follows:

Low Density Residential = 1.0 Unit/Residential Lot Single-Family Unit

Apartment Unit = 0.8 Unit/Apartment

[0.8 Unit/Apartment x Apartment Units = Equivalent Single-Family Unit ("ESFU")]

Importantly, Article XIIIlD provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. As a result, the following property will be considered exempt from the assessment: areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and right-of-way, public greenbelts and public parkways, and that portion of public property that is not developed and used for business purposes similar to private commercial, industrial, and institutional activities.

E Amount of Assessment

Pursuant to the foregoing, Table 8 below shows the net amount to be assessed upon assessable lands within the District in Fiscal Year 2024-2025.

Table 8: Fiscal Year 2024-2025 Assessment Rates in the District

Assessment Per EDU Fiscal Year 2023-2024	Assessment Per EDU Fiscal Year 2024-2025	Max Assessment Per EDU Fiscal Year 2024-2025
$795.79	$819.66	$819.66

Table 9: Fiscal Year 2024-2025 Cost Estimate

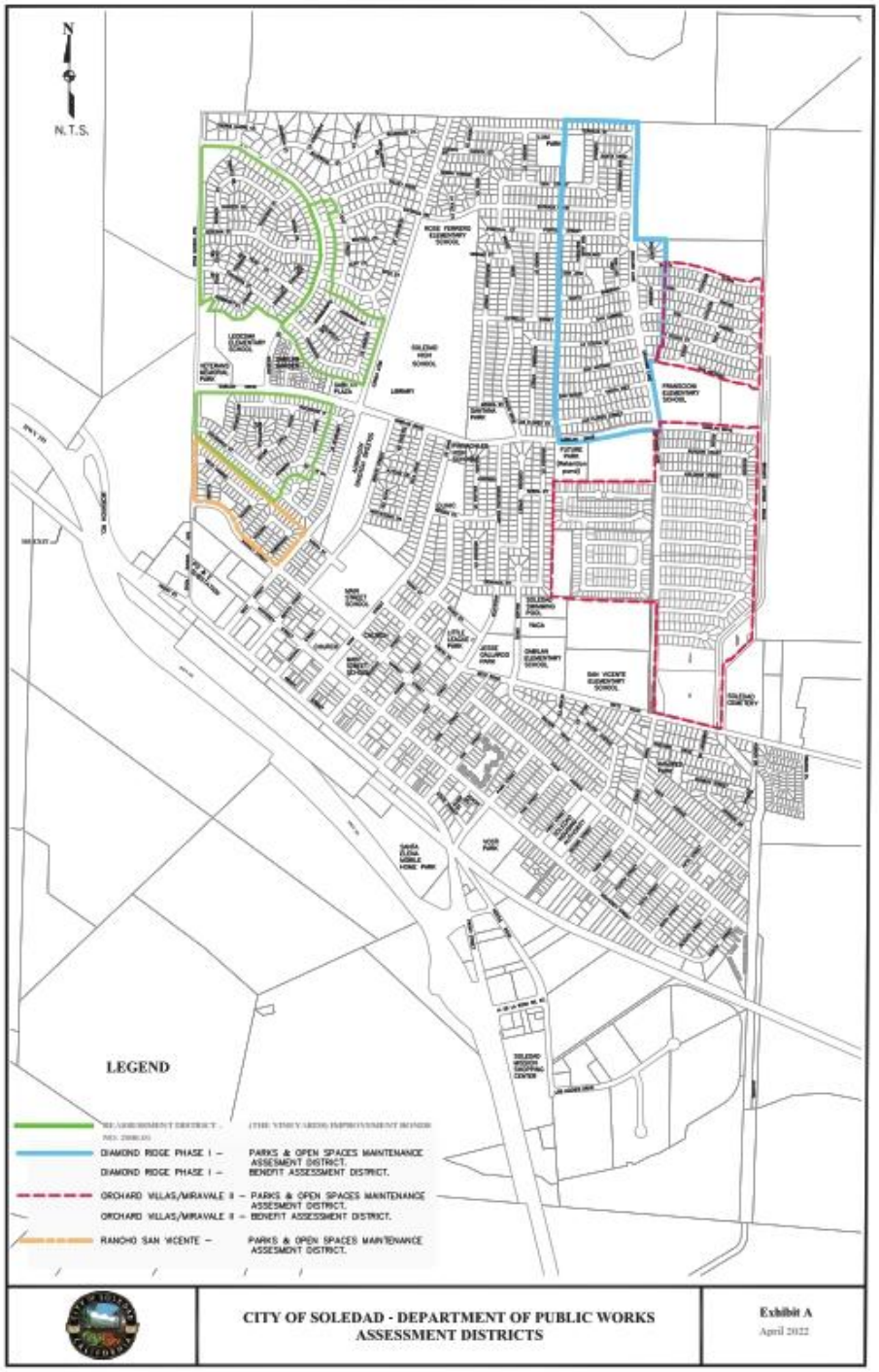
City of Soledad Engineer's Report Rancho San Vicente Parks and Open Spaces Maintenance Assessment District - Fund #647 Fiscal Year 2024-2025 Cost Estimate			
Description	**Total Amount ($)**	**Special Benefit Apportioned to District**	**Fiscal Year 2024-2025 Total Budget (Amount Funded to District)**
(A) Direct Cost			
Operating Expenses			
Park Maintenance	$27,379.53	100%	$27,379.53
Street Landscaping	$20,534.64	100%	$20,534.64
Parkway Water Charges	$24,667.40	100%	$24,667.40
Park Water Charges	$3,423.06	100%	$3,423.06
Park Electrical Charges	$1,369.23	100%	$1,369.23
Sound Wall Maintenance	$5,204.82	100%	$5,204.82
Street Lighting Electrical & Replacement	$2,789.87	100%	$2,789.87
Operating Reserve Fund Collection	$0.00	100%	$0.00
(B) Administration			
City Administration	$29,877.81	100%	$29,877.81
District Administration	$5,000.00	100%	$5,000.00
Printing and Advertising	$500.00	100%	$500.00
County Collection	$1,305.00	100%	$1,305.00
Subtotal (A+B)	**$122,051.36**	**NA**	**$122,051.36**
(C) Levy Adjustments			
Capital Reserve Collection			$21,288.51
Operating Reserve Credit			($33,505.42)
Balance to Levy (A+B+C)	**NA**	**NA**	**$109,834.44**
(D) District Assessment			
Total EDUs Count	134		
Total Parcels Count	87		
Total Parcels Levied	87		
FY 2024-2025 Calculated Assessment per EBU	**$819.66**		
FY 2024-2025 Maximum Assessment per EBU	**$819.66**		
FY 2024-2025 Maximum Levy	**$109,834.44**		
(E) Fund Balance Information			
Beginning Fund Balance FY 2024 -2025	**$404,645.60**		
Reserve Fund Adjustments	**($12,216.91)**		
Anticipated Ending Balance FY 2024-2025	**$392,428.69**		

VII ASSESSMENT DIAGRAM AND BOUNDARY MAP

The boundary map for the District has been previously approved and submitted to the City in the format required by the 1972 Act, and is on file in the Office of the City Clerk.

The parcels within the District generally consist of the lots, parcels, and subdivisions of land found within the following Assessment Diagram and are based on the Monterey County Assessor's Maps and the Monterey County Assessor's information that existed at the time this Report was prepared.

Figure 1: Boundary Map



VIII TERMINATION OF DISTRICT/LIMITATIONS OF REPORT

A Termination of District

Assessments associated with the District will be levied each Fiscal Year until the District is dissolved by the City Council.

B Limitations of Report

The conclusions, calculations, and recommendations in this Report rely on the substantial data and information provided to DTA at the time of the writing of the Report by the following parties:

1. City of Soledad, specifically the Public Works Department;
2. The previous Assessment Engineer; and
3. The County of Monterey.

APPENDIX A

City of Soledad
Rancho San Vicente Parks and Open Spaces
Maintenance Assessment District
Fiscal Year 2024-2025

ASSESSMENT ROLL

www.FinanceDTA.com

99 ALMADEN BLVD., SUITE 875
SAN JOSE, CA 95113
PHONE: (800) 969-4DTA

Public Finance
Public-Private Partnerships
Development Economics
Clean Energy Bonds

AGENDA ITEM NO. 1.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Ordinance No. 769, Consider Waiver of Reading, Adoption and Read by Title Only Ordinance No. 769 "An Ordinance of the City Council of the City of Soledad Establishing a New Truck Route Pursuant to Chapter 10.62 Truck Routes of Title 10-Vehicles and Traffic of the Soledad Municipal Code"**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Leon Gomez, Interim City Engineer**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council consider waiver of reading, adoption, and reading by title only Ordinance No. 769, Establishing a New Truck Route Pursuant to Chapter 10.62 Truck Routes of Title 10- Vehicles and Traffic of the Soledad Municipal Code.

Executive Summary

In August 2022, the City Council adopted Ordinance No. 745 which provides the City Council with the ability to establish new truck routes in the City. At the same time Ordinance No. 745 was adopted, the Council also established a New Truck Route upon a recommendation from the former City Engineer. This recommendation was based on concerns with trucks travelling through the roundabout at East Street/Metz Road/North Street, with the intent of directing trucks to Gabilan Drive and Orchard Lane, which were more recently constructed streets with wider roadway widths and better pavement sections. However, since that time, City Staff, truck drivers, and the community have expressed a number of concerns regarding the New Truck Route. As a result, Council requested an evaluation of the New Truck Route vs. the Old Truck Route which led to a determination that the Old Truck Route is safer, shorter in length, and has less interface with schools than the New Truck Route. As such, Staff is now recommending that the City reestablish the Old Truck Route as the official truck route in the City.

Background

Section 35701 of the California Vehicle Code allows local authorities, by ordinance, to designate street segments on which commercial trucks must travel to reduce the impact of truck traffic in residential neighborhoods and other sensitive areas and minimizing damage to streets and related improvements. In order to enforce the designated truck routes, the City Council must adopt an ordinance specifying which

street segments commercial trucks are required to utilize, and signs must be installed to designate truck routes.

In 2022, after reviewing the City's Old Truck Route, and considering new housing developments and traffic flow impediments and challenges, the City Engineer and staff concluded that a New Truck Route, based in part on recent Orchard Lane vehicle counts, would better suit the City's truck routing needs. The need for a new truck route was also based in part on the assumption that the City's new roundabout at the intersection of East Street/Metz Road/North Street was not designed for large tractor-trailers to safely traverse. Attachment A hereto shows the City's current truck route. After soliciting and receiving limited public input on the matter, the Council adopted Ordinance No. 745 on August 17, 2022, which served the dual purpose of: 1) providing the City Council with authority to establish new truck routes by ordinance, and 2) approving a New Truck Route. Ordinance No. 745 also provided signage requirements for truck routes and exceptions to use of established truck routes. In adopting the New Truck Route, the Council extinguished the Old Truck Route. See Attachment B - Old Truck Route.

Based on the considerations set forth below, the City Engineer and Staff are now recommending that the Old Truck Route (shown on Attachment B), be established by ordinance as the new official truck route in the City.

Review & Analysis

In adopting the new truck route in 2022, the Council requested Staff to monitor the new route and periodically report on its use. Public works staff also engaged the City's on-call Traffic Engineer, TL Engineering, to re-evaluate the New and Old Truck Routes. TL Engineering performed a thorough review of both the New and Old Truck Routes considering six (6) criteria and determined the following:

- Total length and Vehicle Miles Traveled (VMT): the Old Truck Route is shorter and represents fewer Vehicle Miles Traveled for users, thus reducing the impact of truck traffic on City streets.
- Collision Data: there were fewer collisions along the Old Truck Route, indicating that it is a safer route.
- Presence of schools: there are fewer schools along the Old Truck Route.
- Presence of safety measures: there are more existing safety measures along the Old Truck Route.
- Turning movements: minor improvements at the East Street/Metz Road/North Street roundabout can be made to better facilitate truck turning movements.
- Truck route signage: the Old Truck Route will require less signage.

Based on the foregoing, and after public outreach and input from local schools, truck companies and the Police and Public Works Departments, the City's Contract Interim City Engineer and City Staff are recommending that the City reestablish the Old Truck Route as the new official truck route in the City. Ordinance No. 769 will simply replace the current Truck Route with the Old Truck Route and direct the City Engineer to cause the new designated route to be placed on the City's "List of Truck Routes.
On May 15, 2024, the City Council received public comment, waived reading, introduced and read by title Ordinance No. 769. A noticed public hearing was thereafter scheduled for the June 19, 2024, Council meeting for consideration of adoption of Ordinance No.769.

Financial Considerations

None, other than signage requirements.

Alternatives

- Consider waiver of reading, adoption and ready by title Ordinance No. 769.
- Deny introduction and provide Staff with direction.

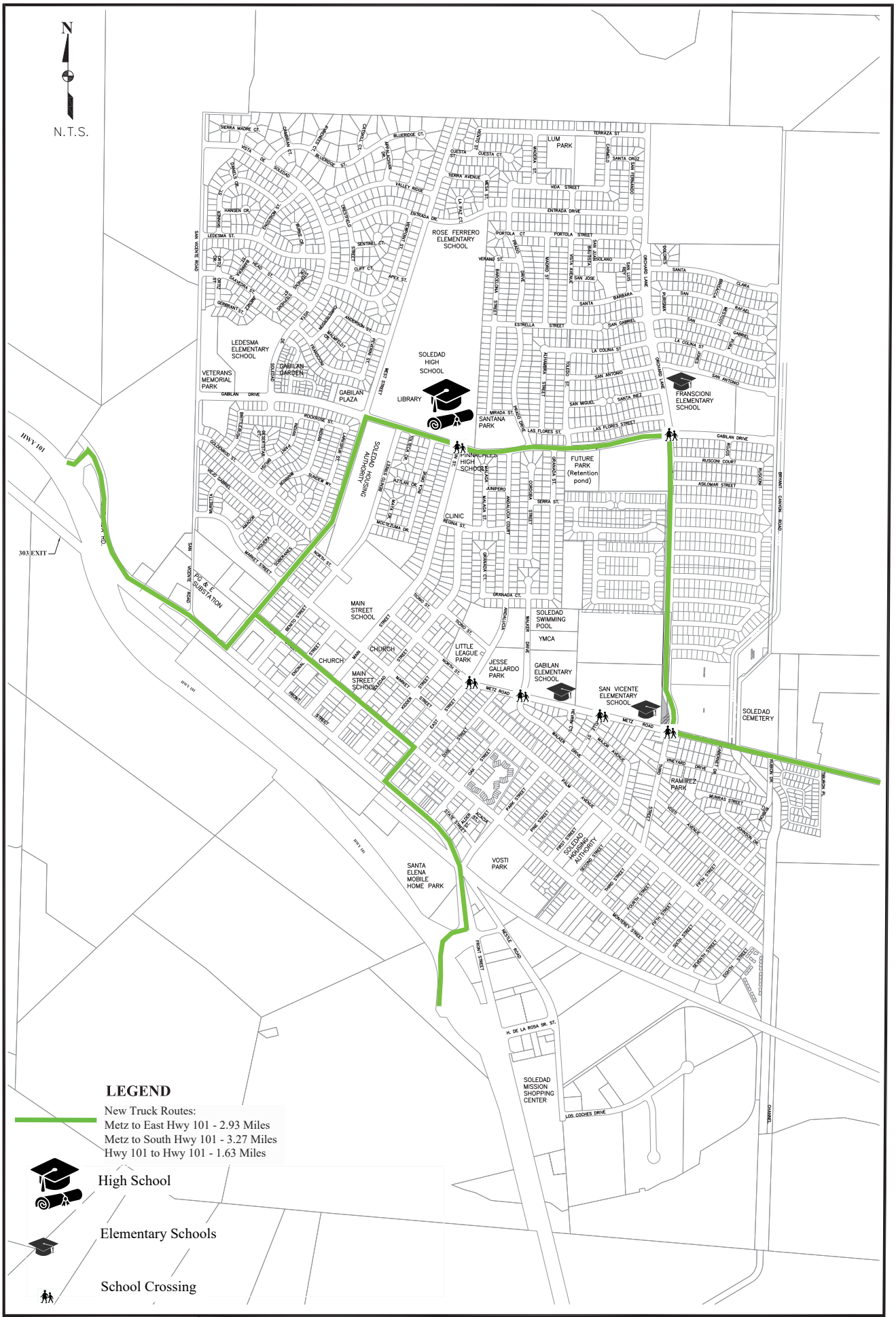
Planning/CEQA

The adoption of this ordinance is exempt from the California Environmental Quality Act, based on 14 California Code of Regulations Section 15061(b)(3), since it can be seen with certainty that the establishment of a truck route on existing streets within the City, part of a circulation system that has been previously analyzed and approved by City action and is currently in use for vehicular transportation, creates no possibility of a significant effect on the environment.

Public Notice Requirements

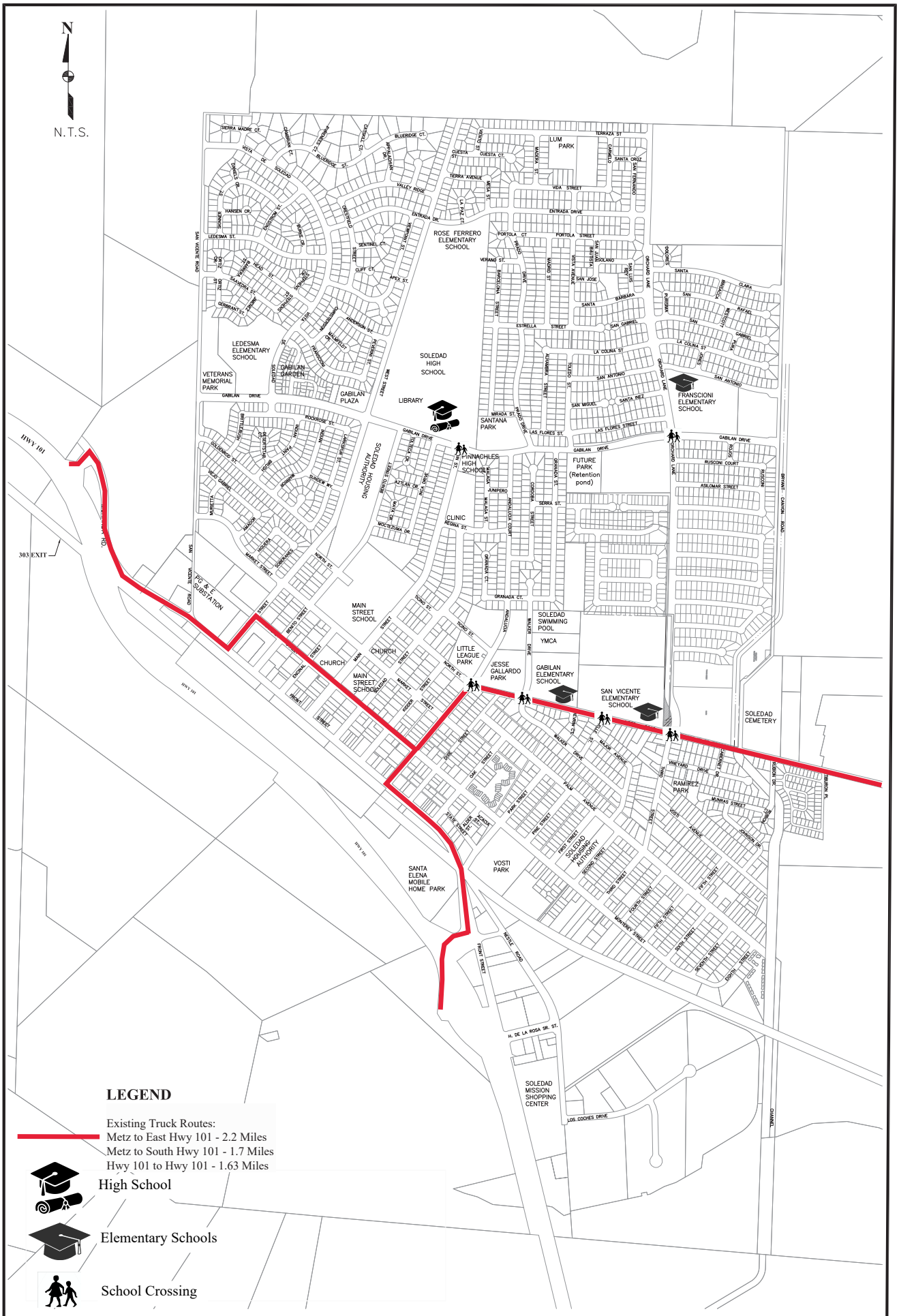
A public hearing for consideration of adoption of Ordinance No. 769 was noticed for this matter for the meeting of June 19, 2024.

Attachment(s):
Attachment A-Current Truck Route
Attachment B-Old Truck Route
Attachment C-Public Notice - Ord. No. 769
Ordinance No. 769
Exhibit A-Old Truck Route



CITY OF SOLEDAD - DEPARTMENT OF PUBLIC WORKS
TRUCK ROUTES

Attachment A
April 2022



CITY OF SOLEDAD - DEPARTMENT OF PUBLIC WORKS
TRUCK ROUTES

Attachment B
April 2022

PROOF OF PUBLICATION

STATE OF CALIFORNIA
County of Monterey

This space is for the county clerk's filing stamp

I am a citizen of the United States and a Resident of the County aforesaid: I am Over the age of eighteen years and not a Party to or interested in the above-Entitled matter. I am the principal clerk of the printer of The King City Rustler, Greenfield News, Soledad Bee, and Gonzales Tribune (Salinas Valley Tribune) newspapers of general Circulation by The Superior Court of the County of Monterey, State of California: that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspapers and not in any supplement thereof on the following dates, to wit:

Public Notice
Ordinance No. 769

5/29

I certify (or declare) under penalty of perjury that the forgoing is true and correct.

Executed on: 5/29/24

At King City, California

Julie Diggs

Julie Diggs, Office Manager

No:

Public Notice

The City Council of the City of Soledad will conduct a Public Hearing during a meeting on June 19, 2024 at 6:00 p.m. in the City Council Chambers at 248 Main Street, Soledad, California 93960 as part of its consideration of the adoption of:

ORDINANCE NO. 769

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ESTABLISHING A NEW TRUCK ROUTE PURSUANT TO CHAPTER 10.62-TRUCK ROUTES OF TITLE 10-VEHICLES AND TRAFFIC

OF THE SOLEDAD MUNICIPAL CODE

The City Council will be considering the adoption of Ordinance No. 769, which will establish a new truck route pursuant to Section 10.62 Truck Routes to Title 10-Vehicles and Traffic of the Soledad Municipal Code. Chapter 10.62 allows the City Council to establish a new Truck Route based on a recommendation from the City Engineer.

A copy of the proposed truck route and full text of the proposed ordinance is available in the office of the City Clerk. Ordinance No. 769 was introduced and read by title only at a regular meeting of the City Council on May 15, 2024. Persons interested should appear at the above Public Hearing on June 19, 2024, in order to make their comments known. You may also log into the City of Soledad Regular City Council meeting by using the Zoom Link: https://cityofsoledad.zoom.us/j/87514211993 and Meeting ID: 875 1421 1993. You may also call: 1-669-900-6833 and use Meeting ID: 875 1421 1993. Persons who are unable to attend may direct their written comments to the City Clerk, P.O. Box 156, Soledad, California 93960. In addition, information may be obtained between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, or you may call 831-223-5014. Anyone may attend and be heard. Please note that if at some later date you wish to challenge the final action on this item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence at or prior to the public hearing.

MEGAN HUNTER, CITY MANAGER/CITY CLERK

24157 - PUB 5/29/2024

ORDINANCE NO. 769

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ESTABLISHING A NEW TRUCK ROUTE PURSUANT TO CHAPTER 10.62-TRUCK ROUTES OF TITLE 10-VEHICLES AND TRAFFIC OF THE SOLEDAD MUNICIPAL CODE

WHEREAS, Vehicle Code Section 35701 of the California Vehicle Code allows local authorities, by ordinance, to designate street segments on which commercial trucks must travel to reduce the impact of truck traffic in residential neighborhoods and other sensitive areas and minimizing damage to streets and related improvements; and

WHEREAS, in August of 2022, based on authority set forth in Vehicle Code Section 35701, the City Council adopted Ordinance No. 745- "Adding New Chapter 10.62 Truck Routes to Title 10-Vehicles and Traffic of the Soledad Municipal Code and Establishing a Truck Route" which provided the City Council with the ability to establish new truck routes in the City. At the same time Ordinance No. 745 was adopted, the Council also established a New Truck Route in the City based on a recommendation from the former city engineer; and

WHEREAS, since the time of the adoption of the New Truck Route, City Staff, truck operators, school officials and members of the public have expressed concerns with the new route; and

WHEREAS, based on the above-referenced concerns, Public Works staff engaged the City's on-call Traffic Engineer, TL Engineering, to re-evaluate the New and Old Truck Routes. TL Engineering performed a thorough review of both the New and Old Truck Routes considering six (6) criteria and determined the following:

- Total length and Vehicle Miles Traveled (VMT): the Old Truck Route is shorter and represents fewer Vehicle Miles Traveled for users, thus reducing the impact of truck traffic on City streets.
- Collision Data: there were fewer collisions along the Old Truck Route, indicating that it is a safer route.
- Presence of schools: there are fewer schools along the Old Truck Route.
- Presence of safety measures: there are more existing safety measures along the Old Truck Route.
- Turning movements: minor improvements at the East Street/Metz Road/North Street roundabout can be made to better facilitate truck turning movements.
- Truck route signage: the Old Truck Route will require less signage; and

WHEREAS, based on the aforesaid input and findings, the City's Contract Interim City Engineer and City Staff are recommending that the City reestablish the Old Truck Route as the new official truck route in the City.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Soledad City Council as follows:

Section 1. Adoption of Truck Route. The truck route depicted on "**Exhibit A"** hereto, which has been recommended for adoption by the Interim City Engineer and is incorporated herein by reference, is hereby adopted as the Official Soledad Truck Route. The Interim City Engineer is directed to add the route to the City's List of Truck Routes. The only other route currently on this list shall be removed and of no further effect.

Section 2. CEQA Compliance. The adoption of this ordinance is exempt from the California Environmental Quality Act, based on 14 California Code of Regulations Section 15061(b)(3), since it can be seen with certainty that the establishment of a truck route on existing streets within the City, part of a circulation system that has been previously analyzed and approved by City action and is currently in use for vehicular transportation, creates no possibility of a significant effect on the environment.

Section 3. Effective Date. This Ordinance shall become effective on the thirty-first day following adoption.

This ordinance was introduced and read on the 15th day of May, 2024 and was finally adopted on the 19th day of June, 2024, by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

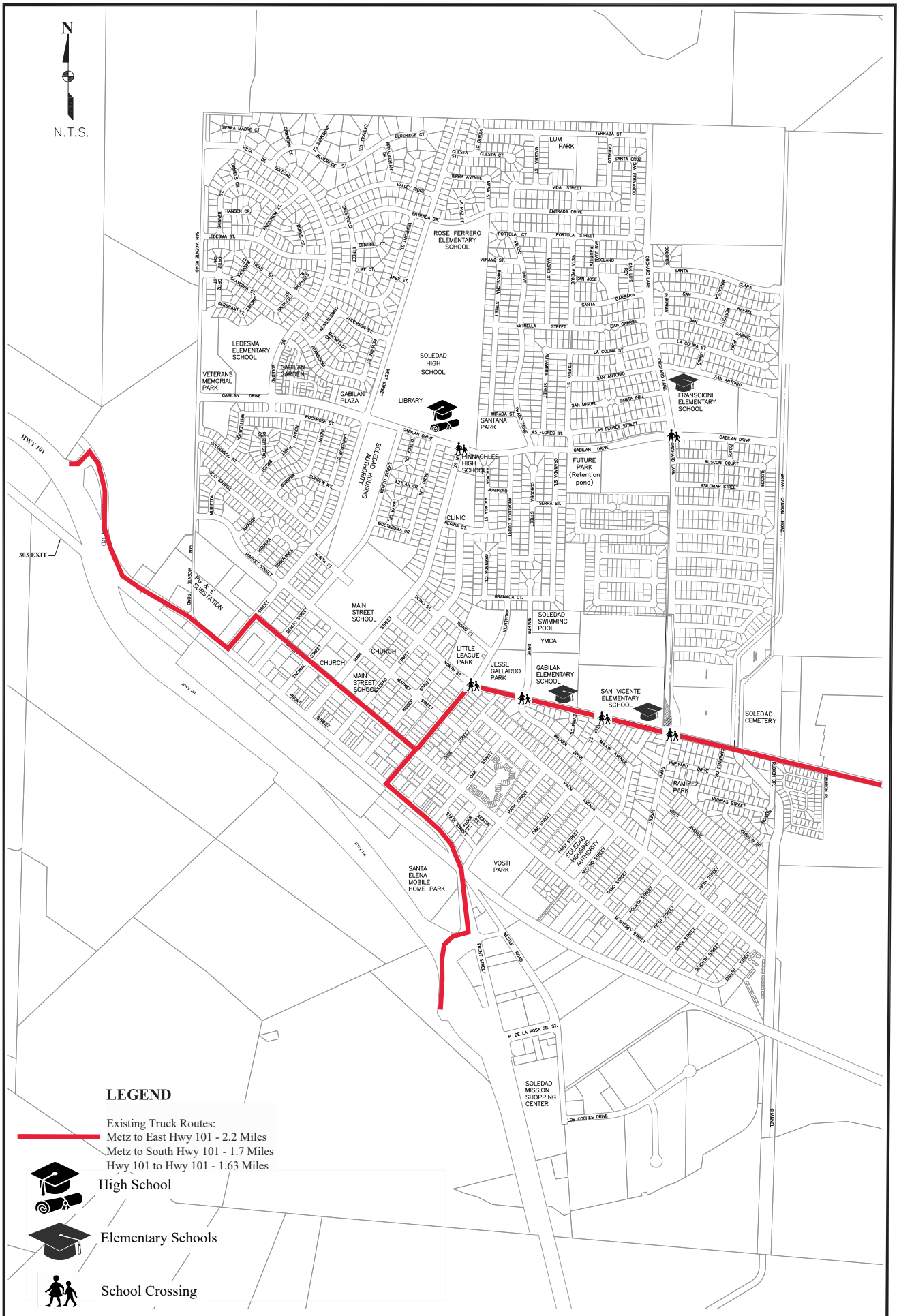
ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
Anna Velazquez, The Honorable Mayor

ATTEST:

_____
Megan Hunter, City Clerk



CITY OF SOLEDAD - DEPARTMENT OF PUBLIC WORKS
TRUCK ROUTES

Exhibit A
April 2022

AGENDA ITEM NO. 1.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6115, A Resolution of the City Council of the City of Soledad Approving and Accepting the S9oledad Police Department's AB 481 Fiscal Year 2023-2024 Annual Military Equipment Use Report Pursuant to Government Code Section 7071 (d) and Renewing City of Soledad Ordinance No. 743 "Approving Soledad Police Department Policy Manuel Policy 706- Military Equipment"**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Mike Rodriquez, City Attorney**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council consider and adopt Resolution No. 6115, Approving and Accepting the Soledad Police Department's AB 481 Fiscal Year 2023-2024 Annual Military Equipment Report Pursuant to Government Code Section 7071(d) and Renewing City of Soledad Ordinance No. 743 "Approving Soledad Police Department Policy Manual Policy 706-Military Equipment."

Executive Summary

Pursuant to the requirements of AB 481, the City Council previously adopted Ordinance No. 743 approving Soledad Police Department Policy Manual Policy 706. Policy 706 establishes an inventory of "military equipment" possessed and/or acquired by the Soledad Police Department, explains why such equipment may be used by the Department, why such use is deemed necessary, and the costs associated with maintaining and storing such equipment. AB 481 is seen as a transparency law, informing both the Council and the community of the possession and potential use of such equipment. AB 481 also establishes the requirement that the ordinance adopting a military equipment use policy must be reviewed and renewed on an annual basis. To facilitate this review, the Police Department is required to prepare an Annual Report concerning the use of the Department's military equipment.

The Police Department's AB 481 Fiscal Year 2023-2024 Annual Military Equipment Report, which was submitted to the Council on May 15, 2024, and Ordinance No. 743, are before the Council this evening for consideration of acceptance and renewal respectively

Background

Effective January 1, 2022, Assembly Bill 481 (codified in Government Code Section 7070 et seq.) requires legislative bodies to adopt ordinances approving military equipment policies before law enforcement agencies can continue to engage in specified activities related to the use of what the state legislature has defined as "military equipment" in Government Code Section 7070. The Soledad Police Department Military Equipment Policy was approved by the City Council by Ordinance No. 743 on June 15, 2022.

Government Code Section 7071(e)(1) states that a governing body shall review any ordinance that it has adopted pursuant to this section approving the funding, acquisition, or use of military equipment at least annually and, subject to paragraph (e)(2), to vote on whether to renew the ordinance at a regular meeting.

Paragraph (e)(2) of Government Code Section 7071 states that the governing body shall determine, based on an annual report, whether each type of military equipment identified in that report has complied with the standards for approval set forth in subdivision (d) of Section 7071, which reads as follows:

A. The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
B. The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
C. If purchasing the equipment, the equipment is reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
D. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

If the governing body determines that a type of military equipment identified in its annual military equipment report has not complied with the standards for approval set forth above, the governing body shall either disapprove a renewal of the authorization for that type of military equipment or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance.

In order to facilitate the orderly annual ordinance review referenced above, Government Code Section 7072 requires that any law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the government body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding year for each type of military equipment:

1. A summary of how the military equipment was used and the purpose of its use.
2. A summary of any complaints or concerns received concerning the military equipment.
3. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
4. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
5. The quantity possessed for each type of military equipment.

6. If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

A copy of the Soledad Police Department's AB 481 Annual Report 2023-2024 is attached hereto as Attachment 1.

Review & Analysis

The City Council considered and adopted Ordinance No. 743 "Approving Soledad Police Department Policy Manual Policy 706- Military Equipment" on June 15, 2022. During the June 15 meeting, and the prior meeting at which Ordinance No. 743 was introduced, the Council took comment from the public and discussed the ordinance and involved policy.

On May 15, 2024, the Council received the Police Department's Annual Report on military equipment. The Report was thereafter posted on the City's website on May 17, 2024. Staff also publicized the date and location of the required "Community Engagement Meeting" concerning the Report, set as a part of the City Council's regular meeting agenda for June 19, 2024, through social media, postings, and as a part of the City Council's posting of its meeting agenda. Policy 706 has been continuously posted on the City website since adoption.

The Annual Report is meant to provide yearly information about each type of military equipment that was approved by Council. In Soledad, the only military equipment possessed by the Police Department is thirteen (13) M16A2 rifles and ammunition. The Report contains a summary of how equipment was used, any complaints or concerns received about the equipment, and any associated costs related to the equipment's use. For this reporting period, no new military equipment was purchased, the equipment was only utilized for training purposes, and all costs were contained within budget appropriations. The Report does not seek approval of future acquisitions.

The Council should hold a community meeting to receive comment upon and to discuss the Annual Report. Thereafter, State law requires that the City review and consider renewal of its ordinance and military equipment policy. Since there have been no changes in the types or use of military equipment held by the Police Department in the past year, all of the findings made by the Council in support of the adoption of Policy 706 in 2022 should remain unchanged. As such, staff believes that both the Annual Report and Ordinance and Policy 706 can be renewed for another year by way of resolution finding that the Annual Report has been prepared in accordance with legal requirements and that there have been no changes to the policy and no immediate plans to acquire any additional military equipment. The adoption of a new ordinance is not needed at this time.

Financial Considerations

There will not be any new, unplanned direct fiscal impacts in continuing the ownership and minimal use of equipment already in the Police Department's inventory or continuing to collaborate with other law enforcement agencies utilizing miliary equipment, including in mutual aid circumstances. Maintenance costs of existing equipment, if any, is within the Police Department's budget.

Alternatives

- Adopt Resolution No. 6115, "Approving and Accepting the Soledad Police Department's AB 481 Fiscal Year 2023-2024 Annual Military Equipment Use Report Pursuant to Government Code Section 7071(d) and Renewing City of Soledad Ordinance No. 743 "Approving Soledad Police Department Policy Manual Policy 706-Military Equipment."

- Council could make changes to the Military Equipment Policy and/or Ordinance No. 743 if the Council determines that there has been non-compliance with standards set forth in subdivision (d) of Section 7071 of the Government Code. Council can also renew or disapprove renewal of the authorization for that type of military equipment or require modifications to the military equipment policy in a manner that will address and resolve lack of compliance.

Planning/CEQA

Not applicable.

Public Notice Requirements

Not applicable

Attachment(s):
Resolution No. 6115
Exhibit A - Soledad Police Department Annual Military Equipment Report
Exhibit B - Ordinance No. 743

RESOLUTION NO. 6115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPPROVING AND ACCEPTING THE SOLEDAD POLICE DEPARTMENT'S AB 481 FISCAL YEAR 2023-2024 ANNUAL MILITARY EQUIPMENT USE REPORT PURSUANT TO GOVERNMENT CODE SECTION 7071(D) AND RENEWING CITY OF SOLEDAD ORDINANCE NO. 743 "APPROVING SOLEDAD POLICE DEPARTMENT POLICY MANUAL POLICY 706- MILITARY EQUIPMENT"

WHEREAS, Government Code Section 7071 et seq. codifies Assembly Bill 481 and requires legislative bodies to adopt ordinances approving military equipment use policies before law enforcement agencies can continue to engage in activities related to the use of military equipment; and

WHEREAS, the Soledad Police Department has a very limited amount of "military equipment" in its inventory (13 military rifles and ammunition) which is used infrequently; and

WHEREAS, during the course of a given year, the Soledad Police Department may engage in limited critical public safety activities in coordination with other jurisdictions in possession of military equipment on police-related matters, including safeguarding the public's welfare and safety, working on regional task forces, conducting training exercises, providing mutual aid and responding to emergencies; and

WHEREAS, on June 15, 2022, the Soledad City Council adopted Ordinance No. 743 which approved Soledad Police Department Policy Manual Policy 706- Military Equipment which includes an inventory report of the police department's military equipment and procedures for use and maintenance of the same; and

WHEREAS, Soledad's Military Equipment Policy 706 establishes a military equipment use policy that is consistent with Police Department's current practices, complies with the requirements of the Government Code, will continue to ensure ongoing regulation and compliance with the law going forward and will continue to provide a means of community engagement and transparency regarding the use of military equipment by the Department; and

WHEREAS, Government Code Section 7071 requires the City Council to conduct an annual review of its ordinance approving the City's Military Equipment Policy and to vote on whether to renew the ordinance; and

WHEREAS, in order to facilitate the aforesaid ordinance review, the City Council is also required to conduct an annual review of the Police Department's AB 481 Fiscal Year 2023-2024 Annual Report on military equipment prepared and submitted pursuant to Sections 7071 and 7072 of the Government Code; and

WHEREAS, notice of the Council's consideration of both Ordinance No. 743 and the AB 481 Annual Report have been provided in accordance with applicable law; and

WHEREAS, the City Council desires to find that the AB 481 Annual Report on military equipment complies with the standards of approval set forth in subdivision (d) of Government Code Section 7071 because of the following:

1. Authorizing the use of military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety. The use of the Department's equipment is part of the Department's overall approach to safe and efficient policing. The equipment will enable department members to properly respond to both planned and unplanned events efficiently and effectively.

2. The Military Equipment Use Policy will safeguard the public's welfare, safety, civil rights, and civil liberties by ensuring required reporting, the opportunity for community engagement and feedback, and transparency and oversight regarding the acquisition and use of specified military equipment in the City of Soledad.

3. If purchasing equipment, the equipment is reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

4. Prior military equipment use complied with the military equipment use policy that was in effect at the time of the use; and

WHEREAS, the City Council has also reviewed and desires to renew Ordinance 743.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad as follows:

1. All of the statements and facts set forth above are true and correct and incorporated herein by this reference. These recitals constitute findings in this matter and together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the actions taken in this resolution.

2. The City Council finds that Ordinance No. 743 is exempt from the provisions of the California Environmental Quality Act ("CEQA") because it will not result on a direct or reasonably foreseeable direct physical change in the environment and is not a "project" as defined in Section 15378 of the CEQA Guidelines.

3. The City Council has reviewed the Soledad Police Department's Annual Military Equipment Report, a copy of which is attached hereto as **Exhibit "A"** and by this reference incorporated herein, and finds that it complies with the standards of approval set forth in subdivision (d) of Government Code Section 7071. The report is hereby approved and accepted.

4. The City Council hereby renews Ordinance No. 743 "Approving Soledad Police Department Policy Manual Policy 706-Military Equipment," a copy of which is attached hereto

as **Exhibit "B"** and by this reference incorporated herein, for a period of one year from the effective date of this resolution without change.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular public meeting thereof held on the 19th day of June, 2024, by the following vote:

AYES: and in favor thereof, Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

Soledad Police Department
AB 481 Annual Report 2023-2024

Annual Report

AB 481 requires the Police Department to provide the City Council and the public with a report outlining how the military equipment possessed and/or acquired by the City during the previous year was used in order to ensure the police department is adhering to its policy and the City ordinance concerning military equipment. The Soledad Police Department has not acquired any new equipment that would be considered "military equipment" pursuant to the provisions of Government Code Section 7070 et seq.

1. **M16A2 Commando 5.56 patrol carbine rifles**
   A. A summary of how the military equipment was used and the purpose of its use. **These weapons may be deployed in circumstances in which an officer can articulate a reasonable expectation that the rifle may be needed. (e.g. where an officer anticipates an armed encounter, need for long range fire, where an officer believes a suspect may be wearing body armor). Use of the ammunition for these weapons requires special training for POST certified trainers.**
   B. A summary of any complaints or concerns received concerning the military equipment. **None.**
   C. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response. **None.**
   D. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the year following submission of the annual military equipment report. **Minimal maintenance and training costs, paid for out of Police Department Budget.**
   E. The quantity possessed of each type of military equipment. **Thirteen.**
   F. If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment. **None.**

2. **Ammunition for M16A2 Commando 5.56 patrol carbine rifles**
   A. A summary of how the military equipment was used and the purpose of its use. **Used for target practice only.**
   B. A summary of any complaints or concerns received concerning the military equipment. **None.**
   C. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response. **None.**
   D. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the

year following submission of the annual military equipment report. **No cost for this reporting period.**

E. The quantity possessed of each type of military equipment. **7,559** +/- **rounds**.

F. If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment. **None.**

ORDINANCE NO. 743

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING SOLEDAD POLICE DEPARTMENT POLICY MANUAL, POLICY 706- MILITARY EQUIPMENT

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies; and

WHEREAS, Assembly Bill 481 (AB 481), codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a "military equipment" use policy at a regular meeting held pursuant to open meeting laws prior to taking certain actions relating to the funding, acquisition, or use of "military equipment." The term "military equipment" is defined in California Government Code Section 7070; and

WHEREAS, AB 481 allows the City Council to approve the funding, acquisition, or use of military equipment, within its jurisdiction only if it makes specified determinations; and

WHEREAS, a proposed military equipment use policy is found within Soledad Police Department Policy Manual, Policy 706- Military Equipment ("Policy 706"); and

WHEREAS, the policy was published and displayed on the City of Soledad website on April 25, had a public hearing notice concerning its potential adoption published on June 1, 2022 and is being presented to the City Council for adoption on June 15, 2022; and

WHEREAS, Policy 706 meets the requirements of California Government Code Section 7070; and

WHEREAS, the Council believes that with respect to Policy 706, 1) the identified equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety; 2) the policy will serve to safeguard the public's welfare, safety, civil rights, and civil liberties; 3) in future instances in which equipment is to be purchased, the equipment will be reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and 4) corrective action has been taken, as necessary, to ensure that prior nonconforming use of military equipment is in compliance with new policies; and

WHEREAS, by approving Policy 706, the Council will be authorizing the limited use of identified "military equipment" by the members of the Soledad Police Department, and attendant annual reporting and approval of use of such equipment in accordance with Policy 706; and

WHEREAS, in the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq. and found this activity is not a "project" as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLEDAD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. All of the recitals set forth above are true and correct and by this reference are adopted as findings of the City Council as though set forth in full within the body of this ordinance.

SECTION 2. The Council hereby approves City of Soledad Police Department Policy Manual Policy 706-Military Equipment, a copy of which is attached hereto and by this reference incorporated herein. A copy of approved Policy 706 will be added to the City's website for continuous access by the Council, staff and the public.

SECTION 3. The City Manager is directed to execute all documents and to perform all other acts necessary to implement this Ordinance.

SECTION 4. If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 5. This ordinance shall become effective on the thirtieth (30th) day following its passage and adoption hereof.

PASSED AND ADOPTED by the City Council of the City of Soledad this 15th day of June, 2022, by the following vote:

AYES, and in favor thereof Councilmembers: Benjamin Jimenez, Jr., Mayor Anna M. Velazquez, Carla Strobridge, Alejandro Chavez

NOES, Councilmembers: None

ABSENT, Councilmembers: Lara

ABSTAIN, Councilmembers: None

Anna M. Velazquez

ANNA M. VELAZQUEZ, the Honorable Mayor

ATTEST:

BRENT SLAMA, City Clerk

AGENDA ITEM NO. 1.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6116, A Resolution of the City Council of the City of Soledad Approving Planned Unit Development Permit No. 1 (PUD 2018-02) Miravale Parcel E Amendment No. 1**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Kao Nou Yang. Community & Economic Development Director and Ariana Mora, Associate Planner**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council of the City of Soledad consider and approve Resolution No. 6116, "Approving Planned Unit Development Permit No. 2018-02 (PUD 2018-02) Miravale Parcel E Amendment No. 1."

Executive Summary

In 2019, the City Council approved a Planned Unit Development for Miravale Santa Clara Subdivision (Parcel E) for 132 housing units. These include 28 multi-family rental units and 104 single-family ownership units. Parcel E was required to provide a total of 52 affordable housing units, consisting of 14 low-income and 14 very-low-income deed-restricted rental units and 24 moderate-income ownership units. Recently, the project developer partnered with Eden Housing, a non-profit agency, to help develop and manage the inclusionary housing requirement. The applicant has proposed amendments to PUD 2018-02 to obtain federal funding for project construction. Proposed changes include an increase in rental units from 28 to 40 and an increase in maximum height for the multi-family buildings from 30 to 40 feet. Amendment No. 1 will not impact the 104 single-family units and will instead provide 40 rental units for very low-income residents. The Soledad Planning Commission approved the requested amendment for recommendation to the City Council with a 3-1 vote during a public hearing on May 22, 2024. The City Council will now conduct the final review and consideration of approval.

Background

On March 6, 2019, PUD 2018-02 was approved by Council through Resolution No. 5482 for 132 housing units, including 104 Single-Family Residential Units and 28 apartment units, on an 8.56-acre parcel owned by Agha Development. After obtaining entitlements, the Project developer entered into

an Affordable Housing Agreement with the City of Soledad to construct 28 low-income and very-low-income rental units and 24 moderate ownership units for a total of 52 affordable housing units.

After careful consideration of the project with partner Eden Housing, an affordable housing non-profit agency, the applicant is proposing a redesign. The proposed redesign is crucial for Eden Housing as it must comply with appropriate property amenities to apply for tax credits in the summer of 2024. The project will serve very low-income families ranging from 30-60% of the Area Median Income (AMI). The units will remain affordable under regulatory control by the California Tax Credit Allocation Committee ("CTCAC") for a minimum of 55 years.

To qualify the project for tax credits, an amendment to the approved PUD 2018-02 must reflect the additional units, increase the maximum height, and modify parking standards.

Review & Analysis

Planned Development Permit Amendment

As described in Soledad Municipal Code section 17.38.230, Planned Unit Developments (PUD) are intended to promote efficient land use through increased design flexibility and quality site planning. The planned development concept allows departure from standard property development regulations when development is planned as a unified, integrated whole and incorporates outstanding design features and amenities.

The proposed amendments to PUD 2018-02 are underlined in Exhibit A, attached to this report. The amendments to the project will include a building height increase, parking minimums, and an increase in the number of units to qualify for federal funding and provide affordable rental housing units in Soledad. The proposed amendment will show the new units and relax the development standards (height, parking).

Based on the approved PUD 2018-02, the approved density is 22 units per acre for the 8.55-acre site, establishing a maximum number of 188 units. With the requested changes, the applicant is proposing an increase in the number of multifamily rental units from 28 to 40. The proposed amendment will remain under the approved density as approved through PUD 2018-02. No additional changes will apply to the 104 single-family units, thus providing 144 housing units.

Under SMC 17.14 R-3 Residential High-Density District, buildings have a maximum height of 30 feet. To use land efficiently and provide the number of proposed affordable units, the applicant and partner propose a maximum height of 40 feet for their project. Modification from the property development standards enables the developer and partner to construct additional units in exchange for providing a public benefit, such as affordable housing units. As the City endeavors to implement the 6th Cycle Housing Element and prioritize affordable housing units, public and private partnerships are imperative to enable developers to leverage the heightened density for enhanced economic value. Simultaneously, adding more affordable housing units accrues benefits to cities and towns, providing maximum effective density and improved aesthetics through increased flexibility in building siting.

Amendment No. 1 to PUD 2018-02 also proposes a change to the minimum off-street parking requirements. The original requirement for the multi-family units was 54 parking spaces, but the applicant now proposes only 50 parking stalls due to the addition of a park and community room amenity. The off-street parking is designed to be integrated into the development to minimize its impact on neighboring properties. According to SMC 17.36.020, the Planning Commission may approve the

reduction of parking requirements when special circumstances apply to the property and consistent with SMC 17.36.020. All off-street parking is located within the proposed project area and meet minimum parking counts. Due to the added amenities, special circumstances are applicable for modifying off-street parking requirements, as noted in SMC 17.36.020 and approved through PUD 2018-02.

A PUD permit requires review and consideration by the Planning Commission before a recommendation is made to the City Council for final review. The Planning Commission initially reviewed the proposed changes during a special public hearing to consider findings for recommendation. On May 22, 2024, the Planning Commission conditionally approved PUD 2018-02 Amendment No. 1 with a 3-1 vote. The action taken by the Planning Commission included approval of the parking reduction and a recommendation to waive maximum height restrictions up to 40 feet in height. Planning Commission concerns included but were not limited to parking impact, ingress and egress, height restrictions, and project affordability. The project does not anticipate changes to the subdivision site plan, except for an exemption to the height of the multi-family complex. In regards to parking, the project meets the minimum parking standards for affordable housing of at least 1 parking space per unit.

In regards to affordability, the project will provide 40 very low-income units of affordable housing, which will contribute to the 6th Cycle Regional Housing Needs Assessment (RHNA). Table 1 provides details of the assigned RHNA for Soledad, counting that the 40 low-income units will help fulfill the requirement of 100 very low-income units to meet the RHNA for the 6th cycle update.

Table 1. City of Soledad 6th Cycle RHNA and Projected Pipeline Housing Units for the next eight years (2024-2031).

	6th Cycle RHNA	Projected Pipeline Projects
Very Low	100	125
Low	65	115
Moderate	183	134
Above Moderate	376	528

To approve a Planned Development Permit or an amendment thereto, the proposed planned development must comply with the requirements set forth in SMC section 17.38.230. Again, PUD 2018-02 was approved, and the City found that the project was consistent with the municipal code requirements. Now, the applicant proposes to change the design of the buildings to accommodate the proposed additional units, including, but not limited to, building height. To approve the proposed amendment to PUD 2018 -02, the City must find that the permit is still consistent with the requirements of SMC section 17.38.230 and, specifically, that the design ensures compatibility and harmony with existing and planned uses on adjacent properties and the project is consistent with the purpose and intent of the off-street parking requirements set forth in section 17.36.020. Staff believes that the revised design remains compatible and in harmony with adjacent properties and that all requirements of SMC section 17.38.230 are met. Furthermore, Staff believes that the proposed parking reduction is still consistent with the intent to the approved use in PUD 2018-02.

2005 General Plan Consistency and Findings:

The proposed PUD 2018-02 Amendment No. 1 is consistent with the 2005 General Plan, specifically:

- General Plan Policy L19 states, "In general, higher densities of residential development shall be located in areas served by the widest range of urban services, and shall be preferred along collector and arterial streets, within walking distance of schools, city parks, and transit stops."
    - The proposed development is located within a high-density residential zone and is consistent with the allowable use.
- General Plan Policy L18 requires that "The infill of existing residential lots shall be encouraged."
    - The proposed development is located within an existing infill location along the northeastern property within the City limits.
- General Plan Policy H9 states that: "The City of Soledad shall ensure that city site improvement standards, development review procedures, and development fees do not unreasonably constraint the development, conservation, and rehabilitation of housing."

The subject site is designated Multi-family Residential, which allows for the development of multi-family housing such as apartments, condominiums, and townhouses at a density of 13-22 dwelling units per gross acre. In addition, the proposed project plans to develop a community center and other recreational activities to benefit its residents. The project location is also near an elementary school and Santa Barbara Park, Lum, and Peverini Park.

Staff Recommendation:

The City Council may consider the following conclusions that arise from these policies and standards:

- The City favors infill development of the type proposed in areas such as this, where urban services are available to serve the estimated 40 rental units.
- The City's General Plan prioritizes the design of multi-family housing to achieve neighborhood compatibility and community character objectives, which is higher than achieving maximum density to meet housing objectives.

Staff is seeking City Council action to approve Resolution No. _____ based on the information contained in this report. The approval of PUD 2018-02 Amendment No.1 is essential to provide 40 affordable housing units for low-income residents of Soledad for over a 55-year term. Staff believes it is in the City's interest to facilitate the creation of these 40 affordable housing units so that Eden Housing can apply for tax credits in the summer of 2024.

Financial Considerations

There will be no impact on the General Fund.

Alternatives

- Approve the Resolution to approve Amendment No. 1 to PUD 2018-02 ; or
- Do not approve the Resolution to approve Amendment No. 1 to PUD 2018-02 and provide staff with direction.

Planning/CEQA

PUD 2018-02 was reviewed and approved in accordance with the California Environmental Quality Act ("CEQA"). A Final Environmental Impact Report (EIR) was prepared for the larger Miravale Partners -Hambey, which includes this Parcel E site. The EIR was completed and certified by the Soledad City Council on May 19, 2000 (State Clearinghouse No. 97121038). PUD 2018-02 was approved as a later activity within the scope of that EIR. The proposed amendment to PUD 2018-02 is similarly within the scope of the project analyzed in the EIR and thus requires no further analysis under

CEQA Guidelines sections 15168 and 15162. The proposed project uses remain the same, and the increase in units will not result in any significant environmental impacts that were not previously evaluated and/or mitigated by the EIR.

Public Notice Requirements

A public notice was published on May 29, 2024, in The Californian.

Attachment(s):
Resolution No. 6116
3. Exhibit A Parcel E PUD
2- Santa Clara Parcel E Amendment Application

RESOLUTION NO. 6116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING PLANNED UNIT DEVELOPMENT PERMIT NO. 2018-02 (PUD 2018-02) MIRAVALE PARCEL E AMENDMENT NO. 1

WHEREAS, in 2019, the City Council of the City of Soledad adopted Resolution No. 5482 approving of Planned Unit Development 2018-02 (PUD 2018-02), allowing for the establishment for 104 Single Family Units and 28 Multi-Family Units; and

WHEREAS, the City of Soledad received an application initiated by Agha Development and Eden Housing ("Applicant") for an amendment to PUD 2018-02 to increase the approved 28-unit apartment complex to 40 units and concessions/waivers that would allow the project to deviate from property development standards for Miravale II Santa Clara Parcel E (the "Project"); and

WHEREAS, the Project is a collaboration with Agha Development and Eden Housing (collectively, "Applicant"); and

WHEREAS, the Applicant has submitted Amendment No.1 to, to modify the height, size, and configuration and increase the number of units for PUD 2018-02 with deviation from property development standards set forth in the R-3 Residential High-Density District. The proposed Amendment No. 1 will increase the number of multi-family units from 28 to 40, allow for elimination of 4 parking spaces for a total of 50 spaces, and allows for increasing the height of the multi-family units to 40 feet; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines sections 15168 and 15162, Amendment No. 1 is within the scope of the certified EIR prepared for the Miravale Project. Amendment No. 1 does not involve new or more significant impacts than those already analyzed in the EIR or any new information that was not previously considered, and for purposes CEQA, no further documentation is required; and

WHEREAS, the Planning Commission had a special meeting on May 22, 2024, and recommended approval on a 3-1 vote to determine that Amendment No.1 of PUD 2018-02 complies with all applicable City Ordinances, plans, codes, and standards; and

WHEREAS, the City Council of the City of Soledad has determined that Amendment No.1 of PUD 2018-02, complies with all applicable City Ordinances, plans, codes, and standards.

THEREFORE, BE IT RESOLVED, that the City Council of the City of Soledad issue the requested concessions and waivers for height increase and off-street parking deviations and approve Amendment No. 1 to PUD 2018-02, based upon the findings and conditions set forth in the attached **Exhibit "A"** and made a part hereof, and based on the following findings:

1. The above recitals are true and correct and are incorporated herein.
2. Pursuant to CEQA Guidelines sections 15168 and 15162, Amendment No. 1 to PUD 2018-02 is within the scope of the certified EIR prepared for the Miravale Project. Amendment No. 1 does not involve new or more significant impacts than

those already analyzed in the EIR or any new information that was not previously considered, file and will be available for public review at the Soledad City Hall, Community, and Economic Development Department, and for CEQA compliance purposes, no further documentation is required.

3. The requested housing units of an additional 12 units based on the project's provision of 64 deed-restricted units is consistent with the Soledad Municipal Code Chapter 17.14- R-3 Residential High Density regulations and is hereby granted.
4. The requested waiver allowing for a building height of 40 feet would allow the project to be constructed at the proposed density despite the 30-foot height limit.
5. The requested amendments to PUD 2018-02 comply with the provisions of Soledad Municipal Code section 17.38.230 and are consistent with the Soledad General Plan.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 19th day of June 2024, by the following vote:

AYES, and in favor thereof Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

EXHIBIT A

PLANNED DEVELOPMENT PERMIT

CITY OF SOLEDAD

March 6, 2019 Reso No. 5482
APPROVAL DATE AND REFERENCE

_____
AMENDMENT NO. 1 APPROVAL DATE AND REFERENCE

PD #2018-02
PERMIT NOS.

APN: APN 022-441-017
ASSESSOR'S PARCEL NO.

Planned Development Permit No. 2018-02 authorizing the Planned Development of 132 residential Units, and related access, parking, landscaping and appurtenant structures and improvements as shown on Exhibits B (A1-A14, L-1, C1-5) and dated 9/5/18, 12/31/18 and 2/13/19.

Planned Development Permit No. 2018-02 Amendment No. 1- authorizing the Planned Development of a total of 144 residential units, 104 Single-Family Townhomes, and 40 Multi-Family Apartment Units with a maximum height of 40 feet as shown on **Exhibit C** dated 3/28/2024.

FINDINGS:

Section 1: General Plan Consistency

A. The proposed project is consistent with the City of Soledad General Plan:

1. The project site is designated as "High Density Residential" on the General Plan Land Use Plan Map and the proposed project uses are consistent and within the allowable density range: General Plan and Zoning Ordinance, provisions 4-16 and Section 17.14.040, respectively. allow the development of up to 22 dwelling units per acre;

2. The project is consistent with the Circulation Element of the General Plan – the project site location has convenient and improved access from Santa Clara Street, improved public streets in the City of Soledad;

3. The project is consistent with General Plan policies promoting provision of safe and decent affordable multi-family housing; and

4. Conditions of approval require design adherence to appropriate Community Design Guideline and Standards, and the proposed site plan and buildings, as conditioned, have been found to be in substantial conformance with said provisions.

Section 2: <u>Zoning Ordinance Consistency</u>

A. The proposed use is consistent with the City of Soledad Zoning Ordinance:

1. The site is zoned R-3 (High-Density Multifamily Residential District) and the use and density ranges are consistent with the district standards for such.

2. The proposed site plan, as conditioned, would meet all of the site development requirements of the R-3 District and requested modifications to standards of the R-3 District are allowed through approval of the subject project as a Planned Development.

B. The establishment of the use on the site will not be detrimental to the health, safety, comfort, convenience, or general warfare of persons residing or working in the neighborhood, or detrimental to property and improvements in the neighborhood or to the general welfare of the city because:

1. The proposed project, as conditioned, is compatible with the surrounding mix of residential uses and will promote and further the achievement of community design standards for Multi-Family Residential Development;

2. The site has adequate services including water, sanitary sewer and storm drainage;

3. The subject project is located on a designated arterial street designed to accommodate the type of infill development as proposed and will have no significant effect in the area;

4. The facility has adequate on-site parking adequately screened from view of surrounding residential areas;

5. No nuisance-causing uses, or uses generating unusual noise, odor, light or vibration or otherwise detrimental to the neighborhood are authorized by this permit.

D. The proposed Planned Development Permit has been processed per the City's Zoning Ordinance requirements per Chapter 17.42 to wit:

1. An application has been received and accepted by the Planning Department for processing.

2. A Public Hearing Notice was published in the Salinas Valley Tribune on May 8th, 2024 and public notices were mailed to all property owners within a 300-foot radius of the subject property. Hearing notices were posted at City Hall in accordance with the Government Code.

3. A duly noticed public hearing was held on May 22nd, 2024.

CONDITIONS OF APPROVAL
PD #2018-02

STANDARD CONDITIONS

1. **TSM Expiration**. The approved tentative subdivision map (Dated 2/13/19) shall expire twenty-four months after its approval or conditional approval. The expiration of the tentative map shall terminate all proceedings and no final map of all or any portion of the real property shall be filed without first processing a new tentative map. Extensions of time shall be considered pursuant to the City of Soledad Subdivision Ordinance and the State Subdivision Map Act.

2. **Tentative Map Improvements Only Conceptual**. The Project Developer agrees that the improvements shown on the tentative map are only conceptual, and that the final configuration of the improvements will be determined during review and approval of the final map, improvement plans, and supporting design calculations reviewed by the City, or other agents of the City, prior to recordation of the final map. All improvements as described in Chapter 16.24 of the Soledad Municipal Code, and as required by these conditions and any subsequent improvement agreement or development agreement, shall be designed and installed to the satisfaction of the City. With the exception of landscaping plans, all improvements shall be designed by a Civil Engineer licensed in the State of California. The City reserves the right to make changes to the Project to comply with public health and safety requirements and any Federal, State and local regulations and requirements.

3. **Subdivision Improvement Agreement**. The Project Developer shall enter into a subdivision improvement agreement with the City prior to approval of the final subdivision map for the Project. Said agreement shall set forth the necessary public service improvements to serve the proposed project, including grading, street improvements, temporary secondary access, water service, sewer service and storm drainage, refuse collection service, gas, electric, telephone and cable services, and any other necessary appurtenances and/or services, and shall include provisions requiring security for performance and materials and labor associated with said improvements in

accordance with Government Code Sections 66499-66499.10. All security shall be in the amount to cover 100 percent of the cost of such improvements, based on an engineer's estimate provided to the City by the Project Developer, plus an amount necessary for the guarantee and warranty of the work for a period of one year following completion and acceptance of said improvements.

4. **Conditions Run with the Land**. The terms and conditions of this approval shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assigns of the Permittee.

