

AGENDA
REGULAR MEETING OF THE
CITY OF KING CITY COUNCIL
AND
Sitting as SUCCESSOR AGENCY OF
THE RDA FOR THE CITY OF KING

TUESDAY MAY 8, 2018
6:00 P.M.

CITY HALL
212 S. VANDERHURST AVENUE
KING CITY, CALIFORNIA 93930

**Spanish interpretation services will be available at meeting*

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting, Please contact the City Clerk's Office (831-386-5925) at least 48 hours prior to the Meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

** Please submit all correspondence for City Council PRIOR to the meeting with a copy to the City Clerk.*

- 1. CALL TO ORDER**
- 2. ROLL CALL:** Council Members Darlene Acosta, Robert Cullen, Carlos DeLeon, Mayor Pro Tem Carlos Victoria, and Mayor Mike LeBarre
- 3. FLAG SALUTE**
- 4. CLOSED SESSION ANNOUNCEMENTS**
- 5. SPECIAL PRESENTATIONS**
 - A. Mayor's Commendation for DDS David Phillips**
- 6. PUBLIC COMMENT**

Any member of the public may address the Council for a period not to exceed *three minutes'* total on any item of interest within the jurisdiction of this Council that is not on the agenda. The Council will listen to all communications; however, in compliance with the Brown Act, the Council cannot act on items not on the agenda. Comments should be directed to the Council as a whole and not to any individual Council Member. Slanderous, profane or personal remarks against any Council Member, staff member or member of the audience is not permitted.
- 7. COUNCIL COMMUNICATIONS & COMMITTEE REPORTS**

Individual Council Members may comment on Council business, his or her Council activities, City operations, projects or other items of community interest. Council Members may also request staff to report back at a subsequent meeting on any matter or take action to direct staff to prepare a staff report for a future agenda.
- 8. STAFF COMMUNICATIONS**

Comments presented by the City Manager, City Attorney or other staff on City business and/or announcements.

9. CONSENT AGENDA

The following items listed below are scheduled for consideration as a group. The recommendations for each item are noted. Members of the audience may speak on any item(s) listed on the Consent Agenda. Any Council Member, the City Manager, or the City Attorney may request that an item be withdrawn from the Consent Agenda to allow for full discussion. The Council may approve the remainder of the Consent Agenda on one motion. Items withdrawn from the Consent Agenda may be considered by separate motions at the conclusion of the discussion of each item.

- A. Meeting Minutes of April 24, 2018 Council Meeting
Recommendation: approve and file.
- B. City Check Register
Recommendation: approve and file.
- C. Consideration: Second Reading and Adoption of an Ordinance of the City Council of the City of King Amending Section 9.08.010 of Chapter 9.08 of Title 9 of the King City Municipal Code Governing Dogs Running at Large within the Boundaries of the City of King
Recommendation: conduct the Second Reading, by title only, and adopt an Ordinance amending Municipal Code Section 9.08.010 to require all dogs on public property to be on leash.
- D. Consideration: Economic Development Strategy
Recommendation: 1) approve the proposed Economic Development Strategy; and 2) direct staff to update the City's Economic Development Element to be consistent with the Economic Development Strategy.
- E. Consideration: Resolution Opposing the Tax Fairness, Transparency and Accountability Act of 2018
Recommendation: adopt a Resolution in opposition to the Tax Fairness, Transparency and Accountability Act of 2018.
- F. Consideration: Proposal to City of Del Rey Oaks to Participate in King City Power
Recommendation: authorize Pilot Power Group, Inc. to submit a proposal to the City of Del Rey Oaks to participate in King City Power.

10. PUBLIC HEARINGS

- A. Consideration: Introduction of an Ordinance of The City Council of The City of King Amending Chapter 15.50 of Title 15 of The King City Municipal Code Pertaining to Water Efficient Landscape Requirements, provisions related to landscape and improvements in water quality and adopting by reference the Model Water Efficient Landscape Ordinance of the State of California.
Recommendation: introduce an Ordinance amending Municipal Code Section Chapter 15.50 of Title 15 pertaining to Water Efficient Landscape Requirements, provisions related to landscape and improvements in water quality and adopting by reference the Model Water Efficient Landscape Ordinance of the State of California to be read by title only, open the hearing, allow for public testimony, close the hearing, waive first reading of the Ordinance, and approve the introduction of the Ordinance.

