



CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 • FAX (831) 394-6421

REGULAR MEETING OF THE CITY OF DEL REY OAKS CITY COUNCIL TUESDAY, APRIL 28, 2020 AT 6:00 P.M.

**MEETING TO BE HELD VIRTUALLY ONLY
AT THE FOLLOWING ZOOM LINK PER GOVERNOR NEWSOM'S EXECUTIVE
ORDERS N-29-20 AND N-33-20 REGARDING COVID-19 PROTOCOLS:**

*Click on link below
If you are not able to,
then copy and paste or type the link into your browser
You must have a computer with a camera or smart phone to participate in
the video portion of the meeting.*

Join Zoom Meeting
<https://zoom.us/j/173400555>
Meeting ID: 173 400 555 Password: 913653

To participate telephonically, call either number below.

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1. 6:00 P.M. - ROLL CALL – *Council*
2. **PUBLIC COMMENTS:** General Public Comment must deal with matters subject to the jurisdiction of the City and the Council that are not on the Agenda. Anyone wishing to address the City Council on matters not appearing on the Agenda may do so now. The public may comment on any other matter listed on the Agenda at the time the matter is being considered. *There will be a time limit of not more than three minutes for each speaker. No action will be taken on matters brought up under this item and all comments will be referred to staff.*
3. **PROCLAMATIONS:**
 - A. National Teachers Appreciation Week
 - B. Arbor Day
4. **CONSENT AGENDA:** *Action Items*
 - A. **MINUTES:** (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)
 1. March 24, 2020 Regular City Council Meeting
 2. March 11, 2020, Planning Commission Meeting - Draft
 3. February 12, 2020 Planning Commission Meeting

- B. MONTHLY REPORTS: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)**
1. Claims, March 2020
 2. Unpaid Bills Detail, All
 3. Financials, March 2020 and March 2019
 4. Fire Department Response Report, March 2020
 5. Police Activity Report, March 2020
- C. MISCELLANEOUS (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)**
1. Updated Strategic Planning Grid
 2. Resolution 2020-05, Certifying the Election Results for the Presidential Primary Election
 3. Consider a Resolution to apply for State LEAP Planning Grant Funds
 4. Consider Fort Ord Recreation Trails and Greenway (FORTAG) Master Agreement and Mitigation Monitoring Plan
5. **OLD BUSINESS: None**
6. **NEW BUSINESS:**
- | | |
|--|---------------------------------|
| | <i>Action/Information Items</i> |
| A. Consider Applications to Fill One (1) Vacancy on the Planning Commission | <i>Action</i> |
| B. Consider First Reading of Ordinance 302, Modifying Chapter 17.59 of the Del Rey Oaks Municipal Code Relating to Signs as Recommended by the Planning Commission | <i>Action</i> |
| C. Receive a Report on COVID-19 related Budget Impacts and Consider Cannabis Business Tax deferral during the Emergency Period | <i>Action</i> |
7. **STAFF REPORTS:**
- A. City Manager Report
8. **MAYOR AND COUNCIL REPORTS**
- A. Mayor Kerr Written Report
 - B. Council Member Goetzelt Written Report
9. **CORRESPONDENCE:**
- A. MST Board Meeting Highlights
 - B. TAMC Board Meeting Highlights
10. **CLOSED SESSION: As permitted by Government Code Section 54956 et. seq. the Council may adjourn to a Closed Session to consider specific matters dealing with certain litigation, personnel, or labor/real property negotiations.**
- MEETING TO BE HELD VIRTUALLY ONLY PER GOVERNOR NEWSOM'S EXECUTIVE ORDERS N-29-20 AND N-33-20 REGARDING COVID-19 PROTOCOLS: The Council alone will participate in the Closed Session portion of the meeting via invitation. They will return to the open zoom link meeting listed above upon adjourning from closed session.**
- A. **Public Comment on Closed Session Items: Anyone wishing to address the City Council on an item to be discussed in closed session may do**

so now. There will be a time limit of not more than three minutes for each speaker. No action will be taken on matters brought up under this public comment period.

B. Closed Session Items:

- 1) Conference with Legal Counsel – Existing Litigation (Gov't Code § 54956.9(a)) *LandWatch Monterey County vs. City of Del Rey Oaks et al.* (Monterey County Superior Court case No. 19CV005255.)

C. Adjourn to Open Session

D. Report Out By City Attorney

11. NEXT MEETING DATE: Tuesday, May 26, 2020, at 6 P.M.

12. ADJOURNMENT

Information distributed to the Council at the meeting becomes part of the public record. A copy of written material, pictures, etc. must be provided to the secretary for this purpose. All enclosures and materials regarding these agenda items are available for public review at the Del Rey Oaks City Hall, 650 Canyon Del Rey Road, Del Rey Oaks.

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- With the Zoom app on your desktop
- From the Zoom website
- Or via telephone dial-in

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2. Enter the Meeting ID (see the box to the right)
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Proclamation

Celebrating Teacher's Appreciation Week

May 3-9, 2020

WHEREAS, teachers make all schools great; and

WHEREAS, teachers work to open students' minds to ideas, knowledge and dreams; and

WHEREAS, teachers keep American democracy alive by laying the foundation for good citizenship; and

WHEREAS, teachers fill many roles, as listeners, explorers, role models, motivators and mentors; and

WHEREAS, teachers continue to influence us long after our school days are only memories;

Now, therefore, I, Mayor Alison Kerr, on behalf of the City Council of the City of Del Rey Oaks, do hereby proclaim May 3-9, 2020, as Teacher Appreciation Week.

I urge all citizens to observe this week by taking time to recognize and acknowledge the impact of teachers on our lives.

Signed this 28th day of April, 2020.

Alison Kerr, Mayor



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PROCLAMATION

The City of Del Rey Oaks City Council Hereby Celebrates Arbor Day 2020

WHEREAS in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS Arbor Day is now observed throughout the nation and the world, and trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS trees, wherever they are planted, are a source of joy, and

WHEREAS in cooperation with the City, residents have planted over 100 oak trees in Del Rey Oaks this year.

NOW, THEREFORE I, Alison Kerr, Mayor of the City of Del Rey Oaks, do hereby proclaim April 24, 2020 as Arbor Day in the City of Del Rey Oaks and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and I urge all citizens to plant trees to promote the well-being of this and future generations.

Signed this 28th day of April, 2020

Alison Kerr, Mayor

CITY OF DEL REY OAKS CITY COUNCIL REGULAR MEETING CONVENED AT 6:00 P.M. ON TUESDAY, MARCH 24, 2020 MEETING WAS HELD VIRTUALLY ONLY AT VIA ZOOM MEETING ID: 173 400 555 PER GOVERNOR NEWSOM'S EXECUTIVE ORDERS N-29-20 AND N-33-20 REGARDING COVID-19 PROTOCOLS

Present: Council Member Gaglioti, Lintell, Goetzelt, Vice Mayor Clark, Mayor Kerr

Absent: None

Also present: City Attorney Lorca, City Manager Pick, Assistant to the City Manager/Deputy City Clerk Carvalho and Deputy City Clerk Minami

Meeting came to order at 6:00 pm and roll call was taken.

PUBLIC COMMENTS:

The meeting video was started after consent agenda so there is no written record of public comment for this meeting.

CONSENT AGENDA:

Action Items

- A. MINUTES: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)
 - 1. February 25, 2020 Regular City Council Meeting
 - 2. March 3, 2020, Special City Council Meeting
 - 2. February 12, 2020, Regular Planning Commission Meeting
- B. MONTHLY REPORTS: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)
 - 1. Claims, February 2020
 - 2. Unpaid Bills Detail, All
 - 3. Financials, February 2020 and February 2019
 - 4. Fire Department Response Report, February 2020
 - 5. Police Activity Report, February 2020
- C. MISCELLANEOUS (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)
 - 1. Updated Strategic Planning Grid
 - 2. Resolution Adopting a List of Projects for FY 20-21 Funded by SB1
 - 3. Consider Contract Award for Solar Panel Installation on City Hall
 - 4. Consider Approval of Escrow Account Term Sheet for South Boundary Road Project
 - 5. Adopt a Resolution Ratifying a Declaration of Emergency due to the Coronavirus (COVID-19) Pandemic

City Manager Pick announced the consent agenda

Motion to approve by Council Member Gaglioti

Motion second by Council Member Goetzelt

Public Comment: None

Roll Call vote was taken

MOTION PASSED UNANIMOUSLY

OLD BUSINESS: None

NEW BUSINESS:

Action/Information Items

The Council considered ITEM 5.A., Consider Adoption of an Urgency Ordinance Relating to a Temporary Moratorium on Evicting Tenants, and Declaring the Ordinance to be an Emergency Measure to Take Effect Immediately upon Adoption. (CEQA: Exempt pursuant to Guidelines section 15061(b)(3).)

City Manager Pick: Stated that the COVID-19 pandemic in our communities prompted the city managers of surrounding jurisdictions and the County found it important to put protections in place for individuals to be protected from eviction during this period where they may be losing income as a result of the pandemic.

City Attorney Lorca: Stated there was some question about and looking at the amended version, the new subdivision, and the 20-day payback period, there was a question as to the last sentence applying to missed rent payments during the life of this ordinance. Suggested this sentence be inserted: During 120-day period the protections against evictions provided for herein shall apply for such tenants, i.e. only for those rent payments deferred prior to the termination of this ordinance. In other words, the eviction protections would not apply to rents becoming due and payable after the state of emergency has been lifted.

Mayor Kerr: Requested council comments. Council was in agreement with the addition of that sentence. She stated that she would like to add the word “temporary” to the moratorium section 3 on page 2.

City Attorney Lorca: Stated that was an appropriate amendment to the ordinance.

Public Comment: None received

Motion by Council Member Gaglioti to approve the amended ordinance with the additional sentence and wording.

Motion second by Vice Mayor Clark

Public Comment: None

Roll Call vote was taken

MOTION PASSED UNANIMOUSLY

The Council considered ITEM 5.B., Discuss the Airport District Draft Environmental Assessment for the Proposed Airfield Safety Enhancement and Provide Direction to Staff. (CEQA: not a project per Guidelines section 15378)

City Manager Pick: Stated the purpose of receiving public comment and council comment on the airport's environmental assessment for the proposed airfield safety enhancement project. The airport has developed a master plan, the airport published a draft environmental impact report on that plan and on the proposed airfield safety enhancement project under the California Environmental Quality Act and the city at that time submitted a comment letter which is in the council packet and available online to the public. The National Environmental Protection Act or NEPA requires that a separate environmental assessment be done and that is what is currently out for public comment and which we are going to provide a comment letter to the airport before the deadline. The real purpose for this item being here is so that we can all hear from the public and for council to be able to ask questions as well as the public and to provide direction to staff. I might add we have on the line tonight with us the Chair of the Board of the Airport District, Mary Ann Leffel.

Mary Ann Leffel: Stated she had some good news. About a week ago the mayor invited her to speak before the Council and public at this meeting and she also asked if it was possible for us to extend the comment period on the document. She stated this is a federal document, it is not an airport document but she asked the FAA the question and was excited to report that late yesterday they advised her that they would extend the comment period for two weeks so instead of ending on April 6 it is now ending on April 20. She went on to explain the plan had been to connect the north side of the airport via Del Rey Oaks but they have been able to strategize and in the federal document it now states that while the desirable connection is still through Del Rey Oaks that at this time they believe it is not feasible and so the road will now connect through the City of Monterey on the Airport Road side. She explained the project in detail and the Mayor opened it up for questions from the Council.

Council Member Gaglioti: No comments

Council Member Goetzelt: Does the airport have to an amendment to CEQA since you modified the proposal?

Mary Ann Leffel: No because this was in the original proposal and it was considered so all of the tests and studies were in there and this is on land that has already been disturbed, it has concrete and buildings on it.

Council Member Lintell: How close will the hangars be to the Del Rey Oaks property lines?

Mary Ann Leffel: Can show the maps but they are not close to the property lines.

Vice Mayor Clark: Is all the tree cutting done? How did Casanova Oak Knoll Association handle the road coming through the airport road and have they approved it?

Mary Ann Leffel: Yes, the tree cutting is done, it was done because of FAA, TSA and Monterey Fire Department requirements for visibility and fire danger. There was a meeting with Casanova Oak Knoll Association president and they have not gotten back to them with their comments as of today but they should be happy with the reduction in truck traffic.

Mayor Kerr: Asked for clarification on the daily trips.

Mary Ann Leffel: Stated there would be 673 trips per day.

Mayor Kerr: Wanted to be clear and asked to confirm that there will be no expansion on the north side of the airport road and no expansion of the runways.

Mary Ann Leffel: She has heard that people think they are moving a runway or expanding a runway and they are not doing that. Nowhere in any part of this document does it state that.

Mayor Kerr: What is the length of time for this component of the plan?

Mary Ann Leffel: They are looking at fall to start and do not have the full duration of the project yet. It will take a little longer because they are not moving the dirt off the airport, it's going from one side to the other so they have to wait for incoming and outgoing planes.

Mayor Kerr: Will the work be done at night?

Mary Ann Leffel: Yes, and there will be noise mitigation for the residents that live near the north side.

Mayor Kerr: Last question if we end up on the shelter in place longer can the comment period be extended even longer?

Mary Ann Leffel: She feels the FAA allowing the extension in the first place was unprecedented but with everyone getting use to the new normal they will be able to work out ways. She offered to speak with anyone that has more question in the public.

Public Comment:

Karen Harris: Asked about the tree trimming being loud and not being notified ahead of time. Asked about the service access road looking like it's being expanded.

Mary Ann Leffel: Regarding the trees, that was a contract and she's not sure how they did that but she will let them know. On the access road there a small section if that still isn't right. It needs to be packed down so their service vehicles, police and fire trucks have access to that side of the airport.

Dennis Allion: Thank **Mary Ann Leffel** and thanked the airport for being a good neighbor and listening to the concerns of the City.

Kim Shirley: Asked why Del Rey Oaks is still on the list for a location for the North Side Road connection. She asked about Del Rey Garden's Drive being listed as not usable at this time and does that mean that it could be in the future. She also asked about the northeast access road being built to such a standard and feels it's over the top in terms of just hauling construction debris. It is going to be 24' wide, 3' gutters and shoulders.

Mary Ann Leffel: Stated that the one document had to be approved, then it will come back to the board to be ratified so that the capital improvement plan can then be amended to show that the traffic will come from the airport road and from the Monterey side, so it's a step by step project. We can't finalize one before we can change the other. The road being built to that standard is because they've found that in inclement weather it is difficult for their service vehicles to get up the steep grade and so it needs pretty substantial drainage which is why the gutters and all this work is being done. This is also access for fire and police and will create safer and faster travel because they won't have to cross the runway should there be a safety issue on that side of the airport.

Kim Shirley: Also wanted to note that there will be some disturbance of native habitat that hasn't been disturbed before and hopes there will be mitigation.

Mary Ann Leffel: Will note that down.

Scott Donaldson: Thinks this is fantastic news for Del Rey Oaks but does have a question about the noise from the location of the hangars and asked her to speak to the orientation of the hangars and the size. Will the openings be toward Del Rey Oaks? What size are they and number of aircraft and size of aircraft?

Mary Ann Leffel: The hangars will be between the solar farm and the taxiway so they're not against the Del Rey Oaks fence, they are further to the right along the taxiway. The openings will face toward the runway so away from Del Rey Oaks. Can't give an estimate of size.

Gary Kreeger: The dirt that will be moving is contaminated dirt from the toxins from the old Navy Air Station will there be any issues with that old contamination being moved around? Non-aviation development on the north side and long-range plans.

Mary Ann Leffel: Before we move the dirt, it will be tested. The dirt is coming from the area of the firehouse to lower the elevation per FAA requirements. We have had no discussions about doing any non-aviation development on the north side of the airport.

Ken Rutherford: Has a question about the "not feasible at this time" language that's being used with respect to the road. Would like to see "no longer feasible" and "will not be considered at any time" with respect to access through Del Rey Oaks. Also concerned about the 1600-foot improvement on the northeast service road terminates right about the location where access was initially intended through Del Rey Oaks.

Mary Ann Leffel: "Not feasible at this time" is an FAA term that they decided to use because of the fact that we were not using the route that was determined to be the most desirable and so it is just a way to say that at this point in time is not going to happen so we switch to plan B and studied it and are going to live with it. The reason that 1600-foot road is so important is because that is how they will get all the equipment up and around there and it needs to be made safer before we get into this project. You can't do anything cheap in California. Unfortunately, \$13.5 Million to do this does seem like a lot but when you're making something safer if you somehow save one life then \$13.5 million is nothing. The wait to get across the runway can be up to a half an hour some times.

Debbie Blakesley: In regard to noise, do you currently have limits on flight schools based out of the airport and do you foresee any additional or new flight schools?

Mary Ann Leffel: The hangars going in are replacement hangars so that will not encourage any more traffic than what is there right now. There is nothing adding capacity. The flight schools are not in violation of any of their contracts.

Claudia (Unknown): Stated it's been a really good meeting. She asked about the weed abatement along the fence line and said they've been asking for years for that to be cleaned up. Now that's it's clean will they keep it that way?

Mary Ann Leffel: TSA and Monterey Fire both told us that we had to clean that up because it was a visibility and fire hazard so you can really thank them. Will pass on that you appreciate the cleanup and ask that it be maintained.

Karen Harris: Asked if the dirt being removed is anywhere near where the toxic plume was located and is that near the hangars?

Mary Ann Leffel: No, it's on much higher ground. It's not where any of the airport drainage has ever gone, even when the Nave was there. It's not on that side of the airport.

City Manager Pick: Thanked the Chair for all the information and the good news. He summarized that the public comment on the EAA is extended to April 20th, the airport has changed the access plan for the north side to not include an access road through Del Rey Oaks but rather to have the access to two hangars and the northside come through the existing Airport Road, through Monterey with a net reduction in traffic based on the planned movement and redistribution of businesses there. Thanked her and stated we will capture some of this in the letter that we prepare for the Mayor's signature that comes back to you to codify our understanding of what the airport's plans are. He asked can she address the future location of the fire station. There was concern that it was going to be on the north side with access required through Del Rey Oaks to respond to areas of Monterey that Monterey fire covers and so he's curious what the plan is?

Mary Ann Leffel: At this time, it's staying where it is but they have come up with an alternate location that the FAA would pay for primarily. This would allow them to come out onto Olmstead Road to Hwy 68 rather than crossing the taxiway. If they can pull this off it would give them better access to Fisherman's Flats and Ryan Ranch which they are responsible for.

Public Comment Closed

Mayor Kerr: Brought it back to the council for any final comments:

Council Member Gaglioti: Stated this has been really informative and has no further questions.

Council Member Goetzelt: Thanked Mary Ann for coming and addressing all the concerns and was glad to hear they are considering putting the fire station on the south side, thinks that's a win-win for everybody. Appreciates that they are working with us too, stating that she enjoys flying out of there.

Council Member Lintell: Thanked Mary Ann and feels that this really clarified many things, delighted that they are considering Monterey rather than Del Rey Oaks. Asked about the size of the hangars, if they are replacement hangars, would they not be the same size as the existing hangars?

Mary Ann Leffel: Doesn't have the answer to that question and doesn't want to give wrong information. Does believe that a couple of them will be larger because of the clientele that we have and the type of airplanes that they have and there's a need for slightly larger ones. The ones there now are about 70 years old and 50 years old depending on which row you're in and so they're falling apart. They were much smaller because the planes were much smaller than.

Council Member Lintell: What is the maximum number of planes that you can house right now?

Mary Ann Leffel: Doesn't know because they have 51 of theirs and the Navy Flying Club has a couple and then there are private individuals who own several hangars and lease them out so she doesn't really have an answer. Offered to get back to her.

Vice Mayor Clark: Mirror's everyone's comments on the council and thanked Mary Ann. Commented it sad that we didn't have a meeting like this a couple years ago it would have helped with all the rumors that's she's heard. It creates a lot of fear. Hopes that if this happens again that she will come back and talk, saying she's done a great job of giving us good information and accurate information and thanked Dino for the excellent summary.

Mayor Kerr: Has a couple of follow up questions. Are the flight schools under your responsibility?

Mary Ann Leffel: They are subtenants of the jet center.

Mayor Kerr: Has a question about the dirt and if it's been tested, wondering if any of it has come from firefighting exercises? Is there some kind of notification process of the testing results and/or if there are potential toxic item in that dirt?

Mary Ann Leffel: They have a gentleman who is doing a study at this time and the results will be public. Fire has done training of putting out aircraft fires but they mark those areas and they are not close to where dirt is going to be moved.

Mayor Kerr: Want's to confirm that there will be no additional hangars built?

Mary Ann Leffel: That is correct.

Mayor Kerr: Asked for confirmation that there will be no road through Del Rey Oaks, ever.

Mary Ann Leffel: There will be no road through Del Rey Oaks that she could possibly imagine.

Mayor Kerr: Can you iterate, ever?

Mary Ann Leffel: She stated she is not going to be on the board forever so she can't say what future boards will do 30, 40 years from now but there is not plan in anything now in their 20-year document that will include a road to Del Rey Oaks.

Mayor Kerr: Stated she'll take that.

City Manager Pick: Thanked Mary Ann again for coming and for the wonderful news and all the details and answering all the questions.

Mary Ann Leffel: Stated she's very happy with everything going on that they can bring in almost \$15 million in projects and jobs for local people.

STAFF REPORTS:

City Manager Pick: Stated the staff is doing everything possible to prepare our community and work with the community to get through the COVID-19 pandemic. City Hall has been closed for a little over a week and are operating virtually from home. Public Works is out in the city maintaining our infrastructure and making repairs as needed while avoiding as much human contact as possible. Police Department continues to be his primary concern in terms of their mission to keep our city safe and serve the residents and businesses while

not contracting the virus and staying mission ready. Chief Hoyne and his command staff have put protocols in place for their operations such as not rotating vehicles, separation of shifts physically as well as how to engage the public. So far, we are in good shape, Karen Minami is answering the phones primarily and we're all checking out email accounts and staying in touch by video chats such as zoom. We're putting out daily situation reports from the county and we're posting those on our webpage. He is publishing updates periodically to our email list and if you're not signed up you can go to the city webpage and sign up. Encourages everyone to use the city website as a trusted source of information. There is a lot of anxiety and fear and there is no shortage of information and misinformation that people are consuming so part of our job is communication and trusted information. The CDC, state and county are all reachable through the city website. It's wonderful to see the city taking care of each other, our residents, our businesses are all being gracious, being calm in the face of what will hopefully be something we never see again our lifetimes. We remain reachable and we're focused on helping navigate the COVID-19 pandemic. We continue to do road work, park, police and answer questions from the public regarding permitting, accounts payable, accounts receivable so there is a certain amount of city business that does continue in spite of our closures. Thanked that staff for keeping the city functioning.

MAYOR AND COUNCIL REPORTS

Council Member Gaglioti: Monterey One is net week, Watermaster was cancelled and the FORA Board regular meeting was cancelled as well as the habitat conservation management meeting. So nothing to report.

Council Member Goetzelt: Attended the Veteran's Council meeting, the strategic planning session on March 3rd, Fort Ord Area Retired Soldiers Council and reported that the VA clinic will only allow access through the back ocean side entrance to the main lobby and they will be screening people as they come in as well as at the check-in kiosks to minimize the spread and prevent the spread of this virus. Attended the Mosquito Abatement District meeting on March 10th and the AMBAG meeting on the 11th. AMBAG is asking the city to consider sending out a volunteer to make residents and businesses aware of the dangers of balloons for our environment, especially the ocean environment and especially mylar balloons.

Council Member Lintell: Was unable to attend the Community Human Services Council emergency meeting but attended the Seaside Sanitation via phone where they approved several contracts for a sewer main replacement on Del Monte Boulevard. Hopes everyone is staying isolated and healthy.

Vice Mayor Clark: Highlights of the MST board meeting are in the back o the packets but MST has an emergency meeting declaring a fiscal emergency do to the virus but they remain committed to providing safe reliable efficient service to the community and they are taking precautions to help keep employees and customers safe from the infectious and communicable diseases and they continue to utilize a hospital grade germicide to clean and sanitize all surfaces within the passenger cabins fleet-wide each night and use a pressurized ammonia based solution to power wash and disinfect passenger waiting areas at major transfer locations. They share important information from the CDC regarding the corona virus and strategies to avoid infection with employees on a regular basis.

Mayor Kerr: Attended the Community Policy Makers Conference in Yosemite and will have the trip report that will be in next month's minutes and submitted the TAMC highlights. She is holding community campfires where we will be doing our arts and culture meetings and is becoming very familiar with zoom and getting as many of our folks onto zoom as possible with more how-to zooms coming up to make sure people can use this venue not only for meetings but also for communicating with your family. Thanked staff for their flexibility, their humor and staying the course during this time, it means a lot to the community that they are there. Stated she goes and sits somewhere or drives every street each day to see who's out and about whether they're getting into their cars or sitting on their front porches and everyone is sheltering in place and observing the six-foot physical distancing. Thanked the community for this.

CORRESPONDENCE:

- A. MST Board Meeting Highlights

City Council Meeting Minutes – March 24, 2020

B. TAMC Board Meeting Highlights

CLOSED SESSION: None

Mayor Kerr: Announced the correspondence and stated there is no closed session.

NEXT MEETING DATE: Tuesday, April 28, 2020, at 6 P.M.

7:38 p.m. - ADJOURNMENT

Attest

Date

**CITY OF DEL REY OAKS PLANNING COMMISSION REGULAR MEETING
CONVENED AT 6:00 P.M. ON WEDNESDAY, MARCH 11, 2020 IN THE
CHARLES BENSON MEMORIAL HALL, CITY HALL**

Present: Chairman Donaldson, Vice Chair Hayworth, Commissioner Jaksha, Commissioner Kreeger, Commissioner Hallock and Commissioner Burton.

Absent: None

Also present: City Manager Pick, City Attorney Lorca, Chief of Police Hoyne and Deputy City Clerk Minami

Meeting came to order at 6:00 p.m. and roll call was taken.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

Commissioner Kreeger: For the record, did not support Councilmember Gaglioti's decision to keep his signs up, as stated in the minutes from February meeting, only supports the idea of free speech and the ordinance that needs to be revised.

Motion to approve: *Commissioner Hayworth*

Second: *Commissioner Kreeger*

Public Comment: *None*

Vote: *Approved 6-0*

PUBLIC COMMENT:

None

REPORTS:

Accepted

NEW BUSINESS:

Consider revision of the Del Rey Oaks Municipal Code Chapter 17.59 Signs.

Chairman Donaldson: Thanks the audience, there input is crucial. Explains the process of the revision of the ordinance. City Attorney's document has information for enforcement that will help the City. Violations via the Muni-Code for administrative citations. He reviews all of the new codes and possible changes. Every property is different in DRO, if the city right of way is 5 feet, the signs will be placed at different locations in the yards. He wanted to ban single use plastic for political signs. Sustainable DRO is going to propose a ban on single use plastic any way.

- **Public Property**

- The City may ban the posting of signs, including political signs, on public property.
- City may summarily remove them.

- **Private Property**

- The City cannot limit the number of signs in support of or opposition to a candidate or issue.
- The City can limit the size of signs if doing so doesn't "infringe on the ability to effectively exercise free speech or unjustifiably treat signs unequally to other noncommercial signage."
- Size limits have been accepted by courts, e.g., 16-square-foot size limit on signs.
- Courts have struck down time limits relating to how far in advance of an election political signs may be posted, when such signage would be effectively banned other times of the year.
- However, a requirement that the signs be removed 10 days after the election survived challenge.

- **Private Property - Process**

- Summary pre-election removal of signs is unlawful.
 - Absent an immediate public health or safety justification, the City cannot unilaterally remove a sign in violation of the sign ordinance. It must give notice to the sign owner and provide a reasonable opportunity to respond before the City removes the sign.

Regulation of Content

- *Town of Reed v. Gilbert*: the Town's sign ordinance distinguished between political, ideological (non-commercial), temporary vs. permanent, and directional signs with different rules (e.g., size and location of signs).
- US Supreme Court found this to be content based restriction: "A law that is content based on its face is subject to strict scrutiny regardless of the government's benign motive, content-neutral justification, or lack of 'animus toward the ideas contained' in the regulated speech."
- "If you need to read a sign to know how to regulate it, it's content-based."
- In a concurrence to Justice Thomas' decision, three other Justices provided "a few words of further explanation" in which they suggested regulations that would not be content based; location regulations; free-standing v. those attached to buildings; lighted vs. unlighted signs; fixed messages vs. electronic or variable regulations; private vs. public placement.

City Attorney Lorca: Reviews and explains each of the slides. These will be tools in a tool box, the frame work on how you wish to regulate.

Commissioner Burton: What are we really afraid of? What is the forcing function? What happened to make this change?

City Manager Pick: Not afraid, just realizing that it is a grey area now and it needs to be clearer. Has to be enforceable yet reasonable.

Chairman Donaldson: The emotional aspect and the citizens that get involved. The City needs better guidelines. The Planning Commission is the forcing function, signs need to be regulated.

Commissioner Kreeger: It's a generous policy.

Commissioner Burton: Why aren't we following the State's regulations?

City Attorney Lorca: It is a free speech issue and planning is up to the City.

Commissioner Jaksha: Likes to look at ordinances occasionally. Doesn't want signs all over the place like other cities. Keep it clean looking. Language on signs should be addressed.

Commissioner Hayward: Village feel, content is an issue.

Commissioner Hallock: Good sign ordinance. Law enforcement measures are good to have. What do we want to accomplish? There was accusations during the last election through social media that just were not true! Made for some raised eyebrows. Equal treatment for all, wants it to be peaceful.

Commissioner Kreeger: Perception is more important than anything. Can the sign be on the fence if it's 5 feet from the street?

Chairman Donaldson: No, because of safety, set back is 5 feet and can't be on a fence.

Commissioner Burton: Fences can be an obstruction, the fence won't make a difference.

Commissioner Kreeger: Line of sight. Ancillary signs, what about bumper stickers, free speech issue. How long does the sign have to be up, 45 days?

City Attorney Lorca: Yes, there is nothing to stop someone from putting it back up on the 46 day.

Chairman Donaldson: Once feedback is given, then City Attorney will make changes. The reason for the time limit for the temporary signs is that permanent would need Planning Commission approval.

Commissioner Jaksha: Most people are reasonable. Ordinances are to stop the unreasonable people that need the guidelines. Fences are all different, have to draw the line somewhere.

Commissioner Hallock: Typically setback is 4 feet from the curb cut, but now 5 feet.

Chairman Donaldson: Edge of curb. Each property is unique. Consulted with Frank Lucido and he stated that minimum city right of way goes into the property by 5 feet.

Commissioner Burton: The Chief of Police would set the rules, is it clear and enforceable?

Chief of Police Hoyne: Yes absolutely. This will make enforcement easier. A lot of misinformation last November regarding election signs. Dozens of calls from both sides. The Police Department takes the lowest level of action. 1) warning 2) Went on CITY RIGHT OF WAY to remove signs, not private property. Treated complaints equally. After 31 years of being a Cop, the PD never gets involved politically. Hard position to be put in. This will solve problems across the board. The line of sight for the fences is a safety issue, similar to a child running in between two cars into the street.

Commissioner Burton: Every issue uses up resources.

Chief of Police Hoyne: Not really, because this will help us.

Public Comment:

Irene Barlich: When she first moved into her house, she was told by the former Police Chief that the setback was 3 feet. How much of her property will the city take over!

Chairman Donaldson: Sorry any misinformation so many years ago.

Ken Rutherford: Each lot is different, makes sense that she was told it was 3 feet. No 5 foot limit. Limit the size of sign and don't do a setback of 5 feet. Line of sight is an issue, with cars parking on street and kids in the street. A post up from the fence will be unappealing. Citizens want to know that everyone is treated the same, no matter who you are. Everyone should be treated fairly.

Kim Shirley: Thanks Planning Commission for the work. List of signs that she thought of and noticed around City that are not included in the document:

*Values/Believes-like her house

*No road DRO

*Lending Library-wonders if the project received city approval

*Garage sale -specifically George's sign's

*Signs on utility poles

*Home security

*Missing animal

*Pick up after your dog

It's not clear about the 45 days. Hand held signs are not clear either, 6 square feet is too limiting.

Chairman Donaldson: The ordinance addresses if the sign isn't a temporary sign, then it should go to Planning Commission, it would be a permanent sign. Signs are not allowed on utility poles, speaking to George. Lending library needs approval. City needs to address home security and dog signs.

Chief of Police Hoyne: Quality of life like security signs should be allowed. Since he started at the City, issued only 3 or 4 citations, 1 of them for a sign. The fee is the highest level. Holds public officials to a higher standard.

Commissioner Kreeger: Is it 6 feet per person for the hand held signs?

City Attorney Lorca: The Commissioner has that discretion to make that recommendation.

John Gaglioti: Democracy in action. Supports free speech. Lifetime resident of DRO, thanks the Planning Commission. Their work help provide relief for City and Police Department.

Commercial signs are clear cut. But residential signs on private property is a slippery slope, not a Planning Commission matter. It's a free speech issue. Reads from the 1st amendment and a court case. Simply put: residential signs are free speech and we don't need to be on that slippery slope.

Pat Lintell: This new ordinance should be put on the website and in the Acorn, so everyone will know about it.