5. **Applicability to Site**. This use permit approval applies only to the physical site, structures and uses shown on the site plans and architectural drawings submitted by RRM Design Group dated 9/5/18, 12/31/18 and 2/13/19, attached hereto as **Exhibit B**, which are made a part of this permit except as may be modified by these conditions. Notwithstanding this requirement, minor changes in site design and elevations from those shown on the approved site plan may be made, subject to review and approval of modified site plan by the City Community Development Director or designee.

6. **Completion of Infrastructure Improvements**. All infrastructure improvements required to serve the development pursuant to these conditions and City standards (e.g., streets, sidewalks, fire hydrant(s), storm drainage, sanitary sewer, water, undergrounding of gas, electric, telephone and cable, utilities, landscaping and other improvements and appurtenances) shall be designed and installed or constructed to the satisfaction of the City prior to the issuance of prior to the issuance of any building permit(s) or certificate of occupancy, as applicable. Landscaping shall be installed by the Project Developer and inspected and approved by the City and/or by a qualified person approved by the Public Works Director, prior to occupancy.

7. **Offers of Dedication**. Any offers of dedication, and bonding or other financial security, or development agreement(s) concerning same and as specified in the project conditions below shall be prepared by the Project Developer, and reviewed as to form, accuracy, and sufficiency by the City Attorney.

8. **Compliance with Project Conditions**. All project conditions as set forth herein shall be placed on the top sheet of building plan sets for all building construction on the project site. Unless otherwise provided for as a project condition to this use permit, all conditions must be completed to the satisfaction of the City prior to issuance of a certificate of occupancy and commencement of the activities allowed by this permit.

9. **Code Compliance**. All construction, improvements and uses shall be in accordance with zoning, building, fire, and all other codes and ordinances of the City of Soledad or agencies that have regulatory jurisdiction over the project. All such requirements shall be met and any outstanding fees paid prior to issuance of a certificate of occupancy, except for those items agreed to by the owner and the Building Official.

10. **Grounds for Permit Revocation**. Failure to establish the use authorized by this Permit within two years from the date of issuance, unless otherwise extended, shall be grounds for revocation of this Permit. Failure to comply with the conditions specified herein as the basis for approval of this application and issuance of this approval constitutes cause for the revocation of the Permit in accordance with the procedures set forth in the Soledad Municipal Code Section 17.42.070.

11. **Cost Reimbursement**. Project Developer shall reimburse the City of Soledad for all engineering, inspection, legal, and administrative expenses, incurred or to be incurred by the City in connection with this development, including expenses incurred through the use of outside consultants and additional inspectors, where necessary. At the time of submission of improvement plans for the project, the Project Developer shall enter into a Reimbursement Agreement and deposit not less than ten thousand dollars ($10,000) into a developer account set up by the City for the purpose of providing the City with said reimbursement. The City shall account to Project Developer for all expenses for which reimbursement is claimed, providing copies of all back-up materials in a timely manner, and shall return any portion of said deposit in excess of the actual amount of expenses incurred. If, in the judgment of the Public Works Director, it appears that the amount deposited shall not be sufficient to cover all expenses, Project Developer shall, within fifteen (15) days after written request from City, make an additional deposit of funds in an amount determined by the Director to be sufficient to make up the deficiency. At no time after submission of improvement plans shall the balance of the deposit fund be less than one thousand dollars ($1,000). The need for the maintenance of this account shall cease upon compliance with all project conditions and code requirements.

12. **Hold Harmless and Indemnification**. Applicant/Project Developer shall indemnify and hold harmless the City, its elective and appointive boards, commissions, officers, agents and employees from all damages, injuries, claims and any and all liability and costs arising from or about the site or in connection with the conduct of business thereon. Applicant/Owner agrees to, and shall, defend City, its elective and appointive boards, commissions, officers, agents and employees, from any suits or actions at law or equity from damages caused, or alleged to have been caused, by reason of the aforesaid design, construction and uses of the involved site pursuant to this Use Permit. Except as provided above, the terms of this paragraph shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of the aforesaid design or operations referred to herein, regardless of whether or not City has prepared, supplied or approved of plans and or specifications for use of the proposed site. To the extent that Applicant is required to indemnify and hold harmless the parties listed above, it shall have the right to control the litigation, including but not limited to contracting for counsel of its choice, and accepting or rejecting any settlement offer.

PROECT SPECIFIC CONDITIONS

13. **Affordability Covenants.** Developer shall enter into an Affordable Housing Agreement, approved by the City Council that shall require either 1) that 29% of the total project units are available to very low and low income household; and, 25% of the total units are

available to moderate income residents or 2) that the applicant and City Council mutually agree on alternative terms. Such documents enforcing this condition shall be recorded and in full force upon the property prior to the issuance of a Building Permit. Prior to issuance of the certificate of occupancy, the Project Developer shall demonstrate compliance with the Affordable Housing Agreement as required per Soledad Municipal Code Section 17.41.

14. **Architectural Design Approval**. (a) Prior to issuance of a Building Permit for the proposed project, Project Developer shall submit ~~revised~~ building elevations, site plan and landscape plans ~~as may be required by the Planning Commission~~. Revised plans shall be generally consistent with Plans dated ~~September 5, 2018~~, March 28, 2024 and shall demonstrate conformance with applicable provisions of Community Design Guidelines and Standards Design Standards contained in Chapter 6 of the Guidelines.

    (b) Incorporate Design Details in Building Plans. Construction drawings submitted for building permit approval shall include architectural elevations with the design detail noted on the elevation sketches included as part of **Exhibit B and Exhibit C** as modified by these conditions**.** Drawings shall show all proposed exterior lighting fixtures. A building permit application will not be accepted by the City unless building plans include a site plan and elevations with sufficient design detail for review and approval by the City Building Official and/or Public Works Director (or Designee).

15. **Minor Architectural Changes**. Following Architectural Design Approval by the Planning Commission, minor site plan or architectural changes may be approved by the Community & Economic Development Director or designee.

16. **Final Landscaping Plan Required**. Prior to issuance of the first building permit, Project Developer shall submit a final landscape plan for review and approval by the Public Works Director or Designee. Final landscape plan shall provide for and identify durable play area improvements and corresponding specifications. Landscaping and irrigation shall be installed prior to occupancy in compliance with the provisions of Chapter 15.10 of the Soledad Municipal Code (SMC).

17. **Encroachment Permit and Right-of-Way Improvements**. An encroachment permit shall be obtained from the City for any construction work that will be performed within the public right-of-way, and a contractor licensed in the State of California shall be responsible for construction of any such future work. Any improvements in the public right of way shall be designed by a Civil Engineer licensed in the State of California and installed to the satisfaction of the Public Works Director or City Engineer.

18. **Engineering Studies/Calculations**. All engineering design work, including, but not limited to, design of storm sewers and appurtenances, sanitary sewers and appurtenances, storm drainage facilities, and water systems and appurtenances; street improvements and sidewalks, including geometrics, sight distances, lighting, retaining walls, signing and striping; and landscape irrigation and appurtenances, shall be supported by applicable engineering studies/calculations completed by a licensed civil engineer or qualified

licensed professional in the State of California, subject to the review and approval of the City.

19. **Improvement Plans**. Project Developer shall complete all offsite and onsite improvement plans consistent with these conditions and City requirements, and said plans shall be approved by the City prior to issuance of building permits.

20. **Required Onsite/Offsite Improvements**. Proposed onsite and off-site improvements shall be constructed in conformance with applicable City of Soledad Design Standards and Specifications to the satisfaction of the Public Works Director and as further stipulated herein:

(a) Storm Water Management. In accordance with the provisions of Chapter 13.52 of the Soledad Municipal Code, a storm water permit shall be obtained prior to the issuance of any grading or building permit for the project. The proposed project shall comply with the most recent Phase II Municipal Separate Storm Sewer System (MS4) General Permit (Order No. 2013-0001-DWQ) and the Post-Construction Stormwater Management Requirements for Developments Projects in the Central Coast Region (Resolution No. R3-2013-0032).

Due to the project type and size for development, a Storm Water Pollution Prevention Plan (SWPPP) will need to be prepared and proper documentation submitted to the State Water Board to register under the Construction General Permit. This will cover the full development site so another SWPPP will not need to be required for Phase 2 Development. The applicant is required to provide a Waste Discharge Identification (WDID) number prior to issuance of a grading permit.

A Stormwater Control Plan (SCP) shall be prepared to document the Post-Construction Stormwater Control Measures (SCMs). The SCP must include an Operation and Maintenance (O&M) Plan that addresses the maintenance procedures and intervals for each SCM and identifies the responsible party to conduct maintenance. A maintenance covenant will be required to ensure on-going maintenance for the life of the facility. The covenant shall include, at a minimum:

- The project owner's signed statement accepting responsibility for the O&M of the installed onsite and/or offsite structural treatment and flow control SCMs until such responsibility is legally transferred to another entity; and either
- Written conditions in the sales or lease agreements or deed for the project that require the buyer or lessee to assume responsibility for the O&M of the onsite and/or offsite structural treatment and flow control SCM until such responsibility is legally transferred to another entity; or

- Any other legally enforceable agreement or mechanism, such as recordation in the property deed, that assigns responsibility for the O&M of the onsite and/or offsite structural treatment and flow control SCM to the project owner(s) or the City.

The proposed project must be designed to not increase the peak flow to the downstream system. Therefore, a drainage report will need to be prepared demonstrating compliance. Refer to the City's Design Standards and Standard Specifications for the specific flood control requirements.

During construction, the Project Developer shall conform to the City's pollution prevention requirements for construction contracts, including but not limited to, proper clean-up and disposal of spills, regular maintenance of all construction vehicles and heavy equipment, and proper storage of stockpiled materials, chemicals, paints, etc.

b. Storm Drainage Improvements. Project Developer shall prepare and implement a storm drainage improvement plan supported by storm drain calculations, consistent with the requirements of the 2008 Public Works Design Standards and Chapter 13.52 of the Soledad Municipal Code—Storm Water Quality. All drainage improvements shall be constructed consistent with the improvement plan as approved by the City, and Project Developer shall be responsible for the continued maintenance of onsite drainage facilities consistent with the Soledad Municipal Code.

c. Water Mains and Appurtenances. Project Developer shall construct adequate onsite water system improvements for commercial, fire and landscape irrigation purposes in accordance with Public Works Design Standards and Fire Code fire flow requirements. The water system shall be looped and water meters clustered wherever possible on-site to serve each use. Back-flow preventers on the State Approved List shall be installed where required by the City Engineer.

d. Sanitary Sewer Improvements. Project Developer shall construct the necessary connections to the existing sanitary sewer system within the project frontages in accordance with the Public Works Design Standards. In addition, a clean-out shall be installed at the street right-of-way for each connection to the City's sewer mains.

19. **Construction Dust Control**. Project Developer shall prepare a Dust Emissions Control Plan for review and approval by the City prior to issuance of any grading or building permit. Dust emission control measures shall be included in the contractor work specifications that are reviewed and approved by the City and shall include the following:

- Watering all active construction areas and areas of disturbed soils at least twice daily and more frequently during periods of high winds exceeding 15 miles per hour;
- Suspension of all grading operations during periods of high wind speeds if watering activities are inadequate to control airborne dust as may be determined onsite by the City Engineer;
- Covering material storage piles if inactive for more than 72 consecutive hours;
- Covering all loose materials transported off-site, or requiring trucks to maintain at least two-feet of freeboard and watering all loose materials;
- Applying non-toxic binders to previously graded portions of the site if inactive for fourteen days or longer; and
- Water sweeping adjacent public streets at the end of each day –water sweepers shall vacuum excess water to avoid runoff-related degradation of water quality.

20. **Archaeological Resources/Human Remains**. Should human remains or any archeological artifacts be discovered during project implementation, further disturbance of the project site shall cease until the Monterey County Coroner and/or, the Native American Heritage Commission is contacted. When Native American archaeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archaeologists and appropriate Native American representatives. In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. Upon recommendation of a qualified archaeologist, appropriate mitigation measures shall be implemented at Project Developer's expense.

21. **Hazardous Materials.** In the event that subsurface structures are encountered during the development of the site, caution should be exercised in determining whether or not these structures contain hazardous substances, and, where there is any uncertainty, the Monterey County Department Division of Environmental Health shall be contacted for assistance. If they contain any hazardous material(s), they should be removed, handled, transported, and disposed of in accordance with the applicable local, state, and federal guidelines.

22. **Construction Hours.** All construction and construction preparation activities, including refueling, equipment repairs and vehicle, machinery and equipment warm-ups, shall be limited to the following hours and days:

    Between the hours of 7:00 a.m. and 7:30 p.m. weekdays,
    Between the hours of 8:00 a.m. and 7:00 p.m. on Saturdays,
    Prohibited on Sundays and all City-approved holidays unless written permission is received from the City Manager.

23. **Impact Mitigation Fees and Funding of Public Improvements Maintenance**. Project Developer shall pay all water, sanitary sewer, storm drain, park, public safety, general government, local and regional (TAMC) transportation impact fees in accordance with established fees set by ordinance and resolution and based upon the date of building permit application filing.

24. **Recycling and Trash Enclosures**. Containers for both garbage and recyclable materials shall be provided and trash enclosures shall be of adequate size to accommodate both. Prior to issuance of the first building permit, Project Developer shall submit to the City written confirmation from the Salinas Valley Solid Waste Disposal Authority verifying the adequacy of these facilities.

25. **Bicycle Facilities Required.** Secure bicycle parking racks shall be provided at the rate of one bicycle parking rack per five off-street parking spaces and specifications for such shall be shown on final plans.

26. **Fencing and Walls.** Project Developer shall construct a masonry wall along the eastern boundary of the project starting and ending at the ends of the existing walls along Bryant Canyon Road to the south of the site. This shall be done in a manner that prohibits any access from these streets onto Bryant Canyon Road. The specifications of the barrier shall conform to the existing masonry walls installed to the south.

27. **Geotechnical Investigation.** All site preparation and construction recommendations identified in the geotechnical investigation report completed for the project site, and any supplements thereto, shall be incorporated into improvement plans for the proposed project and shall be reviewed and approved by the City or designated agent of the City prior to recordation of the final subdivision map.

28. **Geotechnical Engineer On-Site Monitoring**. A qualified professional geotechnical engineer shall perform on-site monitoring of all grading and excavation activities on the project site. Evidence of an agreement with a geotechnical engineer shall be submitted for review and approval of the City prior to commencement of any grading activities or any underground work. Prior to issuance of building permits, the geotechnical engineer shall submit evidence that grading and excavation were performed consistent with the recommendations of the geotechnical investigation.

29. **Street Frontage Improvements.** (a) The Project Developer shall be responsible for constructing any improvements to Santa Clara Street along the project frontage needed to accommodate project traffic.

30. **Fire Hydrants.** Project Developer shall install fire hydrants on internal project streets and, if required, on Santa Clara Street per City specifications and in accordance with the requirements of the Uniform Fire Code and as approved by the City. All hydrants shall be painted "Neon Grass" and all visible components between the fire hydrant and fire hydrant concrete pad shall be painted flat black, unless otherwise directed by the City.

31. **Automatic Sprinklers.** All town homes in the subdivision shall be equipped with automatic fire sprinkler systems per the specifications of the Uniform Fire Code; and the design and installation of such shall be approved by the City.

32. **On-Site Street Improvements and Guest Parking.** (a) Project Developer shall be responsible for constructing all onsite private street improvements in accordance with the approved Final Map and improvement plans.

(b) All street and sidewalk improvements shall conform with the requirements of the Americans with Disabilities Act, including, but not limited to, sidewalks crossing town home driveways, pedestrian access to and ADA parking alongside mail box facility, etc.

(c) Parking shall be allowed only in designated parking areas for both Single-Family and Multi-Family units. For Multi-Family units, the project is subject to 50 parking stalls and shall be shown on the final site plan. Street curbs/sides throughout the project shall be stained "safety red" and stamped "No Parking-Fire Lane" on top. "No Parking Fire Lane" signs shall also be posted at various locations throughout the project.

(d) A turning radii analysis showing adequate available space to perform the required turning movements for emergency vehicles shall be shown on the final improvement plan submittals and shall be approved by the City.

33. **Deed Restrictions.** Project Developer shall prepare a Declaration of Covenants, Conditions and Restrictions (CC&Rs) for all units within the proposed project which shall be reviewed and approved by the City staff and recorded against each residential unit on the project prior to the sale of any lot. The CC&R's shall include a provision requiring review and approval by the City prior to any future revisions.

34. **Homeowners Association.** (a) The Project Developer shall establish a homeowner association for maintenance of project site common areas and improvements thereto. The homeowners association shall be responsible for maintenance and operation of all amenities of benefit to the future residents of the project site, including but not limited to: common on-site landscaping and common open space, including landscaped setback along Santa Clara Street, and appurtenant irrigation systems; onsite fences and walls and retaining walls maintenance, including graffiti removal, painting, repairs and replacement thereof; onsite street lights and lighting costs, street sweeping, striping and repairs thereof; electric current; storm drain lines cleaning, repair and replacement thereof; supervision of all necessary repairs and replacement; debris removal; and any and all other items of work necessary and incidental for the proper maintenance, operation thereof, and administration (including required annual storm water monitoring and reporting).

(b) The homeowners association and governing CC & R's shall be established prior to recordation of the final subdivision map for the proposed project and shall be reviewed and approved by the City.

35. **Fire Lane Maintenance, Parking and CC & R's.** Fire lanes shall be re-stained and tops of curbs remarked, as necessary, but no less frequently than once every five (5) years. All "Fire Lane-No Parking" signs shall be replaced when damaged or removed when they fade. These provisions shall be included in the project Covenants, Conditions & Restrictions (CC & R's). The project's CC & R's shall also include provisions limiting permanent onsite parking by project residents to the two spaces provided on each

lot, limiting the duration of guest parking, prohibiting the conversion of garages for storage purposes or uses other than vehicle parking, prohibiting parking of recreational vehicles and boat trailers onsite, and providing for removal of vehicles parked in violation of the project's CC & R's. The project's CC&R's shall further prohibit the placement of any structure, permanent or portable, within the street right-of-way which impedes the use of or access to project sidewalks and streets.

36. **Improvement Assessment District.** If requested by the Project Developer, an improvement assessment district shall be formed by the City, to fund the provision, maintenance and/or operation of public improvements required to be provided to serve the project. Mutual agreement shall reached by the Project Developer, and the City, as to the improvements to be included and those improvements shall be deemed eligible in accordance with all applicable laws.

I hereby declare under penalty of perjury that I have read the foregoing conditions and that they are, in fact, the conditions which were imposed upon the granting of this permit. I agree to abide fully by these conditions.

_____ _____

Applicant Signature Date

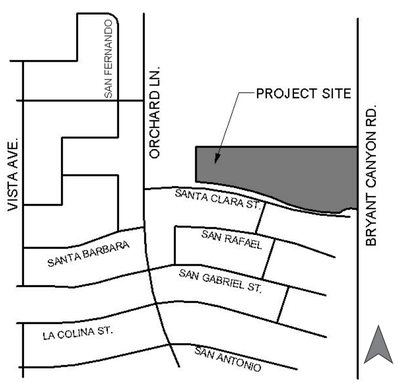
NOTE: Issuance of this Permit does not waive obtaining any applicable Building Permits before starting construction or initiating the use, nor does it waive any other applicable requirements of law.

_____ _____

Community Development Director Date

MIRAVALE PARCEL E

VICINITY MAP



PROJECT DIRECTORY

OWNER: NADER AGHA
449 ALVARADO
MONTEREY, CA 93940

ARCHITECT: RRM DESIGN GROUP
3765 S. HIGUERA STREET, SUITE 102
SAN LUIS OBISPO, CA 93401
CONTACT: RANDY RUSSUM
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EMAIL: RWRUSSOM@RRMDESIGN.COM

CIVIL RRM DESIGN GROUP
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EMAIL: WTAROLA@RRMDESIGN.COM

APN: 22-441-017-000

PROJECT DESCRIPTION

THIS PROJECT CONTAINS BOTH SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL BUILDINGS CONSISTING OF 130 UNITS, INCLUDING:
(50) TOTAL ALLEY PLANS
(54) TOTAL AUTOCOURT PLANS
(TWO 6-PACK LAYOUTS; TEN 4-PACKS)

SITE AMENITIES INCLUDE OUTDOOR WALKING AND RECREATION PATHS, A FITNESSCIRCUIT, DOG RUN AND PLAY AREA, COMMUNITY GARDENS, AND OUTDOOR BBQ AND PICNIC AREAS.

PROJECT STATISTICS

ZONING R-3 HIGH DENSITY RESIDENTIAL

PARCEL SIZE: 8.556 ACRES (372,738 SF)

MAX LOT COVERAGE: 60% (223,643 SF)
PROPOSED COVERAGE: 34% (126,350 SF)

DENSITY ALLOWED 16/ACRE (22/ACRE WITH CUP) =136 UNITS (188 UNITS)

DENSITY PROPOSED 15 UNITS/ACRE = 130 UNITS

LOT COVERAGE	**ALLOWED**	**PROPOSED**
	60%	34%
	372,738 SF X 60% = 223,642 SF	372,738 SF X 34% = 126,350 SF

MAX. ALLOWED HEIGHT: 2-STORIES/ 30 FT.
MAX. PROPOSED HEIGHT: 2-STORIES/25'-5.5"

SETBACKS	**ALLOWED**	**PROPOSED**
FRONT	15	10
SIDE	5	4
REAR	15	5
PORCH	--	6' 6"
COMMUNITY OPEN SPACE SETBACK EXCEPTIONS		
FRONT	--	8
PORCH	--	4' 6"

PARKING

PER MUNICIPAL CODE TABLE 17.36.20

REQUIRED
SF:
2 COVERED SPACES/UNIT 104 X 2 = 208
.25 GUEST SPACES/UNIT 104 X .25 = 26
= 234 SPACES

MF:
2 SPACES/UNIT 26 X 2 = 52 SPACES

PROVIDED
SF:
2 GARAGE SPACES/UNIT 104 X 2 = 208 SPACES
PARALLEL STREET PARKING 29 SPACES
= 237 SPACES

MF:
2 SPACES/UNIT 26 X 2 = 52 SPACES
2 ADA SPACES
= 54 SPACES

AFFORDABLE HOUSING DENSITY BONUS

THE PROJECT IS REQUESTING A DENSITY BONUS AND INCENTIVES AS DEFINED IN THE CITY OF SOLEDAD MUNICIPAL CODE, CHAPTER 17.39 AND THE STATE OF CALIFORNIA GOVERNMENT CODE SECTION 65915. THESE INCLUDE: REDUCED MINIMUM LOT SIZES AND REDUCED REQUIRED SETBACKS IN ORDER TO ACCOMODATE SMALL LOT SINGLE FAMILY THAT OFFSETS THE NEEDED AFFORDABLE HOUSING.

BUILDING AREAS ANALYSIS

PLAN 1 - AREAS	
GROUND FLOOR	511 SF
SECOND FLOOR	879 SF
	1,390 SF

PLAN 2 - AREAS	
GROUND FLOOR	586 SF
SECOND FLOOR	930 SF
	1,516 SF

PLAN 3 - AREAS	
GROUND FLOOR	537 SF
SECOND FLOOR	920 SF
	1,457 SF

PLAN 4 - AREAS	
GROUND FLOOR	609 SF
SECOND FLOOR	970 SF
	1,578 SF

MULTIFAMILY UNITS - AREAS

2 BED UNIT	727 SF
3 BED UNIT B	1007 SF
3 BED UNIT A	1002 SF

SHEET INDEX

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C1 EXISTING SITE SURVEY
C2 PROPOSED SUBDIVISION
C3 CIVIL UTILITY PLAN
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A19 ELEVATIONS COURT PLAN 3_STYLE 3
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A29 APARTMENT BUILDING 2 PLAN
A30 APARTMENT BUILDING 2 ELEVATION
A31 CHARACTER VIGNETTES
A32 CHARACTER VIGNETTES
A33 CHARACTER VIGNETTES

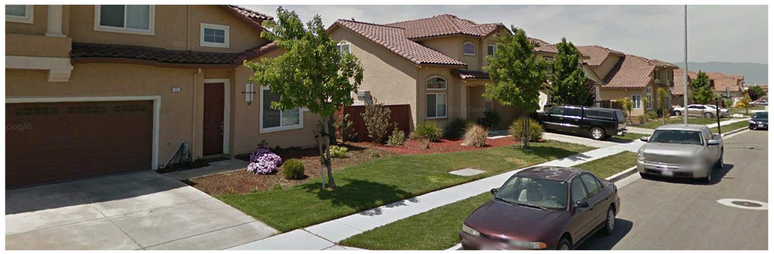
rrm design group

MIRAVALE PARCEL E
TITLE SHEET

A1

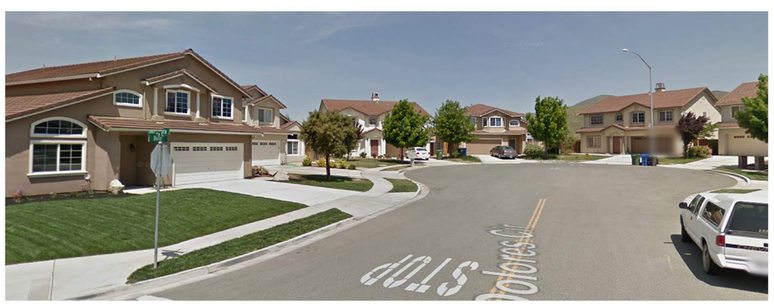
0047-09-RS18
FEBRUARY 27, 2019

1. Santa Clara St. Looking at Site Lot



2. Neighboring Single Family residences across from Lot

3. Orchard Ln. looking down Santa Clara St. toward Lot



4. Dolores Ct. Single Family residences off of Santa Clara St.

5. School on corner of San Antonio St. and Orchard Ln.

6. Peverini Park off San Fernando and Vida St.

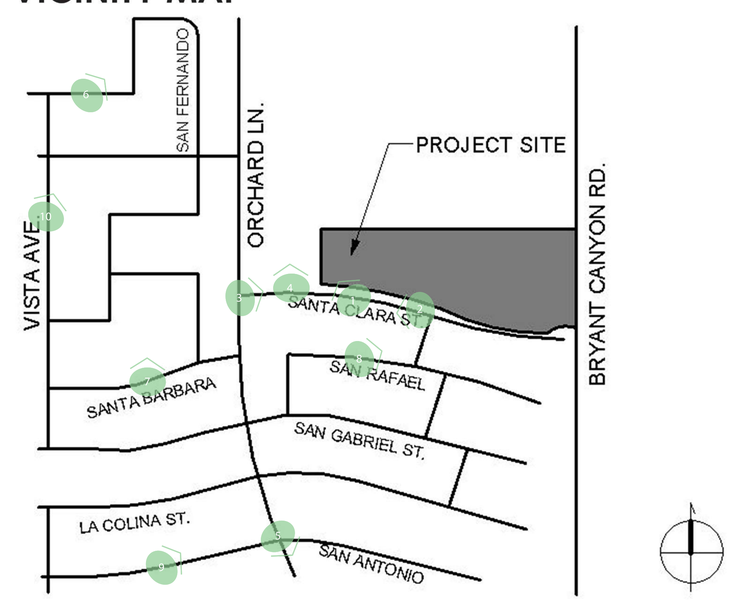
7. Santa Barbara Park off Santa Barbara St.

8. Single Family resisdences on San Rafael St.

9. Neighboring Single Family residences on San Antonio St.

10. Single Family residences on Vista Ave.

VICINITY MAP



rrm design group

MIRAVALE PARCEL E
SITE CONTEXT PHOTOS

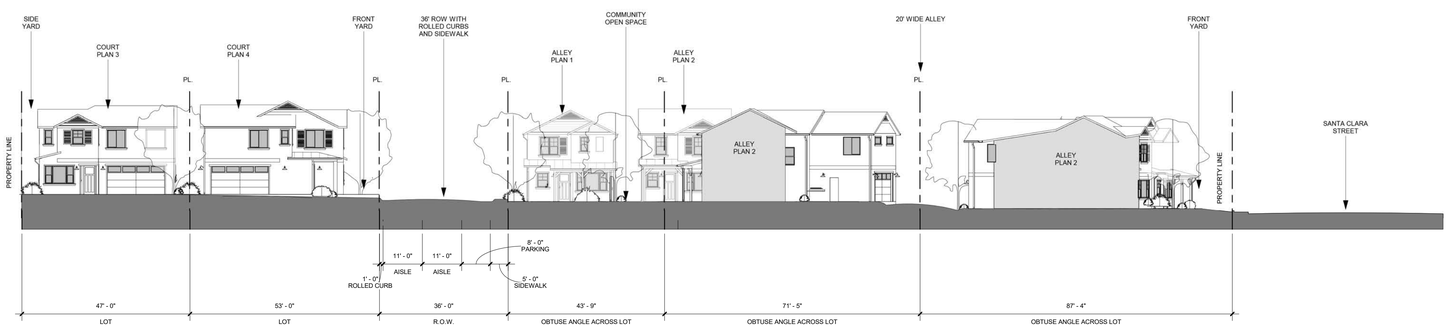
1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A2

0047-09-RS18
FEBRUARY 27, 2019

1 **ARCHITECTURAL SITE PLAN**

1" =40' - 0" (24 X 36 SHEET)



1 **ARCHITECTURAL SITE SECTION**

1" =20' - 0" (24 X 36 SHEET)

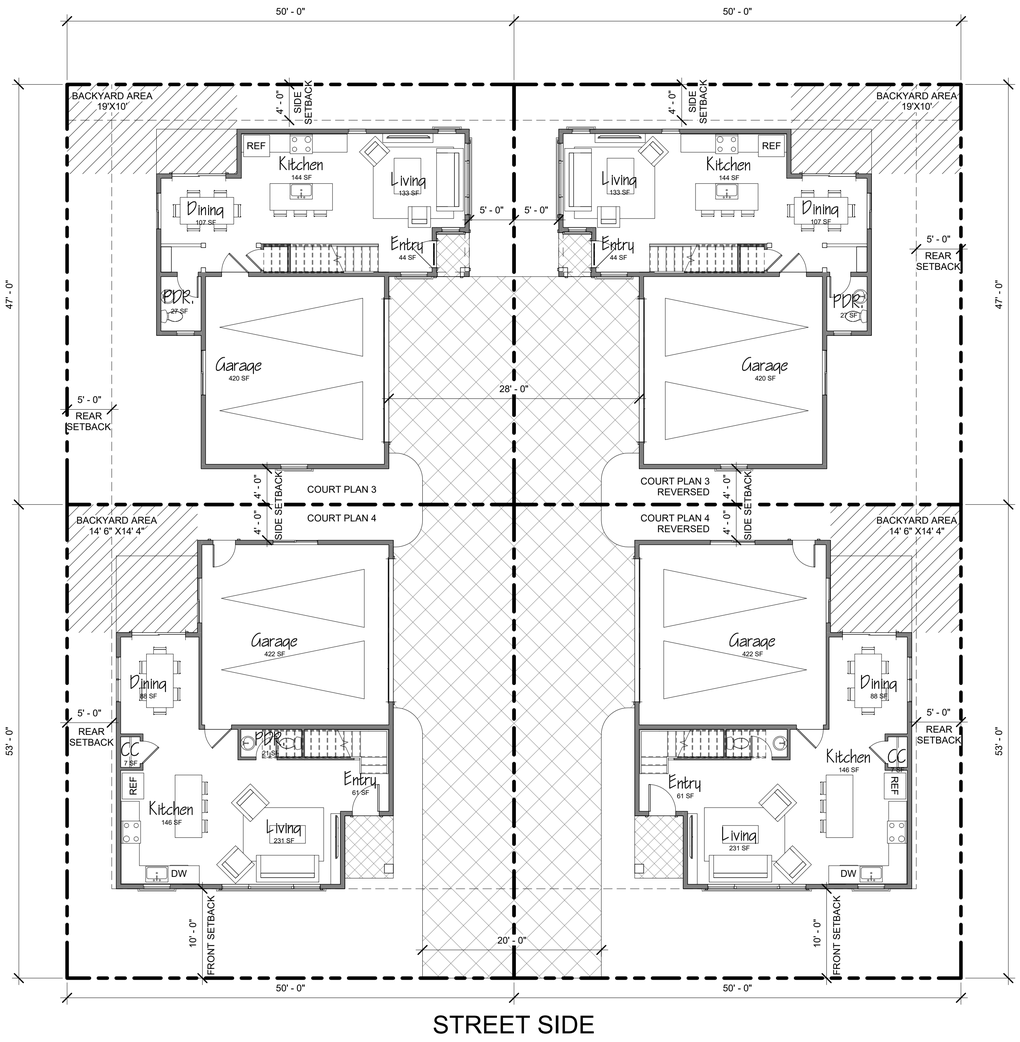
rrm design group

MIRAVALE PARCEL E
ARCHITECTURAL SITE PLAN

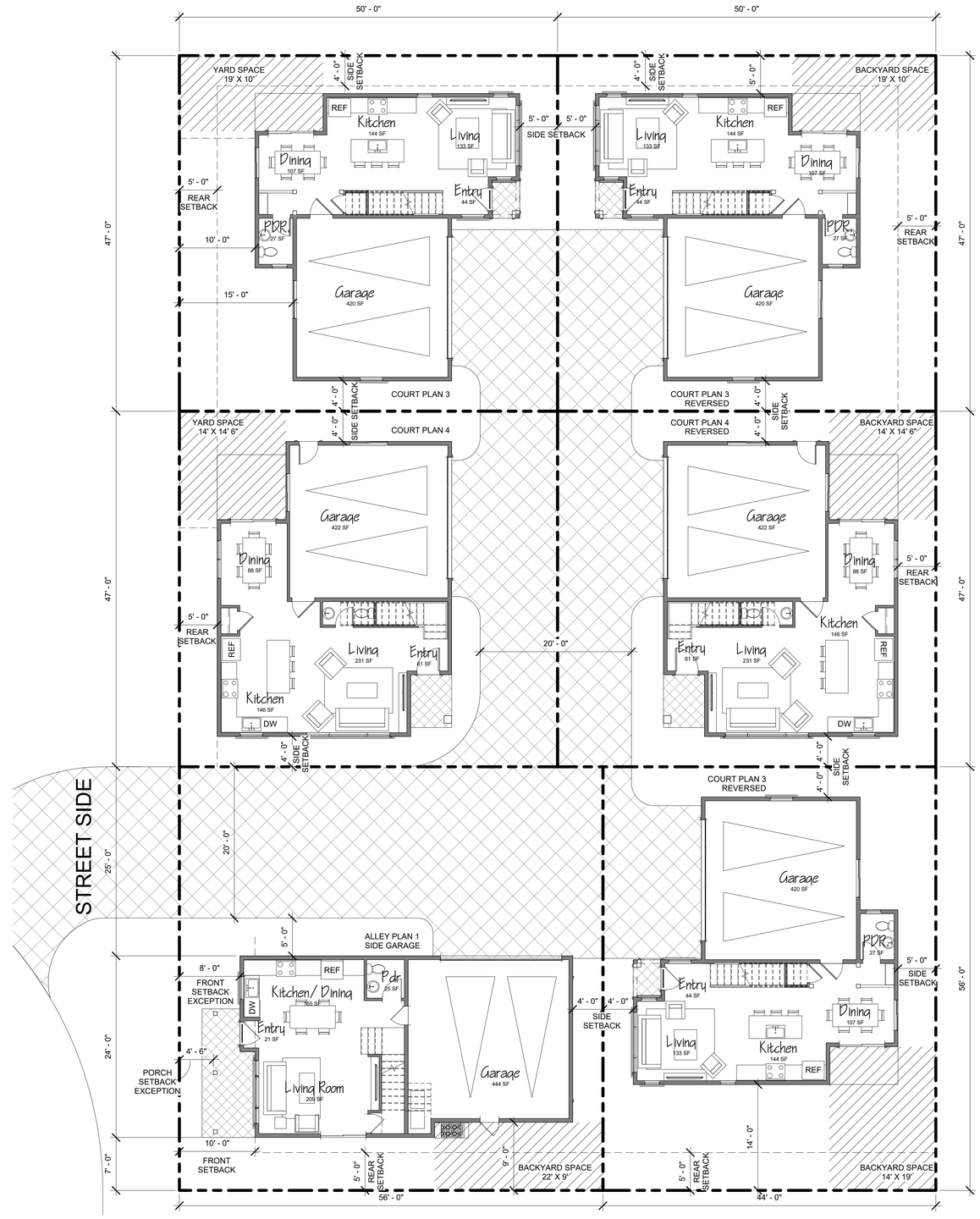
1" = 40'-0" (24X36 SHEET)
0 20 40 80
0 40 80 160
1" = 80'-0" (12X18 SHEET)

A3

0047-09-RS18
FEBRUARY 27, 2019



1 **TYPICAL 4-PACK SITE PLAN**
1/8" = 1'-0" (24 X 36 SHEET)



2 **TYPICAL 6-PACK SITE PLAN**
1/8" = 1'-0" (24 X 36 SHEET)

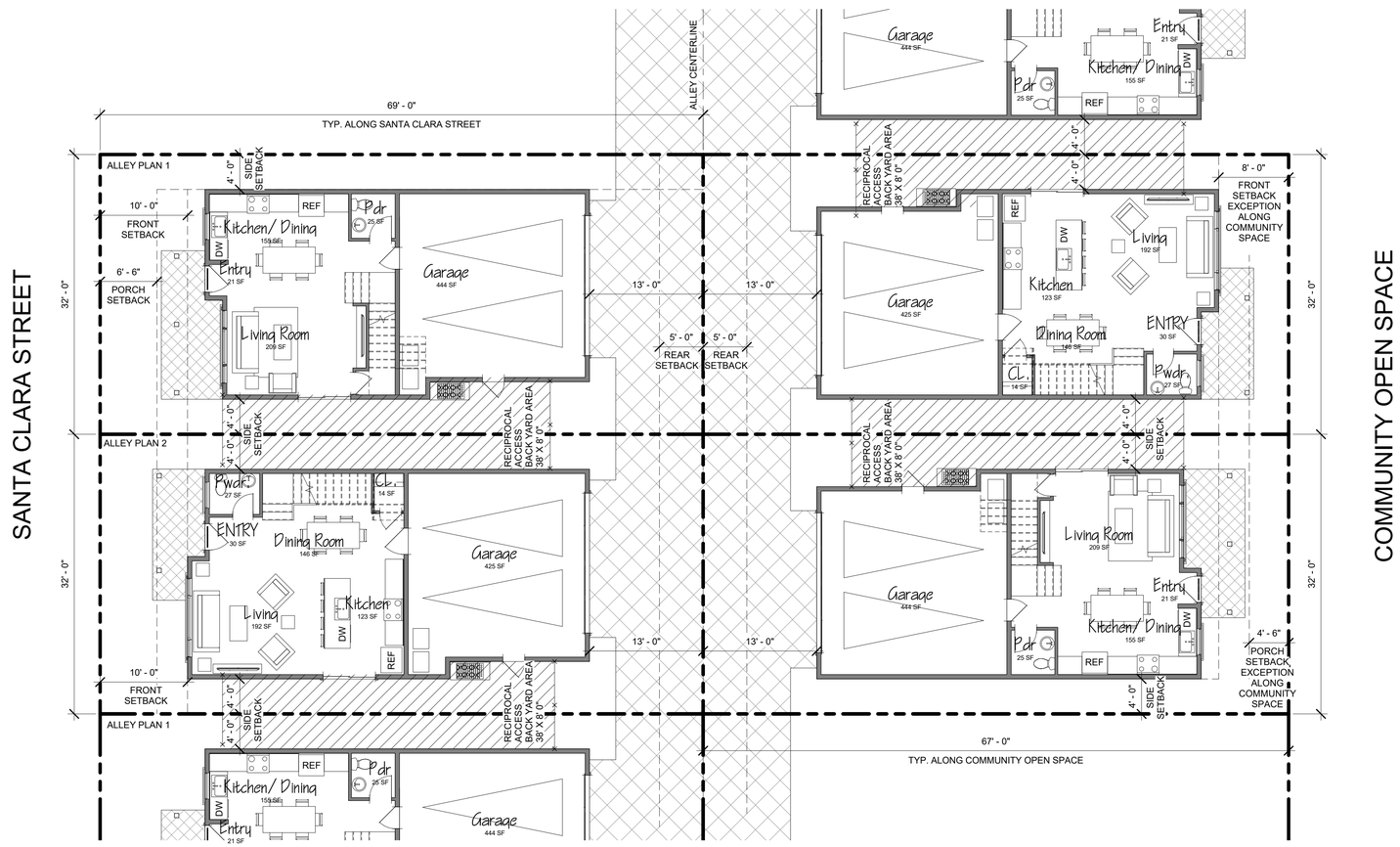
rrm design group

MIRAVALE PARCEL E
TYPICAL MOTOR-COURT SITE LAYOUTS

1/8" = 1'-0" (24X36 SHEET) 0 4 8 16
0 8 16 32 1/16" = 1'-0" (12X18 SHEET)

A4

0047-09-RS18
FEBRUARY 27, 2019



MIRAVALE PARCEL E

TYPICAL ALLEY SITE LAYOUTS

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A5

0047-09-RS18
FEBRUARY 27, 2019

LEGEND
SITE FEATURES AND AMENITIES

1. PRIVATE PATIOS, TYP.
2. VEGETATED BASIN, TYP.
3. LOW WATER LANDSCAPE THROUGHOUT
4. DECORATIVE PAVING
5. TRELLIS AND TABLES
6. BUILT-IN BARBECUE
7. TURF AREA FOR PLAY AND PICNIC
8. TOT LOT WITH PLAY EQUIPMENT
9. FITNESS CIRCUIT
10. INFORMAL DOG RUN AND PLAY AREA
11. COMMUNITY GARDEN
12. BENCHES

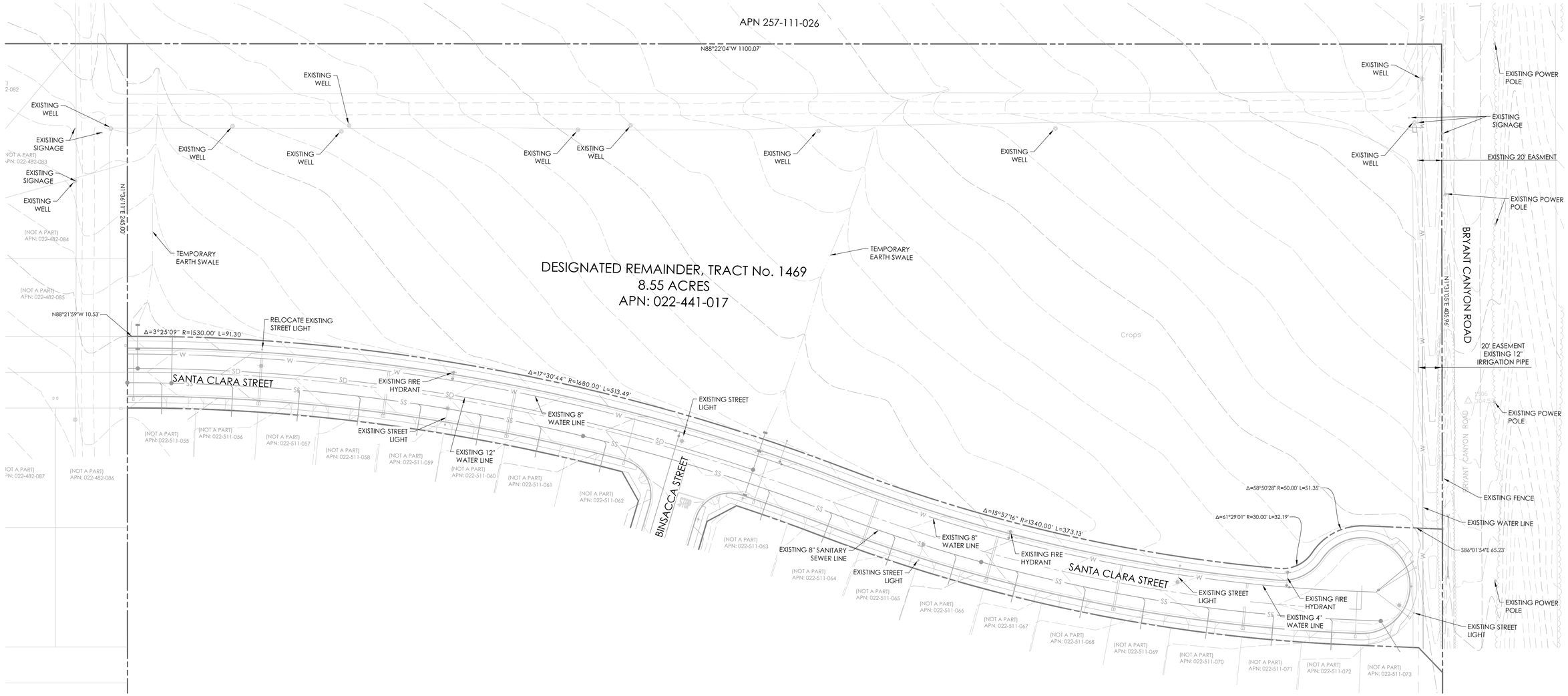
rrm design group

MIRAVALE PARCEL E
LANDSCAPE SITE PLAN

1" = 40'-0" (24X36 SHEET)
0 20 40 80
0 40 80 160
1" = 80'-0" (12X18 SHEET)

L1

0047-09-RS18
FEBRUARY 27, 2019



LEGEND

- PROPERTY LINE
- EXISTING CENTERLINE
- EXISTING FLOWLINE
- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING CATCH BASIN
- EXISTING MANHOLE
- EXISTING SCRUB/BRUSH

0 20' 40' 80'
SCALE: 1" = 40'

LEGAL DESCRIPTION:

THAT PORTION OF PARCEL 4, INCREMENT 1-B, DESIGNATED "FUTURE APARTMENT SITE" AS SHOWN ON THAT CERTAIN MAP FILED FOR RECORD MAY 26, 2005, IN VOLUME 22 OF PARCEL MAPS AT PAGE 2, FILED IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF MONTEREY, STATE OF CALIFORNIA AND FURTHER DESCRIBED AS "DESIGNATED REMAINDER - NOT A PART OF THIS SUBDIVISION" ON MAP ENTITLED TRACT NO. 1469, MIRAVALE II - UNIT 1 FILED FOR RECORD JULY 12, 2006, IN VOLUME 23 OF MAPS, "CITIES AND TOWNS" AT PAGE 33 THEREIN.

R VOLUME 23 OF MAPS, "CITIES AND TOWNS" AT PAGE 33

TOPOGRAPHY

EXISTING TOPOGRAPHIC MAP WAS DONE BY OTHERS. THE UNDERLYING TOPOGRAPHY REFLECTED WITHIN THE PROJECT BOUNDARY IS PRIOR TO ANY REMEDIATION DONE BY OTHERS.

BENCHMARK:

NATIONAL GEODETIC SURVEY CONTROL POINT "SOLEDAD" PID DESIGNATION GU2539 WITH A NGVD 29 PUBLISHED ELEVATION = 189.15 FEET.

APN: 022-441-017-000

APPLICANT INFO:

c/o Holman Buildings

CONTACT:
Nader Agha
542 Lighthouse Avenue
Pacific Grove, CA 93950
PHONE: 805-541-9004

PREPARER'S STATEMENT:

THIS PLAN SET WAS PREPARED BY:
RRM DESIGN GROUP
3765 S. HIGUERA ST., STE. 102
SAN LUIS OBISPO, CA 93401
PH (805) 543-1794

UNDER THE DIRECTION OF:
ROBERT CAMACHO, P.E. 76,597

rrm design group

MIRAVALE PARCEL E
EXISTING SITE SURVEY

1" = 40'-0" (24X36 SHEET)
0 20 40 80
0 40 80 160
1" = 80'-0" (12X18 SHEET)

C1

0047-09-RS18
FEBRUARY 27, 2019

0 20' 40' 80'

SCALE: 1" = 40'

APN: 022-441-017-000

APPLICANT INFO:

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CONTACT:
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542 Lighthouse Avenue
Pacific Grove, CA 93950
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UNDER THE DIRECTION OF:
ROBERT CAMACHO, P.E. 76,597

rrm design group

MIRAVALE PARCEL E
PROPOSED SUBDIVISION

1" = 30'-0" (24X36 SHEET)
0 15 30 60
0 30 60 120
1" = 60'-0" (12X18 SHEET)

C2

0047-09-RS18
FEBRUARY 27, 2019

LEGEND

—— W ——	PROPOSED 12" PVC WATER MAIN
—— SS ——	PROPOSED 8" PVC SEWER MAIN
—— SD ——	PROPOSED STORM DRAIN (SEE GRADING PLAN)
—— SD ——	EXISTING STORM DRAIN
—— SS ——	EXISTING SEWER LINE
—— W ——	EXISTING WATER LINE
	PROPOSED FIRE HYDRANT
	PROPOSED WATER METER MANIFOLD

0 20' 40' 80'

SCALE: 1" = 40'

APN: 022-441-017-000

APPLICANT INFO:

c/o Holman Buildings

CONTACT:
Nader Agha
542 Lighthouse Avenue
Pacific Grove, CA 93950
PHONE: 805-541-9004

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SAN LUIS OBISPO, CA 93401
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UNDER THE DIRECTION OF:
ROBERT CAMACHO, P.E. 76,597

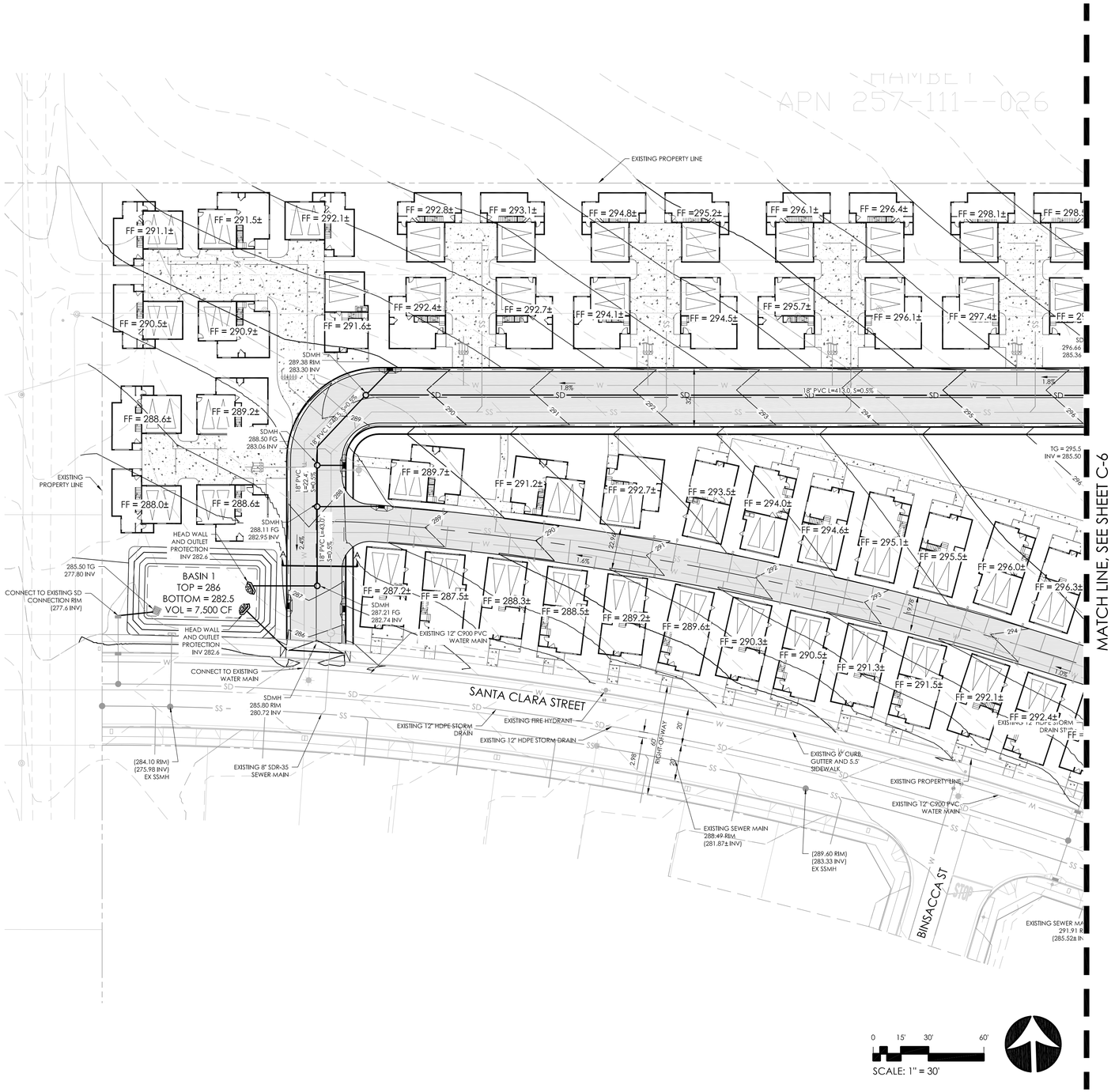
rrm design group

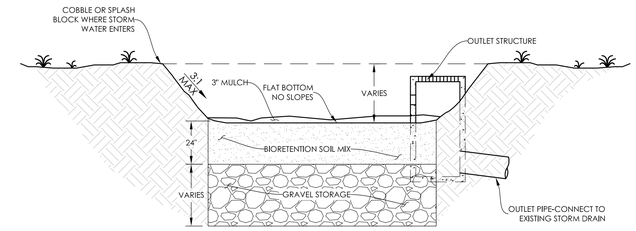
MIRAVALE PARCEL E
UTILITY PLAN

1" = 30'-0" (24X36 SHEET)
0 15 30 60
0 30 60 120
1" = 60'-0" (12X18 SHEET)

C3

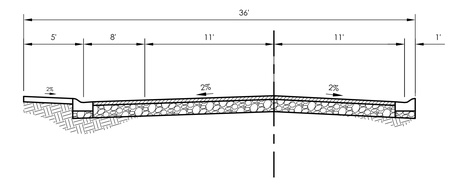
0047-09-RS18
FEBRUARY 27, 2019





TYPICAL BIORETENTION BASIN

N.T.S.



A-A TYPICAL STREET SECTION

N.T.S.

NOTE: ALL PROPOSED SIDEWALK AND WALKING PATHS SHALL BE ACCESSIBLE PER CALDAG RECOMMENDATIONS

APN: 022-441-017-000

APPLICANT INFO:

c/o Holman Buildings

CONTACT:
Nader Agha
542 Lighthouse Avenue
Pacific Grove, CA 93950
PHONE: 805-541-9004

PREPARER'S STATEMENT:

THIS PLAN SET WAS PREPARED BY:
RRM DESIGN GROUP
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SAN LUIS OBISPO, CA 93401
PH (805) 543-1794

UNDER THE DIRECTION OF:
ROBERT CAMACHO, P.E. 76,597

LEGEND

- PROPOSED ASPHALT PAVING
- PROPOSED CONCRETE PAVING
- EXISTING CONTOUR
- 200 PROPOSED CONTOUR
- PROPERTY LINE
- SD PROPOSED STORM DRAIN
- PROPOSED STANDARD 6" CURB AND GUTTER
- PROPOSED ROLL CURB AND GUTTER

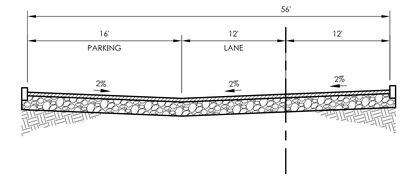
rrm design group

MIRAVALE PARCEL E
CIVIL GRADING AND DRAINAGE PLAN

1" = 30'-0" (24X36 SHEET)
0 15 30 60
0 30 60 120
1" = 60'-0" (12X18 SHEET)

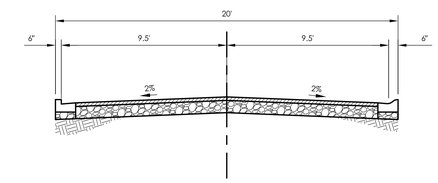
C4

0047-09-RS18
FEBRUARY 27, 2019



C-C TYPICAL STREET SECTION

N.T.S.



B-B TYPICAL STREET SECTION

N.T.S.

NOTE: ALL PROPOSED SIDEWALK AND WALKING PATHS SHALL BE ACCESSIBLE PER CALDAG RECOMMENDATIONS

APN: 022-441-017-000

APPLICANT INFO:

c/o Holman Buildings

CONTACT:
Nader Agha
542 Lighthouse Avenue
Pacific Grove, CA 93950
PHONE: 805-541-9004

PREPARER'S STATEMENT:

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PH (805) 543-1794

UNDER THE DIRECTION OF:
ROBERT CAMACHO, P.E. 76,597

LEGEND

- PROPOSED ASPHALT PAVING
- PROPOSED CONCRETE PAVING
- EXISTING CONTOUR
- 200 PROPOSED CONTOUR
- PROPERTY LINE
- SD PROPOSED STORM DRAIN
- PROPOSED STANDARD 6" CURB AND GUTTER
- PROPOSED ROLL CURB AND GUTTER

0 15' 30' 60'

SCALE: 1" = 30'

rrm design group

MIRAVALE PARCEL E

CIVIL GRADING AND DRAINAGE PLAN

1" = 30'-0" (24X36 SHEET)
0 15 30 60
0 30 60 120
1" = 60'-0" (12X18 SHEET)

C5

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FEBRUARY 27, 2019

PROJECT STATISTICS

(A) EXISTING CONDITION

PERVIOUS AREA: 372,430 SF (100%)

(B) PROPOSED IMPROVEMENTS

PAVING AREA: 56,500 SF

BUILDINGS: 126,350 SF

HARDSCAPE: 51,000 SF

TOTAL IMPERVIOUS: 233,850 SF (63%)

(C) PROPOSED LANDSCAPE

LANSCAPE AREA: 129,265 SF

BIORETENTION AREA: 9,315 SF

TOTAL PERVIOUS: 138,580 SF (37%)

REQUIRED STORMWATER MEASURES

TIER 1- RUNOFF REDUCTION

- ROOF DRAIN DISCONNECT
- MINIMIZE IMPERVIOUS AREAS
- AMEND SOILS

TIER 2 - WATER QUALITY

- ON-SITE RETENTION-BASED INFILTRATION

TIER 3 - RETAIN 95TH PERCENTILE STORM EVENT (1.0 INCHES)

TOTAL ONSITE REQUIRED CAPTURED AREA : 372,430 SF +/-
95TH PERCENTILE DEPTH: 1.0"
372430 SF * 0.43 (coefficient) * (1.0"/12")FT = 13,345 CF REQUIRED

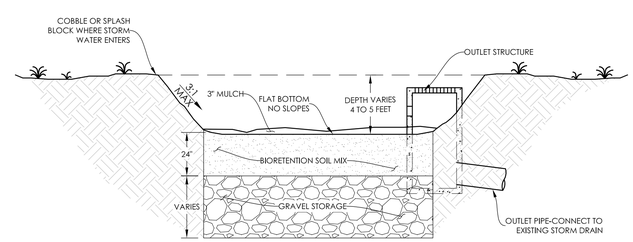
i = IMPERVIOUS AREA/TOTAL AREA = 0.63
$C = 0.858i^3 - 0.78i^2 + 0.774i + .04 = 0.43$

Total Storage Required: 13,345 CF
Total Storage Provided: 13,400 CF

TIER 4 - PEAK MANAGEMENT

- BASINS RESTRICT FLOW SUCH THAT POST-DEVELOPMENT PEAK FLOWS ARE LESS THAN PRE-DEVELOPMENT PEAK FLOWS FOR THE 2-, 5-, AND 10-YEAR STORM EVENTS

PRE-DEVELOPMENT:		**POST-DEVELOPMENT:**	
2-YEAR PEAK FLOW =	1.90 CFS	2-YEAR PEAK FLOW =	0.43 CFS
5-YEAR PEAK FLOW =	2.80 CFS	5-YEAR PEAK FLOW =	0.96 CFS
10-YEAR PEAK FLOW =	3.58 CFS	10-YEAR PEAK FLOW =	1.66 CFS



TYPICAL BIORETENTION BASIN

N.T.S.