- B. Consideration: Adoption of An Interim Urgency Ordinance Extending A Moratorium on The Issuance of Any New Permit for The Establishment of or Conversion to Seasonal Employee Housing Within the City of King for 10 Months and 15 Days

Recommendation: conduct a public hearing to consider adoption of the attached proposed interim urgency ordinance extending the moratorium on the issuance of any new permit for the establishment of or conversion to seasonal employee housing in the City of King ("City") for a period of ten (10) months and fifteen (15) days, and thereafter adopt the proposed ordinance.

11. REGULAR BUSINESS

- A. Consideration: Sales Tax Ballot Measure Sunset Clause
Recommendation: provide direction to staff on whether to include a sunset clause in the sales tax ballot measure and the length if one is included.

12. CITY COUNCIL CLOSED SESSION

Announcement(s) of any reportable action(s) taken in Closed Session will be made in open session and repeated at the beginning of the next Regular City Council meeting as this portion of the meeting is not recorded.

1. Liability Claims, by Jose Luis Oseguera Briseno and Anna Ferreira Jimenez
Claim against City of King
Gov. Code Section: 54956.95
2. Liability Claims, by Jose Hugo Garcia
Claim against City of King
Gov. Code Section: 54956.95

13. ADJOURNMENT

City of King

PROCLAMATION

Honoring

Dr. David Phillips

May 8th, 2018

WHEREAS, in March 2018, Dr. David Phillips retired from his dental practice in King City after 40 years of dedicated service to the community; and

WHEREAS, Dr. Phillips has earned a reputation for providing outstanding dental care, treating his patients with friendliness and compassion, and earning the trust and admiration of his patients and others throughout King City; and

WHEREAS, Dr. Phillips' dental practice has been a valued business to the community that will be dearly missed by his loyal patients; and

WHEREAS, Dr. Phillips has been a valued citizen and well respected by the community; and

WHEREAS, Dr. Phillips has also unselfishly served the community through his involvement and leadership with the Grace Lutheran Church Solid Rock Youth Group, yearly trips to Mexico, the Lockwood 4-H Club, and the Stage Hands; and

WHEREAS, Dr. Phillips is also known as an accomplished cyclist and avid Dodgers fan.

NOW, THEREFORE, BE IT PROCLAIMED on behalf of the City Council of the City of King that we honor Dr. David Phillips for his many years of dedicated service to King City, express our sincerest appreciation for all his contributions to the community, and congratulate and extend our best wishes for a retirement full of happiness with his friends and family.

Mike LaBarre, Mayor

**City Council Meeting
April 24, 2018**

1. CALL TO ORDER:

Regular Meeting called to order at 6:01pm by Mayor LeBarre.

Mayor LeBarre opened the meeting in honor of Elias DeLeon and Margaret Raschella.

2. FLAG SALUTE:

The flag salute was led by Council Member DeLeon

3. ROLL CALL:

City Manager Adams conducted roll call.

City Council: Darlene Acosta, Carlos DeLeon, Mayor Michael LeBarre, Mayor Pro Tem Carlos Victoria.

Council Member Robert Cullen has an excused absence.

City Staff: City Manager Steven Adams; Asst. City Attorney Roy Santos; Admin. Asst./Deputy City Clerk, Erica Sonne.

4. CLOSED SESSION ANNOUNCEMENTS:

None

5. PRESENTATIONS:

Patrick Mathews, Salinas Valley Solid Waste Authority, Update on Recycling Market Challenges

China is not going to be taking as much of the United States recycling so the contracts for the recycling are now going to go to India and Vietnam. Domestic Recycling is starting to have some positive impacts. The value of the recycling is going to go down so not as much money for recycling. It will stimulate more domestic markets. Packaging reform is happening. May take years-decades to fully reform import packaging standards, where biggest problems lie.

Mayor wanted to know if there is some way to charge them for packaging.

Kristin Skromme, Waste Management, spoke about recycling in King City.

- WM is working with customers to improve the quality of recyclable materials that we collect and/or process. We must **eliminate contamination** (trash, non-acceptable materials).
- WM is providing **education and outreach** information in collaboration with other industry stakeholders.
- WM continues to **invest in technology** at our Materials Recovery Facilities (MRFs) to process **cleaner material, more efficiently**.
- Many WM contracts include **provisions for charging** customers for excess contamination. We will **enforce** these moving forward.
We are seeking **cost recovery** as allowed, **charging for contamination**

Waste Management would like to do a post card to let people know what is acceptable and how to recycle. Costumers who contaminate their recycling with trash would get a warning, then be charged if they do it again and then take the recycle can away and give them another trash can.