Public Comment Closed

Commissioner Burton: If the Council decides to pass this new ordinance, there needs to be an easy and free permit process. There is always an exception to the rules. The City must be able to react with 48 hours, it will make it easier.

Commissioner Jaksha: The garage sale signs are for the betterment of the DROCAG. Would be upset if he couldn't hang up signs for the City wide garage sale. Bothers him when a lost cat sign or other sign is up for 6 months or more! Irene and he are founding members of the DROCAG, it's come a long way. His signs are down by 2:00, the afternoon of the garage sale. Line of sight, half of the garages in DRO don't have a car in them, cars parked on the street is an issue.

Chairman Donaldson: No permit for garage sale signs.

Commissioner Hayworth: Most people are reasonable and there is an appeal process. Hard to fashion an ordinance with a 5 feet setback. Glad the C.O.P. is here, important input.

Commissioner Hallock: Advertises his business. Can he put a huge banner across Fremont to draw attention to his business? Of course not and he understands why. Reads about safety and well-being. It's a very clear sign ordinance. Doing his part to keep the peace.

Commissioner Kreeger: Thanks Alex and citizens. Must be something in the California Superior court decisions. Permits should be easy to get, make is ministerial and then they can be heard at a latterly date. Agrees with Kim Shirley. Sign on fence is nicer than on a pole. Ready make changes and have it go to City Council.

Chairman Donaldson: The intent behind Planning Commission doing this was to give City Council a clear document. Wants City staff time to focus on the following:

- *Address Setback issue
- *Days of temporary signs
- *Hand held signs
- *Permanent signs of residential
- *Fees for permanent signs
- *Check for redundancies

Motion to approve item 7.A., Consider revision of the Del Rey Oaks Municipal Code Chapter 17.59 Signs, with conditions as followed:

**Address setback issue*

**Days of temporary signs*

**Hand held signs*

**Permanent signs of residential*

**Fees for permanent signs*

**Check for redundancies*

Second:

Commissioner Hayworth

Public Comment:

Commissioner Kreeger

None

Vote:

6-0

Motion passes

COMMISSIONER REPORTS:

Chairman Donaldson: Note from Planning Commissioner Academy in March:

- Provided opportunity to complete required Ethics Training
- Improving your community
 - Solicit ideas... welcome and validate all of them
 - Yes, and...
 - Demonstrate what a project would look like (create crosswalks/bike lanes, bring trees, set up tables and chairs, etc.) so public can see vision
 - Revitalize city through maximum community input and business involvement
- CEQA
 - Baseline is starting point. Conditions frozen in time
 - Old baseline can be used if it shows conditions haven't changed
 - CEQA document and project should be considered separately by Planning Comm.
 - Thresholds are part of General Plan and are compared to the baseline, but they're not absolute

If threshold is exceeded, mitigation required

Statement of overriding consideration – does the benefit outweigh the impact? should not be part of the EIR

- CEQA can't fix what's already wrong... for example, if traffic is already bad, a project can't be expected to fix it, it'll only mitigate impacts of the specific project

- Planning Commission/City Council Relationship
 - Schedule a joint meeting
 - Planning Commissioners should attend Council Meetings, but not vice versa
 - Use surveys and workshops to get public opinion
 - Invite stakeholders to meetings, in addition to members of the community
- Development Agreements
 - Begin Planning Commission and community involvement early in process
 - Create vision, plan workshops, set developer for success
 - Clarify what we want to do and how it's going to be done
 - Establish performance agreement between developer and city
 - Keep on track with schedule of performance and set penalties
 - Developer should do community outreach
 - Agreements are done in open session
 - Have stipulations for unseen situations such as economic downturns, acts of god, etc
- ADUs
 - Uncertainty if they can be used in RHNA numbers
 - Relax parking and setback requirements, and allow garage conversion
 - State allows 1 Jr. ADU and 1 detached up to 800 sq/ft
 - Impacts on character of the neighborhood -- noise, parking, privacy, etc
- City Finances. How problems arise:
 - Overcompensation of employees
 - No control over management and policy decisions
 - Overreliance on one-time land development money
 - Lack of diversified revenue streams
 - Risky financial schemes
 - Toxic relationships
 - Economic downturn
- Legislative Update
 - State can make cities plan to meet RHNA, but can't make them build
 - They can facilitate and incentivize (SB 35 and LEAP grants)
 - RHNA increased for cities where jobs, population growth and commercial areas exist
 - Continued reduction of height, density and parking restrictions
 - States trying to make cities lower impact and development fees

Commissioner Kreeger: United Way might be a resource for ADU's, missing out by not taking advantage of it. Academy was interesting and really glad to have gone.

Commissioner Burton: Thanks to the Commissioners that went to the academy, they make the commission stronger and smarter.

Commissioner Jaksha: Got madder at the academy, State telling us what we have to do! Learn a lot about the Brown Act at the academy. ADU's are a nice idea, but parking will still be an issue.

7:30 p.m., Adjourned to next meeting date April 8, 2020 at 6:00 pm.

Attest:

Date:

**CITY OF DEL REY OAKS PLANNING COMMISSION REGULAR MEETING
CONVENED AT 6:00 P.M. ON WEDNESDAY, FEBRUARY 12, 2020 IN THE
CHARLES BENSON MEMORIAL HALL, CITY HALL**

Present: Chairman Donaldson, Vice Chair Hayworth, Commissioner Jaksha, Commissioner Kreeger, Commissioner Hallock and Commissioner Burton.

Absent: Commissioner Roesner

Also present: City Manager Pick, City Attorney Lorca, Chief of Police Hoyne and Deputy City Clerk Minami

Meeting came to order at 6:00 p.m. and roll call was taken.

PLEDGE OF ALLEGIANCE:

CONSENT AGENDA:

Motion to approve: Commissioner Hayworth

Second: Commissioner Jaksha

Public Comment: None

Vote: Approved 6-0

PUBLIC COMMENT:

None

REPORTS:

Accepted

NEW BUSINESS:

Discuss Need to Revise the City of Del Rey Oaks Sign Regulations, including Ordinance #251, and Municipal Code Chapter #17.59. Discussion Item Only.

Chairman Donaldson: Has done review of City of Monterey and City of Carmel sign ordinance and compared them to Del Rey Oaks. Carmel is silent on regulation of residential signs. Monterey updated ordinance because it was out of date and they had huge issues with the amount of signs that were being put up on public property. Talks further about "signs not regulated" section of the DRO ordinance.

City Attorney Lorca: Information only with no decisions tonight. Once it is on the agenda he will do frame work of what we can and can't regulate.

Commissioner Kreeger: Sustainable Monterey had big problems with the amount of signs placed in Monterey. Last election it got out of hand in DRO. There is great information on League of California Cities website too. Baldwin vs. Redwood City: "a person has a right to hang signs". Redwood City came up with regulations similar to Monterey with generous limits. He looked into it, it's already been tested in court. John Gaglioti won't take his signs down, it's his right and he agrees.

Commissioner Jaksha: High efficiency lighting should be required. Should be 4 feet from the curb. During development on Ft. Ord will need this ordinance in place.

Commissioner Hallock: Wording in ordinance is confusing. We are saying 4 feet but the ordinance says 5 feet from the curb. Points out a typo. The DRO ordinance is tight.

Commissioner Jaksha: What is the set back?

Commissioner Hallock: Reads "at least 5 feet from any property line", 4 is the minimum.

Chairman Donaldson: A lot of variance with no standard can be problematic because of property line's that vary.

Commissioner Hayworth: Ours is in good shape, but doesn't address content. Last election, problems with signs being in the center of the road, in islands.

Chairman Donaldson: No posting on City owned property is consistent with other cities.

Commissioner Burton: Was there a triggering issue that started this issues?

Commissioner Kreeger: Several signs getting removed last election.

Commissioner Hallock: Signs up for 60 days of scheduled event on private property must be removed 5 days after event.

Chairman Donaldson: Reads it: "Time Limitations. Signs regulated by this section may be posted not more than 60 days prior to an event to which they pertain. All such signs must be removed within five days after the event to which they pertain or within 65 days of their initial posting whichever occurs first".

City Attorney Lorca: Courts have stricken the limitation of before and after.

Commissioner Jaksha: The "no road in DRO" signs have been up for 4 month and look tacky.

City Attorney Lorca: A limit of once the sign is down, it can it go back up. City discretion.

Commissioner Hallock: What about mobile signs, advertisement on vehicles, should there be something added? Can someone have a political sign on car with business sign?

Chairman Donaldson: Not addressed in current code.

City Attorney Lorca: Great question.

Commissioner Jaksha: Then you get into bumper stickers.

Commissioner Hayworth: Hand held signs are allowed.

Chairman Donaldson: The window by the bay is regulated now.

Commissioner Hallock: Seems like there would be issues with traffic flow with signs that ask to honk for your support, etc.

Commissioner Hayworth: Tax prep business signs, a distraction.

Commissioner Burton: How much will it cost, the fees should be as low as possible, limit the fees so rights are protected.

Chairman Donaldson: Temp signs are exempt from fees.

Commissioner Hayworth: Chart was good in Monterey ordinance.

Commissioner Burton: Chart with pictures and a generalized diagram is great!

Commissioner Kreeger: Reasonable time limits.

Commissioner Jaksha: All it takes is one wacky guy, so much for the reasonable person.

Commissioner Kreeger: Will be codified with limit and be very clear.

City Manager Pick: This will be a code update. General intent of Commission will be to revise the ordinance. Make recommendations tonight and bring it back for consideration at the next Planning Commission Meeting.

Commissioner Burton: Props at meeting would be helpful, to give an example of what 8 square feet looks like. Asks the City Manager what is the forcing function?

City Manager Pick: With election session here, issues and complaints on both sides, thought it was time to look at our sign ordinance. Code enforcement is now in place, unlike last election. The City has the tools now to keep the processes in place.

Commissioner Kreeger: John Gaglioti's signs are illegal, has he been cited?

City Manager Pick: So are the "No Road in DRO" signs.

Commissioner Kreeger: Supports John's decision. Didn't realize that "No Road in DRO" signs are illegal. Will talk to everyone. Talks about 1st amendment rights.

PUBLIC COMMENTS:

Douglas McKenzie, Saucito: Ordinance is vague and absurd to ask for a sign to be put 5 feet from property line. Alice and he were extremely upset when the sign was removed during last election and sent emails to the Council and City Manager. Supports any change.

Commissioner Kreeger: Why aren't signs allowed on fences?

Commissioner Burton: Exception to every rule, get Planning Commission approval to the exceptions.

Commissioner Kreeger: There needs to be a mechanism to apply for it.

Commissioner Jaksha: A variance.

Commissioner Hayworth: C.U.P. is required. Why no signs on fences?

City Attorney Lorca: Health and Safety mostly because of distraction.

Chairman Donaldson: For DRO: 8 square feet (free standing only) is 2 standard signs or 1 big one. For Monterey: 80 square feet (free standing only) is 5 4x4 signs or 20 2x2 signs. DRO doesn't mention fences. DRO mentions 60 days before event and down after 5 days from the event. Monterey mentions 47 days from when it goes into the ground.

Commissioner Kreeger: There isn't an event with the "No Road in DRO" signs.

Chairman Donaldson: Commercial no limit in Monterey on vacant lots. On Hwy 218 or 68 commercial signs need a permit from Cal Trans.

City Attorney Lorca: Our ordinance can't regulate signs on State Highways.

Chairman Donaldson: Suggests the following to be put on the agenda for next meeting: Would like staff to focus on size, allowing for more square feet for temp signs, stay in tempo with Monterey ordinance with a chart. Look at temp sizes, time limit, no fee, hand held signs, vehicle signs with an eye toward safety and simplistic as possible.

Commissioner Hayworth: How many "No Road in DRO" signs? What about the message of the signs, should that be addressed?

Commissioner Kreeger: A lot of people have them.

Commissioner Hallock: It's up to the property owner, it's subjective.

Commissioner Kreeger: Under 8 square feet hard to enforce. But it should be geared toward the property, not the message.

Chairman Donaldson: Wants staff to look at 5 foot from the property line variable, do we need it? Signs facing 218? Free standing only and signs in windows?

Commissioner Kreeger: Set back less restrictive for public safety issue. The Chief can help with this part.

Commissioner Jaksha: How about an Ad-Hoc Committee to do a "what's legal and what isn't" illustration.

Commissioner Hallock: Its 4 feet from the back of the curb.

Chairman Donaldson: Uses his own property as an example and explains set back from the street. Room for sidewalks, etc.

Commissioner Kreeger: Keep them out of the street, make it safe.

Chairman Donaldson: Standard set back is from the street.

Commissioner Jaksha: From the fence?

Commissioner Hallock: 9 or 10 feet from the curb, would make it clearer.

Commissioner Kreeger: A lot of push back at City Council if that was the case.

Chairman Donaldson: Eye toward safety and simplistic as possible. Potential issues being an election year. Asks staff to provide a revised ordinance at the next meeting.

COMMISSIONER REPORTS:

Commissioner Hallock: Looking forward to the Planning Commission Academy in Sacramento.

Chairman Donaldson: Will be there too!

Commissioner Kreeger: Going for 2 days and looking forward.

7:20 p.m., Adjourned to next meeting date March 11, 2020 at 6:00 pm.

Attest:

Date:

**City of Del Rey Oaks
Check/Voucher Register - Claims Report**

10100 - General Checking
From 3/1/2020 Through 3/31/2020

Check #	Document D...	Vendor Name	Transaction Description	Check Amount
18635	3/2/2020	MONTEREY PENINSULA WATER ...	WELL FEE	(600.00)
18885	3/13/2020	ADVANCE BLIND & SHADE	NEW BLINDS FOR PD	1,885.82
18886	3/13/2020	CALIFORNIA-AMERICAN WATER	CAL AM BILL 1/23-2/20/20	480.36
18887	3/13/2020	CHAVAN AND ASSOCIATES, LLP	AIRPORT TRUE UP AUDIT	4,500.00
18888	3/13/2020	CITY CLERKS ASSOCIATION OF ...	CITY CLERK HANDBOOK	40.00
	3/13/2020	CITY CLERKS ASSOCIATION OF ...	CITY CLERKS ASSOC DUES	45.00
18889	3/13/2020	CORELOGIC SOLUTIONS, LLC.	MONTHLY ADDRESS SERVICE	115.00
18890	3/13/2020	CORONADO DEISEL MOBILE SER...	REPAIR AND MAINTENACE ON WOOD CHIPPER	504.02
18891	3/13/2020	CYPRESS COAST COMPANY	TREE WORK ON GJM, CDR AND SOUTH BOUNDARY	3,600.00
18892	3/13/2020	DANIAL D. PICK	MBAMG MEETING REIMB FOR LUNCH FOR FEB 2020	20.00
18893	3/13/2020	DEPT OF JUSTICE	FINGERPRINTS	66.00
18894	3/13/2020	ECONOMIC&PLANNING SYSTEMS...	SERVICES FOR FEB. FORT ORD	1,866.25
18895	3/13/2020	GARY KREEGER	REIMB FOR CONFERENCE EXPENSE	794.45
18896	3/13/2020	GEORGE JAKSHA	REIMB FOR CONFERENCE EXPENSE	504.50
18897	3/13/2020	GOVERNMENT FINANCIAL SOLU...	FEB ACCOUNTING SERVICES	3,073.00
18898	3/13/2020	HINDERITER DE LLAMAS AND AS...	SALES TAX AUDIT SERVICES Q3	79.21
18899	3/13/2020	HOME DEPOT CRC	MATERIALS AND SUPPLIES	354.33
18900	3/13/2020	I.M.P.A.C.GOVERNM'T SER	FEB VISA VARIOUS CHARGES	2,386.32
18901	3/13/2020	JEREMY HALLOCK	REIMB FOR CONFERENCE EXPENSE	811.45
18902	3/13/2020	MONTEREY AUTO SUPPLY INC.	AUTO REPAIR SUPPLIES	331.34
18903	3/13/2020	MONTEREY BAY OFFICE PRODU...	COPIER LEASE	138.48
18904	3/13/2020	MONTEREY COUNTY DISTRICT A...	BLOOD ALCOHOL COSTS FOR 2018-19	68.92
18905	3/13/2020	NEILL ENGINEERS CORP	2020 SLURRY SEAL PROJECT BILLING	5,481.00
	3/13/2020	NEILL ENGINEERS CORP	2020 SLURRY SEAL PROJECT WORK	4,368.00
	3/30/2020	NEILL ENGINEERS CORP	2020 SLURRY SEAL PROJECT BILLING	(5,481.00)
	3/30/2020	NEILL ENGINEERS CORP	2020 SLURRY SEAL PROJECT WORK	(4,368.00)
18906	3/13/2020	NOE BAZA	WELLNESS REIMBURSEMENT	500.00
18907	3/13/2020	OFFICE DEPOT	BOTTLED WATER AND SUPPLIES	90.00
	3/13/2020	OFFICE DEPOT	CLEANING SUPPLIES	11.60
	3/13/2020	OFFICE DEPOT	CLERK STORAGE SUPPLIES	109.20
	3/13/2020	OFFICE DEPOT	MATERIALS	13.45
	3/13/2020	OFFICE DEPOT	OFFICE SUPPLIES	83.87
	3/13/2020	OFFICE DEPOT	SUPPLIES	87.01
	3/13/2020	OFFICE DEPOT	SUPPLIES FOR LOBBY	25.10
	3/13/2020	OFFICE DEPOT	SUPPLIES FOR LOBBY RESTROOMS	14.19
	3/13/2020	OFFICE DEPOT	SUPPLIES FOR PD	12.59
	3/13/2020	OFFICE DEPOT	SUPPLIES FOR STRATEGIC	19.49
18908	3/13/2020	OFFICE TEAM	PART TIME EMPLOYEE	377.00
18909	3/13/2020	PG&E	PGE THROUGH OUT CITY FEBRUARY	2,278.37
18910	3/13/2020	PITNEY BOWES-QTLY INV	LEASE ON POSTAGE MACHINE	179.31
18911	3/13/2020	PORAC HEADQUARTERS	FULL TIME POA	273.00
	3/13/2020	PORAC HEADQUARTERS	RESERVES POA	60.00
18912	3/13/2020	PORAC LDF	LEGAL DEFENCE FUND	200.00
	3/13/2020	PORAC LDF	LEGAL DEFENSE FUND	67.50
18913	3/13/2020	PRECISION ALARMS AND AUTO...	MONTHLY ALARM SERVICE	158.00
18914	3/13/2020	PURE WATER	WATER FOR LOBBY	36.75
18915	3/13/2020	REGIONAL GOVERNMENT SERIV...	HR CONTRACT COSTS	313.88
18916	3/13/2020	RON FUCCI	WELLNESS REIMB	70.00
18917	3/13/2020	RYAN RANCH PRINTERS	BUSINESS CARDS-PD	54.23
18918	3/13/2020	SCOTT DONALDSON	REIMB FOR CONFERENCE EXPENSE	1,091.20
18919	3/13/2020	SHELL FLEET PLUS-WEX BANK	FUEL PW	476.35

City of Del Rey Oaks
Check/Voucher Register - Claims Report

10100 - General Checking
From 3/1/2020 Through 3/31/2020

Check #	Document D...	Vendor Name	Transaction Description	Check Amount
18920	3/13/2020	SNIDER AND ASSOCIATES	STRATEGIC PLANNING FACILITATION	3,003.15
18921	3/13/2020	SNIDER EDUCATION & COMMUN...	STRATEGIC PLANNING RECORDING	1,794.15
18922	3/13/2020	STAPLES	PD OFFICE SUPPLIES	136.89
18923	3/13/2020	TERMINIX	PEST CONTROL-SEPT	85.00
18924	3/13/2020	THE MAYNARD GROUP	PHONE SERVICE/MAINTENANCE	67.00
18925	3/13/2020	THOMSON WEST	MONTHLY CHARGES	248.04
18926	3/12/2020	MONTEREY BAY AREA INSURAN...	WORK COMP AND LIAB 19-20	227,636.00
18927	3/12/2020	G.P.S. SOLUTIONS	PLAN CHECKS AND BUILDING INSPECTIONS FOR FEB. 2020	1,811.43
18928	3/16/2020	FORT ORD REUSE AUTHORITY	FORA April Payment	31,096.50
ADP 03202...	3/20/2020	ADP	ADP Fees	1,163.50
APRIL PER...	3/23/2020	P.E.R.S.-HEALTH	PERS HEALTH APRIL	20,989.93
BANK FEE...	3/31/2020	UNION BANK CHARGES	BANK FEES	198.00
CC FEES 0...	3/31/2020	NORTH AMERICAN BANK CARD	CC Fees	85.96
cc8437	3/16/2020	KATLIN BUETON	Refund Park Rental COVID 19	150.00
EFT	3/10/2020	CHEVRON	CHEVRON FUEL FOR FEB 2020	1,841.66
EFT001	3/10/2020	PERS	PERS UNFUNDED LIABILITY - MARCH	13,673.63
PERS 2020...	3/24/2020	PERS	PERS 2020-01-01	10,832.73
PERS 2020...	3/24/2020	PERS	PERS 2020-01-02	10,055.20
PERS 2020...	3/25/2020	PERS	PERS 2020-02-01	9,896.72
PERS 2020...	3/25/2020	PERS	PERS 2020-02-02	9,037.85
PERS 2020...	3/26/2020	PERS	PERS 2020-03-01	9,038.16
PERS RET ...	3/23/2020	PERS	PERS RETIREMENT2019-12-2	7,707.03

City of Del Rey Oaks
Check/Voucher Register - Claims Report

10110 - LAIF
From 3/1/2020 Through 3/31/2020

<u>Check #</u>	<u>Document D...</u>	<u>Vendor Name</u>	<u>Transaction Description</u>	<u>Check Amount</u>
IntExp033...	3/31/2020	LAIF Adj Acct	Int Exp	0.03
Report Total				388,215.10



U.S BANCORP SERVICE CENTER
 P. O. Box 6343
 Fargo, ND 58125-6343

DEL REY OAKS

ACCOUNT NUMBER
STATEMENT DATE 03-23-20
TOTAL ACTIVITY \$ 14.99

DANIAL D PICK
 650 CANYON DEL REY RD
 DEL REY OAKS CA 93940-5505

"MEMO STATEMENT ONLY"
DO NOT REMIT PAYMENT

We certify that all purchases listed on this statement, unless annotated to the contrary, are true, correct and for official business only. Payment is authorized.

Cardholder _____ Date _____ Approver _____ Date _____

POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	MCC	AMOUNT
NEW ACCOUNT ACTIVITY					
03-20	03-19	ZOOM.US 888-799-9666 CA PUR ID: P-12896018 TAX: 0.00	ZOOM meetings		14.99

Default Accounting Code:

CUSTOMER SERVICE CALL 800-344-5696	ACCOUNT NUMBER		ACCOUNT SUMMARY	
	STATEMENT DATE 03-23-20	DISPUTED AMOUNT \$.00	PREVIOUS BALANCE \$0.00	
SEND BILLING INQUIRIES TO: C/O U.S. BANCORP SERVICE CENTER, INC U.S. BANK NATIONAL ASSOCIATION P.O. BOX 6335 FARGO, ND 58125-6335	AMOUNT DUE \$ 0.00 DO NOT REMIT		PURCHASES &	
			CASH ADVANCES \$0.00	
			CASH ADVANCE FEE \$0.00	
			TOTAL ACTIVITY \$14.99	



U.S BANCORP SERVICE CENTER
P. O. Box 6343
Fargo, ND 58125-6343

DEL REY OAKS

ACCOUNT NUMBER
STATEMENT DATE 03-23-20
TOTAL ACTIVITY \$ 2,732.15

CITY STAFF
650 CANYON DEL REY RD
DEL REY OAKS CA 93940-5505

"MEMO STATEMENT ONLY"
DO NOT REMIT PAYMENT

We certify that all purchases listed on this statement, unless annotated to the contrary, are true, correct and for official business only. Payment is authorized.

Cardholder _____ Date _____ Approver _____ Date _____

POST DATE	TRAN DATE	DESCRIPTION	AMOUNT
NEW ACCOUNT ACTIVITY			
02-26	02-25	CONFERENCING 888-289-0593 CA PUR ID: 1627469143 TAX: 0.00	Monthly Conference calls 35.20
02-26	02-26	GIH*GLOBALINDUSTRIALEQ 800-645-2986 FL PUR ID: PW PARKS PURCHASE TAX: 163.91	Water fountain for park 1,935.91
02-27	02-26	AMAZON.COM*WF49A9QB3 AMZN AMZN PUR ID: 111-1736163-05554 TAX: 2.46	Supplies for restrooms/lobby 29.05
03-03	03-02	TLO TRANSUNION 561-988-4200 FL PUR ID: 248536-202002-156 TAX: 0.00	Monthly computer service 50.00
03-03	03-02	AATRIX SOFTWARE 701-746-6814 ND PUR ID: 1 TAX: 0.00	Monthly computer service 14.95
03-04	03-02	LUCKY #772 SAND CITY CA PUR ID: 06209360772VPRY7043309226 TAX: 0.00	Strat. Planning refreshments 57.86
03-04	03-03	DOORBELL DINING WWW.DOORBELLD FL PUR ID: 56599854 TAX: 0.00	Strat Planning lunches 163.17
03-04	03-03	AMZN MKTP US*UQ03W3PE3 AMZN.COM/BILL WA PUR ID: 111-9684209-35410 TAX: 1.31	PW phone holder 15.51
03-09	03-06	AMAZON.COM*GI2K56043 AMZN.COM/BILL WA PUR ID: 111-5590594-34858 TAX: 0.40	Clerk supplies 4.68

Default Accounting Code:

CUSTOMER SERVICE CALL 800-344-5696	ACCOUNT NUMBER		ACCOUNT SUMMARY	
	STATEMENT DATE		DISPUTED AMOUNT	
03-23-20		\$.00		
SEND BILLING INQUIRIES TO: C/O U.S. BANCORP SERVICE CENTER, INC U.S. BANK NATIONAL ASSOCIATION P.O. BOX 6335 FARGO, ND 58125-6335	AMOUNT DUE		PREVIOUS BALANCE	
	\$ 0.00		\$.00	
	DO NOT REMIT		PURCHASES &	
			CASH ADVANCES \$.00	
		CASH ADVANCE FEE \$.00		
		TOTAL ACTIVITY		
		\$2,732.15		



Account Name:	CITY STAFF
Company Name:	DEL REY OAKS
Account Number:	
Statement Date:	03-23-20

NEW ACCOUNT ACTIVITY

POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	MCC	AMOUNT
03-09	03-08	AMAZON.COM*FH1NO7Y63 AMZN.COM/BILL WA PUR ID: 111-0929381-02170 TAX: 1.34	Clorox wipes		15.83
03-17	03-16	LOGMEIN*PRO2 LOGMEIN.COM MA PUR ID: 2FAE1A9698A2434CA TAX: 0.00	Program to work remotely		349.99
03-19	03-19	SPLASHTOP.COM 408-861-1088 CA PUR ID: 000000000000000000 TAX: 0.00	Program to work remotely		60.00



U.S BANCORP SERVICE CENTER
P. O. Box 6343
Fargo, ND 58125-6343



DEL REY OAKS

ACCOUNT NUMBER
STATEMENT DATE 03-23-20
TOTAL ACTIVITY \$ 2,413.31

POLICE DEPARTMENT
CITY OF DEL REY OAKS
650 CANYON DEL REY
DEL REY OAKS CA 93940-5505

"MEMO STATEMENT ONLY"
DO NOT REMIT PAYMENT

We certify that all purchases listed on this statement, unless annotated to the contrary, are true, correct and for official business only. Payment is authorized.

Cardholder	Date	Approver	Date
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POST DATE	TRAN DATE	DESCRIPTION	AMOUNT
03-03	03-02	SQ *MONTEREY COUNTY SEASIDE CA PUR ID: DADPWW1HC9PBFGGXJ TAX: 0.00	110.00
03-05	03-03	HILTON GARDEN INN LOMPOC CA 092743 ARRIVAL: 03-02-20	168.37
03-06	03-04	DOMINO'S 7990 831-899-4557 CA PUR ID: 03040004881 TAX: 5.50	80.00
03-11	03-09	SAFARILAND, LLC 800-3471200 FL PUR ID: 91042120653 TAX: 0.00	118.16
03-13	03-12	OC SHERIFFS DEPT KATELLA 714-834-9668 CA PUR ID: 0000000001 TAX: 0.00	225.00
03-16	03-13	SHERATON SAN DIEGO SAN DIEGO CA 846538 ARRIVAL: 03-08-20	645.40
03-16	03-14	SHERATON SAN DIEGO SAN DIEGO CA 846538 ARRIVAL: 03-08-20	161.35
03-16	03-13	ESTHERS FUEL TUJUNGA CA PUR ID: 00069958 TAX: 0.00	55.15
03-19	03-17	SQ *MONTEREY COUNTY SEASIDE CA PUR ID: DADPWW1HC9PBFGGXJ TAX: 0.00	110.00 CR

Default Accounting Code: 210

CUSTOMER SERVICE CALL 800-344-5696	ACCOUNT NUMBER 5		ACCOUNT SUMMARY	
	STATEMENT DATE	DISPUTED AMOUNT		
SEND BILLING INQUIRIES TO: C/O U.S. BANCORP SERVICE CENTER, INC U.S. BANK NATIONAL ASSOCIATION P.O. BOX 6335 FARGO, ND 58125-6335	03-23-20	\$.00	PREVIOUS BALANCE	\$.00
			PURCHASES & OTHER CHARGES	\$2,523.31
			CASH ADVANCES	\$.00
			CASH ADVANCE FEE	\$.00
			CREDITS	\$110.00
		TOTAL ACTIVITY	\$2,413.31	



Account Name:	POLICE DEPARTMENT
Company Name:	DEL REY OAKS
Account Number:	
Statement Date:	03-23-20

NEW ACCOUNT Activity

POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	AMOUNT
03-20	03-18	SAFEWAY #2841 MONTEREY CA PUR ID: 01592009 TAX: 3.32	34.26
03-20	03-18	DOUBLE TREE WHITTIER WHITTER CA 172290 ARRIVAL: 03-15-20	462.81
03-20	03-18	DOUBLE TREE WHITTIER WHITTER CA 172291 ARRIVAL: 03-15-20	462.81

City of Del Rey Oaks

Aged Payables by Invoice Date

Aging Date - 4/21/2020

From 7/1/2019 Through 6/30/2020

Vendor Name	Invoice/Credit Des...	Due Date	Invoice Number	1 - 30 Days Past Due	31 - 60 Days Past Due	61 - 90 Days Past Due	Over 90 Days Past Due	Total
CITY OF SEASIDE	3RD QTR FIRE CO...	4/30/2020	INV006604	50,212.50	0.00	0.00	0.00	50,212.50
Total CITY OF SE...				50,212.50	0.00	0.00	0.00	50,212.50
DENISE DUFFY & ...	HOUSINING ELEM...	4/30/2020	6988	20,899.50	0.00	0.00	0.00	20,899.50
Total DENISE DUF...				20,899.50	0.00	0.00	0.00	20,899.50
ECONOMIC&PLAN...	FORT ORD NEGO...	5/1/2020	182121-17	4,345.00	0.00	0.00	0.00	4,345.00
Total ECONOMIC&...				4,345.00	0.00	0.00	0.00	4,345.00
FENTON & KELLER	MARCH CITY ATT...	4/30/2020	113775	18,056.65	0.00	0.00	0.00	18,056.65
Total FENTON & K...				18,056.65	0.00	0.00	0.00	18,056.65
GOVERNMENT TR...	MARCH 2020 ACC...	5/1/2020	232	1,295.00	0.00	0.00	0.00	1,295.00
	Reverse Invoice	5/17/2020	232R	(1,295.00)	0.00	0.00	0.00	(1,295.00)
Total GOVERNME...				0.00	0.00	0.00	0.00	0.00
R.K. WILSON PLU...	LABOR AND MATE...	4/30/2020	3108	2,874.23	0.00	0.00	0.00	2,874.23
Total R.K. WILSO...				2,874.23	0.00	0.00	0.00	2,874.23
Report Total				96,387.88	0.00	0.00	0.00	96,387.88

City of Del Rey Oaks
Statement of Revenue and Expenditures - Unposted Transactions Included In Report