0 20' 40' 80'

SCALE: 1" = 40'

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ROBERT CAMACHO, P.E. 76,597

rrm design group

MIRAVALE PARCEL E
STORM WATER MANAGEMENT PLAN

1" = 40'-0" (24X36 SHEET)
0 20 40 80
0 40 80 160
1" = 80'-0" (12X18 SHEET)

C6

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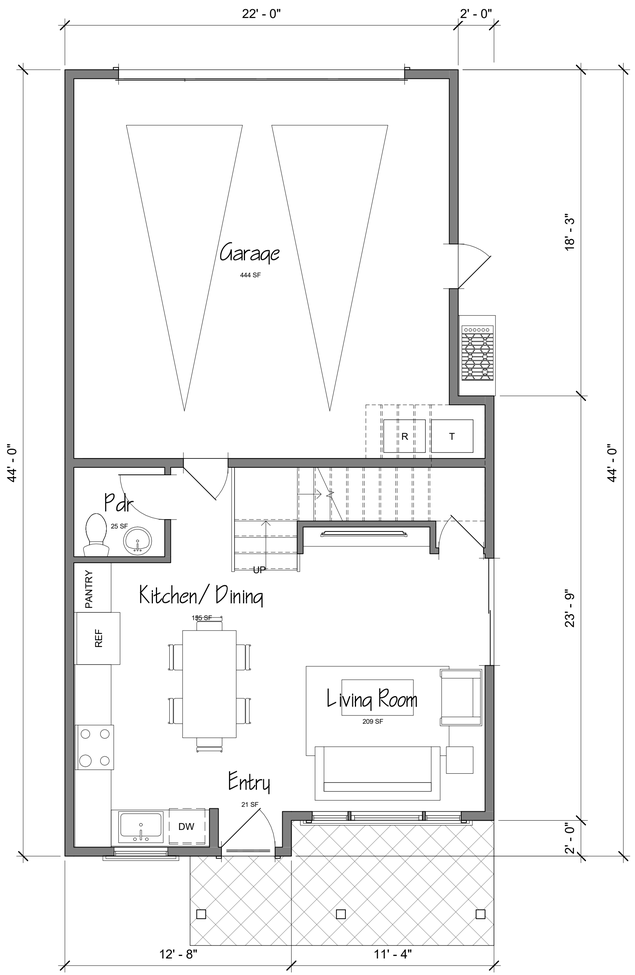
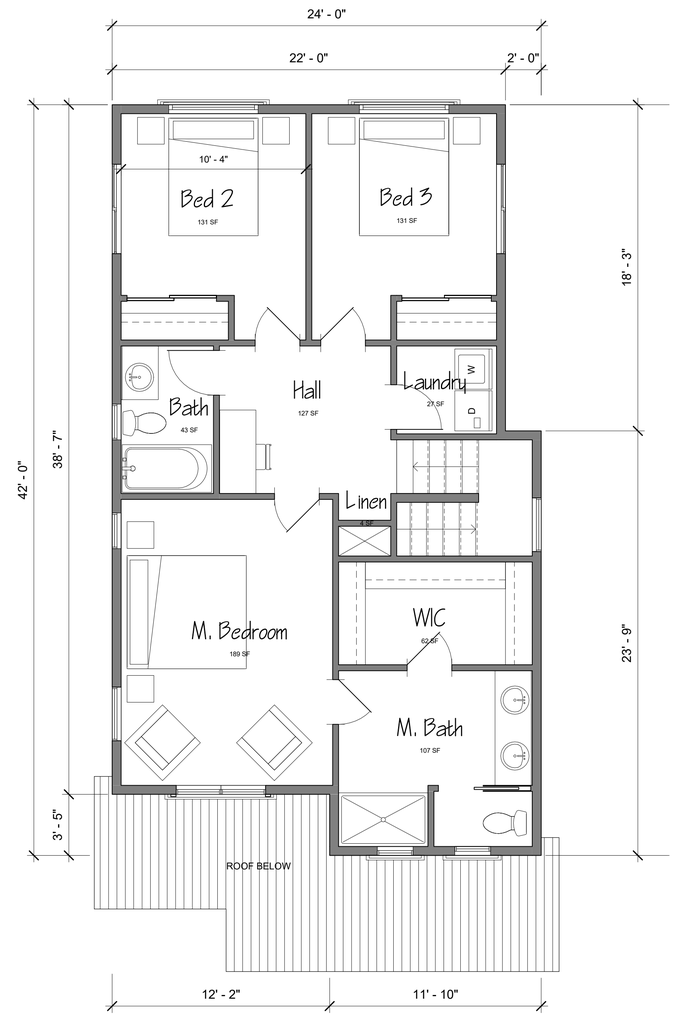
FEBRUARY 27, 2019



1 GROUND FLOOR PLAN

1/4" = 1'-0" (24 X 36 SHEET)



2 SECOND FLOOR PLAN

1/4" = 1'-0" (24 X 36 SHEET)

rrm design group

MIRAVALE PARCEL E
FLOOR PLAN ALLEY PLAN 1

PLAN 1 - AREAS	
GROUND FLOOR	511 SF
SECOND FLOOR	879 SF
	1,390 SF

1/4" = 1'-0" (24X36 SHEET)
0 2 4 8
0 4 8 16
1/8" = 1'-0" (12X18 SHEET)

A6

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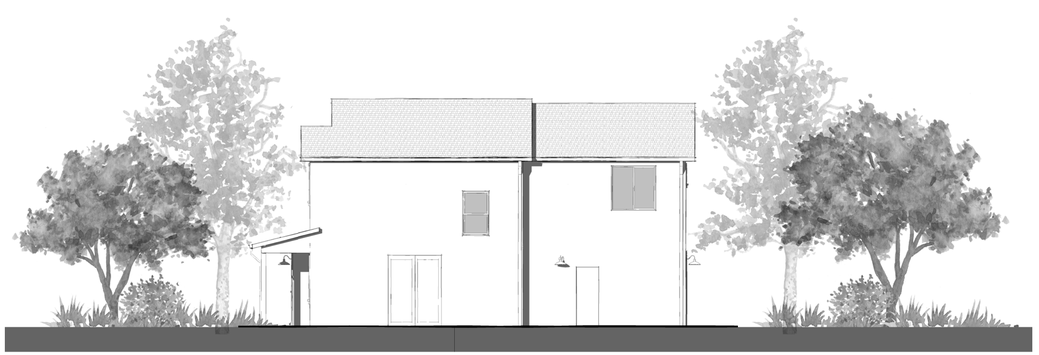
FEBRUARY 27, 2019

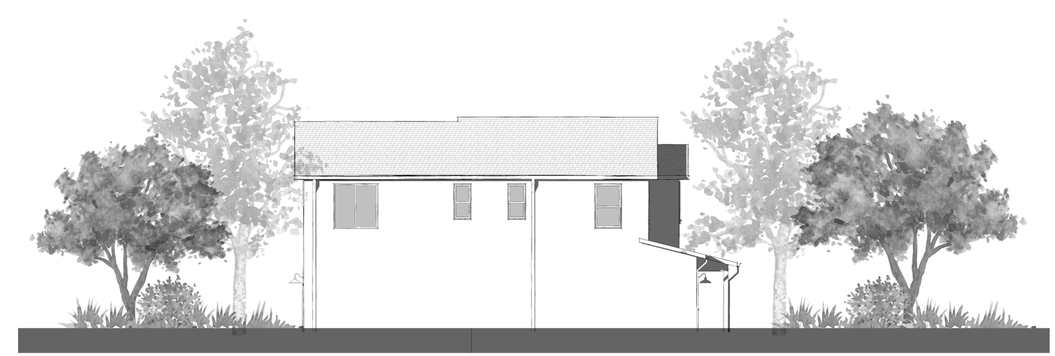
REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME D

1/4" = 1'-0" (24 X 36 SHEET)



RIGHT ELEVATION



LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS ALLEY PLAN 1_STYLE 1

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

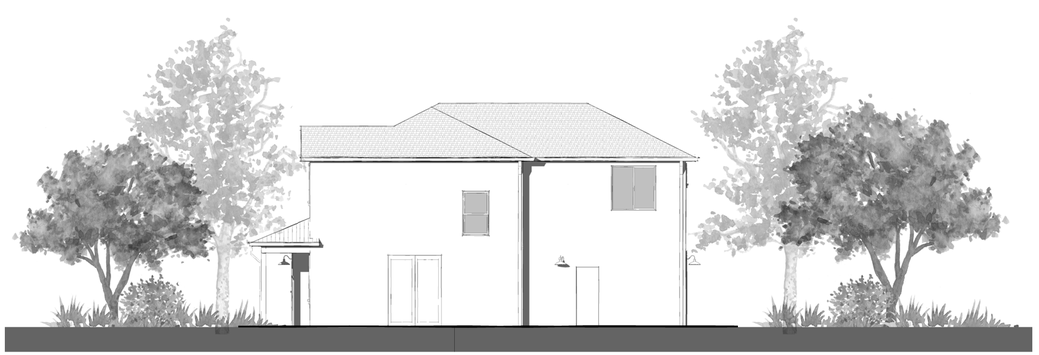
A7

0047-09-RS18
FEBRUARY 27, 2019

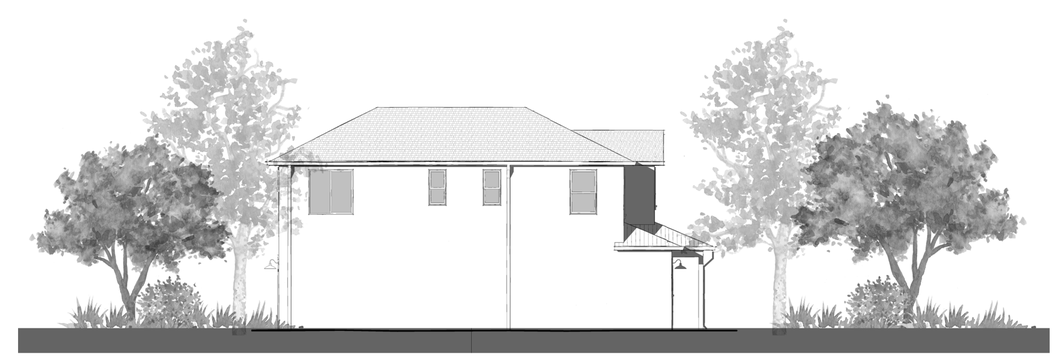
REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME C

1/4" = 1'-0" (24 X 36 SHEET)



RIGHT ELEVATION



LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS ALLEY PLAN 1_STYLE 2

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

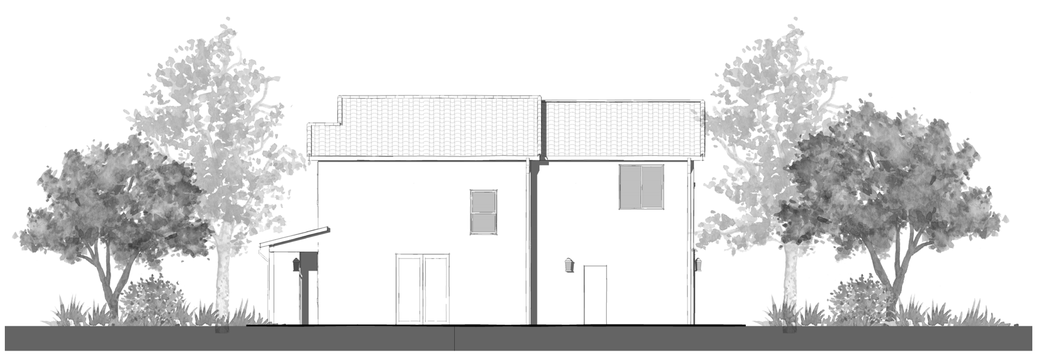
A8

0047-09-RS18
FEBRUARY 27, 2019

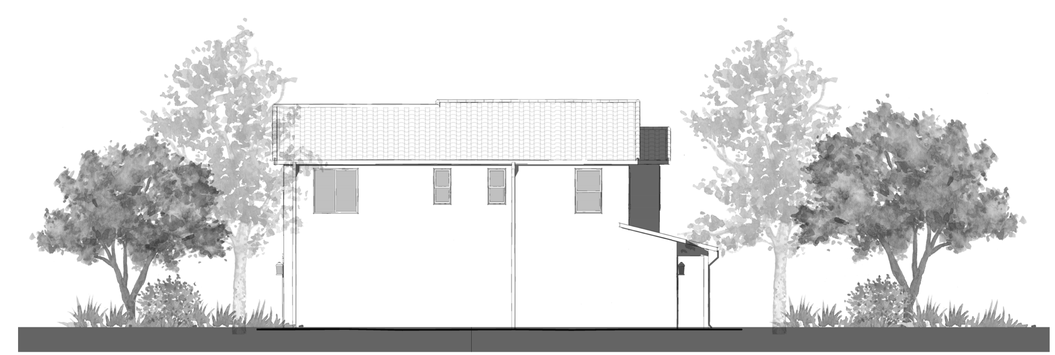
REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME E

1/4" = 1'-0" (24 X 36 SHEET)



RIGHT ELEVATION



LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS ALLEY PLAN 1_STYLE 3

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

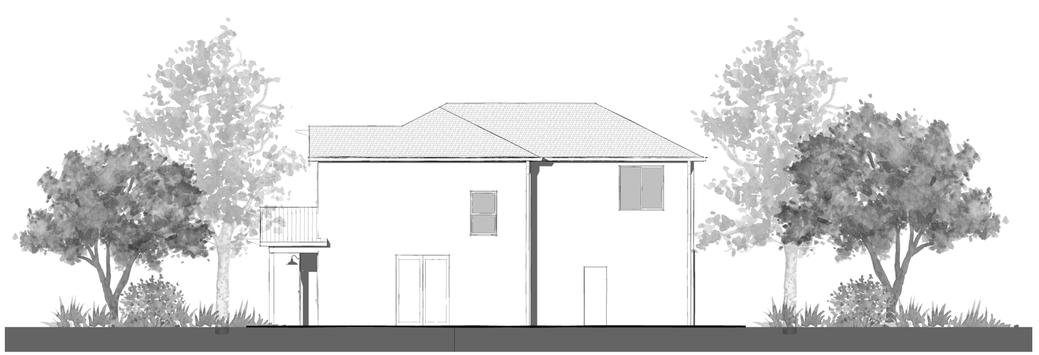
A9

0047-09-RS18
FEBRUARY 27, 2019

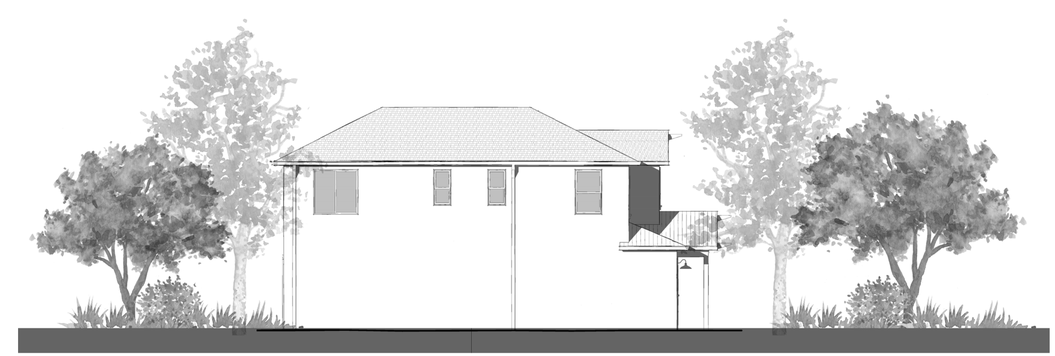
REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME C

1/4" = 1'-0" (24 X 36 SHEET)



RIGHT ELEVATION



LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS ALLEY PLAN 1_STYLE 4

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A10

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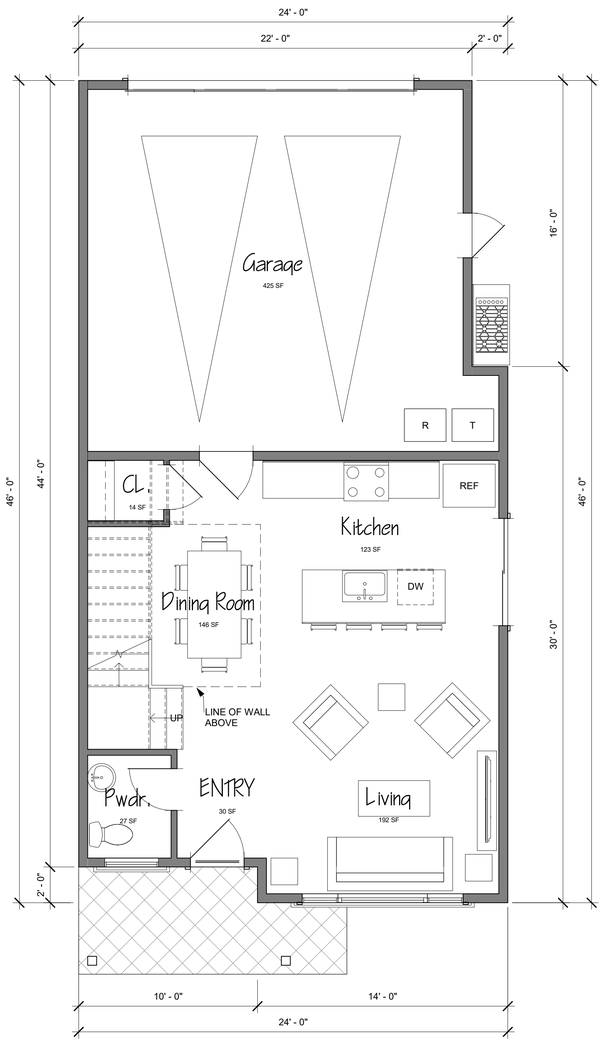
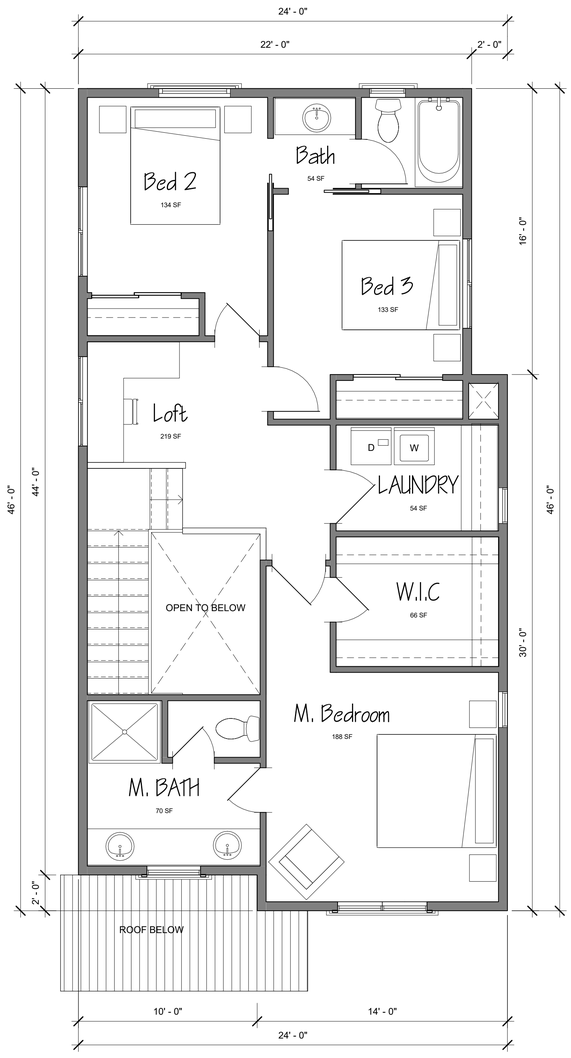
FEBRUARY 27, 2019



1 GROUND FLOOR PLAN

1/8" = 1'-0" (24 X 36 SHEET)



2 SECOND FLOOR PLAN

1/8" = 1'-0" (24 X 36 SHEET)

rrm design group

MIRAVALE PARCEL E
FLOOR PLAN ALLEY PLAN 2

PLAN 2 - AREAS	
GROUND FLOOR	586 SF
SECOND FLOOR	930 SF
	1,516 SF

1/4" = 1'-0" (24X36 SHEET)
0 2 4 8
0 4 8 16
1/8" = 1'-0" (12X18 SHEET)

A11

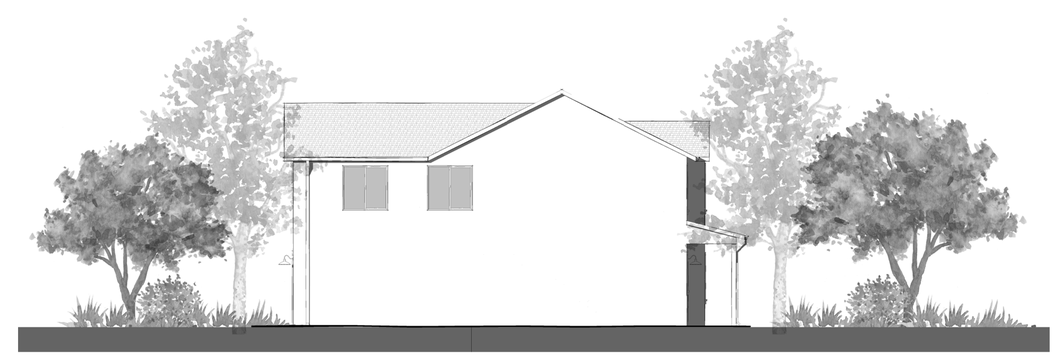
0047-09-RS18
FEBRUARY 27, 2019

REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME B

1/4" = 1'-0" (24 X 36 SHEET)

RIGHT ELEVATION



LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E
ELEVATIONS ALLEY PLAN 2_STYLE 1

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A12

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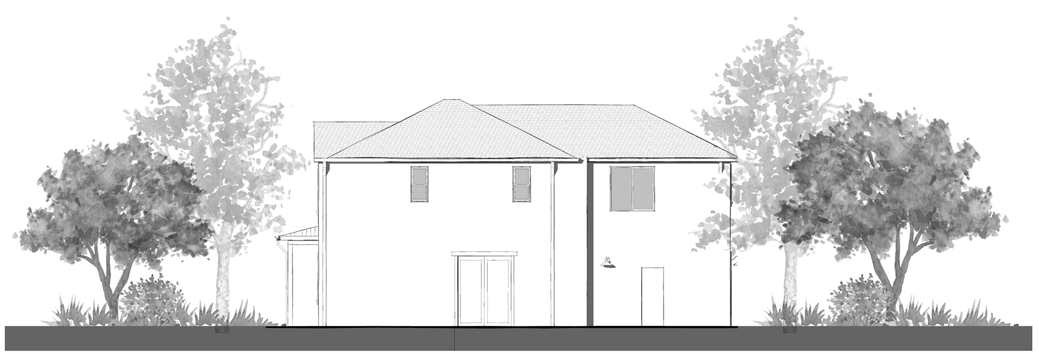
FEBRUARY 27, 2019

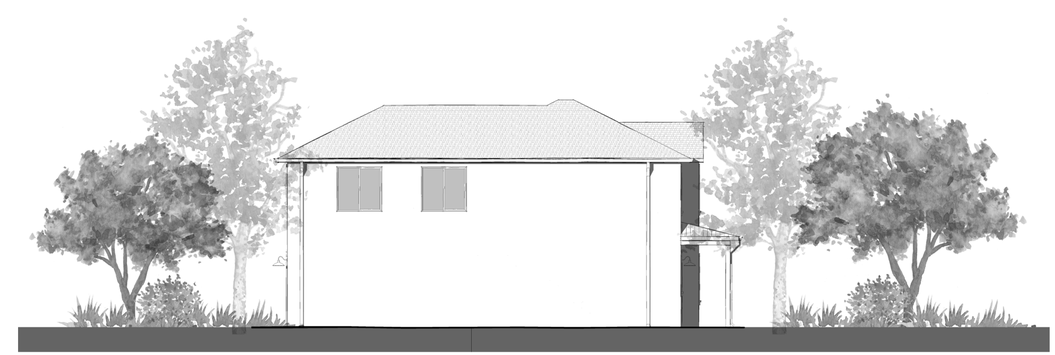
REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME A

1/4" = 1'-0" (24 X 36 SHEET)



RIGHT ELEVATION



LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS ALLEY PLAN 2_STYLE 2

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A13

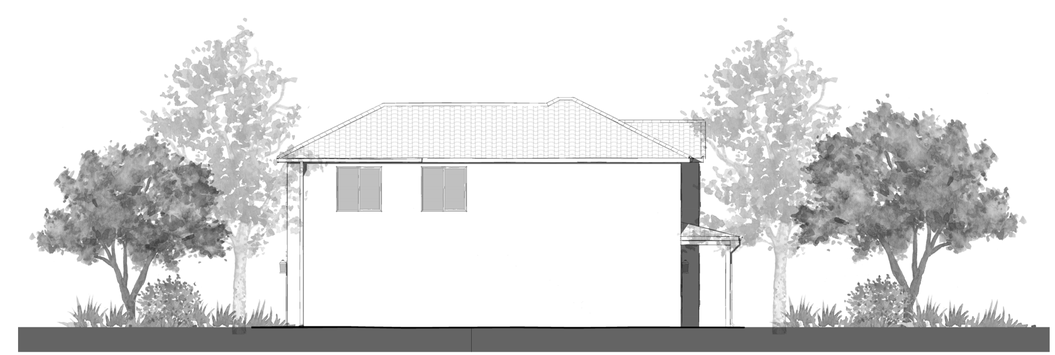
0047-09-RS18
FEBRUARY 27, 2019

REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME E

1/4" = 1'-0" (24 X 36 SHEET)

RIGHT ELEVATION



LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS ALLEY PLAN 2_STYLE 3

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

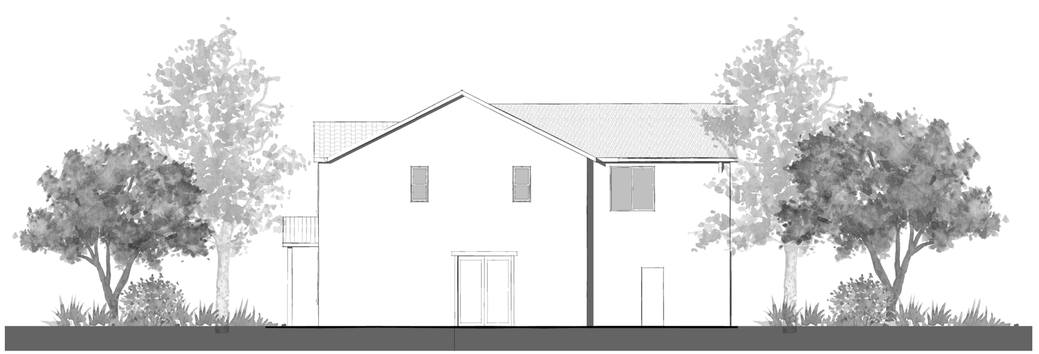
A14

0047-09-RS18
FEBRUARY 27, 2019

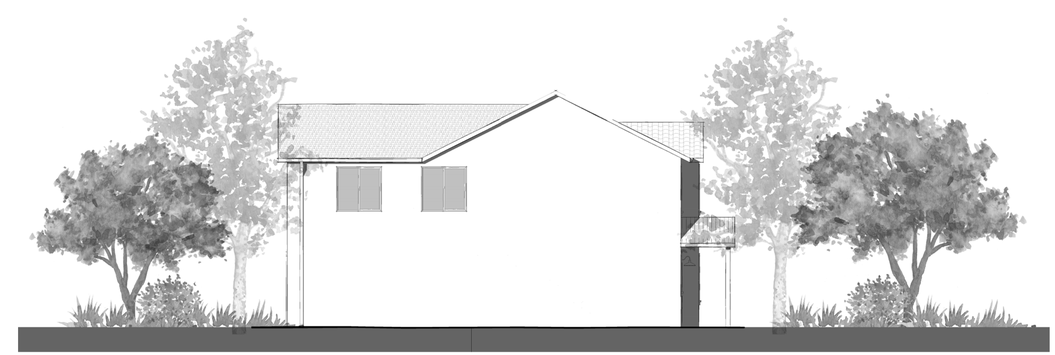
REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME D

1/4" = 1'-0" (24 X 36 SHEET)



RIGHT ELEVATION



LEFT ELEVATION

rrm design group

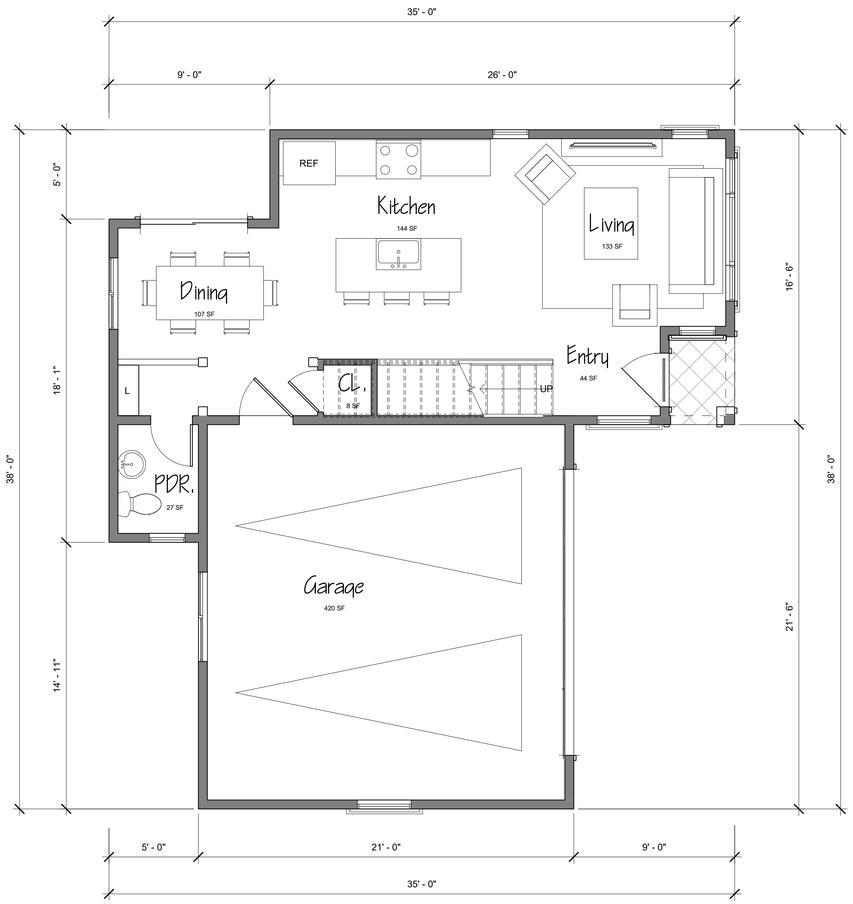
MIRAVALE PARCEL E

ELEVATIONS ALLEY PLAN 2_STYLE 4

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

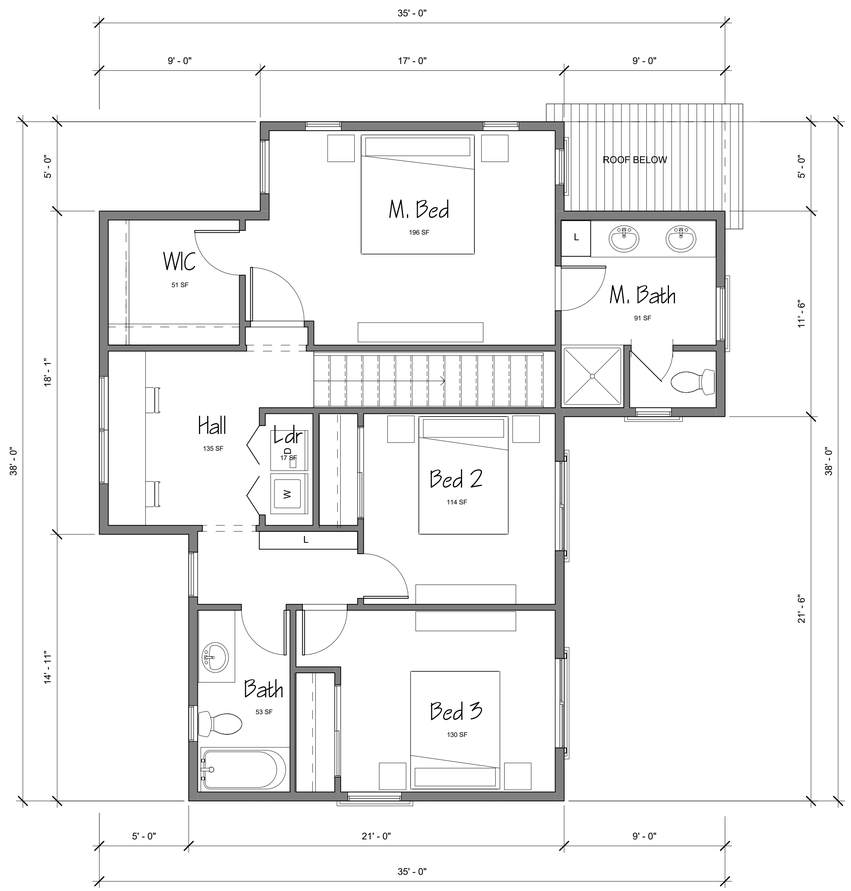
A15

0047-09-RS18
FEBRUARY 27, 2019



1 GROUND FLOOR PLAN

1/8" = 1'-0" (24 X 36 SHEET)



2 SECOND FLOOR PLAN

1/8" = 1'-0" (24 X 36 SHEET)

rrm design group

MIRAVALE PARCEL E

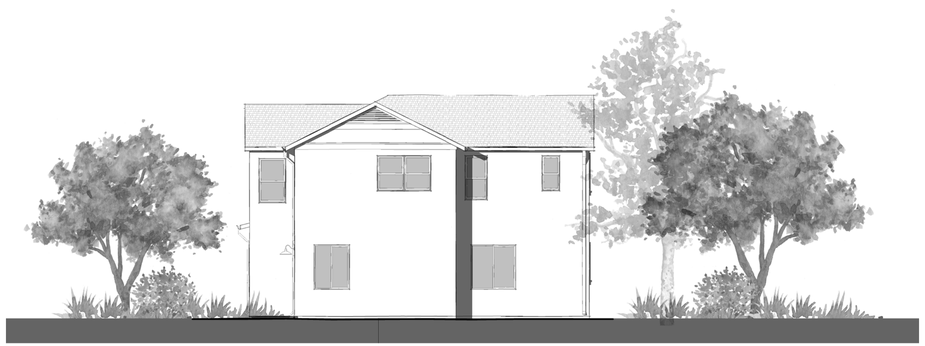
FLOOR PLAN COURT PLAN 3

PLAN 3 - AREAS	
GROUND FLOOR	537 SF
SECOND FLOOR	920 SF
	1,457 SF

1/4" = 1'-0" (24X36 SHEET)
0 2 4 8
0 4 8 16
1/8" = 1'-0" (12X18 SHEET)

A16

0047-09-RS18
FEBRUARY 27, 2019



REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME D

1/4" = 1'-0" (24 X 36 SHEET)

RIGHT ELEVATION

LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS COURT PLAN 3_STYLE 1

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A17

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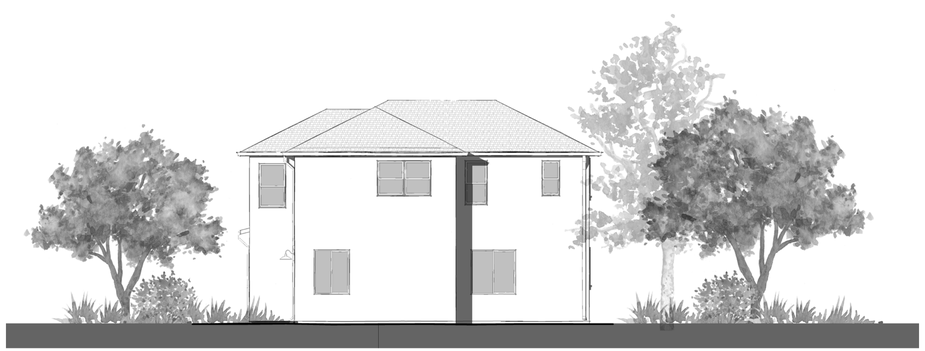

REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME C

1/4" = 1'-0" (24 X 36 SHEET)

RIGHT ELEVATION

LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS COURT PLAN 3_STYLE 2

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A18

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REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME E

1/4" = 1'-0" (24 X 36 SHEET)

RIGHT ELEVATION

LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS COURT PLAN 3_STYLE 3

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A19

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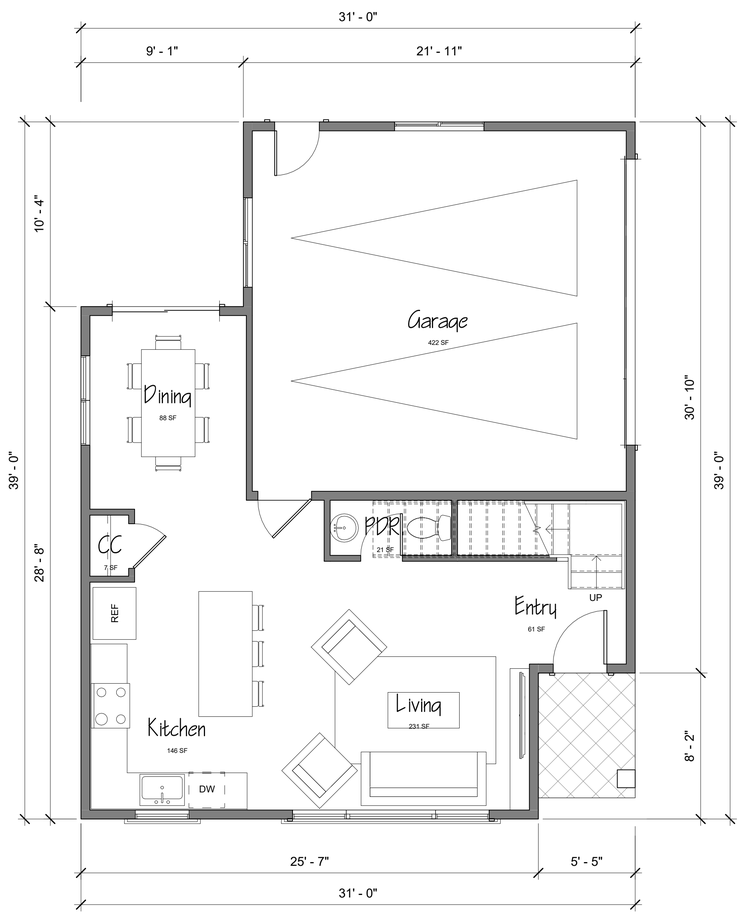
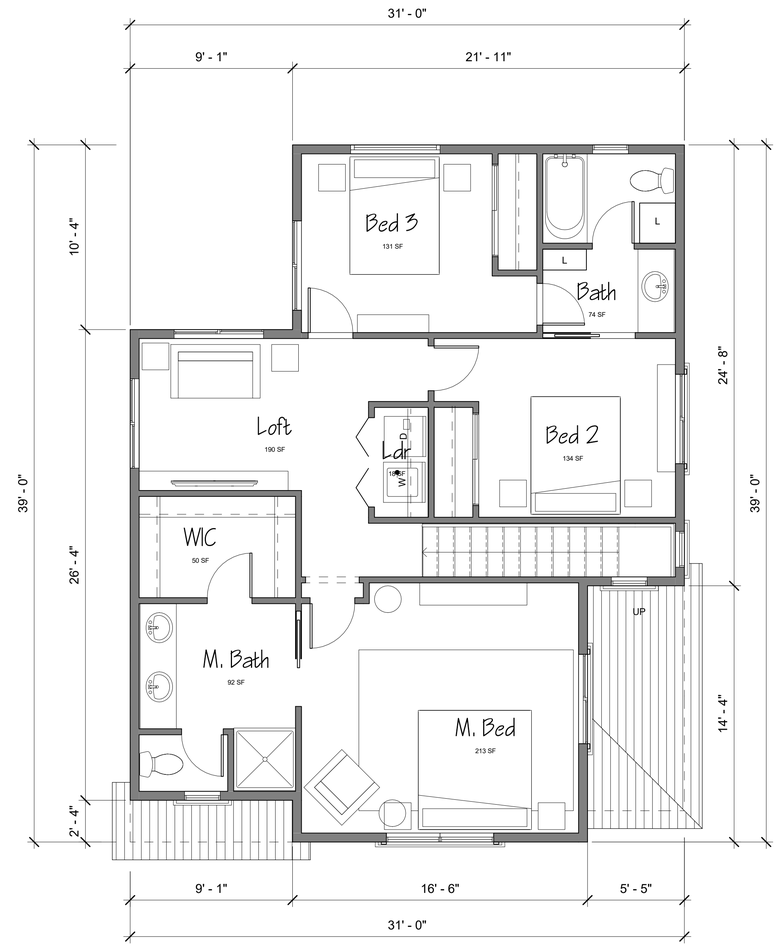


1 GROUND FLOOR PLAN

1/8" = 1'-0" (24 X 36 SHEET)



2 SECOND FLOOR PLAN

1/8" = 1'-0" (24 X 36 SHEET)

rrm design group

MIRAVALE PARCEL E
FLOOR PLAN COURT PLAN 4

PLAN 4 - AREAS	
GROUND FLOOR	609 SF
SECOND FLOOR	970 SF
	1,578 SF

1/4" = 1'-0" (24X36 SHEET)
0 2 4 8
0 4 8 16
1/8" = 1'-0" (12X18 SHEET)

A20

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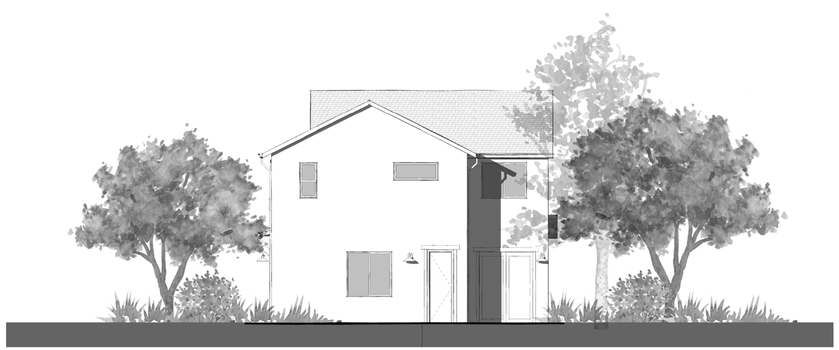
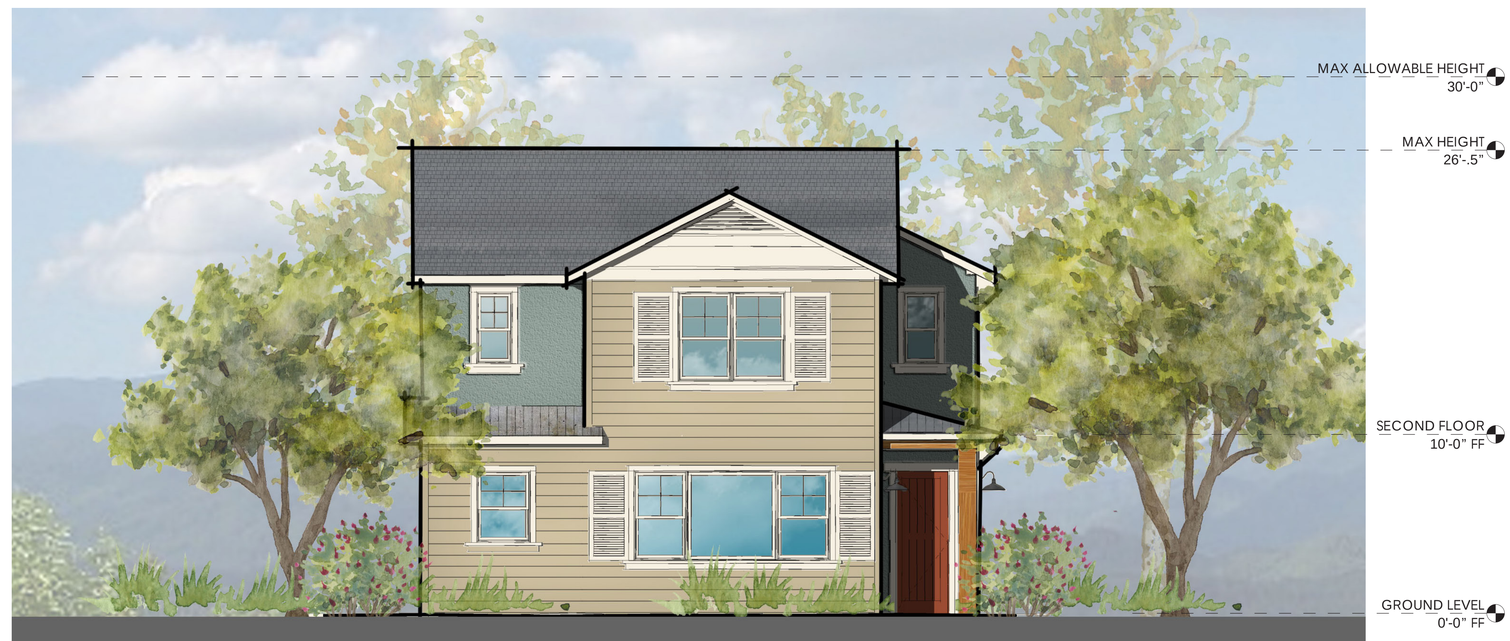


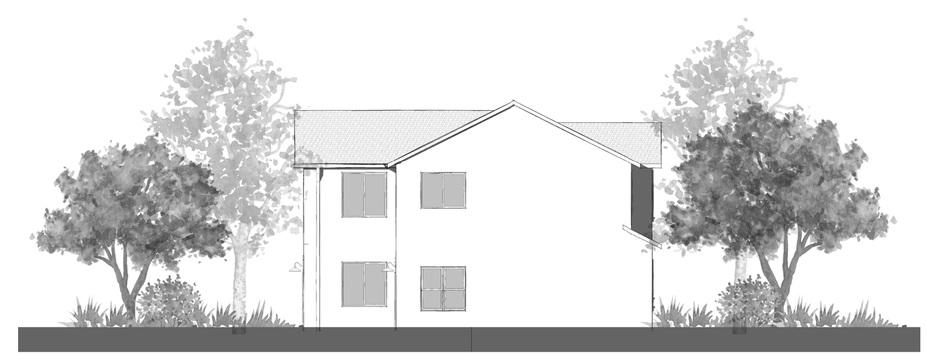
REAR ELEVATION



FRONT ELEVATION_SHOWN IN COLOR SCHEME B

1/4" = 1'-0" (24 X 36 SHEET)

RIGHT ELEVATION



LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS COURT PLAN 4_STYLE 1

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A21

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REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME A

1/4" = 1'-0" (24 X 36 SHEET)

RIGHT ELEVATION

LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E

ELEVATIONS COURT PLAN 4_STYLE 2

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A22

0047-09-RS18
FEBRUARY 27, 2019

REAR ELEVATION

FRONT ELEVATION_SHOWN IN COLOR SCHEME E

1/4" = 1'-0" (24 X 36 SHEET)

RIGHT ELEVATION

LEFT ELEVATION

rrm design group

MIRAVALE PARCEL E
ELEVATIONS COURT PLAN 4_STYLE 3

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A23

0047-09-RS18
FEBRUARY 27, 2019

rrm design group

MIRAVALE PARCEL E

STREET ELEVATION VARIETY

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A24

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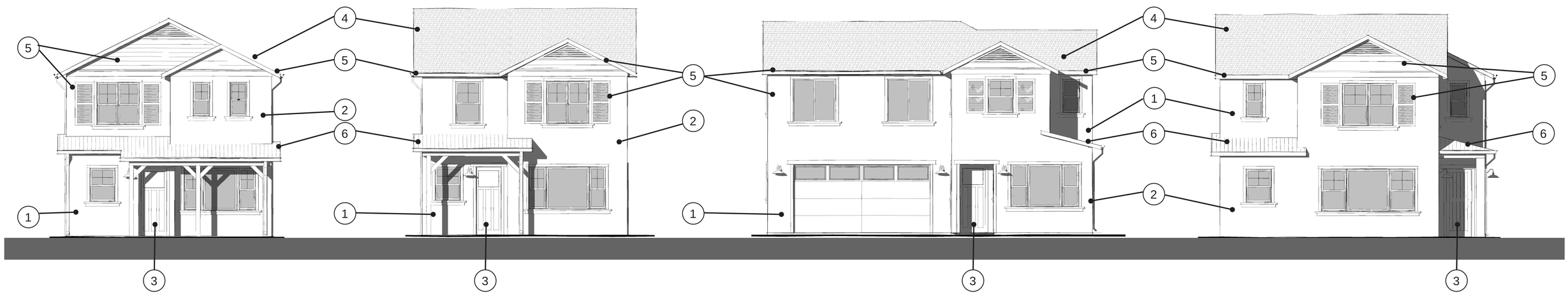
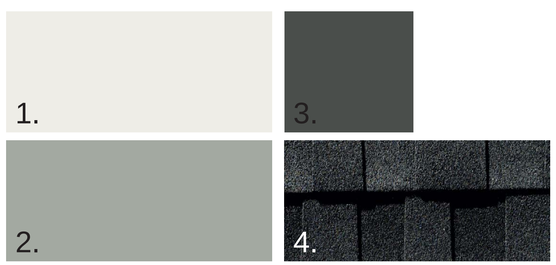
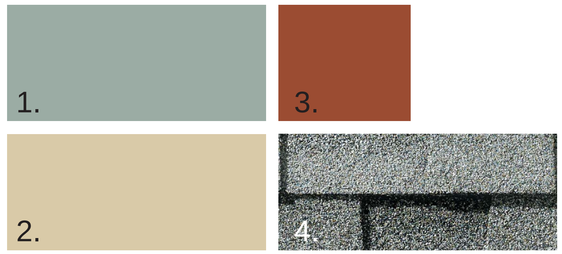




COLOR SCHEME A

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS PURE WHITE SW7005
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS UNUSUAL GRAY SW7059
3. DOOR COLOR:
   SHERWIN WILLIAMS ROCK BOTTOM SW7062
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN CHARCOAL

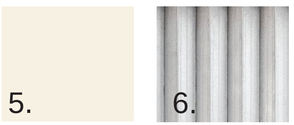


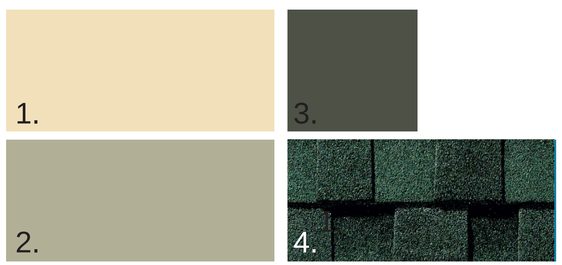
COLOR SCHEME B

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS HALCYON GREEN SW6213
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS BELIEVABLE BUFF SW6120
3. DOOR COLOR:
   SHERWIN WILLIAMS SPICY HUE SW6342
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN BIRCHWOOD

TYPICAL MATERIALS/COLORS/SPECS

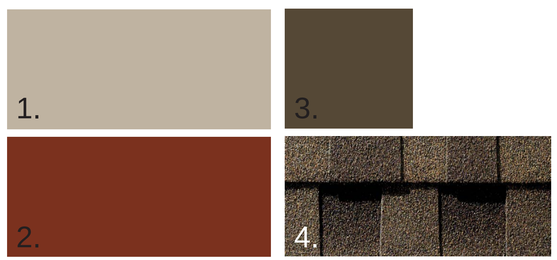
5. TRIM COLOR:
   SHERWIN WILLIAMS COTTON WHITE SW7104
6. ACCENT CORRUGATED METAL ROOFING:
   GALVANIZED CHARCOAL
7. EXTERIOR GOOSENECK LIGHT FIXTURE





COLOR SCHEME C

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS JERSEY CREAM SW6379
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS SVELTE SAGE SW6164
3. DOOR COLOR:
   SHERWIN WILLIAMS SHADE-GROWN SW6188
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN HUNTER GREEN



COLOR SCHEME D

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS ROYCRAFT COPPER RED SW2839
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS BALANCED BEIGE SW7037
3. DOOR COLOR:
   SHERWIN WILLIAMS VAN DYKE BROWN SW7041
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN BARKWOOD

rrm design group

MIRAVALE PARCEL E
COLOR AND MATERIALS

A25

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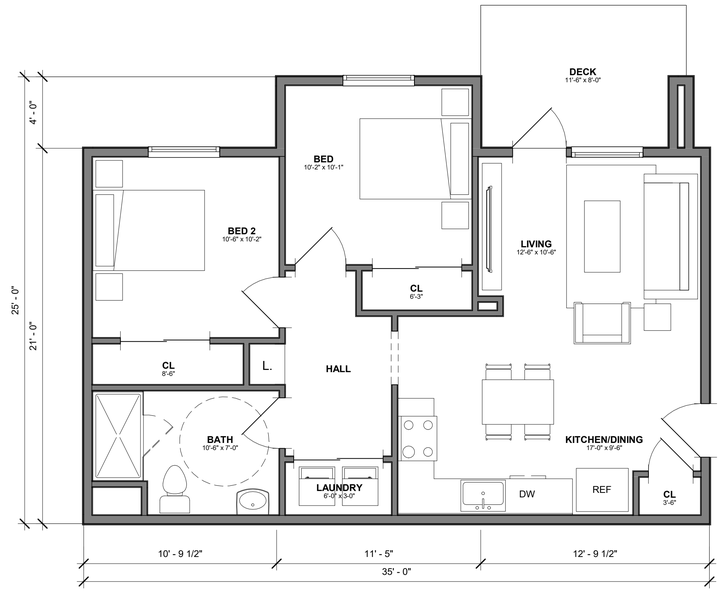
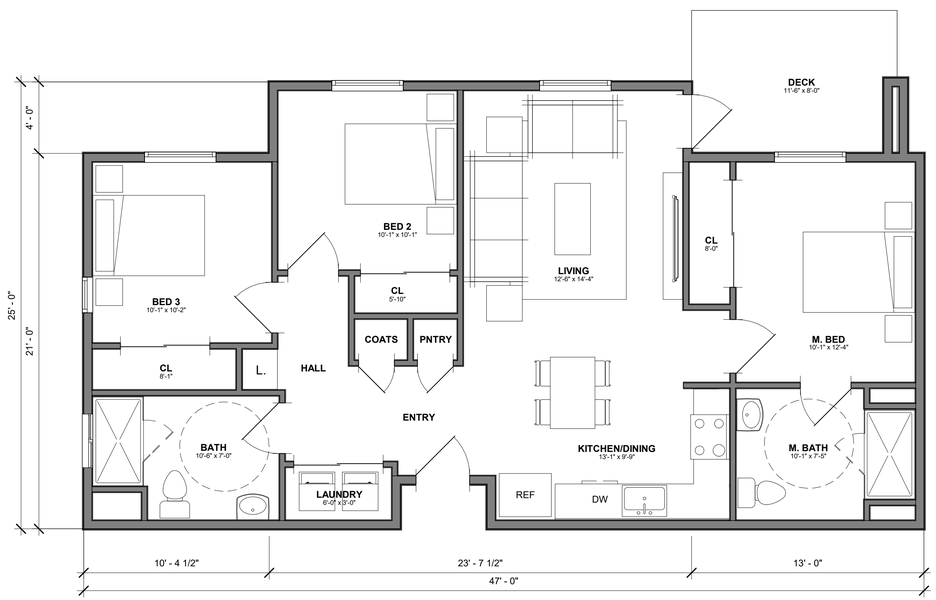


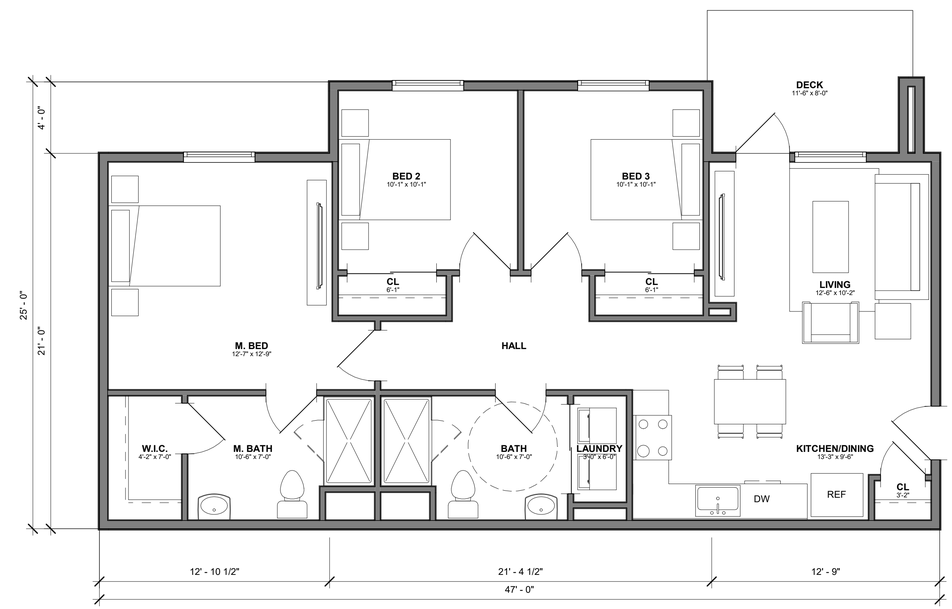
1 2 BEDROOM FLOOR PLAN

1/8" = 1'-0" (12 X 18 SHEET)



2 3 BEDROOM - A - FLOOR PLAN

1/8" = 1'-0" (12 X 18 SHEET)



3 3 BEDROOM - B - FLOOR PLAN

1/8" = 1'-0" (12 X 18 SHEET)

rrm design group

MIRAVALE PARCEL E
APARTMENT UNIT PLANS

1/4" = 1'-0" (24X36 SHEET)
0 2 4 8
0 4 8 16
1/8" = 1'-0" (12X18 SHEET)

A26

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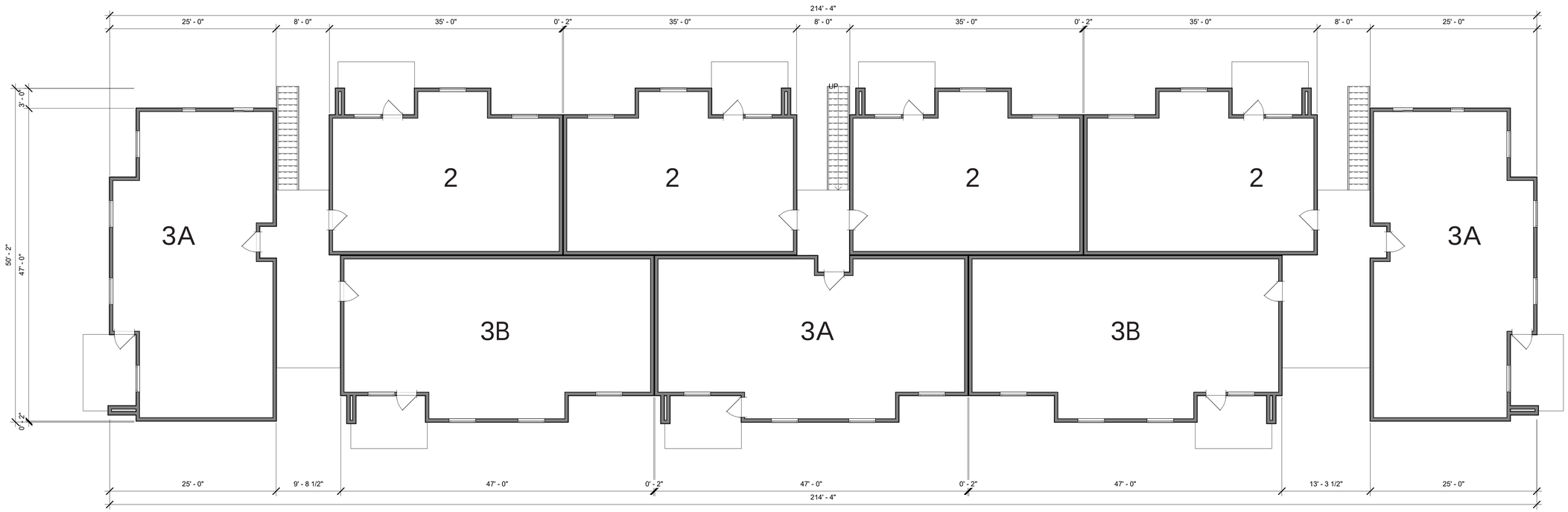

1 **BUILDING 1 PLAN**
1/16" = 1'-0" (12 X 18 SHEET)

rrm design group

MIRAVALE PARCEL E
BUILDING 1 PLAN

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A27

0047-09-RS18
FEBRUARY 27, 2019

rrm design group

MIRAVALE PARCEL E
BUILDING 1 ELEVATION

1/8" = 1'-0" (24X36 SHEET)
0 4 8 16
0 8 16 32
1/16" = 1'-0" (12X18 SHEET)

A28

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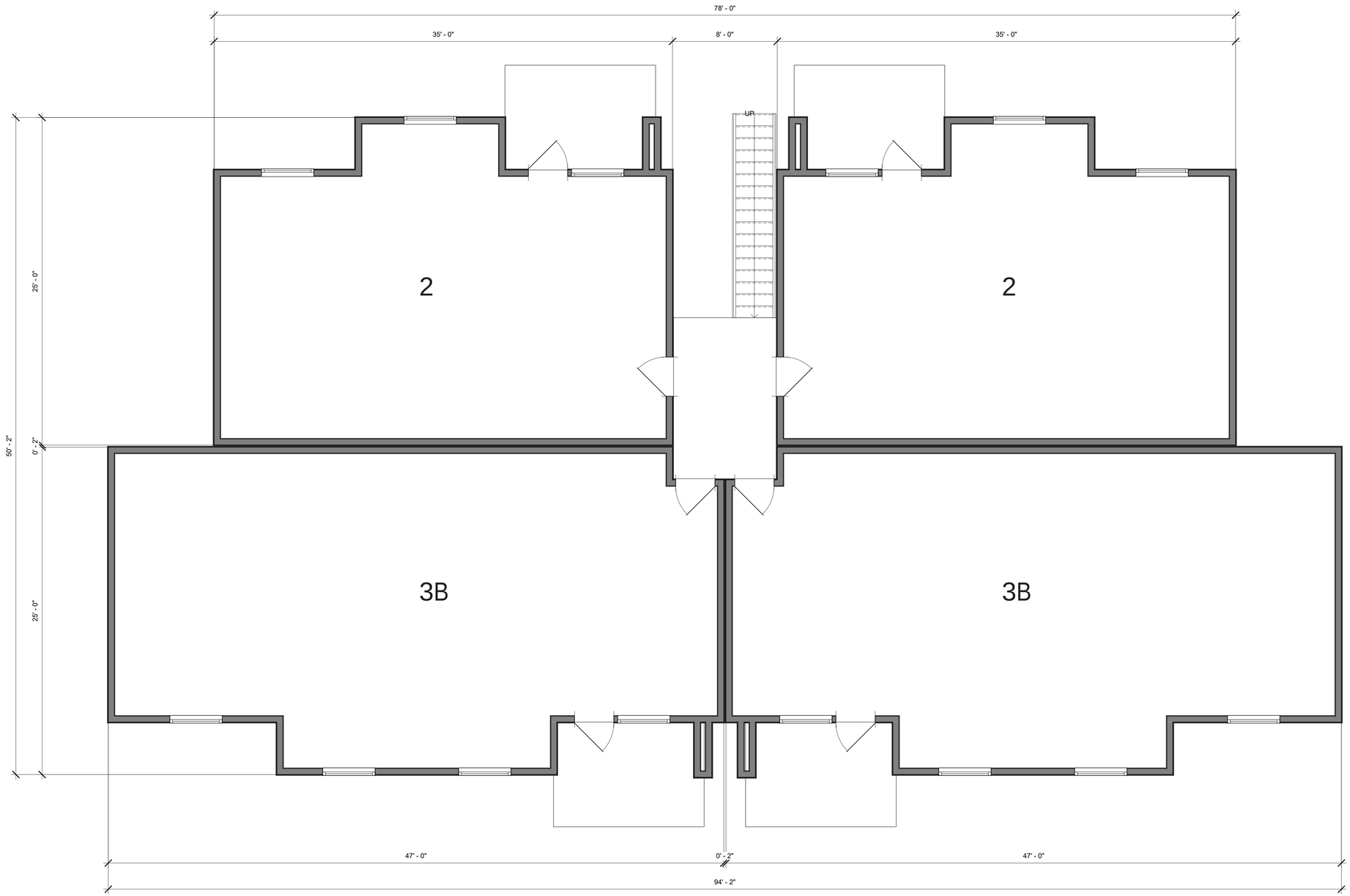
FEBRUARY 27, 2019



1 **BUILDING 2 PLAN**
1/8" = 1'-0" (12 X 18 SHEET)

rrm design group

MIRAVALE PARCEL E
BUILDING 2 PLAN

1/4" = 1'-0" (24X36 SHEET)
0 2 4 8
0 4 8 16
1/8" = 1'-0" (12X18 SHEET)

A29

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FEBRUARY 27, 2019

rrm design group

MIRAVALE PARCEL E
BUILDING 2 ELEVATION

1/4" = 1'-0" (24X36 SHEET)
0 2 4 8
0 4 8 16
1/8" = 1'-0" (12X18 SHEET)

A30

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SANTA CLARA STREET VIEW

rrm design group

MIRAVALE PARCEL E
CHARACTER VIGNETTES

A31

0047-09-RS18
FEBRUARY 27, 2019

COMMUNITY PARK VIEW

rrm design group

MIRAVALE PARCEL E
CHARACTER VIGNETTES

A32

0047-09-RS18
FEBRUARY 27, 2019

COMMUNITY GARDEN VIEW

rrm design group

MIRAVALE PARCEL E
CHARACTER VIGNETTES

A33

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FEBRUARY 27, 2019

ENTITLEMENTS REVISION, 03/28/24

MIRAVALE PARCEL E AFFORDABLE HOUSING

Miravale Parcel E - Affordable Housing brings 40 new residenital units for singles, couples and families to Soledad, CA. The design promotes human interaction and mental health through a tax-credit, 100% affordable developement providing on-site social services, a community room, fenced play yard with outdoor gathering areas as well as a live-in site manager.