Mayor LeBarre feels that new stickers need to be on top of the containers. Council Member DeLeon would like to know how they know there are contaminators. Ms. Skromme stated that their drivers will flip the lid and take a picture so they know who is being the contaminator.

Mayor Pro Tem Victoria wanted to know if the contaminator has the largest container.

Council Member Acosta is concerned about the trash being left along the roads like it used to be with this change happening.

6. PUBLIC COMMUNICATIONS:

None

7. COUNCIL COMMUNICATIONS:

Council Member DeLeon nothing at this time.

Mayor Pro Tem Victoria stated that the AMBAG meeting discussed that AMBAG has been around for 50 years. King City is getting recognition again for saving energy. Lighting changes for school districts is happening, Chalone Peaks is getting their lights changed out from funding through AMBAG.

Council Member Acosta announced that 4 Cities 4 Peace did not get the CalVIP grant.

Mayor LeBarre nothing at this time.

8. CITY STAFF REPORTS AND COMMENTS:

City Manager Steven Adams stated the City had the first 3 district meetings this past weekend. Next weekend on Sunday we have Council Member DeLeon and Council Member Cullen's districts where the Mayor will fill in for him. Cal State University at Monterey Bay will be at the Fairgrounds talking about expanding their program in our area.

Asst. City Attorney Roy Santos a case came down in December in Oakland on the municipal code. Appeals having to go to an appeals panel which may cause us to have ordinance changes.

9. CONSENT AGENDA

- A. Meeting Minutes of April 10, 2018 Council Meeting
- B. City Check Register
- C. City Monthly Treasurer's Report- March 2018
- D. Successor Agency Monthly Treasurer's Report- March 2018
- E. Public Financing Authority Treasurer's Report- March 2018
- F. Consideration: AMGEN Tour of California City Participation Agreement
- G. Consideration: FY 2018-19 SB 1 Funded Street Improvements and 5-Year Street and Sidewalk Improvement Capital Improvement Project
- H. Consideration: 10-Day Report on Interim Ordinance Establishing Moratorium on Approval of Seasonal Employee Housing Projects in FSC and C-2 Zones

I. Consideration: Broadway Street Sidewalk Improvement Project at 637 and 641 Broadway Street

Council Member Acosta pulled item G and I.

Action: Motion to approve consent agenda items A-F and H by Victoria and seconded by DeLeon.

AYES: Council Members: Mayor LeBarre, Acosta, DeLeon, and Mayor Pro Tem Victoria

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

Council Member Acosta is concerned that the Northern most part of N. Vanderhurst streets being taken off the list and put on a list for a later date.

Action: Motion to change staff's recommendation and put the end of N. Vanderhurst and Queen St back on the list in one of the next 2 rotations for a slurry seal and approve consent agenda item G by Acosta and seconded by Victoria.

AYES: Council Members: Mayor LeBarre, Acosta, DeLeon, and Mayor Pro Tem Victoria

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

Council Member Acosta recused herself for item I.

Action: Motion to approve consent agenda items I by Victoria and seconded by DeLeon.

AYES: Council Members: Mayor LeBarre, DeLeon, and Mayor Pro Tem Victoria

NOES: Council Members:

ABSENT: Council Members: Cullen, Acosta

ABSTAIN: Council Members:

Council Member Acosta returned to the meeting.

10. PUBLIC HEARINGS:

- A. Consideration: Introduction of an Ordinance of the City Council of the City of King Amending Section 9.08.010 of Chapter 9.08 of Title 9 of the King City Municipal Code Governing Dogs Running at Large within the Boundaries of the City of King

City Manager Steven Adams introduced this item.

Mayor LeBarre opened the public hearing.

Karen Jernigan spoke in support of this change to the code. She feels voice control of dogs is subjective and not enforceable. She believes the safety of the City is dependent on not allowing mean dogs terrify people. She would like to see a dog park.

Mayor LeBarre closed the public hearing.

Mayor LeBarre read the title into the record stating that the first reading is being waived.

Action: Motion to waive first reading of the Ordinance and approve the introduction of the Ordinance. by Victoria and seconded by DeLeon.

AYES: Council Members: Mayor LeBarre, Acosta, DeLeon, and Mayor Pro Tem Victoria

NOES: Council Members:

ABSENT: Council Members: Cullen

ABSTAIN: Council Members:

11. REGULAR BUSINESS:

A. Consideration: Analysis of Local Sales Tax Increase and Long Range Financial Stability Efforts

City Manager Steven Adams introduced this item.

Karen Jernigan is in support of this tax and she feels that if you tie it to something that people care about they will support it. She feels that people want to feel safe, they want to be out of debt, and getting a reserve. She favors a sales tax as the fairest tax. She favors the advisory board to keep the communication open and another way of getting people to look at the budget.