From 7/1/2019 Through 3/31/2020

		<u>Current Period Actual</u>	<u>Total Budget</u>	<u>Percent of Budget Used</u>
Revenue				
Property Taxes				
P/T-Secured	41110	267,993.75	440,000.00	60.90%
P/T-Unsecured	41120	17,796.84	16,700.00	106.56%
P/T-Prior Secured	41130	3,469.99	5,000.00	69.39%
Prior Unsecured	41140	0.00	100.00	0.00%
P/T-Unitary Tax	41150	4,082.01	8,200.00	49.78%
P/T-Sb813	41160	4,411.69	9,400.00	46.93%
Property Tax - Vlf	41170	73,915.36	150,000.00	49.27%
P/T-Int/Penal	41180	<u>726.49</u>	<u>700.00</u>	<u>103.78%</u>
Total Property Taxes		372,396.13	630,100.00	59.10%
Other Taxes				
Sales Tax	42210	295,656.46	430,000.00	68.75%
Sales Tax - Add On	42220	691,498.84	800,000.00	86.43%
Cannabis Tax	42222	488,832.73	725,000.00	67.42%
Transient Occupancy Tax	42230	36,521.12	40,000.00	91.30%
Property Transfer Tax	42250	7,224.25	10,000.00	72.24%
Sewer Impact	42290	15,487.82	15,400.00	100.57%
Gas Franchises	42761	0.00	5,500.00	0.00%
Electric Franchises	42762	0.00	17,500.00	0.00%
Garbage Franchises	42763	70,869.39	86,500.00	81.92%
Cable Tv Franchises	42764	19,168.23	20,500.00	93.50%
Water Franchises	42765	<u>0.00</u>	<u>16,000.00</u>	<u>0.00%</u>
Total Other Taxes		1,625,258.84	2,166,400.00	75.02%
Licenses and Permits				
Business Licenses	42310	210,861.92	210,000.00	100.41%
SB1473 Environmental Assessment Fee	43312	36.26	100.00	36.26%
Building Permits	43320	23,913.91	30,000.00	79.71%
Cannabis Business Permit	43325	0.00	42,500.00	0.00%
Plan Check Fees	43330	11,740.96	15,000.00	78.27%
Street Opening Permits Fees	43340	4,350.00	4,300.00	101.16%
Plumbing Permits	43350	1,500.00	1,200.00	125.00%
Electrical Permits	43360	1,000.00	1,000.00	100.00%
Other Licenses/Permits	43390	<u>200.00</u>	<u>1,000.00</u>	<u>20.00%</u>
Total Licenses and Permits		253,603.05	305,100.00	83.12%
Reimbursements				
Sb1186 Disability Access Fund	43311	<u>880.00</u>	<u>900.00</u>	<u>97.77%</u>
Total Reimbursements		880.00	900.00	97.78%
Fines and Forfeitures				
Vehicle Code Fines	45510	<u>10,868.44</u>	<u>13,000.00</u>	<u>83.60%</u>
Total Fines and Forfeitures		10,868.44	13,000.00	83.60%
Other				
Interest Earned	46100	26,330.91	30,000.00	87.76%
HOPTR	47130	325.38	1,500.00	21.69%
Vehicle License Collection	47140	0.00	900.00	0.00%
Prop 172	47750	10,451.94	14,700.00	71.10%
Traffic Congestion Relief-Ab438	47770	<u>1,949.40</u>	<u>1,000.00</u>	<u>194.94%</u>
Total Other		39,057.63	48,100.00	81.20%
Grants				
Cop Monies	47240	130,947.63	155,000.00	84.48%
Grants - Wellness	47760	7,500.00	7,500.00	100.00%
FORA Caretaker Grant	47767	193,750.00	143,750.00	134.78%
Police Grants Other Agencies	47780	4,888.06	12,500.00	39.10%
Grant Other Agencies	47783	<u>350.00</u>	<u>0.00</u>	<u>0.00%</u>
Total Grants		337,435.69	318,750.00	105.86%
Current Services				
Police Reports	48210	3,656.38	1,000.00	365.63%
Police Services	48211	14,103.12	5,000.00	282.06%
Public Events	48212	35,159.00	40,500.00	86.81%
Airport Police Services	48220	820,679.43	1,124,800.00	72.96%
Use Permits	48805	24,645.00	33,000.00	74.68%
Maps/Publications	48810	33.00	300.00	11.00%
Property Inspections	48825	3,925.00	3,500.00	112.14%
Miscellaneous Services	48840	<u>10,631.60</u>	<u>20,000.00</u>	<u>53.15%</u>
Total Current Services		912,832.53	1,228,100.00	74.33%

City of Del Rey Oaks
Statement of Revenue and Expenditures - Unposted Transactions Included In Report

From 7/1/2019 Through 3/31/2020

		Current Period Actual	Total Budget	Percent of Budget Used
Parks and Recreation				
Park Rental	48910	2,927.00	8,000.00	36.58%
Rental City Facilities	48920	24,194.70	35,000.00	69.12%
Total Parks and Recreation		<u>27,121.70</u>	<u>43,000.00</u>	<u>63.07%</u>
Other Financing Sources				
Rental Income Garden Center	46815	24,000.00	56,000.00	42.85%
Gas Tax 2103	47010	859.26	0.00	0.00%
Gas Tax 2105	47020	699.28	0.00	0.00%
Gas Tax 2106	47030	677.39	0.00	0.00%
Gas Tax 2107	47040	695.61	0.00	0.00%
Total Other Financing Sources		<u>26,931.54</u>	<u>56,000.00</u>	<u>48.09%</u>
Total Revenue		<u><u>3,606,385.55</u></u>	<u><u>4,809,450.00</u></u>	<u><u>74.99%</u></u>
Expense				
Payroll and Benefits				
Payroll	61105	962,624.02	1,329,400.00	72.41%
Temp Payroll	61107	9,360.66	20,000.00	46.80%
Overtime	61110	85,668.72	133,000.00	64.41%
Council Member Stipend	61115	0.00	7,500.00	0.00%
Reserves Payroll	61120	45,015.00	58,000.00	77.61%
PERS UAL	61124	104,211.32	164,100.00	63.50%
PERS Retirement	61125	107,932.51	145,600.00	74.12%
Dental Expense CC	61127	2,188.25	12,000.00	18.23%
Medicare	61130	16,115.09	20,510.00	78.57%
Dental Expense	61135	18,659.24	33,000.00	56.54%
Health Ins	61140	230,412.00	325,700.00	70.74%
Vision Ins	61145	1,338.36	4,500.00	29.74%
Workers Comp	61150	289,379.00	289,400.00	99.99%
Wellness Program	61155	2,767.27	7,500.00	36.89%
Uniform Allowance	61160	4,750.00	11,000.00	43.18%
Admin Leave	61175	5,970.92	0.00	0.00%
Auto Allowance	61180	3,825.00	5,400.00	70.83%
Total Payroll and Benefits		<u>1,890,217.36</u>	<u>2,566,610.00</u>	<u>73.65%</u>
Payroll Expense				
Payroll Expense	62310	921.68	3,500.00	26.33%
Total Payroll Expense		<u>921.68</u>	<u>3,500.00</u>	<u>26.33%</u>
Bank Service Charges				
Bank Service Charges	62320	879.34	1,000.00	87.93%
Total Bank Service Charges		<u>879.34</u>	<u>1,000.00</u>	<u>87.93%</u>
Supplies				
Materials/Supply	62410	52,268.82	62,700.00	83.36%
Ammunition	62420	0.00	7,000.00	0.00%
Office Supplies	62430	13,678.62	18,300.00	74.74%
Accounting Software	62431	3,168.00	3,200.00	99.00%
Special Supply Police	62440	42,612.16	53,700.00	79.35%
PD Safety Equip Lease - Principal	62460	0.00	16,500.00	0.00%
Total Supplies		<u>111,727.60</u>	<u>161,400.00</u>	<u>69.22%</u>
Utilites and Services				
Repair/Maintenance	63505	77,428.78	87,000.00	88.99%
Street Sweeping	63510	1,847.28	14,000.00	13.19%
Gabilan Crew	63515	0.00	5,000.00	0.00%
Utilities/Pge	63520	9,638.72	13,000.00	74.14%
Utilities/Water	63525	4,643.08	6,500.00	71.43%
Telephone / Internet	63530	14,106.42	19,100.00	73.85%
Website Design & Maintenance	63535	2,785.00	2,700.00	103.14%
Postage / Shipping	63540	2,723.00	2,900.00	93.89%
Total Utilites and Services		<u>113,172.28</u>	<u>150,200.00</u>	<u>75.35%</u>
Other Services				
Municipal Code Service	64320	395.00	2,000.00	19.75%
Personnel Recruit & Pre-Employment	64545	2,083.00	7,000.00	29.75%
Member/Dues/Contributions	64550	41,812.71	48,500.00	86.21%
Ad/Promotion City Cndl	64555	875.00	1,200.00	72.91%
Legal Advert	64560	420.00	6,200.00	6.77%
Books and Periodicals	64565	1,756.80	1,900.00	92.46%
Strategic Planning	64570	10,733.17	10,000.00	107.33%

City of Del Rey Oaks
Statement of Revenue and Expenditures - Unposted Transactions Included In Report

From 7/1/2019 Through 3/31/2020

		<u>Current Period Actual</u>	<u>Total Budget</u>	<u>Percent of Budget Used</u>
Misc Expenses	64580	870.60	0.00	0.00%
Election Cost	64588	<u>132.55</u>	<u>5,000.00</u>	<u>2.65%</u>
Total Other Services		59,078.83	81,800.00	72.22%
Outside Services				
Training Police	63605	32,913.27	46,600.00	70.62%
Other Permits Pw/Engnr	63610	0.00	1,200.00	0.00%
Liability/Prop Non-Dpt	63620	86,487.18	71,400.00	121.13%
Contractual Services - Audit	63625	34,954.21	30,250.00	115.55%
Contractual Services - IT	63635	11,523.00	10,000.00	115.23%
Contractual Services - Planning	63640	189,893.91	215,000.00	88.32%
Contractual Services - Accounting	63645	30,436.45	35,000.00	86.96%
Contractual Services - Legal	63650	109,302.09	150,000.00	72.86%
Contractual Services - HR	63652	13,405.38	20,000.00	67.02%
Contractual Services - PM	63653	1,520.00	50,000.00	3.04%
Janitorial Fund	63660	2,824.29	4,000.00	70.60%
Radio Dispatch Police	63665	3,004.31	76,000.00	3.95%
Comm Hum Serv Non-Dept	63670	<u>4,000.00</u>	<u>4,000.00</u>	<u>100.00%</u>
Total Outside Services		520,264.09	713,450.00	72.92%
Auto Ops				
Auto Ops - Supplies / Equip	62710	9,661.73	22,500.00	42.94%
Auto Ops - Fuel	62720	21,210.42	30,000.00	70.70%
Auto Repair/Maintenance	63730	14,862.25	20,000.00	74.31%
Auto Replacement	66735	<u>89,411.75</u>	<u>89,500.00</u>	<u>99.90%</u>
Total Auto Ops		135,146.15	162,000.00	83.42%
Police and Fire				
Fire Seaside	63810	50,212.50	200,850.00	25.00%
Animal Regulation Fire	63820	480.00	1,600.00	30.00%
Fund Jail & Prisoner	63830	0.00	100.00	0.00%
Acjis System Police	63840	<u>2,162.38</u>	<u>7,000.00</u>	<u>30.89%</u>
Total Police and Fire		52,854.88	209,550.00	25.22%
Street Lighting and Storm Water				
Street Lighting	63910	9,092.30	15,000.00	60.61%
Storm Water Project - Phase 4	64920	18,873.00	35,500.00	53.16%
S.M.I.P.	64930	143.30	200.00	71.65%
Sb 1473	64940	<u>46.60</u>	<u>100.00</u>	<u>46.60%</u>
Total Street Lighting and Storm Water		28,155.20	50,800.00	55.42%
Capital Improvement				
Capital Improvements	63955	<u>7,231.00</u>	<u>330,000.00</u>	<u>2.19%</u>
Total Capital Improvement		7,231.00	330,000.00	2.19%
Debt Service				
Principal - Fora Loan	65101	<u>521,865.16</u>	<u>552,900.00</u>	<u>94.38%</u>
Total Debt Service		<u>521,865.16</u>	<u>552,900.00</u>	<u>94.39%</u>
Total Expense		<u>3,441,513.57</u>	<u>4,983,210.00</u>	<u>69.06%</u>
Net Income		<u>164,871.98</u>	<u>(173,760.00)</u>	<u>(94.88)%</u>

**CASH FUND BALANCE REPORT
CITY OF DEL REY OAKS
AS OF MARCH 31, 2020**

<u>Account Number</u>	<u>Description</u>	<u>Ending Balance</u>
10100	General Checking	\$162,189.80
10110	LAIF Account	\$1,525,887.78
	<i>Economic Uncertainty Fund</i>	\$1,525,887.78
10150	PARS Investment (Restricted)	\$302,054.81
10180	Monterey Peninsula Properties	\$9,062.62
	Total All Accounts	\$1,999,195.01

PRIOR FISCAL YEAR
City of Del Rey Oaks

Statement of Revenue and Expenditures - Unposted Transactions Included In Report
From 7/1/2018 Through 3/31/2019

		Current Period		Percent of
		Actual	Total Budget	Budget Used
Revenue				
Property Taxes				
P/T-Secured	41110	250,526.87	440,000.00	56.93%
P/T-Unsecured	41120	16,662.51	15,500.00	107.50%
P/T-Prior Secured	41130	4,363.19	5,000.00	87.26%
Prior Unsecured	41140	192.03	100.00	192.03%
P/T-Unitary Tax	41150	4,114.03	8,200.00	50.17%
P/T-Sb813	41160	5,887.18	8,300.00	70.92%
Property Tax - Vlf	41170	78,404.00	150,000.00	52.26%
P/T-Int/Penal	41180	<u>394.16</u>	<u>700.00</u>	<u>56.30%</u>
Total Property Taxes		360,543.97	627,800.00	57.43%
Other Taxes				
Sales Tax	42210	315,119.94	425,000.00	74.14%
Sales Tax - Add On	42220	658,010.40	800,000.00	82.25%
Cannabis Tax	42222	723,376.87	850,000.00	85.10%
Transient Occupancy Tax	42230	2,663.40	15,000.00	17.75%
Property Transfer Tax	42250	8,938.89	8,000.00	111.73%
Sewer Impact	42290	0.00	14,300.00	0.00%
Gas Franchises	42761	0.00	5,500.00	0.00%
Electric Franchises	42762	125.00	17,500.00	0.71%
Garbage Franchises	42763	74,696.55	86,500.00	86.35%
Cable Tv Franchises	42764	19,716.12	20,500.00	96.17%
Water Franchises	42765	<u>17,423.24</u>	<u>16,000.00</u>	<u>108.89%</u>
Total Other Taxes		1,820,070.41	2,258,300.00	80.59%
Licenses and Permits				
Business Licenses	42310	188,306.46	200,000.00	94.15%
SB1473 Environmental Assessment Fee	43312	22.00	50.00	44.00%
Building Permits	43320	9,928.27	10,000.00	99.28%
Cannabis Business Permit	43325	47,673.80	42,500.00	112.17%
Plan Check Fees	43330	6,434.81	5,000.00	128.69%
Street Opening Permits Fees	43340	2,397.96	4,300.00	55.76%
Plumbing Permits	43350	375.00	1,200.00	31.25%
Electrical Permits	43360	750.00	1,000.00	75.00%
Other Licenses/Permits	43390	<u>6,548.21</u>	<u>1,000.00</u>	<u>654.82%</u>
Total Licenses and Permits		262,436.51	265,050.00	99.01%
Reimbursements				
Sb1186 Disability Access Fund	43311	<u>858.00</u>	<u>900.00</u>	<u>95.33%</u>
Total Reimbursements		858.00	900.00	95.33%
Fines and Forfeitures				
Vehicle Code Fines	45510	<u>7,414.38</u>	<u>10,000.00</u>	<u>74.14%</u>
Total Fines and Forfeitures		7,414.38	10,000.00	74.14%
Other				
Interest Earned	46100	259.96	935.00	27.80%
HOPTR	47130	333.61	1,500.00	22.24%
Vehicle License Collection	47140	250.00	885.00	28.24%
Prop 172	47750	10,142.59	10,000.00	101.42%
Traffic Congestion Relief-Ab438	47770	<u>0.00</u>	<u>1,000.00</u>	<u>0.00%</u>

PRIOR FISCAL YEAR
City of Del Rey Oaks

Statement of Revenue and Expenditures - Unposted Transactions Included In Report
From 7/1/2018 Through 3/31/2019

Total Other		10,986.16	14,320.00	76.72%
Grants				
Cop Monies	47240	123,746.55	100,000.00	123.74%
Grants - Wellness	47760	0.00	7,500.00	0.00%
FORA Caretaker Grant	47767	132,720.99	179,567.00	73.91%
Measure X	47775	150,221.94	861,300.00	17.44%
Sb 1 Funds	47777	18,927.32	19,400.00	97.56%
Police Grants Other Agencies	47780	0.00	12,500.00	0.00%
Grant Other Agencies	47783	<u>10,000.00</u>	<u>0.00</u>	<u>0.00%</u>
Total Grants		435,616.80	1,180,267.00	36.91%
Current Services				
Police Reports	48210	2,753.02	1,000.00	275.30%
Police Services	48211	31,573.59	5,000.00	631.47%
Public Events	48212	19,937.50	40,500.00	49.22%
Airport Police Services	48220	516,025.11	758,056.00	68.07%
Use Permits	48805	24,180.00	33,000.00	73.27%
Maps/Publications	48810	90.00	350.00	25.71%
Property Inspections	48825	4,000.00	3,500.00	114.28%
Miscellaneous Services	48840	11,465.45	20,000.00	57.32%
Donation - Other Non-Pd	48844	<u>1,000.00</u>	<u>0.00</u>	<u>0.00%</u>
Total Current Services		611,024.67	861,406.00	70.93%
Parks and Recreation				
Park Rental	48910	3,872.94	8,000.00	48.41%
Rv Rental Parks	48920	<u>16,132.40</u>	<u>35,000.00</u>	<u>46.09%</u>
Total Parks and Recreation		20,005.34	43,000.00	46.52%
Other Financing Sources				
Rental Income Garden Center	46815	24,250.00	36,000.00	67.36%
Gas Tax 2103	47010	4,387.10	6,694.00	65.53%
Gas Tax 2105	47020	5,973.23	9,760.00	61.20%
Gas Tax 2106	47030	5,824.18	8,880.00	65.58%
Gas Tax 2107	47040	7,117.92	12,600.00	56.49%
Gas Tax 2107.5	47050	<u>1,000.00</u>	<u>1,000.00</u>	<u>100.00%</u>
Total Other Financing Sources		<u>48,552.43</u>	<u>74,934.00</u>	<u>64.79%</u>
Total Revenue		<u>3,577,508.67</u>	<u>5,335,977.00</u>	<u>67.05%</u>
Expense				
Payroll and Benefits				
Payroll	61105	854,601.70	1,288,560.00	66.32%
Overtime	61110	50,631.03	88,800.00	57.01%
Council Member Stipend	61115	3,996.99	7,500.00	53.29%
Reserves Payroll	61120	31,638.44	53,800.00	58.80%
Pers	61125	273,750.91	265,700.00	103.03%
Medicare	61130	10,031.12	19,450.00	51.57%
Dental Expense	61135	17,146.40	15,000.00	114.30%
Health Ins	61140	161,945.23	244,510.00	66.23%
Vision Ins	61145	1,707.66	1,500.00	113.84%
Workers Comp	61150	195,259.00	195,020.00	100.12%
Wellness Program	61155	3,445.75	7,500.00	45.94%
Uniform Allowance	61160	3,500.00	8,800.00	39.77%
Opeb	61170	0.00	17,200.00	0.00%
Admin Leave	61175	0.00	6,900.00	0.00%

PRIOR FISCAL YEAR
City of Del Rey Oaks

Statement of Revenue and Expenditures - Unposted Transactions Included In Report
From 7/1/2018 Through 3/31/2019

Auto Allowance	61180	<u>0.00</u>	<u>5,400.00</u>	<u>0.00%</u>
Total Payroll and Benefits		1,358,654.23	2,225,640.00	61.05%
Payroll Expense				
Payroll Expense	62310	<u>0.00</u>	<u>3,500.00</u>	<u>0.00%</u>
Total Payroll Expense		0.00	3,500.00	0.00%
Bank Service Charges				
Bank Service Charges	62320	<u>670.95</u>	<u>5,000.00</u>	<u>13.41%</u>
Total Bank Service Charges		670.95	5,000.00	13.42%
Supplies				
Materials/Supply	62410	36,560.54	47,100.00	77.62%
Ammunition	62420	2,127.08	7,000.00	30.38%
Office Supplies	62430	14,700.68	21,300.00	69.01%
Accounting Software	62431	11,293.00	6,200.00	182.14%
MuniCode Updates	62432	1,625.00	1,000.00	162.50%
Special Supply Police	62440	<u>35,635.03</u>	<u>46,700.00</u>	<u>76.30%</u>
Total Supplies		101,941.33	129,300.00	78.84%
Utilites and Services				
Repair/Maintenance	63505	66,808.36	159,500.00	41.88%
Street Sweeping	63510	7,823.52	16,000.00	48.89%
Gabilan Crew	63515	1,126.81	10,000.00	11.26%
Utilities/Pge	63520	9,769.81	13,000.00	75.15%
Utilities/Water	63525	4,058.98	6,500.00	62.44%
Telephone / Internet	63530	16,287.68	19,100.00	85.27%
Website Design & Maintenance	63535	1,508.48	3,000.00	50.28%
Postage / Shipping	63540	<u>2,171.86</u>	<u>2,900.00</u>	<u>74.89%</u>
Total Utilites and Services		109,555.50	230,000.00	47.63%
Other Services				
Personnel Recruit & Pre-Employment	64545	19,315.34	20,000.00	96.57%
Member/Dues/Contributions	64550	47,786.95	45,000.00	106.19%
Legal Advert	64560	5,954.88	8,200.00	72.62%
Books and Periodicals	64565	992.94	1,000.00	99.29%
Strategic Planning	64570	11,276.97	15,000.00	75.17%
Misc Expenses	64580	201.49	5,600.00	3.59%
Election Cost	64588	<u>3,930.85</u>	<u>5,000.00</u>	<u>78.61%</u>
Total Other Services		89,459.42	99,800.00	89.64%
Outside Services				
Training Police	63605	13,264.57	32,600.00	40.68%
Other Permits Pw/Engnr	63610	0.00	1,700.00	0.00%
Liability/Prop Non-Dpt	63620	61,841.90	61,200.00	101.04%
Contractual Services - Audit	63625	22,300.00	26,750.00	83.36%
Contactual Services - IT	63635	2,904.00	3,700.00	78.48%
Contractual Services - Planning	63640	53,244.77	135,000.00	39.44%
Contractual Services - Cop	63641	27,716.25	27,700.00	100.05%
Contractual Services - Pw	63644	19,791.68	19,800.00	99.95%
Contractual Services - Accounting	63645	34,644.75	35,000.00	98.98%
Contractual Services - Legal	63650	62,839.62	100,000.00	62.83%
Janitorial Fund	63660	2,550.00	4,000.00	63.75%
Radio Dispatch Police	63665	6,794.57	59,300.00	11.45%
Comm Hum Serv Non-Dept	63670	<u>3,800.00</u>	<u>3,800.00</u>	<u>100.00%</u>
Total Outside Services		311,692.11	510,550.00	61.05%
Auto Ops				

**PRIOR FISCAL YEAR
City of Del Rey Oaks**

**Statement of Revenue and Expenditures - Unposted Transactions Included In Report
From 7/1/2018 Through 3/31/2019**

Auto Ops - Supplies / Equip	62710	1,621.65	24,000.00	6.75%
Auto Ops - Fuel	62720	27,810.74	33,800.00	82.28%
Auto Repair/Maintenance	63730	6,192.26	16,300.00	37.98%
Auto Lease Payments-Principal	65740	15,395.95	9,800.00	157.10%
Auto Lease Payments-Interest	65741	477.25	1,100.00	43.38%
Auto Replacement	66735	<u>87,255.38</u>	<u>87,255.00</u>	<u>100.00%</u>
Total Auto Ops		138,753.23	172,255.00	80.55%
Police and Fire				
Fire Seaside	63810	97,500.00	195,000.00	50.00%
Animal Regulation Fire	63820	960.00	1,600.00	60.00%
Fund Jail & Prisoner	63830	0.00	50.00	0.00%
Acjis System Police	63840	<u>6,727.36</u>	<u>7,000.00</u>	<u>96.10%</u>
Total Police and Fire		105,187.36	203,650.00	51.65%
Street Lighting and Storm Water				
Street Lighting	63910	12,306.23	15,000.00	82.04%
Storm Water Project - Phase 4	64920	26,311.44	35,500.00	74.11%
S.M.I.P.	64930	40.92	200.00	20.46%
Sb 1473	64940	<u>34.80</u>	<u>100.00</u>	<u>34.80%</u>
Total Street Lighting and Storm Water		38,693.39	50,800.00	76.17%
Capital Improvement				
Capital Improvements	63955	<u>277,627.45</u>	<u>1,225,011.00</u>	<u>22.66%</u>
Total Capital Improvement		<u>277,627.45</u>	<u>1,225,011.00</u>	<u>22.66%</u>
Total Expense		<u>2,532,234.97</u>	<u>4,855,506.00</u>	<u>52.15%</u>
Net Income		<u>1,045,273.70</u>	<u>480,471.00</u>	<u>217.55%</u>

PRIOR FISCAL YEAR

Display Account Balances - City of Del Rey Oaks
as of 3/31/2019

<u>GL</u>	<u>GL Description</u>	<u>Ending</u> <u>Balance</u>
10100	General Checking	\$ 1,694,066.00
10110	LAIF	\$ 16,221.00
10180	Monterey Peninsula Partners	\$ 9,077.00
		<u>\$ 1,719,364.00</u>



FIRE DEPARTMENT
1635 Broadway Avenue
Seaside, CA 93955

Telephone (831) 899-6790
FAX (831) 899-6261

April 1, 2020

Dino Pick, City Manager
Del Rey Oaks City Hall
650 Canyon Del Rey
Del Rey Oaks, CA 93940

Dear Mr. Pick:

Enclosed is a copy of the response reports for the Seaside Fire Department response to Del Rey Oaks for the period of March 1, 2020 through March 31, 2020.

The Seaside Fire Department responded to the following incidents in the month of March:

Incident #

200303-SEA00508
200305-SEA00528
200314-SEA00614
200317-SEA00644
200317-SEA00647

200318-SEA00654
200320-SEA00666
200323-SEA00687
200324-SEA00695

There are a total of nine (9) fire calls for the month of March. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Failauga". The signature is stylized and includes a large, sweeping flourish that extends to the right.

Melissa Failauga
Sr. Administrative Assistant
CC: File

SEASIDE FIRE DEPARTMENT
City of Del Rey Oaks - Response Report

Incident Date	Incident Number	Alarm Time	Arrival Time	Response Time (Minutes)	Incident Type Code	District	Street Or Highway Name	Priority
3/3/2020	200303-SEA00508	5:40:45 PM	5:48:04 PM	7.32	554	029	PHEASANT RIDGE	Non-Emergent
3/5/2020	200305-SEA00528	5:42:41 PM	5:48:48 PM	6.12	622	029	CALLE	Emergent
3/14/2020	200314-SEA00614	7:35:30 AM	7:42:42 AM	7.20	311	029	ALTA	Emergent
3/17/2020	200317-SEA00644	10:27:39 AM	10:33:54 AM	6.25	321	029	PHEASANT RIDGE	Emergent
3/17/2020	200317-SEA00647	2:52:37 PM	2:58:00 PM	5.38	321	029	BAXTER	Emergent
3/18/2020	200318-SEA00654	9:12:41 PM	9:18:59 PM	6.30	311	029	PORTOLA	Emergent
3/20/2020	200320-SEA00666	10:16:04 AM	10:24:22 AM	8.30	510	029	PHEASANT RIDGE	Non-Emergent
3/23/2020	200323-SEA00687	12:33:58 PM	12:39:55 PM	5.95	321	029	PHEASANT RIDGE	Emergent
3/24/2020	200324-SEA00695	11:03:18 AM	11:08:50 AM	5.53	321	029	SETTER	Emergent

Total Calls 9

LEGEND CODE:	INCIDENT TYPE:
100-178	FIRE
200-261	OVERPRESSURE
300-381	MEDICAL RESPONSE
400-482	HAZARDOUS CONDITION
500-571	SERVICE CALL
600-672	GOOD INTENT CALL
700-751	FALSE ALARM/FALSE CALL
800-810	SEVERE WEATHER
900-811	SPECIAL/CITIZEN COMPLAINT

Total Calls for Fiscal Year 19-20 = 100



POLICE

DEL REY OAKS

City Council Report

Jan, 2020

Completed by C. Bourquin

ARRESTS:

YEAR TO DATE

<i>Felony Arrests</i>	0	0
<i>Misdemeanor Arrests</i>	2	2
<i>Warrant Arrests (OJ)</i>	0	0
TOTAL ARRESTS	2	2

ASSAULTS:

YEAR TO DATE

<i>Simple Assault</i>	0	0
<i>Domestic Violence</i>	0	0
<i>Weapon Involved</i>	0	0
TOTAL ASSAULTS	0	0

BURGLARIES:

<i>Residential</i>	0	0
<i>Commercial</i>	0	0
<i>From Locked Vehicle</i>	0	0
<i>Other</i>	0	0
TOTAL BURGLARIES	0	0

TRAFFIC ACCIDENTS:

<i>Non-Injury Accidents</i>	2	2
<i>Injury Accidents</i>	0	0
TOTAL ACCIDENTS	2	2

GRAND & PETTY THEFTS:

<i>Residential</i>	1	1
<i>Commercial</i>	2	2
<i>Shoplifting</i>	0	0
<i>From Motor Vehicle</i>	0	0
<i>Other</i>	0	0
TOTAL THEFTS	3	3

ALARMS:

<i>Residential</i>	0	0
<i>Commercial</i>	11	11
TOTAL ALARMS	11	11

DUI ENFORCEMENT:

2	2
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CITATIONS ISSUED:

<i>Traffic Citations Issued</i>	18	18
<i>Parking Citations Issued</i>	38	38
<i>Admin Citations Issued</i>	1	1
<i>Warning Citations</i>	3	3
TOTAL CITATIONS ISSUED	60	60

REPORTS FILED:

21	21
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TOTAL ACTIVITY:

366	366
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CITY OF DEL REY OAKS SIX-MONTH STRATEGIC OBJECTIVES

March 3, 2020 – September 1, 2020
As of April 28, 2020

THREE-YEAR GOAL: <i>Ensure fiscal stability</i>						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. At the April 28, 2020 City Council meeting	City Manager	Recommend to the City Council any changes to the Position Control List and Budget for City finance functions.		X		Kim is staying. Tentative plan: Revise job descriptions to focus finance duties in Kim's position. Move Kim into office to allow quiet finance focused work environment. Karen and part time position will handle non-finance related work load.
2. At the May 26, 2020 City Council meeting	City Manager	Report to the City Council the results and potential actions of the Cannabis Business Audits.		X		Karen working with HdL. HdL processing audits.
3. At the June 23, 2020 City Council meeting	City Manager	Present to the City Council for consideration a Two-Year Budget.		X		Staff is working budget. Presenting COVID-19 impacts on current budget on April 28. Two year budget will be presented in May.
4. At the August 25, 2020 City Council meeting	City Manager	Report to the City Council on the feasibility of a contract grant writer.		X		Mayor has provided a potential candidate.

<p>FUTURE: At the November 2020 City Council meeting</p>	<p>City Manager</p>	<p>Present to the City Council for action the disposition of the Federal LLC debt.</p>				
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THREE-YEAR GOAL: *Update the City's General Plan, beginning with the Housing Element*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By May 1, 2020	City Manager	Present to the City Council the status on the consolidation of background materials for developers.		X		Staff preparing structured due diligence for development teams. COVID-19 has paused this work.
2. At the August 25, 2020 City Council meeting	City Manager	Present to the City Council an update on potential funding sources (e.g., grants, cost-sharing) for updating the General Plan.		X		Staff preparing grant application for LEAP funds. Council will consider a resolution supporting LEAP application on April 28. Application due July 1, 2020.
3. By September 1, 2020	City Manager and consultant Denise Duffy	Hold a Housing Element Study Session for the City Council and Planning Commission, including consideration of an Emergency Shelter overlay, with public input.				

THREE-YEAR GOAL: <i>Develop City-owned properties sustainably with public input</i>						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. At the March 24, 2020 City Council meeting	City Manager	Present a contract for solar panel installation on City Hall for Council consideration.	X			Council approved contract. Staff holding contract award until COVID-19 financial impact is better understood.
2. At the April 28, 2020 City Council meeting	City Council	Consider accepting an escrow account and funds, and a contract with Witson Engineers, concerning South Boundary Road.		X		FORA board and City Council approved escrow terms. FORA board approved \$8.3M for project. Staff working with FORA to open account and transfer funds. FORA considering Whitson contract in May.
3. At the May 26, 2020 City Council meeting	City Manager	Present an agreement with Marina Coast Water District (MCWD) for provision of water service to the City's Former Fort Ord property to the City Council for consideration.		X		Staff reviewing with City of Monterey.
4. At the June 23, 2020 City Council meeting	City Manager, working with the City Attorney	Present a Joint Powers Authority (JPA) agreement for Habitat Conservation Plan (HCP) oversight to the City Council for consideration.			X	Habitat Working Group held final meeting. HCP EIR being finalized for FORA board approval. HCP endowment funds to be distributed to jurisdictions according to FORA Board approved distribution. JPA will be discussed among land-use jurisdictions.
5. At the June 23, 2020 City Council meeting	City Manager	Present to the City Council for action an amended agreement with California Native Plants Society.		X		City Attorney is preparing draft agreement for Council consideration.