Prepared by TEN OVER STUDIO

ADA ACCESSIBLE UNITS

REQUIRED ACCESSIBLE UNITS	PER TCAC:	MIN. 15%	6 UNITS OF 40

BUILDING	1-BD	2-BD	3-BD	#ADA PROPOSED
BUILDING A	2	2		4
BUILDING A	0	0	2	2
TOTAL				6

UNIT COUNT

TOTAL UNITS	**TOTAL # UNITS:**	**40**	**% OF TOTAL UNITS**
	STUDIO:	2	5.0%
	1BD:	15	37.5%
	2BD:	12	30.0%
	MANAGER (2-BD):	1	2.5%
	3BD:	10	25.0%

		STUDIO	1-BD	2-BD	3-BD	TOTAL
BUILDING A						
FIRST FLOOR		2	6	2	0	10
SECOND FLOOR		0	4	4	3	11
THIRD FLOOR		0	4	4	3	11
	TOTAL	**2**	**14**	**10**	**6**	**32**
BUILDING B						
FIRST FLOOR		0	1	1	2	4
SECOND FLOOR		0	0	2	2	4
	TOTAL	**0**	**1**	**3**	**4**	**8**
ALL BLDGS.	**TOTAL**	**2**	**15**	**13**	**10**	**40**

MOBILITY :	6	15%	(MIN 15% REQ'D)
DEVELOPMENTALLY DISABLED:	0	0%	(0% REQ'D)
TOTAL 11B ACCESSIBLE:	**6**		
COMMUNICATION:	4	10%	(MIN 10% REQ'D)

PARKING CALCULATIONS

PARKING REQUIRED
RESIDENTIAL

USE	UNIT COUNT (OR SF)	PARKING FACTOR	SPACES REQUIRED
STUDIO	2	1	2
1 BEDROOM	15	1	15
2 BEDROOM	13	2	26
3 BEDROOM	10	2	20
REQUIRED TOTAL			**63**
PROVIDED TOTAL			**50**

ADA SPACES

USE	# OF SPACES	ADA FACTOR	ADA REQUIRED
RESIDENTIAL	50	1 PER 25	2
REQ'D TOTAL			**2**
PROVIDED TOTAL			**1 VAN, 1 STD**

LAND USE REQUIREMENTS

ADDRESS		LOT 105		
APN		OVERALL: 022-441-017		
ZONING		R-3 HIGH DENSITY RESIDENTIAL		
CURRENT USE		VACANT		
PROPOSED USE		MULTI-FAMILY HOUSING, R-2		
ALLOWED USE IN ZONE		YES		
ENTITLEMENTS/USE PERMIT REQUIRED		YES		
LOT SIZE		61722 SF		1.42 ACRE
MAX SITE COVERAGE	*ALLOWABLE*	60%	*PROPOSED*	24%
DENSITY	*ALLOWABLE*	TBD	*PROPOSED*	40
AFFORDABLE UNITS PROPOSED		100% AFFORDABLE		
INCENTIVES PURSUED		1) HEIGHT & STORY INCREASE		
		2) PARKING REDUCTION		
HEIGHT LIMIT	*ALLOWABLE*	30' / 2-STORY	*PROPOSED*	30'-2-STORY & 40'/ 3-STORY
SETBACKS	*ALLOWABLE: FRONT*	15'	*PROPOSED: FRONT*	VARIES, MIN. 15'
	SIDE	5'	*SIDE*	5'
	REAR	15'	*REAR*	15'

BUILDING INFO

BUILDING A	
OCCUPANCY	R-2
CONSTRUCTION TYPE	TYPE 5B
SPRINKLER SYSTEM	R13
STORIES PROPOSED	3
HEIGHT PROPOSED	UP TO 40'
BUILDING AREA SF*	10,552/ FLOOR = 31,656 SF

*INCLUDES COV'D EXTERIOR EGRESS & COV'D DECKS

BUILDING B	
OCCUPANCY	R-2
CONSTRUCTION TYPE	TYPE 5A
SPRINKLER SYSTEM	R13
STORIES PROPOSED	2
HEIGHT PROPOSED	UP TO 30'
BUILDING AREA SF*	4,093/ FLOOR = 8,186 SF

*INCLUDES COV'D EXTERIOR EGRESS & COV'D DECKS

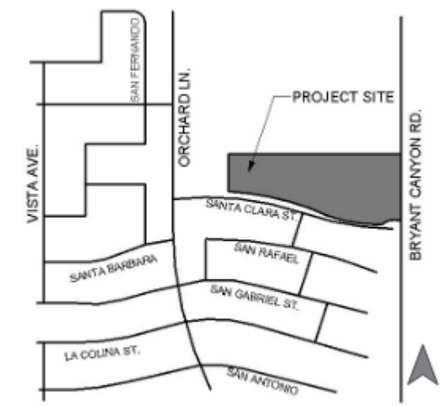
PROJECT DESCRIPTION

Lot 5 - Affordable Housing proposes a revision to the multi-family component of the previously entitled Miravel Parcel E. The previous program provided for some inclusionary housing between two multi-family buildings on Lot 5. The revised program will provide 100% tax-credit affordable housing in a large-family mix within the same footprint as the two previously entitled buildings. The proposed scheme will increase the unit count from 26 to 40, by adding an additional story to Building A. The project will meet all TCAC requirements for large-family mix including but not limited to a community room, support staff offices, shared laundry facility and a protected kid play area. The project intends to utilize concessions and waivers under State Density Bonus Law in order to increase building height ,number of stories, and reduce parking requirements. The concessions and waivers are as follows:

CONCESSIONS: Reduce required parking from 63 to 50 (21% reduction)
WAIVERS: 1) Increase overall height in Building A from 25'-5.5 to XX 2) Increase allowed storeies in Building A from 2 to 3.

The revised program seeks an Entitlement Revision Approval.

VICINITY MAP



CONTACTS

CLIENT

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CONTACT: DIXIE BAUS
dixie.baus@edenhousing.org

ARCHITECT

TEN OVER STUDIO
539 MARSH ST., SAN LUIS OBISPO, CA 93401
805.541.1010
CONTACT: Jessie Skidmore
jessies@tenoverstudio.com

SHEET INDEX

PROJECT INFO & DATA	T1.0
SITE PLAN PREVIOUS & PROPOSED	A1.0
BUILDING A PREVIOUS & PROPOSED	A2.0
BUILDING B PREVIOUS & PROPOSED	A2.1
BUILDING A & B PROPOSED UPPER FLOOR PLANS	A2.2
PROPOSED UNIT LAYOUTS	A2.3
PROPOSED UNIT LAYOUTS - CONTINUED	A2.4
BUILDING A PREVIOUS & PROPOSED ELEVATIONS	A3.0
BUILDING B PREVIOUS AND PROPOSED ELVATIONS	A3.1
MATERIAL & COLOR SELECTION	A4.0

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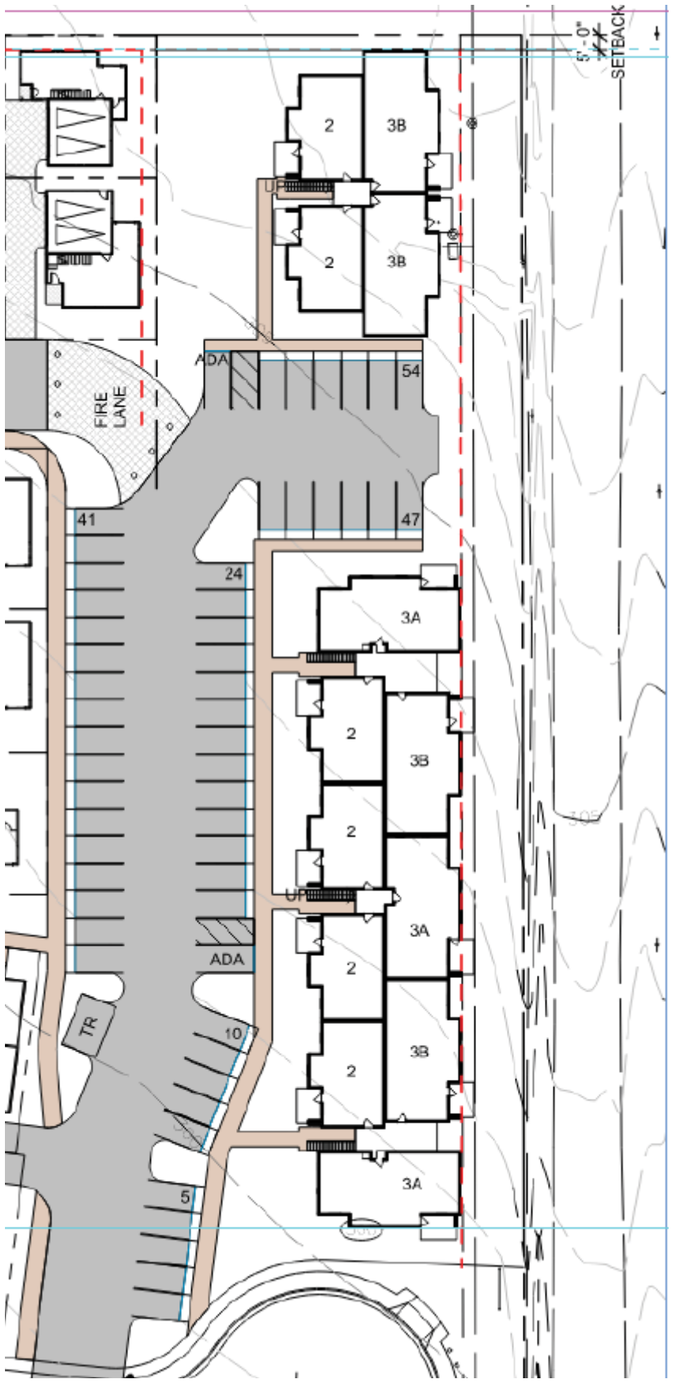
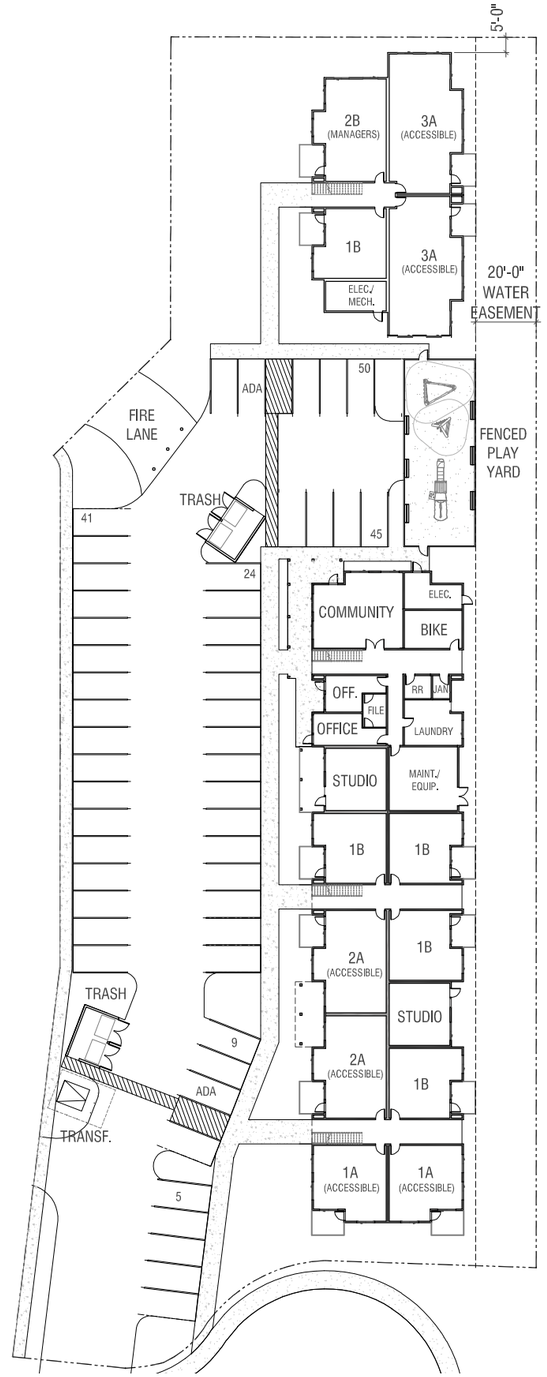
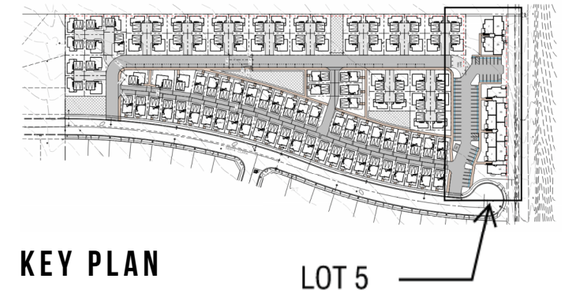
info@tenoverstudio.com



PREVIOUS



PROPOSED



KEY PLAN

PROPOSED SITE PLAN NOTES:

1. SIMILAR PARKING LAYOUT TO PREVIOUS DESIGN. ADDITIONAL TRASH AREA AND POTENTIAL TRANSFORMER LOCATION ADDED. FUTURE EASEMENT WILL PROVIDE ACCESS AN ACCESS TO LARGER DEVELOPMENT.

2. PARKING COUNT REDUCED FROM 54 TO 50 TO INCORPORATE A FENCED PLAY YARD FOR RESIDENTS, PER TCAC REQUIREMENTS.

3. BUILDING FOOTPRINTS REMAIN THE SAME IN OVERALL WIDTH AND DEPTH WITH MINOR CHANGES TO THE MASSING TO ACCOMODATE THE REVISED UNIT LAYOUT.

N

ARCHITECTURAL SITE PLAN

SCALE: 1" = 50'-0"

TEN10VER
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San Luis Obispo, CA
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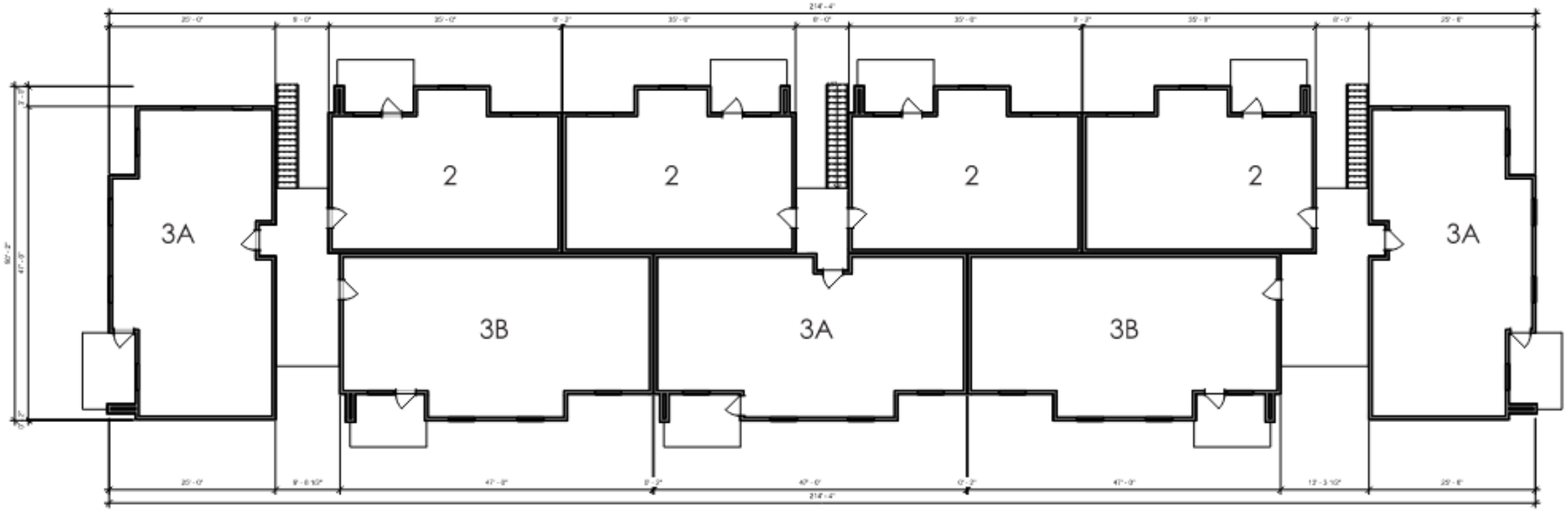
info@tenoverstudio.com

MIRAVALE PARCEL E - AFFORDABLE HOUSING
SOLEDAD, CA
DATE: 03/28/24

A1.0



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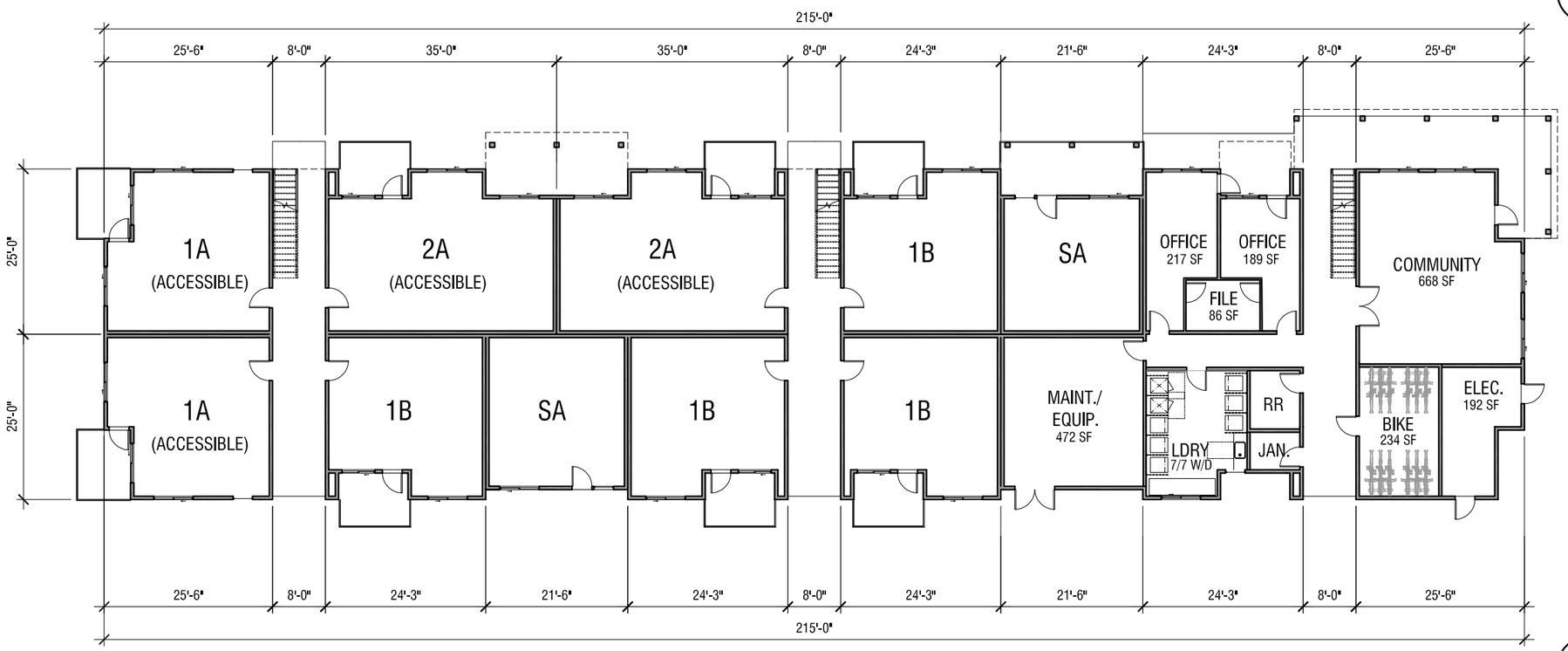
PREVIOUS BUILDING A FIRST FLOOR PLAN

SCALE: 1" = 20'-0"



N

PROPOSED BUILDING A FIRST FLOOR PLAN

SCALE: 1" = 20'-0"

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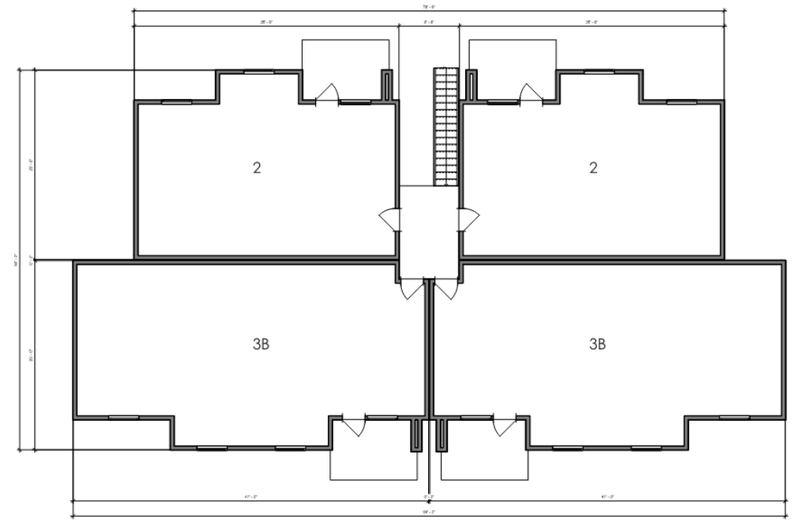
MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

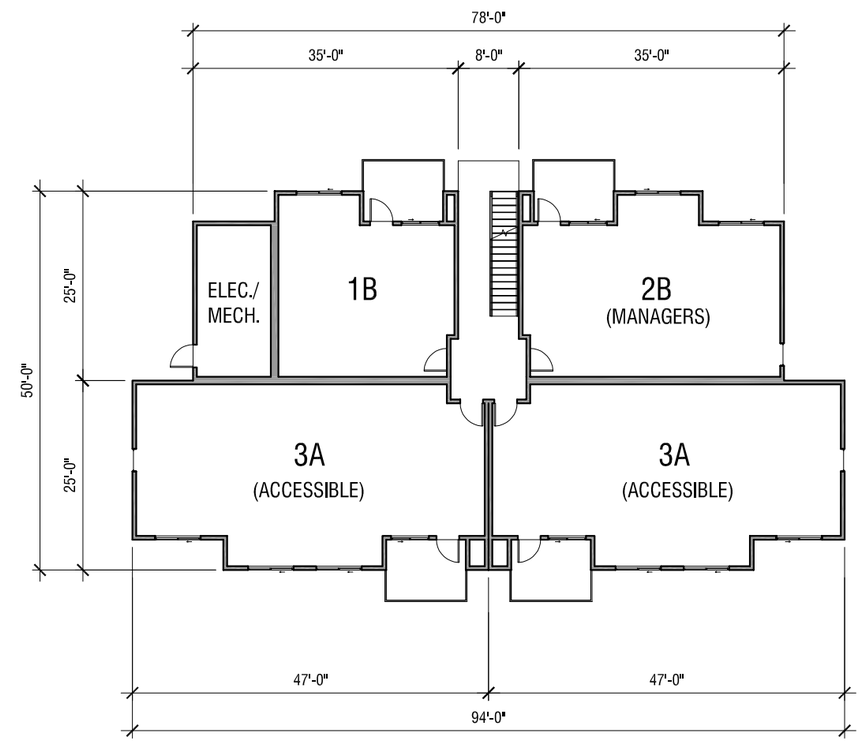
A2.0



N

PREVIOUS BUILDING B
FIRST FLOOR PLAN

SCALE: 1" = 20'-0"



N

PROPOSED BUILDING B
FIRST FLOOR PLAN

SCALE: 1" = 20'-0"

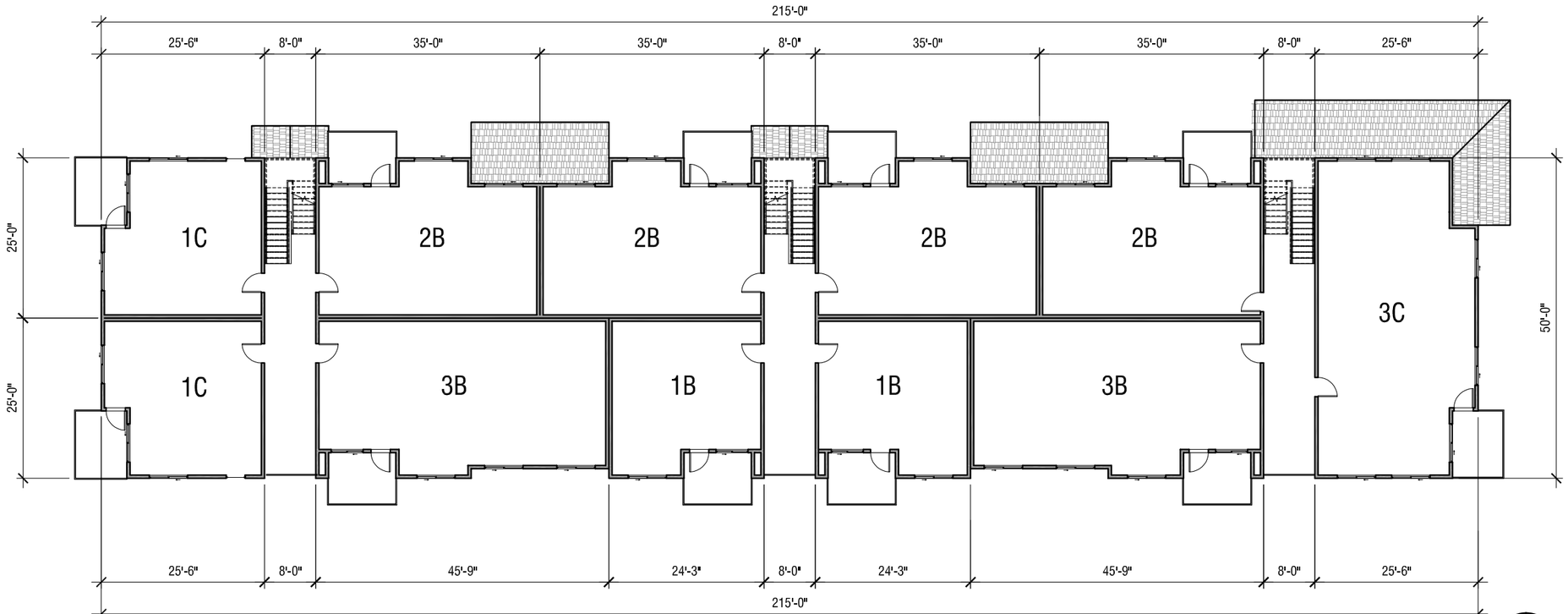
TEN|O|VER
539 Marsh Street
San Luis Obispo, CA

805.541.1010
info@tenoverstudio.com

MIRAVALE PARCEL E - AFFORDABLE HOUSING

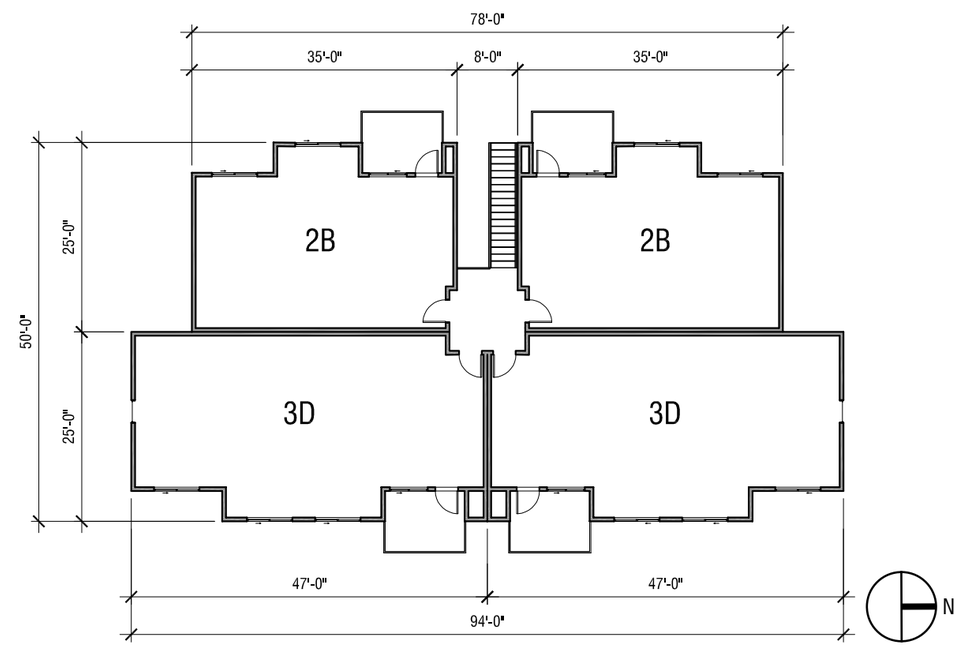
SOLEDAD, CA
DATE: 03/28/24

A2.1



PROPOSED BUILDING A
SECOND &THIRD FLOOR PLAN

SCALE: 1" = 20'-0"



PROPOSED BUILDING B
SECOND FLOOR PLAN

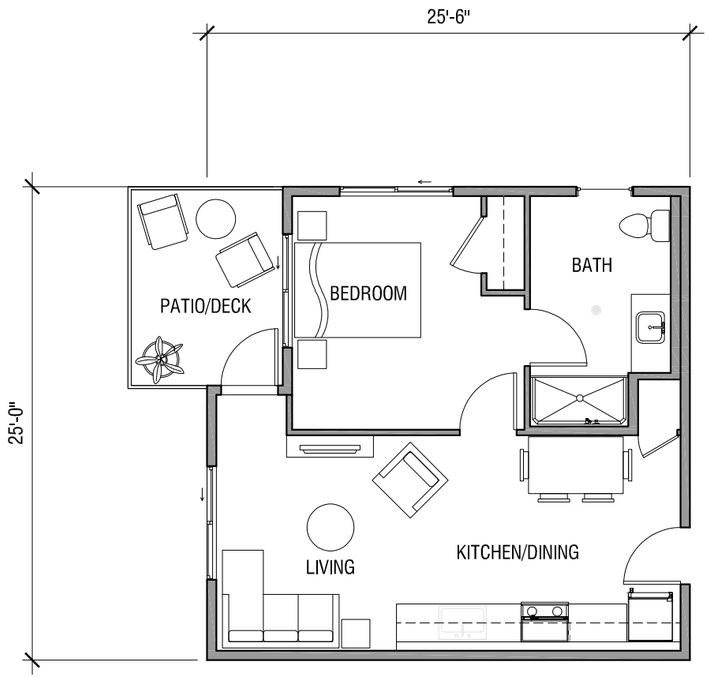
SCALE: 1" = 20'-0"

TEN10VER
539 Marsh Street
San Luis Obispo, CA
805.541.1010
info@tenoverstudio.com

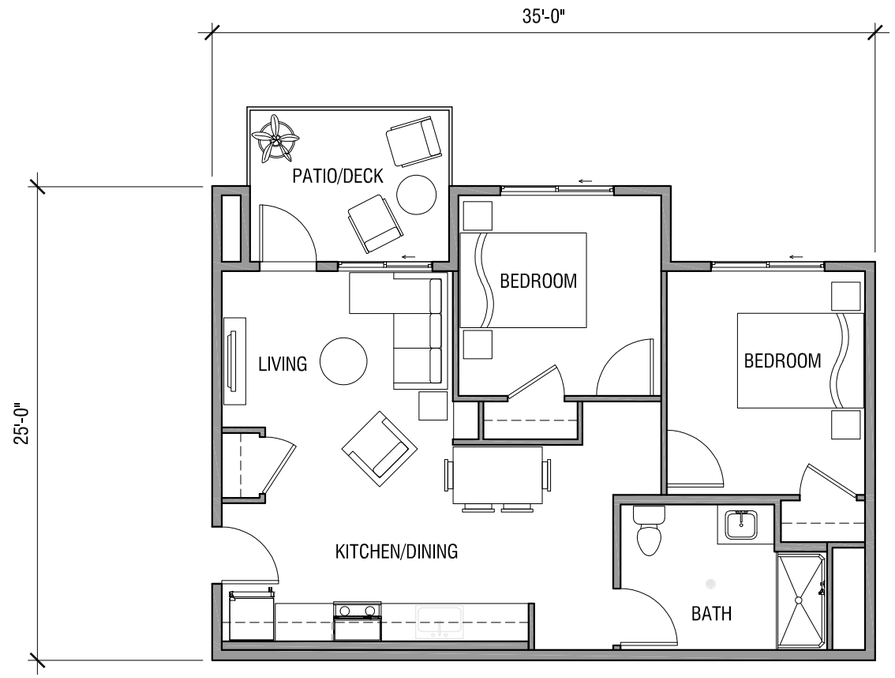
MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

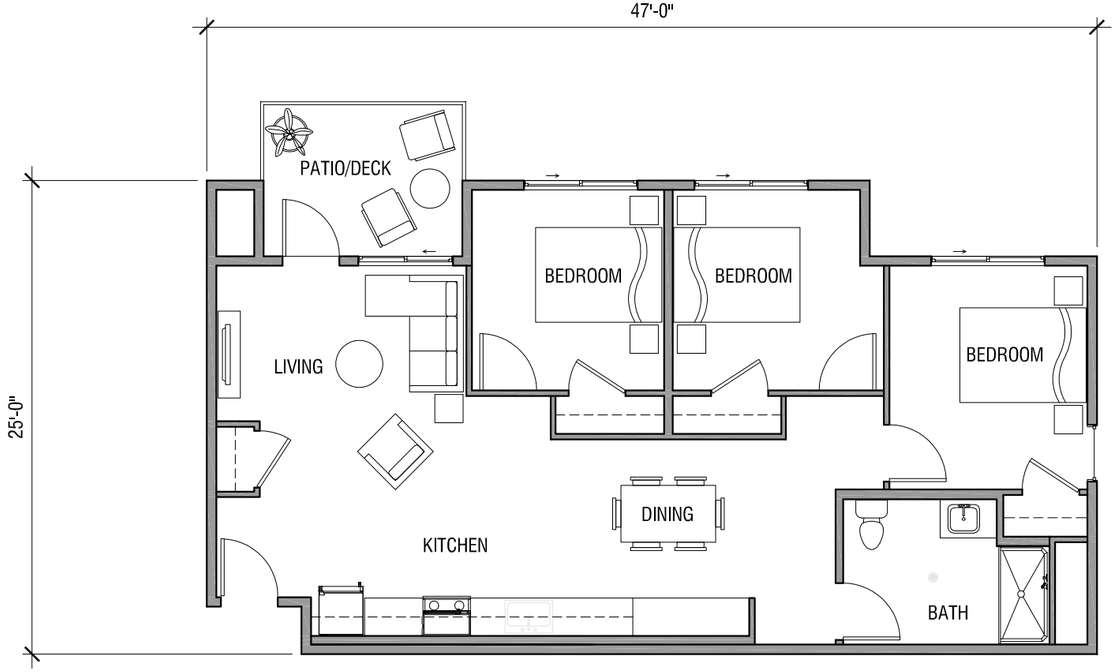
A2.2



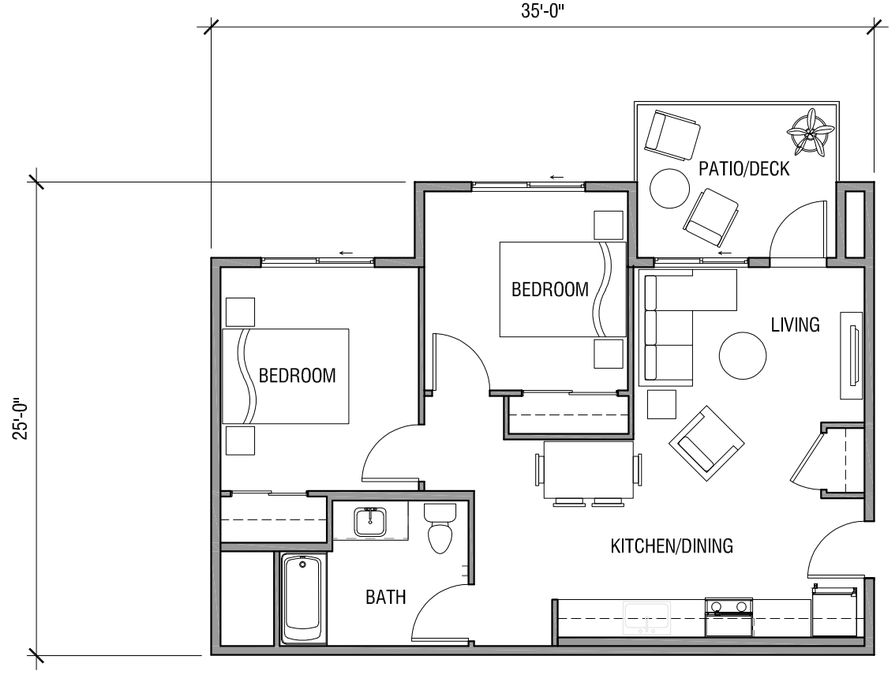
UNIT 1A - ACCESSIBLE - 558 SF



UNIT 2A - ACCESSIBLE - 710 SF



UNIT 3A - ACCESSIBLE - 978 SF



UNIT 2B- ADAPTABLE - 706 SF

UNIT LAYOUTS

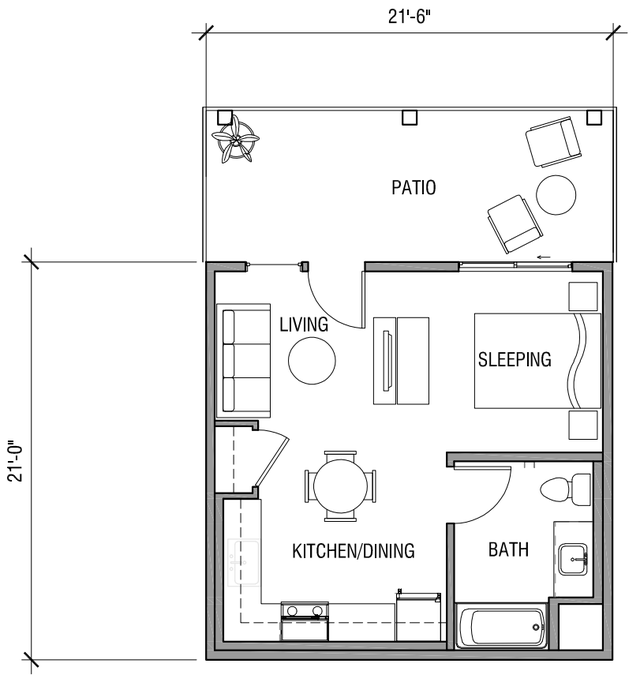
SCALE: 1/8" = 1'-0"

TEN|O|VER
539 Marsh Street
San Luis Obispo, CA
805.541.1010
info@tenoverstudio.com

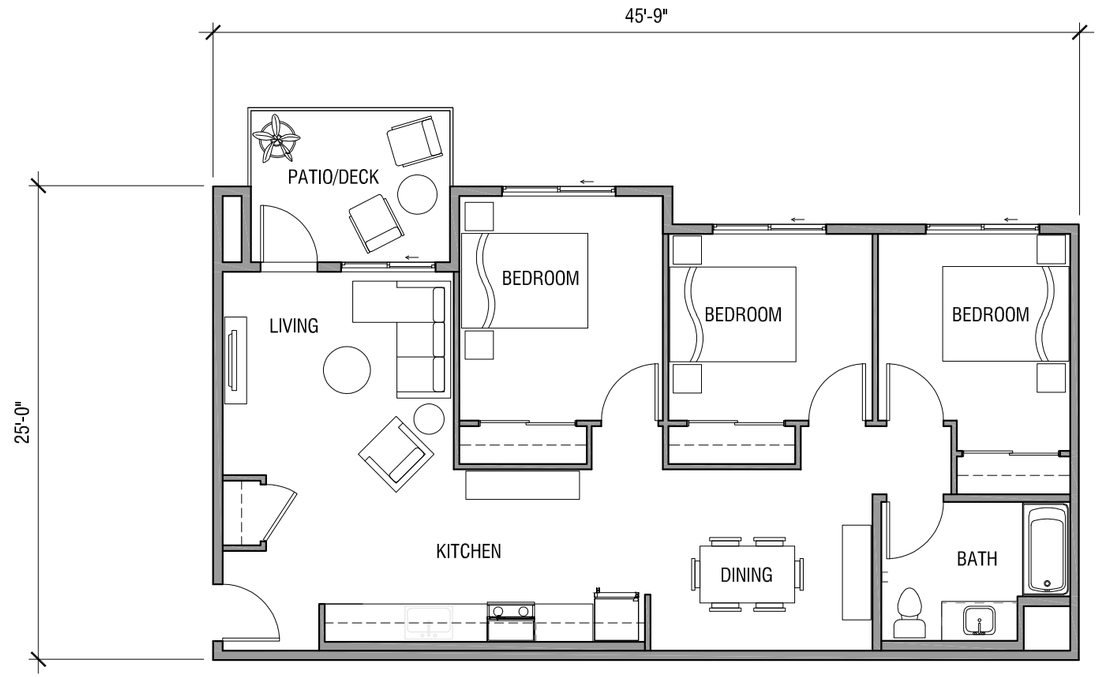
MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

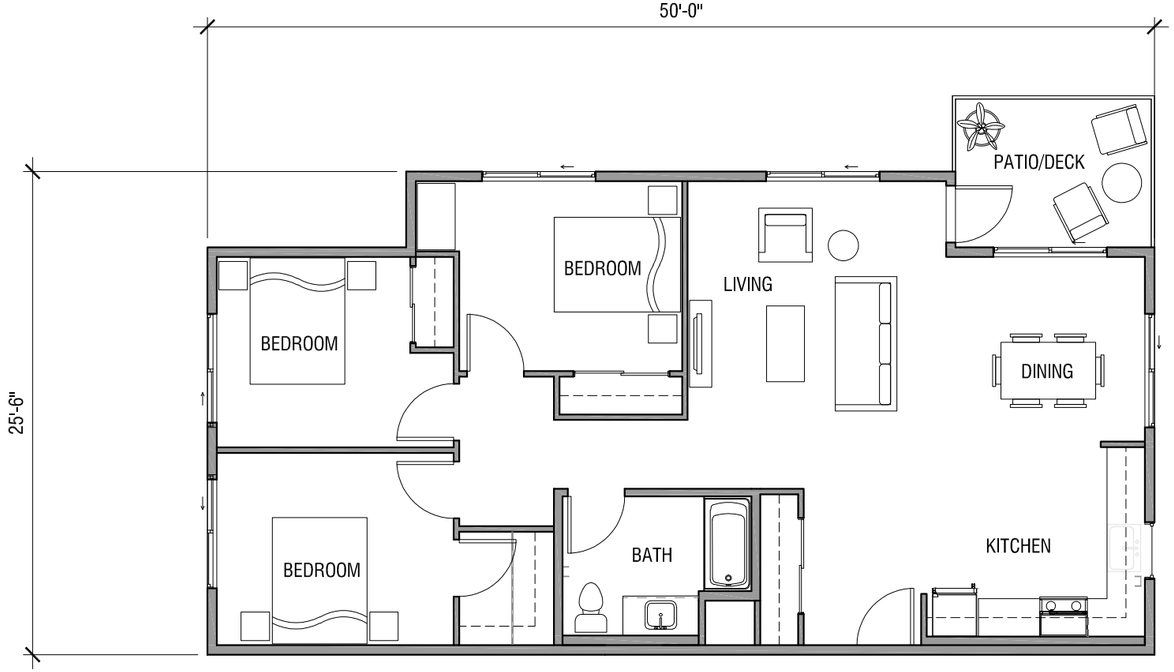
A2.3



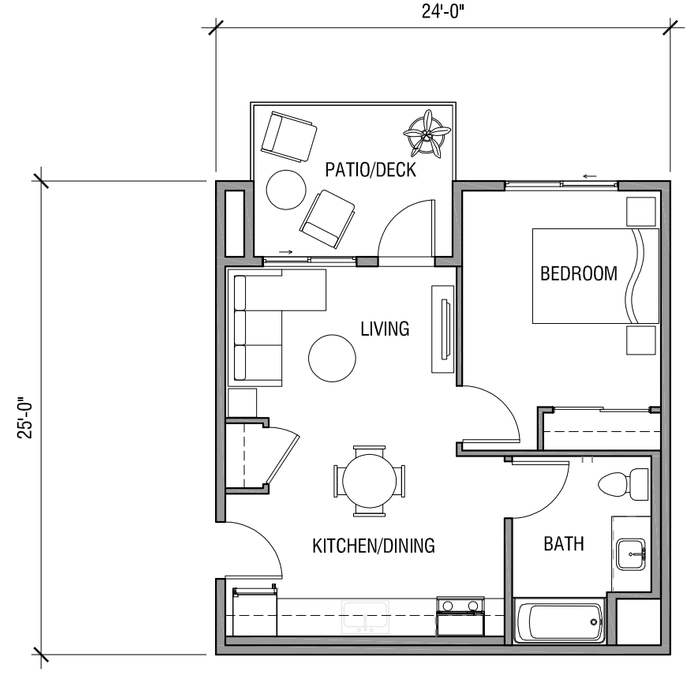
UNIT STUDIO- ADAPTABLE - 402 SF



UNIT 3B - ADAPTABLE - 973 SF



UNIT 3C- ADAPTABLE - 1116 SF



UNIT 1B - ADAPTABLE - 494 SF

UNIT LAYOUTS - CONT.

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

TEN|O VER
539 Marsh Street
San Luis Obispo, CA
805.541.1010
info@tenoverstudio.com

MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

A2.4

PREVIOUS BUILDING A FRONT ELEVATION

SCALE: 1/16" = 1'-0"

PROPOSED BUILDING A FRONT ELEVATION

SCALE: 1/16" = 1'-0"

TEN10VER

539 Marsh Street
San Luis Obispo, CA

805.541.1010
info@tenoverstudio.com

MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

A3.0

PREVIOUS BUILDING B FRONT ELEVATION

SCALE: 1/16" = 1'-0"

PROPOSED BUILDING B FRONT ELEVATION

SCALE: 1/16" = 1'-0"

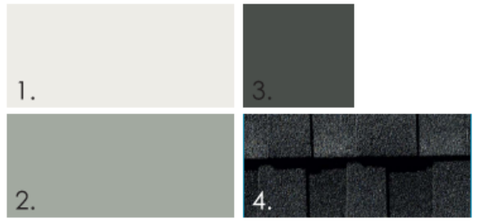
TEN10VER
539 Marsh Street
San Luis Obispo, CA

805.541.1010
info@tenoverstudio.com

MIRAVALE PARCEL E - AFFORDABLE HOUSING

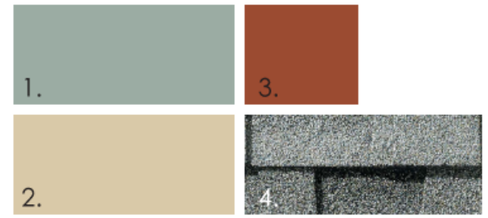
SOLEDAD, CA
DATE: 03/28/24

A3.1



COLOR SCHEME A

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS PURE WHITE SW7005
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS UNUSUAL GRAY SW7059
3. DOOR COLOR:
   SHERWIN WILLIAMS ROCK BOTTOM SW7062
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN CHARCOAL

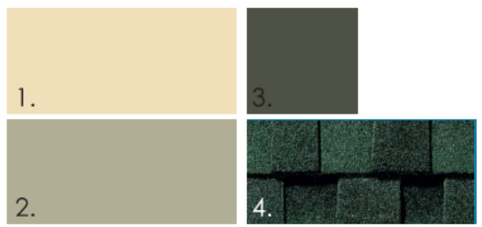


COLOR SCHEME B

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS HALCYON GREEN SW6213
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS BELIEVABLE BUFF SW6120
3. DOOR COLOR:
   SHERWIN WILLIAMS SPICY HUE SW6342
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN BIRCHWOOD

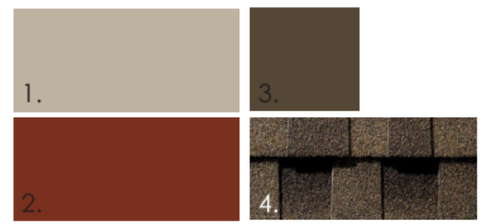
TYPICAL MATERIALS/COLORS/SPECS

5. TRIM COLOR:
   SHERWIN WILLIAMS COTTON WHITE SW7104
6. ACCENT CORRUGATED METAL ROOFING:
   GALVANIZED CHARCOAL
7. EXTERIOR GOOSENECK LIGHT FIXTURE



COLOR SCHEME C

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS JERSEY CREAM SW6379
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS SVELTE SAGE SW6164
3. DOOR COLOR:
   SHERWIN WILLIAMS SHADE-GROWN SW6188
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN HUNTER GREEN



COLOR SCHEME D

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS ROYCRAFT COPPER RED SW2839
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS BALANCED BEIGE SW7037
3. DOOR COLOR:
   SHERWIN WILLIAMS VAN DYKE BROWN SW7041
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN BARKWOOD

PREVIOUSLY APPROVED COLORS AND MATERIALS

All proposed colors are pulled from the previously approved colors and materials shown above.

MAIN PAINT COLORS:

1.STUCCO 1: ROCK BOTTOM SW7062* (FROM COLOR SCHEME A)
2.STUCCO 2: BALANCED BEIGE SW7073* (FROM COLOR SCHEME D)

ACCENT PAINT COLORS:

3.HORIZONTAL SIDING & TRIM: PURE WHITE SW7005* (FROM COLOR SCHEME A)
4.VERTICAL BOARD AND BATTEN: HALCYON GREEN SW6213* (FROM COLOR SCHEME B)
5.DOOR COLOR: SPICY HUE SW6342* (FROM COLOR SCHEME B)
6.ASPHALT SHINGLE ROOFING: BARKWOOD (FROM COLOR SCHEME D)

ALL COLOR SELECTIONS TO BE "OR SIMILAR." FINAL COLORS TO BE APPROVED AFTER ON-SITE MOCKUPS.

PROPOSED COLORS AND MATERIALS

TENOVER
539 Marsh Street
San Luis Obispo, CA
805.541.1010
info@tenoverstudio.com

MIRAVALE PARCEL E - AFFORDABLE HOUSING
SOLEDAD, CA
DATE: 03/28/24

A4.0

CITY OF SOLEDAD
COMMUNITY & ECONOMIC DEVELOPMENT
PLANNING DIVISION
248 Main Street
Soledad, CA 93960
Phone (831) 223-5020
Fax (831) 678-3965

PLANNING PERMIT APPLICATION FORM

PLN: PUD 2018-02

BLD: _____

APPLICANT/OWNER INFORMATION:

Applicant: Eden Housing, Inc.

Mailing Address: 22645 Grand Street, Hayward, CA 94541

Phone No: 408-891-2606 E-Mail (required): dixie.baus@edenhousing.org

Primary form of communication will be E-mail unless requested otherwise.

Owner 1: HMBY, LP Owner 1: _____

Address: 449 Alvarado Street, Monterey, C Address: _____

Phone No.: 831-596-9158 Phone No.: _____

E-Mail: laith.agha@gmail.com E-Mail: _____

PRIMARY CONTACT FOR PROJECT INFORMATION (SELECT ONLY ONE): ☐ Owner 1 ☐ Owner 2 ☐ Applicant

PERMIT INFORMATION:

☐ Architectural Review (Residential)	☐ Conditional Use Permit (Commercial)	☐ Tentative /Vesting Subdivision Map	☐ Temporary Use Permit
☐ Architectural Review (Commercial)	☐ Landscaping Review	☐ Tentative Parcel Map	☐ Business License Review
☐ Site Plan Review (Residential)	☐ Lot Line Adjustment	☐ Variance	☑ Planning Permit Amendment
☐ Site Plan Review (Commercial)	☐ Planned Development	☐ Zoning Map/General Plan Amendment	☐ Other
☐ Conditional Use Permit (Residential)	☐ Sign Permit/Banner Permit	☐ Certificate of Zoning Compliance	

Project Description (attach sheet if needed): See attached accompanying letter.

PROJECT SITE INFORMATION:

Project Location (Address): North Side- Santa Clara St. Zoning District: R-3 High Density Multi-fan

APN(s): 022532006000 Parcel/Lot Size (S.F. or Acres): Parcel E - portio

Please use the space below to answer the following questions. If additional space is needed, please attach a letter to the application.

List all elements of the proposed project: (e.g. access, size and location, primary and accessory structures, landscaping, streets):
Access to the site is from a cul-de-sac entrance on the North Side of Santa Clara Street. Within the c
of the townhomes to access their structures as a right of way. Landscaping will be of local nature anc

Describe Existing Site Conditions/Features (e.g. topography, water bodies, vegetation): Topography of the site is flat.
No water bodies exist in the immediate vicinity. Vegetation on the site is local and comparable in natu

Describe Existing Structures and/or Development: No structures or development has been completed on this lanc

APPLICANT DECLARATION

A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

a. I hereby certify that the information provided in this application, including the required plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of Community and Economic Development Planning Division, I agree to revise the information as appropriate.

b. I understand that the environmental review associated with this application is preliminary and that after further evaluation, additional reports, studies, applications, and/or fees may be required.

c. I understand and agree that any report, study, map, or other information submitted to the City of Soledad in for furtherance of this application will be treated by the City as public records that may be reviewed by any person and if requested, that the City will provide a copy to any person upon the payment of a Record's Request.

d. I understand that the burden of proof to substantiate the request is the applicant's responsibility. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.

e. I understand that there is no guarantee, expressed or implied, that any permit will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.

f. I understand that if this application is denied, there is no refund of fees paid.

g. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this action, either in whole or in part. Such actions include but are limited to: actions to attack, set aside, void, or otherwise modify, an =actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law. It shall be in addition to any other indemnification language agreed upon by the applicant.

h. I understand that the City is protected by numerous statutory immunities from liability for damages that may be caused by its land use regulatory actions, as set forth in Government Code, section 818, et seq. For instance, the City cannot be liable for personal or property injuries or damages allegedly caused by its approval and issuance of any discretionary permit, entitlement, or approval. (Gov. Code Section 818.4), or its failure to inspect or its negligence in inspecting a property to determine whether the property complies with or violates any permit, entitlement, or approval or contains or constitutes a hazard to health or safety(Gov. Code Section 818.6).

i. By my signature below, I declare under penalty of perjury that I am the owner or an authorized agent for this property, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City of Soledad requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

REQUIRED SUBMITTALS: Site Plan, Preliminary Floor Plans, Architectural Elevations or other material necessary as requested by the Soledad Planning Department.

andrea gogood (May 14, 2024 11:38 PDT)

Applicant Signature — Date: 14/05/24

Owner 1 Signature — Date

Owner 2 Signature — Date: 5/13/2024

Staff Use Only

Received by: Ariana Mora, Associate Planner

Date: May 14, 2024

Filing Fee: $1,239.15

Receipt # SmartGov PUD24001

2024 05 13_Miravale PUD Amendment Application

Final Audit Report 2024-05-14

Created:	2024-05-14
By:	Dixie Baus (dixie.baus@edenhousing.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAYddRIofnsEHuHoSBQixmXrRQU2dPLtxE

"2024 05 13_Miravale PUD Amendment Application" History

Document created by Dixie Baus (dixie.baus@edenhousing.org)
2024-05-14 - 6:25:09 PM GMT

Document emailed to andrea osgood (aosgood@edenhousing.org) for signature
2024-05-14 - 6:25:15 PM GMT

Email viewed by andrea osgood (aosgood@edenhousing.org)
2024-05-14 - 6:26:37 PM GMT

Document e-signed by andrea osgood (aosgood@edenhousing.org)
Signature Date: 2024-05-14 - 6:38:02 PM GMT - Time Source: server

Agreement completed.
2024-05-14 - 6:38:02 PM GMT

HMBY, LP
449 Alvarado Street,
Monterey, California 93940

Sent via email to: amorajacobo@cityofsoledad.com

May 14, 2024

City of Soledad
c/o Ariana Mora-Jacobo, Associate Planner
248 Main Street
Soledad, CA 93960

RE: PD 2018-02 – Amendment to PUD

To Whom It May Concern:

Please accept the attached application for an Amendment to the PUD in the subject line.

The requested amendment is to increase the number of affordable multi-family units in the project from the original 28 to 40 units. To make this change, you have advised us to apply for a density bonus, which we have.

As part of the density bonus application and law, we requested concessions to help deviate from the maximum property development standards. To accommodate the additional units, a height exemption would be required since the maximum height for an R-3 property is 30'. Our project amendment requires a building height of 40'.

Additionally, as part of the density bonus application, we are requesting concessions to provide for reduced parking from the development standards.

A. Project Description

Miravale Parcel E - Affordable Housing brings 40 new residential units for singles, couples and families to Soledad, CA. The design promotes human interaction and housing stability providing on-site social services, a community room, fenced play yard and outdoor gathering areas. Other community amenities include high efficiency homes to reduce utility costs, computer and business center for economic empowerment and other life convenience amenities such as an onsite laundry facility and a maintenance free living environment.

Agha Development is in the process of developing market-rate single family homes in the Miravale Master Development area in Soledad, CA. To satisfy the City of Soledad's inclusionary requirements Agha Development is responsible for entitling and ensuring the completion of a 26-unit affordable housing development within their site located on Parcel E. The affordable site is located on part of large 43-acre parcel at 33120 Bryant Canyon Road, Soledad, CA 93960 on Parcel E. Eden Housing will develop rental homes of affordable housing on the site to serve very low- and low-income families in the Soledad and Monterey County area earning at or below 60% Area Medium Income. The unit mix will consist primarily of studios, one-, two-, and three-bedrooms with half of the homes designed as two- and three-bedroom homes.

B. Amendment Request

The main objective is to increase the availability of affordable housing units. This can be achieved by deviating from the standard property development rules and requesting a density bonus.

C. Justification of Request

1. How is the proposed PUD change intended to promote efficient use of the land? Will your change be flexible to the current approved design?

One of the most notable features of our redesign is that the building footprints will remain the same with the overall width and depth of the buildings. The facades massing has been minimally adapted to accommodate an additional floor on one building only without overbearing the overall site with additional height on all buildings. The parking layout is similar with more details focused on adding transformer and a trash area that is conducive to insightful and efficient public utility considerations.

Because of the financing of the project, we were required to redesign the interior of the buildings to ensure that we have a minimum of 25% of the homes as two-bedrooms and 25% of the homes as three-bedrooms. To accomplish this, we right sized the interiors of the units by creating shared area "back of the house" infrastructure (laundry facilities, mechanical rooms for plumbing, etc.) and created required shared areas that enhance the living environment of the residents.

The result of these changes produced 12 more homes that are going to directly serve the community and assist with meeting housing needs of the community.

2. Explain how the planned development can provide for a maximum density or how it will increase density.

Density bonus law allows an 80% increase to the density of the site. Our request increases the density allowed on the site to the maximum.

3. Could you describe the benefit of this change to Soledad?

The original Planned Development approvals and resolutions required 29% of the total units (102+ 28 = 130) and (130 * 29% = 37) to be available to very low (50% AMI) and low (80% AMI) households. Our planned change will deliver 32 units at or below 50% AMI and 7 units at or below 60% AMI. One unit will be unrestricted and set aside for an on-site manager who will reside at the property.

4. How will the design ensure compatibility and harmony with existing and planned uses on adjacent properties?

Careful attention has been paid to the proximity of the townhome development and the adjacent neighborhood uses. We have maintained the original height of the second building closest to the townhomes. To ensure compatibility with the increased height on the first building, we have adjusted the pitch of the roof and changed the direction of the surface finish from vertical siding to horizontal siding. This impact assists in unnecessary visual elongation of the structure. The color scheme has stayed in the same realm as the original design except for trying to soften harsh exterior colors with warmer tones.

5. How will parking be affected?

Changes to the original parking layout was conducted to create an outdoor play area for the future residents of the community. This change saw 4 parking spaces reallocated to create a fenced in play area as required for tax credit program. More specifically, the financing project requires a minimum of 600 square feet of accessible play space for children 2 – 12 years old and additional recreational space for those 12 – 17 years old (indoor or outdoor). This revised plan will comply this with this funding requirement and contributes vital funding to the project.

Please let us know if you have additional questions or need further information to complete this request.

Sincerely,

Laith Agha
Agha Development

Cc: Dixie Baus, Eden Housing

ENTITLEMENTS REVISION, 03/28/24

MIRAVALE PARCEL E AFFORDABLE HOUSING

Miravale Parcel E - Affordable Housing brings 40 new residenital units for singles, couples and families to Soledad, CA. The design promotes human interaction and mental health through a tax-credit, 100% affordable developement providing on-site social services, a community room, fenced play yard with outdoor gathering areas as well as a live-in site manager.

Prepared by TEN OVER STUDIO

ADA ACCESSIBLE UNITS

REQUIRED ACCESSIBLE UNITS	PER TCAC:	MIN. 15%	6 UNITS OF 40

BUILDING	1-BD	2-BD	3-BD	#ADA PROPOSED
BUILDING A	2	2		4
BUILDING A	0	0	2	2
TOTAL				6

UNIT COUNT

TOTAL UNITS	**TOTAL # UNITS:**	**40**	**% OF TOTAL UNITS**
	STUDIO:	2	5.0%
	1BD:	15	37.5%
	2BD:	12	30.0%
	MANAGER (2-BD):	1	2.5%
	3BD:	10	25.0%

		STUDIO	1-BD	2-BD	3-BD	TOTAL
BUILDING A						
FIRST FLOOR		2	6	2	0	10
SECOND FLOOR		0	4	4	3	11
THIRD FLOOR		0	4	4	3	11
	TOTAL	**2**	**14**	**10**	**6**	**32**
BUILDING B						
FIRST FLOOR		0	1	1	2	4
SECOND FLOOR		0	0	2	2	4
	TOTAL	**0**	**1**	**3**	**4**	**8**
ALL BLDGS.	**TOTAL**	**2**	**15**	**13**	**10**	**40**

MOBILITY :	6	15%	(MIN 15% REQ'D)
DEVELOPMENTALLY DISABLED:	0	0%	(0% REQ'D)
TOTAL 11B ACCESSIBLE:	**6**		
COMMUNICATION:	4	10%	(MIN 10% REQ'D)

PARKING CALCULATIONS

PARKING REQUIRED
RESIDENTIAL

USE	UNIT COUNT (OR SF)	PARKING FACTOR	SPACES REQUIRED
STUDIO	2	1	2
1 BEDROOM	15	1	15
2 BEDROOM	13	2	26
3 BEDROOM	10	2	20
REQUIRED TOTAL			**63**
PROVIDED TOTAL			**50**

ADA SPACES

USE	# OF SPACES	ADA FACTOR	ADA REQUIRED
RESIDENTIAL	50	1 PER 25	2
REQ'D TOTAL			**2**
PROVIDED TOTAL			**1 VAN, 1 STD**

LAND USE REQUIREMENTS

ADDRESS		LOT 105		
APN		OVERALL: 022-441-017		
ZONING		R-3 HIGH DENSITY RESIDENTIAL		
CURRENT USE		VACANT		
PROPOSED USE		MULTI-FAMILY HOUSING, R-2		
ALLOWED USE IN ZONE		YES		
ENTITLEMENTS/USE PERMIT REQUIRED		YES		
LOT SIZE		61722 SF		1.42 ACRE
MAX SITE COVERAGE	*ALLOWABLE*	60%	*PROPOSED*	24%
DENSITY	*ALLOWABLE*	TBD	*PROPOSED*	40
AFFORDABLE UNITS PROPOSED		100% AFFORDABLE		
INCENTIVES PURSUED		1) HEIGHT & STORY INCREASE		
		2) PARKING REDUCTION		
HEIGHT LIMIT	*ALLOWABLE*	30' / 2-STORY	*PROPOSED*	30'-2-STORY & 40'/ 3-STORY
SETBACKS	*ALLOWABLE: FRONT*	15'	*PROPOSED: FRONT*	VARIES, MIN. 15'
	SIDE	5'	*SIDE*	5'
	REAR	15'	*REAR*	15'

BUILDING INFO

BUILDING A	
OCCUPANCY	R-2
CONSTRUCTION TYPE	TYPE 5B
SPRINKLER SYSTEM	R13
STORIES PROPOSED	3
HEIGHT PROPOSED	UP TO 40'
BUILDING AREA SF*	10,552/ FLOOR = 31,656 SF

*INCLUDES COV'D EXTERIOR EGRESS & COV'D DECKS

BUILDING B	
OCCUPANCY	R-2
CONSTRUCTION TYPE	TYPE 5A
SPRINKLER SYSTEM	R13
STORIES PROPOSED	2
HEIGHT PROPOSED	UP TO 30'
BUILDING AREA SF*	4,093/ FLOOR = 8,186 SF

*INCLUDES COV'D EXTERIOR EGRESS & COV'D DECKS

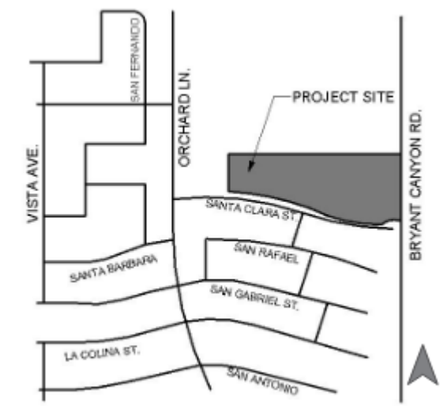
PROJECT DESCRIPTION

Lot 5 - Affordable Housing proposes a revision to the multi-family component of the previously entitled Miravel Parcel E. The previous program provided for some inclusionary housing between two multi-family buildings on Lot 5. The revised program will provide 100% tax-credit affordable housing in a large-family mix within the same footprint as the two previously entitled buildings. The proposed scheme will increase the unit count from 26 to 40, by adding an additional story to Building A. The project will meet all TCAC requirements for large-family mix including but not limited to a community room, support staff offices, shared laundry facility and a protected kid play area. The project intends to utilize concessions and waivers under State Density Bonus Law in order to increase building height ,number of stories, and reduce parking requirements. The concessions and waivers are as follows:

CONCESSIONS: Reduce required parking from 63 to 50 (21% reduction)
WAIVERS: 1) Increase overall height in Building A from 25'-5.5 to XX 2) Increase allowed storeies in Building A from 2 to 3.