RJ Rivera supports the sales tax measure. He feels that King City is a hub for Soledad, Greenfield, Lockwood, Ft. Hunter Liggett they depend on King City for services and they should have to pay for those services. They will come here when they feel safe. They will do more of what they need to do, send their children here to school, shop here. If those services go away because the money is not there to provide them then they won't come here it impacts the surrounding area as well as the City. As well as the people traveling through need to pay their share for the services. People that we don't even see need King City and use King City.

City Council gave consensus to staff's analysis of a potential ½ cent increase to the local sales tax; directed staff to proceed with preparation of a ballot measure for the November 6, 2018; and directed staff to bring back for discussion at the next meeting sunset clause, advisory committee (keep the same for the first budget cycle and advisory committee sunsets transitions over to Budget Committee after five years), and advisory measure.

RJ Rivera stated that the way to sell this sales tax is to state that the money would be coming from people outside of King City.

Karen Jernigan wants to remind the City not to be complacent and get people out there to sell the sales tax measure to the public.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor LeBarre adjourned the regular meeting at 7:40pm in the memory of Elias DeLeon and Margaret Raschella.

Approved Signatures:

Mayor, Michael LeBarre
City of King

City Clerk, Steven Adams
City of King



KING CITY
C A L I F O R N I A

Item No. 9(B)

REPORT TO THE CITY COUNCIL

DATE: MAY 8, 2018

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: STEVEN ADAMS, CITY MANAGER

BY: PATRICIA GRAINGER, ACCOUNTANT

RE: CONSIDERATION OF CITY CHECK REGISTER

RECOMMENDATION:

It is recommended City Council receive and file.

BACKGROUND:

At least once a month, the City Treasurer shall submit to the City Council, a copy of the check register.

DISCUSSION:

The purpose of this item is to provide the Council an opportunity to review and monitor ongoing expenditures. These documents are attached.

COST ANALYSIS:

There is no fiscal impact as a result of this action.

ENVIRONMENTAL REVIEW:

No Environmental Review required for this item.

ALTERNATIVES:

The following alternatives are provided for Council consideration:

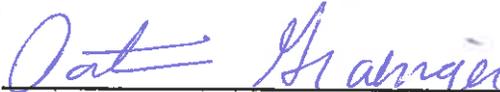
1. Receive and file the report; or
2. Provide other direction to staff regarding requests for additional information.

**CITY COUNCIL/CITY
CITY CHECK REGISTER
MAY 2018
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Exhibits:

1. Check Register Report

Submitted by:



Patricia Grainger, Accountant

Approved by:



Steven Adams, City Manager

Check Register Report

April 20, 2018 (FY 2017-18)