6. At the June 23, 2020 City Council meeting	City Manager, working with the City Attorney	Ensure that the owner of Del Rey Oaks Gardens is compliant with their conditional use permit and lease.	X	Staff sent Mr. Mori non-compliance letter in July 2019. Planning staff met with Mr. Mori on March 1st to discuss CUP application. Staff contacted Mr. Mori on April 14th to urge compliance soon after lifting of shelter in place order so his expansion request can be processed.
7. At the August 25, 2020 City Council meeting	City Manager	Present to the City Council the status of water allocation for the former RV storage lot.	X	Staff preparing to present to planning commission for public discussion.
8. At the August 25, 2020 City Council meeting	City Manager	Present an Exclusive Negotiating Agreement for the former Fort Ord property with developers for City Council consideration.		
9. At the August 25, 2020 City Council meeting	City Manager	Provide an update on the Spring 2020 and Spring 2021 street projects.	X	Spring 2020 slurry seal contract on hold pending assessment of COVID-19 measures on City budget.
FUTURE: At the September 22, 2020 City Council meeting	City Manager	Present to the City Council for action Community Facilities District and Development Impact Fees for all City-owned properties.		

THREE-YEAR GOAL: Enhance the City's effectiveness and efficiency

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. At the August 25, 2020 City Council meeting and yearly thereafter	City Manager and the IT consultant	Evaluate our IT security posture and, if needed, make recommendations for improvement.		X		

RESOLUTION NO. 2020-05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS
CANVASSING THE MARCH 3, 2020,
PRESIDENTIAL PRIMARY ELECTION**

WHEREAS, A Presidential Primary Election was held on Tuesday, March 3, 2020 as required by the provisions of the laws of the State of California; and

WHEREAS, this is the time and place specified by law for the Council to meet and proceed to canvas the votes cast at said election.

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Del Rey Oaks that it is found and determined:

1. That the total number of votes cast at said election was 697 and that the following

a) Number of votes cast for and against Measure F and percentage of total:

YES on Measure F:	499	71.59%
NO on Measure F:	<u>198</u>	<u>28.41%</u>
	697	100%

b) That Measure F passed with a majority.

PASSED AND ADOPTED by the City Council of the City of Del Rey Oaks at a regular meeting duly held on April 28, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Alison Kerr, Mayor

ATTEST:

Danial D. Pick, City Clerk

MONTEREY COUNTY ELECTIONS



1441 Schilling Place-North Building
Salinas, CA 93901

PO Box 4400
Salinas, CA 93912

831-796-1499 Phone
831-755-5485 Fax

www.MontereyCountyElections.us

elections@co.monterey.ca.us

Claudio Valenzuela
Registrar of Voters

Gina Martinez
Assistant Registrar of Voters

March 24, 2020

City of Del Rey Oaks
Attention: Karen Minami, Deputy City Clerk
650 Canyon Del Rey Road
Del Rey Oaks, CA 93940

Subject: Certificate of the Registrar of Voters for the March 3, 2020 Election.

Attached hereto is the Certificate of the Registrar of Voters in connection with the March 3, 2020 Presidential Primary Election.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claudio Valenzuela".

Claudio Valenzuela
Registrar of Voters

Enclosures

CERTIFICATE OF REGISTRAR OF VOTERS

In the Matter of the CANVASS OF THE VOTES CAST)
at the City of Del Rey Oaks)
held on March 3, 2020)

I, **Claudio Valenzuela**, Registrar of Voters of the County of Monterey, State of California hereby certify;

THAT an election was held within the boundaries of the **City of Del Rey Oaks** on March 3, 2020 for the purpose of submitting **Measure F** to the qualified electors and; I caused to have processed and recorded the votes from the canvass of all ballots cast at said election within the boundaries of the **City of Del Rey Oaks**.

I HEREBY FURTHER CERTIFY that the record of votes cast at said election is set forth in Exhibit "A" attached hereto and incorporated herein by reference as though fully set forth at length.

IN WITNESS WHEREOF, I have hereunto affixed my hand and official seal this Wednesday, March 24, 2020 and filed this date with the **City of Del Rey Oaks**.



Claudio Valenzuela
Registrar of Voters

EXHIBIT A

F - City of Del Rey Oaks (Vote for 1) ** - Insufficient Turnout to Protect Voter Privacy**

District	Turnout	Registered Voters	YES		NO		Total Votes
Board of Equalization							
2nd State Board Equal District							
Polling Place	187	1,153	129	72.07%	50	27.93%	179
Vote by Mail	534	1,153	370	71.43%	148	28.57%	518
Mail Ballot	0	1,153	0		0		0
2nd State Board Equal District - Total	721	1,153	499	71.59%	198	28.41%	697
Congressional							
20th Congressional District							
Polling Place	187	1,153	129	72.07%	50	27.93%	179
Vote by Mail	534	1,153	370	71.43%	148	28.57%	518
Mail Ballot	0	1,153	0		0		0
20th Congressional District - Total	721	1,153	499	71.59%	198	28.41%	697
Senatorial Districts							
17th State Senatorial District							
Polling Place	187	1,153	129	72.07%	50	27.93%	179
Vote by Mail	534	1,153	370	71.43%	148	28.57%	518
Mail Ballot	0	1,153	0		0		0
17th State Senatorial District - Total	721	1,153	499	71.59%	198	28.41%	697
Assembly Districts							
29th State Assembly District							
Polling Place	187	1,153	129	72.07%	50	27.93%	179
Vote by Mail	534	1,153	370	71.43%	148	28.57%	518
Mail Ballot	0	1,153	0		0		0
29th State Assembly District - Total	721	1,153	499	71.59%	198	28.41%	697
Supervisory Districts							
4th Supervisorial District							
Polling Place	187	1,153	129	72.07%	50	27.93%	179
Vote by Mail	534	1,153	370	71.43%	148	28.57%	518
Mail Ballot	0	1,153	0		0		0
4th Supervisorial District - Total	721	1,153	499	71.59%	198	28.41%	697
City Districts							
City of Del Rey Oaks							
Polling Place	187	1,153	129	72.07%	50	27.93%	179
Vote by Mail	534	1,153	370	71.43%	148	28.57%	518
Mail Ballot	0	1,153	0		0		0
City of Del Rey Oaks - Total	721	1,153	499	71.59%	198	28.41%	697
City Districts sub-district							
Unincorporated Area							

EXHIBIT A

F - City of Del Rey Oaks (Vote for 1) ** - Insufficient Turnout to Protect Voter Privacy**

Precinct	Turnout	Registered Voters	YES		NO		Total Votes	Unresolved Write-In
Countywide								
Electionwide								
4071								
Polling Place	187	1,153	129	72.07%	50	27.93%	179	0
Vote by Mail	534	1,153	370	71.43%	148	28.57%	518	0
Mail Ballot	0	1,153	0		0		0	0
Total	721	1,153	499	71.59%	198	28.41%	697	0
Electionwide - Total	721	1,153	499	71.59%	198	28.41%	697	0

Monterey County
Monterey 2020 Presidential Primary
March 3, 2020
Summary Report 07 - Final Report

	Registered Voters	Turnout	President of the United States Republican	
Total Registration and Turnout	195,245	91,603	(190 of 190 precincts reported)	
Mail Ballot		7,287	REP - ROBERT ARDINI	163 0.83%
Polling Place		20,000	REP - JOE WALSH	751 3.84%
Vote by Mail		64,316	REP - BILL WELD	684 3.50%
			REP - ROQUE "ROCKY" DE LA FUENTE	199 1.02%
			REP - MATTHEW JOHN MATERN	125 0.64%
			REP - ZOLTAN G. ISTVAN	89 0.46%
			REP - DONALD J. TRUMP	17,542 89.72%
			WRITE-IN DENIS C. GRASSKA	0 0.00%
			WRITE-IN ROBERT LEE MANNING JR.	0 0.00%
			Total	19,553
President of the United States Democratic			President of the United States American Independent	
			(190 of 190 precincts reported)	
DEM - JULIÁN CASTRO	165	0.28%	AI - PHIL COLLINS	153 30.54%
DEM - MICHAEL A. ELLINGER	24	0.04%	AI - ROQUE "ROCKY" DE LA FUENTE	97 19.36%
DEM - ELIZABETH WARREN	6,382	10.78%	AI - CHARLES KRAUT	62 12.38%
DEM - MARIANNE WILLIAMSON	62	0.10%	AI - J.R. MYERS	96 19.16%
DEM - ANDREW YANG	314	0.53%	AI - DON BLANKENSHIP	93 18.56%
DEM - ROQUE "ROCKY" DE LA FUENTE III	32	0.05%		
DEM - JOHN K. DELANEY	25	0.04%	Total	501
DEM - AMY KLOBUCHAR	1,543	2.61%	President of the United States Green	
DEM - BERNIE SANDERS	21,625	36.53%	(190 of 190 precincts reported)	
DEM - JOE SESTAK	59	0.10%	GRN - DAVID ROLDE	16 12.03%
DEM - TOM STEYER	1,682	2.84%	GRN - HOWIE HAWKINS	39 29.32%
DEM - DEVAL PATRICK	14	0.02%	GRN - DARIO HUNTER	23 17.29%
DEM - MICHAEL BENNET	89	0.15%	GRN - DENNIS LAMBERT	28 21.05%
DEM - MICHAEL R. BLOOMBERG	7,767	13.12%	GRN - SEDINAM MOYOWASIFZA-CURRY	27 20.30%
DEM - MOSIE BOYD	18	0.03%	WRITE-IN KENT MESPLAY	0 0.00%
DEM - CORY BOOKER	52	0.09%	Total	133
DEM - PETE BUTTIGIEG	2,663	4.50%		
DEM - JOSEPH R. BIDEN	16,295	27.53%		
DEM - TULSI GABBARD	354	0.60%		
DEM - MARK STEWART GREENSTEIN	27	0.05%		
WRITE-IN NAKIA L. ANTHONY	0	0.00%		
WRITE-IN DAPHNE DENISE BRADFORD	0	0.00%		
WRITE-IN WILLIE FELIX CARTER	0	0.00%		
WRITE-IN MICHAEL DENAME	0	0.00%		
WRITE-IN JEFFREY H. DROBMAN	0	0.00%		
WRITE-IN ROBERT JORDAN	0	0.00%		
WRITE-IN HEATHER MARIE STAGG	0	0.00%		
Total	59,192			

Monterey County
Monterey 2020 Presidential Primary
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President of the United States Libertarian

(190 of 190 precincts reported)		
LIB - KEN ARMSTRONG	22	8.80%
LIB - MAX ABRAMSON	9	3.60%
LIB - SAM ROBB	36	14.40%
LIB - KIM RUFF	25	10.00%
LIB - STEVEN A RICHEY	8	3.20%
LIB - JACOB HORNBERGER	40	16.00%
LIB - SOURAYA FAAS	12	4.80%
LIB - KEENAN WALLACE DUNHAM	4	1.60%
LIB - ADAM KOKESH	21	8.40%
LIB - VERMIN SUPREME	33	13.20%
LIB - JO JORGENSEN	23	9.20%
LIB - DAN BEHRMAN	13	5.20%
LIB - ERIK CHASE GERHARDT	2	0.80%
WRITE-IN SORINNE ARDELEANU	2	0.80%
WRITE-IN NICHOLAS D'ARTAGNAN DUMAS	0	0.00%
WRITE-IN GEBY EVA ESPINOSA	0	0.00%
WRITE-IN JAMES ORLANDO OGLE	0	0.00%
Total	250	

President of the United States Peace and Freedom

(190 of 190 precincts reported)		
PF - HOWIE HAWKINS	15	30.00%
PF - GLORIA LA RIVA	35	70.00%
Total	50	

Member of the County Central Committee District 2 Democratic

Vote For 4 (44 of 44 precincts reported)		
DEM - MARIA LUISA ALEJO	5,040	24.99%
DEM - KATHRYN RAMIREZ	3,492	17.32%
DEM - ANTHONY ROCHA	3,135	15.55%
DEM - VICTOR CARAVEZ	2,506	12.43%
DEM - MARTHA E. CAMPBELL-LOPEZ	1,740	8.63%
DEM - REGINA M. GAGE	4,253	21.09%
Total	20,166	

Member of the County Central Committee District 4 Democratic

Vote For 5 (37 of 37 precincts reported)		
DEM - KAREN ARAUJO	2,623	10.41%
DEM - HERBERT CORTEZ	4,700	18.66%
DEM - WES WHITE	4,675	18.56%
DEM - JON WIZARD	5,132	20.37%
DEM - ALEXIS GARCIA-ARRAZOLA	4,448	17.66%
DEM - ALICIA LOUISE GAINES	3,610	14.33%
Total	25,188	

Member of the County Central Committee District 5 Democratic

Vote For 7 (52 of 52 precincts reported)		
DEM - JOSEPH SALVATORE ALIOTTI	5,957	11.16%
DEM - GEORGE T. RILEY	6,296	11.79%
DEM - ALAN HAFFA	8,437	15.81%
DEM - ELENA ROSE LOOMIS	8,868	16.24%
DEM - GARY KARNES	4,801	8.99%
DEM - TIMOTHY BARRETT	6,930	12.98%
DEM - JAN KNIPPERS BLACK	8,326	15.60%
DEM - WILLIAM A. BOOSMAN	3,966	7.43%
Total	53,381	

Member of the County Central Committee District 4 Republican

Vote For 5 (37 of 37 precincts reported)		
REP - DENNIS ALLION	2,463	24.78%
REP - PETER GARTH ANDRESEN	1,706	17.16%
REP - KRISTIN LEA CALLENDER	1,160	11.67%
REP - JERRY BEARD EDELEN	2,233	22.46%
REP - PETER B. KAISER	1,204	12.11%
REP - BEN STRICKLAND	1,175	11.82%
Total	9,941	

United States Representative District 20

(190 of 190 precincts reported)		
DEM - ADAM BOLAÑOS SCOW	7,684	8.56%
DEM - JIMMY PANETTA	60,721	67.61%
REP - JEFF GORMAN	21,400	23.83%
Total	89,805	

State Senator District 17

(106 of 106 precincts reported)		
DEM - JOHN LAIRD	26,957	47.39%
DEM - MARIA CADENAS	10,857	19.09%
DEM - JOHN M. NEVILL	1,561	2.74%
REP - VICKI NOHRDEN	17,505	30.78%
Total	56,880	

Member of the State Assembly District 29

(91 of 91 precincts reported)		
REP - SHOMIR BANERJEE	15,167	29.31%
DEM - MARK STONE	36,573	70.69%
Total	51,740	

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Member of the State Assembly District 30

(99 of 99 precincts reported)

DEM - ROBERT RIVAS	24,817	72.25%
REP - GREGORY SWETT	9,530	27.75%
Total	34,347	

County Supervisor District 1

(25 of 25 precincts reported)

LUIS A. ALEJO	6,754	100.00%
Total	6,754	

County Supervisor District 4

(37 of 37 precincts reported)

WENDY ROOT ASKEW	8,710	45.55%
WINI CHAMBLISS	1,647	8.61%
STEVE MCSHANE	6,688	34.98%
ALEX MILLER	2,077	10.86%
Total	19,122	

County Supervisor District 5

(52 of 52 precincts reported)

MARY L. ADAMS	25,728	100.00%
Total	25,728	

State Proposition 13

(190 of 190 precincts reported)

YES	44,743	51.20%
NO	42,640	48.80%
Total	87,383	

R - Cabrillo Community College District

(6 of 6 precincts reported)

BONDS YES	1,198	46.38%
BONDS NO	1,385	53.62%
Total	2,583	

M - Aromas-San Juan Unified School District

(2 of 2 precincts reported)

BONDS YES	550	55.89%
BONDS NO	434	44.11%
Total	984	

D - Pacific Grove Unified School District

(8 of 8 precincts reported)

BONDS YES	5,155	67.91%
BONDS NO	2,436	32.09%
Total	7,591	

E - Soledad Unified School District

(6 of 6 precincts reported)

BONDS YES	1,192	53.62%
BONDS NO	1,031	46.38%
Total	2,223	

A - King City Union School District

(8 of 8 precincts reported)

BONDS YES	978	55.76%
BONDS NO	776	44.24%
Total	1,754	

B - King City Union School District

(8 of 8 precincts reported)

BONDS YES	1,004	56.44%
BONDS NO	775	43.56%
Total	1,779	

C - City of Carmel-By-The-Sea

(2 of 2 precincts reported)

YES	983	60.53%
NO	641	39.47%
Total	1,624	

F - City of Del Rey Oaks

(1 of 1 precincts reported)

YES	499	71.59%
NO	198	28.41%
Total	697	

G - City of Monterey

(12 of 12 precincts reported)

YES	5,488	63.43%
NO	3,164	36.57%
Total	8,652	



CITY OF DEL REY OAKS

650 CANYON DEL REY RD. · DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 · FAX (831) 394-6421

DATE: April 28, 2020

TO: Mayor and City Council

FROM: Danial D. Pick, City Manager and Denise Duffy, Denise Duffy and Associates

SUBJECT: Local Early Action Planning Grant Application

Project Description:

The City is seeking funding from the Local Early Action Planning Grant (LEAP) program administered and awarded by the Department of Housing and Community Development (HCD). LEAP provides funding to jurisdictions for the preparation and adoption of planning documents, process improvements that accelerate housing production and projects that facilitate compliance in implementing the sixth cycle. The City is applying for the maximum award amount of \$65,000. Applications must be submitted to HCD by the application deadline of July 1, 2020.

Background:

On January 27, 2020, HCD announced the release of the Notice of Funding Availability (NOFA) for approximately \$119,040,000 as part of LEAP, which is made available as a portion of the Local Government Planning Support Grants Program pursuant to Chapter 3.1 of Health and Safety Code (Sections 50515.03, Chapter 159, Statutes of 2019). LEAP provides one-time grant funding to cities and counties to update their planning documents and implement process improvements that will facilitate the acceleration of housing production and help local governments with regional housing needs, much like the SB2 Planning Grants.

Grant amount depends on jurisdiction size. For cities with a population less than 20,000, the maximum award amount is \$65,000, thus, the City is applying for the maximum grant amount.

LEAP defines various planning documents and processes that qualify as eligible activities for the grant award. The City's eligible activities include, updating planning documents and zoning ordinances for rezoning and encouraging housing development, workforce housing, improving accessory dwelling unit ordinances, and adopting a housing element to facilitate compliance with HCD requirements.

Application Components:

The applicant shall demonstrate consistency with the following requirements using the forms and manner prescribed in the HCD application.

1. A budget, including timelines, deliverables, sub-steps and adoption, that demonstrates funds will be utilized for eligible activities and uses;
2. How proposed activities will increase housing planning and facilitate accelerating local housing production;
3. Completed or proposed activities consistent with the state or other planning priorities; and
4. All other required information contained in the Department's application

Additionally, the applicant is required to include a signed and approved resolution (**Attachment A**)

HCD Process for LEAP Application Review and Approval:

Once approved for submittal, HCD reviews submitted applications within 30 days and has a target award of applications within 60 days. HCD review may result in additional information submitted to complete and approve the application for funding. Upon final award review and authorization, HCD will provide an Award Letter and award grant funds. The City may apply for LEAP funds prior to the July 1, 2020 application deadline.

Prior City Actions/Future Funding Opportunities:

On December 17, 2019, City Council adopted the 2019 Housing Element as required by Government Code Section 65580 et seq. The 2019 Housing Element is a multi-year housing plan for the 5th Planning Cycle, 2015-2023 planning period. LEAP grant funds are being sought to undertake actions considered in the adopted Housing Element, as well as to complete the revised the 5th Cycle Housing Element to achieve compliance with HCD. In 2019, the City also applied for SB2 grant funding. Unlike SB2 grant funds, LEAP grant funding does not require an HCD certified Housing Element. The LEAP funds will be used to implement the newly adopted 2019 Housing Element and assist in moving adopted programs forward to facilitate future development of affordable housing and to meet RHNA.

Additional funding through the Local Government Planning Support Grants Program may be available later in 2020, under the Regional Early Action Planning Grant Program (REAP). This funding program is available for regional governments and entities. REAP provides one-time grant funding to regional governments and regional entities for planning activities identified under LEAP. REAP funding would be administered by the local regional entity, in this case, the Association of Monterey Bay Area Governments (AMBAG). The City Manager and City Planning Consultant have met with AMBAG and continue to monitor this additional funding grant opportunity.

Once authorized by the City Council, the City will submit the LEAP application and signed resolution to HCD for 30-day review.

Staff Recommendation

Staff recommends that the City Council approve and sign the resolution (**Attachment A**) to accompany the Application.

Under the staff recommendation the City shall approve and submit the LEAP application to HCD for their 30-day review (**Attachment B**)

Respectfully Submitted

Danial D. Pick

Attachments:

- A. Draft Resolution
- B. LEAP Grant Application



CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 • FAX (831) 394-6421

RESOLUTION NO. 2020-07

A RESOLUTION OF THE CITY COUNCIL OF DEL REY OAKS AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS

WHEREAS, pursuant to Health and Safety Code 50515 et. Seq, the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or LEAP); and

WHEREAS, the City Council of Del Rey Oaks desires to submit a LEAP grant application package ("Application"), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment; and

WHEREAS, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions.

NOW, THEREFORE BE IT RESOLVED the City Council of Del Rey Oaks ("Applicant") hereby resolves as follows:

SECTION 1. The City Manager is hereby authorized and directed to apply for and submit to the Department the Application package.

SECTION 2. In connection with the LEAP grant, if the Application is approved by the Department, the City Manager of Del Rey Oaks is authorized to submit the Application, enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of \$65,000 and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant's obligations related thereto, and all amendments thereto; and

SECTION 3. The Applicant shall be subject to the terms and conditions as specified in the NOFA, and the Standard Agreement provided by the

Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement.

Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

ADOPTED ON April 28, 2020 by the City Council of Del Rey Oaks by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED

Mayor Alison Kerr

ATTEST

Danial D. Pick, City Clerk

Local Early Action Planning Grant Application



**State of California
Governor Gavin Newsom**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Doug McCauley, Acting Director
Department of Housing and Community Development**

**Zachary Olmsted, Deputy Director
Department of Housing and Community Development
Housing Policy Development**

2020 West El Camino, Suite 500
Sacramento, CA 95833

Website: <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>

Email: EarlyActionPlanning@hcd.ca.gov

January 27, 2020

LEAP Application Packaging Instructions

The applicant is applying to the Department of Housing and Community Development (Department) for a grant authorized underneath the Local Early Action Planning Grants (LEAP) provisions pursuant to Health and Safety Code Sections 50515 through 50515.05. LEAP provides funding to jurisdictions for the preparation and adoption of planning documents, process improvements that accelerate housing production and facilitate compliance in implementing the sixth cycle of the regional housing need assessment. If you have questions regarding this application or LEAP, email earlyactionplanning@hcd.ca.gov.

If approved for funding, the LEAP application is incorporated as part of your Standard Agreement with the Department. In order to be considered for funding, all sections of this application, including attachments and exhibits if required, must be complete and accurate.

All applicants must submit a complete, signed, original application package and digital copy on CD or USB flash drive to the Department and postmarked by the specified due date in the NOFA. Applicants will demonstrate consistency with LEAP requirements by utilizing the following forms and manner prescribed in this application.

- Pages 3 through 14 constitute the full application (save paper, print only what is needed)
- Attachment 1: Project Timeline and Budget: Including high-level tasks, sub-tasks, begin and end dates, budgeted amounts, deliverables, and adoption and implementation dates.
- Attachment 2: Nexus to Accelerating Housing Production
- Attachment 3: State and Other Planning Priorities
- Attachment 4: Required Resolution Template
- Government Agency Taxpayer ID Form (available as a download from the LEAP webpage located at <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>)
- If the applicant is partnering with another local government or other entity, include a copy of the legally binding agreement; and
- Supporting documentation (e.g., letters of support, scope of work, project timelines, etc.)

Pursuant to Section XII of the LEAP 2020 Notice of Funding Availability (NOFA), the application package must be postmarked on or before July 1, 2020, and received by the Department at the following address:

**Department of Housing and Community Development
Division of Housing Policy Development
2020 West El Camino Ave, Suite 500
Sacramento, CA 95833**

A. Applicant Information and Certification

Applicant (Jurisdiction)		City of Del Rey Oaks	
Applicant's Agency Type		Municipal Government	
Applicant's Mailing Address		650 Canyon Del Rey Boulevard	
City		Del Rey Oaks	
State	California	Zip Code	93940
County		Monterey	
Website		www.delreyoaks.org	
Authorized Representative Name		Danial Pick	
Authorized Representative Title		City Manager	
Phone	831-394-8511	Fax	831-394-6421
Email	dpick@delreyoaks.org		
Contact Person Name		Karen Minami	
Contact Person Title		Deputy City Clerk	
Phone	831-394-8511	Fax	831-394-6421
Email	kminami@delreyoaks.org		
Proposed Grant Amount	\$	65,000	

Pursuant to Health and Safety Code Section 50515.03 through (d) of the Guidelines, all applicants must meet the following two requirements to be eligible for an award:

1. Does the application demonstrate a nexus to accelerating housing production as shown in Attachment 1?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
2. Does the application demonstrate that the applicant is consistent with State Planning or Other Priorities; Attachment 2?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Is a fully executed resolution included with the application package?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the address on the Government Agency Taxpayer ID Form exactly match the address listed above?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Is the applicant partnering with another eligible local government entity? If Yes, provide a fully executed copy of the legally binding agreement.	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

As the official designated by the governing body, I hereby certify that if approved by HCD for funding through the Local Early Action Planning Program (LEAP), the City of Del Rey Oaks assumes the responsibilities specified in the Notice of Funding Availability and certifies that the information, statements and other contents contained in this application are true and correct.

Signature: _____ Name: Danial Pick

Date: 4/2/20 Title: City Manager

B. Proposed Activities Checklist

Check all activities the locality is undertaking. Activities must match the project description.		
1	<input checked="" type="checkbox"/>	Rezoning and encouraging development by updating planning documents and zoning ordinances, such as general plans, community plans, specific plans, implementation of sustainable communities' strategies, and local coastal programs
2	<input type="checkbox"/>	Completing environmental clearance to eliminate the need for project-specific review
3	<input checked="" type="checkbox"/>	Establishing housing incentive zones or other area based housing incentives beyond State Density Bonus Law such as a workforce housing opportunity zone pursuant to Article 10.10 (commencing with Section 65620) of Chapter 3 of Division 1 of Title 7 of the Government Code or a housing sustainability district pursuant to Chapter 11 (commencing with Section 66200) of Division 1 of Title 7 of the Government Code
4	<input type="checkbox"/>	Performing infrastructure planning, including for sewers, water systems, transit, roads, or other public facilities necessary to support new housing and new residents
5	<input type="checkbox"/>	Planning documents to promote development of publicly owned land such as partnering with other local entities to identify and prepare excess or surplus property for residential development
6	<input checked="" type="checkbox"/>	Revamping local planning processes to speed up housing production
7	<input checked="" type="checkbox"/>	Developing or improving an accessory dwelling unit ordinance in compliance with Section 65852.2 of the Government Code
8	<input checked="" type="checkbox"/>	Planning documents for a smaller geography (less than jurisdiction-wide) with a significant impact on housing production including an overlay district, project level specific plan, or development standards modifications proposed for significant areas of a locality, such as corridors, downtown or priority growth areas
9	<input checked="" type="checkbox"/>	Rezoning to meet requirements pursuant to Government Code Section 65583(c)(1) and other rezoning efforts to comply with housing element requirements, including Government Code Section 65583.2(c) (AB 1397, Statutes of 2018)
10	<input type="checkbox"/>	Upzoning or other implementation measures to intensify land use patterns in strategic locations such as close proximity to transit, jobs or other amenities
11	<input type="checkbox"/>	Rezoning for multifamily housing in high resource areas (according to Tax Credit Allocation Committee/Housing Community Development Opportunity Area Maps); Establishing Pre-approved architectural and site plans
12	<input checked="" type="checkbox"/>	Preparing and adopting housing elements of the general plan that include an implementation component to facilitate compliance with the sixth cycle RHNA
13	<input checked="" type="checkbox"/>	Adopting planning documents to coordinate with suballocations under Regional Early Action Planning Grants (REAP) that accommodate the development of housing and infrastructure and accelerate housing production in a way that aligns with state planning priorities, housing, transportation equity and climate goals, including hazard mitigation or climate adaptation
14	<input type="checkbox"/>	Zoning for by-right supportive housing, pursuant to Government Code section 65651 (Chapter 753, Statutes of 2018)
15	<input type="checkbox"/>	Zoning incentives for housing for persons with special needs, including persons with developmental disabilities
16	<input type="checkbox"/>	Planning documents related to carrying out a local or regional housing trust fund
17	<input checked="" type="checkbox"/>	Environmental hazard assessments; data collection on permit tracking; feasibility studies, site analysis, or other background studies that are ancillary (e.g., less than 15% of the total grant amount) and part of a proposed activity with a nexus to accelerating housing production
18	<input checked="" type="checkbox"/>	Other planning documents or process improvements that demonstrate an increase in housing related planning activities and facilitate accelerating housing production
19	<input type="checkbox"/>	Establishing Prohousing Policies

C. Project Description

*Provide a description of the project and each activity using the method outlined below, and ensure the narrative speaks to **Attachment 1: Project Timeline and Budget**.*

- a. Summary of the Project and its impact on accelerating production*
- b. Description of the tasks and major sub-tasks*
- c. Summary of the plans for adoption or implementation*

Please be succinct and use Appendix A or B if more room is needed.

The City of Del Rey Oaks' (City's) Housing Element update, adopted December 17, 2019, includes a number of programs aimed at increasing housing opportunities to reach the City's Regional Housing Need Allocation (RHNA). The City is seeking Local Early Action Planning Grant, part of the Local Government Planning Support Grants Program, for needed funding for a primary objective of completing the required rezoning, general plan amendment and environmental clearance for affordable housing as outlined in the adopted 2019 Housing Element. The targeted rezoning tasks are fully in line with multiple housing program objectives within the California housing goals. Specifically, the City's Housing Element update includes the following major rezoning program within the LEAP eligible activities:

-Housing Element Program A.1 aims to accommodate the City's RHNA by rezoning underutilized sites. Specifically, the underutilized sites would be suitably zoned and prepared for residential development and/ or redevelopment. The City has prepared a project description, that establishes the environmental baseline and complete preparation of an environmental clearance document consistent with California Environmental Quality Act regulations.

In addition, remaining funds will be used to further the Housing Element programs an achieved multiple housing program objectives that are within the LEAP eligible activities, including: Development or improvement of Accessory Dwelling Units (ADU) ordinance, as identified below

-Housing Element Program D.4 will identify adequate sites for shelters and amend the City's Zoning Ordinance to make appropriate zone changes, as needed, to provide for the zoning for the site to allow for the emergency shelters in the City's zoning districts consistent with State law. Zoning changes will allow emergency shelters by right.

-Housing Element Program C.2 includes work to update the ADU ordinance to existing State regulations. Further, the program identifies the City shall encourage the construction of ADU's by providing incentives such as waiver or reduction of development fees and expedited permit processing for ADU applications.

The City is small, with limited staff and funding for implementation of ordinances. The City adoption of the 2019 Housing Element was a monumental achievement - given that prior to the adopted 2019 5th Cycle Housing Element, the last update was decades old. The City now requires funding to update this plan and rezone HCD specified properties to residential zoning at a density to meet RHNA and supply much needed affordable housing to the community. The City will continue to work with HCD and will procure a qualified consultant to work in conjunction with the City to conduct analysis, public outreach and amendments to City Zoning and Ordinances to assist in the creation of affordable housing. The City will be responsible for grant administration, reporting and invoicing.

D. Legislative Information

District	#	Legislator Name
Federal Congressional District		Jimmy Panetta
		212 Cannon House Office Building, Washington, DC 20515
		Phone: 202-225-2861
		142 W. Alisal Street Room E116, Salinas CA 93901
		Phone: 831-424-2229
State Assembly District		Mark Stone
		State Capitol P.O. Box 942849, Sacramento, CA 95814
		Phone: 916-319-2029
		99 Pacific Street Ste 575-G, Monterey, CA 93940
		Phone 831-649-2832
State Senate District		Kamala Harris
		501 I Street, Suite 7-800, Sacramento, CA 95814
		Phone: 916-448-2787
		Diane Feinstein
		One Post Street, Suite 2450, San Francisco, CA 94104
		Phone 415-393-0707

Applicants can find their respective State Senate representatives at <https://www.senate.ca.gov/>, and their respective State Assembly representatives at <https://www.assembly.ca.gov/>.

Attachment 2: Application Nexus to Accelerating Housing Production

Applicants shall demonstrate how the application includes a nexus to accelerating housing production by providing data regarding current baseline conditions and projected outcomes such as a reduction in timing, lower development costs, increased approval certainty, increases in number of entitlements, more feasibility, or increases in capacity. An expected outcome should be provided for each proposed deliverable. If necessary, use Appendix B to explain the activity and its nexus to accelerating housing production.

Select at least one	*Baseline	**Projected	***Difference	Notes
Timing (e.g., reduced number of processing days)	One to two years	Six months to one year	Difference of up to one year and six months	Reduced due to reduction of time for processing and reduced legal challenge
Development cost (e.g., land, fees, financing, construction costs per unit)	Costs unknown			City owns property so can be flexible once rezoned
Approval certainty and reduction in discretionary review (e.g., prior versus proposed standard and level of discretion)	Uncertain	Zoning certain	Difference of 0	Currently no zoning allowing residential uses is available; adding minimum 59 units residential zoning
Entitlement streamlining (e.g., number of approvals)	0	59-70	+59 -70 Low moderate income units	No ADUs or other residential sites with residential zoning
Feasibility of development	very limited	EIR to be completed	accelerated by one year	certified environmental document
Infrastructure capacity (e.g., number of units)	0	59-70	59-70	EIR will consider water and sewer delivery to site
Impact on housing supply and affordability (e.g., number of units)	0	70	70	Immediate impact of availability of property for housing development

*** Baseline – Current conditions in the jurisdiction (e.g. 6-month development application review, or existing number of units in a planning area)**

****Projected – Expected conditions in the jurisdiction because of the planning grant actions (e.g. 2-month development application review)**

*****Difference – Potential change resulting from the planning grant actions (e.g., 4-month acceleration in permitting, creating a more expedient development process)**

Attachment 3: State and Other Planning Priorities Certification (Page 1 of 3)

Applicants must demonstrate that the locality is consistent with State Planning or Other Planning Priorities by selecting from the list below activities that are proposed as part of this application or were completed within the last five years. Briefly summarize the activity and insert a date of completion.