The revised program seeks an Entitlement Revision Approval.

VICINITY MAP



CONTACTS

CLIENT

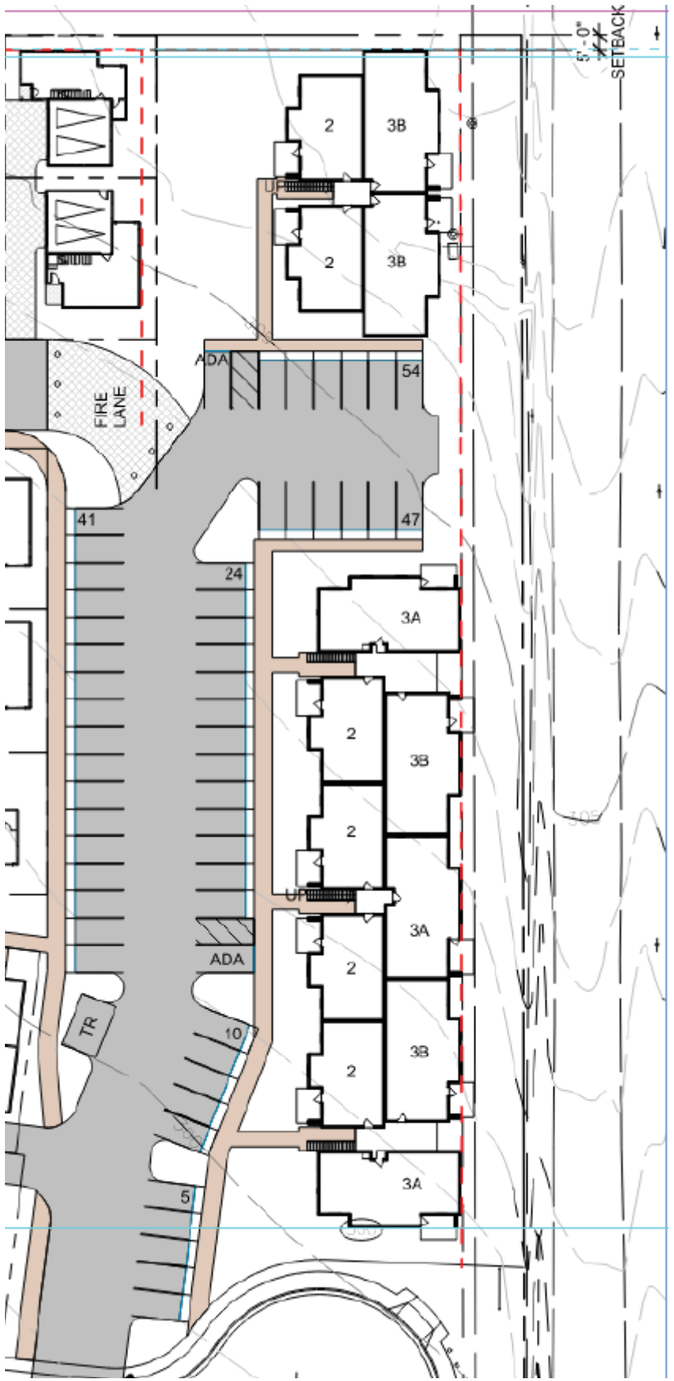
EDEN HOUSING
22645 GRAND STREET, HAYWARD CA
CONTACT: DIXIE BAUS
dixie.baus@edenhousing.org

ARCHITECT

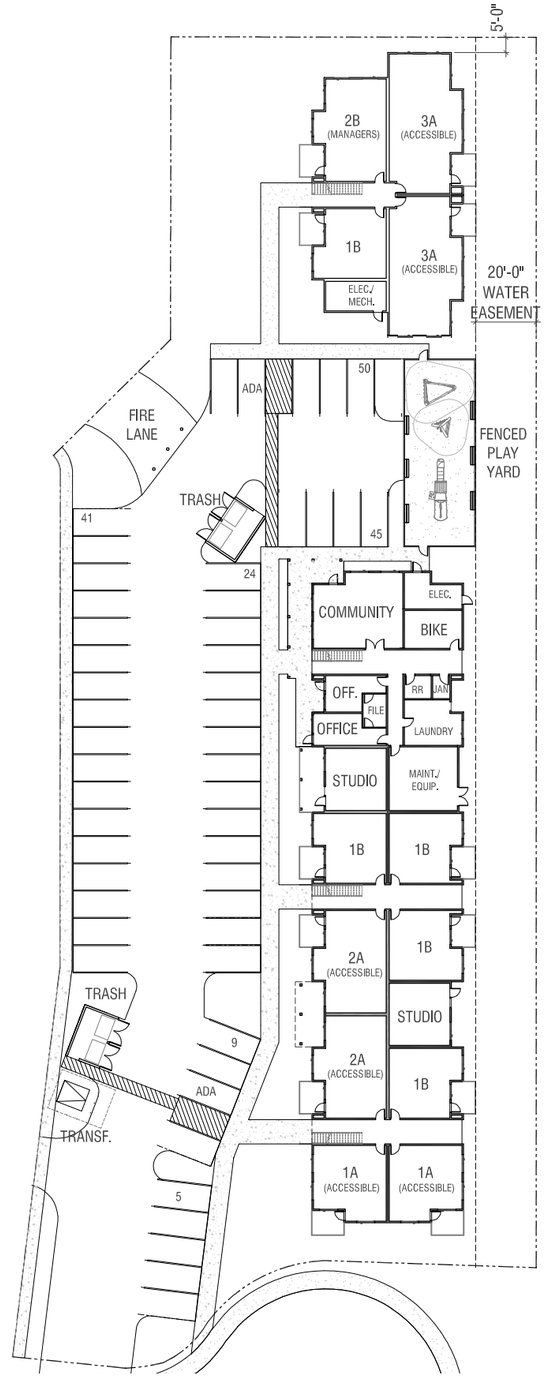
TEN OVER STUDIO
539 MARSH ST., SAN LUIS OBISPO, CA 93401
805.541.1010
CONTACT: Jessie Skidmore
jessies@tenoverstudio.com

SHEET INDEX

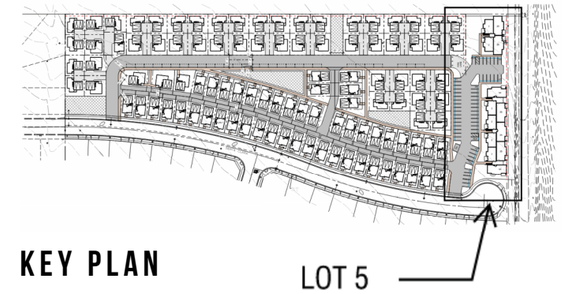
PROJECT INFO & DATA	T1.0
SITE PLAN PREVIOUS & PROPOSED	A1.0
BUILDING A PREVIOUS & PROPOSED	A2.0
BUILDING B PREVIOUS & PROPOSED	A2.1
BUILDING A & B PROPOSED UPPER FLOOR PLANS	A2.2
PROPOSED UNIT LAYOUTS	A2.3
PROPOSED UNIT LAYOUTS - CONTINUED	A2.4
BUILDING A PREVIOUS & PROPOSED ELEVATIONS	A3.0
BUILDING B PREVIOUS AND PROPOSED ELVATIONS	A3.1
MATERIAL & COLOR SELECTION	A4.0



PREVIOUS



PROPOSED



KEY PLAN

PROPOSED SITE PLAN NOTES:

1. SIMILAR PARKING LAYOUT TO PREVIOUS DESIGN. ADDITIONAL TRASH AREA AND POTENTIAL TRANSFORMER LOCATION ADDED. FUTURE EASEMENT WILL PROVIDE ACCESS AN ACCESS TO LARGER DEVELOPMENT.

2. PARKING COUNT REDUCED FROM 54 TO 50 TO INCORPORATE A FENCED PLAY YARD FOR RESIDENTS, PER TCAC REQUIREMENTS.

3. BUILDING FOOTPRINTS REMAIN THE SAME IN OVERALL WIDTH AND DEPTH WITH MINOR CHANGES TO THE MASSING TO ACCOMODATE THE REVISED UNIT LAYOUT.

N

ARCHITECTURAL SITE PLAN

SCALE: 1" = 50'-0"

TEN10VER
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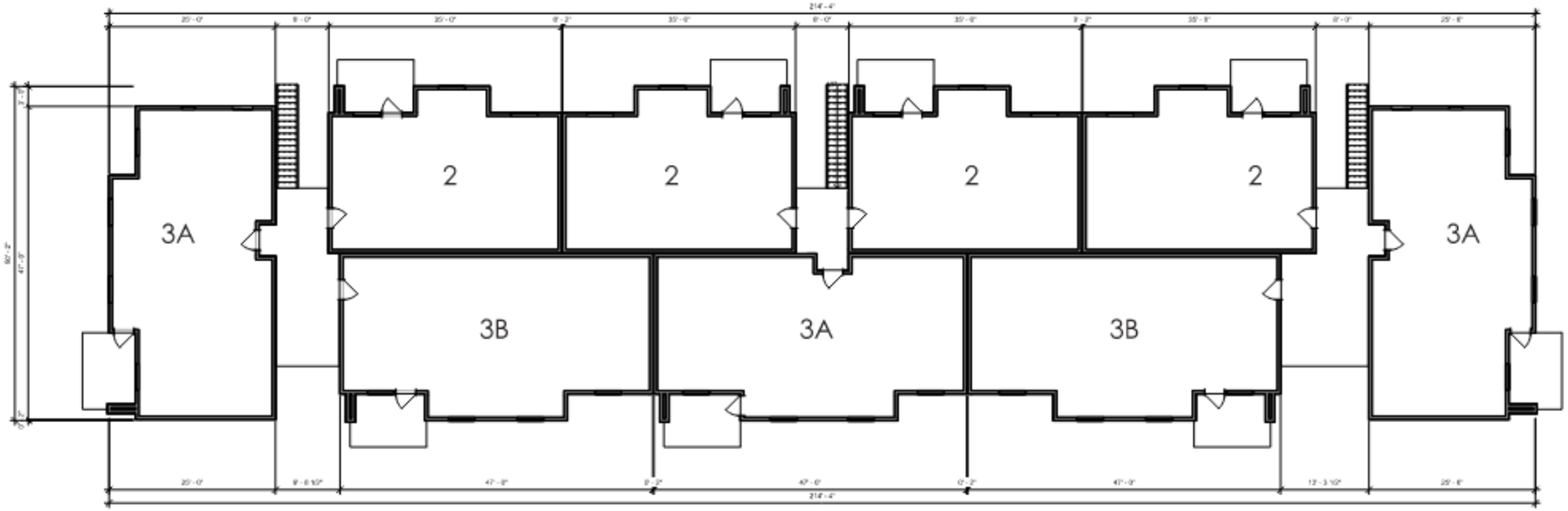
805.541.1010
info@tenoverstudio.com

MIRAVALE PARCEL E - AFFORDABLE HOUSING
SOLEDAD, CA
DATE: 03/28/24

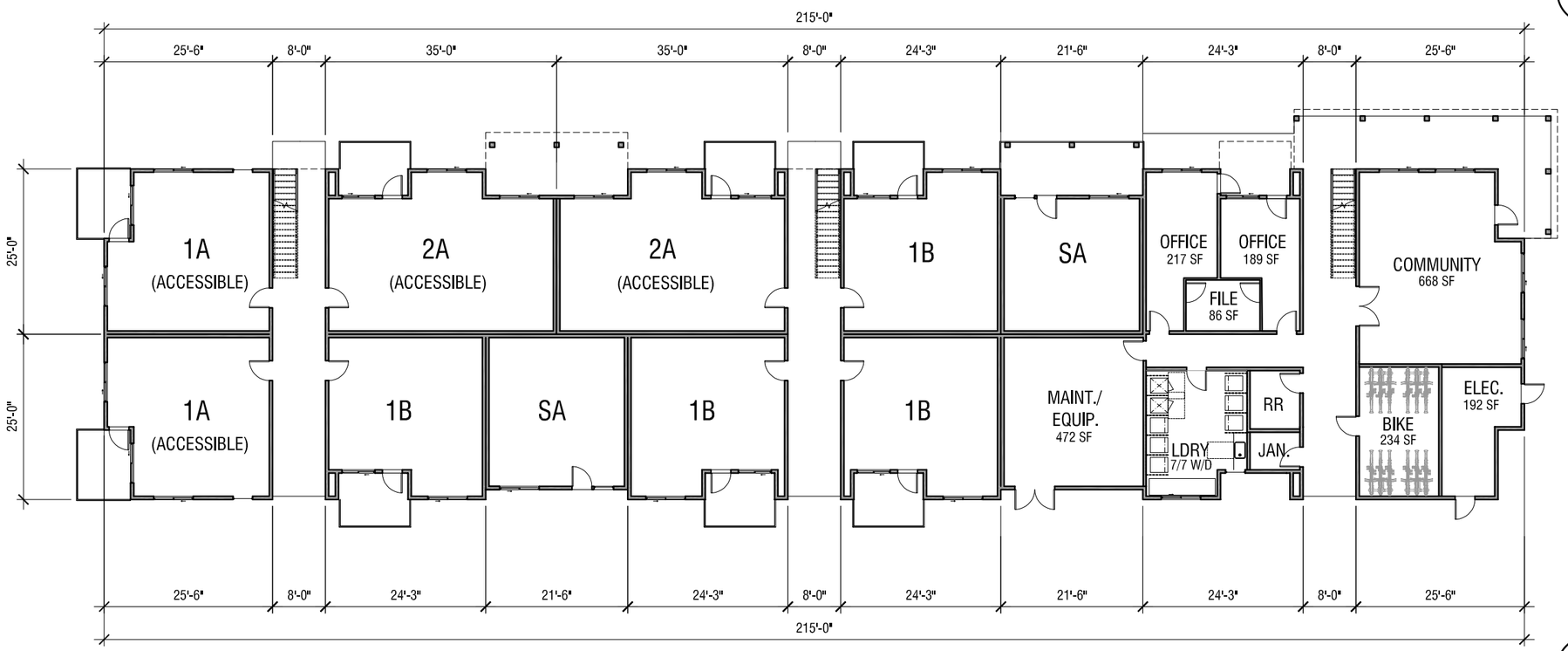
A1.0



N

PREVIOUS BUILDING A FIRST FLOOR PLAN

SCALE: 1" = 20'-0"



N

PROPOSED BUILDING A FIRST FLOOR PLAN

SCALE: 1" = 20'-0"

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San Luis Obispo, CA
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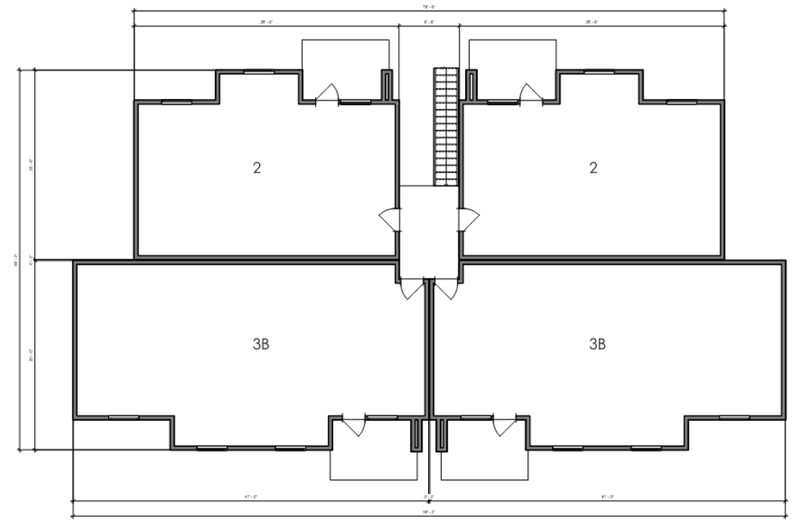
info@tenoverstudio.com

MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

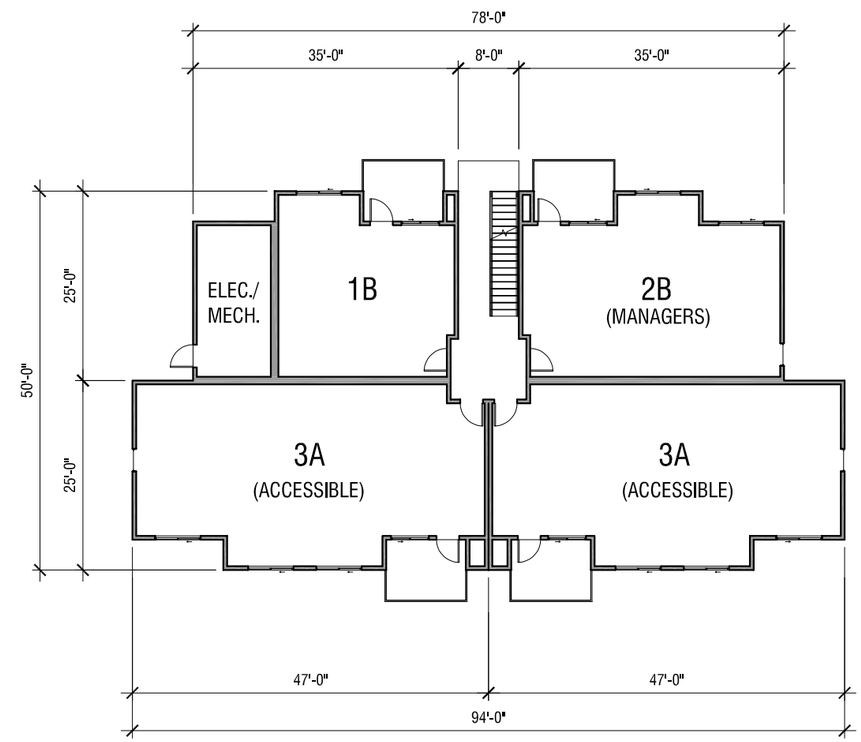
A2.0



N

PREVIOUS BUILDING B
FIRST FLOOR PLAN

SCALE: 1" = 20'-0"



N

PROPOSED BUILDING B
FIRST FLOOR PLAN

SCALE: 1" = 20'-0"

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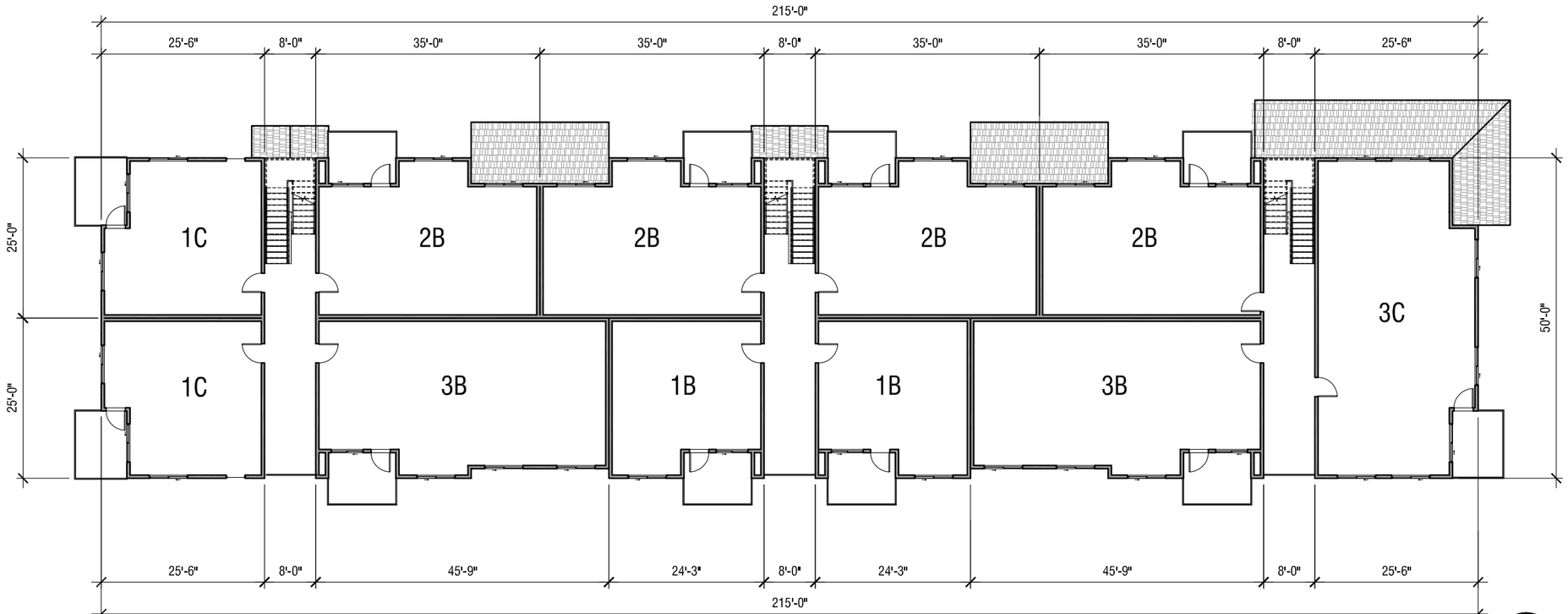
MIRAVALE PARCEL E - AFFORDABLE HOUSING

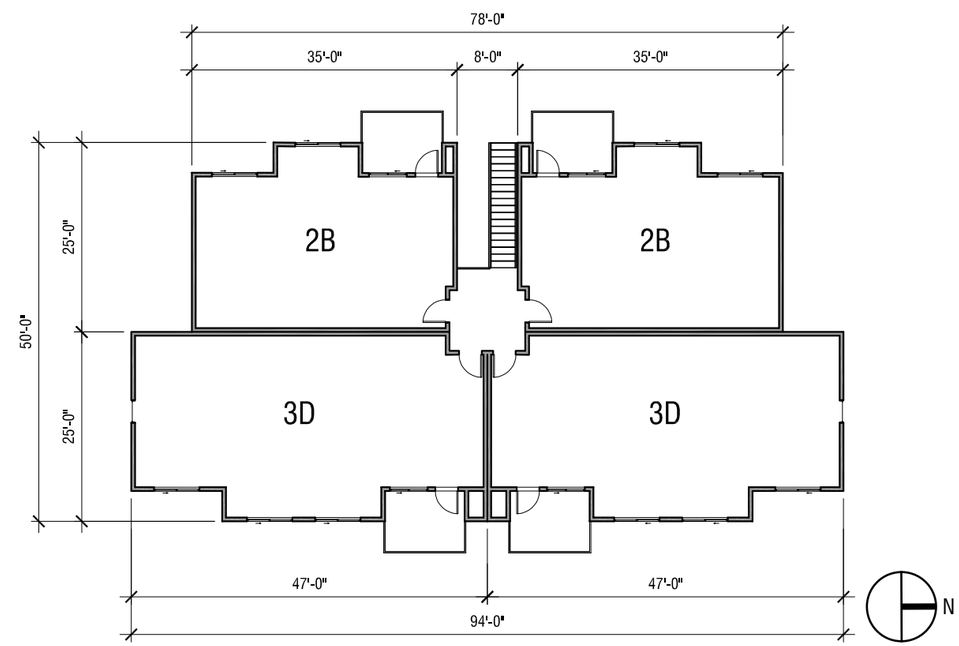
SOLEDAD, CA
DATE: 03/28/24

A2.1



PROPOSED BUILDING A
SECOND &THIRD FLOOR PLAN

SCALE: 1" = 20'-0"



PROPOSED BUILDING B
SECOND FLOOR PLAN

SCALE: 1" = 20'-0"

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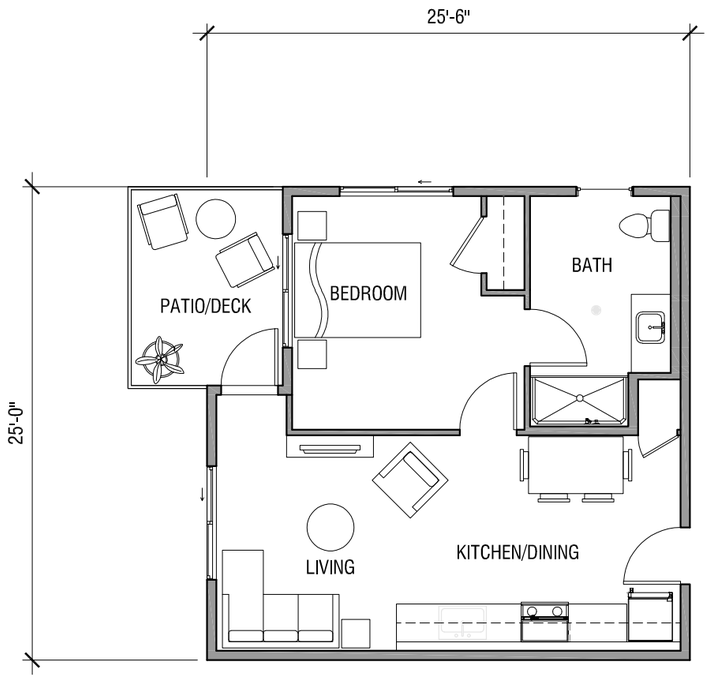
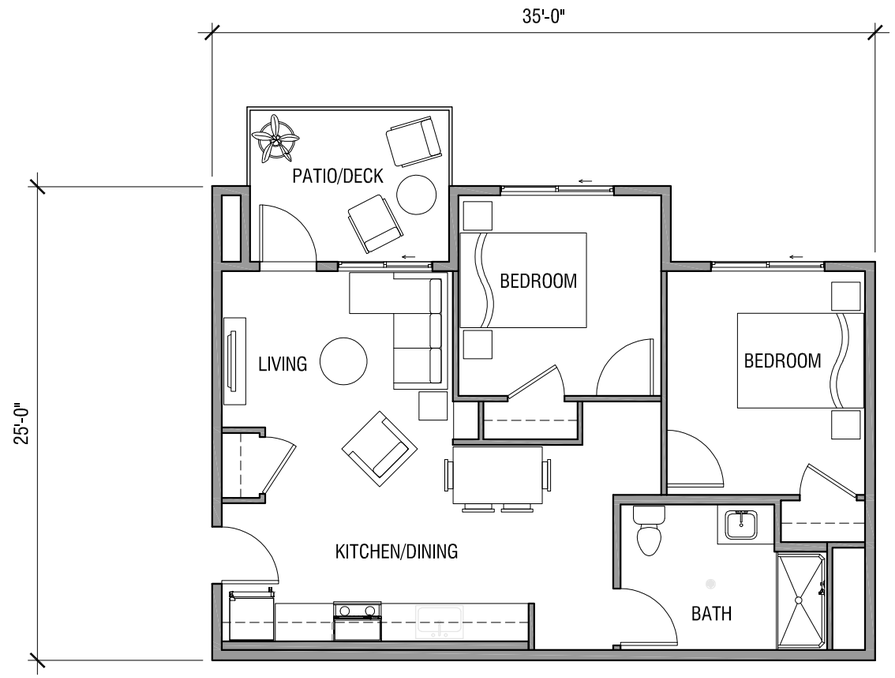
MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

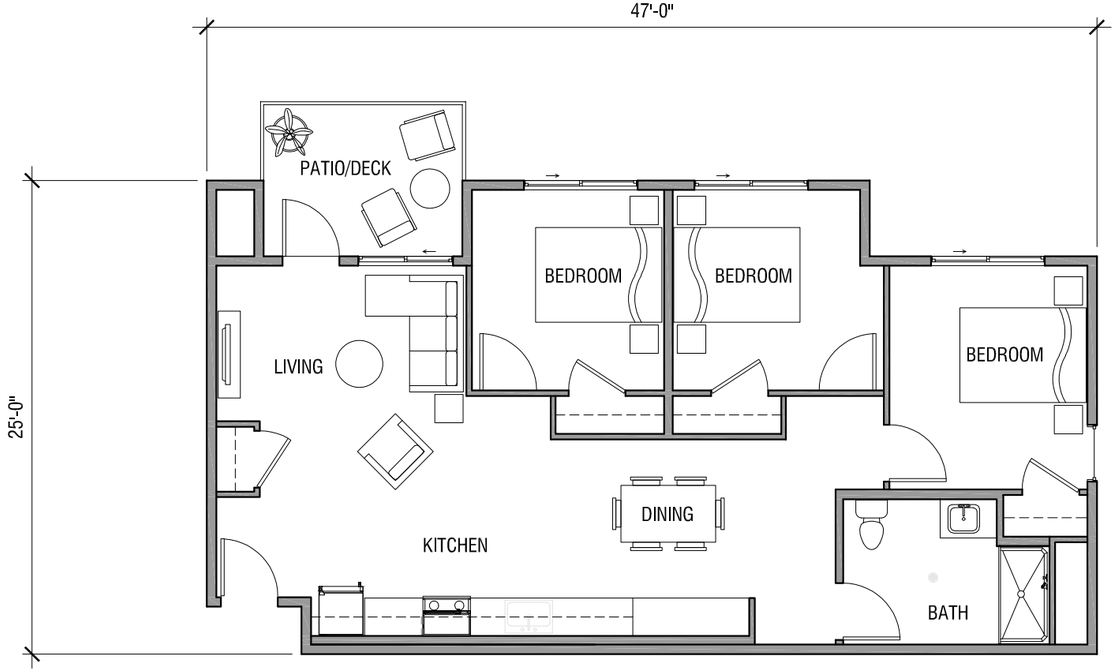
A2.2



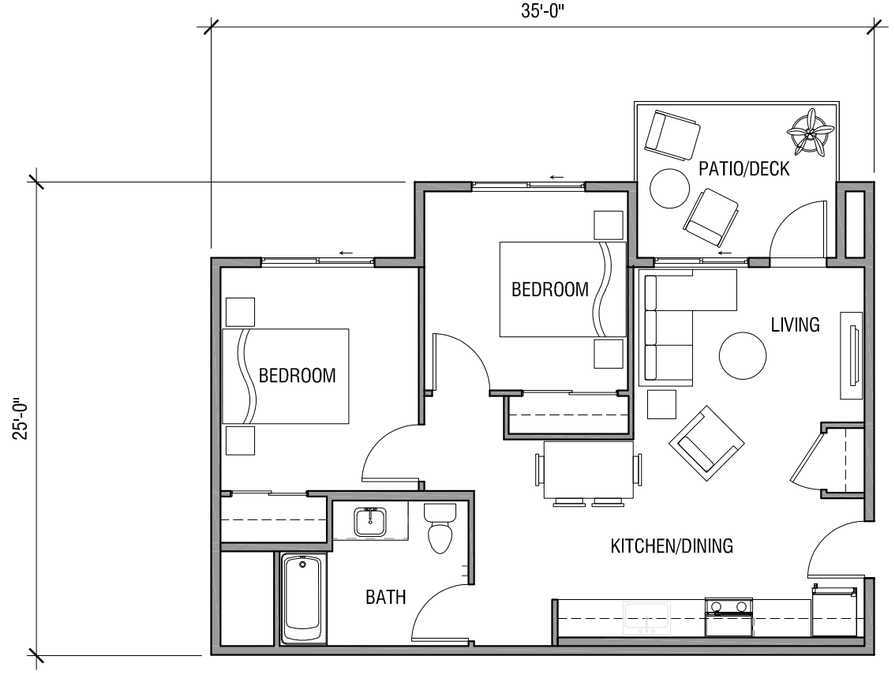
UNIT 1A - ACCESSIBLE - 558 SF



UNIT 2A - ACCESSIBLE - 710 SF



UNIT 3A - ACCESSIBLE - 978 SF



UNIT 2B- ADAPTABLE - 706 SF

UNIT LAYOUTS

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

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539 Marsh Street
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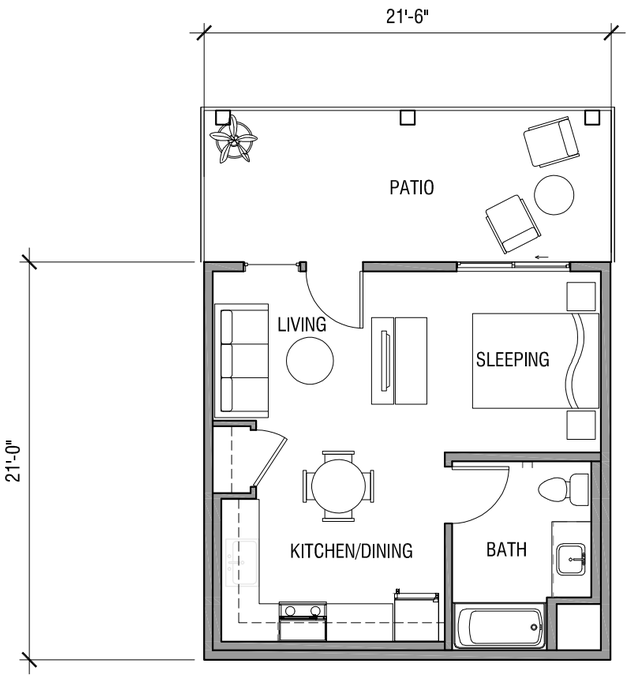
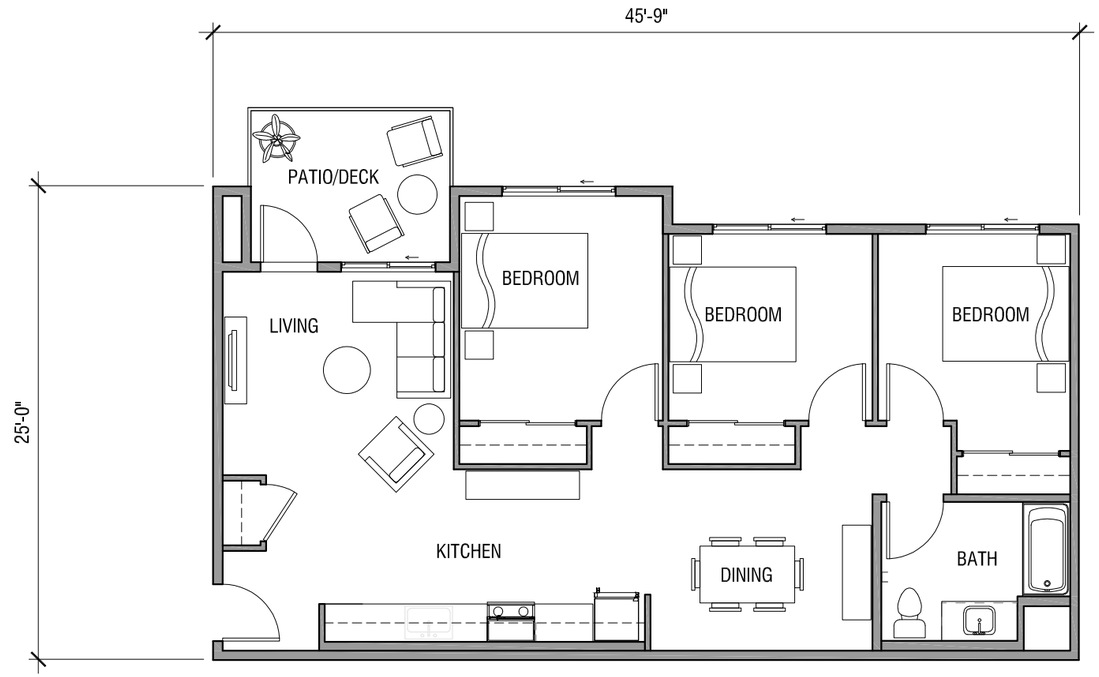
MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

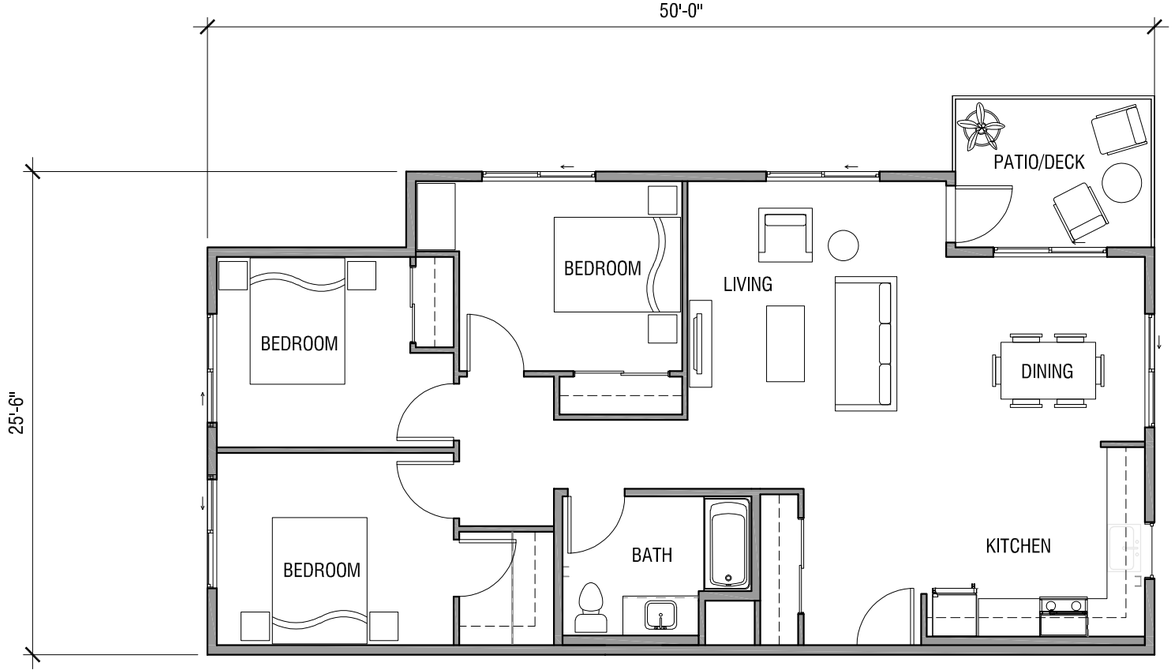
A2.3



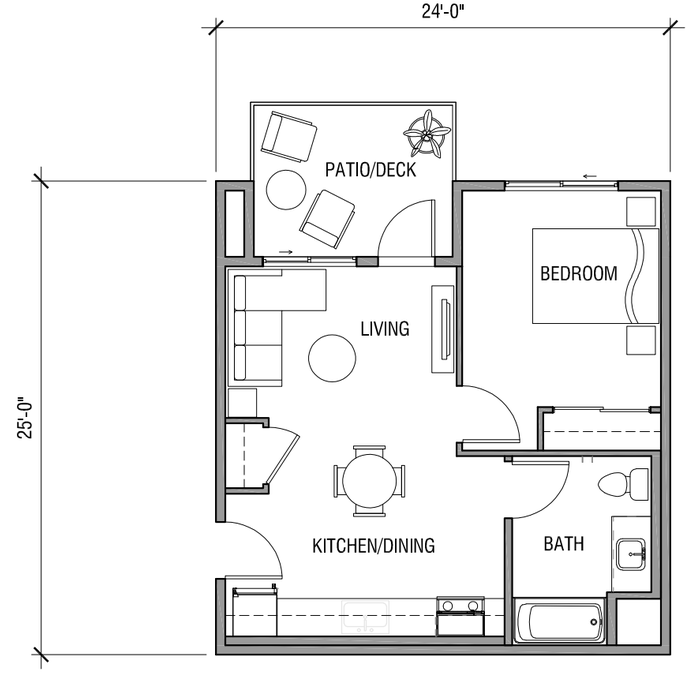
UNIT STUDIO- ADAPTABLE - 402 SF



UNIT 3B - ADAPTABLE - 973 SF



UNIT 3C- ADAPTABLE - 1116 SF



UNIT 1B - ADAPTABLE - 494 SF

UNIT LAYOUTS - CONT.

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

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MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

A2.4

PREVIOUS BUILDING A FRONT ELEVATION

SCALE: 1/16" = 1'-0"

PROPOSED BUILDING A FRONT ELEVATION

SCALE: 1/16" = 1'-0"

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MIRAVALE PARCEL E - AFFORDABLE HOUSING

SOLEDAD, CA
DATE: 03/28/24

A3.0

PREVIOUS BUILDING B FRONT ELEVATION

SCALE: 1/16" = 1'-0"

PROPOSED BUILDING B FRONT ELEVATION

SCALE: 1/16" = 1'-0"

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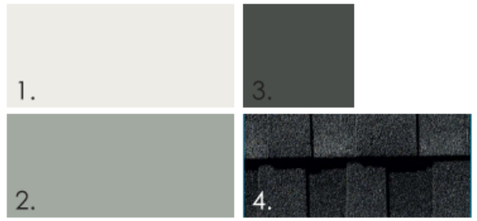
MIRAVALE PARCEL E - AFFORDABLE HOUSING

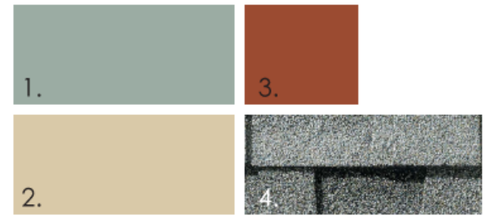
SOLEDAD, CA
DATE: 03/28/24

A3.1



COLOR SCHEME A

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS PURE WHITE SW7005
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS UNUSUAL GRAY SW7059
3. DOOR COLOR:
   SHERWIN WILLIAMS ROCK BOTTOM SW7062
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN CHARCOAL

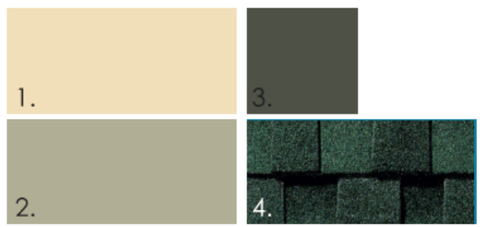


COLOR SCHEME B

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS HALCYON GREEN SW6213
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS BELIEVABLE BUFF SW6120
3. DOOR COLOR:
   SHERWIN WILLIAMS SPICY HUE SW6342
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN BIRCHWOOD

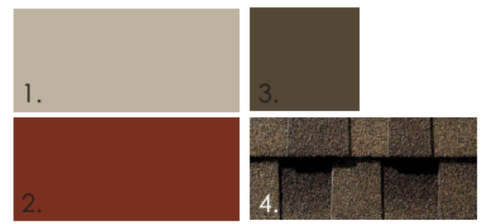
TYPICAL MATERIALS/COLORS/SPECS

5. TRIM COLOR:
   SHERWIN WILLIAMS COTTON WHITE SW7104
6. ACCENT CORRUGATED METAL ROOFING:
   GALVANIZED CHARCOAL
7. EXTERIOR GOOSENECK LIGHT FIXTURE



COLOR SCHEME C

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS JERSEY CREAM SW6379
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS SVELTE SAGE SW6164
3. DOOR COLOR:
   SHERWIN WILLIAMS SHADE-GROWN SW6188
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN HUNTER GREEN



COLOR SCHEME D

1. MAIN PAINT COLOR:
   SHERWIN WILLIAMS ROYCRAFT COPPER RED SW2839
2. ACCENT PAINT COLOR:
   SHERWIN WILLIAMS BALANCED BEIGE SW7037
3. DOOR COLOR:
   SHERWIN WILLIAMS VAN DYKE BROWN SW7041
4. ASPHALT SHINGLE ROOFING:
   GAF TIMBERLINE HD IN BARKWOOD

PREVIOUSLY APPROVED COLORS AND MATERIALS

All proposed colors are pulled from the previously approved colors and materials shown above.

MAIN PAINT COLORS:

1.STUCCO 1: ROCK BOTTOM SW7062* (FROM COLOR SCHEME A)
2.STUCCO 2: BALANCED BEIGE SW7073* (FROM COLOR SCHEME D)

ACCENT PAINT COLORS:

3.HORIZONTAL SIDING & TRIM: PURE WHITE SW7005* (FROM COLOR SCHEME A)
4.VERTICAL BOARD AND BATTEN: HALCYON GREEN SW6213* (FROM COLOR SCHEME B)
5.DOOR COLOR: SPICY HUE SW6342* (FROM COLOR SCHEME B)
6.ASPHALT SHINGLE ROOFING: BARKWOOD (FROM COLOR SCHEME D)

ALL COLOR SELECTIONS TO BE "OR SIMILAR." FINAL COLORS TO BE APPROVED AFTER ON-SITE MOCKUPS.

PROPOSED COLORS AND MATERIALS

TEN10VER
539 Marsh Street
San Luis Obispo, CA
805.541.1010
info@tenoverstudio.com

MIRAVALE PARCEL E - AFFORDABLE HOUSING
SOLEDAD, CA
DATE: 03/28/24

A4.0

AGENDA ITEM NO. 1.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6112, a Resolution of the City Council of the City of Soledad Approving an Agreement with the California Department of Forestry and Fire Protection for Services from July 1, 2024 to June 30, 2025 at a Not to Exceed Cost of $2,152,140 for the Duration of the Term, and Authorizing the City Manager to Execute Said Agreement on Behalf of the City of Soledad**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Mike Howard, Finance Director**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council Approve Resolution No. 6112, Approving an Agreement with the California Department of Forestry and Fire Protection ("CAL FIRE") for services from July 1, 2024 to June 30, 2025 at a not to exceed cost of $2,152,140 for the duration of the term, and Authorizing the City Manager to Execute said Agreement on behalf of the City of Soledad.

Executive Summary

The City of Soledad has contracted with CAL FIRE since January 2012. CAL FIRE is a modern, full-service fire protection and emergency management agency that provides comprehensive fire protection to local governments when requested. The current three-year agreement is set to expire on June 30, 2024. CAL FIRE representatives and City staff have been in discussions concerning a new contract for services beginning in April 2024. While Staff would have preferred to have a new three-year agreement, the increased cost is prohibitive at this time and does not represent a sound fiscal discission until the City is able to secure an additional revenue source to cover the cost of increasing fire staff to the industry standard of 3-0. The one-year agreement provides the City with continuing adequate fire protection services and time to evaluate and try to pass a measure to fund future fire services.

Background

In the fall of 2011, to address the economic downturn and the continuing structural budget deficits that the City of Soledad faced, City Staff conducted an in-depth review of how to improve the City's financial situation and condition. This review required consideration of staffing levels, particularly in public safety services and programs. As part of the City's in-depth review of how to improve the City's financial situation and condition, Staff considered contracting with The California Department of

Forestry and Fire Protection for fire protection services. CAL FIRE is a modern, full-service fire protection and emergency management agency that provides comprehensive fire protection to local governments when requested.

The current three-year contract with CAL FIRE is set to expire on June 30, 2024. Over the past few months Staff has met with CAL FIRE representatives to prepare and assemble the attached Contract with the State of California for continuation of emergency fire protection services. The cooperative agreement is attached hereto for City Council consideration and approval.

Review & Analysis

The City began negotiation with CAL FIRE representatives in April 2024. The proposed three-year agreement would have increased staffing to the industry standard of 3-0 staffing by the second year of the agreement. One driver to the need for increased staffing is the anticipated delivery of the new fire apparatus or ladder truck which is expected to be delivered by the end of 2024. The new ladder truck requires three fire fighters on the apparatus for safety reasons. The proposed agreement cost in year two is approximately $3,300,000 and approximately $3,461,000 in year three. These cost increases where too significant for Staff to commit to without an additional revenue source to cover the increased cost of $1,148,000, or 53.3% in year two. The State of California was also unwilling to add language to allow the reopen of a three-year agreement if the City was unable to secure an additional funding source to cover the increased costs. Therefore, Staff is recommending a one-year agreement to provide time to secure an additional funding source, such as the Fire Parcel Tax as presented to the City Council earlier this year and/or receive Safer Grants for some of the proposed additional fire personnel.

The key terms and costs are as follows:

Term
One year (1) July 1, 2024 through June 30, 2025

Scope
Emergency fire protection, emergency response and basic life support; dispatch services; management and administration services

Costs
Fiscal Year 2024-2025 $2,152,140 40.5% increase

The majority of the increase is due to an additional Fire Apparatus Engineer position to meet the CAL FIRE requirements for all contract renewals that are not at the 3-0 staffing factor.

The City of Soledad has a need to provide an important emergency service delivery system within limited resources. Through the attached cooperative agreement with CAL FIRE, the City recognizes the value of a regional approach and solution. By partnering with CAL FIRE and its family of districts in Monterey and San Benito Counties, the City can provide the level of service desired by the community while containing costs.

Financial Considerations

The proposed Agreement represents a 40.5% increase in costs over the previous fiscal year cost. The primary reason for the increase is a change in personnel staffing with the addition of a Fire Apparatus Engineer.

When compared to the cost of a stand-alone fire department, the contract with CAL FIRE is still the most cost effective alternative for the City. Earlier this year staff reported the cost of a stand-alone fire department would cost well over $3,000,000 and bring a host of additional staff costs in recruiting and pension liability.

In addition, CAL FIRE currently staffs the closest CAL FIRE Station with three personnel twenty-four hours per day, seven days per week. This action provides the City of Soledad with an additional engine for simultaneous calls and as the second engine on scene for a reported structure fire.

Alternatives

- Adopt the attached Resolution as recommended; or
- Do not adopt the Resolution; or
- Provide other direction to staff.

Planning/CEQA

Approval of a new service agreement with the California Department of Forestry and Fire Protection is not considered a project for the purposes of CEQA since it has no potential for resulting in either a direct or indirect impact to the environment. (See CEQA Guidelines Section 15378.)

Public Notice Requirements

None required.

Attachment(s):
Resolution No. 6112

RESOLUTION NO. 6112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING AN AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION SERVICES FROM JULY 1, 2024 THROUGH JUNE 30, 2025 AT A NOT TO EXCEED COST OF $2,152,140 FOR THE DURATION OF THE TERM, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF SOLEDAD

WHEREAS, the City of Soledad, like many other California cities, is faced with the challenge of providing fire protection services at increasing costs and declining revenues; and

WHEREAS, City Staff conducted a review of how to improve the City's financial situation and condition and considered ways to reduce its fire protection costs; and

WHEREAS, on June 16, 2021, the City Council adopted Resolution No. 5419, approving an agreement with the California Department of Forestry and Fire Protection Services extending the provision fire protection services; and

WHEREAS, on June 30, 2024, said agreement is due to expire; and

WHEREAS, approval of a new service agreement with the California Department of Forestry and Fire Protection is not considered a project for the purposes of CEQA since it has no potential for resulting in either a direct or indirect impact to the environment. (See CEQA Guidelines Section 15378.).

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Soledad that the **"Cooperative Fire Programs Fire Protection Reimbursement Agreement"** between the City and California Department of Forestry and Fire Protection (CAL FIRE), a copy of which is attached hereto and by this reference incorporated herein, is hereby approved and the City Manager is hereby authorized and directed to execute the same on behalf of the City of Soledad.

BE IT FURTHER RESOLVED, by the City Council of the City of Soledad that The City's costs for the term of said agreement shall not exceed $2,152,140.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 19th of June, 2024, by the following vote:

AYES, Councilmembers:

NOES, Councilmembers: None

ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

AGENDA ITEM NO. 2.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6103, a Resolution of the City Council of the City of Soledad Approving the Master Fee Schedule for Fiscal Year 2024-2025.**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Mike Howard, Finance Director**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council of the City of Soledad adopt Resolution No.6103, Approving the Master Fee Schedule for Fiscal Year 2024-2025.

Executive Summary

In 2017 the City engaged the services of Wildan Financial Services to conduct a User Fee Study and subsequently adopted the recommended Master Fee Schedule in 2018. Annual adjustments are typically made to the Master Fee Schedule based on the current Consumer Price Index (CPI). The proposed adjustments to the Master Fee schedule reflect a 3.8% CPI increase for Fiscal Year 2024/25. It is critical that the City adjust fees based on the CPI to keep up with current expenses, which have significantly risen due to inflation, and to remain fiscally responsible.

Background

Soledad Municipal Code Section 3.20.020 provides that the City Council shall, by resolution, adopt a schedule of fees and charges applicable to City services and functions.

On August 2, 2017, the City Council adopted Resolution 5328 approving an agreement for Willdan Financial Services to provide a User Fee Study. The study was adopted by Resolution 5314 on June 26, 2018, and was subsequently used in the preparation of a Master Fee Schedule.

Pursuant to Resolution 5314, the Master Fee Schedule is to be included as a part of each annual City Budget, subject to adjustment (including Consumer Price Index adjustment) as necessary. Each year Staff is directed to propose fees, rates and charges for a variety of services provided by the City that are legal, applicable, cost effective, and set at a rate that only allows collection of funds sufficient to approximate the actual cost of said services, rates, charges and related materials.

Review & Analysis

Staff is recommending that the City update the fees set forth in the Master Fee Schedule to help ensure full cost recovery and to reflect current staffing levels, organizational structure, and state-mandated processing requirements. As referenced above, the Master Fee Schedule is established by the City Council to allow the City to recover costs for processing, permitting and inspection services provided to the community. Generally speaking, public agencies can impose fees for government services when two conditions are met. First, the individual's decision to use the service is voluntary. Second, the fees charged are related to the level of service rendered and the cost of providing that service.

The attached Master Fee Schedule also provides a mechanism for cost recovery of those activities that may exceed an initial set fee, due to the project being extraordinarily complex, time consuming, or requiring extra meetings due to delay, public process, or unforeseen activities.

If approved, the proposed Master Fee Schedule, attached to Resolution No. 6103 as "Exhibit A," will be in effect for the upcoming fiscal year 2024-25.

For Fiscal Year 2024-25, existing fees have been adjusted by the appropriate CPI, which is 3.8%.

In addition, the fees for the Soledad Community Center, our Water and Wastewater rates, and Business License rate schedules, which are established by separate actions, are included in the Master Fee Schedule.

Financial Considerations

With the goal of full cost recovery for City services and materials provided to the public, it is anticipated that City revenues will increase. The actual effect will depend on the level of activity and Staff's tenacity in recovering applicable fees.

Alternatives

1. Adopt the Resolution to approve the Master Fee Schedule
2. Modify the Master Fee Schedule
3. Do not approve the Master Fee Schedule
4. Provide alternative direction to Staff

Planning/CEQA

The City has determined that approving the Master Fee Schedule is exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) pursuant to State CEQA Guidelines, Sections 15061, subd. (b)(3) and 15273. The fees collected will be used to cover costs of services and materials and have no possibility of causing significant environmental effects.

Public Notice Requirements

None required.

Attachment(s):
Resolution No. 6103
Exhibit A - Master Fee Schedule Proposed FY 2024-25

RESOLUTION NO. 6103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING THE MASTER FEE SCHEDULE FOR FISCAL YEAR 2024-2025

WHEREAS, Soledad Municipal Code Section 3.20.020 provides that the City Council shall by resolution adopt a schedule of fees, rates and charges applicable to City services and functions; and

WHEREAS, the City's Master Fee Schedule was last modified and approved by resolution in June 2023, and the City Council wishes to establish updated fees, rates and charges to be assessed for services and functions provided by the City during Fiscal Year 2024-2025; and

WHEREAS, the fees, rates and charges proposed for the Fiscal Year 2024-2025 Master Fee Schedule, unless adjusted by separate action, have been adjusted by the CPI (Consumer Price Index), at a rate of 3.8% and Staff can represent that in all cases, this adjustment will not cause the involved fees, rates and charges to exceed the actual value and/or cost of such fees, rates and charges.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad as follows:

1. All of the recitals set forth above are true and correct to the best of its knowledge, and by this reference are incorporated herein as findings.

2. The Master Fee Schedule, attached hereto as "**Exhibit A"** and by this reference incorporated herein, is adopted for Fiscal Year 2024-2025.

3. All fees, rates and charges set forth in any previous Fee Schedule or similar document and addressed by the new Master Fee Schedule are hereby rescinded.

PASSED AND ADOPTED by the City Council of the City of Soledad this 19th day of June, 2024.

AYES, and in favor thereof, COUNCILMEMBERS:

NOES, COUNCILMEMBERS:

ABSENT, COUNCILMEMBERS:

ABSTAIN, COUNCILMEMBERS:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

EXHIBIT A

FACILITY RENTALS – SOLEDAD COMMUNITY CENTER				
Facility Rental Rates	**Rental Period**	**Gymnasium** Capacity: 999 Dining: 450	**Large Multi-Purpose Room** Capacity: 150 Dining: 120	**Small Multi-Purpose Room** Capacity: 49 Dining: 25
Multi-purpose Rooms Weekday Meetings Friday-Sunday:	Block: 2hr min/6hr max Meeting: 2hr min/4hr max	N/A	$380 Event Block $70/hr*	$260 Event Block $50/hr*
100 - 450 Attendees Saturday-Sunday:	Full Block Use (10 hr. max)	$1600	N/A	N/A
Rehearsal Fee	2 Hours	$200	$100	$50
Catering Kitchen	$100 per rental for use with Gymnasium or Multi-Purpose Room rentals.			
Gymnasium Package:	20% off additional spaces – Large Multipurpose Room and Small Multipurpose Room if rented with the Gymnasium			
*Meeting fee at min of 4 hours or per hour addition to event time to block fee over max of 6 hrs. **Block includes setup/event/cleanup ***Guests may stay as late as midnight, at which time events must end, and all guests must exit the premises. 12-1:30 is only for clean-up. The renter must have completed clean-up and exited the premises no later than the time reserved.				

Note:

1. City Departments may book space at the Community Center free of charge with advanced notice; Parks & Recreation programming usage takes priority.
2. Attendee capacity numbers reflect all persons in the facility of all ages, including renters, guests, vendors, etc.
3. Facility private event rentals are for Soledad residents only.

Adopted 6/14/21
Revised 6/15/22 6/21/23 5/22/24

FEES & DEPOSITS		
Reservation Fee	Gymnasium Multi-Purpose Rooms	$550 non-refundable reservation fee, $500 (credited towards the rental) $25 non-refundable fee per reservation, 50% non-refundable rental fee down payment (credited towards the rental)
Standby[1]	Staff Outside Business Hours	$35/hr
Dance Floor	Use, Setup, Cleanup	$300
Refundable Deposit	Gymnasium: Multi-Purpose Rooms	$1000 All Events $150: Small Multi-Purpose Room Event $250: Large Multi-Purpose Room Event $45: Meetings and Presentations
Security Fees[2]		$40 / hour / security guard
AV Equipment	Sound System, TV & Computer	$15 per piece
IT Services[4]	Internet Meeting Services/Equipment	$150
RESIDENTS/NON-PROFITS/COMMERCIAL		
Non-Profit Discount: Rental Fee Only	50% discount on Facility Rental rates for non-revenue-based rentals for Local Soledad Nonprofit Organizations, as evidenced by a 501c3 certificate.	
Commercial Rentals:	30% surcharge. Rentals charging admission: 30% surcharge + 12% of gross proceeds. Must have a non-profit sponsor that will receive at least 50% of the event profit or council-approved sponsorship or co-sponsorship	

Note:

1. Per-hour facility use outside of normal staff hours.
2. Minimum 1:50 ratio of security guards to attendees; minimum security guards 2 for all alcohol rentals. Security must be onsite 30 minutes prior to event and remain 30 minutes after the conclusion of the rental activity. Rentals, without alcohol, over 100 attendees, require security at a 1:75 ratio.
3. A non-profit group still needs to pay a full-price deposit and booking fee and provide insurance. This discount is unavailable for private events such as weddings or celebrations.
4. Soledad IT department will setup, host and moderate renter Zoom/Facebook Live/other virtual meeting software event.

Adopted 6/14/21
Revised 6/15/22 6/21/23 5/22/24

MEMBERSHIPS – SOLEDAD COMMUNITY CENTER				
Fitness Center Member (includes drop-in basketball & volleyball)	**Type**	**Daily Drop-in**	**Monthly**	**Annually**
	Inclusive Fitness Pass[1]	$10	$55	$550
	Adult	$5	$25	$250
	Adult Couple		$45	$450
	Family		$55	$550
	Senior	$2	$10	$100
	Senior Couple		$15	$150
	Teen	$2	$10	$100
		Daily		
Basketball/Volleyball Drop-In	Adult	$4		
	Youth & Teen (10-17)	$1		
	Youth Mini (9 & under	$1		

Note:

1. Includes full facility use (Fitness Center, Open Gym, Fitness Class(es).
2. In an ongoing commitment to employee wellness, City Employees qualify for a free Fitness Center, Basketball and/or Volleyball membership. One household member may receive a 50% membership discount to support and encourage the employee on their wellness journey.