State Planning Priorities

Date of Completion	Brief Description of the Action Taken
Promote Infill and Equity	
<i>Rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas.</i>	
12/17/19	The City's Housing Element Policy A.1 encourages development of underutilized sites where suitably zoned and prepared for residential development to meet the City's housing needs.
<i>Seek or utilize funding or support strategies to facilitate opportunities for infill development.</i>	
12/17/19	The City's Housing Element Program B.6 sets an objective for the City to apply for at least one funding opportunity per year.
<i>Other (describe how this meets subarea objective)</i>	
The City is actively working with Fort Ord Reuse Authority (FORA) for development and funding of infrastructure and roadway improvements.	
Promote Resource Protection	
<i>Protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands; natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands; recreation lands such as parks, trails, greenbelts, and other open space; and landscapes with locally unique features and areas identified by the state as deserving special protection.</i>	
The City has preserved Frog Pond Wetland area and also conserved a portion of former Fort Ord with dedication of property to the Native Plant Society.	
<i>Actively seek a variety of funding opportunities to promote resource protection in underserved communities.</i>	
City policies protect open spaces and promote resource protection.	
<i>Other (describe how this meets subarea objective)</i>	
Encourage Efficient Development Patterns	
<i>Ensuring that any infrastructure associated with development, other than infill development, supports new development that does the following:</i>	
<i>(1) Uses land efficiently.</i>	
12/17/19	The City's Housing Element Policy A.4 states that the City shall continue to seek funding for necessary infrastructure improvements for new housing development.

Attachment 3: State and Other Planning Priorities Certification (Page 2 of 3)

<i>(2) Is built adjacent to existing developed areas to the extent consistent with environmental protection.</i>	
<i>(3) Is located in an area appropriately planned for growth.</i>	
	The City's General Plan and Redevelopment Plan, and Area planning (FORA Reuse Plan and Habitat plans all identify area for development). The area has been planned for growth for over 20 years.
<i>(4) Is served by adequate transportation and other essential utilities and services.</i>	
	Essential services and transportation is available to the site(s); working with LEAP funding, environmental and infrastructure planning for utilities can be achieved.
<i>(5) Minimizes ongoing costs to taxpayers.</i>	
	Site(s) are owned by the City currently.
<i>Other (describe how this meets subarea objective)</i>	

Other Planning Priorities

Affordability and Housing Choices	
<i>Incentives and other mechanisms beyond State Density Bonus Law to encourage housing with affordability terms.</i>	
12/17/19	The City's Housing Element Program B.2 supports affordable housing for all income levels and persons with disabilities
<i>Efforts beyond state law to promote accessory dwelling units or other strategies to intensify single-family neighborhoods with more housing choices and affordability.</i>	
12/17/19	The City's Housing Element Program C.2 has set a goal to update the ADU Ordinance to promote the development of ADUs.
<i>Upzoning or other zoning modifications to promote a variety of housing choices and densities.</i>	
12/17/19	The City's Housing Element Program B.5 aims to develop a density bonus ordinance consistent with State law
<i>Utilizing surplus lands to promote affordable housing choices.</i>	
12/17/19	The City's Housing Element Policy A.1 encourages development of underutilized sites where suitably zoned and prepared for residential development to meet the City's housing needs.
<i>Efforts to address infrastructure deficiencies in disadvantaged communities pursuant to Government Code Section 65302.10.</i>	
<i>Other (describe how this meets subarea objective)</i>	

Attachment 3: State and Other Planning Priorities Certification (Page 3 of 3)

Conservation of Existing Affordable Housing Stock	
<i>Policies, programs or ordinances to conserve stock such as an at-risk preservation ordinance, mobilehome park overlay zone, condominium conversion ordinance and acquisition and rehabilitation of market rate housing programs.</i>	
12/17/19	The City's adopted Housing Element Provide programs to conserve and improve the condition of the existing housing stock.
<i>Policies, programs and ordinances to protect and support tenants such as rent stabilization, anti-displacement strategies, first right of refusal policies, resources to assist tenant organization and education and "just cause" eviction policies.</i>	
<i>Other (describe how this meets subarea objective)</i>	
Climate Adaptation	
<i>Building standards, zoning and site planning requirements that address flood and fire safety, climate adaptation and hazard mitigation.</i>	
	City General Plan policies and environmental documents address flood and hazard and climate adaptation consistent with CEQA.
<i>Long-term planning that addresses wildfire, land use for disadvantaged communities, and flood and local hazard mitigation.</i>	
<i>Community engagement that provides information and consultation through a variety of methods such as meetings, workshops, and surveys and that focuses on vulnerable populations (e.g., seniors, people with disabilities, homeless, etc.).</i>	
	City has robust open public process; sent hundreds of letter to those cited populations above and help numerous workshops for Housing Element. Sends regular newsletters and updated website.
<i>Other (describe how this meets subarea objective)</i>	

Certification: I certify under penalty of perjury that all information contained in this LEAP State Planning and Other Planning Priorities certification form (Attachment 2) is true and correct.

Certifying Officials Name: _____

Certifying Official's Title: _____

Certifying Official's Signature: _____ Date: _____



CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 • FAX (831) 394-6421

RESOLUTION NO. 2020-07

A RESOLUTION OF THE CITY COUNCIL OF DEL REY OAKS AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS

WHEREAS, pursuant to Health and Safety Code 50515 et. Seq, the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or LEAP); and

WHEREAS, the City Council of Del Rey Oaks desires to submit a LEAP grant application package ("Application"), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment; and

WHEREAS, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions.

NOW, THEREFORE BE IT RESOLVED the City Council of Del Rey Oaks ("Applicant") hereby resolves as follows:

SECTION 1. The City Manager is hereby authorized and directed to apply for and submit to the Department the Application package.

SECTION 2. In connection with the LEAP grant, if the Application is approved by the Department, the City Manager of Del Rey Oaks is authorized to submit the Application, enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of \$65,000 and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant's obligations related thereto, and all amendments thereto; and

SECTION 3. The Applicant shall be subject to the terms and conditions as specified in the NOFA, and the Standard Agreement provided by the

Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

ADOPTED ON April 28, 2020 by the City Council of Del Rey Oaks by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED

Mayor Alison Kerr

ATTEST

Danial D. Pick, City Clerk

Appendix A

Impact on housing supply and affordability (e.g., number of units): At this time there are approximately 627 total households in the City (according to 2017 Census data), none of which are designated as affordable housing. Housing Element Program A.1 aims to implement a targeted rezone to accommodate the City's RHNA shortfall of 59 units for lower-income households from the previous planning period and 11 units for the current planning period. As a result, Housing Element Program A.1 addresses an ongoing, community-wide impact of housing supply and affordability within the City by adding 70 low- and very low-income units. Thereby, increasing the amount of affordable units within the City from no affordable housing units to 70 low- and very low-income units.

Appendix B

Timing (e.g., reduced number of processing days): The average timing of a City entitlement is approximately three months (or 90-days) from the time an application has been submitted to the City for development review. Implementation of Housing Element Programs D.4 and C.2, which would allow emergency shelters by-right in certain City zones and provide incentives to expedite permit processing for ADU applications, respectively, is estimated to speed-up City processing for these types of housing projects by two months. Thereby, reducing processing of entitlements from approximately three months to one month or less.



CITY OF DEL REY OAKS

Staff Report

DATE: April 28, 2020

TO: Honorable Mayor and City Council

FROM: Jeffrey J. Hoyne, Chief of Police

SUBJECT: Approve the Fort Ord Regional Trail and Greenway project (FORTAG Project) Master Agreement, authorize the City Manager to execute the Master Agreement, find the Final Environmental Impact Report (Final EIR) for the FORTAG Project adequate and adopt the Mitigation Monitoring and Reporting Program.

CEQA: The Transportation Agency for Monterey County (TAMC) is the lead agency on the FORTAG project. TAMC prepared and approved an Environmental Impact Report on the project in compliance with the California Environmental Quality Act (CEQA). As a responsible agency, the City of Del Rey Oaks and all other participating jurisdictions are required to consider whether the Environmental Impact Report is adequate, and adopt the Mitigation Monitoring and Reporting Program and findings for decision as well. The City of Del Rey Oaks finds that changes or alterations that have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Recommendation

Adopt a resolution finding the Final EIR for the FORTAG Project to be adequate, adopt the Mitigation Monitoring and Reporting Program, approve the FORTAG Master Agreement between TAMC, the city of Del Rey Oaks, and various other local public agencies, and authorize the City Manager to execute the Master Agreement.

Background

The FORTAG project was conceived in 2012 as a regional active transportation corridor consisting of a 24.2-mile continuous bicycle and pedestrian trail with an open-space buffer on both sides. FORTAG will connect to 7.5 miles of existing Monterey Bay Sanctuary Scenic Trail, for a total 31.7 regional trail in the Monterey Peninsula that will connect with the existing and planned active transportation network, and will provide connections to unpaved trails in the Fort Ord National Monument.

On March 25, 2020 the TAMC Board of Directors approved the Final EIR, including the Mitigation Monitoring and Reporting Program, and the Master Plan for the FORTAG Project.

The next step in moving the project forward is for the City, as a Responsible Agency under CEQA, to find the Final EIR adequate, adopt of the Mitigation Monitoring and Reporting Program, and approve the Master Agreement. These actions must occur prior to a grant application approval to make TAMC eligible for approximately \$10.3 million dollars of California State Active Transportation Plan grant funding for construction of Phase One of the FORTAG Project through the City.

Discussion

As a Responsible Agency under CEQA, the City of Del Rey Oaks and all other participating jurisdictions must consider whether the Final EIR is adequate, and must adopt the Mitigation Monitoring and Reporting Program as well.

Staff has reviewed the Final EIR and the Mitigation Monitoring and Reporting Program, and finds them to be adequate under CEQA. Therefore, Staff recommends Council approved the FORTAG Master Agreement and direct the City Manger to execute it on behalf of the City.

Note that Staff will return to Council at a future date with a Supplemental Agreement for the segment through the City of Del Rey Oaks, which will detail the design and construction of that portion of the FORTAG Project as well as compliance with the covenants (i.e. mitigation measures, development, construction, operation, maintenance) of the Master Agreement for the trail segment.

Fiscal Impact

There is no immediate fiscal impact of entering into the Master Agreement. There will be an increase in maintenance costs after the trail is built.

Recommended Action

Adopt a resolution that:

Finds the FEIR to be adequate and in compliance with CEQA; and

Finds the Mitigation Monitoring and Reporting Program in compliance with the Public Resources Code Section 21081.6 and California Environmental Quality Act Guidelines Section 15097 for the FORTAG project; and

Finds the changes or alterations that have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR; and

Approves the attached Master Agreement between and among TAMC, the County of Monterey, the cities of Seaside, Marina, Monterey, Del Rey Oaks, the California State University Monterey Bay, University of California Santa Cruz, and the Monterey Regional Park District; and

Authorizes the City Manager to execute the Master Agreement on behalf of the City of Del Rey Oaks.

Attachments:

FORTAG Master Agreement
Resolution 2020-08

Documents Incorporated by Reference:

Final TAMC EIR - (found at the TAMC website: <https://www.tamcmonterey.org/measure-x/programs-projects/fort-ord-regional-trail-greenway>)
FORTAG Mitigation Monitoring and Reporting Program

Respectfully Submitted,

Jeffrey J. Hoyne

Approved by
Dino Pick
City Manager

FORTAG MASTER AGREEMENT

This MASTER AGREEMENT (the "Agreement") is entered into by and among the Transportation Agency for the County of Monterey ("TAMC"), the County of Monterey ("County"), the City of Del Rey Oaks ("Del Rey Oaks"), the City of Marina ("Marina"), the City of Monterey ("Monterey"), the City of Seaside ("Seaside"), the Monterey Peninsula Regional Parks District ("MPRPD"), the University of California, Santa Cruz ("UCSC"), and California State University at Monterey Bay ("CSUMB"). TAMC, the County, the cities named herein, the District, and UCSC and CSUMB may be referred to collectively as the "Parties." The Parties other than TAMC may be referred to collectively as the "Underlying Jurisdictions." The notice and contact information of the Parties are attached hereto as Exhibit A.

RECITALS

This agreement is based on the following facts and circumstances:

- A. **Adoption of Measure X.** On November 6, 2016, a ballot measure known as the Transportation Safety & Investment Plan, or "Measure X," was adopted by the voters of Monterey County. The measure is anticipated to generate an estimated \$20 million annually for a total of \$600 million over thirty years, through a retail transactions and use tax of three-eighths of one percent (3/8%). Among the transportation safety and mobility projects identified for funding through Measure X is the Fort Ord Regional Trail And Greenway ("FORTAG"). Approximately \$20 million in Measure X funding was identified in the Measure X Transportation Safety & Investment Expenditure Plan for the FORTAG proposal.
- B. **FORTAG Project.** FORTAG has been proposed as an approximately 27-mile continuous 12-foot wide paved bicycle and pedestrian trail with an open-space buffer on both sides. A map designating the FORTAG alignment is attached hereto as Exhibit B. FORTAG is proposed to extend over and within the jurisdiction of each of the Parties hereto. TAMC was designated the Lead Agency for review of the FORTAG proposal under environmental laws.
- C. **Environmental Documentation.** In compliance with the California Environmental Quality Act ("CEQA") TAMC has prepared and certified the FORTAG Final EIR (SCH # 2019060053), and has approved a Mitigation Monitoring and Reporting Plan, and has further adopted findings with respect thereto.

- D. **Need for Collective and Coordinated Action.** In order to ensure the efficient and effective development of FORTAG, and to avoid segmentation of the project, the Parties agree on the need for collective and coordinated actions by the Parties, including the possible dedication of rights of way, and the need to maintain any improvements approved within a Parties' jurisdiction.
- E. **Mitigation of Regional Transportation Impacts of Local Development and Promotion of Active Transportation.** Development, implementation and maintenance of FORTAG, as it may be approved under applicable environmental laws, is anticipated to: assist in the mitigation of transportation impacts of local development; reduce greenhouse gasses; improve the health of residents and visitors by enhancing accessibility and providing a safe connection between residential areas, schools, workplaces, regional parks, and city services; provide community health benefits from active transportation routes and stress reducing enjoyment of open spaces; and create economic benefits from associated retail, hospitality, and competitive events.
- F. **Priority for Eligibility for Matching Funds or Other Funding.** The Parties also agree that demonstration of cooperative, collective and coordinated actions with respect to FORTAG are likely to enhance the ability of the Parties to seek and obtain additional funding from State, Federal and/or other avenues for FORTAG.
- G. **Intent and Purpose of this Agreement.** The overall intent of this Agreement is to effectuate FORTAG by having TAMC undertake the primary planning, development and construction of FORTAG, and by having the Underlying Jurisdiction(s) accept ownership and responsibility for completed segments of FORTAG and to maintain and operate FORTAG as cohesively as possible for the health, safety and benefit of the public. The purpose of this Agreement is to set forth the rights and responsibilities of the Parties to fulfill this overall intent.

NOW, THEREFORE, the Parties agree:

Section I.
Parties

The Parties to this Agreement are those parties that are signatory hereto, or signatory in the future, which include the County of Monterey, Del Rey Oaks, Marina, Monterey, Seaside, UCSC, CSUMB, MPRPD and TAMC.

Section II.
Effective Date

This Agreement shall be effective as to a Party, and that Party shall receive the benefits and accept the obligations, described herein on the date that this Agreement is approved by the governing body of said Party.

Section III.
Covenants of TAMC

With respect to each Underlying Jurisdiction that is a Party to this Agreement, TAMC shall:

- A. **Funding Commitment.** TAMC shall provide funding assistance to a Party, consistent with the Measure X Investment Plan, of Measure X Funds for the planning, development and construction of FORTAG segments, as such segments are approved by an Underlying Jurisdiction and funding is available. No Underlying Jurisdiction shall be required to contribute funds towards the planning or construction of a FORTAG segment; provided TAMC shall not be required to pay for staff time or other resources of an Underlying Jurisdiction.
- B. **Grant Assistance.** TAMC shall assist Underlying Jurisdictions with applying for and obtaining grant funding for the construction, repair, or re-construction of approved FORTAG segments.
- C. **Planning Assistance.** TAMC shall provide significant planning and development assistance for the construction of FORTAG segments, as such segments are approved by an Underlying Jurisdiction and funding is available.
- D. **Development and Construction.** TAMC shall, with the consent of the Underlying Jurisdiction, undertake the development and construction of FORTAG segments.

Section IV.
Covenants of Underlying Jurisdictions

- A. With respect to the entirety of FORTAG:
 - 1. **Cooperation with TAMC and other Underlying Jurisdictions.** Each Party shall cooperate with TAMC and each other Party in order to fulfill the intent of this Agreement and the FORTAG Project, being the funding, development and operation of a sustainable active bicycle and pedestrian trail connecting Underlying Jurisdictions, existing trails, and communities.

2. Public Outreach and Education. Each Party shall participate in periodic public outreach and educational efforts, designed to encourage and educate the public on responsible trail use and preservation of the open space and vistas made available by FORTAG, as well as respect for the flora and fauna found along FORTAG's alignment and the greater community.
- B. With respect to each segment of FORTAG, including any segment phase, that is approved by an Underlying Jurisdiction, such approving Party shall:
1. Cooperate and assist TAMC in developing and finalizing designs and in seeking funding for the development of segments (or phases of segments) of FORTAG within its jurisdiction.
 2. Accept and enforce all appropriate mitigation and monitoring conditions identified in FORTAG environmental documents for and specific to the segment(s) of FORTAG within the boundaries of the Underlying Jurisdiction.
 3. Incorporate the FORTAG Project alignment applicable to the boundaries of the Underlying Jurisdiction into planning and entitlement documents.
 4. Undertake appropriate review and approval of plans and specifications for each segment of FORTAG to be developed and constructed within the boundaries of the Underlying Jurisdiction.
 5. Dedicate land or easement rights, as necessary, to permit the development of FORTAG over the approved alignment.
 6. Require the dedication of rights in entitlement documents for properties not owned by the Underlying Jurisdiction, and, where appropriate, require the construction of segment alignments as part of larger approved developments.
 7. Accept ownership of the segment(s) of FORTAG completed within the boundaries of the Underlying Jurisdiction and/or cause portions of segments to be owned or retained by other responsible parties, with the consent and approval of TAMC to ensure compliance with the Master Agreement and any applicable Supplemental Agreement.
 8. Provide for the reasonable maintenance of the segment(s) of FORTAG completed within the boundaries of the Underlying Jurisdiction.

9. Adopt and enforce such reasonable use and operations rules and regulations as the Underlying Jurisdiction deems necessary and appropriate for the segment(s) of FORTAG completed within the boundaries of the Underlying Jurisdiction.

Section V.
Mutual Covenants

- A. Design and Development of Segment Phases. As any given segment (or phase thereof) of FORTAG is identified by TAMC and an Underlying Jurisdiction for development and receives sufficient funding therefor, TAMC and the Underlying Jurisdiction for such segment shall enter into a Supplemental Agreement specifying in greater detail the manner in which the parties will comply with these covenants, consistent with the terms and conditions of relevant funding agreements. Such Supplemental Agreements shall be duly approved by the applicable parties and a Memorandum of Supplemental Agreement, identifying the basic terms of such agreements, including all funding therefor, shall be attached to this Master Agreement in subsequent exhibits. By way of example, it is anticipated that the City of Del Rey Oaks, the Monterey Peninsula Parks District, the City of Seaside, and TAMC will enter into a Supplemental Agreement soon after their respective approvals of this Master Agreement, and in connection therewith, will receive funds from an Active Transportation Grant. The basic terms of the "Phase One Canyon Del Rey/SR 218 Segment" Supplemental Agreement, consistent with grant funding requirements, will be memorialized and attached to this Master Agreement as Exhibit C.
- B. Term and Termination. This Agreement shall remain in effect as to each Underlying Jurisdiction from the date of approval until terminated as provided herein.
 1. This Agreement may be terminated at any time by the mutual consent of all the Parties.
 2. This Agreement may be terminated as to TAMC and an Underlying Jurisdiction upon the mutual consent of TAMC and the Underlying Jurisdiction, provided that 60 days' certified mail notice, as provided in Section IX.B., is given to all other Underlying Jurisdictions that are Parties to this Agreement.
- C. Indemnity by TAMC. With regard to construction of a FORTAG segment by TAMC, the Underlying Jurisdiction, its governing body, elected officials, any officer, consultant, agent, or employee thereof shall not be responsible for any damage or liability occurring by reason of anything done or omitted to be done

by TAMC under or in connection with any work, authority or jurisdiction delegated to TAMC under this Agreement. Notwithstanding Government Code Section 895.6, it is also understood and agreed, pursuant to Government Code Section 895.4, that TAMC shall fully defend, indemnify, and hold harmless an Underlying Jurisdiction, and its governing body, elected officials, all its officers, agents, and employees from any liability imposed on the Underlying Jurisdiction for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by TAMC under or in connection with any work, authority or jurisdiction delegated to TAMC under this Agreement.

Agreements with FORTAG contractors shall include reasonable requirements for indemnification and insurance, as appropriate for individual Project segments, and shall include requirements that FORTAG contractors or other entities that provide services defend and indemnify TAMC and the applicable Underlying Jurisdiction(s).

- D. Indemnity by Underlying Jurisdiction. Neither TAMC, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by an Underlying Jurisdiction in connection with this Agreement or any work or action taken by an Underlying Jurisdiction with Measure X or other funds related to the FORTAG Project. Notwithstanding Government Code Section 895.6, it is also understood and agreed, pursuant to Government Code Section 895.4, that the Underlying Jurisdiction shall fully defend, indemnify and hold harmless TAMC, its governing body, and all its officers, agents, and employees, from any liability imposed on TAMC for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by the Underlying Jurisdiction pursuant to this Agreement or any work or action taken by an Underlying Jurisdiction related to the FORTAG Project.

Agreements with FORTAG contractors hired by the Underlying Jurisdiction shall include reasonable requirements for indemnification and insurance, as appropriate for individual Project segments, and shall include requirements that FORTAG contractors or other entities that provide services defend and indemnify TAMC and the applicable Underlying Jurisdiction(s). To the extent that the Underlying Jurisdiction requires or permits a portion of a segment of FORTAG to be constructed by others not a party to this Master Agreement, the Underlying Jurisdiction shall require that agreements with FORTAG contractors shall include reasonable requirements for indemnification and insurance, as appropriate for individual Project segments, and shall include requirements that FORTAG contractors or other entities that provide services defend and indemnify TAMC and the applicable Underlying Jurisdiction(s).

E. Mutual Indemnification Among Parties. Except as otherwise provided in this Agreement, each Party to this Agreement agrees to indemnify and hold the other parties harmless from all liability for damage, actual or alleged, to persons or property arising out of or resulting from negligent or wrongful acts or omissions for the indemnifying party or its officials, officers, employees or agents. In the event of liability imposed upon any of the Parties to this Agreement, for injury that is caused by the negligent or wrongful act or omission of any of the Parties in the performance of this Agreement, the contribution of the party or parties not directly responsible for the negligent or wrongful act or omission shall be limited to One Hundred Dollars (\$100). The party or parties directly responsible for the negligent or wrongful acts or omissions shall indemnify, defend, and hold all other parties harmless from any liability for personal injury or property damage arising out of the performance of this Agreement.

Section VI. Amendments

This Agreement may be amended at any time by a written amendment approved by all of the Parties as evidenced by approval by the governing board or council of each Party. Any amendment to the alignment shown in Exhibit B and approved in the FORTAG Final EIR shall require environmental review prior to consideration.

Section VII. Sole Agreements

This Agreement, together with the Memorandum of Understanding Re Designation of Lead Agency, approved by TAMC on September 27, 2017, are the sole agreements on the subject matters of this Agreement between and among the Parties with respect to FORTAG. The parties acknowledge that Supplemental Agreements, as described in Section V. may be approved and attached as exhibits to this Master Agreement without changing or otherwise amending the provisions described in this Agreement.

Section VIII. CEQA Lead Agency Designation

Consistent with that Memorandum of Understanding approved by TAMC on September 27, 2017, the Parties confirm that for purposes of compliance with the California Environmental Quality Act (CEQA), Public Resources Code section 21000, et. seq., for environmental review of the FORTAG proposal, that TAMC is the lead agency, and all other Parties are responsible agencies. Prior to taking action to approve this Agreement and any FORTAG segment within its jurisdiction, each

Underlying Jurisdiction shall certify that it has reviewed and considered the information contained in the environmental documents certified by TAMC.

Section IX.
Miscellaneous

- A. **Dispute Resolution**. If any dispute arises between the Parties under this Agreement, the Parties shall resolve the dispute in accordance with this Section IX(A).
1. **Duty to Meet and Confer**. The Parties shall first meet and confer in good faith and attempt to resolve the matter between themselves. Each Party shall make all reasonable efforts to provide to the other Parties all the information in its possession that is relevant to the dispute, so that all Parties have the information needed to reach agreement. If these negotiations fail to produce agreement after fifteen (15) days from the initial demand, any disputing Party may proceed to mediation or judicial resolution pursuant to subsections (2) and (3).
 2. **Mediation**. If meeting and conferring do not resolve the dispute, and if all disputing Parties wish to pursue mediation, then the matter shall be submitted for formal mediation to the Mediation Center of Monterey County, the American Arbitration Association, the Judicial Arbitration and Mediation Services, or such other mediation service as the Parties may mutually agree upon. Any disputing Party may terminate the mediation if it fails to produce agreement within forty-five (45) days from selection of the mediator. The expenses of such mediation shall be shared equally between the disputing Parties.
 3. **Judicial Resolution**. If the dispute is not or cannot be resolved by meeting and conferring and/or mediation, then any disputing Party may commence an action in the Superior Court of Monterey County.
- B. **Notices**. Any notice or instrument required to be given or delivered by mail under this Agreement shall be deposited with the United States Postal Service, registered or certified mail, postage prepaid, and addressed to the addresses of the Parties as shown on Exhibit A. Such notice shall be deemed to have been received by the party to whom the same is addressed at the expiration of seventy-two (72) hours after deposit of the same in the United States mail. All other notices may be provided by regular mail to the addresses shown in Exhibit A, and/or to by facsimile or email transmission to the numbers and addresses shown associated with the respective parties, also in Exhibit A. Receipt of such notices shall be deemed complete by close of business on the next business day after transmission.

- C. Partial Invalidity. If any one or more of the terms, provisions, sections, promises, covenants, or conditions of this Agreement shall, to any extent, be adjudged invalid, unenforceable, void, or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, sections, promises, covenants, and conditions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law. The governing body of each of the Parties hereby declares they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Agreement irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Agreement be declared invalid or unenforceable.
- D. Governing Law; Interpretation. This Agreement shall be deemed to have been made, and shall be construed and interpreted, in accordance with the laws of the State of California. This Agreement has been arrived at through good faith negotiation between the Parties; each Party waives the provisions of Civil Code Section 1654 concerning the interpretation of this Agreement.
- E. No Third-Party Beneficiaries. This Agreement is intended solely for the benefit of the Parties to this Agreement, and no third party shall be deemed to be a beneficiary or to have any rights hereunder against the Parties.
- F. Assignment. The Parties hereto shall not assign any rights or obligations under this Agreement without the written consent of all the other Parties.
- G. Waiver. Any waiver of any terms of this Agreement shall be in writing signed by each applicable Party thereto. A waiver of any of the terms and conditions of this Agreement shall not be construed as a waiver of any other terms or conditions in this Agreement.
- H. Headings. The headings in this Agreement are for convenience only and shall not be used to interpret the terms of this Agreement.

Section X.
Execution and Signatures

The Board of Directors of TAMC, the Board of Supervisors of the County of Monterey, the city councils of the cities enumerated herein, and the appropriate approving bodies for UCSC, MPRPD and CSUMB, have each authorized the execution of this Agreement, as evidenced by the authorized signatures below on the dates specified below. This Agreement may be signed in counterparts with the signature pages attached to form a complete document.

APPROVED BY:

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

By: _____
Its: _____
Date: _____

Approved as to form:

TAMC Counsel

COUNTY OF MONTEREY

By: _____
Its: _____
Date: _____

Approved as to form:

County Counsel

CITY OF DEL REY OAKS

By: _____
Its: _____
Date: _____

Approved as to form:

City Attorney

CITY OF MARINA

By: _____
Its: _____
Date: _____

Approved as to form:

City Attorney

CITY OF MONTEREY

By: _____
Its: _____
Date: _____

Approved as to form:

City Attorney

CITY OF SEASIDE

By: _____
Its: _____
Date: _____

Approved as to form:

City Attorney

UNIVERSITY OF CALIFORNIA, SANTA CRUZ

By: _____
Its: _____
Date: _____

Approved as to form:

Legal Counsel

CALIFORNIA STATE UNIVERSITY AT MONTEREY BAY

By: _____
Its: _____
Date: _____

Approved as to form:

Legal Counsel

MONTEREY PENINSULA REGIONAL PARK DISTRICT

By: _____

Its: _____

Date: _____

Approved as to form:

Legal Counsel

**EXHIBIT A
NOTICE / CONTACT INFORMATION**

TAMC	Executive Director 55-B Plaza Circle Salinas, CA 93901 (831) 775-0903 Name @tamc.org
COUNTY OF MONTEREY	Title Address Salinas, CA 93901 (831) Email address
CITY OF DEL REY OAKS	Title 650 Canyon Del Rey Del Rey Oaks, CA 93940 (831) Email address
CITY OF MARINA	Title 211 Hillcrest Ave. Marina, CA 93933 (831) Email address
CITY OF MONTEREY	Hans Usler, City Manager 580 Pacific Street Monterey, CA 93940 (831) 646-3760 uslar@monterey.org
CITY OF SEASIDE	Title 440 Harcourt Ave. Seaside, CA 93955 (831) Email address
UNIVERSITY OF CALIFORNIA, SANTA CRUZ	Title ADDRESS ADDRESS Phone Email address

CALIFORNIA STATE UNIVERSITY AT MONTEREY BAY	Title ADDRESS ADDRESS Phone Email address
MONTEREY PENINSULA REGIONAL PARK DISTRICT	Title ADDRESS ADDRESS Phone Email address

Figure 2-7 Trail Segments¹



Imagery provided by ESRI and its licensors © 2019.
 Additional data provided by Alta Planning + Design, 2019.

RESOLUTION NO. 2020-08

A RESOLUTION OF THE COUNCIL OF THE CITY OF DEL REY OAKS
DETERMINING THE FINAL ENVIRONMENTAL IMPACT REPORT TO BE ADEQUATE,
ADOPTING THE MITIGATION MONITORING AND REPORTING PLAN, ADOPTING
FINDINGS FOR THE FORT ORD REGIONAL TRAIL AND GREENWAY PROJECT,
AND APPROVING THE MASTER AGREEMENT

WHEREAS, the Fort Ord Regional Trail and Greenway Project (FORTAG Project) proposes construction of an approximately 28-mile continuous 12-foot wide paved bicycle and pedestrian trail with 2-foot wide unpaved shoulders and an open-space buffer on both sides. This trail will connect the Monterey Peninsula cities from the existing Monterey Bay Coastal Trail to the California State Monterey Bay University campus through the former Fort Ord open space area;

WHEREAS, the Transportation Agency for Monterey County (TAMC) was designated as the Lead Agency under the California Environmental Quality Act (CEQA) through a multi-jurisdictional agreement dated September 27, 2017;

WHEREAS, as the Lead Agency, TAMC released a Notice of Preparation for the Draft Environmental Impact Report on June 13, 2019. TAMC hosted two scoping meetings on June 27, 2019 and staff worked directly with the County of Monterey, the cities of Del Rey Oaks, Marina, Monterey, and Seaside, the California State University Monterey Bay, the Monterey Peninsula Regional Park District, and the public to gather input to define alternatives to be evaluated;

WHEREAS, the Draft Environmental Impact Report was released for public review on November 7, 2019. The public comment period closed on January 3, 2020, providing an extended comment period beyond the required 45-days. A public hearing to accept comments on the draft report was held on December 4, 2019 at the TAMC's Board of Directors meeting. Two public meetings to accept comments on the draft report were held on December 12, 2019. TAMC received 53 comment letters on the draft environmental report, as well as written and verbal comments submitted at public meetings. The majority of the comments addressed the proposed alignment through the Monterey Peninsula Regional Park District's Frog Pond Wetland Preserve property. The draft report identified the Frog Pond and Angelus Way in the City of Del Rey Oaks as the primary area of controversy known to the Lead Agency and several alternatives were considered in the draft report to avoid impacts to these areas; and

WHEREAS, all impacts identified in the Final Environmental Impact Report for the FORTAG Project are considered less than significant with mitigation and none of the alternatives identified in the draft report would result in any changes to the significance determination of the impacts identified for the FORTAG Project. Section 8 of the Final Environmental Impact Report includes responses to individual comments, as well as the individual comment letters received; and

WHEREAS, as the Lead Agency, on March 25, 2020 the TAMC Board of Directors approved the Final Environmental Impact Report, including a Mitigation Monitoring and Reporting Program, for the FORTAG Project; and

WHEREAS, pursuant to CEQA Guidelines section 15096, the City, as a Responsible Agency under CEQA, is obligated to consider the Final Environmental Impact report as approved by TAMC, and to reach its own conclusions with respect to whether to approve it.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Rey oaks that it finds that the Final EIR is an adequate assessment of the potentially significant environmental impacts of the FORTAG Project and represents the independent judgment of City based on its independent review of the environmental impact report, and the City hereby adopts the mitigation monitoring and reporting plan and adopts findings for the FORTAG Project.

BE IT FURTHER RESOLVED THAT the City of Del Rey Oaks finds and declares that substantial evidence for each and every finding made herein is contained in the Draft EIR and Final EIR, and other materials found in the record of the proceedings relative to the FORTAG Project. Moreover, the City finds that where more than one reason exists for any finding, the City finds that each reason independently supports such finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that finding.

BE IT FURTHER RESOLVED THAT the City of Del Rey Oaks approves the FORTAG Master Agreement between the Transportation Agency for Monterey County, the city of Del Rey Oaks, and various other local public agencies, and authorizes the City Manager to execute the agreement.

BE IT FURTHER RESOLVED THAT the City Clerk is directed to file a Notice of Determination as required by CEQA.

INTRODUCED AND ADOPTED BY THE COUNCIL OF THE CITY OF DEL REY OAKS this 28TH day of April, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Alison Kerr, Mayor

ATTEST:

Danial D. Pick, City Clerk

RESOLUTION NO. 2020-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS APPOINTING ONE RESIDENT TO THE
PLANNING COMMISSION FOR A 3-YEAR TERM

-oOo-

WHEREAS, the City of Del Rey Oaks has established a Planning Commission that also serves as Design Review Board; and

WHEREAS, the Planning Commission has seven (7) members; and

WHEREAS, are appointed to their positions by the City Council in odd numbered years unless there is a resignation mid-term by a seated Planning Commissioner; and

WHEREAS, a seated Planning Commissioner has resigned during his term; and

WHEREAS, this creates an opening on the Planning Commission and the City Council has called for applicants for this vacancy; and

WHEREAS, the City Council hears a brief presentation by each applicant; and

WHEREAS the City Council casts their vote via ballot for the applicant that they feel has the required, knowledge and experience to make sound decisions following the City Municipal Code; and

WHEREAS the ballots are then passed to the clerk to be tallied and the applicant receiving the most votes is announced.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Rey Oaks, California that Resolution 2020-06 8 is hereby approved. With the following Planning Commission Candidate selected to serve until 2023.

(To be filled in by the Clerk after voting)

PASSED AND ADOPTED at a regular meeting of the Del Rey Oaks City Council duly held on April 28th, 2020 by the following vote:

AYES:

NAYS:

ABSENT:

ATTEST:

Alison Kerr, Mayor

Danial D. Pick, City Clerk



RECEIVED
MAR 02 2020
CITY OF DEL REY OAKS
CITY CLERK

CITY OF DEL REY OAKS APPLICATION FOR APPOINTMENT

Return completed application to City Hall, 650 Canyon Del Rey Road
Phone (831)394-8511 Fax (831)394-6421 www.delreyoaks.org

OFFICE TO WHICH YOU WISH TO BE APPOINTED: Planning Commissioner
NAME: Denise Wood
ADDRESS: 988 Rosita Rd, Del Rey Oaks PHONE: 831-521-3777
OCCUPATION: Landscape Designer
WORK ADDRESS: PO Box 6327, Carmel, CA 93921
HOW LONG HAVE YOU BEEN A RESIDENT OF DEL REY OAKS: 12 years
PREVIOUS SERVICE TO THE CITY: Past member and President of DROCAG 2010-2015,
organized planting at Old Town Hall and City Hall

EXPERIENCE RELATED TO THE APPOINTMENT: 15 years experience working with a local Landscape
Design and Installation firm. I create designs for county and city submittal, review plans,
work with clients and subcontractors to create a product that works for all involved.

WHY DO YOU WISH TO BE APPOINTED: With my experience and desire to do what is best for the
city I believe I can help the city move in a positive direction aesthetically and ethically.

AS FAR AS YOU KNOW, WHAT WILL BE EXPECTED OF YOU IF YOU ARE APPOINTED:
Review and advise - Architectural Review and Use Permit applications, attend meetings,
advise on policy that relates to - planning, land use regulation, and community development

REFERENCES (OPTIONAL):

NAME	ADDRESS	PHONE
Kristin Clark	988 Via Verde, Del Rey Oaks	831-915-7065

SIGNATURE:  DATE: 3/2/2020



RECEIVED
MAR 16 2020
CITY OF DEL REY OAKS
CITY CLERK

CITY OF DEL REY OAKS
APPLICATION FOR APPOINTMENT

Return completed application to City Hall, 650 Canyon Del Rey Road
Phone (831)394-8511 Fax (831)394-6421 www.delreyoaks.org

OFFICE TO WHICH YOU WISH TO BE APPOINTED: Planning Commissioner
NAME: Michael Burger
ADDRESS: 15 Baxter Pl Del Rey Oaks, CA 93940 PHONE: 949-887-2037
OCCUPATION: Owner/Operator Matteson's Auto Repair
WORK ADDRESS: 234 Grand Ave Pacific Grove, CA 93950
HOW LONG HAVE YOU BEEN A RESIDENT OF DEL REY OAKS: 16 months
PREVIOUS SERVICE TO THE CITY: n/a

EXPERIENCE RELATED TO THE APPOINTMENT: Worked closely with a well known architect to build/design a unique home in Newport Beach, CA.
In my previous life, I guided clients in commissioning custom automobiles.

WHY DO YOU WISH TO BE APPOINTED: To be part of the community and to help preserve the beauty of Del Rey Oaks and its architecture, also to aid in the city's expansion and to cope with the housing requirements.

AS FAR AS YOU KNOW, WHAT WILL BE EXPECTED OF YOU IF YOU ARE APPOINTED:
Supporting fellow members in the decision process and to help residents make improvements to their homes. I have been through this process in DRC

REFERENCES (OPTIONAL):

NAME	ADDRESS	PHONE
Michael Hayworth	4 Carlton Del Rey Oaks, CA 93940	831-596-4303
John Gaglioti	864 Portola Dr. Del Rey Oaks, CA 93940	928-607-1691

SIGNATURE:  DATE: 3/15/2020



CITY OF DEL REY OAKS

Staff Report

DATE: April 28, 2020

TO: Honorable Mayor and City Council

FROM: Danial D. Pick, City Manager

SUBJECT: Consider a first reading of an ordinance to amend Section 17.59 of the City of Del Rey Oaks Municipal Code relating to signs.

CEQA: This action does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) sections 15060(c)(2) and 15378(b)(2).

Recommendation

Conduct a first reading of an ordinance to amend Section 17.59 of the City of Del Rey Oaks Municipal Code relating to signs.

Summary & Discussion

Section 17.59 of the City's municipal code relating to signs is in need of an update. The Planning Commission considered this matter and received public comment at its March meeting. Staff prepared the attached revision based on the input from Planning Commission and the public. The revision represents a significant update with clarifications that assist both the public and staff.

Fiscal Impacts

None.

Recommended Action

Conduct a first reading of an ordinance to amend Section 17.59 of the City of Del Rey Oaks Municipal Code relating to signs.

ATTACHMENTS:

Ordinance 302

Respectfully Submitted,

Danial Pick
City Manager

ORDINANCE NO. 302

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS, CALIFORNIA, AMENDING CHAPTER 17.59 "SIGNS" OF THE DEL REY OAKS MUNICIPAL CODE

CHAPTER 17.59 – SIGNS

17.59.010 - Purpose and intent.

It is the purpose and intent of this Chapter to provide the City of Del Rey Oaks with a viable and practical set of sign regulations that will: promote the orderly growth of the community; facilitate the continual upgrading of the community; preserve the natural beauty of Del Rey Oaks while simultaneously protecting the rights of property and business owners to display signs and the right of individuals to live, work and visit a city that is free from the usual blight that would result from under-regulation or non-regulation of signs.

These sign regulations, pursuant to the provisions of the Del Rey Oaks General Plan, set forth the minimum acceptable standards necessary to protect and safeguard the life, peace, health, safety, property and general welfare of the public by regulating among other things the location, placement, size, number, area, type, illumination and maintenance of signs and sign structures.

In addition to the standards specified above, it is hereby set forth that a primary goal of these regulations shall be to insure that signs and sign structures are considered in light of the architectural and landscape design of the buildings and properties along with individual setting or location of the buildings and properties; and to avoid visual clutter and out of scale impacts.

17.59.020 - Application.

No sign shall be placed, displayed, painted, posted, printed, tacked, fastened, erected, relocated, or constructed except as provided in this Chapter.

17.59.030 - Responsibility.

It shall be the sole responsibility of the person making application to place, construct, erect, alter, relocate, tack, fasten, paint, post or display any sign in the City of Del Rey Oaks to obtain the necessary authorization from the owner or lessee of the property.

17.59.040 - Planning commission approval required.

Planning Commission approval shall be required of all signs unless otherwise specified in this Chapter. A fee shall be collected by the City Clerk prior to consideration of any sign by the Planning Commission. The fee shall be established from time to time by Resolution of the City Council.

In order to facilitate the Planning Commission approval process, any person seeking to obtain Planning Commission approval shall submit accurate plans, scale drawings, color boards, examples of materials or any such other information specified by the City Manager showing the size, shape, location, color, materials and physical relationship to the site of the sign and sign structure. Any decision of the Planning Commission may be appealed, in writing, to the City Council within 20 days of the decision.

During the course of review and approval, the Planning Commission or the City Council on appeal may approve, disapprove, conditionally approve, or modify the plans as submitted in order to ensure compliance with the spirit and intent of this Chapter.

17.59.050 - Sign permit required.

In order to ensure that the Planning Commission is provided with an opportunity to review the placement, construction, erection, relocation or alteration of any and all signs in the City of Del Rey Oaks, it is required, unless otherwise specified herein, that a sign permit shall be obtained from the City Clerk prior to the placement, construction, relocation, alteration or otherwise erection of the sign.

Any person seeking to obtain a sign permit shall provide the City Clerk with any and all necessary detailed plans, scale drawings or other materials and samples or information required by the City Clerk along with written evidence that Planning Commission approval has been obtained for the sign. Following a review of the materials and design submitted, the City Clerk may issue the sign permit or, if appropriate shall, require that a Building Permit be obtained pursuant to the provisions of the Uniform Building Code (UBC) in lieu of a sign permit. A fee shall be collected by the City Clerk prior to the issuance of any sign or building permit. The fee shall be the same as for a minor use permit and shall be established from time to time by Resolution of the City Council. The fee for a building permit shall be as specified in the City's Master Fee Schedule.

17.59.060 - Enforcement.

The regulations contained in this Chapter shall be enforced as are other zoning, building and safety regulations as set forth in the Del Rey Oaks Municipal Code, which may include, without limitation, enforcement pursuant to Chapters 1.16 and 1.19.

Any sign not in compliance with this Chapter is hereby declared to be a public nuisance and may be abated pursuant to the provisions of Sections 8.28.050 through 8.28.200, or pursuant to state law.

Each sign installed, created, erected, or maintained in violation of this Chapter shall be considered a separate violation.

17.59.070 - Remedies.

Notwithstanding, the procedures for enforcement set forth in the Del Rey Oaks Municipal Code, the City of Del Rey Oaks is hereby authorized to enforce this Chapter in any other fashion, way, or procedure permitted by law.

17.59.080 - Exemptions.

The provisions and regulations of this Chapter shall not apply to the following signs should the stated conditions be met. However, the following signs shall be subject to all safety provisions contained in this Chapter. Should the stated conditions not be met, Planning Commission review and a sign permit are required.

Exempt Sign	Conditions
Address Signs, Including in Mailboxes	Maximum letter height of 12 inches and maximum area of 4 square feet
Building Identification Signs	Names and dates of buildings maximum letter height of 18 inches and maximum area of 5 square feet
Ancillary Information Signs	Maximum aggregate area of 3 square feet
Construction Site Signs	Maximum aggregate area of 20 square feet per street frontage
Government Signs	Traffic control signs
	Transit signs not exceeding 3 square feet
	Street identification signs
	Utility signs
	Signs on City property for City civic events, services, and direction
Temporary Private Party Signs During Construction Projects that are Placed in the Adjacent Right-of-Way	<ul style="list-style-type: none"> • Permitted only during periods of construction in adjacent right-of-way; the signs must be removed immediately upon restoration of traffic flow on the affected right-of-way construction zone • The lot or parcel on which the business is located must be immediately adjacent to the right-of-way construction zone • Temporary signs are limited to 1 per business, per street front and are limited to 20 square feet in area and can be no more than 5 feet in height • Any signs on public sidewalks must give clearance of 5 feet for pedestrians to pass by

Exempt Sign	Conditions
	<ul style="list-style-type: none"> <li data-bbox="576 293 1319 389">• No illumination
Temporary Private Party Signs on Private Property	Temporary signs displaying a noncommercial (e.g., ideological, religious, political) message
	Maximum aggregate area of 16 square feet per individual sign and 80 square feet cumulative total area for all temporary signs on a property
Interior Signs	Any sign not visible from another lot of record or from a public right-of-way
No Trespassing/No Parking Signs	Must be posted in compliance with Federal, State and local laws
Parking Lot Signs	Maximum area of 3 square feet per sign and maximum of 1 sign per 3 parking spaces
Personally Attended Signs in Traditional Public Forum Areas	Temporary signs may be displayed daily from 7:00 a.m. until 9:00 p.m., except on occasions when the City Council or other public body with offices in the City is holding a public hearing or meeting. On such occasions, the display period is extended to 30 minutes after such meeting is officially adjourned
	The maximum size of any 1 sign is not to exceed 32 square feet, and the height is not to exceed 10 feet as measured from the ground
	The maximum distance between a person and a personally attended sign is 5 feet
	In order to serve the City's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give clearance of 5 feet for pedestrians to pass by
Real Estate Signs	Maximum of 1 sign per street frontage

Exempt Sign	Conditions
	Maximum area of 12 square feet
Signs Required by Federal or State Law	Signs required for compliance with the Americans with Disabilities Act (ADA), California Coastal Act, etc.
Handheld Signs in Traditional Public Forum Areas	Temporary signs may be displayed daily, in traditional public forum areas, from 7:00 a.m. until 9:00 p.m., except on occasions when the City Council or other public body with offices in the City is holding a public hearing or meeting. On such occasions, the display period is extended to 30 minutes after such meeting is officially adjourned
	Maximum aggregate area of 6 square feet
	In order to serve the City's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give clearance of 5 feet for pedestrians to pass by
Window Displays	A window display is an arrangement of merchandise, including graphics and text, that is at least 18 inches in depth and is displayed in a building window
	Must be 4 square feet or less to be exempt

17.59.090 - Nonconforming signs.

Any permanent sign lawfully existing prior to the adoption of the ordinance codified in this Chapter and not conforming to the provisions of the ordinance codified in this Chapter is declared to be a legal nonconforming sign and may remain as such.

No such nonconforming sign shall in any way be altered, relocated, replaced or reworded unless the sign can be made to conform to all provisions of this Chapter. Nothing in this section shall be construed to prohibit the normal maintenance and repair of lawfully nonconforming signs.

Failure of City staff to notify the property owner and/or the operator of a non-conforming sign does not authorize the continued use of the sign or release the property owner and/or operator from compliance with this section.

17.59.100 - Maintenance and construction provisions.

A. Applicable Standards. The appropriate sections of the Uniform Building Code (UBC), the Uniform Electric Code (UEC) or any amendment thereto adopted by the City of Del Rey Oaks shall apply to the construction, placement, display, maintenance, and repair of signs in the City of Del Rey Oaks. All signs shall be installed and maintained indefinitely as shown on the approved plans, unless a formal request for revision or alteration is approved by the Planning Commission. Signs and sign structures shall at all times be maintained in a state of good repair including all braces, bolts, structural parts, supporting frames and fastenings.

B. Prohibited Construction. All signs having internal or built-in illumination shall be constructed wholly of noncombustible materials or other such fire resistive materials as approved by the Planning Commission. Guide wires or exposed strut-like sign structures shall not be utilized.

C. Sign Removal. When wall mounted signs are removed, the wall behind the sign shall be repaired and painted to match the rest of the wall within thirty (30) days of the date of the removal.

D. Regular Maintenance. No permit shall be required for repainting, cleaning or other normal maintenance and repair of a sign unless the structure, design, size, color location or character is altered.

E. Duration and Extension. If a building permit has not been granted within two (2) years of the date of approval of the sign permit or if a sign not requiring a building permit has not been installed within two (2) years of the date of approval of the sign permit, the sign permit approval shall be null and void, unless extended by the Planning Commission. Requests for an extension shall be made in writing a minimum of ten (10) days prior to the expiration date.

F. Where possible, signs should encourage and enhance a village-like atmosphere with the emphasis being on the use of wood signs and avoiding the use of signs made from single-use plastic products, as appropriate.

17.59.110 - Safety provisions.

In addition to all other maintenance and construction provisions contained in this Chapter, all signs within the City of Del Rey Oaks shall comply with the following provisions:

A. Obstructions to doors, windows or fire escapes. No sign shall be erected, relocated, altered, maintained or otherwise so as to prevent ingress to or egress from any door, window or fire escape or in violation of the Uniform Fire Code. No sign shall be attached to a standpipe, gutter, drain or fire escape, except signs referring specifically to the standpipe, gutter, drain or fire escape to which it is attached.

B. Signs not to obstruct traffic signals. No sign regulated by this Chapter shall be erected at any location where, by reason of its position or design, it will obstruct or confuse the view of any authorized traffic sign, signal or device.

C. Exterior of signs. No nails, tacks, or wires shall be permitted to protrude from any sign. All structural trim maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure.

D. Signs shall not extend into the runway protection zone of the Monterey Regional Airport in such a manner as to interfere with the purposes of that zone.

17.59.120 - Abandoned signs and abatement thereof.

A. No person shall maintain or permit to be maintained on any premises owned or controlled by said person any sign which has been abandoned. Any such sign shall be promptly abated. Any sign which is located on property which becomes vacant for a period of six months or more, and any sign which was erected for an occupant or business unrelated to the present occupant or business and any sign which pertains to a time, event or purpose which no longer pertains, shall be presumed to have been abandoned after a lapse of thirty (30) days. Any such sign shall be deemed a public nuisance and shall be removed within thirty (30) days by the owner of the property on which the sign is located.

B. Unless some other form of abatement is approved by the City Manager in writing, abatement of abandoned signs shall be accomplished in the following manner:

1. Signs painted on buildings, walls, fences or structures shall be abated by removal of the paint constituting the sign or by painting over the sign, in a color matching the existing background, in such a way that the sign shall not thereafter become visible.

2. Other types of signs may be abated by removal of the sign including its dependent structures and supports, unless the sign conforms to the provisions contained in this Chapter in which case all faces of the sign shall be screened from view in a manner satisfactory to the City Manager.

C. Upon failure of any person to remove a sign as required herein, the City Manager, or their delegate, is hereby expressly authorized to enter upon private property to effect such abatement, and it shall be unlawful for any person to interfere with, hinder or refuse to allow entrance upon private property for such purpose. The cost of such abatement shall constitute a lien upon the property and shall bear interest at the rate established by the City Council from the date a notice of lien is filed in the office of the County Recorder.

17.59.130 - Illumination of signs.

All illuminated signs in the City of Del Rey Oaks shall comply with the following standards:

A. The use of high intensity, unshielded or undiffused lights shall not be permitted.

B. Lights or illumination shall be shielded, oriented or diffused so as to eliminate undue glare onto adjacent properties.

C. Lights shall be shielded or diffused in such a manner as to eliminate the possibility of conflict with safe traffic movement.

D. The Planning Commission, and City Council on appeal, shall retain the right to require reduction in the intensity of illumination after the installation of any illuminated sign if said illumination creates any undue glare, annoyance or hazard.

17.59.140 - Abatement of signs on public property and signs presenting health or safety hazards.

A. Signs on Public Property. Unless specifically provided for in this Chapter, no sign may be placed in or upon any public right-of-way, the exterior of any public building, any public grounds or property thereon, any public utility pole or appurtenance thereof, wherever located, or any tree on public property. Any sign installed or placed on public property, including signs within the public right-of-way that do not comply with the requirements of this Chapter, shall be forfeited to the public and subject to immediate confiscation. When a temporary sign is confiscated by city staff from public property, staff shall notify the campaign of record within seven days of confiscating the sign and afford the campaign the opportunity to retrieve the sign. If the campaign has not retrieved the sign within ten days of notice, the city may dispose of the signs. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign, including any administrative staff costs and attorneys' fees incurred to enforce this Chapter.

B. Signs on Private Property Presenting Health or Safety Hazards. No sign may be placed upon any property in a manner which creates a public health or safety hazard. Any sign placed on, above or adjacent to any street, sidewalk or right-of-way which creates a health or safety hazard through obstructing vision or use of such street, sidewalk or right-of-way may be summarily removed by the Police Chief or City Manager or their respective delegates. Any sign so removed shall be returned to the owner upon payment of the costs of removal and storage. Any sign placed on or about private property which creates a health or safety hazard, including obstructing vision in the public right-of-way, may be removed by the Police Chief or City Manager or their respective delegates to a position on the private property where it does not create a health or safety hazard.

C. Impounded Signs. Any sign impounded under the provisions of subsections (A) or (B) above shall be stored for a period of not less than 30 days at which time the signs may be salvaged, sold or destroyed in order to defray the costs of removal and storage. The person responsible for the placement of such sign shall be liable for the cost incurred in the removal and storage of the sign and the Police Department and City Clerk are authorized to affect the collection of said cost.

D. Noticing Sign Owners. If the person who owns a sign which has been removed pursuant to this section can be identified, the City official who has removed said sign shall notify that person of the reasons the sign has been removed, the location of the sign and the procedures for the return of the sign.

17.59.150 - Definitions.

Ancillary Information Signs. Small signs generally used in commercial business including, but not limited to, information regarding credit cards, property management, hours of operation, OPEN, etc. Also, small signs generally posted for non-commercial and informational purposes, including, but not limited to, security signs, "beware of dog" signs, "no trespassing" signs, and "no solicitation" signs.

Government Signs. Signs and notices placed by public officers or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in federal, state, or local law for the purposes of carrying out an official duty or responsibility.

Personally Attended. Means that a person is at all times physically present within five (5) feet of a Temporary Sign displaying a noncommercial (e.g., political, ideological, religious) message.

Primary Business Frontage. That frontage of a building containing the primary or most important entrance to the occupancy thereon. In such cases where there are multiple entrances, the Planning Commission shall determine which frontage is the primary frontage. In no case shall more than one primary business frontage be permitted.

Public Directional Signs. Signs containing directional information about public places owned or operated by federal, state or local governments or their agencies; publicly owned natural phenomena, historic, cultural, scientific and educational sites; and publicly owned or operated areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

Public Utility Signs. Warning signs, informational signs, notices or markers which are customarily placed by public or private utilities, as essential to their operations.

Secondary Business Frontage. That frontage of a building containing any entrance other than a primary business frontage. In no case shall more than two secondary business frontages be permitted.

Service Station. A business which is primarily in the business of providing service to vehicles such as gasoline, oil, tire, mechanical assistance, parts, etc., and not including convenience markets that sell gasoline, diesel fuel or oil.

Shopping Center. Commercial and retail buildings and associated facilities which have been designed and developed as an integrated unit containing more than four separately owned and operated businesses which function as an integral unit and which utilize common off-street parking.

Sign. Any letters, figures, design, symbol, trademark or illuminating device intended to attract attention to any person, partnership, corporation or unincorporated association, or any place, subject, public performance, article, machine or merchandise, whatsoever, and painted, printed, constructed, erected or displayed in any manner whatsoever.

Sign Area. That area enclosed by a square, rectangle, triangle or other shape which connects the extreme points or edges of the sign, excluding the supporting structure which does not form part of the sign proper. Sign area shall include only one face of any double-faced sign and shall include all faces of any multi-faced sign containing more than two faces. For the purpose of this definition, the faces of a double-faced sign shall be parallel.

Sign Area Allotment. The maximum area of signs that may be displayed on any site, premises, business, building, parcel, lot or otherwise not including signs specifically exempted in this Chapter.

Temporary Signs. A sign constructed of cloth, canvas, light fabric, cardboard, wallboard, poster board, or other light materials, with or without frames, and mounted in a nonpermanent manner, displaying a noncommercial message which remains in use not more than forty-five (45) consecutive days. Temporary signs are not durable and therefore may not be used for more than forty-five (45) days.

Uniform Building Code, Uniform Electrical Code, Uniform Mechanical Code. Those codes which are currently in full force and effect as adopted by the City Council including any amendments or additions thereto adopted from time to time by the City Council.

Window Display. A window display is an arrangement of merchandise, including graphics and text, that is at least eighteen (18) inches in depth and is displayed in a building window. If a window display includes a sign greater than four (4) square feet located within eighteen (18) inches of the window surface, it is considered a sign.

Window Sign. A sign painted directly on a window, affixed to the inside of a window, or located inside facing a window and located within eighteen (18) inches of a window surface.

17.59.160 - Prohibited signs.

The following signs shall be prohibited in the City of Del Rey Oaks. Descriptions of these signs are included in this section. Additional definitions pertaining to this Chapter are contained in Sections 17.59.150 and 17.59.170.

Prohibited Signs
Any sign that exceed 32 square feet of sign area.
Attention-getting signs and devices that involve animation, rotation, flashing, projections, scintillation, or any type of movement, excluding barber poles, time, date, and temperature signs.
Backlit translucent awning signs
Electronic message signs (excludes traffic control signs)
Private party signs mounted, erected, maintained, or displayed on City property or in the right-of-way except as otherwise authorized in this Chapter. Any sign in the City right of way that is less than five feet from the back side of the curb abutting a

<p>property, or where there is no curb, five feet from the edge of the asphalt. This prohibition shall not apply to the use of City property pursuant to a special event permit, license agreement, concession, or lease.</p>
<p>Highly reflective and fluorescent (day-glow) signs</p>
<p>Off-site advertising signs that are designed to direct attention to a business, commodity, service, or entertainment, sold, or offered elsewhere than on the premises or property on which the sign is located (except for Temporary Signs)</p>
<p>Roof Signs. Signs that are attached to, supported by, mounted on or project above a roof or other architectural feature including, but not limited to mansards, parapets, and the like.</p>
<p>Projecting Signs. Signs that are suspended from or that are supported by a wall, building or structure and project more than three feet outward therefrom or signs that project into the public right-of-way. No provision contained herein shall be construed to prohibit the display or construction of freestanding signs.</p>
<p>Signs posted on trees, utility poles, traffic signposts, light posts, traffic signals, or any other official traffic control device</p>
<p>Signs placed or maintained so as to interfere with free ingress to or egress from any door, window or fire escape, or parking lot</p>
<p>Signs which simulate or imitate in size, color, lettering or design any traffic sign or signal, or which make use of words, symbols or characters in such a manner as to interfere with, mislead, or confuse pedestrian or vehicular traffic</p>
<p>Signs which are prohibited in a specific plan, master plan, area plan, or similar land use document adopted by the City Council</p>

17.59.170 - Permitted signs.

The following signs shall be permitted in the City of Del Rey Oaks subject to the provisions and conditions contained in this Section and this Chapter, including, where indicated, Planning Commission review and the issuance of a sign permit. Definitions of permitted signs are included in this Section. Additional definitions pertaining to this Chapter are contained in Sections 17.59.150 and 17.59.160.

Permitted Sign	Description and Conditions
Ancillary Signs	A sign of a secondary nature, e.g., credit card signs, not exceeding one square foot. Such signs are not included in the maximum sign area allotment. Planning Commission approval is not required. A sign permit is not required.
Barber Pole Signs	A striped pole characteristic of barbershops. Such signs may rotate. One such sign may be permitted per business in addition to any other signs permitted by this Chapter. Planning Commission approval is required. A sign permit is required.
Directional and Public Service Signs	<p>Public service signs, approved by the Planning Commission, including time and temperature devices and signs indicating the location or direction of a place or area on the premises upon which the sign is located.</p> <p>Such signs are not included in the maximum sign area allotment if they are deemed necessary and appropriate by the City Manager. Planning Commission approval is not required. A sign permit is not required. Such signs may be placed within required yard or setback areas. Planning Commission approval is required. A sign permit is required.</p>
Freestanding Signs	Freestanding signs of a permanent nature not attached to any portion of a building and not projecting over or through a roof, eaves of a building or any public right-of-way. Planning Commission approval is required. A sign permit is required.
Awning Signs	<p>A sign attached to the face of or supported by an awning. (Awning: a roof-like cover, usually of canvas extending over or before a place).</p> <p>Such signs must be parallel to the face to which attached and must not hang lower or project above the face to which</p>

Permitted Sign	Description and Conditions
	attached. Site and architectural Planning Commission approval is required. A sign permit is required.
Marquee or Canopy Signs	<p>A sign attached to or supported by a marquee or canopy.</p> <p>Such signs must be parallel to the face to which they are attached and may not be made of cloth, canvas or other material of a similar nature nor shall such signs hang lower or project above the face to which attached. Planning Commission approval is required. A sign permit is required.</p>
Nameplates	<p>Professional nameplates and occupation signs exceeding three square feet in area.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
Reader Board Signs	<p>A sign with detachable or interchangeable letters.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
Under Canopy Signs	<p>Such signs that do not exceed four square feet will not be included in the maximum sign area allotment. Any such sign exceeding four square feet shall be included in the maximum sign area allotment. Such signs shall have a minimum clearance of seven feet six inches above the sidewalk.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
Wall Signs	<p>A sign of either solid face construction or individual letters placed against the exterior wall of any building or structure. Such signs shall not extend more than one foot beyond the wall.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
Window Signs (Temporary – 45-Day).	Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for a maximum of 45 days.

Permitted Sign	Description and Conditions
	<p>Such signs are permitted to cover no more than 50 percent of the area of the window. Such signs may not be displayed more than 45 days. Such signs are not included in the maximum sign area allotment.</p> <p>Planning Commission approval is not required. A sign permit is not required.</p>
Window Signs (Permanent)	<p>Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for more than 45 days.</p> <p>Such signs are permitted to cover no more than ten percent of the area of the window. Such signs are not included in the maximum sign area allotment.</p> <p>Planning Commission approval is not required. A sign permit is not required.</p>
Monument Sign.	<p>A low profile free-standing sign incorporating the design and building materials and accenting the architectural theme of buildings within the same development.</p> <p>Such signs shall be considered the same as a free-standing sign.</p>
Real Estate Signs.	<p>Real estate signs shall be permitted as conditioned in Section 17.59.080 of this Chapter.</p>
Portable Signs	<p>Each business may be allowed one such sign. The sign shall be placed at ground level with a maximum height of four feet and be no larger than three feet by four feet and shall be placed at least four feet from vehicle entrances and exits and not in the public right-of-way.</p> <p>Sign advertising real estate open houses shall be placed at ground level with a maximum height of four feet and be no larger than three feet by four feet and shall be placed at least four feet. Such signs may be placed off the site on private property for the purpose of advertising that the subject property</p>

Permitted Sign	Description and Conditions
	<p>is open for inspection. One additional such sign may be displayed on the premises that is open for inspection.</p> <p>Portable signs shall only be permitted from dawn until dusk.</p>
Signs in General	Any sign which is not listed under permitted or prohibited signs (Section 17.59.160 and this section, respectively) shall be considered individually by the Planning Commission pursuant to Section 17.59.210.
Flags	<p>Flags of any government entity are permitted. A sign permit is not required.</p> <p>Flags announcing commercial or business identity must receive Planning Commission approval and a sign permit.</p>

17.59.180 - Sign regulations for commercial and industrial districts C-1, C-2, P-C, L-M and M districts.

A. Sign Area. One and one-half square feet are permitted for every foot of primary business frontage to a maximum of 100 square feet per business. One-half square foot is permitted for every foot of secondary business frontage to a maximum of 25 square feet for each secondary business frontage.

B. Number of Signs. No more than two signs may be permitted per business, unless otherwise approved by the Planning Commission. Under canopy signs are not counted for the purposes of this Section.

C. Type of Signs. Any sign specified under Section 17.59.170, may be displayed in accordance with the provisions of this Chapter.

D. General Provisions. All signs and signing programs specified below shall be subject to review and approval by the Planning Commission and shall require a sign permit.

1. Shopping centers may be permitted to erect a free-standing identification sign which may also indicate the principal tenant and other services available on the site. Said sign shall be located adjacent to the principal street frontage and shall not exceed 100 square feet in area or 25 feet in height. If the shopping center has more than one principal street frontage, two such signs may be permitted. The sign area and sign height specified in this Section are the maximum limits and the Planning Commission reserves the right to approve lesser sign area or height.

2. Industrial parks containing more than four buildings designed to be architecturally compatible, whether or not on the same parcel of land, shall be permitted to place monument signs along, at, or adjacent to principal entrances to the park. Such signs shall not exceed 200 square feet or ten feet in height. The actual size, height and number of signs shall be specified by the Planning Commission.