PROGRAMMING – SOLEDAD COMMUNITY CENTER		
Seniors, Adults, Youth, Preschool, Families	All Recreational Programs and Activities as per Activity Costs/Market Rate/Need	
Recreational Program and Activity Areas Defined		
Special Events	Special Interest Classes	Performing Arts
Camps	Sports	Educational
Afterschool Program	Health & Wellness	Workshops
Leagues	Arts & Culture	Adaptive
Trips	Martial Arts	Outdoor Recreation

Note:

1. Employees and their dependents receive a 25% discount for programs and activities.

Adopted 6/14/21
Revised 6/15/22 6/21/23 5/22/24

PARK USAGE FEES

	Non-Profit	For-Profit
Ball Field Reservation – practice – per hour	$1	$10
Ball Field Reservation – game – per hour	$2	$20
Ball Field Reservation – tournament	$25 per field / day	$50 per field / day
Soccer Field Reservation – practice – per hour	$1	$10
Soccer Field Reservation – game – per hour	$2	$20
Soccer Field Reservation – tournament	$25 per field / day	$50 per field / day
Concession Stand – Per Day[1]	$150	30% surcharge + 12% of gross proceeds
Resident Field Use (non-organized, general use under 10 persons)	$2 / hr	N/A
Lights (1 token = 30 min = $1/token) [1]	$2 / hr	$10.10 / hour
Open Space Special Event Permits	As per actual costs per space requested	30% surcharge Events charging admission or vendor fees: 30% surcharge + 12% of gross proceeds
Deposits (refundable upon return)	Bathroom Key	$25
	Concession Stand Key	$25
	Scoreboard Controller	$100
	Resident	**Non-Resident**
Picnic Area & BBQ (4hr. $6.25 per hr. up to 6hrs)	$25	$50
Bounce House[2]	$45	$90
Bounce House Annual Vendor Permit	$25	$50
Special Event Permit[3] – Large (40 or more persons) Events requiring coordination between Police, Fire, Parks & Recreation and Public Works	$150	$250

[1]Requires qualified field use reservation
[2]Requires picnic area reservation and insurance
[3]Special event is determined by size and activity inclusion as defined by the City Special Event Policy. Fee for Special Event Permits may be waived at the discretion of involved departments for Non-Profit Agencies providing goods and services to the community for free or at low cost.

Adopted 6/14/21
Revised 6/15/22 6/21/23 5/22/24

Planning

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
Planning/Land Use Permit Fees			*** including 10% Admin. Fee**			
	General Plan Amendments					
1	GA - General Plan or Specific Plan Map Amendments for sites of 1 acre or less		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$3,605.00	$137.00	$3,742.00
2	GA - General Plan or Specific Plan Map Amendments for sites of > 1 acre		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$6,195.75	$235.45	$6,431.20
3	GA - General Plan Text Change Amendments - Text Only or Text plus Map		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$1,689.75	$64.25	$1,754.00
	Zoning Amendments					
4	ZA - Zoning Code - Minor Text Amendment (one section only)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$845.00	$32.00	$877.00
5	ZA - Zoning Code - Major Amendment (two or more sections)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$3,604.75	$137.00	$3,741.75
6	Rezoning with Planned UNIT Development - Conditional Use Permit		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$6,195.75	$235.50	$6,431.25
7	Sphere of Influence Amendment and/or Annexation		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$3,604.75	$137.00	$3,741.75
8	CEQA filing Notice of Exemption / Determination		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$169.00	$6.50	$175.50
9	Registration of Abandoned Residentail Property		Set by Ordinance	$169.00	$6.50	$175.50
10	Initial Study/Negative Declaration or Mitigated Negative Declaration (IS-ND or MND)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$1,126.75	$42.75	$1,169.50
11	Initial Study/Environmental Impact Report (IS- EIR)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$3,604.75	$137.00	$3,741.75
Conditional Use Permit						
12	CLASS I CUP - Minor Residential CUP-No New Square Footage		Class I CUP + Admin fee	$169.00	$6.50	$175.50
13	CLASS I CUP - Minor Commercial CUP - No New Square Footage		Class I CUP + Admin fee	$169.00	$6.50	$175.50
14	CLASS I CUP - CUP Alcohol Beverage Control (ABC) Licensing		Class I CUP + Admin fee	$169.00	$6.50	$175.50
15	CLASS II CUP - Minor CUP: Residential Planned Development- 6 Units or less- or 15,000 s.q. of non-residential floor area		Class II CUP + Admin fee	$507.25	$19.25	$526.50
16	Major CUP (Planned Developments or projects of more than 6 new units or more than 15,000 SF of non-residential floor area)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$3,604.75	$137.00	$3,741.75
17	CUP Amendment		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$1,126.50	$42.75	$1,169.25
NEW	Minor CUP - Administrative CUP		including a 10% Admin Fee	$0.00	$175.50	**$175.50**
Temporary Use of Land Permit						
19	General TUP (Seasonal Sales, i.e. Xmas Trees, pumpkins)		+ Admin fee	$33.50	$1.25	$34.75
20	Non Profit			No Charge	No Change	No Charge
Variance Applications						
21	Variance Application for One Single-family Residence on Existing Lot of Record			$845.00	$32.00	$877.00
22	Variance Application for All Uses Other Than SFR on Existing Lot of Record			$2,816.25	$107.00	$2,923.25
NEW	Minor Variance- Administrative Variance		including a 10% Admin Fee	$0.00	$877.00	**$877.00**
Developer Accounts						
LAND DIVISION PERMITS						
	SUBDIVISION MISC FEES					
24	Development Agreements		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$3,604.75	$137.00	$3,741.75
25	TSM / TPM / LLA Map Extension		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$1,126.50	$42.75	$1,169.25
26	Planned Unit Development (PUD) WITH Tentative Map Fee		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$1,126.50	$42.75	$1,169.25

Planning

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
	MINOR SUBDIVISIONS					
27	LLA - Lot Line Adjustments or Lot Mergers		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$563.25	$21.40	$584.65
28	TPM - Parcel Map - 4 Lots or Fewer (Parcels)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$1,126.50	$42.75	$1,169.25
	MAJOR SUBDIVISIONS					
29	TSM - Tentative SUBDIVISION Map - 5 lots or more (Tracts)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$11,265.00	$428.00	$11,693.00
30	TSM- Tentative Map - Revision		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$3,942.50	$149.75	$4,092.25
31	FM Final Map		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$1,126.50	$42.75	$1,169.25
DEVELOPMENT PERMITS						
	SPR ARC - ARCHITECTURAL and SITE DESIGN REVIEW - NEW CONSTRUCTION					
32	No New Square Footage		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$169.00	$6.45	$175.45
33	15,000 square feet or less for commercial/industrial		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$563.25	$21.40	$584.65
34	15,000 to 75,000 square feet (commercial/industrial/other non- residential sites) and Multi-Family Residential (more than 6 units)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$1,126.50	$42.75	$1,169.25
35	Greater than 75,000 square feet (commercial/industrial/other non- residential sites)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$2,478.25	$94.20	$2,572.45
	SPR - Site Plan Review permits					
36	Residential - (new SFR's, additions, secondary or granny units and accessory structures	per unit (Per hour)		$56.25	$2.25	$58.50
37	Residential - (for Apartments and Townhomes) up to 6 Units	per unit (per Hour)		$141.00	$5.40	$146.40
38	Residential - (for Apartments and Townhomes) more than 6 Units	per unit (per Hour)		$169.00	$6.50	$175.50
39	Non-Residential - for Buildings 15,000 sf or less, including new buildings, expansion or existing buildings, accessory structures	per sf of gross lot area (per hour)		$0.00564	$0.00021	$0.00585
40	Non-Residential for Buildings 15,000 - 75,000 sf	per sf of gross lot area (per hour)		$0.00564	$0.00021	$0.00585
41	Non-Residential for Building(s) greater than 75,000 sf	per sf of gross lot area (per hour)		$0.00564	$0.00021	$0.00585
NEW	Site Plan Review Permit - Minor Modification and Parking Reduction		including a 10% Admin Fee	$0.00	$175.45	**$175.45**
NEW	Site Plan Review Permit- Alternative Means of Compliance Review		including a 10% Admin Fee	$0.00	$175.45	**$175.45**
NEW	Site Plan Review Permit- Commercial/Industrial 15,000 square feet or less for commercial/industrial		including a 10% Admin Fee	$0.00	$1,169.25	**$1,169.25**
Sign Permit						
45	Temporary Sign Permit			No Charge	No Change	No Charge
46	Sign Face Change		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$56.25	$2.25	$58.50
47	Single Sign, Staff Approval		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$84.50	$3.25	$87.75
48	Single Sign, ARC Approval		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$169.00	$6.50	$175.50
49	Master Sign Plan (2 -10 tenants)		MIN./ACTUAL COST* (including contracted consultant cost reimbursement)	$338.25	$12.75	$351.00
Appeals						
50	Appeals - Related to One Single-family Residence		MIN./ACTUAL COST.	$450.75	$17.25	$468.00
51	Appeals - Other Planning Decisions		MIN./ACTUAL COST.	$450.75	$17.25	$468.00

Building & Safety

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
General Inspections and Fees						
1	Deferred Submittal Penalty/Investigation		Outsourced to CSG	Actual cost + 10% in-house admin fee	No change	Actual cost + 10% in-house admin fee
2	Work without a Permit Investigation		Outsourced to CSG	Actual cost + 10% in-house admin fee	No change	Actual cost + 10% in-house admin fee
3	Inspections outside of normal business hours, reinspection fees assessed under provisions of Section 305.8, inspections for which no fee is specifically indicated, and additional plan review required by changes, additions or revisions to plans (minimum charge 1/2 hour) are all at the total hourly cost to the City (actual costs), plus 10% administration fee. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee(s) or contract employees involved.	per hour	Outsourced to CSG	Actual cost + 10% in-house admin fee	No change	Actual cost + 10% in-house admin fee
4	Combination Office Automation		1.5% of the permit amount (Min. $2.00)	Valuation based	No change	Valuation based
5	Combination Document Storage		1.125% of the permit amount (Min. $1.00)	Valuation based	No change	Valuation based
6	State Green Building Fee		$1.00 per every $25,000.00 of value or fraction thereof	Valuation based	No change	Valuation based
Building Plan Check						
1	Accessibility - ADA		Outsourced to CSG	Min. $197+ Consultant direct charge	$7.00	Min. $204 + Consultant direct charge
2	Demolition		minimum or actual cost	$82 min/Actual cost	$3.00	$85min/Actual cost
3	Construction and Demolition Diversion Fee		Set by Ordinance	$219.00	No change	$219.00
4	Records Request (i.e. City Report)			$56.25	$2.25	$58.50
5	Solar Panels Applications		Residential - Permit Tables/Valuation Based	Valuation based	No change	Valuation based
6	Strong Motion Fee (Charged by State through City) Public Resources Code, Section 2705(a)		Fee is based on attached Building Valuation schedule which is determined by $.00010 x valuation with a minimum of $.50 for Group R occupancies excluding hotels and motels, and $.00021 x valuation for all other occupancies.	Valuation based	No change	Valuation based
7	Certificate of Occupancy			$281.50	$10.75	$292.25
8	Training Fee		.3% of the permit amount (Min. $2.00)	Valuation based	No change	Valuation based
9	Plan Check (Original)		Table 3A. Plan Checks are contracted out	65% of the Permit Fee	No change	65% of the Permit Fee
Permit Fees						
1	Building Permit		Table 3A	Valuation Based	No change	Valuation Based
2	Additional building permit issuance (minimum charge: 1/2 hr)	per hour	Table 3A / Outsourced to CSG	Actual cost + 10% in-house admin fee	No change	Actual cost + 10% in-house admin fee
3	Electrical, Mechanical and Plumbing		Table 3A	Valuation Based	No change	Valuation Based
4	Grading		Table 3A	Valuation Based	No change	Valuation Based
5	Swimming Pool Permit		Table 3A (per square foot)	Valuation Based	No change	Valuation Based

Building & Safety

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
6	Permit Reinstatement Fee			Actual cost + 10% in-house admin fee	No change	Actual cost + 10% in-house admin fee

Addendum to Building Validation Data of Table A						
1	Above Ground Tank		or contract price	Valuation Based	No change	Valuation Based
2	Deck		square foot or contract price	Valuation Based	No change	Valuation Based
3	Deck and Patio Cover		square foot or contract price	Valuation Based	No change	Valuation Based
4	Energy Checks		based on valuation plus 10%	Valuation Based	No change	Valuation Based
5	Fireplace (minimum valuation)		value or contract price	Valuation Based	No change	Valuation Based
6	In-ground Spa		valuation based on $3,065 value or contract price	Valuation Based	No change	Valuation Based
7	Patio Cover		square foot or contract price	Valuation Based	No change	Valuation Based
8	Remodeling		based on contract price or total cost of labor and materials	Valuation Based	No change	Valuation Based
9	Re-roof		minimum plus plan review fee as needed or valuation	Valuation Based	No change	Valuation Based

Note 1: For equipment or appliance having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used.

Note 2: These fees include all switches, circuit breakers, contactors, thermostats, relays and other directly related control equipment.

CITY of SOLEDAD

Building Valuation Table

All New Construction - PROPOSED, FY 24/25

Minimum Value	Maximum Value	Base Rate	Plus $$	For every
0.00	0.00	0.00	0.00	0.00
1.00	500.00	92.14	0.00	0.00
501.00	2,000.00	92.14	4.34	100.00
2,001.00	25,000.00	98.17	19.92	1,000.00
25,001.00	50,000.00	555.33	14.37	1,000.00
50,001.00	100,000.00	912.55	9.96	1,000.00
100,001.00	500,000.00	1,408.69	7.97	1,000.00
500,001.00	1,000,000.00	4,584.00	6.76	1,000.00
1,000,001.00	9,999,999,999.00	7,950.69	5.19	1,000.00

BUILDING CONSTRUCTION COSTS

TABLE A *

Square Foot Construction Costs

	(2024 International Building Code)	Type of Construction								
		IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
									Sprinklers	No Sprinklers
	A-1 Assembly, theaters, with stage	330.56	318.80	309.39	297.20	277.71	269.67	287.04	258.79	248.89
	A-1 Assembly, theaters, without stage	303.49	291.73	282.32	270.13	250.88	242.84	259.97	231.96	222.06
	A-2 Assembly, nightclubs	272.51	264.43	256.91	248.19	232.76	226.12	239.28	211.57	204.72
	A-2 Assembly, restaurants, bars, banquet halls	271.51	263.43	254.91	247.19	230.76	225.12	238.28	209.57	203.72
	A-3 Assembly, churches	308.01	296.25	286.84	274.65	255.52	247.48	264.49	236.60	226.71
	A-3 Assembly, general, community halls, libraries, museums	258.66	246.90	236.50	225.30	205.06	198.01	215.15	186.13	177.24
	A-4 Assembly, arenas	302.49	290.73	280.32	269.13	248.88	241.84	258.97	229.96	221.06
	B Business	289.51	279.23	269.21	257.82	235.42	227.07	247.91	210.39	200.78
	E Educational	276.33	266.73	258.30	247.60	231.08	219.28	239.09	202.46	195.97
	F-1 Factory and industrial, moderate hazard	160.20	152.78	143.34	138.64	123.55	117.41	132.48	102.44	95.93
	F-2 Factory and industrial, low hazard	159.20	151.78	143.34	137.64	123.55	116.41	131.48	102.44	94.93
	H-1 High Hazard, explosives	149.46	142.04	133.60	127.90	114.12	106.97	121.74	93.00	0.00
	H234 High Hazard	149.46	142.04	133.60	127.90	114.12	106.97	121.74	93.00	85.50
	H-5 HPM	289.51	279.23	269.21	257.82	235.42	227.07	247.91	210.39	200.78
	I-1 Institutional, supervised environment	262.22	252.95	244.31	235.67	215.42	209.47	235.71	193.82	187.73
	I-2 Institutional, hospitals	455.16	444.88	434.86	423.47	399.17	0.00	413.57	374.14	0.00
	I-2 Institutional, nursing homes	315.97	303.75	293.73	282.34	261.43	0.00	272.44	236.40	0.00
	I-3 Institutional, restrained	338.01	327.73	317.71	306.32	285.40	276.05	296.41	260.38	248.77
	I-4 Institutional, day care facilities	262.22	252.95	244.31	235.67	215.42	209.47	235.71	193.82	187.73
	M Mercantile	203.29	195.21	186.69	178.98	163.28	157.64	170.06	142.09	136.24
	R-1 Residential, hotels	264.67	255.41	246.77	238.13	218.35	212.40	238.17	196.75	190.67
	R-2 Residential, multiple family	221.32	212.06	203.42	194.78	175.96	170.01	194.82	154.36	148.28
	R-3 Residential, one- and two-family	209.61	203.74	198.94	195.12	188.41	181.45	191.77	175.86	165.67
	R-4 Residential, care/assisted living facilities	262.22	252.95	244.31	235.67	215.42	209.47	235.71	193.82	187.73
	S-1 Storage, moderate hazard	148.46	141.04	131.60	126.90	112.12	105.97	120.74	91.00	84.50
	S-2 Storage, low hazard	147.46	140.04	131.60	125.90	112.12	104.97	119.74	91.00	83.50
	U Utility, miscellaneous	114.09	107.37	99.89	95.60	85.13	79.54	90.99	67.39	64.19

* Source: International Code Council

Unfurnished basements (all use group R-3) = $31.50 per sq ft.
For shell only buildings deduct 20 percent
N.P. = not permitted
(1) Temp. trailer, porch/patio, decks, garage, sheds, patio covers, hot water/heater enclosures, private garages

International Building Code rate schedules come out every August and February. The above schedule is from February 2024. When the new schedule is released in August 2024, the City of Soledad will follow the new rates.

CITY OF SOLEDAD
DEVELOPMENT IMPACT FEE SUMMARY

(Fees per Unit - Residential/1,000 Square Feet) (1)

Land Use Classification	General Government	Public Safety(2)	Park	Water	Wastewater	Storm Drain	Traffic	Admin (3%)	Total Fees
Single Family Residential (Per Unit)	$ 5,348.00	$ 1,670.00	$ 8,788.00	$ 3,063.00	$ 3,350.00	$ 2,254.00	$ 6,827.00	$ 939.00	$ 32,239.00
Multi-Family Residential (Per Unit)	$ 4,279.00	$ 1,335.00	$ 7,030.00	$ 2,450.00	$ 2,680.00	$ 1,802.00	$ 4,711.00	$ 729.00	$ 25,016.00
Commercial (Per 1,000 Non-Res. SF)	$ 1,316.00	$ 410.00	N/A	$ 753.00	$ 824.00	$ 554.00	$ 5,387.00	$ 278.00	$ 9,522.00
Office (Per 1,000 Non-Res. Sf)	$ 4,064.00	$ 1,268.00	N/A	$ 2,328.00	$ 2,545.00	$ 1,712.00	$ 6,492.00	$ 552.00	$ 18,961.00
Industrial (Per 1,000 Non-Res. SF)	$ 2,560.00	$ 799.00	N/A	$ 1,467.00	$ 1,603.00	$ 969.00	$ 5,519.00	$ 391.00	$ 13,308.00

NOTES:
(1). Some figures may not sum due to rounding
(2). The previous Fire Facilities Fee and Police Facilities Fee have been combined into one Public Safety Fee.

Public Works

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
1	Curb & Gutter			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
2	Driveway Approach			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
3	Grading (CY Cut + fill)			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
4	Lane Closure			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
5	Parking Space Closure			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
6	Pedestrian Ramp			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
7	Sanitary Sewer			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
8	Storm Drain			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
9	Sidewalk			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
10	Street Cut			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
11	Utilities			MIN.$365 (ACTUAL COST) + $1,092 DEPOSIT	$14 for MIN. and $41 for DEPOSIT	MIN.$379 (ACTUAL COST) + $1,133DEPOSIT
12	Staff Time			Actual Cost Plus 5.20% Administrative Fee	$14 for MIN. and $41 for DEPOSIT	Actual Cost Plus 5.20% Administrative Fee

Water (Hook Up) Meter Fees						
1	5/8 Inch to 3/4 inch		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee
2	1 inch		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee
3	1.5 inch		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee
4	2 inch		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee
5	Larger than 2 inch		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee

Sewer Hook Up Fees						
1	Single Family (per unit)		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee
2	Multi-Family (per unit)		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee

Public Works

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
3	Industrial (per 1,000 sq ft.)		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee
4	Retail/Commercial (per 1,000 sq. ft.)		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee
5	Office (per 1,000 sq. ft.)		Minimum	Actual Cost + $383.25 Admin. Fee	$14.75 in Admin. Fee	Actual Cost + $398 Admin. Fee
Other Fees						
1	Utility deposit		Renter - SFR and Comm	$60 - $200	No change	$60 - $200
2	Discontinue & Reconnect Utility Service / Delinquent Fee		Penalty	$50.00	No change	$50.00
3	Late fee (not paying utility bill by due date)		10% Penalty	10% of late amount	No change	10% of late amount
4	After Hours Reconnection		CUT-OFF AND REINSTATE BOTH (2 hr call-out minimum)	$135.50	$5.20	$140.70
5	Utility account Transfer Fee			$22.75	$0.85	$23.60
6	Fire Hydrant meter deposit			$3,000.00	No change	$3,000.00
7	Water Meter re-read (customer requested re-read or meter test)			$33.00	$1.25	$34.25
8	Meter Accuracy Test - up to 1" Meter			$237.00	$9.00	$246.00
9	Meter Accuracy Test - up to 1.5" - 2" Meter			$427.00	$16.25	$443.25
10	Meter Accuracy Test - up to 3" Meter and Larger			Actual Cost + 20%	No change	Actual Cost + 20%
11	Construction fire hydrant meter rental fee		Per day	$10.00	No change	$10.00
12	Miscellaneous public works support		A work order with the cost will be provided	Actual Cost + 20%	No change	Actual Cost + 20%
13	Sewage spill response (if caused by owner or business)			Actual Cost + 20%	No change	Actual Cost + 20%
14	Industrial Sewer Discharge Permit		Annual	Actual Cost + 20%	No change	Actual Cost + 20%
15	Industrial Sewer Discharge Analysis			Actual Cost + 20%	No change	Actual Cost + 20%
16	Event direct costs		Direct cost of city services required for any special event will be billed	Actual Cost + 20%	No change	Actual Cost + 20%
17	Haul Permit			Actual Cost + 20%	No change	Actual Cost + 20%
18	Source Control Permit			Actual Cost + 20%	No change	Actual Cost + 20%
19	Septage /liquid waste disposal			$.142/gal.	$0.03	$.170/gal.
20	Unauthorized water use ($160) and 1st meter tampering violation ($130)		Penalty	$290.00	No change	$290.00
21	Unauthorized water use ($160) and 2nd meter tampering violation - same year ($700)		Penalty	$860.00	No change	$860.00
22	Unauthorized water use ($160) and 3rd meter tampering violation - same year ($1300)		Penalty	$1,460.00	No change	$1,460.00
23	Unauthorized water use (Fire Hydrant, Private Fire Line, Backflow Assembly) 1st violation		Penalty	$1,000.00	No change	$1,000.00
24	Unauthorized water use (Fire Hydrant, Private Fire Line, Backflow Assembly) 2nd violation - same year		Penalty	$2,000.00	No change	$2,000.00
25	Unauthorized water use (Fire Hydrant, Private Fire Line, Backflow Assembly) 3rd violation - same year		Penalty	$3,000.00	No change	$3,000.00

Police

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
Bicycles						
1	Bicycle Licenses - VOLUNTARY			$15.00	$0.50	$15.50
Weapons						
	Concealed Carry Fees					
2	Carry Concealed Weapon - New Permit		regulated per Penal Code Section 26190; 80% of fee is reimbursable if license is not issued	$169.00	$6.50	$175.50
3	Carry Concealed Weapon - Renew Permit		regulated per Penal Code Section 26190	$112.50	$4.25	$116.75
4	Psychological Testing - if required		regulated per Penal Code Section 26190	Actual Cost	No change	Actual Cost
5	Additional Psychological Testing - if required		regulated per Penal Code Section 26190: When compelling evidence is present	Actual Cost	No change	Actual Cost
6	FFL (Federal Firearm License) Investigation			Actual Cost	No change	Actual Cost
	Firearm Storage Fees					
7	Gun Storage Administration Fee	per gun	CFC 6389 and P.C. 33880 P.C. - handling, processing, intake, storage and release of firearm(s). Initial cost is confiscating and processing; thereafter it is actual costs per day.	$149 min./ Actual Cost	$6.00	$155 min./ Actual Cost
8	Domestic Violence Protective Order Firearm Storage fees (court ordered)	per day	CFC 6389 and P.C. 33880 P.C. - handling, processing, intake, storage and release of firearm(s). Initial cost is confiscating and processing; thereafter it is actual costs per day.	$141 min./ Actual Cost	$5.00	$146 min./ Actual Cost
Adminitrative Citizen Requests						
9	Accident Report			$19.25	$0.75	$20.00
10	Citation Sign Off			$39.50	$1.50	$41.00
11	Clearance Letter			$19.25	$0.75	$20.00
12	Crime Scene Photo Reproduction (digital only)	per unit		$12.25	$0.50	$12.75
13	Duplicate Citations			$12.25	$0.50	$12.75
14	Immigration Letter (U VISA)			$35.75	$1.25	$37.00
15	Special Event Permit			$34.00	$1.25	$35.25
16	Fingerprinting Fee (SEE CHART)		variable based on purpose	$38.25 - $127	$1.45 / $5.00	$39.70 - $132
17	Garage Sale Regulation (four a year allowed)			$15.00	$0.50	$15.50
18	Repo Clearance Fee			$22.50	$0.90	$23.40
19	Vehicle ID Number (VIN) Identification			$112.50	$4.25	$116.75
20	Vehicle Impound Release (Admin. Tow Hearing)			$197.00	$7.50	$204.50
21	Alcohol Permit Processing			$62.00	$2.50	$64.50
22	Hunting Tag Verification			$11.25	$0.45	$11.70
23	Taxicab Inspection - Annual	per vehicle		$56.25	$2.25	$58.50
24	ID Verification			$38.25	$1.45	$39.70
False Alarms						
25	1st Time		Per 12 Mon. Period: 1/1 - 12/31	No Charge	No change	No Charge
26	2nd Time		Per 12 Mon. Period: 1/1 - 12/31	$225.30	$8.50	$233.80

Police

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
27	3rd Time		Per 12 Mon. Period: 1/1 - 12/31	$281.75	$10.70	$292.45
28	4th Time		Per 12 Mon. Period: 1/1 - 12/31	$450.75	$17.25	$468.00
29	5th+ Time		Per 12 Mon. Period: 1/1 - 12/31	$563.50	$21.50	$585.00
Citations/Cause Based Charges						
30	Loud Party - Second Call-out		Per call, or the fully burdened hourly rate, if greater.	$120 min./AC	$4.50	$124.50 min./AC
31	Officer's Fee	per hour		Actual Costs	No change	Actual Costs
32	Vehicle Parking Violations		**SEE SCHEDULE BELOW**	$53.75	$2.00	$55.75
33	Recovery of Public Safety Service Costs/Response to Hazardous Substance Spills, Refuse, Dumping, Willfully or Negligently Setting Fires (Plus Materials and Direct Costs)		Infraction: 0 to $100 - 1st offense, $100 to $200 - 2nd offense, $200 to $500 - 3rd offense; Per Penal Code	Actual Costs	No change	Actual Costs
34	Recovery of Public Safety Service Costs - Crime Related: Response to Domestic Violence, DUI, Alcohol/Drug Related Vehicle Accedent/Incident, False 911 Calls, Baricaded Robber, etc. (Plus Materials and Direct Costs)		Restitution	Actual Costs	No change	Actual Costs
35	Water meter tampering		**SEE PUBLIC WORKS FEE SCHEDULE**			

Police

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
Animal Control						
35	Euthanasia & Disposal of Animal: (by weight) Fee the same for picking up a live or a dead animal.		To dispose of dead animal at owner's request.	Actual Cost	No change	Actual Cost
36	Dog License, Neutered		$3 discount if qualify for the Low Income Program	*$10.00*	*No change*	*$10.00*
37	Dog License, Non Neutered		$2 Multi year discount. Late fee $10	*$75.00*	*No change*	*$75.00*
38	Animal Shelter Delivery (Contract with County)		To pick up and deliver live animal to shelter at owner's request.	Actual Cost	No change	Actual Cost
39	Animal Impounding			Actual Cost	No change	Actual Cost
40	Care and Feeding of Animals - Cat	per day	contract cost - $6 minimum or ACTUAL COST	Actual Cost	No change	Actual Cost
41	Care and Feeding of Animals - Dog	per day	contract cost - $10 minimum or ACTUAL COST	Actual Cost	No change	Actual Cost
42	Redemption of Animal (Letter required from us before release by SPCA)		Plus SPCA cost	$56.75 + SPCA Actual Cost	$2.25	$59.00 + SPCA Actual Cost
43	Dog Breeding License (Soledad Municipal Code Section 6.12.065)	per dog	Additional licenses required for a Breeder business, i.e. Business license, etc. Fee is PER DOG, with a maximum allowed of four (4) dogs - max. fee $400	$100.00	No change	*$100.00*
44	Cat Trap Rental - Small Trap	per day	Customer pick-up of trap	$5.75	$0.25	$6.00
45	Cat Trap Rental - Large Trap	per day	Customer pick-up of trap	$11.25	$0.50	$11.75
46	Cat Trap Rental - Small Trap	per day	ACO trap set/pick up	Actual Cost	No change	Actual Cost
47	Cat Trap Rental - Large Trap	per day	ACO trap set/pick up	Actual Cost	No change	Actual Cost
Vehicle Citations						
	City Code Violation		Code Section:			
48	Repairing Vehicle on Street		10.04.070	$25.00	$15.00	$40.00
49	Parking Regulation Violations		10.04.050 a-f	$25.00	$15.00	$40.00
50	Vehicle Storage / Repair		10.12.025 a-b	$25.00	$15.00	$40.00
51	Outdoor Storage		17.38.220 a-b	$25.00	$15.00	$40.00
52	Restricted Parking		10.04.100	$25.00	$15.00	$40.00
53	Storage of Trailer / Motor Home		10.12.027 a-b	$25.00	$15.00	$40.00
	California Vehicle Code Violations					
54	Parked in Intersection		22500A	$25.00	$15.00	$40.00
55	Parking in Crosswalk		22500B	$25.00	$15.00	$40.00
56	Parking in Red Zone / Safety Zone		22500C	$25.00	$15.00	$40.00
57	Parking Within 15' of Fire Station		22500D	$25.00	$15.00	$40.00
58	Blocking Driveway		22500E	$25.00	$15.00	$40.00
59	Vehicle Parked on Sidewalk		22500F	$25.00	$15.00	$40.00
60	Vehicle Obstructing Traffic		22500G	$25.00	$15.00	$40.00
61	Double Parking		22500H	$25.00	$15.00	$40.00
62	Park with Traffic Within 18" of Curb		22502 a-e	$25.00	$15.00	$40.00
63	Parked / Blocking Handicap Space		22507.8 A-C	$280.00	No change	$280.00
64	Parked Within 15' of Fire Hydrant		22514	$25.00	$15.00	$40.00

Police

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
65	Parking Within 7 1/2' of Railroad Track		22521	$25.00	$15.00	$40.00
66	Drive / Park on Public Grounds		21113A	$25.00	$15.00	$40.00
67	72 Hour Parking		22851K	$25.00	$15.00	$40.00
68	Street and Alley Parking		22951	$25.00	$15.00	$40.00
69	Unattended Running Vehicle		22315	$25.00	$15.00	$40.00
70	Display of License Plates		5200 Reduced to $10 with proof of correction	$25.00	$15.00	$40.00
71	Position of License Plates		5201 Reduced to $10 with proof of correction	$25.00	$15.00	$40.00
72	Tabs Attached to Rear Plate		5204 Reduced to $10 with proof of correction	$25.00	$15.00	$40.00

Code Enforcement

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
1	Notice of Code Violation -second notice	each violation	penalty	$61.00	$2.40	$63.40
2	Nuisance Abatement			Actual Cost	No change	Actual Cost
3	Abatement Administrative Fee			20% of Actual Cost or Contract Cost of Abatement	No change	20% of Actual Cost or Contract Cost of Abatement
4	Code Violation Notice--Posting/Inspection	per hour		$112.75	$4.25	$117.00
5	Inspection/Abatement Warrant			Actual Cost	No change	Actual Cost
6	Attorney or other Legal Fees			Actual Cost	No change	Actual Cost
7	Vehicle Abatement			Actual Cost	No change	Actual Cost

Fire

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
Administrative						
1	Training Surcharge			3% of permit fee	No change	3% of permit fee
Permits						
2	Fire Permit (Where no specified elsewhere) Based on Valuation	Per Hour	Minimum 1 hour	$84.50	$3.20	$87.70
3	Work without a Permit Investigation			Equal to Permit Fee	No change	Equal to Permit Fee
4	Fire Sprinkler Permit		CSG (contractor)	Actual Cost	No change	Actual Cost
Inspections						
5	Fire Inspection/Reinspection***	Per Hour	Minimum 1 hour	$172.50	$6.50	$179.00
	*** The first inspection is charged for - if items are cleared,					
	there is no charge for the reinspection. If NOT cleared, there					
	is a second charge for the reinspection, and so on					
6	Weed Abatement Inspection/Reinspection	Per Hour	Minimum 1 hour	$172.50	$6.50	$179.00
7	Hazardous Materials Inspection	Per Hour	Minimum one hour	$172.50	$6.50	$179.00
8	Special Events Inspection - due when permit pulled	Per Hour	Minimum 1 hour	$172.50	$6.50	$179.00
9	Fireworks Stands & Sales Inspection - due when permit pulled	Per Hour	Minimum 1 hour	$172.50	$6.50	$179.00
10	Fireworks Show Inspection - due when permit pulled	Per Hour	Minimum 1 hour	$172.50	$6.50	$179.00
Plan Checks						
11	Fire Sprinkler Plan Check: Residential	Minimum Charges		Actual Cost & Admin fee of 10%	No change	Actual Cost & Admin fee of 10%
12	Fire Sprinkler Plan Check: Nonresidential	Minimum Charges		Actual Cost & Admin fee of 10%	No change	Actual Cost & Admin fee of 10%
Miscellaneous						
13	False Alarm - Third and Over Per Calendar Year	Each occurrence	Penalty	$197.25	$7.50	$204.75
14	Fire Hydrant Flow Test	Per location		$172.50	$6.50	$179.00
15	Recovery of Public Safety Service Costs	Per Incident		$175/hr; Actual Costs	$6.65	$181.65/hr; Actual Costs
16	Fire Department Response for Alcohol Related Accidents, Hazardous Substance Spills, Refuse, Dumping or Willfully Setting Fires	Per Incident	Plus Materials & Direct Costs	Actual Cost	No change	Actual Cost

Finance

#	Description	Unit	Notes	FY 2023/24 FEE	INCREASE	FY 2024/25 FEE
1	NSF Check Fee		For first occurrence; $35 and then $35 + collections cost after for further occurrences	$28.25	$1.05	$29.30
2	Copy Fees	Per page	Black & White Letter (Legal $.50/Ledger $.75)	$0.25	No change	$0.25
3	Credit Card Transaction Fee			2.5% of the charge	No change	2.5% of the charge
4	Notary Fees	Per Notary		$15.00	No change	$15.00
5	Contract Administration Fee		SB 998 mandates contractual arrangements be offered to past due customers and allows administrative fees on each contract	$52.00	$2.00	$54.00
6	Business Licenses Tax		Schedule of rates attached.	Based upon annual gross sales	No change	Based upon annual gross sales
7	Sidewalk Vendor Permit		Non-refundable application fee as established by Muni Code (5.45.040)	$61.00	$2.50	$63.50

CITY OF SOLEDAD
WASTEWATER RATES

	Monthly Rates				
Class	Existing	22/23	23/24	24/25	25/26
Single Family	$ 52.19	$ 56.37	$ 60.88	$ 65.75	$ 71.01
Multi-Family Duplexes	37.39	40.38	43.61	47.10	50.86
Mobile Home Units	23.82	25.73	27.79	30.01	32.41
Small Office - Commercial	50.90	54.98	59.37	64.12	69.25
General Office - Commercial	128.76	139.06	150.18	162.19	175.17
Large Commercial	475.96	514.03	555.15	599.57	647.53
Gas Station - Commercial	50.16	54.18	58.51	63.19	68.25
Car Wash - Low User	93.04	100.48	108.52	117.20	126.58
Car Wash - High User	1,235.50	1,334.13	1,440.86	1,556.13	1,680.62
Restaurants/Bars	309.84	334.62	361.39	390.31	421.53
Restaurant - High Volume	1,086.21	1,173.11	1,266.95	1,368.31	1,477.78
Laundromat - Low User	150.18	162.20	175.17	189.18	204.32
Laundromat - High User	588.31	635.38	686.21	741.11	800.39
Churches/Public Facilities	76.74	82.88	89.51	96.67	102.41
Medical Offices	75.34	81.37	87.88	94.91	102.50
Dental & Veterinarian	55.26	59.68	64.46	69.61	75.18
Bank	30.80	33.26	35.93	38.80	41.90
Supermarkets	289.23	312.37	337.36	364.34	393.49
Bakery	176.42	190.54	205.70	222.24	240.02
Beauty/Barber Shops	5.52	5.96	6.44	6.96	7.51
Post Office	5.57	6.01	6.49	7.01	7.57
Hotel/Motel (per room)	10.56	11.41	12.32	13.30	14.37
Convalescent Home (per unit)	39.51	42.67	46.09	49.78	53.76

CITY OF SOLEDAD
WASTEWATER RATES

Monthly Rates					
Class	Existing	22/23	23/24	24/25	25/26
Movie Theater	269.54	291.10	314.39	339.54	366.71
Pinnacles High School (student/year)	37.81	40.84	44.10	47.63	51.44
Frank Ledesma Elementary (student/year)	18.91	20.42	22.05	23.82	25.72
Gabilan Elementary (student/year)	18.91	20.42	22.05	23.82	25.72
Jack Francioni Elementary (student/year)	18.91	20.42	22.05	23.82	25.72
Main Street Middle School (student/year)	28.36	30.63	33.08	35.72	38.58
Main Street Preschool (student/year)	18.91	20.42	22.05	23.82	25.72
Rose Ferrero Elementary (student/year)	18.91	20.42	22.05	23.82	25.72
San Vincente Elementary (student/year)	18.91	20.42	22.05	23.82	25.72
Soledad High School (student/year)	37.81	40.84	44.10	47.63	51.44
San Vincente Preschool (student/year)	18.91	20.42	22.05	23.82	25.72
Golden State Vintners (flow/mil.gallons)	5,874.25	6,344.19	6,851.73	7,399.87	7,991.86
Golden State Vintners (BOD/k pounds)	521.08	562.77	607.79	656.41	708.92
Golden State Vintners (TSS/k pounds)	550.83	594.89	642.48	693.88	749.39
Liquid Waste Rate/gal (on tank capacity)	0.135	0.146	0.157	0.170	0.184

5.04.200 Schedule of rates—Gross receipts basis generally.

A. Unspecified Businesses. Every person transacting or carrying on any business other than those businesses enumerated below in this section shall pay an annual license tax based upon the gross receipts resulting from the operation of the business in accordance with the following scale. If the annual gross receipts are:

At Least	But Less Than	The License Tax is
$ 1.00	$ 45,000.00	$ 40.00
45,000.00	65,000.00	55.00
65,000.00	85,000.00	75.00
85,000.00	105,000.00	95.00
105,000.00	125,000.00	115.00
125,000.00	150,000.00	137.50
150,000.00	175,000.00	162.50
175,000.00	200,000.00	187.50
200,000.00	230,000.00	215.00
230,000.00	260,000.00	245.00
260,000.00	300,000.00	280.00
300,000.00	350,000.00	325.00
350,000.00	400,000.00	375.00
400,000.00	450,000.00	425.00
450,000.00	500,000.00	475.00
500,000.00	550,000.00	525.00
550,000.00	600,000.00	575.00
600,000.00	700,000.00	650.00
700,000.00	800,000.00	750.00
800,000.00	900,000.00	850.00
900,000.00	1,000,000.00	950.00
1,000,000.00		1,000.00

B. Specified Businesses. Every person transacting or carrying on any of the following businesses or occupations:

Abstractor

Accountant

Architect

Advertising agent

Appraiser

Assayer

Attorney

Auditor

Bacteriologist

Baths, public and steam

Brokers

Business school

Chemists

Chiropodists

Chiropractor

Civil engineer

Cleaning buildings, windows

Collection agent

Credit bureau

Crematorium

Dancing school

Dancing teacher

Designer

Dental laboratory

Dental technician

Dentist

Dermatologist

Detective

Doctor

Employment agent

Electrical engineer

Engineer

Finance company

Funeral director

Geologist

Gunsmith

Grinder

Income tax expert

Insurance adjuster

Interior decorator

Interpreter

Janitor

Laboratory technician

Landscape architect

Lapidary

Livery stable

Locksmith

Masseur

Mechanical engineer

Medical laboratory

Messenger service

Mineral bath

Music school

Music teacher

Naturopathist

Oculist

Optician

Optometrist

Osteopath

Orthopedist

Parking lot

Pathologist

Patrol service

Physician

Physiotherapist

Piano tuner

Plunge

Posture correction

Public stenographer

Radiographer

Sign painter

Storage warehouse

Structural engineer

Surgeon

Surveyor

Taxidermist

Title insurance

Turkish baths

Urologist

Veterinarian

Watch repairing

Weighing machine

X-Ray technician

shall pay a license tax annually based upon gross receipts resulting from operations of such businesses, occupations or professions in accordance with the following scale. If annual receipts are:

At Least	But Less Than	The License Tax is
$ 1.00	$ 20,000.00	$ 40.00
20,000.00	30,000.00	62.50
30,000.00	40,000.00	87.50
40,000.00	50,000.00	112.50
50,000.00	70,000.00	150.00
70,000.00	90,000.00	200.00
90,000.00	110,000.00	250.00
110,000.00	140,000.00	312.50
140,000.00	170,000.00	387.50
170,000.00	200,000.00	462.50
200,000.00	300,000.00	625.00
300,000.00	400,000.00	875.00
400,000.00 or over		1,000.00

C. Retail Business Generally. Any person who transacts one or more of the businesses, occupations or professions enumerated in subsection A of this section, at one location, is required to obtain only one license and shall pay the license tax specified in this section, based upon the aggregate of his gross receipts realized from the operation of all such businesses, professions or occupations.

D. Retail Business Generally. Every person transacting or carrying on a retail business, unless otherwise specifically enumerated in this chapter, shall pay a annual license tax based upon the gross receipts resulting from the operation of the business, in accordance with the following scale. If annual receipts are:

At Least	But Less Than	The License Tax is
$ 1.00	$ 45,000.00	$ 40.00
45,000.00	65,000.00	55.00
65,000.00	85,000.00	75.00
85,000.00	105,000.00	95.00
105,000.00	125,000.00	115.00
125,000.00	150,000.00	137.50
150,000.00	175,000.00	162.50
175,000.00	200,000.00	187.50
200,000.00	230,000.00	215.00
230,000.00	260,000.00	245.00
260,000.00	300,000.00	280.00
300,000.00	350,000.00	325.00

350,000.00	400,000.00	375.00
400,000.00	450,000.00	425.00
450,000.00	500,000.00	475.00
500,000.00	550,000.00	525.00
550,000.00	600,000.00	575.00
600,000.00	700,000.00	650.00
700,000.00	800,000.00	750.00
800,000.00	900,000.00	850.00
900,000.00	1,000,000.00	950.00
1,000,000.00 or over		1,000.00

E. Wholesale and Jobbing Business. Every person transacting and carrying on a wholesale or jobbing business shall pay an annual license tax, based upon the gross receipts resulting from the operation of the business, in accordance with the following scale. If annual gross receipts are:

At Least	But Less Than	The License Tax is
$ 1.00	$ 200,000.00	$ 40.00
200,000.00	300,000.00	62.50
300,000.00	400,000.00	87.50
400,000.00	500,000.00	112.50
500,000.00	600,000.00	137.50
600,000.00	800,000.00	175.00
800,000.00	1,000,000.0	225.00
1,000,000.00 or over		250.00

F. Every person transacting or carrying on the business of general engineering or building contractor, plumbing, electrical or roofing contractor or other specialty contractor, shall pay a license tax based upon annual gross receipts resulting from the operation of the business in accordance with the following scale. If annual gross receipts are:

At Least	But Less Than	The License Tax is
$ 1.00	$100,000.00	$ 40.00
100,000.00	150,000.00	62.50
150,000.00	200,000.00	87.50
200,000.00	250,000.00	112.50
250,000.00	300,000.00	137.50
300,000.00	350,000.00	162.50
350,000.00	400,000.00	187.50
400,000.00	450,000.00	212.50
450,000.00	500,000,00	237.50
500,000.00	600,000.00	275.00
600,000.00	700,000.00	325.00
700,000.00	800,000.00	375.00
800,000.00	900,000.00	425.00
900,000.00	1,000,000.00	475.00

1,000,000.00		500.00

G. Twenty-dollar Quarterly Tax. Quarterly licenses will be issued for twenty dollars in the case of businesses having gross receipts of not more than twenty-five thousand dollars during any quarter.

H. Additional Business. If any person transacting any business enumerated in this section carries on a retail, wholesale or jobbing business or any other business, he is required to obtain a license and pay the tax specified for the other business, in addition to the license specified in this section.

I. Contractors Working Outside City. The receipts of the contractors enumerated in this section from contracts performed wholly outside of the city shall not be included in their gross receipts for the purpose of computing the license tax. Any such contractor who does not maintain a fixed place of business within the city is required to obtain a license and pay the tax specified in this section, with respect to any contract performed by him within the city.

J. Manufacturing. Every person carrying on the business of manufacturing shall pay an annual license tax, based upon the gross receipts resulting from the operation of the business, in accordance with the following scale. If annual gross receipts are:

At Least	But Less Than	The License Tax is
$ 1.00	$100,000.00	$ 40.00
100,000.00	200,000.00	50.00
200,000.00	300,000.00	62.50
300,000.00	400,000.00	87.50
400,000.00	500,000.00	112.50
500,000.00	600,000.00	137.50
600,000.00	800,000.00	175.00
800,000.00	1,000,000.00	225.00
1,000.000.00 and over		250.00

K. Manufacturing and Retail Business. If any person carrying on the business of manufacturing shall also engage in a retail business, whether selling products manufactured by him or not, he shall be required to obtain a license and pay the tax specified for the retail business in addition to the license specified in this section; provided, that any person engaged in the business of manufacturing is not required to obtain a license in addition to his manufacturer's license to engage in the wholesale or jobbing business with respect to products manufactured by him.

(Prior code § 12-20)

5.04.210 Schedule of rates—Public utilities.

Every person conducting or carrying on the business of a public utility shall pay an annual license tax based upon annual gross receipts resulting from the operation of such business, in accordance with the following scale. If the annual gross receipts are:

At Least	But Less Than	The License Tax is
$ 1.00	$ 100,000.00	$ 40.00
100,000.00	200,000.00	65.00
200,000.00	300,000.00	90.00

300,000.00	400,000.00	115.00
400,000.00	500,000.00	140.00
500,000.00	600,000.00	165.00
600,000.00	700,000.00	190.00
700,000.00	800,000.00	215.00
800,000.00	900,000.00	240.00
900,000.00	1,000,000.00	265.00
1,000,000.00 and over		290.00

(Prior code § 12-21)

5.04.220 Schedule of rates—Flat-rate basis.

Every person transacting and carrying on the businesses enumerated in this section shall pay a license tax as follows:

A. Advertising.

1. Every person conducting or carrying on the business of erecting, installing, maintaining or operating outdoor advertising, advertising structures, billboards, signboards or similar devices shall pay a license tax of forty dollars per annum.

2. Every person conducting or carrying on the business of operating, and who operates upon the streets, any vehicle equipped with music or musical device, loudspeaker or other device for attracting attention, shall pay a license tax of five dollars per day or forty dollars per year.

B. Auction Sale, Auctioneer, Auction House, Farmer's Auction Yard.

1. Every person conducting or carrying on the business of auctioneer shall pay a license tax of twenty-five dollars per day, except while operating in a licensed auction house having a fixed place of business as defined in this chapter.

2. Every person conducting or carrying on the business of an auction house other than as provided in subdivision 3 of this subsection, having a fixed place of business, shall pay a license tax of fifty dollars annually.

3. Every person conducting or carrying on the business of a farmer's auction yard for animals or implements of husbandry shall pay an annual license tax of fifty dollars. The license provided in this subsection shall permit only the auctioning of animals and implements of husbandry.

C. Automobile, Truck, Trailer Rentals.

1. Notwithstanding any other provisions to the contrary, every person conducting or carrying on the business of renting automobiles or trucks for a period of two months or less shall pay an annual license tax based on fifteen dollars per truck exceeding a manufacturer's rated capacity of one ton, ten dollars per truck with a manufacturer's rated capacity of one ton or less and ten dollars per automobile.

2. Every person conducting, managing or carrying on the business of renting trailers for the period of two months or less shall pay an annual license tax based on five dollars per trailer.

D. Bankrupt Sales, Etc. Every person conducting or carrying on the business of owning, operating, opening, establishing, managing or having charge of any temporary location or place of business of any kind for the sale of any insolvent, bankrupt, fire-damaged or other similar goods, wares or merchandise

and every itinerant or transient merchant having a temporary place of business but not having any continuous or permanent place of business in the city, who sells or offers for sale any insolvent, bankrupt, fire-damaged or other goods, wares or merchandise, shall pay a license tax of twenty-five dollars per day.

E. Barbershops and Beauty Shops. Every person engaging in the business of conducting, maintaining or carrying on a barber or beauty shop shall pay a license tax of forty dollars per year, plus ten dollars for every chair in excess of three.

F. Billiard and Pool Tables. Every person engaged in the business of conducting any billiard or pool table shall pay an annual license tax of sixteen dollars for each table located at such business establishment.

G. Bowling Alleys. Every person engaged in the business of conducting, maintaining or carrying on any bowling alley shall pay a license tax of ten dollars per year for each alley.

H. Brokers, Agents and Labor Contractors. Every person transacting or carrying on the business of broker or agent or labor contractor, who does not maintain a fixed place of business in the city shall pay an annual license tax of forty dollars per year.

I. Card Tables. Every person operating or maintaining any table, in the city, wherein cards or any legal game of chance is played, shall pay a license tax of forty dollars annually for each table.

J. Christmas Tree, Greens or Card Sales—Fireworks. Every person conducting or carrying on the business of selling Christmas trees, holly, berries, cards, fireworks or other seasonal items shall pay an annual license tax of twenty-five dollars, except where such business is conducted in connection with another regularly established place of business for which a license has been issued, or is conducted by and solely for the benefit of a charitable or nonprofit organization.

K. Circuses and Carnivals. Every person holding, promoting, managing or giving any concert, traveling show or exhibition for commercial purposes, whether in a tent or otherwise, shall pay a license tax of fifty dollars for the first day or any part thereof, and twenty-five dollars per day thereafter; provided, however, that no license shall be required for any exhibition, show or concert actually given and participated in by any local school, patriotic or civic organization.

L. Dances. Every person carrying on the business of conducting public dances at which an admission fee is charged, collected or received, shall pay a license tax of five dollars for each dance with a maximum of twenty-five dollars per quarter.

M. Hospital, Sanitarium, Rest Home, Nursing Home, Asylum. Every person engaged in the business of conducting, carrying on or operating a hospital, sanitarium, rest home, nursing home or asylum shall pay a license tax of twenty-five dollars per year plus one dollar per bed. This subsection shall not apply to nonprofit institutions exempted by the state.

N. Hotels, Roominghouses and Motel Rooms. Every person carrying on the business of conducting, operating or managing a hotel, roominghouse or motel, shall pay a yearly license according to the following scale:

1 to 15 units	$ 40.00
16 to 25 units	50.00
26 to 70 units	75.00
Over 70 units	150.00

O. House Trailer and Mobile Home Parks. Every person conducting or carrying on the business of operating a trailer park, mobile home park or other similar business, where the owners of house trailers or mobile homes are allowed to use space within the house trailer park or mobile home park

through a lease, rental or other similar arrangement, shall pay an annual license tax as follows for rental spaces over four:

5 to 19 spaces	$ 40.00
20 to 29 spaces	50.00
30 to 39 spaces	60.00
40 to 49 spaces	70.00
50 to 75 spaces	90.00
Over 75 spaces	110.00

P. Junk Dealers or Dealers in Old or Used Articles. Every person conducting or carrying on the business of collecting, buying or selling at either retail or wholesale, or otherwise dealing in junk, rubbish, waste material, refuse, old rags, sacks, bottles, cans, papers, metals, jewelry, precious metals, rubber, bric-a-brac, cordage, truck or automobile parts and other like articles, whether the same can be sold or otherwise disposed of for the purpose of being treated, repaired or prepared so as to be used again in some other form, shall pay an annual license tax of forty dollars per year.

Q. Movie Theaters and Concert Halls. Every person carrying on the business of conducting a concert hall, or a theater containing a permanent stage upon which moveable scenery and theatrical appliances are used, where regular theatrical or vaudeville performances are given and to which an admission is charged, collected or received, or conducting a moving picture theater where moving or motion pictures are exhibited and an admission fee is charged, collected or received, shall pay an annual license tax of seventy dollars per year.

R. Pawnbrokers. Every person conducting or carrying on the business of pawnbroker shall pay a license tax of one hundred dollars per year.

S. Peddlers and Itinerant Vendors. Every person carrying on the business of peddling or selling services or goods, not having a regular established place of business in the city, shall pay a license tax of three dollars per day, with a maximum of twelve dollars per month.

T. Coin-operated Vending Machines.

1. Definition. The term "coin-operated vending machine," as used in this subsection, includes both game and other machines operated solely for amusement or convenience (e.g., mechanical games, pinball machines, video games, music or jukeboxes, weighing machines, laundry equipment, car wash equipment, etc.) and machines dispensing tangible personal property (e.g., tobacco, food, drink, confections or other merchandise).

2. Game and Convenience Machines. Section 5.04.060 notwithstanding, every person possessing or maintaining, on premises owned or leased by such person, any coin-operated vending machine operated solely for amusement or convenience shall pay an annual license tax of forty dollars per year per machine.

3. Machines Dispensing Tangible Personal Property. Section 5.04.060 notwithstanding, every person possessing or maintaining, on premises owned or leased by such person, any coin-operated vending machine dispensing tangible personal property shall pay an annual license tax in accordance with the following scale:

Unit Sale Price	Annual Tax
1¢ to 5¢, inclusive	$ 2.00
5¢ to 10¢, inclusive	4.00
10¢ to 50¢, inclusive	12.00

Over 50¢	40.00

The term "unit sale price," as used in this subsection, means the maximum price charged for any single item dispensed from the machine to which it applies. The tax shall apply to each machine on the premises, if there be more than one.

4. Vending Machines—Exclusive Business. Section 5.04.060 and subdivisions 2 and 3 of this subsection notwithstanding, any individual or firm whose business is limited exclusively to renting, leasing or operating coin-operated vending machines, as provided in Section 16002.5 of the Business and Professions Code, shall pay a license tax based on gross receipts in accordance with the provisions of Section 5.04.200(A). Any license to conduct a business issued under this chapter in connection with which the city imposes a license tax upon coin-operated vending machines within the city may be revoked for failure of the licensee to report to the city the receipts from such machines.

U. Taxicabs. Every person conducting or carrying on the business of operating a taxicab company shall pay a license tax in accordance with Section 5.04.100.

V. Transportation and Trucking Service.

1. Every person conducting or carrying on the business of transporting goods, wares, merchandise or other materials for hire and providing for transportation and deliveries of goods or other materials either within the city limits or deliveries of goods or other materials from outside the city limits to places within the city limits, or both, shall pay an annual license tax of seventy dollars.

2. Every person not having a fixed place of business within the city who makes wholesale or retail deliveries of goods or services by motor vehicles within the city or who maintains, installs or repairs goods, wares, merchandise or equipment inside the city, or who provides a service not otherwise covered in this section, shall pay an annual license tax of forty dollars.

(Prior code § 12-22)

5.04.240 Exemptions and exclusions.

A. Exemptions. The following are exempted from the payment of a license tax under this chapter:

1. Any charitable institution, organization or association organized and conducted for charitable purposes only. This exemption shall not apply to promoters employed by charitable organizations;

2. Any person conducting, carrying or staging any concert, exhibition, lecture, dance, amusement or entertainment where the receipts, if any, derived therefrom are to be used solely for charitable or benevolent purposes and not for private gain or for the private gain of any person in whole or in part;

3. Any religious, fraternal, educational, military, state, county or municipal organization or association conducting, carrying on or staging any amusement or entertainment concert, exhibition, lecture, dance or athletic event, when the receipts derived are to be wholly for the benefit of the organization and not in the whole or any part for private gain of any person;

4. Any public utility which pays to the city a tax under a franchise or similar agreement;

5. Any honorably discharged or honorably relieved soldier, sailor or marine of the United States who is physically unable to obtain a livelihood by manual labor, and who is a voter of this state, distributing circulars, or hawking, peddling or vending any goods, wares or merchandise owned by him, except spirituous, malt, vinous or other intoxicating liquor.

B. Exclusions. Except as may be otherwise specifically provided in this chapter, the terms of this chapter do not apply to any of the following persons:

1. Banks, including national banking associations, to the extent that a city may not levy a license tax upon them under the provisions of Article 13, Section 16 of the State Constitution;

2. Insurance companies and associations to the extent that a city may not levy a license tax upon them under the provisions of Article 13, Section 28 of the State Constitution;

3. Any person whom the city is not authorized to license under any law or Constitution of the United States or this state. Specifically excluded from "gross receipts," as that term is used in Section 5.04.200 of this chapter, are receipts from the manufacture, importation or sale of alcoholic beverages exempt from local taxation under the provisions of Article XX, Section 22 of the State Constitution;

4. Commercial travelers may be required by the tax collector to file a verified statement claiming to be excluded by the provisions of this section, which shall set forth all facts upon which the exclusion is claimed.

C. Claims for Exemption. Any person desiring to claim exemption from the payment of a license tax and to have a free license issued to him shall make application therefor upon forms prescribed by the tax collector and shall furnish such information and make such affidavits as may be required. Upon the determination being made that the applicant is entitled to exemption from the payment of license taxes for any reason set forth in this chapter, the tax collector, upon the applicant complying with the provisions of this chapter or any other ordinance of the city which may require a permit for the doing of the particular act proposed to be done, shall issue a free license to such person which shall show upon its face that the license tax is exempt.

(Prior code § 12-23)

AGENDA ITEM NO. 3.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Acceptance of the City and Soledad Successor Agency's Audited Financial Statements for Fiscal Year 2022-2023**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Mike Howard, Finance Director**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

It is recommended that the City Council and the Board of Directors of the Soledad Successor Agency accept the City and Successor Agency's Audited Financial Statements for Fiscal Year Ended June 30, 2023.

Executive Summary

Each year the City is required by California Government code sections to conduct an audit of the fiscal year-end financial statements for the General Fund, Special Revenue Funds, and Enterprise Funds by an independent certified public accountant. For fiscal year-end June 30, 2023, the City of Soledad had expenditures greater that $750,000 of Federal Grant Funds, which required what is called a Single Audit. The current auditor's report opinion is that the presented financial statements were free from any material misstatements, or in other words, a "clean audit." Staff is recommending that the Council/Agency Board accept the Audit Report.

Background

The State of California Government Code (sections 25250 & 25253) require all general-purpose local government to issue an annual report on the financial position and activities of that government. The report must be presented in conformance with generally accepted accounting principles (GAAP) and must be audited by an independent firm of certified public accountants (CPA) in conformance with generally accepted auditing standards (GAGAS). The goal of the audit by an independent firm is to provide reasonable assurance that the accounting transactions, practices, and procedures result in fair presentation of the financial position of the organization. In addition, the audit provides the same type of assurance about management's assertions about the adequacy of internal accounting controls to safeguard the assets of the entities.

The City of Soledad received $6.2 million of American Rescue Plan Act funds. In the fiscal year 2022-23, the City expended more than $750,000 of Federal Grant funds which required a more detailed audit

of the City's grant funds receipts and expenditures and the issuance of a Single Audit.

Review & Analysis

The independent auditor has rendered an unqualified audit opinion indicating that the City and Successor Agency are materially in compliance and has accounting records that properly reflect the financial position of those entities. Included in the report is a letter from the auditor stating that the Measure Y and Measure S cash receipts and disbursements have been accounted for in a proper manner. This information will be provided to the City's two oversight committees at their next scheduled meeting.

Financial Considerations

There is no cost associated with the acceptance of the audited financial statements.

Alternatives

- Receive and file audited financial statements for FY 2022-23.
- Postpone the acceptance of the audited report pending clarification if any.

Planning/CEQA

Acceptance of the Auditor's Report is not considered a project for the purposes of CEQA since it has no potential for resulting in either a direct or indirect impact to the environment. (See CEQA Guidelines Section 15378.)

Public Notice Requirements

None required.

Attachment(s):
Independent Auditor's Report and Financial Statements FY 2022-23
Management Report FY 2022-23
Measure Y and S Letter 2023

CITY OF SOLEDAD

INDEPENDENT AUDITOR'S REPORT
AND
FINANCIAL STATEMENTS

JUNE 30, 2023

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BRYANT L. JOLLEY
CERTIFIED PUBLIC ACCOUNTANTS

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INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and City Council
City of Soledad, California

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Soledad (the "City"), California, as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City, as of June 30, 2023, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

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Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.

- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Accounting principles generally accepted in the United States of America require that the budgetary comparison information on pages 46–50, the schedule of the City's proportionate share of net pension liability on page 51, and the schedule of contributions on page 52, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate

operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The accompanying combining and individual nonmajor fund financial statements and schedule of expenditures of federal awards, as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and the schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated June 4, 2024, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

June 4, 2024

CITY OF SOLEDAD

STATEMENT OF NET POSITION
JUNE 30, 2023

	Governmental Activities	Business-Type Activities	Total
ASSETS			
Cash and investments	$ 25,399,809	$ 16,374,182	$ 41,773,991
Cash and investments with fiscal agent	-	457	457
Accounts receivable, net	378,628	2,335,490	2,714,118
Internal balances	(174,769)	174,769	-
Due from other governments	1,550,722	-	1,550,722
Interest receivable	11,102	6,153	17,255
Notes receivable	8,802,532	32,913	8,835,445
Deferred charges	-	2,109,968	2,109,968
Capital assets, net of allowance for depreciation	41,517,265	53,993,167	95,510,432
Total assets	77,485,289	75,027,099	152,512,388
DEFERRED OUTFLOWS OF RESOURCES	3,736,651	593,179	4,329,830
LIABILITIES			
Accounts payable and accrued expense	2,463,700	581,498	3,045,198
Accrued interest payable	974	3,334	4,308
Unearned revenues	172,356	-	172,356
Deposits payable	290,320	181,376	471,696
Long-term liabilities			
Due within one year	42,162	1,693,230	1,735,392
Due in more than one year	55,569	25,511,970	25,567,539
Compensated absences	684,069	281,614	965,683
Lease liability	175,897	69,619	245,516
Net pension liability	6,118,089	793,468	6,911,557
Total liabilities	10,003,136	29,116,109	39,119,245
DEFERRED INFLOWS OF RESOURCES	627,620	80,871	708,491
NET POSITION			
Net investment in capital assets	41,419,534	26,781,357	68,200,891
Restricted for debt service	-	1,542,895	1,542,895
Restricted for long-term notes receivable	8,802,532	-	8,802,532
Restricted for specific projects and programs	14,734,050	-	14,734,050
Unrestricted	5,635,068	18,099,046	23,734,114
Total net position	$ 70,591,184	$ 46,423,298	$ 117,014,482

See accompanying notes.

CITY OF SOLEDAD

STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2023

Functions/Programs	Expense	Program Revenue: Charges for Services	Program Revenue: Operating Grants and Contributions	Program Revenue: Capital Grants and Contributions	Net Revenue/(Expense) and Changes in Net Position: Governmental Activities	Net Revenue/(Expense) and Changes in Net Position: Business-Type Activities	Net Revenue/(Expense) and Changes in Net Position: Total
Primary Government							
Governmental activities							
General government	$ 2,303,478	$ -	$ 3,120,382	$ 2,203,317	$ 3,020,221	$ -	$ 3,020,221
Public works	4,544,560	-	675,858	1,231,778	(2,636,924)	-	(2,636,924)
Community development	1,862,767	773,283	127,660	-	(961,824)	-	(961,824)
Public safety	7,242,594	438,059	248,535	50,040	(6,505,960)	-	(6,505,960)
Community services	1,008,865	181,419	1,860,003	403,583	1,436,140	-	1,436,140
Debt Service							
Interest and fiscal charges	13,073	-	-	-	(13,073)	-	(13,073)
Total governmental activities	16,975,337	1,392,761	6,032,438	3,888,718	(5,661,420)	-	(5,661,420)
Business-type activities							
Water	3,697,345	3,239,730	-	264,404	-	(193,211)	(193,211)
Sewer	6,758,359	7,060,455	-	141,525	-	443,621	443,621
Garbage	3,272,498	4,045,380	44	-	-	772,926	772,926
Total business-type activities	13,728,202	14,345,565	44	405,929	-	1,023,336	1,023,336
Total primary government	$ 30,703,539	$ 15,738,326	$ 6,032,482	$ 4,294,647	(5,661,420)	1,023,336	(4,638,084)
General Revenue							
Property taxes and assessments					5,314,166	-	5,314,166
Sales taxes					5,707,442	-	5,707,442
Franchise and other taxes					179,031	-	179,031
Transient lodging taxes					297,962	-	297,962
Utility users tax					954,565	-	954,565
Business license tax					131,954	-	131,954
Investment income					683,944	383,539	1,067,483
Sale of property					2,002,359	-	2,002,359
Rents and other income					126,707	47,486	174,193
Total general revenue and transfers					15,398,130	431,025	15,829,155
Change in Net Position					9,736,710	1,454,361	11,191,071
Net Position							
Beginning of year					60,854,474	44,968,937	105,823,411
End of year					$ 70,591,184	$ 46,423,298	$ 117,014,482

See accompanying notes.

CITY OF SOLEDAD

BALANCE SHEET – GOVERNMENTAL FUNDS
JUNE 30, 2023

		Special Revenue Funds				Other	Total
	General	American Rescue Plan	Program Income	Park Grant Prop 68	Measure X	Governmental Funds	Governmental Funds
ASSETS							
Cash and investments	$ 7,038,510	$ 5,502,071	$ 451,429	$ -	$ 3,779,988	$ 8,549,013	$ 25,321,011
Accounts receivable	319,752	-	-	-	-	58,876	378,628
Due from other governments	1,183,526	-	-	-	219,317	147,879	1,550,722
Due from other funds	4,469,477	-	-	-	-	-	4,469,477
Interest receivable	4,224	2,033	166	-	1,397	3,253	11,073
Notes receivable	-	-	6,438,579	-	-	2,363,953	8,802,532
Total assets	$ 13,015,489	$ 5,504,104	$ 6,890,174	$ -	$ 4,000,702	$ 11,122,974	$ 40,533,443
LIABILITIES							
Accounts payable and accrued expense	534,714	878,524	-	$ 712,006	18,199	309,488	2,452,931
Unearned revenues	172,356	-	-	-	-	-	172,356
Due to other funds	-	-	-	3,906,353	-	563,124	4,469,477
Advance from other funds	-	-	-	-	-	174,769	174,769
Deposits and other liabilities	290,320	-	-	-	-	-	290,320
Total liabilities	997,390	878,524	-	4,618,359	18,199	1,047,381	7,559,853
DEFERRED INFLOWS OF RESOURCES							
Unavailable revenues	-	-	6,438,579	-	-	2,363,953	8,802,532
Total deferred inflows of resources	-	-	6,438,579	-	-	2,363,953	8,802,532
FUND BALANCE							
Restricted							
Capital improvement projects	1,833,933	-	-	-	-	1,956,448	3,790,381
Circulation improvements	-	-	-	-	3,982,503	1,574,603	5,557,106
Lighting, landscape & park maintenance	-	-	-	-	-	2,790,976	2,790,976
Public safety programs	-	-	-	-	-	760,445	760,445
Low-income housing activities	-	-	451,595	-	-	1,383,547	1,835,142
Committed for contingency reserve	1,500,000	-	-	-	-	-	1,500,000
Unassigned	8,684,166	4,625,580	-	(4,618,359)	-	(754,379)	7,937,008
Total fund balance	12,018,099	4,625,580	451,595	(4,618,359)	3,982,503	7,711,640	24,171,058
Total liabilities, deferred inflows of resources, and fund balance	$ 13,015,489	$ 5,504,104	$ 6,890,174	$ -	$ 4,000,702	$ 11,122,974	$ 40,533,443

See accompanying notes.

CITY OF SOLEDAD

RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION
JUNE 30, 2023

Total governmental fund balance	$ 24,171,058
Amounts reported for governmental activities in the Statement of Net Position are different because:	
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the governmental funds	41,517,265
Governmental long-term liabilities are not due and payable in the current period and, therefore, are not reported in the governmental funds	(273,628)
Compensated absences are not due and payable in the current period and, therefore, are not reported in the governmental funds	(684,069)
Net pension liability applicable to governmental activities are not due and payable in the current period and accordingly is not reported in the governmental funds	(6,118,089)
Deferred outflows of resources related to net pension liability, represent an consumption of net pension or fund balance that applies to future period(s) and so will not be recognized as an outflow of resources (revenue) until that time	3,736,651
Deferred inflows of resources related to net pension liability, represent an acquisition of net pension or fund balance that applies to future period(s) and so will not be recognized as an inflow of resources (revenue) until that time	(627,620)
Interest on long-term debt is reported as an expenditure of the Governmental Funds when paid because it requires the use of current financial resources. However, accrued interest must be recorded when incurred	(974)
Internal service funds are used by management to charge the costs of fleet maintenance and computer services to individual funds. The assets and liabilities of the internal service fund are included in governmental activities in the Statement of Net Position.	68,058
Certain revenues in Governmental Funds are deferred because they are not collected within the prescribed time period after fiscal year end. Those revenues are recognized on the accrual basis in Governmental Activities	8,802,532
Net position of governmental activities	$ 70,591,184

See accompanying notes.

CITY OF SOLEDAD

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2023

		Special Revenue Funds				Other	Total
	General	American Rescue Plan	Program Income	Park Grant Prop 68	Measure X	Governmental Funds	Governmental Funds
Revenue							
Taxes and assessments	$ 11,119,318	$ -	$ -	$ -	$ 843,992	$ 1,462,215	$ 13,425,525
Licenses, permits and impact fees	940,874	-	-	-	-	1,243,343	2,184,217
Intergovernmental	2,181,007	3,109,757	-	1,754,406	15,680	804,192	7,865,042
Charges for services	192,044	-	-	-	-	-	192,044
Fines and forfeitures	46,071	-	-	-	-	-	46,071
Rents	78,601	-	-	-	-	-	78,601
Interest	241,349	141,750	10,669	-	80,955	208,784	683,507
Loan repayments	-	-	64,705	-	-	16,991	81,696
Other	75,197	-	-	-	-	52,078	127,275
Total revenue	14,874,461	3,251,507	75,374	1,754,406	940,627	3,787,603	24,683,978
Expenditures							
Current							
General government	2,008,890	-	-	-	-	-	2,008,890
Public works	2,025,104	-	-	-	90,460	1,603,891	3,719,455
Community development	846,142	226,760	5,121	-	-	812,346	1,890,369
Public safety	6,538,166	-	-	-	-	39,990	6,578,156
Community services	600,885	-	-	16,017	-	236,364	853,266
Capital outlay	1,685,121	1,511,787	-	6,068,606	-	847,630	10,113,144
Debt Service							
Principal	122,078	-	-	-	-	-	122,078
Interest and fiscal charges	6,392	-	-	-	-	6,681	13,073
Total expenditures	13,832,778	1,738,547	5,121	6,084,623	90,460	3,546,902	25,298,431
Revenue over/(under) expenditures	1,041,683	1,512,960	70,253	(4,330,217)	850,167	240,701	(614,453)
Other Financing Sources/(Uses)							
Sale of property	2,002,359	-	-	-	-	-	2,002,359
Transfers in/(out) - net	(151,259)	-	-	-	-	151,259	-
	1,851,100	-	-	-	-	151,259	2,002,359
Change in Fund Balance	2,892,783	1,512,960	70,253	(4,330,217)	850,167	391,960	1,387,906
Fund Balance							
Beginning of year	9,125,316	3,112,620	381,342	(288,142)	3,132,336	7,319,680	22,783,152
End of year	$ 12,018,099	$ 4,625,580	$ 451,595	$ (4,618,359)	$ 3,982,503	$ 7,711,640	$ 24,171,058

See accompanying notes.

CITY OF SOLEDAD

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2023

Net change in fund balance - total governmental funds	$ 1,387,906
Amounts reported for governmental activities in the Statement of Activities are different because:	
Depreciation expense on capital assets is reported in the Statement of Activities, but they do not require the use of current financial resources. Therefore, depreciation expense is not required as expenditures in Governmental Funds	
Depreciation and amortization expense	(1,301,560)
Capital outlay	10,113,143
Issuance of long-term notes receivable is unavailable in governmental funds, but the issuance is recorded as revenues in the statement of activities	218,338
Repayment of long-term notes receivable is revenue in governmental funds, but the repayment reduces long-term assets in the statement of net position	(107,199)
Repayment of long-term debt is an expenditure in governmental funds, but the repayment reduces long-term liabilities in the statement of net position	122,078
Pension expenses reported in the Statement of Activities do no require the use of current financial resources and, therefore, are not reported as expenditures in the Governmental Funds	(721,873)
Internal service funds are used by management to charge the costs of fleet maintenance and computer services to individual funds. The net revenue (loss) of certain activities of internal service funds is reported with governmental activities	(69,228)
Compensated absence costs in the Statement of Activities does not require the use of current financial resources and, therefore, is not reported as expenditures in Governmental Funds	95,105
Change in net position of governmental activities	$ 9,736,710

CITY OF SOLEDAD

STATEMENT OF NET POSITION – PROPRIETARY FUNDS
JUNE 30, 2023

	Business-Type Activities - Enterprise Funds				
	Water	Sewer	Garbage	Total Proprietary Funds	Governmental Activities Internal Service Fund
ASSETS					
Current assets					
Cash and investments	$ 2,565,842	$ 12,239,853	$ 1,568,487	$ 16,374,182	$ 78,798
Cash and investments with fiscal agent	457	-	-	457	-
Accounts receivable	432,244	1,321,966	581,280	2,335,490	-
Interest receivable	1,078	4,484	591	6,153	29
Total current assets	2,999,621	13,566,303	2,150,358	18,716,282	78,827
Non-current assets					
Loan receivable	25,349	7,564	-	32,913	-
Deferred charges	-	2,109,968	-	2,109,968	-
Advances to other funds	-	174,769	-	174,769	-
Property, plant and equipment, net of allowance for depreciation	9,016,246	44,970,311	6,610	53,993,167	-
Total assets	12,041,216	60,828,915	2,156,968	75,027,099	78,827
DEFERRED OUTFLOWS OF RESOURCES	259,006	255,473	78,700	593,179	-
LIABILITIES					
Current liabilities					
Accounts payable and accrued expenses	154,510	168,488	258,500	581,498	10,769
Accrued interest	3,334	-	-	3,334	-
Unearned revenues	25,349	7,564	-	32,913	-
Deposits	79,656	41,080	60,640	181,376	-
Current portion of long-term debt	150,792	1,542,438	-	1,693,230	-
Total current liabilities	413,641	1,759,570	319,140	2,492,351	10,769
Non-current liabilities					
Long-term debt	832,960	24,679,010	-	25,511,970	-
Lease liability	69,619	-	-	69,619	-
Net pension liability	346,460	341,735	105,273	793,468	-
Compensated absences	87,675	156,477	37,462	281,614	-
Total noncurrent liabilities	1,336,714	25,177,222	142,735	26,656,671	-
Total liabilities	1,750,355	26,936,792	461,875	29,149,022	10,769
DEFERRED INFLOWS OF RESOURCES	20,941	20,655	6,362	47,958	-
NET POSITION					
Net investment in capital assets	8,032,494	18,748,863	-	26,781,357	-
Restricted for debt service	457	1,542,438	-	1,542,895	-
Unrestricted/(deficit)	2,495,975	13,835,640	1,767,431	18,099,046	68,058
Total net position/(deficit)	$ 10,528,926	$ 34,126,941	$ 1,767,431	$ 46,423,298	$ 68,058

See accompanying notes.

CITY OF SOLEDAD

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION – PROPRIETARY FUNDS
YEAR ENDED JUNE 30, 2023

	Business-Type Activities - Enterprise Funds				
	Water	Sewer	Garbage	Total Proprietary Funds	Governmental Activities Internal Service Fund
Operating Revenue					
Charges for services	$ 3,239,730	$ 7,060,455	$ 4,045,380	$ 14,345,565	$ 1,146,624
Total operating income	3,239,730	7,060,455	4,045,380	14,345,565	1,146,624
Operating Expense					
Contractual services and utilities	965,155	1,962,042	2,763,893	5,691,090	1,218,762
Personnel	1,321,353	2,315,408	434,865	4,071,626	-
Supplies and materials	972,775	1,066,378	62,761	2,101,914	-
Depreciation	412,207	1,166,631	10,978	1,589,816	-
Total operating expense	3,671,490	6,510,459	3,272,497	13,454,446	1,218,762
Operating income/(loss)	(431,760)	549,996	772,883	891,119	(72,138)
Nonoperating Revenue/(Expense)					
Intergovernmental	-	-	42	42	-
Development impact fees	264,404	141,525	-	405,929	-
Other income	8,541	-	38,945	47,486	-
Interest income	66,712	285,059	31,768	383,539	2,910
Interest expense	(25,854)	(247,900)	-	(273,754)	-
Total nonoperating revenue/(expense)	313,803	178,684	70,755	563,242	2,910
Change in Net Position	(117,957)	728,680	843,638	1,454,361	(69,228)
Net Position					
Beginning of year	10,646,883	33,398,261	923,793	44,968,937	137,286
End of year	$ 10,528,926	$ 34,126,941	$ 1,767,431	$ 46,423,298	$ 68,058

See accompanying notes.

CITY OF SOLEDAD

STATEMENT OF CASH FLOWS - PROPRIETARY FUNDS
YEAR ENDED JUNE 30, 2023

	Business-Type Activities - Enterprise Funds				Governmental Activities
	Water	Sewer	Garbage	Total Business-Type Funds	Internal Service Fund
Operating Activities					
Receipts from customers and users	$ 3,224,693	$ 6,745,659	$ 4,010,233	$ 13,980,585	$ 1,147,352
Payments for contractual services and utilities	(922,848)	(1,819,786)	(2,750,677)	(5,493,311)	(1,215,306)
Payments to employees	(1,300,106)	(2,255,908)	(419,845)	(3,975,859)	-
Payment to suppliers	(972,775)	(1,066,378)	(62,761)	(2,101,914)	-
Net cash provided by (used in) operating activities	28,964	1,603,587	776,950	2,409,501	(67,954)
Non-capital Financial Activities					
Payments from developers	272,945	141,525	38,987	453,457	-
Proceeds from other government	-	(7,564)	-	(7,564)	-
Payments (to)/from other funds	5,779	206,992	-	212,771	-
Net cash provided by (used in) noncapital financing activities	278,724	340,953	38,987	658,664	-
Capital and Related Financing Activities					
Purchase of property, plant and equipment	(34,064)	(130,792)	-	(164,856)	-
Principal paid on long-term debt	(214,617)	(1,542,438)	-	(1,757,055)	-
Interest paid on long-term debt	(26,103)	(247,900)	-	(274,003)	-
Net cash provided by (used in) capital and related financing activities	(274,784)	(1,921,130)	-	(2,195,914)	-
Investing Activities					
Interest received	66,563	284,603	31,702	382,868	2,931
Net cash provided by investing activities	66,563	284,603	31,702	382,868	2,931
Net Increase (Decrease) in Cash	99,467	308,013	847,639	1,255,119	(65,023)
Cash					
Beginning of year	2,466,832	11,931,840	720,848	15,119,520	143,821
End of year	$ 2,566,299	$ 12,239,853	$ 1,568,487	$ 16,374,639	$ 78,798
Cash Flows from Operating Activities					
Operating income (loss)	$ (431,760)	$ 549,996	$ 772,883	$ 891,119	$ (72,138)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:					
Depreciation	412,207	1,166,631	10,978	1,589,816	-
(Increase) Decrease in Accounts Receivable	(11,365)	(324,490)	(37,597)	(373,452)	728
(Increase) Decrease in Deferred Charges	-	247,900	-	247,900	-
(Increase) Decrease in Deferred Outflow of Resources	(144,208)	(142,242)	(43,819)	(330,269)	-
Increase (Decrease) in Unearned Revenues	(5,779)	7,564	-	1,785	-
Increase (Decrease) in Deposits	2,107	2,130	2,450	6,687	-
Increase (Decrease) in Compensated Absences	(60,646)	(21,277)	(9,863)	(91,786)	-
Increase (Decrease) in Net Pension Liability	279,054	275,250	84,792	639,096	-
Increase (Decrease) in Deferred Inflow of Resources	(52,953)	(52,231)	(16,090)	(121,274)	-
Increase (Decrease) in Accounts Payable and Accrued Liabilities	42,307	(105,644)	13,216	(50,121)	3,456
Net Cash Provided (Used) by Operating Activities	$ 28,964	$ 1,603,587	$ 776,950	$ 2,409,501	$ (67,954)

See accompanying notes.

CITY OF SOLEDAD

STATEMENT OF FIDUCIARY ASSETS AND LIABILITIES – CUSTODIAL FUNDS
JUNE 30, 2023

	The Vineyards Assessment District	Diamond Ridge Assessment District	Total
ASSETS			
Cash and investments	$ 111,232	$ 710,260	$ 821,492
Cash and investments with fiscal agent	130,586	155,999	286,585
Interest receivable	41	263	304
Total assets	241,859	866,522	1,108,381
LIABILITIES			
Accounts payable	-	-	-
Total liabilities	$ -	$ -	$ -
NET POSITION			
Restricted for other governments	241,859	866,522	1,108,381
Total net position	$ 241,859	$ 866,522	$ 1,108,381

CITY OF SOLEDAD

STATEMENT OF CHANGES IN FIDUCIARY NET POSITION – CUSTODIAL FUNDS
JUNE 30, 2023

	The Vineyards Assessment District	Diamond Ridge Assessment District	Total
ADDITIONS			
Property taxes	$ 267,740	$ 320,364	$ 588,104
Interest revenue	3,711	16,532	20,243
Total additions	271,451	336,896	608,347
DEDUCTIONS			
Professional services	$ 2,075	$ 5,075	$ 7,150
Loan payment	180,000	155,000	335,000
Interest expense	68,456	145,896	214,352
Total deductions	250,531	305,971	556,502
Change in Net Position	20,920	30,925	51,845
NET POSITION			
Beginning of year	220,939	835,597	1,056,536
End of year	$ 241,859	$ 866,522	$ 1,108,381

CITY OF SOLEDAD

STATEMENT OF FIDUCIARY NET POSITION
PRIVATE-PURPOSE TRUST FUND – SUCCESSOR AGENCY
JUNE 30, 2023

Assets		
Cash and investments		
Held in City Treasury	$	1,558,227
Held with trustees		9,243
Land held for redevelopment		180,000
Land		4,273,968
Total assets		6,022,014
Liabilities		
Interest payable		24,706
Long-term debt		
Due within one year		920,000
Due in more than one year		8,845,000
Total liabilities		9,789,706
Net Position		
Held in trust for other governments	$	(3,767,692)

CITY OF SOLEDAD

STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
PRIVATE-PURPOSE TRUST FUND – SUCCESSOR AGENCY
JUNE 30, 2023

Additions	
Property taxes	$ 1,237,923
Investment earnings and other	11,768
Total additions	1,249,691
Deductions	
Administrative costs	11,696
Interest expense	305,119
Total deductions	316,815
Change In Net Position	932,876
Net Position	
Beginning of year	(4,700,568)
End of year	$ (3,767,692)

Note 1 – Summary of Significant Accounting Policies

The financial statements of the City of Soledad (the City) have been prepared in conformity with Accounting Principles Generally Accepted in the United States of America (GAAP) as applicable to governmental entities. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles.

These financial statements present the government and its component units, entities for which the City is considered to be financially accountable. Blended component units, although legally separate entities are, in substance, part of the government's operations and data from these units are combined with data of the primary government. Each blended component unit has a June 30 fiscal year end. There are no discretely presented component units included in these financial statements. The following sections further describe the significant accounting policies of the City.

Reporting Entity

The City of Soledad is a municipal incorporation, operating as a general law city, and governed by a city council of five members, under the general laws of the State of California. The City operates under a Council-Manager form of government and provides the following services: general government, public safety, public works, facilities/transportation, culture and leisure, and public utilities.

Also included in this report is the Soledad Public Financing Authority (SPFA). The SPFA is governed by the City officers. Although it is legally separate from the City, the SPFA is reported as if it were part of the primary government because its sole purpose is to finance and construct the City's public facilities.

Basis of Presentation – Fund Accounting

Government-Wide Financial Statements - The Government-Wide Financial Statements (the Statement of Net Position and the Statement of Activities) report information of all of the nonfiduciary activities of the primary government and its component units. Eliminations have been made to minimize the double counting of internal activities. These statements distinguish between the governmental and business-type activities of the City. Governmental activities, which normally are supported by taxes and inter-governmental revenues, are reported separately from business-type activities, which rely significantly on fees charged to external parties.

The Statement of Activities presents a comparison between direct expenses and program revenues for each segment of the business-type activities of the City and for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and are clearly identifiable to a particular function. Program revenues include 1) charges paid by the recipients of goods or services offered by the programs and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Note 1 – Summary of Significant Accounting Policies (Continued)

Net position are restricted when constraints placed on them are either externally imposed or are imposed by constitutional provisions or enabling legislation. Internally imposed designations of resources are not presented as restricted net position. When both restricted and unrestricted resources are available for use, generally, it is the City's policy to use restricted resources first, then unrestricted resources as they are needed.

Governmental Fund Financial Statements - The Governmental Fund Financial Statements provide information about the City's funds, including fiduciary funds and the blended component units. Separate statements for each fund category - governmental, proprietary and fiduciary - are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental funds are separately aggregated and reported as non-major funds.

Proprietary fund operating revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. Non-operating revenues, such as subsidies and investment earnings, result from non-exchange transactions or ancillary activities.

The City reports the following major governmental funds:

General Fund – The General Fund is the general operating fund of the City. It is used for all financial resources except those required legally, or by sound financial management to be accounted for in another fund. Generally, the General Fund is used to account for those traditional governmental services of the City, such as police and fire protection, planning and general administrative services.

American Rescue Plan Fund – This fund accounts for pandemic related funding received and costs related to the pandemic.

Program Income Fund – This fund accounts for program income received and expenditures related to housing assistance loans for low income individuals.

Park Grant (Prop 68) Fund – This fund accounts for program income received and expenditures related to park grants.

Measure X Fund – The fund is used to account for the City's Transportation Safety and Investment Plan activities, which include transportation safety and mobility projects such as Pinnacles Parkway, Metz Road Traffic calming project, and Highway 101 South County frontage roads.

The City reports the following major enterprise funds:

Water Fund – The Water Fund accounts for the operation and maintenance of the City's water treatment and
water transmission and distribution systems.

Sewer Fund – The Sewer Fund accounts for the operation and maintenance of the City's sewer system.

Garbage Fund - The Garbage Fund accounts for the operation and maintenance of the City's garbage system.

Note 1 – Summary of Significant Accounting Policies (Continued)

The City reports the following additional fund types:

Internal Service Fund – The Internal Service Fund accounts for medical benefits provided to other departments or agencies of the government, on a cost reimbursement basis.

Custodial Funds – The Custodial Funds account for assets held by the City as an agent for various local governments or other entities. These funds are custodial in nature (assets equal liabilities) and do not involve measurement of results of operations.

Private-Purpose Trust Funds – The Private-Purpose Trust Fund accounts for assets held by the City as trustee for the Successor Agency.

Basis of Accounting

The Government-Wide and Proprietary Fund Financial Statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Nonexchange transactions, in which the City gives (or receives) value without directly receiving (or giving) equal value in exchange, include property and sales taxes, grants, entitlements and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenues from sales tax are recognized when the underlying transactions take place. Revenues from grants, entitlements and donations are recognized in the fiscal year in which all eligible requirements have been satisfied.

Governmental Funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Property and sales taxes, interest, certain state and federal grants and charges for services are accrued when their receipt occurs within sixty days after the end of the accounting period so as to be both measurable and available. Expenditures are generally recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, claims and judgments are recorded only when payment is due. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and capital leases are reported as other financing sources.

Proprietary Funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a Proprietary Fund's principal ongoing operations. Revenues and expenses not meeting this definition are reported as non-operating.

Financial Statement Amounts

Cash and Cash Equivalents – Cash and cash equivalents represent the City's cash bank accounts including, but not limited to, certificates of deposit, money market funds and cash management pools for reporting purposes in the Statement of Cash Flows. Additionally, investments with maturities of three months or less when purchased are included as cash equivalents in the Statement of Cash Flows.

Note 1 – Summary of Significant Accounting Policies (Continued)

The City maintains a cash and investment pool that is available for use by all funds. Interest earnings as a result of this pooling are distributed to the appropriate funds based on month end cash balances in each fund.

Investments of the pool include only those investments authorized by the California Government Code such as, United States Treasury securities, agencies guaranteed by the United States Government, registered state warrants, and other investments. Investments primarily consist of deposits in the State of California Local Agency Investment Fund and certificates of deposit. Investments are recorded at amortized cost or fair value. Fair value is based upon quoted market prices.

Accounts Receivable – Billed, but unpaid, services provided to individuals or non-governmental entities are recorded as accounts receivable. The Proprietary Funds include a year end accrual for services through the end of the fiscal year which have not yet been billed. Accounts receivable are reported net of an allowance for uncollectibles.

Monterey County is responsible for the assessment, collection and apportionment of property taxes for all taxing jurisdictions. Property taxes are levied in equal installments on November 1 and February 1. They become delinquent on December 10 and April 10, respectively. The lien date is January 1 of each year. Property taxes are accounted for in the General Fund. Property tax revenues are recognized when they become measurable and available to finance current liabilities. The City considers property taxes as available if they are collected within 60 days after year end. Property tax on the unsecured roll are due on the January 1 lien date and become delinquent if unpaid on August 31. However, unsecured property taxes are not susceptible to year end accrual.

Interfund Receivables/Payables – Items classified as interfund receivable/payable represent short-term lending/borrowing transactions between funds. This classification also includes the current portion of an advance to or from another fund.

Advances To/From Other Funds – This classification represents non-current portions of any long-term lending/borrowing transactions between funds. This amount will be equally offset by a reserve of fund balance which indicates that it does not represent available financial resources and therefore, is not available for appropriation. The current portion of any interfund long-term loan (advance) is included as an interfund receivable/payable.

Capital Assets – Capital outlays are recorded as expenditures of the General, Special Revenue, and Capital Projects Funds and as assets in the Government-Wide Financial Statements to the extent the City's capitalization threshold is met.

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities column in the Government-Wide Financial Statements. Capital assets are defined by the government as assets with an initial individual cost of more than $10,000 for roadways and $5,000 for all other assets, and an estimated useful life of at least three years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

Note 1 – Summary of Significant Accounting Policies (Continued)

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Betterments and major improvements which significantly increase values, change capacities or extend useful lives are capitalized. Upon sale or retirement of fixed assets, the cost and related accumulated depreciation are removed from the respective accounts and any resulting gain or loss is included in the results of operations.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest incurred during the construction phase of capital assets of business-type activities are included as part of the capitalized value of the assets constructed.

Property, plant, and equipment of the primary government, as well as the component units, are depreciated using the straight line method over the following estimated useful lives:

	Years
Buildings	40
Improvements	10 - 40
Equipment	5 - 10
Streets	30
Parks	40
Curbs and Gutters	40
Storm Drains	75
Signs and Streetlights	4 - 30

Compensated Absences – Vacation time may be accumulated up to two years entitlement. Cash compensation for accrued vacation is generally not payable until the employee terminates employment with the City.

In fiscal year 1986, the City adopted a policy whereby classified employees with accumulated vacation pay in excess of thirty days may elect to receive one cash payment for up to ten days in excess of the thirty days maximum accrual. Staff with less than thirty days accrued are not eligible to participate in the vacation buy back program.

Cash compensation for unused sick leave is payable to employees only upon termination of employment with the City and is limited to a maximum of 15 days payable upon resignation or dismissal or 30 days payable upon retirement. The calculation is done in accordance with Governmental Accounting Standards Board Statement No. 16.

Long-Term Obligations – In the Government-Wide Financial Statements and in the Proprietary Fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or Proprietary Fund Type Statement of Net Position. Debt principal payments of both government and business-type activities are reported as decreases in the balance of the liability on the Statement of Net Position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount.

Note 1 – Summary of Significant Accounting Policies (Continued)

In the fund financial statements, however, debt principal payments of Governmental Funds are recognized as expenditures when paid. Governmental Fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Pension – For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City's California Public Employee Retirement System (CalPERS) plan and additions to/deduction from the Plan's fiduciary net position have been determined on the same basis as they are reported by CalPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Unearned Revenue – Unearned revenue is that for which asset recognition criteria have been met, but for which revenue recognition criteria have not been met. The City typically records unearned revenue related to uncollected outstanding performing loans and intergovernmental revenues received but not earned (qualifying expenditures not yet incurred).

Leases – The City is a lessee for a noncancellable lease of equipment. The City recognizes a lease liability and an intangible right-to-use lease asset (lease asset) in the government-wide and enterprise fund financial statements. The City recognizes lease liabilities with an initial, individual value of $5,000 or more.

At the commencement of a lease, the City initially measures the lease liability at the present value of payments expected to be made during the lease term. Subsequently, the lease liability is reduced by the principal portion of lease payments made. The lease asset is initially measured as the initial amount of the lease liability, adjusted for lease payments made at or before the lease commencement date, plus certain initial direct costs. Subsequently, the lease asset is amortized on a straight-line basis over its useful life.

Key estimates and judgments related to leases include how the City determines (1) the discount rate it uses to discount the expected lease payments to present value, (2) lease term, and (3) lease payments.

- The City uses the interest rate charged by the lessor as the discount rate. When the interest rate charged by the lessor is not provided, the City generally uses its estimated incremental borrowing rate as the discount rate for leases.
- The lease term includes the noncancellable period of the lease. Lease payments included in the measurement of the lease liability are composed of fixed payments and purchase option price that the City is reasonably certain to exercise.

The City monitors changes in circumstances that would require a remeasurement of its lease and will remeasure the lease asset and liability if certain changes occur that are expected to significantly affect the amount of the lease liability.

Note 1 – Summary of Significant Accounting Policies (Continued)

Lease assets are reported with other capital assets and lease liabilities are reported with long-term debt on the statement of net position.

Non-Current Governmental Assets/Liabilities – GASB Statement No. 34 eliminates the presentation of account groups, but provides for these records to be maintained and incorporates the information into the Governmental Activities column in the Government-Wide Statement of Net Position.

Net Position – The government-wide and business-type activities financial statements utilize a net position presentation. Net position is categorized as net investment in capital assets, restricted and unrestricted.

- Net Investment in Capital Assets – This category groups all capital assets, including infrastructure, into one component of net position. Accumulated depreciation and the outstanding balances of debt that are attributable to the acquisition, construction or improvement of these assets reduce the balance in this category.

  Restricted Net Position – This category presents external restrictions on net position imposed by creditors, grantors, contributors, laws or regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation.

- Unrestricted Net Position – This category represents net position of the City not restricted for any project or other purpose.

Fund Balance – In the fund financial statements, governmental fund balance is made up of the following components:

- Nonspendable fund balance typically includes inventories, prepaid items, and other items that must be maintained intact pursuant to legal or contractual requirements, such as endowments.

- Restricted fund balance category includes amounts that can be spent only for specific purposes imposed by creditors, grantors, contributors, or laws or regulations of other governments or through enabling legislations.

- Committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the City Council. The City Council has the authority to establish, modify, or rescind a fund balance commitment.

- Assigned fund balance are amounts designated by the City Council for specific purposes and do not meet the criteria to be classified as restricted or committed.

- Unassigned fund balance is the residual classification that includes all spendable amounts in the General Fund not contained in other classifications.

Note 1 – Summary of Significant Accounting Policies (Continued)

When expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) fund balances are available, the City's policy is to apply restricted first. When expenditures are incurred for purposes for which committed, assigned, or unassigned fund balances are available, the City's policy is to apply committed fund balance first, then assigned fund balance, and finally unassigned fund balance.

Use of Estimates – The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

Note 2 – Stewardship, Compliance and Accountability

California law authorizes the City to invest in obligations of the United States Treasury, agencies and instrumentalities, certificates of deposit or time deposits in banks and savings and loan associations which are insured by the Federal Deposit Insurance Corporation.

Note 3 – Cash and Investments

In accordance with applicable sections of the California Government Code and the Soledad Municipal Code, the City prepares and legally adopts an annual balanced budget on a basis consistent with accounting principles generally accepted in the United States of America. Annual appropriated budgets are adopted for the General Fund, specific Special Revenue Funds, and specific Capital Projects Funds. Budget plans are adopted for Proprietary Funds. A proposed budget is presented to the City Council during May of each year for review. The Council holds public hearings and may add to, subtract from, or change appropriations within the revenues and reserves estimated as available. Expenditures may not legally exceed budgeted appropriations at the fund level. Supplementary appropriations which alter the total expenditures of any fund, or expenditures in excess of total budgeted fund appropriations, must be approved by the City Council.

All annual appropriations lapse at fiscal year end to the extent they have not been expended or encumbered.

The City pools all of its cash and investments except those funds required to be held by outside fiscal agents under the provisions of bond indentures. Interest income earned on pooled cash is allocated to the various funds on average cash balances. Interest income from cash investments held with fiscal agents is credited directly to the related funds.

Note 3 – Cash and Investments (continued)

Cash and investments as of June 30, 2023, are classified in the accompanying financial statements as follows:

Statement of Net Position:	
Cash and Investments	$ 41,773,991
Cash and Investments with Fiscal Agent	457
Fiduciary Funds:	
Cash and Investments	2,379,719
Cash and Investments with Fiscal Agent	295,828
Total Cash and Investments	$ 44,449,995

Cash and investments as of June 30, 2023, consist of the following:

Cash on hand	$ 2,380
Deposits with Financial Institutions	41,842,035
Local Agency Investment Fund	2,309,498
Held by Fiscal Agent:	
Money Market	286,840
U.S. Treasury Obligations	9,243
Total Cash and Investments	$ 44,449,995

Fair Value Measurements

The framework for measuring fair value provides a fair value hierarchy that categorizes the inputs to valuation techniques used to measure fair value into three levels. The fair value hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1) and lowest priority to unobservable inputs (Level 3). The three levels of the fair value hierarchy are described as follows:

Level 1: Inputs to the valuation methodology are quoted prices (unadjusted) for identical assets or liabilities in active markets that a government can access at the measurement date.

Level 2: Inputs to valuation methodology include inputs – other than quoted prices included within Level 1 – that are observable for an asset or liability, either directly or indirectly.

Level 3: Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's or liability's fair value measurement level within a fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Note 3 – Cash and Investments (continued)

Following is a description of the valuation methodologies used for assets measured at fair value.

LAIF is valued based on the City's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (Level 2 input).

The City had the following recurring fair value measurements as of June 30, 2023:

	Level 1	Level 2	Level 3	June 30, 2023 Balance
Investments by fair value level:				
Equity Securities:				
LAIF	$ -	$ 2,309,498	$ -	$ 2,309,498
Total Equity Securities	-	2,309,498	-	2,309,498
Cash and cash equivalents carried at amortized cost:				
Deposits and cash on hand				41,844,415
Money Market Mutual Funds				286,840
U.S Treasury Obligation				9,243
Total Investments amortized at cost				42,140,497
Total Cash and Investments				$ 44,449,995

Investments Authorized by the California Government Code and the City's Investment Policy

The table below identifies the investment types that are authorized for the City by the California Government Code (or the City's investment policy, where more restrictive). The table also identifies certain provisions of the California Government Code (or the City's investment policy, where more restrictive) that address interest rate risk, credit risk, and concentration of credit risk. The City's investment policy does not contain any specific provisions intended to limit the City's exposure to interest rate risk, credit risk, and concentration of credit risk. This table does not address investments of debt proceeds held by bond trustee that are governed by the provisions of debt agreements of the City, rather than the general provisions of the California Government Code or the City's investment policy.

Note 3 – Cash and Investments (continued)

Authorized Investment Type	Maximum Maturity	Maximum Percentage of Portfolio	Maximum Investment In One Issuer
Local Agency Bonds	5 years	None	None
U.S. Treasury Obligations	5 years	None	None
U.S. Agency Securities	5 years	None	None
Banker's Acceptances	180 days	40%	30%
Commercial Paper	270 days	25%	10%
Negotiable Certificates of Deposit	5 years	30%	None
Repurchase Agreements	1 year	20%	None
Reverse Repurchase Agreements	92 days	20%	None
Medium-Term Notes	5 years	30%	None
Mutual Funds	N/A	20%	10%
Money Market Mutual Funds	N/A	20%	10%
Mortgage Pass-Through Securities	2 years	20%	None
County Pooled Investment Funds	1 year	20%	None
Local Agency Investment Fund (LAIF)	N/A	None	None
JPA Pools (other investment pools)	N/A	None	None

Investments Authorized by Debt Agreements

Investments of debt proceeds held by bond trustee are governed by provisions of the debt agreements, rather than the general provisions of the California Government Code or the City's investment policy. The table below identifies the investment types that are authorized for investments held by the bond trustee. The table also identifies certain provisions of these debt agreements that address interest rate risk, credit risk, and concentration of credit risk.

Authorized Investment Type	Maximum Maturity	Maximum Percentage of Portfolio	Maximum Investment In One Issuer
U.S. Treasury Obligations	None	None	None
U.S. Agency Securities	None	None	None
Banker's Acceptances	180 days	None	None
Commercial Paper	270 days	None	None
Money Market Mutual Funds	N/A	None	None
Investment Contracts	None	None	None
Certificates of Deposits	1 year	None	None
Repurchase Agreements	30 days	None	None
Local Agency Investment Fund (LAIF)	N/A	None	None
Municipal Bonds	None	None	None

Note 3 – Cash and Investments (continued)

Disclosures Relating to Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The City's investment in the investment pools are available for withdraw in one business day and have an overall maturity of less than one year.

Disclosures Relating to Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. The City's investments in the investment pools are unrated.

Concentration of Credit Risk

The investment policy of the City contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code. There are no investments in any one issuer that represent 5% or more of total City investments (external investment pools and mutual funds are excluded from this disclosure requirement).

Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The California Government Code and the City's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure City deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

The custodial risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the City's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for investments. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools (such as LAIF).

GASB Statement No. 40 requires that the following disclosure be made with respect to custodial credit risks relating to deposits and investments: The City did not have any deposits with financial institutions in excess of federal depository insurance limits and held in uncollateralized accounts.

Note 3 – Cash and Investments (continued)

Investment in State Investment Pool

The City is a voluntary participant in the Local Agency Investment Fund (LAIF) that is regulated by the California Government Code under the oversight of the Treasurer of the State of California. The fair value of the City's investment in this pool is reported in the accompanying financial statements at amounts based upon the City's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis.

Note 4 – Notes Receivables

Notes receivable and deferred loans consisted of the following at June 30, 2023:

Orchard Gabilan Associates, L.P. – The HOME Investment Partnership Grant program approved $1,600,000 of grant funds to be made available for local development of an affordable housing project. The City entered into an agreement with Orchard Gabilan Associates, L.P. to loan such funds for the construction of Gabilan Family Apartments. Payments of principal and interest on the HOME loan are to be deferred until the earlier of repayment in full of the Deferred Development Fee or January 1 of the year in which the 14th anniversary of the date of issuance of the final Certificate of Occupancy. If not paid sooner, the unpaid principal balance of this note, plus any unpaid interest thereon shall be due and payable in full fifty-five years from the date of the note. The note bears 4.46% interest and the face amount of the note at June 30, 2023 was $1,600,000.

Benito FLC, L.P. – The HOME Investment Partnership Grant program approved $3,760,000 of grant funds to be made available for local development of an affordable housing project. The City entered into an agreement with Benito FLC, L.P. to loan such funds for the construction of the Benito Street Farm Labor Center. Funds were provided in the form of a deferred payment loan. If not paid sooner, the unpaid principal balance of this note, plus any unpaid interest thereon shall be due and payable in full fifty-five years from the date of the note. The note bears 4% interest and the face amount of the note at June 30, 2023 was $3,760,000.

Revolving Loan Program – Long-term loans receivable of $2,842,532 represent monies loaned to homebuyers and small business owners in connection with a downpayment assistance, home rehabilitation and business assistance programs. The loans are secured by real property with repayment due upon the sale of real property or starting at the end of the 30 year deferral period. At the time of sale, the seller pays the loan balance in full plus interest, ranging from 0% to 4%. For the homebuyer loan program, starting at the end of the 30 year deferral period, the borrower is required to repay the loan, without interest, over the following 15 years.

Multi-Family Affordable Housing Rehabilitation Loans – Long-term notes receivable of $600,000 represent monies loaned to two developers in connection with construction and rehabilitation of low-income multi-family housing projects. The loans are secured by real property with repayment due upon the sale of real property or starting at the end of the 55 year deferral period. At the time of sale of the project or at the end of the deferral period, the borrower shall pay the loan balance in full with interest at 4 percent per annum.

Note 5 – Interfund Advances, Receivables, Payables and Transfers

Interfund Receivables and Payables

Interfund receivables and payables consist of short-term loans resulting from regular transactions. These loans are expected to be repaid as soon as the borrowing fund has cash, and carry an interest rate equal to the rate earned on pooled cash.

Individual fund interfund receivables and payables balances as of June 30, 2023, are as follows:

	Due From	Due To
General Fund	$ 4,469,477	$ -
20-CDBG-CV1-00058 Special Revenue Fund	-	32,628
Park Grant Prop 68 Special Revenue Fund	-	3,906,353
20-CDBG-12084 Special Revenue Fund	-	93,488
SB2 Public Land Use Element Special Revenue Fund	-	16,475
LEAP Grant	-	17,410
Gas Tax Special Revenue Fund	-	67,541
REAP Grant	-	59,369
CDBG Business Loans	-	276,213
	$ 4,469,477	$ 4,469,477

Advance To and From Funds

Advances from and to balances as of June 30, 2023 are as follows:

	Advance To	Advance From
Sewer Fund	$ 174,769	$ -
Development Impact Capital Projects Fund	-	174,769
	$ 174,769	$ 174,769

Note 5 – Interfund Advances, Receivables, Payables and Transfers

Transfers Between Funds

In general, the City uses interfund transfers to (1) move revenues from the funds that collect them to the funds' that statute or budget requires to expend them, (2) use unrestricted revenues collected in the General Fund to help finance various programs and capital projects accounted for in other funds in accordance with budgetary authorization, and (3) move cash to debt service funds from the funds responsible for payment as debt service payments become due. In general, the effect of the interfund activity has been eliminated from the government-wide financial statements. The City had the following interfund transfers during the current fiscal year:

	Transfers In	Transfers Out
Major Governmental Funds:		
General Fund	$ -	$ (151,259)
Nonmajor Governmental Funds:		
COVID	16,259	-
Gas Tax Fund	135,000	-
	$ 151,259	$ (151,259)

Note 6 – Capital Assets

Capital asset activities for the year ended June 30, 2023, were as follows:

	Balance July 1, 2022	Additions	Retirements	Balance June 30, 2023
Governmental Activities				
Capital assets, not being depreciated				
Land	$ 822,801	$ -	$ -	$ 822,801
Construction in progress	2,014,938	-	(2,014,938)	-
Total capital assets, not being depreciated	2,837,739	-	(2,014,938)	822,801
Capital assets, being depreciated				
Buildings and improvements	8,632,665	7,919,520	-	16,552,185
Infrastructure	39,053,903	2,518,286	-	41,572,189
Machinery and equipment	5,690,574	1,690,276	(376,471)	7,004,379
Total capital assets, being depreciated	53,377,142	12,128,082	(376,471)	65,128,753
Less accumulated depreciation for				
Buildings and improvements	(2,685,787)	(216,463)	-	(2,902,250)
Infrastructure	(15,690,029)	(810,935)	-	(16,500,964)
Machinery and equipment	(5,390,931)	(192,086)	376,471	(5,206,546)
Total accumulated depreciation	(23,766,747)	(1,219,484)	376,471	(24,609,760)
Total capital assets, being depreciated, net	29,610,395	10,908,598	-	40,518,993
Right of use assets, being amortized:				
Vehicles - right to use	410,379	-	-	410,379
Less: accumulated amortization	(152,832)	(82,076)	-	(234,908)
Total lease assets, being amortized, net	257,547	(82,076)	-	175,471
Governmental activities capital assets, net	$ 32,705,681	$ 10,826,522	$ (2,014,938)	$ 41,517,265

Note 6 – Capital Assets (continued)

	Balance July 1, 2022	Additions	Retirements	Balance June 30, 2023
Business-Type Activities				
Capital assets, not being depreciated				
Land	$ 2,509,996	$ -	$ -	$ 2,509,996
Construction in progress	224,867	-	-	224,867
Total capital assets, not being depreciated	2,734,863	-	-	2,734,863
Capital assets, being depreciated				
Buildings and improvements	55,689,390	-	-	55,689,390
Infrastructure	19,389,129	-	-	19,389,129
Machinery and equipment	2,216,454	164,856	-	2,381,310
Total capital assets, being depreciated	77,294,973	164,856	-	77,459,829
Less: accumulated depreciation	(24,712,643)	(1,558,331)	-	(26,270,974)
Total capital assets, being depreciated, net	52,582,330	(1,393,475)	-	51,188,855
Right of use assets, being amortized:				
Vehicles - right to use	157,423	-	-	157,423
Less: accumulated amortization	(56,489)	(31,485)	-	(87,974)
Total right of use assets, being amortized	100,934	(31,485)	-	69,449
Total right of use assets, being amortized, net	44,445	(62,970)	-	(18,525)
Business-type activities capital assets, net	$ 55,418,127	$ (1,424,960)	$ -	$ 53,993,167

Depreciation expense was charged to the following functions in the Statement of Activities:

Governmental Functions:	
General Government	$ 48,348
Public Works	837,884
Public Safety	155,599
Community Services	259,729
	$ 1,301,560
Business-Type Functions:	
Water	$ 412,207
Sewer	1,166,631
Garbage	10,978
	$ 1,589,816

Note 7 – Long-Term Debt

	Balance July 1, 2022	Additions	Retirements	Balance June 30, 2023	Current Portion
Governmental Activity Long Term Debt					
Direct Borrowings:					
Loan Payable					
2019 Motorola Radios	$ 137,770	$ -	$ (40,039)	$ 97,731	$ 42,162
Total Governmental Activity Long Term Debt	$ 137,770	$ -	$ (40,039)	$ 97,731	$ 42,162
Business-Type Activity Long Term Debt					
Direct Placement:					
Bonds Payable					
2021 Water Refunding Revenue Bonds	$ 980,480	$ -	$ (72,920)	$ 907,560	$ 74,600
Direct Borrowings':					
Loans Payable					
Sewer Plant Loan	27,763,886	-	(1,542,438)	26,221,448	1,542,438
Leases Payable					
Energy Retrofit Financed Purchase	186,423	-	(110,231)	76,192	76,192
Total Business-Type Activity Debt	$ 28,930,789	$ -	$(1,725,589)	$ 27,205,200	$ 1,693,230
Compensated Absences					
Government Activities	$ 779,174	$ -	$ (95,105)	$ 684,069	
Business-Type Activities	$ 373,400	$ -	$ (91,786)	$ 281,614	
Net Pension Liability					
Government Activities	$ 2,185,401	$ 3,932,668	$ -	$ 6,118,089	
Business-Type Activities	$ 154,372	$ 639,096	$ -	$ 793,468	

2019 Motorola Radios – On July 18, 2018, the City entered into a purchase agreement for 30 portable radios. The lease bears an interest rate of 5.2% and terminates on July 18, 2025. Payments of $11,608 are to be paid quarterly.

2021 Water Refunding Revenue Bonds - In December 2015, the Public Financing Authority issued 2021 Enterprise Revenue Bonds for the principal amount of $1,053,920. The issuance was to refund the outstanding principal balance of the Water Note Payable presented. The reacquisition price exceeded the net carrying amount of the old debt by $1,819,135. The City refunded the above debts to reduce its total debt service over 13 years by $99,551 and to obtain an economic gain (difference between the present values of debt service payments on the old and new debt) of $87,643. The bonds bear interest of 2.040% and are payable semi-annually commencing November 2021 through May 2034. Debt service is secured by a pledge of net revenues of the City's Water Systems. The City covenants that it shall prescribe, revise and collect such charges for the services and facilities of the water systems which shall produce revenues sufficient in each fiscal year to provide gross revenues which are sufficient to pay all water operation and maintenance costs and all bond installment payments and produce net water revenues equal to at least 1.15 times debt service coming due and payable during such fiscal year. The City is in compliance with those covenants as of June 30, 2023, debt coverage ratio was 4.40. Cash basis debt service paid during the fiscal year ended June 30, 2023 totaled $92,922.

Note 7 – Long-Term Debt (Continued)

Water System Improvement Loan – On May 1, 1994, the City borrowed $2,593,000 for the purpose of paying for water system improvements. Principal amounts from $25,000 to $135,000 are due on May 1 of each year through 2034. The notes carry an interest rate of 4.5% with interest payable semi-annually. During the year this loan was refinanced as 2021 Water Refunding Revenue Bonds.

Sewer Plant Loan – In connection with the City's construction of a new sewer plant, a loan for $46,451,084 was obtained from the State of California. Although, the loan is non-interest bearing, it did require a 16.667% loan fee resulting in an effective interest rate of 1.8%. The loan was to be repaid in twenty equal annual installments of $2,322,554 beginning January 1, 2011. However, in October 2014, the City renegotiated the payment terms from 20 years to 30 years, resulting in annual payments of $1,542,438 for the remaining 26 years. Unamortized loan charges of $2,109,968 remains to be amortized over the remaining life of the loan.

Energy Retrofit Financed Purchase – On August 13, 2008, the City entered into a purchase agreement for an energy retrofit upgrade at the water plant. The agreement bears an interest rate of 6.786% and terminates on February 29, 2024. Payments are made monthly in the amount of $9,680. The outstanding balance of the lease as of June 30, 2023 was $76,192.

Compensated Absences – City employees accumulate earned but unused vacation and sick pay benefits which can be converted to cash at termination of employment. Since no means exist to reasonably estimate the amounts that might be liquidated with expendable currently available financial resources, if any, they are reported as long-term debt on the Statement of Net Position. No expenditure is reported for these amounts in the governmental funds statements. However, in the Statement of Activities the expense is allocated to each function based on usage. The non-current portion of these vested benefits, payable in accordance with various collective bargaining agreements, at June 30, 2023, totaled $684,069 for governmental activities and $463,456 for business-type activities.

The annual requirement to amortize the principal and interest on all long-term debt at June 30, 2023, were as follows:

	Governmental-Type Activities		Business-Type Activities	
Years ending June 30,	Principal	Interest	Principal	Interest
2024	$ 42,162	$ 4,269	$ 1,693,230	$ 261,482
2025	44,398	2,033	1,618,618	245,310
2026	11,171	145	1,620,108	228,949
2027	-	-	1,621,498	215,592
2028	-	-	1,622,778	200,488
2029-2033	-	-	8,140,631	769,957
2034-2038	-	-	7,803,461	377,707
2039-2040	-	-	3,084,876	46,154
	$ 97,731	$ 6,447	$ 27,205,200	$ 2,345,639

Note 7 – Long-Term Debt (Continued)

Assessment District Debt – The City acts as an agent for bond offerings within two assessment districts in the City. The City is not obligated in the event of default. Accordingly, the debt is not reflected in the City's financial information. The amount of debt outstanding as of June 30, 2023, not reflected in these statements is $1,690,000 for The Vineyards and $2,470,000 for Diamond Ridge.

Note 8 – Lease Liability

	Balance July 1, 2022	Additions	Retirements	Balance June 30, 2023	Current Portion
Lease Liability - Right of Use					
Government Activities	$ 257,936	$ -	$ (82,039)	$ 175,897	$ 82,204
Business-Type Activities	$ 101,085	$ -	$ (31,466)	$ 69,619	$ 31,529

The City entered into several sixty (60) month lease agreement as lessee for the acquisition and use of vehicles. An initial lease liability was recorded in the amount of $647,920 during the year the lease was entered. As of June 30, 2023, the value of the lease liability was $359,021. The City is required to make monthly principal and interest payments of $411 to $6,873. The lease has an interest rate of 0.9%. The equipment has a five-year estimated useful life. The value of the right-to-use asset as of the end of the current fiscal year was $244,920 and had accumulated amortization of $322,880. The future principal and interest lease payments as of June 30, 2023, were as follows:

	Governmental-Type Activities		Business-Type Activities	
	Principal	Interest	Principal	Interest
Years ending June 30,				
2024	$ 82,204	$ 276	$ 31,529	$ 110
2025	58,235	125	23,969	53
2026	31,752	38	14,121	10
2027	3,706	1	-	-
	$ 175,897	$ 440	$ 69,619	$ 173

Note 9 – Deferred Outflows and Deferred Inflows of Resources

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial element, deferred outflows of resources, represents a consumption of net position or fund balance that applies to future period(s) and thus, will not be recognized as an outflow of resources (expense/expenditure) until then. The City has one item to report in this category:

- The City has $4,329,830 in pension related items that qualify to be reported in deferred outflows of resources. The pension related deferred outflows of resources are described in Note 11.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represent an acquisition of net position or fund balance that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The City has one item to report in this category:

- The City has $675,580 in pension related items that qualify to be reported in deferred inflows of resources. The pension related deferred inflows of resources are described in Note 11.
- The City has $32,911 in deferred notes receivable related to impact fees.

Unavailable revenues arise only under a modified accrual basis of accounting that qualifies for reporting as deferred inflows of resources. Accordingly, that item, unavailable revenues, is reported only in the governmental funds balance sheet. The City reports in the Program Income, Low-Moderate Housing, CDBG Business Loans, 20-CDBG-CV10058, 20-CDBG-12084, and Development Impact Fee, $6,438,579, $1,707,850, $148,338, $64,589, $341,582, $101,594, respectively, as unavailable revenues, related to long-term notes and loans receivables.

Note 10 – Risk Management

The City provides for workers' compensation and liability through a self-funded joint powers agency, Monterey Bay Area Self Insurance Authorities. Joint Powers Agreement (JPA) accounts are not separately maintained for each participant.

Description of Self-Insurance Pool Pursuant to Joint Powers Agreement

The City is a member of the Monterey Bay Area Self Insurance Authority (MBASIA). MBASIA is composed of 10 California public entities and is organized under a joint powers agreement pursuant to California Government Code 6500 et seq. The purpose of MBASIA is to arrange and administer programs for the pooling of self-insured losses, to purchase excess insurance or reinsurance, and to arrange for group-purchased insurance for property and other coverage.

General Liability: The City has a deductible of $10,000 for each liability claim. Claims above $10,000 up to $1,000,000 are paid by MBASIA. Claims above $1,000,000 up to $29,000,000 are covered by insurance purchased by MBASIA.

Note 10 – Risk Management (continued)

Workers' Compensation: The City does not retain a deductible for workers' compensation claims. Annual premiums for coverage up to statutory levels are paid to MBASIA based on a Board approved Budget methodology. A third party claims administrator is contracted by MBASIA to manage claims activity.

Adequacy of Protection

During the past three fiscal (claims) years none of the above programs of protection have had settlements or judgments that exceeded insured coverage. There have been no significant reductions in insured liability coverage from coverage in the prior year. Audited financial statements for MBASIA can be obtained from their management at 100 Pine Street, 11th Floor, San Francisco, CA 94111.

Contingent Liabilities

The City participates in a number of Federal and State assisted grant programs which are subject to financial and compliance audits. Audits for these programs and the respective findings are to be determined at a future date, and the City expects the amount, if any, of the expenditures which may be disallowed by the granting agency to be immaterial.

Note 11 – City Employees' Retirement Plan (Defined Benefit Pension Plan)

Plan Description – The City contributes to the California Public Employees' Retirement System (PERS), an agent multiple-employer public employee defined benefit pension plan. PERS provides retirement and disability benefits, annual cost-of-living adjustments and death benefits to plan members and beneficiaries. PERS acts as a common investment and administrative agent for participating public entities within the State of California. Benefit provisions and all other requirements are established by state statute and city ordinance. Copies of PERS' annual financial report may be obtained from their Executive Office - 400 P Street - Sacramento, CA 95814.

Funding Policy – The City pays 7-9% of annual covered salary for active plan members in the City's defined pension plan. The City is required to contribute the actuarially determined remaining amounts necessary to fund the benefits for its members. The actuarial methods and assumptions used are those adopted by the CalPERS Board of Administration. The required employer contribution rate for the fiscal year ended June 30, 2023 was 8.630%, 7.470%, 20.640%, and 12.780% for the Miscellaneous, PEPRA Miscellaneous, Safety, and PEPRA Safety, respectively. The contribution requirements of plan members is established by State statute and the employer contribution is established and may be amended by PERS.

Note 11 – City Employees' Retirement Plan (Defined Benefit Pension Plan) (Continued)

The Plans' provisions and benefits in effect at June 30, 2023, are summarized as follows:

	Miscellaneous	Safety
Hire Date	Prior to January 1, 2013	Prior to January 1, 2013
Benefit Formula	2.0% at 60; maximum 2% COLA	3.0% at 55; maximum 2% COLA
Benefit Vesting Schedule	5 years service	5 years service
Benefit Payments	monthly for life	monthly for life
Retirement Age	60	55
Monthly Benefits, as a % of Eligible Compensation	2.00%	3.00%
Required Employee Contribution Rates	7.00%	9.00%
Required Employer Contribution Rates	8.630%	20.640%

	PEPRA Miscellaneous	PEPRA Safety
Hire Date	On or After January 1, 2013	On or After January 1, 2013
Benefit Formula	2.0% at 62; maximum 2% COLA	2.7% at 57; maximum 2% COLA
Benefit Vesting Schedule	5 years service	5 years service
Benefit Payments	monthly for life	monthly for life
Retirement Age	62	57
Monthly Benefits, as a % of Eligible Compensation	2.00%	2.70%
Required Employee Contribution Rates	6.25%	11.50%
Required Employer Contribution Rates	7.470%	12.780%

Contributions – Section 20814(c) of the California Public Employees' Retirement Law requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on July 1 following notice of a change in the rate. Funding contributions for both Plans are determined annually on an actuarial basis as of June 30 by CalPERS. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. The City is required to contribute the difference between the actuarially determined rate and the contribution rate of employees.

Note 11 – City Employees' Retirement Plan (Defined Benefit Pension Plan) (Continued)

For the year ended June 30, 2023, $1,064,760 of contributions was recognized as part of the pension expense.

Pension Liabilities, Pension Expenses, and Deferred Outflows/Inflows of Resources Related to Pensions

As of June 30, 2023, the City reported net pension liabilities for its proportionate shares of the net pension liability of each Plan as follows:

	Proportionate Share of Net Pension Liability/(Asset)
Miscellaneous	$ 2,220,927
Safety	$ 4,690,630

The City's net pension liability for each Plan is measured as the proportionate share of the net pension liability. The net pension liability of each of the Plan is measured as of June 30, 2022, and the total pension liability for each Plan used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2021, rolled forward to June 30, 2022, using standard update procedures. The City's proportion of the net pension liability was based on a projection of the City's long-term share of contributions to the pension plans relative to the projected contributions of all participating employers, actuarially determined. The City's proportionate share of the net pension liability for each Plan as of June 30, 2022 and 2023 was as follows:

	Miscellaneous	Safety
Proportion – June 30, 2022	0.02276%	0.05436%
Proportion – June 30, 2023	0.04746%	0.06826%
Change – Increase/(Decrease)	0.02470%	0.01390%

Note 11 – City Employees' Retirement Plan (Defined Benefit Pension Plan) (Continued)

For the year ended June 30, 2023, the City recognized pension expense of $2,080,930. At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to pension from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Pension contributions subsequent to measurement date	$ 1,171,502	$ -
Change in employer's proportion	1,071,529	-
Difference between employer's contributions and proportionate share of contributions	-	(594,776)
Changes in assumptions	700,538	-
Differences between projected and actual investments earnings	1,147,532	-
Difference between expected and actual experience	238,729	(80,814)
Total	$ 4,329,830	$ (675,590)

The $1,171,502 reported as deferred outflows of resources related to contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

Year Ended June 30	
2024	$ 765,478
2025	653,076
2026	363,521
2027	700,668
Thereafter	-

Note 11 – City Employees' Retirement Plan (Defined Benefit Pension Plan) (Continued)

Actuarial Methods Assumptions – The collective total pension liability for the June 30, 2022 measurement period was determined by an actuarial valuation as of June 30, 2021, with update procedures used to roll forward the total pension liability to June 30, 2022. The collective total pension liability was based on the following assumptions:

Valuation Date	June 30, 2021
Measurement Date	June 30, 2022
Actuarial Cost Method	Entry-Age Normal Cost Method in accordance with the requirements of GASB Statement No. 68
Actuarial Assumptions:	
Discount Rate	6.90%
Inflation	2.30%
Payroll Growth	2.30%
Salary Increases	Varies by Entry Age and Service
Mortality Rate Table	Derived using CalPERS' Membership Date for all Funds [1]
Post Retirement Benefit Increase	Contract COLA up to 2.3% until Purchasing Power Protection Allowance Floor on Purchasing Power applies
Investment Rate of Return	6.90%
Mortality	Derived using CalPERS' Membership Data for all Funds

[1]The mortality table used was developed based on CalPERS-specific data. The table includes 15 years of mortality improvements using Society of Actuaries Scale 90% of scale MP 2016. For more details on this table, please refer to the December 2017 experience study report (based on CalPERS demographic data from 1997 to 2015) that can be found on the CalPERS website.

All other actuarial assumptions used in the June 30, 2018 valuation was based on the results of an December 2017 experience study report (based on CalPERS demographic data from 1997 to 2015), including updates to salary increase, mortality and retirement rates. The Experience Study can be obtained at CalPERS' website.

Change of assumptions – None.