3. Real estate signs shall be permitted as conditioned in Section 17.59.080.

E. Master Signing Program Approval Required. Any and all commercial, office or industrial developments designed to contain more than four occupancies, businesses or buildings are required to obtain approval of a master signing program from the Planning Commission. Said master signing program plans must be prepared, reviewed and approved by the Planning Commission prior to the issuance of any occupancy permit in the development. Plans for the master signing program shall include specifications, descriptions and locations of all signs to be displayed on the site including, but not limited to, advertising, identification, directional and public service signs. The Planning Commission may approve, conditionally approve or modify said plans in order to ensure that the master signing program is in accordance with the purpose, spirit and intent of this Chapter. Any decision of the Planning Commission on a master signing program may be appealed to the City Council. Appeals shall be in writing and shall be filed with the City Council within 20 days of the decision.

Approved master signing programs may be modified from time to time by the Planning Commission or by the City Council through the appeal process.

17.59.190 – Regulations for residential R-1 and R-2 districts.

A. Single Family Dwellings, Duplexes, Triplexes, and Fourplexes. One nameplate not exceeding three square feet per dwelling. Planning Commission approval is not required. A sign permit is not required.

B. Multiple Family Dwellings. Dwellings containing more than four dwelling units may be permitted a maximum of two signs, each containing a maximum of 30 square feet. Planning Commission approval is required. A sign permit is required.

C. Public, Quasi-Public, Halls, Organizations, Clubs, Lodges and All Similar Uses. Same as Section B above.

D. Nonresidential uses not otherwise specified herein including, but not limited to, hotels, motels, professional offices, and other non-residential uses that may be permitted in residential zoning districts. Signs for such uses shall be regulated by Section 17.59.180.

E. Real Estate Signs. Real estate signs shall be permitted as conditioned in Section 17.59.080.

F. All signs not permitted by subsections (A) through (E) above or regulated elsewhere in this Chapter are prohibited.

17.59.200 – Regulations for districts other than commercial, industrial, and residential.

All signs shall require approval by the Planning Commission pursuant to Section 17.59.210, or the City Council through the appeal process as specified in Section 17.59.040.

17.59.210 - Signs not otherwise regulated; Sign Permit and Planning Commission Review.

Upon application to the Planning Commission for a sign permit, any sign(s) not otherwise regulated by this Chapter may be allowed upon application to the Planning Commission so long as the Planning Commission finds that:

1. The sign(s) will not materially conflict with the character of the neighborhood in which it will be displayed; and
2. The value of property in the zone will not be significantly decreased by the erection or maintenance of the sign(s).
3. A finding is made that the sign(s) will better achieve the purpose and objectives of this chapter than the strict application of said sign regulation.

17.59.220 - Maximum Total Sign Area

A. Signs in the R-1 District. The total area of all signs – temporary and permanent - regulated by this Chapter on any one property in the R-1, single-family residential district shall not exceed 160 square feet. However, in this district, the number of such signs on any one property is not limited, provided the total area of all signs does not exceed 160 square feet.

B. Signs in All Districts Other Than the R-1 District. In all zoning districts except the R-1 district, signs on any one parcel with at least 4,000 square feet shall be limited to not more than 250 square feet of total area for all signs. For parcels of less than 4,000 square feet shall be limited to not more than 200 square feet of total area for all signs.

17.59.230 - Sign Variance

A. Purpose and intent. The purpose of the sign code variance procedure is to recognize unique situations that limit the view of a permitted sign and provide a reasonable alternative to the sign placement or location.

B. Applicability. When the strict or literal interpretation or enforcement of the regulations of this Chapter would result in practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of this Chapter, the Planning Commission shall have the authority to grant a variance from the following provisions of this sign code:

1. Sign height, provided that the sign may not be raised more than twenty-five percent above that which would otherwise be permitted; and
2. Sign area, provided that the sign may not be increased in area more than twenty-five percent above that which would otherwise be permitted; and

3. Sign location, provided that no more than two legally permitted signs are located along any one building frontage.

C. Required Findings. In reviewing a sign variance request, the Planning Commission shall consider and clearly establish the following findings of fact regarding the request sign variance:

1. It will not endanger the public health, safety or general welfare;
2. It will not injure the value of adjoining or abutting property;
3. It will not result in any significant environmental impacts;
4. It will be in harmony with the area in which it is located;
5. It will be in conformity with the zoning ordinance, general plan and/or specific plan;
and
6. For applications regarding commercial signs, it will not grant or constitute a special privilege to the applicant over other similarly situated businesses.

D. Conditions. The Planning Commission may condition its approval, and such conditions may be in addition to those allowed pursuant to this Chapter.

E. Applicability of Chapter. All other applicable provisions of this Chapter shall apply to any sign variance granted pursuant to this Section, including, without limitation, construction standards, design standards, and safety standards.

F. Appeal. Any decision of the Planning Commission regarding a sign variance may be appealed, in writing, to the City Council within 20 days of the decision.

17.59.240 - Severability.

If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion is a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

17.59.250 - Repeal provision.

Any and all other sign regulations contained in Title 17, Zoning, of the City of Del Rey Oaks Municipal Code in conflict with this Chapter are hereby repealed.

ORDINANCE NO. 302

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS,
CALIFORNIA, AMENDING CHAPTER 17.59 "SIGNS" OF THE DEL REY OAKS
MUNICIPAL CODE**

WHEREAS, the City's sign ordinance is over 20 years old;

WHEREAS, amendments to the sign ordinance are necessary to clarify the language therein, as well as to bring the ordinance up to date; and

WHEREAS, enactment of this ordinance is not subject to the California Environmental Quality Act (CEQA) as it is not a project pursuant to Guidelines Section 15378 because it has no potential for resulting in physical change to the environment directly or indirectly. In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Del Rey Oaks, California as follows:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The text set forth in existing Chapter 17.59 of the Del Rey Oaks Municipal Code entitled, "Signs" shall be amended by the addition of all text shown in bold, italic underscored text (***bold, italic***), and deletion by strikethrough (~~strikethrough~~) as follows:

CHAPTER 17.59 – SIGNS

17.59.010 - Purpose and intent.

It is the purpose and intent of this Chapter to provide the City of Del Rey Oaks with a viable and practical set of sign regulations that will: promote the orderly growth of the community; facilitate the continual upgrading of the community; preserve the natural beauty of Del Rey Oaks while simultaneously protecting the rights of property and business owners to display signs and the right of individuals to live, work and visit a city that is free from the usual blight that would result from under-**regulation** or non-regulation of signs.

These sign regulations, pursuant to the provisions of the Del Rey Oaks General Plan, set forth the minimum acceptable standards necessary to protect and safeguard the life, peace, health,

safety, property and general welfare of the public by regulating among other things the location, placement, size, number, area, type, illumination and maintenance of signs and sign structures.

In addition to the standards specified above, it is hereby set forth that a primary goal of these regulations shall be to insure that signs and sign structures are considered in light of the architectural and landscape design of the buildings and properties along with individual setting or location of the buildings and properties; and to avoid visual clutter and out of scale impacts.

17.59.020 - Application.

No sign shall be placed, displayed, painted, posted, printed, tacked, fastened, erected, relocated, ~~or constructed or otherwise~~ except as provided in this Chapter.

17.59.030 - Responsibility.

It shall be the sole responsibility of the person making application to place, construct, erect, alter, relocate, tack, fasten, paint, post or display any sign in the City of Del Rey Oaks to obtain the necessary authorization from the owner or lessee of the property.

17.59.040 - Planning commission approval required.

Planning Commission approval shall be required of all signs unless otherwise specified in this Chapter. A fee shall be collected by the City Clerk prior to consideration of any sign by the Planning Commission. The fee shall be established from time to time by Resolution of the City Council.

In order to facilitate the Planning Commission approval process, any person seeking to obtain Planning Commission approval shall submit accurate plans, scale drawings, color boards, examples of materials or any such other information specified by the City Manager showing the size, shape, location, color, materials and physical relationship to the site of the sign and sign structure. Any decision of the Planning Commission may be appealed, in writing, to the City Council within 20 days of the decision.

During the course of review and approval, the Planning Commission or the City Council on appeal may approve, disapprove, conditionally approve, or modify the plans as submitted in order to insure compliance with the spirit and intent of this Chapter.

17.59.050 - Sign permit required.

In order to insure that the Planning Commission is provided with an opportunity to review the placement, construction, erection, relocation or alteration of any and all signs in the City of Del Rey Oaks, it is required, unless otherwise specified herein, that a sign permit shall be obtained from the City Clerk prior to the placement, construction, relocation, alteration or otherwise erection of the sign.

Any person seeking to obtain a sign permit shall provide the City Clerk with any and all necessary detailed plans, scale drawings or other materials and samples or information required by the City Clerk along with written evidence that Planning Commission approval has been obtained for the sign. Following a review of the materials and design submitted, the City Clerk may issue the sign permit or, if appropriate shall, require that a Building Permit be obtained pursuant to the provisions of the Uniform Building Code (UBC) in lieu of a sign permit. A fee shall be collected by the City Clerk prior to the issuance of any sign or building permit. The fee shall be the same as for a minor use permit and shall be established from time to time by Resolution of the City Council. The fee for a building permit shall be as specified in the **City's Master Fee Schedule. UBC.**

17.59.060 - Enforcement.

The regulations contained in this Chapter shall be enforced as are other zoning, building and safety regulations as set forth in the Del Rey Oaks Municipal Code, **which may include, without limitation, enforcement pursuant to Chapters 1.16 and 1.19.**

Any sign not in compliance with this Chapter is hereby declared to be a public nuisance and may be abated pursuant to the provisions of Sections 8.28.050 through 8.28.200, or pursuant to state law.

Each sign installed, created, erected, or maintained in violation of this Chapter shall be considered a separate violation.

17.59.070 - Remedies.

Notwithstanding, the procedures for enforcement set forth in the Del Rey Oaks Municipal Code, the City of Del Rey Oaks is hereby authorized to **enforce this Chapter** proceed in any other fashion, way, or procedure permitted by law.

17.59.080 - Exemptions.

The provisions and regulations of this Chapter shall not apply to the following signs **should the stated conditions be met. However, the following signs shall be subject to all safety provisions contained in this Chapter. Should the stated conditions not be met, Planning Commission review and a sign permit are required.** provided, however, that the following signs shall be subject to all safety provisions contained in this Chapter:

- ~~A. Official signs and notices, public utility signs, public directional signs;~~
- ~~B. Professional nameplates not exceeding three square feet in area;~~
- ~~C. Temporary (30-day) signs of a directional nature approved by the City Manager;~~
- ~~D. Emergency, public service or other temporary (30-day) non-advertising signs as approved by the City Council;~~

~~E. Memorial signs on tablets, names and dates of buildings when cut into any masonry surface or when flush mounted and constructed of bronze or other noncombustible materials;~~

~~F. Freestanding mailboxes designating the name and address of the person serviced by the mailbox;~~

~~G. Signs placed by the City of Del Rey Oaks.~~

<i>Exempt Sign</i>	<i>Conditions</i>
<i>Address Signs, Including in Mailboxes</i>	<i>Maximum letter height of 12 inches and maximum area of 4 square feet</i>
<i>Building Identification Signs</i>	<i>Names and dates of buildings maximum letter height of 18 inches and maximum area of 5 square feet</i>
<i>Ancillary Information Signs</i>	<i>Maximum aggregate area of 3 square feet</i>
<i>Construction Site Signs</i>	<i>Maximum aggregate area of 20 square feet per street frontage</i>
<i>Government Signs</i>	<i>Traffic control signs</i>
	<i>Transit signs not exceeding 3 square feet</i>
	<i>Street identification signs</i>
	<i>Utility signs</i>
	<i>Signs on City property for City civic events, services, and direction</i>
<i>Temporary Private Party Signs During Construction Projects that</i>	<ul style="list-style-type: none"> <i>Permitted only during periods of construction in adjacent right-of-way; the signs must be removed immediately upon restoration of</i>

Exempt Sign	Conditions
are Placed in the Adjacent Right-of-Way	<p>traffic flow on the affected right-of-way construction zone</p> <ul style="list-style-type: none"> • The lot or parcel on which the business is located must be immediately adjacent to the right-of-way construction zone • Temporary signs are limited to 1 per business, per street front and are limited to 20 square feet in area and can be no more than 5 feet in height • Any signs on public sidewalks must give clearance of 5 feet for pedestrians to pass by • No illumination
Temporary Private Party Signs on Private Property	Temporary signs displaying a noncommercial (e.g., ideological, religious, political) message
	Maximum aggregate area of 16 square feet per individual sign and 80 square feet cumulative total area for all temporary signs on a property
Interior Signs	Any sign not visible from another lot of record or from a public right-of-way
No Trespassing/No Parking Signs	Must be posted in compliance with Federal, State and local laws
Parking Lot Signs	Maximum area of 3 square feet per sign and maximum of 1 sign per 3 parking spaces
Personally Attended Signs in Traditional Public Forum Areas	Temporary signs may be displayed daily from 7:00 a.m. until 9:00 p.m., except on occasions when the City Council or other public body with offices in the City is holding a public hearing or meeting. On such occasions, the display period is extended to 30 minutes after such meeting is officially adjourned

Exempt Sign	Conditions
	<i>The maximum size of any 1 sign is not to exceed 32 square feet, and the height is not to exceed 10 feet as measured from the ground</i>
	<i>The maximum distance between a person and a personally attended sign is 5 feet</i>
	<i>In order to serve the City's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give clearance of 5 feet for pedestrians to pass by</i>
Real Estate Signs	<i>Maximum of 1 sign per street frontage</i>
	<i>Maximum area of 12 square feet</i>
Signs Required by Federal or State Law	<i>Signs required for compliance with the Americans with Disabilities Act (ADA), California Coastal Act, etc.</i>
Handheld Signs in Traditional Public Forum Areas	<i>Temporary signs may be displayed daily, in traditional public forum areas, from 7:00 a.m. until 9:00 p.m., except on occasions when the City Council or other public body with offices in the City is holding a public hearing or meeting. On such occasions, the display period is extended to 30 minutes after such meeting is officially adjourned</i>
	<i>Maximum aggregate area of 6 square feet</i>
	<i>In order to serve the City's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular</i>

Exempt Sign	Conditions
	traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give clearance of 5 feet for pedestrians to pass by
Window Displays	A window display is an arrangement of merchandise, including graphics and text, that is at least 18 inches in depth and is displayed in a building window
	Must be 4 square feet or less to be exempt

17.59.090 - Nonconforming signs.

Any permanent sign lawfully existing prior to the adoption of **the ordinance codified in** this Chapter and not conforming to the provisions **of the ordinance codified** contained in this Chapter is declared to be a lawfully **legal** nonconforming sign and may remain as such.

No such nonconforming sign shall in any way be altered, relocated, replaced or reworded unless the sign can be made to conform to all provisions of this Chapter. Nothing in this section shall be construed to prohibit the normal maintenance and repair of lawfully nonconforming signs.

Failure of City staff to notify the property owner and/or the operator of a nonconforming sign does not authorize the continued use of the sign or release the property owner and/or operator from compliance with this section.

17.59.100 - Maintenance and construction provisions.

A. Applicable Standards. The appropriate sections of the Uniform Building Code (UBC), the Uniform Electric Code (UEC) or any amendment thereto adopted by the City of Del Rey Oaks shall apply to the construction, placement, or display, **maintenance, and repair** of signs in the City of Del Rey Oaks. **All signs shall be installed and maintained indefinitely as shown on the approved plans, unless a formal request for revision or alteration is approved by the Planning Commission. Signs and sign structures shall at all times be maintained in a state of good repair including all braces, bolts, structural parts, supporting frames and fastenings.**

B. Prohibited Construction. All signs having internal or built-in illumination shall be constructed wholly of noncombustible materials or other such fire resistive materials as approved by the Planning Commission. Guide wires or exposed strut-like sign structures shall

not be utilized. ~~Signs and sign structures shall at all times be maintained in a state of good repair including all braces, bolts, structural parts, supporting frames and fastenings.~~

C. Sign Removal. *When wall mounted signs are removed, the wall behind the sign shall be repaired and painted to match the rest of the wall within thirty (30) days of the date of the removal.*

D. Regular Maintenance. No permit shall be required for repainting, cleaning or other normal maintenance and repair of a sign unless the structure, design, size, color location or character is altered.

E. Duration and Extension. *If a building permit has not been granted within two (2) years of the date of approval of the sign permit or if a sign not requiring a building permit has not been installed within two (2) years of the date of approval of the sign permit, the sign permit approval shall be null and void, unless extended by the Planning Commission. Requests for an extension shall be made in writing a minimum of ten (10) days prior to the expiration date.*

F. Where possible, signs should encourage and enhance a village-like atmosphere with the emphasis being on the use of wood signs and avoiding the use of signs made from single-use plastic products, as appropriate.

17.59.110 - Safety provisions.

In addition to all other maintenance and construction provisions contained in this Chapter, all signs within the City of Del Rey Oaks shall comply with the following provisions:

A. Obstructions to doors, windows or fire escapes. ~~¶~~**No** sign shall be erected, relocated, altered, maintained or otherwise so as to prevent ingress to or egress from any door, window or fire escape or in violation of the Uniform Fire Code. No sign shall be attached to a standpipe, gutter, drain or fire escape, except signs referring specifically to the standpipe, gutter, drain or fire escape to which it is attached.

B. Signs not to obstruct traffic signals. ~~¶~~**No** sign regulated by this Chapter shall be erected at any location where, by reason of its position **or design**, it will obstruct or confuse the view of any authorized traffic sign, signal or device.

C. Exterior of signs. ~~On~~**No** all signs which are erected within five feet of a public street or sidewalk, ~~no~~ nails, tacks, or wires shall be permitted to protrude **from any sign** therefrom. All structural trim maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure.

D. Signs shall not extend into the runway protection zone **of the Monterey Regional Airport** in such a manner as to interfere with the purposes of that zone.

17.59.120 - Abandoned signs and abatement thereof.

A. No person shall maintain or permit to be maintained on any premises owned or controlled by said person any sign which has been abandoned. Any such sign shall be

promptly abated. Any sign which is located on property which becomes vacant for a period of six months or more, and any sign which was erected for an occupant or business unrelated to the present occupant or his business and any sign which pertains to a time, event or purpose which no longer pertains, shall be presumed to have been abandoned **after a lapse of thirty (30) days. Any such sign shall be deemed a public nuisance and shall be removed within thirty (30) days by the owner of the property on which the sign is located.**

B. Unless some other form of abatement is approved by the City Manager in writing, abatement of abandoned signs shall be accomplished in the following manner:

1. Signs painted on buildings, walls, fences or structures shall be abated by removal of the paint constituting the sign or by painting over the sign, **in a color matching the existing background**, in such a way that the sign shall not thereafter become visible.

2. Other types of signs may be abated by removal of the sign including its dependent structures and supports, unless the sign conforms to the provisions contained in this Chapter in which case all faces of the sign shall be screened from view in a manner satisfactory to the City Manager.

C. Upon failure of any person to remove a sign as required herein, the City Manager, or their delegate, is hereby expressly authorized to enter upon private property to effect such abatement, and it shall be unlawful for any person to interfere with, hinder or refuse to allow entrance upon private property for such purpose. The cost of such abatement shall constitute a lien upon the property and shall bear interest at the rate established by the City Council from the date a notice of lien is filed in the office of the County Recorder.

17.59.130 - Illumination of signs.

All illuminated signs in the City of Del Rey Oaks shall comply with the following standards:

A. The use of high intensity, unshielded or undiffused lights shall not be permitted.

B. Lights or illumination shall be shielded, oriented or diffused so as to eliminate undue glare onto adjacent properties.

C. Lights shall be shielded or diffused in such a manner as to eliminate the possibility of conflict with safe traffic movement.

D. The Planning Commission, and City Council, on appeal, shall retain the right to require reduction in the intensity of illumination after the installation of any illuminated sign if said illumination creates any undue glare, annoyance or hazard.

17.59.140 - Abatement of signs on public property and signs presenting health or safety hazards.

A. Signs on Public Property. **Unless specifically provided for in this Chapter, No** sign may be placed in or upon any public right-of-way, the exterior of any public building, any

public grounds or property thereon, any public utility pole or appurtenance thereof, wherever located, or any tree on public property. **Any sign installed or placed on public property, including signs within the public right-of-way that do not comply with the requirements of this Chapter, shall be forfeited to the public and subject to immediate confiscation. When a temporary sign is confiscated by city staff from public property, staff shall notify the campaign of record within seven days of confiscating the sign and afford the campaign the opportunity to retrieve the sign. If the campaign has not retrieved the sign within ten days of notice, the city may dispose of the signs. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign, including any administrative staff costs and attorneys' fees incurred to enforce this Chapter.** Any such sign may be summarily removed and impounded by the Police Chief or City Manager or their respective delegates.

B. Signs on Private Property Presenting Health or Safety Hazards. No sign may be placed upon any property in a manner which creates a public health or safety hazard. Any sign placed on, above or adjacent to any street, sidewalk or right-of-way which creates a health or safety hazard through obstructing vision or use of such street, sidewalk or right-of-way may be summarily removed by the Police Chief or City Manager or their respective delegates. Any sign so removed shall be returned to the owner upon payment of the costs of removal and storage. Any sign placed on or about private property which creates a health or safety hazard, including obstructing vision in the public right-of-way, may be removed by the Police Chief or City Manager or their respective delegates to a position on the private property where it does not create a health or safety hazard.

C. Impounded Signs. Any sign impounded under the provisions of subsections (A) or (B) above shall be stored for a period of not less than 30 days at which time the signs may be salvaged, sold or destroyed in order to defray the costs of removal and storage. The person responsible for the placement of such sign shall be liable for the cost incurred in the removal and storage of the sign and the Police Department and City Clerk are authorized to **effect** the collection of said cost.

D. Noticing Sign Owners. If the person who owns a sign which has been removed pursuant to this section can be identified, the City official who has removed said sign shall notify that person of the reasons the sign has been removed, the location of the sign and the procedures for the return of the sign.

17.59.150 - Definitions.

Ancillary Information Signs. Small signs generally used in commercial business including, but not limited to, information regarding credit cards, property management, hours of operation, OPEN, etc. Also, small signs generally posted for non-commercial and informational purposes, including, but not limited to, security signs, "beware of dog" signs, "no trespassing" signs, and "no solicitation" signs.

~~I. Official **Government** Signs and Notices.~~ Signs and notices placed by public officers or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in federal, state, or local law for the purposes of carrying out an official duty or responsibility. ~~Historical markers authorized by state law and placed by state or local governmental agencies or nonprofit historical societies shall be considered as official signs.~~

Personally Attended. Means that a person is at all times physically present within five (5) feet of a Temporary Sign displaying a noncommercial (e.g., political, ideological, religious) message.

~~D. Primary Business Frontage.~~ That frontage of a building containing the primary or most important entrance to the occupancy thereon. In such cases where there are multiple entrances, the Planning Commission shall determine which frontage is the primary frontage. In no case shall more than one primary business frontage be permitted.

~~K. Public Directional Signs.~~ Signs containing directional information about public places owned or operated by federal, state or local governments or their agencies; publicly owned natural phenomena, historic, cultural, scientific and educational sites; and publicly owned or operated areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

~~J. Public Utility Signs.~~ Warning signs, informational signs, notices or markers which are customarily placed by public or private utilities, as essential to their operations.

~~E. Secondary Business Frontage.~~ That frontage of a building containing any entrance other than a primary business frontage. In no case shall more than two secondary business frontages be permitted.

~~H. Service Station.~~ A business which is primarily in the business of providing service to vehicles such as gasoline, oil, tire, mechanical assistance, parts, etc., and not including convenience markets that sell gasoline, diesel fuel or oil.

~~G. Shopping Center.~~ Commercial and retail buildings and associated facilities which have been designed and developed as an integrated unit containing more than four separately owned and operated businesses which function as an integral unit and which utilize common off-street parking.

~~A. Sign.~~ Any letters, figures, design, symbol, trademark or illuminating device intended to attract attention to any person, partnership, corporation or unincorporated association, or any place, subject, public performance, article, machine or merchandise, whatsoever, and painted, printed, constructed, erected or displayed in any manner whatsoever.

~~B. Sign Area.~~ That area enclosed by a square, rectangle, triangle or other shape which connects the extreme points or edges of the sign, excluding the supporting structure which

does not form part of the sign proper. Sign area shall include only one face of any double-faced sign and shall include all faces of any multi-faced sign containing more than two faces. For the purpose of this definition, the faces of a double-faced sign shall be parallel.

G. Sign Area Allotment. The maximum area of signs that may be displayed on any site, premises, business, building, parcel, lot or otherwise not including signs specifically exempted in this Chapter.

~~L. Temporary Signs. **A sign constructed of cloth, canvas, light fabric, cardboard, wallboard, poster board, or other light materials, with or without frames, and mounted in a nonpermanent manner, displaying a noncommercial message which remains in use not more than forty-five (45) consecutive days. Temporary signs are not durable and therefore may not be used for more than forty-five (45) days.** Temporary signs of any type, including, but not limited to, banners, which are not be displayed for a period longer than 30 days.~~

F. Uniform Building Code, Uniform Electrical Code, Uniform Mechanical Code. Those codes which are currently in full force and effect as adopted by the City Council including any amendments or additions thereto adopted from time to time by the City Council.

Window Display. A window display is an arrangement of merchandise, including graphics and text, that is at least eighteen (18) inches in depth and is displayed in a building window. If a window display includes a sign greater than four (4) square feet located within eighteen (18) inches of the window surface, it is considered a sign.

Window Sign. A sign painted directly on a window, affixed to the inside of a window, or located inside facing a window and located within eighteen (18) inches of a window surface.

17.59.160 - Prohibited signs.

The following signs shall be prohibited in the City of Del Rey Oaks. Descriptions of these signs are included in this section. Additional definitions pertaining to this Chapter are contained in Sections 17.59.150 and 17.59.170.

~~A. Portable Signs. Signs capable of standing without support or attachment to a structure or the ground; except A-frame signs approved under section 17.59.170.~~

~~B. Animated Signs. Signs that involve animation, rotation, flashing, projections, scintillation, or any type of movement not including barber pole signs or time, date and temperature signs.~~

~~C. Billboard Signs and Banners. Off-site advertising signs that are designed to direct attention to a business, commodity, service or entertainment, sold or offered elsewhere than on the premises or property on which the sign is located. Exceptions: not including temporary (30-day) signs or banners that are approved by the Planning Commission and which are to be used for the purpose of advertising an event of general civic interest or that are to be used as~~

~~temporary (30-day) off-site directional signs, including such as one-time only grand opening signs etc.~~

~~D. Roof Signs. Signs that are attached to, supported by, mounted on or project above a roof or other architectural feature including, but not limited to mansards, parapets and the like.~~

~~E. Projecting Signs. Signs that are suspended from or that are supported by a wall, building or structure and project more than three feet outward therefrom or signs that project into the public right-of-way. No provision contained herein shall be construed to prohibit the display or construction of freestanding signs.~~

~~F. Characterization Signs. Signs characterizing a person, object, place, etc.~~

<i>Prohibited Signs</i>
<i>Any sign that exceed 32 square feet of sign area.</i>
<i>Attention-getting signs and devices that involve animation, rotation, flashing, projections, scintillation, or any type of movement, excluding barber poles, time, date, and temperature signs.</i>
<i>Backlit translucent awning signs</i>
<i>Electronic message signs (excludes traffic control signs)</i>
<i>Private party signs mounted, erected, maintained, or displayed on City property or in the right-of-way except as otherwise authorized in this Chapter. Any sign in the City right of way that is less than five feet from the back side of the curb abutting a property, or where there is no curb, five feet from the edge of the asphalt. This prohibition shall not apply to the use of City property pursuant to a special event permit, license agreement, concession, or lease.</i>
<i>Highly reflective and fluorescent (day-glow) signs</i>
<i>Off-site advertising signs that are designed to direct attention to a business, commodity, service, or entertainment, sold, or offered elsewhere than on the premises or property on which the sign is located (except for Temporary Signs)</i>

Roof Signs. Signs that are attached to, supported by, mounted on or project above a roof or other architectural feature including, but not limited to mansards, parapets, and the like.

Projecting Signs. Signs that are suspended from or that are supported by a wall, building or structure and project more than three feet outward therefrom or signs that project into the public right-of-way. No provision contained herein shall be construed to prohibit the display or construction of freestanding signs.

Signs posted on trees, utility poles, traffic signposts, light posts, traffic signals, or any other official traffic control device

Signs placed or maintained so as to interfere with free ingress to or egress from any door, window or fire escape, or parking lot

Signs which simulate or imitate in size, color, lettering or design any traffic sign or signal, or which make use of words, symbols or characters in such a manner as to interfere with, mislead, or confuse pedestrian or vehicular traffic

Signs which are prohibited in a specific plan, master plan, area plan, or similar land use document adopted by the City Council

17.59.170 - Permitted signs.

The following signs shall be permitted in the City of Del Rey Oaks subject to the provisions **and conditions** contained in this Section and this Chapter, **including, where indicated, Planning Commission review and the issuance of a sign permit**. Definitions of permitted signs are included in this Section. Additional definitions pertaining to this Chapter are contained in Sections 17.59.150 and 17.59.160.

Permitted Sign	Description and Conditions
Accessory Ancillary Signs	A sign of a secondary nature, e.g., savings stamp signs , credit card signs, not exceeding one square foot. Such signs are not included in the maximum sign area allotment. Planning Commission approval is not required. A sign permit is not required.

Permitted Sign	Description and Conditions
Barber Pole Signs	A striped pole characteristic of barbershops. Such signs may rotate. One such sign may be permitted per business in addition to any other signs permitted by this Chapter. Planning Commission approval is required. A sign permit is required.
Directional and Public Service Signs	<p>Public service signs, approved by the Planning Commission, including time and temperature devices and signs indicating the location or direction of a place or area on the premises upon which the sign is located.</p> <p>Such signs are not included in the maximum sign area allotment if they are deemed necessary and appropriate by the City Manager. Planning Commission approval is not required. A sign permit is not required. Such signs may be placed within required yard or setback areas. Planning Commission approval is required. A sign permit is required.</p>
Freestanding Signs	Freestanding signs of a permanent nature not attached to any portion of a building and not projecting over or through a roof, eaves of a building or any public right-of-way. Planning Commission approval is required. A sign permit is required.
Awning Signs	<p>A sign attached to the face of or supported by an awning. (Awning: a roof-like cover, usually of canvas extending over or before a place).</p> <p>Such signs must be parallel to the face to which attached and must not hang lower or project above the face to which attached. Site and architectural Planning Commission approval is required. A sign permit is required.</p>
Marquee or Canopy Signs	<p>A sign attached to or supported by a marquee or canopy.</p> <p>Such signs must be parallel to the face to which they are attached and may not be made of cloth, canvas or other</p>

Permitted Sign	Description and Conditions
	<p>material of a similar nature nor shall such signs hang lower or project above the face to which attached. Planning Commission approval is required. A sign permit is required.</p>
<p>Nameplates</p>	<p>Professional nameplates and occupation signs exceeding three square feet in area.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
<p>Reader Board Signs</p>	<p>A sign with detachable or interchangeable letters.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
<p>Under Canopy Signs</p>	<p>Such signs that do not exceed four square feet will not be included in the maximum sign area allotment. Any such sign exceeding four square feet shall be included in the maximum sign area allotment. Such signs shall have a minimum clearance of seven feet six inches above the sidewalk.</p> <p>Planning Commission approval is required. A sign permit is required.</p>
<p>Wall Signs</p>	<p>A sign of either solid face construction or individual letters placed against the exterior wall of any building or structure. Such signs shall not extend more than one foot beyond the wall.</p> <p>Planning Commission approval is required. A sign permit is required.</p>

Permitted Sign	Description and Conditions
<p>Window Signs (Temporary – 30 45-Day).</p>	<p>Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for a maximum of 30 45 days.</p> <p>Such signs are permitted to cover no more than 50 percent of the area of the window. Such signs may not be displayed more than 30 45 days. Such signs are not included in the maximum sign area allotment.</p> <p>Planning Commission approval is not required. A sign permit is not required.</p>
<p>Window Signs (Permanent)</p>	<p>Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for more than 30 45 days.</p> <p>Such signs are permitted to cover no more than ten percent of the area of the window. Such signs are not included in the maximum sign area allotment.</p> <p>Planning Commission approval is not required. A sign permit is not required.</p>
<p>Monument Sign.</p>	<p>A low profile free-standing sign incorporating the design and building materials and accenting the architectural theme of buildings within the same development.</p> <p>Such signs shall be considered the same as a free-standing sign.</p>

Permitted Sign	Description and Conditions
Real Estate Signs.	Real estate signs shall be permitted as specified conditioned in Section 17.59.210 080 of this Chapter.
Portable A-Frame Signs	<p>A portable sign constructed of two faces which are connected by hinges at the top, forming the shape of an A when viewed at right angles to the face.</p> <p>Each business may be allowed one such sign. The sign shall be placed at ground level with a maximum height of four feet and be no larger than three feet by four feet and shall be placed at least four feet from vehicle entrances and exits and not in the public right-of-way.</p> <p><i>Sign advertising real estate open houses shall be placed at ground level with a maximum height of four feet and be no larger than three feet by four feet and shall be placed at least four feet. Such signs may be placed off the site on private property for the purpose of advertising that the subject property is open for inspection. One additional such sign may be displayed on the premises that is open for inspection.</i></p> <p><i>Portable signs shall only be permitted from dawn until dusk.</i></p> <p>Planning Commission approval is required. A sign permit is required.</p>
Signs in General	Any sign which is not listed under permitted or prohibited signs (Section 17.59.160 and this section, respectively) shall be considered individually by the Planning Commission pursuant to Section 17.59.210 , who shall determine whether the sign falls in the permitted or prohibited category.