Note 11 – City Employees' Retirement Plan (Defined Benefit Pension Plan) (Continued)

Discount rate – The discount rate used to measure the total pension liability for PERF C was 6.90%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current member contribution rates and that contributions from employers will be made at statutorily required rates, actuarially determined. Based on those assumptions, the Plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

In determining the long-term expected rate of return, CalPERS took into account both short-term and long-term market return expectations as well as the expected pension fund cash flows. Using historical returns of all the funds' asset classes, expected compound (geometric) returns were calculated over the short-term (first 10 years) and the long-term (11+ years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the rounded single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equivalent to the single equivalent rate calculated above and adjusted to account for assumed administrative expenses.

The long-term expected real rates of return by asset class can be found in CalPERS' Comprehensive Annual Financial Report for the fiscal year ended June 30, 2022.

The table below reflects long-term expected real rates of return by asset class. The rate of return was calculated using the capital market assumptions applied to determine the discount rate and asset allocation. The geometric rates of return are net of administrative expenses.

Asset Class	Assumed Asset Allocation	Real Return [1, 2] Years 1-10
Global Equity - cap-weighted	30%	4.45%
Global Equity - noncap-weighted	12%	3.84%
Private Equity	13%	7.28%
Treasury	5%	0.27%
Mortgage-backed Securities	5%	0.50%
Investment Grade Corporates	10%	1.56%
High Yield	5%	2.27%
Emerging Market Debt	5%	2.48%
Private Debt	5%	3.57%
Real Assets	15%	3.21%
Leverage	-5%	-0.59%
Total	100%	

[1] An expected inflation of 2.3% used for this period
[2] Figures are based on the 2021-22 Asset Liability Management study.

Note 11 – City Employees' Retirement Plan (Defined Benefit Pension Plan) (Continued)

Sensitivity of the Proportionate Share of the Net Pension Liability to Changes in the Discount Rate The following presents the City's proportionate share of the net pension liability for each Plan, calculating using the discount rate of each Plan, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower (5.90%) or 1-percentage point higher (7.90%) than the current rate:

	1% Decrease (5.90%)	Current Discount Rate (6.90%)	1% Increase (7.90%)
Miscellaneous	$ 3,934,688	$ 2,220,927	$ 810,927
Safety	$ 7,433,019	$ 4,690,630	$ 2,449,349

Pension Plan Fiduciary Net Position – Detailed information about each pension plan's fiduciary net position is available in the separately issued CalPERS financial reports.

Payable to the Pension Plan – At June 30, 2023, the City has no outstanding amount of contributions to the pension plan required for the year ended June 30, 2023.

Note 12 – Subsequent Events

The City evaluated subsequent events for recognition and disclosure through June 4, 2024, the date which these financial statements were available to be issued. Management concluded that no material subsequent events have occurred since June 30, 2023 that required recognition or disclosure in such financial statements.

Note 13 – Fund Balance

Fund Balance Deficits – The following is a summary of fund balance deficits as of June 30, 2023:

Nonmajor Funds:

SB 2 Planning Land Use Element Grant Special Revenue Fund	$	(18,566)
Park Grant Prop 68 Special Revenue Fund	$	(4,618,359)
20-CDBG-CV100058 Special Revenue Fund	$	(32,628)
20-CDBG-12084 Special Revenue Fund	$	(93,488)
Gas Tax Special Revenue Fund	$	(47,602)
LEAP Grant Special Revenue Fund	$	(120,754)
REAP Grant Special Revenue Fund	$	(165,128)
CDBG Business Loans Special Revenue Fund	$	(276,213)

These fund balance deficits are expected to be relieved from future revenues or transfers from other funds.

Note 14 – Excess of Expenditures over Appropriations

The excess of expenditures over appropriations are as follows:

General Fund:		
Current:		
General Government	$	229,526
Public Works	$	228,790
Debt Service		
Principal	$	84,286
Interest	$	6,392
Program Income Fund:		
Current:		
Community Development	$	2,621
American Rescue Plan Fund:		
Current:		
Community Development	$	225,309
Park Grant (Prop 68) Fund:		
Current:		
Community Services	$	16,017
Capital Outlay	$	1,068,606

The excess of expenditures over appropriations are covered by the available fund balance in the General Fund and future revenues for the American Rescue Plan Fund, Program Income Fund, and Park Grant (Prop 68) Fund.

REQUIRED SUPPLEMENTARY INFORMATION

CITY OF SOLEDAD

BUDGETARY COMPARISON SCHEDULE
GENERAL FUND
YEAR ENDED JUNE 30, 2023

	Budgeted Amounts		Actual	Variance with Final Budget Positive/
	Original	Final	Amounts	(Negative)
Revenue				
Taxes	$ 10,323,488	$ 10,323,488	$ 11,119,318	$ 795,830
Licenses and permits	569,213	569,213	940,874	371,661
Intergovernmental	2,115,000	2,115,000	2,181,007	66,007
Charges for services	315,000	315,000	192,044	(122,956)
Fines and forfeitures	39,300	39,300	46,071	6,771
Interest	110,000	110,000	241,349	131,349
Rents	86,000	86,000	78,601	(7,399)
Other	2,076,863	2,076,863	75,197	(2,001,666)
Total revenue	15,634,864	15,634,864	14,874,461	(760,403)
Expenditures				
Current				
General government	1,779,362	1,779,362	2,008,890	(229,528)
Public works	1,796,314	1,796,314	2,025,104	(228,790)
Community development	1,291,163	1,291,163	846,142	445,021
Public safety	6,538,264	6,538,264	6,538,166	98
Community services	1,001,800	1,001,800	600,885	400,915
Capital outlay	2,292,500	2,292,500	1,685,121	607,379
Debt Service				
Principal	37,792	37,792	122,078	(84,286)
Interest and fiscal charges	-	-	6,392	(6,392)
Total expenditures	14,737,195	14,737,195	13,832,778	904,417
Revenue over (under)expenditures	897,669	897,669	1,041,683	144,014
Other Financing Sources				
Transfers in (out) - net	460,768	460,768	(151,259)	(612,027)
Net Change in Fund Balance	$ 1,358,437	$ 1,358,437	890,424	$ (468,013)
Fund Balance				
Beginning of year			9,125,316	
End of year			$ 10,015,740	

CITY OF SOLEDAD

BUDGETARY COMPARISON SCHEDULE
PROGRAM INCOME FUND
YEAR ENDED JUNE 30, 2023

	Budgeted Amounts		Actual	Variance with Final Budget
	Original	Final	Amounts	Positive/ (Negative)
Revenue				
Interest	$ 675	$ 675	$ 10,669	$ 9,994
Loan repayments	10,000	10,000	64,705	54,705
Total revenue	10,675	10,675	75,374	64,699
Expenditures				
Current				
Community development	2,500	2,500	5,121	(2,621)
Total expenditures	2,500	2,500	5,121	(2,621)
Net Change in Fund Balance	$ 8,175	$ 8,175	70,253	$ 62,078
Fund Balance				
Beginning of year			381,342	
End of year			$ 451,595	

CITY OF SOLEDAD

BUDGETARY COMPARISON SCHEDULE
AMERICAN RESCUE PLAN FUND
YEAR ENDED JUNE 30, 2023

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive/ (Negative)
	Original	Final		
Revenue				
Intergovernmental	$ 3,109,757	$ 3,109,757	$ 3,109,757	$ -
Interest	91,000	91,000	141,750	50,750
Total revenue	3,200,757	3,200,757	3,251,507	50,750
Expenditures				
Current				
Community development	1,451	1,451	226,760	(225,309)
Capital outlay	2,309,514	2,309,514	1,511,787	797,727
Total expenditures	2,310,965	2,310,965	1,738,547	572,418
Net Change in Fund Balance	$ 889,792	$ 889,792	1,512,960	$ 623,168
Fund Balance				
Beginning of year			3,112,620	
End of year			$ 4,625,580	

CITY OF SOLEDAD

BUDGETARY COMPARISON SCHEDULE
PARK GRANT (PROP 68) FUND
YEAR ENDED JUNE 30, 2023

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive/ (Negative)
	Original	Final		
Revenue				
Intergovernmental	$ 5,000,000	$ 5,000,000	$ 1,754,406	$ (3,245,594)
Total revenue	5,000,000	5,000,000	1,754,406	(3,245,594)
Expenditures				
Current				
Community services	-	-	16,017	(16,017)
Capital outlay	5,000,000	5,000,000	6,068,606	(1,068,606)
Total expenditures	5,000,000	5,000,000	6,084,623	(1,084,623)
Net Change in Fund Balance	$ -	$ -	(4,330,217)	$ (4,330,217)
Fund Balance				
Beginning of year			(288,142)	
End of year			$ (4,618,359)	

CITY OF SOLEDAD

BUDGETARY COMPARISON SCHEDULE
MEASURE X FUND
YEAR ENDED JUNE 30, 2023

	Budgeted Amounts		Actual	Variance with Final Budget Positive/
	Original	Final	Amounts	(Negative)
Revenue				
Taxes and assessments	$ 509,706	$ 509,706	$ 843,992	$ 334,286
Interest	5,000	5,000	80,955	75,955
Intergovernmental	-	-	15,680	15,680
Total revenue	514,706	514,706	940,627	425,921
Expenditures				
Current				
Public works	2,425,000	2,425,000	90,460	2,334,540
Total expenditures	2,425,000	2,425,000	90,460	2,334,540
Revenue over (under)expenditures	(1,910,294)	(1,910,294)	850,167	2,760,461
Net Change in Fund Balance	$ (1,910,294)	$ (1,910,294)	850,167	$ 2,760,461
Fund Balance				
Beginning of year			3,132,336	
End of year			$ 3,982,503	

CITY OF SOLEDAD

SCHEDULE OF THE CITY'S PROPORTIONATE SHARE OF NET PENSION LIABILITY
LAST 10 YEARS*
YEAR ENDED JUNE 30, 2023

Miscellaneous Plan:	Proportion of the net pension liability	Proportionate share of the net pension liability	Covered - employee payroll	Proportionate share of the net pension liability as a percentage of covered-employee payroll	Plan's fiduciary net position	Plan's fiduciary net position as a percentage of the Total Pension Liability
2015	0.03413%	$ 843,493	$ 2,268,357	37.19%	$ 3,997,688	82.580%
2016	0.02608%	$ 706,131	$ 2,218,866	31.82%	$ 4,764,400	86.914%
2017	0.03048%	$ 1,058,944	$ 2,498,215	42.39%	$ 4,887,163	82.191%
2018	0.03308%	$ 1,303,916	$ 2,514,038	51.87%	$ 5,573,589	81.041%
2019	0.03322%	$ 1,251,774	$ 2,375,546	52.69%	$ 6,634,706	84.128%
2020	0.03643%	$ 1,459,009	$ 2,513,003	58.06%	$ 7,479,133	83.677%
2021	0.03996%	$ 1,685,422	$ 2,803,460	60.12%	$ 8,255,376	83.045%
2022	0.02276%	$ 432,090	$ 3,416,711	12.65%	$ 10,626,299	96.093%
2023	0.04746%	$ 2,220,927	$ 4,490,090	49.46%	$ 10,350,858	82.334%
Safety Plan:						
2015	0.06095%	$ 2,286,046	$ 1,379,249	165.75%	$ 7,353,347	76.280%
2016	0.05496%	$ 2,264,409	$ 1,243,281	182.13%	$ 7,303,514	76.338%
2017	0.05453%	$ 2,824,201	$ 1,330,635	212.24%	$ 7,469,874	72.565%
2018	0.05443%	$ 3,252,288	$ 1,446,149	224.89%	$ 8,745,272	72.892%
2019	0.05492%	$ 3,518,548	$ 1,543,148	228.01%	$ 11,383,719	77.938%
2020	0.05883%	$ 3,672,312	$ 1,648,187	222.81%	$ 12,617,720	77.457%
2021	0.05896%	$ 3,928,420	$ 1,500,361	261.83%	$ 13,292,935	77.189%
2022	0.05436%	$ 1,907,684	$ 1,636,722	116.56%	$ 16,256,088	89.497%
2023	0.06826%	$ 4,690,631	$ 1,837,972	255.21%	$ 15,167,578	76.379%

*Fiscal year 2014-15 was the first year of implementation, therefore only nine years are shown.

Changes of Assumptions: None.

CITY OF SOLEDAD

SCHEDULE OF CONTRIBUTIONS
LAST 10 YEARS*
YEAR ENDED JUNE 30, 2023

	Contractually required contribution (actuarially determined)	Contributions in relation to the actuarially determined contributions	Contributions deficiency (excess)	Covered-employee payroll	Contributions as a percentage of covered-employee payroll
Miscellaneous Plan:					
2015	$ 181,913	$ (181,913)	$ -	$ 2,268,357	8.02%
2016	$ 185,905	$ (185,905)	$ -	$ 2,218,866	8.38%
2017	$ 190,660	$ (190,660)	$ -	$ 2,498,215	7.63%
2018	$ 204,609	$ (204,609)	$ -	$ 2,514,038	8.14%
2019	$ 214,151	$ (214,151)	$ -	$ 2,375,546	9.01%
2020	$ 252,840	$ (252,840)	$ -	$ 2,513,003	10.06%
2021	$ 287,787	$ (287,787)	$ -	$ 2,803,460	10.27%
2022	$ 354,799	$ (354,799)	$ -	$ 3,416,711	10.38%
2023	$ 457,029	$ (457,029)	$ -	$ 4,490,090	10.18%
Safety Plan:					
2015	$ 245,592	$ (245,592)	$ -	$ 1,379,249	17.81%
2016	$ 273,761	$ (273,761)	$ -	$ 1,243,281	22.02%
2017	$ 360,960	$ (360,960)	$ -	$ 1,330,635	27.13%
2018	$ 341,676	$ (341,676)	$ -	$ 1,446,149	23.63%
2019	$ 351,948	$ (351,948)	$ -	$ 1,543,148	22.81%
2020	$ 424,542	$ (424,542)	$ -	$ 1,648,187	25.76%
2021	$ 461,523	$ (461,523)	$ -	$ 1,500,361	30.76%
2022	$ 546,871	$ (546,871)	$ -	$ 1,636,722	33.41%
2023	$ 607,731	$ (607,731)	$ -	$ 1,837,972	33.07%

*Fiscal year 2014-15 was the first year of implementation, therefore only nine years are shown.

SUPPLEMENTAL ONLY INFORMATION

CITY OF SOLEDAD

COMBINING BALANCE SHEET
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2023

	Special Revenue Funds				
	Maintenance Districts	Public Safety	Gas Tax	LEAP Grant	REAP Grant
ASSETS					
Cash and investments	$ 2,804,427	$ 674,272	$ -	$ -	$ -
Accounts receivable	-	-	58,876	-	-
Due from other governments	-	39,936	-	-	-
Interest receivable	1,042	257	-	-	-
Notes receivable	-	-	-	-	-
Total assets	$ 2,805,469	$ 714,465	$ 58,876	$ -	$ -
LIABILITIES					
Accounts payable and accrued expense	$ 14,493	$ 8,458	$ 38,937	$ 103,344	$ 105,759
Due to other funds	-	-	67,541	17,410	59,369
Advance from other funds	-	-	-	-	-
Total liabilities	14,493	8,458	106,478	120,754	165,128
DEFERRED INFLOWS OF RESOURCES					
Unavailable revenues	-	-	-	-	-
Total deferred inflows of resources	-	-	-	-	-
FUND BALANCE					
Restricted					
Capital improvement projects	-	-	-	-	-
Circulation improvements	-	-	-	-	-
Public safety programs	-	706,007	-	-	-
Lighting, landscape & park maintenance	2,790,976	-	-	-	-
Low-income housing activities	-	-	-	-	-
Unassigned	-	-	(47,602)	(120,754)	(165,128)
Total fund balance	2,790,976	706,007	(47,602)	(120,754)	(165,128)
Total liabilities, deferred inflows of resources and fund balance	$ 2,805,469	$ 714,465	$ 58,876	$ -	$ -

See accompanying notes.

CITY OF SOLEDAD

COMBINING BALANCE SHEET
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2023

	Special Revenue Funds				
	Low-Moderate Housing Asset	COVID	Vehicle Abatement	CDBG Business Loans	SB2 Planning Land Use Element Grant
ASSETS					
Cash and investments	$ 1,383,066	$ -	$ 54,418	$ -	$ -
Accounts receivable	-	-	-	-	-
Due from other governments	-	-	-	-	-
Interest receivable	511	-	20	-	-
Notes receivable	1,707,850	-	-	148,338	-
Total assets	$ 3,091,427	$ -	$ 54,438	$ 148,338	$ -
LIABILITIES					
Accounts payable and accrued expense	$ 30	$ -	$ -	$ -	$ 2,091
Due to other funds	-	-	-	276,213	16,475
Advance from other funds	-	-	-	-	-
Total liabilities	30	-	-	276,213	18,566
DEFERRED INFLOWS OF RESOURCES					
Unavailable revenues	1,707,850	-	-	148,338	-
Total deferred inflows of resources	1,707,850	-	-	148,338	-
FUND BALANCE					
Restricted					
Capital improvement projects	-	-	-	-	-
Circulation improvements	-	-	-	-	-
Public safety programs	-	-	54,438	-	-
Lighting, landscape & park maintenance	-	-	-	-	-
Low-income housing activities	1,383,547	-	-	-	-
Unassigned	-	-	-	(276,213)	(18,566)
Total fund balance	1,383,547	-	54,438	(276,213)	(18,566)
Total liabilities, deferred inflows of resources and fund balance	$ 3,091,427	$ -	$ 54,438	$ 148,338	$ -

See accompanying notes.

CITY OF SOLEDAD

COMBINING BALANCE SHEET
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2023

	Special Revenue Funds			Capital Projects Fund	Total
	SB1	20-CDBG CV1-00058	20-CDBG 12084	Development Impact	Non-major Governmental Funds
ASSETS					
Cash and investments	$ 1,474,395	$ -	$ -	$ 2,158,435	$ 8,549,013
Accounts receivable	-	-	-	-	58,876
Due from other governments	107,943	-	-	-	147,879
Interest receivable	545	-	-	878	3,253
Notes receivable	-	64,589	341,582	101,594	2,363,953
Total assets	$ 1,582,883	$ 64,589	$ 341,582	$ 2,260,907	$ 11,122,974
LIABILITIES					
Accounts payable and accrued expense	$ 8,280	$ -	$ -	28,096	$ 309,488
Due to other funds	-	32,628	93,488	-	563,124
Advance from other funds	-	-	-	174,769	174,769
Total liabilities	8,280	32,628	93,488	202,865	1,047,381
DEFERRED INFLOWS OF RESOURCES					
Unavailable revenues	-	64,589	341,582	101,594	2,363,953
Total deferred inflows of resources	-	64,589	341,582	101,594	2,363,953
FUND BALANCE					
Restricted					
Capital improvement projects	-	-	-	1,956,448	1,956,448
Circulation improvements	1,574,603	-	-	-	1,574,603
Public safety programs	-	-	-	-	760,445
Lighting, landscape & park maintenance	-	-	-	-	2,790,976
Low-income housing activities	-	-	-	-	1,383,547
Unassigned	-	(32,628)	(93,488)	-	(754,379)
Total fund balance	1,574,603	(32,628)	(93,488)	1,956,448	7,711,640
Total liabilities, deferred inflows of resources and fund balance	$ 1,582,883	$ 64,589	$ 341,582	$ 2,260,907	$ 11,122,974

See accompanying notes.

CITY OF SOLEDAD

COMBINING STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2023

	Special Revenue Funds				
	Maintenance Districts	Public Safety	Gas Tax	LEAP Grant	REAP Grant
Revenue					
Taxes and assessments	$ 788,790	$ 57,417	$ -	$ -	$ -
Licenses, permits and impact fees	-	-	-	-	-
Intergovernmental	-	13,840	675,122	-	-
Interest	62,261	16,249	-	-	-
Loan repayments	-	-	-	-	-
Other	-	29,509	22,569	-	-
Total revenue	851,051	117,015	697,691	-	-
Expenditures					
Public works	456,979	-	849,102	120,754	-
Community development	-	-	-	-	165,128
Public Safety	-	39,990	-	-	-
Parks and recreation	-	-	-	-	-
Capital outlay	-	-	36,420	-	-
Debt service					
Interest	-	-	-	-	-
Total expenditures	456,979	39,990	885,522	120,754	165,128
Revenue over (under) expenditures	394,072	77,025	(187,831)	(120,754)	(165,128)
Other financing sources/(uses)					
Operating transfers in/(out) - net	-	-	135,000	-	-
	-	-	135,000	-	-
Change in Fund Balance	394,072	77,025	(52,831)	(120,754)	(165,128)
Fund Balance					
Beginning of year	2,396,904	628,982	5,229	-	-
End of year	$ 2,790,976	$ 706,007	$ (47,602)	$ (120,754)	$ (165,128)

See accompanying notes.

CITY OF SOLEDAD

COMBINING STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2023

	Special Revenue Funds				
	Low-Moderate Housing Asset	COVID	Vehicle Abatement	CDBG Business Loans	SB2 Planning Land Use Element Grant
Revenue					
Taxes and assessments	$ -	$ -	$ -	$ -	$ -
Licenses, permits and impact fees	-	-	-	-	-
Intergovernmental	-	105,597	9,633	-	-
Interest	32,706	396	1,021	-	-
Loan repayments	-	-	-	-	-
Other	-	-	-	-	-
Total revenue	32,706	105,993	10,654	-	-
Expenditures					
Public works	-	-	-	-	3,970
Community development	7,530	-	-	220,894	-
Public Safety	-	-	-	-	-
Community services	-	179,424	1,621	55,319	-
Capital outlay	-	-	-	-	-
Debt service					
Interest	-	-	-	-	-
Total expenditures	7,530	179,424	1,621	276,213	3,970
Revenue over (under) expenditures	25,176	(73,431)	9,033	(276,213)	(3,970)
Other financing sources/(uses)					
Operating transfers in/(out) - net	-	16,259	-	-	-
	-	16,259	-	-	-
Change in Fund Balance	25,176	(57,172)	9,033	(276,213)	(3,970)
Fund Balance					
Beginning of year	1,358,371	57,172.00	45,405	-	(14,596)
End of year	$ 1,383,547	$ -	$ 54,438	$ (276,213)	$ (18,566)

See accompanying notes.

CITY OF SOLEDAD

COMBINING STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE
NON-MAJOR GOVERNMENTAL FUNDS
JUNE 30, 2023

	Special Revenue Funds			Capital Projects Fund	Total Non-major Governmental Funds
	SB1	20-CDBG CV1-00058	20-CDBG 12084	Development Impact	
Revenue					
Taxes and assessments	$ 616,008	$ -	$ -	$ -	$ 1,462,215
Licenses, permits and impact fees	-	-	-	1,243,343	1,243,343
Intergovernmental	-	-	-	-	804,192
Interest	34,017	464	2,790	58,880	208,784
Loan repayments	-	2,948	14,043	-	16,991
Other	-	-	-	-	52,078
Total revenue	650,025	3,412	16,833	1,302,223	3,787,603
Expenditures					
Public works	173,086	-	-	-	1,603,891
Community development	-	-	69,998	348,796	812,346
Public Safety	-	-	-	-	39,990
Community services	-	-	-	-	236,364
Capital outlay	-	-	-	811,210	847,630
Debt service					
Interest	-	-	-	6,681	6,681
Total expenditures	173,086	-	69,998	1,166,687	3,546,902
Revenue over (under) expenditures	476,939	3,412	(53,165)	135,536	240,701
Other financing sources/(uses)					
Operating transfers in/(out) - net	-	-	-	-	151,259
	-	-	-	-	151,259
Change in Fund Balance	476,939	3,412	(53,165)	135,536	391,960
Fund Balance					
Beginning of year	1,097,664	(36,040)	(40,323)	1,820,912	7,319,680
End of year	$ 1,574,603	$ (32,628)	$ (93,488)	$ 1,956,448	$ 7,711,640

See accompanying notes.

BRYANT L. JOLLEY
CERTIFIED PUBLIC ACCOUNTANTS

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Lan T. Kimoto

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor and City Council
City of Soledad, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Soledad (the "City"), California, as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise City's basic financial statements, and have issued our report thereon dated June 4, 2024.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements, on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

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Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

June 4, 2024

BRYANT L. JOLLEY
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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE

To the Honorable Mayor and City Council
City of Soledad, California

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited City of Soledad (the "City"), California's compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended June 30, 2023. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2023.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the City's federal programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about City's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.

- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.

- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control over Compliance

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

April 4, 2023

CITY OF SOLEDAD

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
YEAR ENDED JUNE 30, 2023

Federal Grantor/Pass-through Grantor/Program Title	Assistance Listing Number	Agency or Pass-through Number	Federal Expenditures
U.S. Department of Housing and Urban Development			
Passed through from the California Department of Housing and Community Development			
Community Development Block Grant	14.228	N/A	$ 105,597
U.S. Department of the Treasury			
Passed through from United Way Monterey County			
Coronavirus Relief Fund	21.019	N/A	346,213
Coronavirus State and Local Fiscal Recovery Funds	21.027	N/A	1,738,547
Total Federal Expenditures			$ 2,190,357

Note 1 – Significant Accounting Policies

The accompanying Schedule of Expenditures of Federal Awards (SEFA) presents the activity of all federal award programs of the City of Soledad, California (the City). Federal awards received directly from federal agencies as well as federal awards passed through other nonfederal agencies, primarily the State of California, are included in the SEFA. The City's reporting entity is defined in Note 1 to the City's basic financial statements.

Note 2 – Basis of Accounting

The accompanying SEFA is presented using the modified accrual basis of accounting for grants accounted for in the governmental fund types and the accrual basis of accounting for grants accounted for in the proprietary fund types, as described in Note 1 to the City's basic financial statements. The information in the SEFA is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations (CFR) part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Therefore, some amounts presented in, or used in the preparation of, the SEFA may differ from amounts presented in the basic financial statements

Note 3 – Relationship to the Financial Statements

Expenditures of federal awards are reported in the City's basic financial statements as expenditures/expenses in the General Fund, nonmajor special revenue funds, nonmajor capital project funds, and the enterprise funds.

Note 4 – Indirect Cost Rate

The City did not elect to use the 10% de minimus cost rate as covered in 2 CFR §200.414.

A. Summary of Auditor's Results

Financial Statements

Type of auditor's report issued: Unmodified

Internal control over financial reporting:

- Material weaknesses identified? ☐ Yes ☒ No
- Significant deficiencies identified that are not considered to be material weaknesses? ☐ Yes ☒ None reported
- Non-compliance material to financial statements noted? ☐ Yes ☒ No

Federal Awards

Internal control over major programs:

- Material weaknesses identified? ☐ Yes ☒ No
- Significant deficiencies identified that are not considered to be material weaknesses? ☐ Yes ☒ None reported

Type of auditor's report issued on compliance for major programs: Unmodified

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)? ☐ Yes ☒ No

Identification of Major Programs

Assistance Listing Number	Name of Federal Program or Cluster
21.027	Coronavirus State and Local Fiscal Recovery Funds

Dollar threshold used to distinguish between Type A and Type B programs: $750,000

Auditee qualified as low-risk auditee? ☐ Yes ☒ No

B. Findings – Financial Statements Audit

None noted.

C. Findings and Questioned Costs – Major Federal Award Programs Audit

None noted.

Summary Schedule of Prior Audit Findings

There were no prior year audit findings.

CITY OF SOLEDAD

MANAGEMENT REPORT

FOR THE YEAR ENDED JUNE 30, 2023

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BRYANT L. JOLLEY
CERTIFIED PUBLIC ACCOUNTANTS

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Ryan P. Jolley C.P.A.
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Luis A. Perez C.P.A.
Lan T. Kimoto

To the Honorable Mayor and City Council
City of Soledad, California

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Soledad for the year ended June 30, 2023. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and, if applicable, *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated July 1, 2020. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by City of Soledad are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2023. We noted no transactions entered into by the City during the year that were both significant and unusual, and of which, under professional standards, we are required to inform you, or transactions for which there is a lack of authoritative guidance and consensus. All significant transactions have been recognized in the financial statements in the proper period.

We noted no transactions entered into by City of Soledad during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City's financial statements were:

> Management has determined the economic useful lives of fixed assets based on past history of similar types of assets, future plans as to their use, and other factors that impact their economic value to the City. We evaluated the key factors and assumptions used by management in computing depreciation expense and believe that it is reasonable in relation to the financial statements taken as a whole.

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Management's estimate of the net pension liability and related deferrals is based on actuarial valuations which include significant assumptions regarding discount rate, inflation, payroll growth, projected salary increases and investment rate of return. We evaluated the key factors and assumptions used to develop the liability and related deferrals in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated June 4, 2024.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to City of Soledad's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as City of Soledad's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the Budgetary Comparison Schedules, Proportionate Share of Net Pension Liability, and Schedule of Contributions which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on supplementary information, as listed in the table of contents, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the information and use of the City Council and management of City of Soledad and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

June 4, 2024

BRYANT L. JOLLEY
CERTIFIED PUBLIC ACCOUNTANTS

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Ryan P. Jolley C.P.A.
Darryl L. Smith C.P.A.
Luis A. Perez C.P.A.
Lan T. Kimoto

June 4, 2024

City of Soledad/Measure S and Measure Y Committee

248 Main Street

Soledad, CA 93960

Ladies and Gentlemen:

As part of our audit is the review of cash receipts and disbursements related to Measure S and Measure Y sales tax. In connection with the audit, we examined the Measure S and Measure Y remittances and expenditures noting that the activity had been accounted for in a separate Measure S and Measure Y department.

During our audit, we familiarized ourselves with the expenditure and budget guidelines set by the City Council and noted that current year expenditures were within these guidelines. Measure S and Measure Y revenues were $1,205,878 and $2,420,728, respectively.

Our initial conclusion is that Measure S and Measure Y cash receipts and disbursements have been accounted for in a proper manner which is consistent with the ordinance that authorized the Measure S and Measure Y general use tax.

Should you have any further questions relating to this or any other audit issue, please feel free to contact me at any time.

Sincerely,

Bryant L. Jolley, CPA

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AGENDA ITEM NO. 4.

CITY OF SOLEDAD
STAFF REPORT

SUBJECT: **Resolution No. 6102, a Resolution of the City Council of the City of Soledad Approving a Cooperation Agreement with the Department of the Army for P.L. 84-99 Rehabilitation of Federal Flood Control Work with City's Share of Costs in the Amount of $703,698 Plus $50,000 for Construction Contingency for Repairs of the Levee Protecting Soledad's Water Reclamation Facility from Flood Inundation from the Salinas River And Authorizing The City Manager to Execute Said Agreement on Behalf of the City of Soledad**

TO: **Honorable Mayor Velazquez and City Council**

FROM: **Donald Wilcox, Public Works Director**

THROUGH: **Megan Hunter, City Manager**

MEETING DATE: **June 19, 2024**

Recommendation

Staff recommends that the City Council consider and adopt Resolution No. 6102, "Approving a Cooperation Agreement with The Department of the Army for P.L. 84-99 Rehabilitation of Federal Flood Control Work With City's Share of Costs in the Amount of $703,698 plus $50,000 for Construction Contingency for Repairs of the Levee Protecting Soledad's Water Reclamation Facility from Flood Inundation from the Salinas River and Authorizing the City Manager to Execute Said Agreement on Behalf of the City of Soledad."

Executive Summary

The heavy intensity and duration of winter rains, Salinas River dam releases, and resultant high river flows during the winters of 22/23 and 23/24 have once again scoured the WRF levee requiring significant repair work. Similar damages were previously repaired pursuant to a $1.5M agreement between the City and the US Army Corps of Engineers ("USACE") in 2022. Staff once again contacted the USACE requesting a levee repair project, and USACE staff visited the WRF levee in the spring of 2024 and agreed to a levee repair project under their P.L. 84-99 program. The current levee damages are more extensive than those addressed in the 2022 project, with an estimated cost of repair of $3,518,488. USACE will fund 80% of the cost of this project, with the City picking up the remaining 20% match.

Background

The City's Water Reclamation Facility (WRF) is located adjacent to the Salinas River and is protected

from the river by an unclassified levee constructed by the California Department of Corrections (CDC) in 1998 when the CDC began discharging wastewater to the Soledad WWTP. The levee was designed to hold back relatively slow-rising, low-velocity water when the Salinas River swells during high-intensity/long-duration rain events.

Since the levee was constructed, the Salinas River changed course so that the river channel moved from several hundred feet away from the levee to right up against the levee (see attached WRF levee photos), so the river began to flow along the levee instead of just slowly swelling up to it. In 2017, winter storms produced considerable flows in the river resulting in scouring velocity causing significant erosion of the levee, which was designed to withhold low or no flow swelling of the river, not scouring velocities of river water.

After the winter storms of 2017 caused significant erosion to the levee, City staff met with staff from the Federal Emergency Management Agency (FEMA) and the California Office of Emergency Services (Cal OES) for the purposes of requesting funding to properly armor the levee against erosion. However, both agencies stated that the US Army Corp of Engineers (USACE) would need to review the damage and consider funding levee repairs. Staff then reached out to USACE with little success as USACE believed this to be a FEMA project through Cal OES. After 5 years and assistance from Congressman Jimmy Panetta, it was finally determined that the USACE could assist Soledad with this project.

The City of Soledad and USACE entered into an agreement in 2022 for an estimated $1.5M levee repair project, with the USACE funding 80% of the repairs and the City of Soledad matching the remaining 20%. That project was completed in December 2022, literally one day before heavy rains began that continued throughout that winter and were some of the heaviest rains and resultant river flows in the preceding 20 years.

The heavy intensity and duration of winter rains and Salinas River dam releases and resultant high river flows during the winters of 22/23 and 23/24 have once again scoured the WRF levee in additional areas, and new repairs are needed. Staff contacted USACE requesting another levee repair project, and USACE staff visited the WRF levee in the spring of 2024 and agreed to another levee repair project under their P.L. 84-99 program. The current levee damage is more extensive than damages addressed by the 2022 project, with repair work being estimated at a cost of $3,518,488. Fortunately, the USACE can once again fund 80% of the cost of this project.

City staff are also working on a FEMA Building Resilient Infrastructure and Communities (BRIC) program grant application in collaboration with a Cal OES funding application for the BRIC match, to fund a Guide Bank project that will prevent future levee damage by building a new guide levee capable of withstanding scouring to protect the existing levee. That project is estimated at $10-20M and is described in a separate agenda item.

Review & Analysis

Significant damage has once again occurred to the levee that protects the Soledad WRF from flooding. The Soledad WRF elevation is actually lower than the base of the Salinas River, so the levee must be repaired to protect the facility from the river and the river from potential raw sewage contamination if the WRF is flooded and ceases to operate.

Staff has been working with USACE providing them with city documents & records, County Resource Conservation District Aerials and LiDAR drawings, and site visits as needed for USACE to design and

construct levee repairs. USACE now has a construction window of late summer or early fall 2024, and has requested the City of Soledad to enter into their attached Agreement so they can schedule the construction. It is extremely important to facilitate the levee repair project prior to the next big rain event as a significant rise and flow of the Salinas River could further undermine the levee and flood Soledad's WRF.

Entering into this agreement with USACE as soon as possible is in the best interest of the City while the project is currently funded and scheduled in the USACE system, and to avoid delaying the project and resultant potential flooding of the WRF. Therefore, approval of the Resolution and Agreement is an urgent item.

Financial Considerations

USACE currently estimates the cost of this project to be $3,518,488 with a required 20% City match of $703,698. Due to uncertainties in construction costs due to Covid, labor and materials availability, fuel costs, etc., staff recommends a concurrent approval of $50,000 contingency. Any unused funds shall be sent back to the City if not expended. This project is listed in the proposed FY 24-25 CIP and was requested to be budgeted for in the proposed FY 24-25 budget under Wastewater Operations, Capital Projects 310-6100-5632.

Alternatives

- Adopt the recommended resolution.
- Do not approve the attached resolution. This is not recommended as there is potential for catastrophic damage to the WRF and environment without this project
- Provide Staff with alternate direction

Planning/CEQA

Repairs of the levee are categorically exempt per CEQA Guidelines §15301 and §15302. These repairs involve an existing public facility with no expansion of an existing or former use (CEQA §15301). Reinforcement of the levee may also be considered replacement and reconstruction of an existing structure on the same site with the same purpose and capacity, which is exempt pursuant to CEQA §15302.

The USACE (Army Corps of Engineers) has determined that the levee is well above ordinary high water and falls under maintenance exemption of the Clean Water Act and would not require coordination with the USACE Regulatory Office to complete this repair and return the site to its pre-storm condition.

Public Notice Requirements

None

Attachment(s):
Resolution No. 6102
Exhibit A - USACE Draft Agreement- WRD Fac. Levee Repairs.pdf
WRF Levee Photos

RESOLUTION NO. 6102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING A COOPERATION AGREEMENT WITH THE DEPARTMENT OF THE ARMY FOR P.L. 84-99 REHABILITATION OF FEDERAL FLOOD CONTROL WORK WITH CITY'S SHARE OF COSTS IN THE AMOUNT OF $703,698 PLUS $50,000 FOR CONSTRUCTION CONTINGENCY FOR REPAIRS OF THE LEVEE PROTECTING SOLEDAD'S WATER RECLAMATION FACILITY FROM FLOOD INUNDATION FROM THE SALINAS RIVER AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF SOLEDAD

WHEREAS, the City's Water Reclamation Facility (WRF) is located adjacent to the banks of the Salinas River and is protected by an unclassified levee constructed by the California Department of Corrections (CDC) in 1998 when the CDC began discharging wastewater to the Soledad WWTP; and

WHEREAS, in 2022, the City and the US Army Corps of Engineers (USACE) entered into a cooperation agreement by which the USACE performed a repair project for damages done to WRF's protective levee by intense rainfall, Salinas River dam releases, and resulting high river flows; and

WHEREAS, the heavy intensity and duration of winter rains and Salinas River dam releases and resultant high river flows during the winters of 22/23 and 23/24 have once again scoured the WRF levee in additional areas, and repairs are once again needed; and

WHEREAS, staff contacted USACE requesting another levee repair project, and USACE staff visited the WRF levee in the spring of 2024 and agreed to another levee repair project under their P.L. 84-99 program; and

WHEREAS, USACE now has a construction window of late summer or early fall 2024, and has requested the City of Soledad to enter into their attached Agreement so they can schedule the construction; and

WHEREAS, USACE currently estimates the cost of this project to be $3,518,488 with a required 20% City match of $703,698; and

WHEREAS, due to uncertainties in construction costs due to Covid, labor and materials availability, fuel costs, etc., staff recommends a concurrent approval of $50,000 contingency; and

WHEREAS, repairs of the levee are categorically exempt per CEQA Guidelines §15301 and §15302, these repairs involve an existing public facility with no expansion of an existing or former use (CEQA §15301), and reinforcement of the levee may also be considered replacement and reconstruction of an existing structure on the same site with the same purpose and capacity, which is exempt pursuant to CEQA §15302; and

WHEREAS, the USACE (Army Corps of Engineers) has determined that the levee is well above ordinary high water and falls under maintenance exemption of the Clean Water Act and would not require coordination with the USACE Regulatory Office to complete this repair and return the site to its pre-storm condition; and

WHEREAS, funding for this project was requested to be budgeted for in the proposed FY 24-25 budget under Wastewater Operations, Capital Projects 310-6100-5632.

BE IT HEREBY RESOLVED by the City Council of the City of Soledad, that a Cooperation Agreement with The Department of the Army for Rehabilitation of a Federal Flood Control Work, with City's share in the Amount of $703,698 with $50,000 for construction contingency, for repairs of the levee protecting Soledad's Water Reclamation Facility from flood inundation from the Salinas River, a copy of which is attached hereto as **Exhibit A,** and by reference incorporated herein, is hereby approved and the City Manager is hereby authorized and directed to execute the same on behalf of the City of Soledad.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 19th day of June 2024 by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

_____
ANNA M. VELAZQUEZ, Mayor

ATTEST:

_____
MEGAN HUNTER, City Clerk

Exhibit A

COOPERATION AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
CITY OF SOLEDAD
FOR
P.L. 84-99 REHABILITATION OF FEDERAL FLOOD CONTROL WORK

THIS AGREEMENT is entered into this ____ day of June 2024, by and between the Department of the Army (hereinafter the "Government"), represented by the District Commander for **San Francisco District** (hereinafter the "District Commander") and the **City of Soledad** (hereinafter the "Public Sponsor"), represented by its **Executive Director**.

WITNESSETH, THAT:

WHEREAS, the non-Federal flood risk management project commonly referred to as the **Soledad Wastewater Treatment Plant** (hereinafter the "project"), is located **on Morisoli Road off HWY 146 in CITY OF SOLEDAD, MONTEREY COUNTY, CA**;

WHEREAS, pursuant to Public Law 84-99, as amended (33 U.S.C. 701n), the Government is authorized to conduct repair or restoration of the project (hereinafter the "rehabilitation work", as defined in Article I.A. of this Agreement) if the Public Sponsor agrees to provide 20 percent of the cost shared rehabilitation costs, as defined in Article I.C. of this Agreement;

WHEREAS, on **17 March 2023**, the Public Sponsor requested in writing that the Government, undertake the rehabilitation work and agreed to provide its 20 percent of the cost shared rehabilitation costs; and

WHEREAS, the Government and the Public Sponsor have the full authority and capability to perform the rehabilitation work in accordance with the terms of this Agreement and acknowledge that Section 221 of the Flood Control Act of 1970, as amended (42 U.S.C. 1962d-5b), provides that this Agreement shall be enforceable in the appropriate district court of the United States.

NOW, THEREFORE, the parties agree as follows:

ARTICLE I - DEFINITIONS

A. The term "rehabilitation work" means **repairing and restoring damages from the CA Winter Storms on the Soledad Wastewater Treatment Plant Levee on the Salinas River**, as generally described in **P.L. 84-99 Soledad Wastewater Treatment Plant Levee Damages - Addendum**, dated **26 February 2024** and approved by the **Chief of Readiness and Contingency from the South Pacific Division** on **04 March 2024**

B. The term "HTRW" means hazardous, toxic, and radioactive wastes, which includes any material listed as a "hazardous substance" (42 U.S.C. 9601(14)) regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (hereinafter "CERCLA") (42 U.S.C. 9601-9675) and any other regulated material in accordance with applicable laws and regulations.

C. The term "cost shared rehabilitation costs" means all costs incurred by the Government and the Public Sponsor that are directly related to construction of the rehabilitation work and cost shared. The term includes the Government's construction costs; the Government's supervision and administration costs; the Public Sponsor's creditable cost for in-kind contributions; and the costs of historic preservation activities except for data recovery for historic properties. The term does not include the Government's Full Federal engineering and design (E&D) costs; costs for operation and maintenance; real property interests, placement area improvements, and relocations; HTRW investigations, cleanup, and response; betterments; audits; or increased costs to correct deficient, deferred, or inadequate maintenance, or for the Public Sponsor's preferred alternatives.

D. The term "Full Federal E&D costs" means the costs for engineering and design work incurred by the Government after the effective date of this Agreement at full Federal expense.

E. The term "total costs of the rehabilitation work" means the sum of the cost shared rehabilitation costs and the Full Federal E&D costs.

F. The term "in-kind contributions" means those materials or services provided by the Public Sponsor that are identified as being integral to the rehabilitation work by the Division Commander for **South Pacific Division** (hereinafter the "Division Commander"). To be integral to the rehabilitation work, the material or service must be part of the work that the Government would otherwise have undertaken for design and construction of the rehabilitation work.

G. The term "betterment" means the difference in construction of an element of the rehabilitation work that results from the application of standards that the Government determines exceed those that the Government would otherwise apply to construction of that element.

H. The term "fiscal year" means one year beginning on October 1st and ending on September 30th of the following year.

ARTICLE II - OBLIGATIONS OF THE PARTIES

A. In accordance with applicable Federal laws, regulations, and policies, the Government shall undertake the rehabilitation work subject to receiving funds appropriated by the Congress and funds provided by the Public Sponsor. In carrying out its obligations under this Agreement, the Public Sponsor shall comply with all the requirements of applicable Federal laws and implementing regulations, including but not limited to, if applicable, Section 601 of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d), and Department of Defense Directive

5500.11 issued pursuant thereto; the Age Discrimination Act of 1975 (42 U.S.C. 6102); and the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Army Regulation 600-7 issued pursuant thereto.

B. The Public Sponsor shall contribute 20 percent of the cost shared rehabilitation costs and provide the following, in accordance with the provisions of this paragraph:

1. As further specified in Article III, the Public Sponsor, at no cost to the Government, shall provide the real property interests, placement area improvements, and relocations required for the rehabilitation work.

2. In accordance with Article IV, the Public Sponsor, at no cost to the Government, shall be responsible for undertaking any HTRW investigations required by the Government for the rehabilitation work.

3. If providing in-kind contributions as a part of its cost share for the rehabilitation work, the Public Sponsor shall obtain all applicable licenses and permits necessary for such work. As functional portions of the work are completed, the Public Sponsor shall begin operation and maintenance of such work. Upon completion of the work, the Public Sponsor shall so notify the Government within 30 calendar days and provide the Government with a copy of as-built drawings for the work. The Government shall verify and credit the value of the in-kind contributions towards the Public Sponsor's share of the cost shared rehabilitation costs in accordance with the following procedures, requirements, and conditions and subject to audit in accordance with Article VIII.B. to determine reasonableness, allocability, and allowability of costs.

a. The value shall be equivalent to the costs, documented to the satisfaction of the Government, that the Public Sponsor incurred to provide the in-kind contributions, which may include engineering and design; construction; and supervision and administration, but shall not include any costs associated with betterments, as determined by the Government. Appropriate documentation includes invoices and certification of specific payments to contractors, suppliers, and the Public Sponsor's employees.

b. No credit shall be afforded for the following: interest charges, or any adjustment to reflect changes in price levels between the time the in-kind contributions are completed and credit is afforded; the value of in-kind contributions obtained at no cost to the Public Sponsor; any in-kind contributions performed prior to the effective date of this Agreement; or costs that exceed the Government's estimate of the cost for such in-kind contributions.

c. Any credit afforded for in-kind contributions under the terms of this Agreement is subject to satisfactory compliance with applicable Federal labor laws covering non-Federal construction, including, but not limited to, 40 U.S.C. 3141-3148 and 40 U.S.C. 3701-3708 (labor standards originally enacted as the Davis-Bacon Act, the Contract Work Hours and Safety Standards Act, and the Copeland Anti-Kickback Act), and credit may be withheld, in

whole or in part, as a result of the Public Sponsor's failure to comply with its obligations under these laws.

4. After considering the estimated amount of credit that will be afforded to the Public Sponsor pursuant to paragraph B.3., above, if any, the Government shall determine the estimated amount of funds required from the Public Sponsor to meet its 20 percent cost share for the then-current fiscal year. No later than 60 calendar days after receipt of notification from the Government, the Public Sponsor shall provide the full amount of such required funds to the Government in accordance with Article V.C.

5. No later than August 1st prior to each subsequent fiscal year, the Government shall provide the Public Sponsor with a written estimate of the full amount of funds required from the Public Sponsor during that fiscal year to meet its cost share. No later than September 1st prior to that fiscal year, the Public Sponsor shall provide the full amount of such required funds to the Government in accordance with Article V.C.

C. To the extent practicable and in accordance with Federal law, regulations, and policies, the Government shall afford the Public Sponsor the opportunity to review and comment on contract solicitations, including relevant plans and specifications, prior to the Government's issuance of such solicitations; proposed contract modifications, including change orders; and contract claims prior to resolution thereof. Ultimately, the contents of solicitations, award of contracts, execution of contract modifications, and resolution of contract claims shall be exclusively within the control of the Government.

D. Within 30 calendar days of the District Commander determining that the rehabilitation work is complete, the District Commander shall so notify the Public Sponsor in writing. The Government shall furnish the Public Sponsor with an Operation, Maintenance, Repair, Rehabilitation, and Replacement Manual (hereinafter the "OMRR&R Manual") to reflect changed conditions resulting from rehabilitation work and copies of all as-built drawings for the completed work.

1. The Government undertaking the rehabilitation work has no effect on the Public Sponsor's responsibility for operation, maintenance, repair, rehabilitation, and replacement of the project, to include any additional responsibilities related to rehabilitation of the project, at no cost to the Government. The Public Sponsor shall continue to operate and maintain the project in accordance with applicable Federal laws and regulations and the Government's specific directions in the OMRR&R Manual. The Government and the Public Sponsor shall consult on any subsequent updates or amendments to the OMRR&R Manual.

2. The Government may enter, at reasonable times and in a reasonable manner, upon real property interests that the Public Sponsor now or hereafter owns or controls to inspect the project. If the Government determines that the Public Sponsor is failing to perform its obligations under this Agreement and the Public Sponsor does not correct such failures within a reasonable time after notification by the Government, the Government, at its sole discretion, may undertake any operation, maintenance, repair, rehabilitation, or replacement of the project, or deny further assistance under Public Law 84-99. No operation, maintenance, repair,

rehabilitation, or replacement by the Government shall relieve the Public Sponsor of its obligations under this Agreement or preclude the Government from pursuing any other remedy at law or equity to ensure faithful performance of this Agreement.

E. The Public Sponsor shall not use Federal program funds to meet any of its obligations under this Agreement unless the Federal agency providing the funds verifies in writing that the funds are authorized to be used for the rehabilitation work. Federal program funds are those funds provided by a Federal agency, plus any non-Federal contribution required as a matching share therefor.

F. The Public Sponsor shall hold and save the Government free from all damages arising from the rehabilitation work, and for operation and maintenance of the project, except for damages due to the fault or negligence of the Government or the Government's contractors.

G. The Public Sponsor agrees to continue to participate in and comply with the policies and procedures of the U.S. Army Corps of Engineers Rehabilitation and Inspection Program, and of Title 33, Code of Federal Regulations, Part 208.10 (33 CRF 208.10).

H. The Public Sponsor may request in writing that the Government perform betterments on the Public Sponsor's behalf. Each request shall be subject to review and written approval by the Division Commander. If the Government agrees to such request, the Government shall provide written notice to the Public Sponsor of the amount of funds required to cover the costs of such work in advance of the Government performing the work. The Public Sponsor shall provide such funds in accordance with Article V.F. In addition, the Public Sponsor is responsible for providing, at no cost to the Government, any additional real property interests, relocations, and placement area improvements determined by the Government to be required for such work.

ARTICLE III - REAL PROPERTY INTERESTS, PLACEMENT AREA IMPROVEMENTS, AND RELOCATIONS

A. The Government, after consultation with the Public Sponsor, shall determine the real property interests required for the rehabilitation work. The Government shall provide the Public Sponsor with general written descriptions, including maps as appropriate, of the real property interests that the Government determines the Public Sponsor must provide for the rehabilitation work. The real property interests required for the rehabilitation work may be provided incrementally for each construction contract. In accordance with Article IV, the Public Sponsor shall investigate to verify that HTRW does not exist in, on, or under any of the real property interests required for the rehabilitation work. For real property interests currently owned or controlled by the Public Sponsor, such HTRW investigations must be completed prior to the Government advertising a construction contract for that work. For any additional real property interests to be acquired by the Public Sponsor, such HTRW investigations must be completed by the Public Sponsor prior to the Government providing the Public Sponsor with a written notice to proceed with that acquisition. The Public Sponsor shall provide the Government with authorization for entry to such real property interests according to the Government's construction

schedule for that work. The Public Sponsor shall ensure that real property interests they provide are retained in public ownership.

B. The Government, after consultation with the Public Sponsor, shall determine the placement area improvements required for the rehabilitation work, provide the Public Sponsor with general written descriptions, including maps as appropriate, of such improvements, and provide the Public Sponsor with a written notice to proceed with such improvements. The Public Sponsor shall construct the improvements in accordance with the Government's construction schedule for that work.

C. The Government, after consultation with the Public Sponsor, shall determine the relocations required for the rehabilitation work, provide the Public Sponsor with general written descriptions, including maps as appropriate, of such relocations, and provide the Public Sponsor with a written notice to proceed with such relocations. The Public Sponsor shall perform or ensure the performance of these relocations in accordance with the Government's construction schedule for that work.

D. In acquiring the real property interests for the rehabilitation work, the Public Sponsor assures the Government that it will comply with the following:

(1) fair and reasonable relocation payments and assistance shall be provided to or for displaced persons, as are required to be provided by a Federal agency under 42 U.S.C. 4622, 4623 and 4624;

(2) relocation assistance programs offering the services described in 42 U.S.C. 4625 shall be provided to such displaced persons;

(3) within a reasonable period of time prior to displacement, comparable replacement dwellings will be available to displaced persons in accordance with 42 U.S.C. 4625(c)(3);

(4) in acquiring real property, the Public Sponsor will be guided, to the greatest extent practicable under State law, by the land acquisition policies in 42 U.S.C. 4651 and the provisions of 42 U.S.C. 4652; and

(5) displaced persons will be paid or reimbursed for necessary expenses as specified in 42 U.S.C. 4653 and 4654.

ARTICLE IV - HTRW

A. The Public Sponsor shall be responsible for undertaking any investigations to identify the existence and extent of any HTRW regulated under applicable law that may exist in, on, or under real property interests required for the rehabilitation work.

B. In the event it is discovered that HTRW exists in, on, or under any of the real property interests needed for the rehabilitation work, the Public Sponsor and the Government shall provide written notice to each other within 15 calendar days of such discovery, in addition to providing any other notice required by applicable law. If HTRW is discovered prior to acquisition, the Public Sponsor shall not proceed with the acquisition of such real property interests until the parties agree that the Public Sponsor should proceed. If HTRW is discovered in, on, or under real property interests that the Public Sponsor currently owns or controls or after acquisition of the real property interests, no further rehabilitation activities within the contaminated area shall proceed until the parties agree on an appropriate course of action.

C. If HTRW is found to exist in, on, or under any required real property interests, the parties shall consider any liability that might arise under applicable law and determine whether to initiate construction, or if already initiated, whether to continue, suspend, or terminate construction.

1. Should the parties initiate or continue construction, the Public Sponsor shall be solely responsible, as between the Government and the Public Sponsor, for the performance and costs of HTRW cleanup and response, including the costs of any studies and investigations necessary to determine an appropriate response to the contamination. The Public Sponsor shall pay such costs without reimbursement or credit by the Government. In no event will the Government proceed with that construction before the Public Sponsor has completed the required cleanup and response actions.

2. In the event the parties cannot reach agreement on how to proceed or the Public Sponsor fails to discharge its responsibilities under this Article upon direction by the Government, the Government may suspend or terminate construction. Additionally, the Government may undertake any actions it determines necessary to avoid a release of such HTRW with the Public Sponsor responsible for such costs without credit or reimbursement by the Government.

D. In the event of a HTRW discovery, the Public Sponsor and the Government shall initiate consultation with each other within 15 calendar days in an effort to ensure that responsible parties bear any necessary cleanup and response costs as required by applicable law. Any decision made pursuant to this Article shall not relieve any third party from any HTRW liability that may arise under applicable law.

E. To the maximum extent practicable, the Government and Public Sponsor shall perform their responsibilities under this Agreement in a manner that will not cause HTRW liability to arise under applicable law.

F. As between the Government and the Public Sponsor, the Public Sponsor shall be considered the owner and operator of the project, including the rehabilitation work, for purposes of CERCLA liability or other applicable law.

ARTICLE V - PROVISION OF NON-FEDERAL COST SHARE

A. As of the effective date of this Agreement, the total rehabilitation costs are projected to be $3,518,488, which includes the cost shared rehabilitation costs and the Full Federal E&D costs. The cost shared rehabilitation costs are projected to be $3,518,488, with the Government's share of such costs projected to be $2,814,791 and the Public Sponsor's share of such costs projected to be $703,698, which includes creditable in-kind contributions projected to be $_____, and the amount of funds required projected to be $703,698. The Government's Full Federal E&D costs are projected to be $173,041. Costs for betterments are projected to be $0. These amounts are estimates only that are subject to adjustment by the Government and are not to be construed as the total financial responsibilities of the Government and the Public Sponsor.

B. The Government shall provide the Public Sponsor with **[Insert "quarterly" or "monthly", based on Public Sponsor's preference]** financial reports setting forth the estimated cost shared rehabilitation costs and the Government's and Public Sponsor's estimated shares of such costs; costs incurred by the Government, using both Federal and Public Sponsor funds, to date; the amount of funds provided by the Public Sponsor to date; the estimated amount of any creditable in-kind contributions; and the estimated amount of funds required from the Public Sponsor during the upcoming fiscal year.

C. The Public Sponsor shall provide the funds required to meet its share of the cost shared rehabilitation costs by delivering a check payable to "FAO, USAED, **San Francisco (L3)**" to the District Commander, or verifying to the satisfaction of the Government that the Public Sponsor has deposited such required funds in an escrow or other account acceptable to the Government, with interest accruing to the Public Sponsor, or by providing an Electronic Funds Transfer of such required funds in accordance with procedures established by the Government.

D. The Government shall draw from the funds provided by the Public Sponsor to cover the non-Federal share of cost shared rehabilitation costs as those costs are incurred. If the Government determines at any time that additional funds are needed from the Public Sponsor to cover the Public Sponsor's required share of such rehabilitation costs, the Government shall provide the Public Sponsor with written notice of the amount of additional funds required. Within 60 calendar days from receipt of such notice, the Public Sponsor shall provide the Government with the full amount of such additional required funds.

E. Upon completion or termination of construction of the rehabilitation work, the Government shall conduct a final accounting and furnish the Public Sponsor with the written results of such final accounting. Should the final accounting determine that additional funds are required from the Public Sponsor, the Public Sponsor, within 60 calendar days of receipt of written notice from the Government, shall provide the Government with the full amount of such additional required funds by delivering a check payable to "FAO, USAED, **San Francisco (L3)**" to the District Commander, or by providing an Electronic Funds Transfer of such funds in accordance with procedures established by the Government. Such final accounting does not limit the Public Sponsor's responsibility to pay its share of rehabilitation costs, including contract claims or any other liability that may become known after the final accounting. If the final accounting determines that funds provided by the Public Sponsor exceed the amount of funds required to meet its share of rehabilitation costs, the Government shall refund such excess amount, subject to the availability of funds for the refund.

F. If the Government agrees to perform betterments on the Public Sponsor's behalf, the Government shall provide written notice to the Public Sponsor of the amount of funds required to cover such costs. No later than 60 calendar days after receipt of such written notice, the Public Sponsor shall make the full amount of such required funds available to the Government through either payment method specified in Article V.E. If at any time the Government determines that additional funds are required to cover such costs, the Public Sponsor shall provide those funds within 30 calendar days from receipt of written notice from the Government. If the Government determines that funds provided by the Public Sponsor exceed the amount that was required for the Government to complete such work, the Government shall refund any remaining unobligated amount.

ARTICLE VI - DISPUTE RESOLUTION

As a condition precedent to a party bringing any suit for breach of this Agreement, that party must first notify the other party in writing of the nature of the purported breach and seek in good faith to resolve the dispute through negotiation. If the parties cannot resolve the dispute through negotiation, they may agree to a mutually acceptable method of non-binding alternative dispute resolution with a qualified third party acceptable to the parties. Each party shall pay an equal share of any costs for the services provided by such a third party as such costs are incurred. The existence of a dispute shall not excuse the parties from performance pursuant to this Agreement.

ARTICLE VII - TERMINATION OR SUSPENSION

A. If at any time the Public Sponsor fails to fulfill its obligations under this Agreement, the Government may suspend or terminate construction unless the Assistant Secretary of the Army (Civil Works) determines that continuation of such work is in the interest of the United States or is necessary in order to satisfy agreements with other non-Federal interests.

B. If the Government determines at any time that the Federal funds made available for the rehabilitation work are not sufficient to complete such work, the Government shall so notify the Public Sponsor in writing within 30 calendar days, and upon exhaustion of such funds, the Government shall suspend construction until there are sufficient funds appropriated by Congress and funds provided by the Public Sponsor to allow construction to resume.

C. If HTRW is found to exist in, on, or under any required real property interests, the parties shall follow the procedures set forth in Article IV.

D. In the event of termination, the parties shall conclude their activities relating to the rehabilitation work. To provide for this eventuality, the Government may reserve a percentage of available funds as a contingency to pay the costs of termination, including any costs of resolution of real property acquisition, resolution of contract claims, and resolution of contract modifications.

E. Any suspension or termination shall not relieve the parties of liability for any obligation incurred. Any delinquent payment owed by the Public Sponsor pursuant to this Agreement shall be charged interest at a rate, to be determined by the Secretary of the Treasury, equal to 150 per centum of the average bond equivalent rate of the 13 week Treasury bills auctioned immediately prior to the date on which such payment became delinquent, or auctioned immediately prior to the beginning of each additional 3 month period if the period of delinquency exceeds 3 months.

ARTICLE VIII - MAINTENANCE OF RECORDS AND AUDITS

A. The parties shall develop procedures for the maintenance by the Public Sponsor of books, records, documents, or other evidence pertaining to costs and expenses for a minimum of three years after the final accounting. The Public Sponsor shall assure that such materials are reasonably available for examination, audit, or reproduction by the Government.

B. The Government may conduct, or arrange for the conduct of, audits of the rehabilitation work. Government audits shall be conducted in accordance with applicable Government cost principles and regulations. The Government's costs of audits shall not be included in rehabilitations costs.

C. To the extent permitted under applicable Federal laws and regulations, the Government shall allow the Public Sponsor to inspect books, records, documents, or other evidence pertaining to costs and expenses maintained by the Government, or at the Public Sponsor's request, provide to the Public Sponsor or independent auditors any such information necessary to enable an audit of the Public Sponsor's activities under this Agreement. The Public Sponsor shall pay the costs of non-Federal audits without reimbursement or credit by the Government.

ARTICLE IX - RELATIONSHIP OF PARTIES

In the exercise of their respective rights and obligations under this Agreement, the Government and the Public Sponsor each act in an independent capacity, and neither is to be considered the officer, agent, or employee of the other. Neither party shall provide, without the consent of the other party, any contractor with a release that waives or purports to waive any rights a party may have to seek relief or redress against that contractor.

ARTICLE X - NOTICES

A. Any notice, request, demand, or other communication required or permitted to be given under this Agreement shall be deemed to have been duly given if in writing and delivered personally or mailed by registered or certified mail, with return receipt, as follows:

If to the Public Sponsor:
Public Works Director
City of Soledad
248 Main Street
Soledad, California 93960

If to the Government:
District Commander
U.S. Army Corps of Engineers, San Francisco District
450 Golden Gate Avenue
San Francisco, California 94102

B. A party may change the recipient or address to which such communications are to be directed by giving written notice to the other party in the manner provided in this Article.

ARTICLE XI - CONFIDENTIALITY

To the extent permitted by the laws governing each party, the parties agree to maintain the confidentiality of exchanged information when requested to do so by the providing party.

ARTICLE XII - THIRD PARTY RIGHTS, BENEFITS, OR LIABILITIES

Nothing in this Agreement is intended, nor may be construed, to create any rights, confer any benefits, or relieve any liability, of any kind whatsoever in any third person not a party to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, which shall become effective upon the date it is signed by the District Commander.

DEPARTMENT OF THE ARMY	CITY OF SOLEDAD
BY: _____	BY: _____
TIMOTHY SHEBESTA Lieutenant Colonel, U.S. Army District Commander	MEGAN HUNTER City Manager City of Soledad
DATE: _____	DATE: _____

WATER RECLAMATION FACILITY LEVEE PHOTOS