Permitted Sign	Description and Conditions
	<p>If the Planning Commission determines that such sign falls in the permitted category, permission to display such sign, signs or signing program shall be granted subject to any and all conditions the Planning Commission may find necessary to achieve the spirit, purpose and intent of this Chapter.</p> <p>The conditions of approval may include but not be limited to requiring Planning Commission approval and a sign permit.</p>
Flags	<p>Flags of any government entity are permitted. A sign permit is not required.</p> <p>Flags announcing commercial or business identity must receive Planning Commission approval and a sign permit.</p>

17.59.180 - Sign regulations for commercial and industrial districts C-1, C-2, P-C, L-M and M districts.

A. Sign Area. One and one-half square feet are permitted for every foot of primary business frontage to a maximum of 100 square feet per business. One-half square foot is permitted for every foot of secondary business frontage to a maximum of 25 square feet for each secondary business frontage.

B. Number of Signs. No more than two signs may be permitted per business, unless otherwise approved by the Planning Commission. Under canopy signs are not counted for the purposes of this Section.

C. Type of Signs. Any sign specified under Section 17.59.170, may be displayed in accordance with the provisions of this Chapter.

D. General Provisions. All signs and signing programs specified below shall be subject to review and approval by the Planning Commission and shall require a sign permit.

1. Shopping centers may be permitted to erect a free-standing identification sign which may also indicate the principal tenant and other services available on the site. Said sign shall be located adjacent to the principal street frontage and shall not

exceed 100 square feet in area or 25 feet in height. If the shopping center has more than one principal street frontage, two such signs may be permitted. The sign area and sign height specified in this Section are the maximum limits and the Planning Commission reserves the right to approve lesser sign area or height.

2. Industrial parks containing more than four buildings designed to be architecturally compatible, whether or not on the same parcel of land, shall be permitted to place monument signs along, at, or adjacent to principal entrances to the park. Such signs shall not exceed 200 square feet or ten feet in height. The actual size, height and number of signs shall be specified by the Planning Commission.

3. Real estate signs shall be permitted ~~subject to the provisions as~~ **conditioned in** of Section 17.59.240 **080**.

E. Master Signing Program Approval Required. Any and all commercial, office or industrial developments designed to contain more than four occupancies, businesses or buildings are required to obtain approval of a master signing program from the Planning Commission. Said master signing program plans must be prepared, reviewed and approved by the Planning Commission prior to the issuance of any occupancy permit in the development. Plans for the master signing program shall include specifications, descriptions and locations of all signs to be displayed on the site including, but not limited to, advertising, identification, directional and public service signs. The Planning Commission may approve, conditionally approve or modify said plans in order to ensure that the master signing program is in accordance with the purpose, spirit and intent of this Chapter. Any decision of the Planning Commission on a master signing program may be appealed to the City Council. Appeals shall be in writing and shall be filed with the City Council within 20 days of the decision.

Approved master signing programs may be modified from time to time by the Planning Commission or by the City Council through the appeal process.

17.59.190 –~~Sign~~ Regulations for residential districts R-1 and, R-2 districts.

A. Single Family Dwellings, Duplexes, Triplexes, and Fourplexes. One nameplate not exceeding three square feet per dwelling. Planning Commission approval is not required. A sign permit is not required.

B. Multiple Family Dwellings. Dwellings containing more than four dwelling units may be permitted a maximum of two signs, each containing a maximum of 30 square feet. Planning Commission approval is required. A sign permit is required.

~~C. Church Signs. Same as Section B above.~~

~~E C. Public, Quasi-Public, Halls, Organizations, Clubs, Lodges and All Similar Uses. Same as Section B above.~~

~~ED.~~ Nonresidential uses not otherwise specified herein including, but not limited to, hotels, motels, professional offices, and other non-residential uses that may be permitted in residential zoning districts. Signs for such uses shall be regulated by Section 17.59.180.

~~FE.~~ Real Estate Signs. Real estate signs shall be permitted ~~subject to the provisions as conditioned in~~ of Section 17.59.210 **080**.

~~GF.~~ All signs not permitted by subsections (A) through (~~FE~~) above or regulated ~~elsewhere in this Chapter by section 17.59.220~~ are prohibited.

17.59.200 – Sign ~~r~~ Regulations for districts other than commercial, industrial, and residential.

~~A.~~ All signs, ~~other than real estate signs which are regulated in Section 17.59.210 and those regulated by section 17.59.220,~~ shall require approval by the Planning Commission **pursuant to Section 17.59.210**, or the City Council through the appeal process. ~~Appeals may be made of any decision of the Planning Commission as specified in Section 17.59.040. No sign shall be approved unless and until a finding is made that the proposed sign is consistent with the purpose, spirit and intent of this Chapter.~~

17.59.210 — Real estate signs.

~~1.~~ The following regulations shall apply to real estate signs in the City of Del Rey Oaks.

~~A. Sale, Rental or Lease Signs. Except as provided in Section 17.59.210 (D) any property being advertised for sale, rent or lease may have one temporary (30-day) sign on the property. Such sign shall not exceed 12 square feet in area. Planning Commission approval is not required. A sign permit is not required.~~

~~B. Subdivision Signs. In the subdivision of land, the land being subdivided may have no more than two signs posted upon it advertising the subdivision. Each sign shall not exceed 32 square feet in area. Planning Commission approval is not required. A sign permit is required.~~

~~C. Under Construction Signs. Under construction signs shall not exceed 20 square feet in area. No more than one such sign shall be permitted. Planning Commission approval is not required. A sign permit is required. Such signs may only be in place during actual construction.~~

~~D. Portable, Temporary (30-Day) Signs Displayed on Private Property. In advertising a property for sale, rental or lease, a portable sign, not exceeding six square feet in area may be placed off the site on private property for the purpose of advertising that the subject property is open for inspection. One additional such sign may be displayed on the premises~~

~~that is open for inspection. Such signs shall only be displayed when the premises are open for inspection and Planning Commission approval is not required. A sign permit is not required.~~

~~E. Model Home Signs. Signs identifying model homes may be displayed on the property upon which the model homes are located. Such signs shall be located adjacent to the entrance of the model home. Such signs shall not exceed eight square feet in area nor three feet in height. Planning Commission approval is not required. A sign permit is not required.~~

~~F. General Provision. Any signs not specifically permitted under the provisions of Section 17.59.210 are prohibited unless and until a sign permit is secured from the City Clerk.~~

17.59.210 - Signs not otherwise regulated; Sign Permit and Planning Commission Review.

Upon application to the Planning Commission for a sign permit, any sign(s) not otherwise regulated by this Chapter may be allowed upon application to the Planning Commission so long as the Planning Commission finds that:

- 1. The sign(s) will not materially conflict with the character of the neighborhood in which it will be displayed; and***
- 2. The value of property in the zone will not be significantly decreased by the erection or maintenance of the sign(s).***
- 3. A finding is made that the sign(s) will better achieve the purpose and objectives of this chapter than the strict application of said sign regulation.***

~~A. General Provisions. The following provisions apply to all signs not otherwise regulated by this chapter, including, but not limited to, those expressing a political, religious, or sociological viewpoint, including election signs:~~

~~1. No such sign shall be located upon any public street, alley, sidewalk, right-of-way, easement, or other governmental property.~~

~~2. All such signs shall be erected, altered and maintained in accordance with the Uniform Building Code and the safety provisions set forth in Section 17.59.110 of this chapter.~~

~~3. All such signs must be stationary and unlighted.~~

~~4. Such signs shall be freestanding, except in the R-1 District said signs may be either attached to the outside of a window or wall of a building. Any freestanding sign shall be located at least five feet from any property line and may not encroach upon required parking or driveways.~~

~~5. The posting of any sign regulated by this section shall not in any way affect a property owner's right to erect signs permitted by other provisions of this chapter.~~

~~6. Planning Commission approval is not required. A sign permit is not required.~~

~~7. Consent of Owner or Occupant. No sign regulated by this section may be posted without the consent of the owner or legal occupant of the premises on which the sign is posted.~~

~~8. Area of Signs. No sign regulated by this section shall exceed 32 square feet of sign area.~~

~~9. Signs in the R-1 District. The total area of all signs regulated by this section on any one property in the R-1, single-family residential district shall not exceed eight square feet. However, in this district, the number of such signs on any one property is not limited, provided the total area of all signs does not exceed eight square feet.~~

~~10. Signs in All Districts Other Than the R-1 District. In all zoning districts except the R-1 district, signs regulated by this section shall be placed only upon those vacant portions of a property which are not covered by structures, landscaping, parking areas or driveways, with the signs on any one property which includes at least 4,000 square feet of said vacant area to be limited to not more than one square foot of sign area for each 125 square feet of said vacant area. For properties which include less than 4,000 square feet of vacant area, each such property shall still be allowed up to 32 square feet of sign area without the need to satisfy the previous sentence's restriction that signs be allowed only upon vacant areas and with no limitation upon the number of signs composing the 32 square feet.~~

~~11. Time Limitations. Signs regulated by this section may be posted not more than 60 days prior to an event to which they pertain. All such signs must be removed within five days after the event to which they pertain or within 65 days of their initial posting whichever occurs first.~~

~~12. Responsibility for Removal. It shall be the property owner's responsibility to remove all signs regulated by this section within the time limitations specified above, whether or not the owner has consented to the posting or construction of such signs.~~

~~B. Greater Sign Area and Time limitations Allowable Pursuant to Use Permit and Planning Commission Approval.~~

~~1. Upon application to the Planning Commission for a use permit, a sign area greater than otherwise allowed by this section may be allowed so long as the Planning Commission finds that:~~

~~a. The sign will not materially conflict with the character of the neighborhood in which it will be displayed; and~~

~~b. The value of property in the zone will not be significantly decreased by the erection or maintenance of the sign.~~

~~2. Use permits for such signs shall be granted for a period of not more than one year.~~

17.59.220 - Maximum Total Sign Area

A. Signs in the R-1 District. *The total area of all signs – temporary and permanent - regulated by this Chapter on any one property in the R-1, single-family residential district shall not exceed 160 square feet. However, in this district, the number of such signs on any one property is not limited, provided the total area of all signs does not exceed 160 square feet.*

B. Signs in All Districts Other Than the R-1 District. *In all zoning districts except the R-1 district, signs on any one parcel with at least 4,000 square feet shall be limited to not more than 250 square feet of total area for all signs. For parcels of less than 4,000 square feet shall be limited to not more than 200 square feet of total area for all signs.*

17.59. 230 - Sign Variance

A. Purpose and intent. *The purpose of the sign code variance procedure is to recognize unique situations that limit the view of a permitted sign and provide a reasonable alternative to the sign placement or location.*

B. Applicability. *When the strict or literal interpretation or enforcement of the regulations of this Chapter would result in practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of this Chapter, the Planning Commission shall have the authority to grant a variance from the following provisions of this sign code:*

1. Sign height, *provided that the sign may not be raised more than twenty-five percent above that which would otherwise be permitted; and*

2. Sign area, *provided that the sign may not be increased in area more than twenty-five percent above that which would otherwise be permitted; and*

3. Sign location, *provided that no more than two legally permitted signs are located along any one building frontage.*

C. Required Findings. *In reviewing a sign variance request, the Planning Commission shall consider and clearly establish the following findings of fact regarding the request sign variance:*

1. it will not endanger the public health, safety or general welfare;

2. it will not injure the value of adjoining or abutting property;

3. it will not result in any significant environmental impacts;

4. it will be in harmony with the area in which it is located;

5. it will be in conformity with the zoning ordinance, general plan and/or specific plan; and

6. for applications regarding commercial signs, it will not grant or constitute a special privilege to the applicant over other similarly situated businesses.

D. Conditions. The Planning Commission may condition its approval, and such conditions may be in addition to those allowed pursuant to this Chapter.

E. Applicability of Chapter. All other applicable provisions of this Chapter shall apply to any sign variance granted pursuant to this Section, including, without limitation, construction standards, design standards, and safety standards.

F. Appeal. Any decision of the Planning Commission regarding a sign variance may be appealed, in writing, to the City Council within 20 days of the decision.

~~17.59.230 - Neighborhood signs.~~

~~Signs identifying a neighborhood or development not exceeding 50 square feet in area, may be permitted. Planning Commission approval is required. A sign permit is required.~~

~~17.59.240 - Service stations.~~

~~In addition to the signing permitted under Section 17.59.180, service stations may be permitted to display two additional signs each of which shall not exceed 16 square feet. Such signs shall be permanently affixed to the ground or a structure. Planning Commission approval is required. A sign permit is required.~~

~~17.59.250 - Highway signs.~~

~~Commercially zoned properties having frontage on Highway 218 and Highway 68 are hereby declared to be sites of special significance and any and all signs and signing programs shall be approved by the Planning Commission or the City Council on appeal. In considering a sign or signing program for a site of special significance, the following items shall be considered: the signing needs of the proposed use; the location of the site in relation to highway access; the responsibility of the City to protect and preserve the natural beauty of Highway 218 and Highway 68 while balancing the City's need for a healthy highway-oriented visitor-serving industry. Any decision of the Planning Commission concerning a site of special significance may be appealed, in writing, within 20 days of the decision of the Planning Commission.~~

~~17.59.260 - Signs for advertising purposes.~~

~~Unless otherwise provided in this Chapter, no permanent sign shall be erected, constructed, placed, tacked, fastened, displayed, painted, posted, printed or otherwise where more than 25 percent of the area of such sign is used for advertising purposes. Seventy five percent of the~~

~~area of such signs shall be used solely for naming, designating or identifying the enterprise or calling.~~

~~17.59.270 - Historic signs.~~

~~Signs in historic areas and on historic buildings shall be minimized and shall be appropriate to the an historic setting.~~

~~17.59.280 240- Severability.~~

If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion is a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

~~17.59.290 250- Repeal provision.~~

Any and all other sign regulations contained in Title 17, Zoning, of the City of Del Rey Oaks Municipal Code in conflict with this Chapter are hereby repealed.

SECTION 3. Environmental Determination. The City Council finds the enactment of this ordinance is not subject to the California Environmental Quality Act (CEQA) as it is not a project pursuant to Guidelines Section 15378 because it has no potential for resulting in physical change to the environment directly or indirectly. In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 4. This ordinance shall take effect thirty (30) days following its final adoption.

SECTION 5. Severability. 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 6. Publication. The City Clerk of the City of Del Rey Oaks, California, is hereby directed to publish in a newspaper of general circulation.

INTRODUCED AND APPROVED by the City Council of the City of Del Rey Oaks, California, at its regular meeting held on the 28th day of April 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ALISON KERR, Mayor

ATTEST:

DANIAL PICK, City Clerk



CITY OF DEL REY OAKS

650 CANYON DEL REY RD. O DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 O FAX (831) 394-6421

Date: April 28, 2020
TO: Honorable Mayor and Members of the City Council
FROM: Danial D. Pick, City Manager
SUBJECT: Receive a Report on Impact of COVID-19 Pandemic on the City's 2019-2020 Budget and Consider Deferral of Cannabis Business Tax during the Emergency Period.
CEQA: This action does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) guidelines section 15378 as it is an organizational activity of the City that will not result in direct or indirect physical changes in the environment.

Recommendation

Receive a presentation on the impact of the COVID-19 pandemic on the City's 2019-2020 budget and consider deferring cannabis tax payments during the declared state of emergency period.

Background

The sound measures put in place to slow the spread of the COVID-19 pandemic have had a profound economic impact. The City Council acted quickly to protect individuals and businesses from eviction during the declared state of emergency period. Federal, State and County governments have taken action to help relieve the economic impact of the pandemic and associated public health measures through legislation and executive order. With the future full of uncertainty, Cities throughout the County are assessing the impact on their municipal budgets and taking actions to sustain municipal functions while reducing costs. The purpose of this report is to describe the pandemic's revenue impacts on the City's 2019-2020 budget, describe the City's plan to reduce expenditures for the remainder of the fiscal year, and to recommend temporary relief of cannabis business tax for local businesses.

Summary & Discussion

Estimated Revenue Loss and Deferral:

Category	Lost Revenue	Deferred Revenue	Total Lost/Deferred
Transient Occupancy Tax	2,500		2,500
Rent		21,000	21,000
Sales Tax	50,000	45,000	95,000
Plan Check and Permit Fees	28,000		28,000
Subtotal	80,500	66,000	146,500
Cannabis Revenue (if approved)		210,000	210,000
Total	80,500	276,000	356,500

Staff anticipates a loss of \$2,500 in TOT due to the impact of the Shelter in Place order on short term rentals in the City.

With regard to loss of rent revenue, the City has contacted both City tenants to inform them of the urgency ordinance adopted by City Council last month. Both tenants will likely avail themselves of the relief granted in the ordinance and defer rent payments accounting for a \$21,000 deferral of rent revenue to the City.

The Governor has issued executive orders allowing small businesses to defer sales tax payments for up to 12 months. Regardless of the deferral, many businesses are seeing reductions of sales to varying degrees, which will result in lost sales tax revenue to the State and City. Staff has worked diligently to determine the scope of the sales tax deferral and loss to the City. Our best current estimate is that the City stands to lose \$50,000 in sales tax and see \$45,000 in sales tax deferred to fiscal year 2020-2021. The total lost and deferred TOT, rent and sales tax is estimated to be \$131,000 for the remainder of this fiscal year.

Staff anticipates a loss of \$28,000 in plan check fees and building permit fees due to the Shelter in Place order and its effect on construction.

Cannabis Business Tax (CBT) Deferral

Two of the City's four cannabis businesses have requested temporary relief from Cannabis Business Tax (CBT). Staff estimates a total deferral of all remaining CBT for the fiscal year to total \$210,000. Staff recommends that businesses in good standing be allowed to defer CBT during the declared state of emergency period. Following the expiration of the state of emergency period, monthly CBT payments resume in accordance with the City's ordinance. Businesses would have 120 days from the end of the declared state of emergency period to pay all deferred tax.

Estimated Cost Avoidance and Savings:

Payroll	108,950
Supplies and Operations	37,000
Consultants	48,480
Capital Projects	310,000
Total	504,430

The City implemented cost control measures immediately upon implementing COVID-19 related health protocols including release of the City's part-time administrative employee, reduction in overtime, and postponement of contract execution for Capital Projects. Staff conducted a detailed review of the City budget to determine maximum cost avoidance possible given shelter in place conditions while preserving core municipal functions.

Payroll savings is due to one current vacancy in our Police Department, the release of our part-time employee, savings in dental insurance costs, and reductions in overtime and Police reserves.

Supplies and Operations cost savings are from a variety of budget lines including training, supplies, recruiting, etc. These savings are possible with the understanding that they are temporary for the state of emergency period.

Consultant cost savings resulted primarily from project management functions being taken over by the City Manager, and Chief of Police acting in an Assistant City Manager capacity.

Capital Projects costs savings include delaying \$180,000 (\$200,000 budget less \$18,052 paid YTD for engineering) for slurry sealing our streets, \$80,000 to install solar panels on City Hall, and \$50,000 to pay for the design of the sewer line on South Boundary Road.

The result was a total estimated cost avoidance and savings of \$504,430 for the last four months of the fiscal year (March-June 2020). Staff is implementing the cost reductions in payroll, supplies and operations, and consultant costs. Capital Projects are currently on hold, but not cancelled. Should staff recommend cancellation of one or more Capital Projects we will return to Council for authorization to do so. Total estimated cost savings and avoidance exceed anticipated revenue losses and deferral. However, staff anticipates revenue shortfalls in the coming fiscal year as the economic impacts of the pandemic continue to be felt. Savings from this fiscal year will help balance the budget next year as we better understand the longer-term fiscal impacts of the pandemic. Staff does not recommend using any of the City's Economic Uncertainty Reserve at this time. Should the downturn prove longer and deeper, staff may suggest using the Economic Uncertainty Reserve when absolutely necessary.

Fiscal Impacts

Staff estimates a reduction of \$356,500 in estimated revenue for this fiscal year. Staff is taking steps to reduce expenses by \$504,430. This results in a net increase in fund balance of \$175,930 which will be needed to balance the FY 20-21 budget as the State is now in what the Governor Newsom calls a pandemic-induced recession.

Recommended Action

Receive a presentation on the impact of the COVID-19 pandemic on the City's 2019-2020 budget and consider adopting a resolution to defer cannabis tax payments during the state of emergency period.

ATTACHMENTS:

Resolution 2020-09 Authorizing Deferral of Cannabis Business Tax during the Emergency Period.

Respectfully submitted,

Dino Pick
City Manager

RESOLUTION NO. 2019-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS TEMPORARILY DEFERRING COLLECTION OF CANNABIS BUSINESS TAX DUE TO THE COVID-19 PANDEMIC

RECITALS

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “coronavirus disease 2019,” abbreviated COVID-19, (“COVID-19”); and

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

WHEREAS, on March 17, 2020, the City Manager proclaimed the existence of a local emergency to ensure the availability of mutual aid and to empower an effective response to the COVID-19 pandemic; and

WHEREAS, the Centers for Disease Control and Prevention, the California Department of Health, and the Monterey County Department of Public Health have all issued recommendations including but not limited to social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, as a result of the public health emergency and the precautions recommended by health authorities, many businesses in the City of Del Rey Oaks have experienced, or expect soon to experience, sudden and unexpected income loss; and

WHEREAS, pursuant to Del Rey Oaks Municipal Code Chapter 4.07 “Cannabis Business Tax,” the City of Del Rey Oaks imposes a revenue raising tax on cannabis businesses in the City; and

WHEREAS, the Cannabis Business Tax is imposed only on cannabis businesses in the City, who, like most businesses in the City, have experienced, or expect soon to experience, sudden and unexpected income loss; and

WHEREAS, the City wishes to temporarily defer collection of the Cannabis Business Tax during the COVID-19 pandemic to assist cannabis businesses in the City; and

WHEREAS, the actions contemplated in this Resolution do not constitute a “Project” as defined by the California Environmental Quality Act.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF DEL REY OAKS, STATE OF CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1. RECITALS. The above recitals are true and correct, and incorporated herein.

SECTION 2. DEFERRAL OF CANNABIS TAX PAYMENT. Effective May 1, 2020, all payments of the Cannabis Business Tax imposed by Chapter 4.07 of the Del Rey Oaks Municipal Code shall be deferred, without penalty, during the State of Emergency proclaimed by the City Manager of the City of Del Rey Oaks.

SECTION 3. COLLECTION OF DEFERRED AMOUNTS. All Cannabis Business Tax payments deferred pursuant to this Resolution shall be immediately payable within 120 days after the State of Emergency has expired. No interest or penalty shall be imposed on any Cannabis Business Tax for which collection was deferred pursuant to this Resolution.

SECTION 4. AUTOMATIC EXPIRATION. The deferral of payment of Cannabis Business Tax provided for in this Resolution shall automatically expire upon the expiration of the State of Emergency proclaimed by the City Manager.

SECTION 5. CITY MANAGER AUTHORITY. The City Manager is directed and empowered to take all reasonably necessary steps to effectuate the actions contemplated by this Resolution.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

INTRODUCED AND PASSED at a regular meeting of the Del Rey Oaks City Council duly held on April 28, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Alison Kerr, Mayor

Danial D. Pick, City Clerk

{AJL-00981261;1}

**TRIP REPORT
For Mayor Kerr**

Local Government Commission - lgc.org
Yosemite Policymakers Conference
"The Great Pivot: California at the Crossroads"
March 5 - 8, 2020 in Yosemite

Approximately 135 California civic leaders attended the 29th annual conference. Other local leaders in attendance: Supervisor Jane Parker, Asst. to Supervisor Parker Wendy Root Askew, Watsonville Mayor Pro Temp Trina Coffman-Gomez, Seaside Councilmembers Jason Campbell and Alissa Kispersky.

Conference Speaker Highlights:

Transportation

Transportation is the largest greenhouse gas emission producer. Alternative transit must be competitive with the automobile for ease, cost and availability. A few ways to accomplish this are:

- Flexible fleets - smaller, shared and autonomous
- Complete Corridors - focus on multi modal options to include safe walking and bike lanes, bus, and rail.
- Transit Leap - must have alternatives to the automobile
- Mobility Hubs - create them close to where people live and work

Housing

Leaders need to focus on density, not sprawl.

While the need is significant, the funding for affordable housing support has not kept up with demand. The increase in Homelessness is tied to the significant defunding over many years of Housing and Urban Development (HUD).

Accessory Dwelling Unit (ADU) ideas for cities include:

- provide an ADU kit, including free approved plans and less expensive permits
- affordable ADU programs offer \$10k loans in exchange for 10-year affordable rental rates

Homelessness

Founded in Palo Alto in 2005, Downtown Streets Team (Streetsteam.org) is a work program for those experiencing homelessness. Team members work on beautification projects such as street and encampment cleaning and creek restoration in exchange for non-cash, basic needs stipends, e.g. bus passes, gift cards. Team members also get involved with case management to survey their needs. With successful participation, team members are exposed to housing and job opportunities.

Of note: The most requested items from people experiencing homelessness are socks, undergarments and hygiene products.

Energy

- Solar and Storage Islanding, where power continues when the grid is down, is proving advantageous due to public safety power shutoffs (PSPS). A microgrid can operate in either grid-connected or island mode. This will be very important to address increased climate related emergencies and disasters. One project that successfully created islanded electricity for a city in Washington State was highlighted. The local coal plant was to be shut down. Approximately 50% of those that would be laid off live in the working-class city. The project brought together housing advocates, climate advocates, utilities, schools and organized labor. Funding came from local, state, and federal sources. In addition to providing safer and cleaner power for the community, the multi-disciplinary group created curriculum for K-12 and the local community college as well as vocational training for the former coal plant workers.
- Community Choice Aggregate (CCA) - California has experienced significant growth of CCAs. One of the recent concerns is the already purchased nuclear energy from Diablo nuclear plant, which is scheduled to close in 2025. CCAs must decide if they want to take this electricity into their short-term portfolios.
- PG&E - Sam Liccardo, Mayor of San Jose is leading a charge to take over PG&E. The idea is to remove their profit motive by making the new organization publicly owned, have them focus solely on poles/wires (exit retail) and be run by a corporate board, versus electeds. Must increase electricity generation with more solar, wind and landfill gas.

Recovery & Resilience and Developing Emerging Leaders

Cities need to invest in capacity and infrastructure. Leaders need to unite and empower our residents and businesses by calling on them to serve and prepare. Some current programs include:

- Community Emergency Response Teams (CERT) - montereycert.org - the City of Monterey offers no-cost classes twice a year.
- AmeriCorp - <https://www.nationalservice.gov/programs/americorps>
- Civic Spark - <https://civicspark.lgc.org/> - A governor's initiative AmeriCorp program run by the organization that led the conference.
- CalVolunteers.org

Climate change

Climate change and its resultant weather-related disasters and the need for strong leadership choices ran through each and every topic that was discussed.

I enjoyed the opportunity to learn how other cities and regions are tackling the significant issues of our time. My hope is that Del Rey Oaks may be able to implement several of these ideas.

Kim Carvalho

From: Louise Goetzelt
Sent: Tuesday, April 14, 2020 4:47 PM
To: Dino Pick
Cc: Kim Carvalho; Karen Minami
Subject: Notes from Northern Salinas Valley Mosquito Abatement District (NSVMAD) Meeting(s)

Hi,

I hope this finds all of you well.

There is no AMBAG meeting this month (April).

The 25 Mar 2020 United Veterans Council for Monterey County and the 2 Apr 2020 Ft Ord Area Retired Soldiers Council meetings were cancelled.

There was a short "Zoom" meeting on 30 March, mainly to help board members familiarize with the "Zoom" teleconferencing processes.

On 14 Apr 2020, the regularly scheduled NSVMAD board meeting was held, via "Zoom" teleconference.

The board approved the projected revenues and FY 2021 budget.

The board approved the up-dated policy book (with minor clarification).

The board approved a contract with Whitson Engineering for Civil Engineering and Land Surveying Services for the new district headquarters located at 926 Gabilan Park Place (aka 926 E Blanco Rd) Salinas.

The board approved a contract with Nunno Steel Corp. for two steel service buildings at the new headquarters.

It was decided to table the contract with a new auditing firm until next month, pending some contract language clarification.

Operational Matters: The district's services are considered "essential" to health, and therefore it continues to respond to requests for services as well as for mosquito fish. Most requests for services and fish are via phone or internet. Fish can be picked up at the current HQ with no contact; they are placed in a bag, which is wiped down and placed on the HQ entry patio. The district has purchased a new drone to replace the damaged one. The settlement of the insurance claim for the damaged one is pending.

Submitted y/r

Louise Goetzelt



MST HIGHLIGHTS

April 13, 2020

APRIL EMPLOYEE OF THE MONTH

The MST Board unanimously adopted Resolution 2020-19 recognizing Leticia Trevino as the April 2020 Employee of the Month for her outstanding contribution to MST and to the entire community.

COACH OPERATOR EXCELLENCE AWARD

The MST Board recognized Humberto Hernandez as the 2019 recipient of the General Manager Coach Operator Excellence Award for Safety, Attendance, On-time Performance, and Customer Service.

MEASURE Q OVERSIGHT COMMITTEE APPOINTMENT

The MST Board unanimously approved the appointment of committee member, Fernando Munoz to the MST Measure Q Oversight Committee.

COVID-19 INCIDENT RESPONSE UPDATE

The MST Board received a report from the General Manager on activities related to COVID-19 pandemic incident response recovery and provided direction.

APPROVED FY 2020 LCTOP PROGRAM PROJECTS

The MST Board unanimously approved resolution 2020-21 authorizing the certification and assurances, agent forms and execution of the Low Carbon Transit Operations Program (LCTOP) Projects for FY 2019/2020.

NEXT MST BOARD MEETING

The next MST board meeting will be held on May 11, 2020.

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

www.tamcmonterey.org

HIGHLIGHTS

March 25, 2020



TAMC Board of Directors Convenes Virtual Meeting

In response to Governor Newsom Executive Order on March 12, 2020, which enhances State and Local Governments' ability to respond to COVID-19 Pandemic based on Guidance for Gatherings issued by the California Department of Public Health; and specifically allows local legislative bodies to hold meetings via teleconference, the TAMC Board meeting was held via a Zoom conference call.

The meeting was accessible electronically and members of the public were encouraged to download the app at: <https://zoom.us/download>. A link to simplified instructions for use of the Zoom app was also provided: <https://blog.zoom.us/wordpress/2018/07/03/video-communications-best-practice-guide/>

As Board Chair Alejo convened the meeting, he asked for patience and said that this would probably become the norm for some time. At the end of the meeting, he noted that the meeting via teleconferencing allows the Board to continue to do the people's work during the Covid-19 pandemic.

TAMC Board Certifies Final FORTAG Final Environmental Document

The TAMC Board of Directors took several actions that will allow the Transportation Agency to advance the development of the Fort Ord Regional Trail and Greenway (FORTAG) project.

During the meeting, the Board:

- certified the Final Environmental Impact Report
- adopted the Mitigation Monitoring and Reporting Plan
- adopted the findings in the compliance with Public Resources Code Section 21081 and California Environmental Quality Act Guidelines Section 15091; and,

- approved the Master Agreement between the partnering agencies defining roles and responsibilities for construction and maintenance for the proposed 28-mile FORTAG project.

As a result of these actions, the Transportation Agency will submit their allocation request of \$1.8 million for grants secured through the leveraging of local Measure X funds to the California Transportation Commission. These grants will be used for the design/engineering and right-of-way acquisition for phase 1 of the Canyon Del Rey/State Route 218 segment of the proposed 28-mile project. The total amount for the entire phase of the Canyon Del Rey/State Route 218 segment is expected to be \$11 million in grant funds, leveraged by \$2.4 million of Measure X funds.

The FORTAG project proposes to construct a continuous 12-foot wide paved bicycle and pedestrian trails that will connect the Monterey Peninsula cities from the existing Monterey Bay Coastal Trail to the California State Monterey Bay University campus through the former Fort Ord open space area.

The full environmental impact report is available at www.tamcmonterey.org/measure-x/programs-projects/fort-ord-regional-trail-greenway/.

The Master Agreement is between the Transportation Agency, the County of Monterey, the cities of Seaside, Marina, Monterey, Del Rey Oaks, California State University, Monterey Bay, University of Santa Cruz, and the Monterey Peninsula Regional Park District.

TAMC Board Authorizes a Call for Projects for Competitive Grant Funds

The Transportation Agency Board of Directors approved the release of an estimated \$12.2 million in competitive grant funds for transportation projects over the next three years. The projects competing for these funds will be based on a variety of criteria, including safety, traffic volume and project deliverability. With the Board's authorization, the Transportation Agency will begin a new grant cycle, with the release of grant applications materials.

Funding for the competitive grants includes \$9.36 million of Regional Surface Transportation Program funding, \$750,000 of Transportation Development Act 2% funds, and potentially an additional \$2.1 million to be funded with any deprogrammed funds from the last competitive grants cycle.