Date: 04/23/2018

Time: 10:25 am

Page: 1

KING CITY CITY HALL

BANK: WELLS FARGO BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
WELLS FARGO BANK Checks							
60438	04/23/2018	Printed		KCTVHARD	ALCANTAR HARDWARE INC	Paint for Pool Safety Sign -	126.36
60439	04/23/2018	Printed		ALMARAZ	MARITSA ALMARAZ	Refund Overcharge -	50.00
60440	04/23/2018	Printed		AM SUPPLY	AMERICAN SUPPLY CO.	Janitorial Supplies -	395.87
60441	04/23/2018	Printed		ARREOLAJU	JULYSSA ARREOLA	Softball Official -	126.50
60444	04/23/2018	Printed		HANNA	ASSOCIATED ENGINEERING-SURVEY	First St Pedestrian & Bike	20,129.50
60445	04/23/2018	Printed		AT & T	AT & T	Monthly Access Transport.	343.95
60446	04/23/2018	Printed		AT&T - C	AT&T	Computer Service -	90.16
60447	04/23/2018	Printed		BAUGHMAN	SCOTT BAUGHMAN	Court & Holding Facility	125.27
60448	04/23/2018	Printed		BENSON	RICHARD A. BENSON PLUMBING	Water Leak - Women's	1,557.68
60449	04/23/2018	Printed		BOWEN	HERBERT BOWEN	Court & Holding Facility	49.60
60450	04/23/2018	Printed		CALIFOR	CALIFORNIA BUILDING STANDARDS	Green Fees -	88.20
60451	04/23/2018	Printed		CAL WATER	CALIFORNIA WATER SERVICE CO.	Water Service -	4,891.01
60452	04/23/2018	Printed		UMSTEAD EL	CLIFTON T. UMSTEAD	Heater for Corp Yard Shop.	2,900.00
60453	04/23/2018	Printed		CNASUR	CNA SURETY DIRECT BILL	City Manager Bond	350.00
60454	04/23/2018	Printed		CONATSER	CONATSER WELDING & MACHINE,LLC	Fixing irrigation fields	374.82
60455	04/23/2018	Printed		COMINFO	COUNTY OF MONTEREY	Systems Support.	1,132.90
60456	04/23/2018	Printed		COUNTY OF	COUNTY OF MONTEREY	Radio Maint.	2,882.16
60457	04/23/2018	Printed		CENTER FOR	CSULB FOUNDATION	Field Training Program	381.00
60458	04/23/2018	Printed		DAVE'S REP	DAVE'S REPAIR SERVICE	Inspect Fuel Tanks	80.00
60459	04/23/2018	Printed		DEPT ACCNT	DEPARTMENT OF JUSTICE	Fingerprint APPS	288.00
60460	04/23/2018	Printed		EVEH	EMERGENCY VEHICLE SPECIALISTS	Lightbar Repair for Unit 105	142.90
60461	04/23/2018	Printed		ENGIE	ENGIE SERVICES U.S. INC.	Solar Energy Maint.	8,397.00
60462	04/23/2018	Printed		FIRST AL	FIRST ALARM, INC	Contract Timer Inspection -	535.40
60463	04/23/2018	Printed		GARCIAJ	JOVANY GARCIA	Basketball Official -	132.00
60464	04/23/2018	Printed		HDL	HDL SOFTWARE, LLC	Business Lic Software	4,962.32
60465	04/23/2018	Printed		HYDRO TURF	HYDRO TURF, INC.	Maint. & Repairs	1,267.93
60466	04/23/2018	Printed		IMPACT	IMPACT ABSORBENTS, INC	Spill Kit for Sewage Clean Up.	287.92
60467	04/23/2018	Printed		SCOFIELD	IRMA SCOFIELD	John Serritelli Business Cards	484.99
60468	04/23/2018	Printed		TIRE KING	JOSE RODRIGUEZ	Monthly Car Washes	1,908.22
60469	04/23/2018	Printed		JWC ENVIRO	JWC ENVIRONMENTAL, LLC.	Grinder for sewer plant	32,991.37
60470	04/23/2018	Printed		KEREZSI	ANITA KEREZSI	State Mandated Cost Claims -	1,000.00
60471	04/23/2018	Printed		KC CHAMBEF	KING CITY CHAMBER OF COMMERCE	Emergency Preparedness	15.00
60472	04/23/2018	Printed		KC GOLF	KING CITY GOLF COURSE	Golf Course (Financial Aid)	10,000.00
60473	04/23/2018	Printed		KC IND	KING CITY INDUSTRIAL SUPPLY	Repairs on Sweeper	461.30
60474	04/23/2018	Printed		LINCOLN	LINCOLN AQUATICS	Pool Supply	3,099.94
60475	04/23/2018	Printed		MERCURIOD	DOMINIC MERCURIO	Reimbursement - Home Depot	59.90
60476	04/23/2018	Printed		MOENVIRON	MONTEREY ENVIRONMENTAL	City Hall Asbestos Removal	6,560.00
60477	04/23/2018	Printed		MOTTM	MOTT MACDONALD GROUP, INC	KC Farmworkers Housing	864.50
60478	04/23/2018	Printed		NOR-CAL AS	NOR-CAL ASA	ASA Registration	19.95
60479	04/23/2018	Printed		OFFICE DEP	OFFICE DEPOT	Office Supplies	230.70
60480	04/23/2018	Printed		PURE WATER	PENINSULA PURE WATER INC.	Water - KCPD	37.75
60481	04/23/2018	Printed		PAC	PG&E	Monthly Service -	16,226.46
60482	04/23/2018	Printed		POLYT	POLYTRON CORPORATION	Body Cam Repair	360.00
60483	04/23/2018	Printed		RODJUAN	JUAN RODRIGUEZ	2-20lb Bags of Ice.	12.94
60484	04/23/2018	Printed		SALVALP	S & L INVESTMENT	R Kenedy Annual Uniforms	299.13
60485	04/23/2018	Printed		SALRIVER	SALINAS RIVER STREAM MAINT.	Biomonitoring Adm Fee	211.47
60486	04/23/2018	Printed		SVSWA	SALINAS VALLEY SOLID WASTE	Franchise Adm Fee	3,873.75
60487	04/23/2018	Printed		SHAPE	SHAPE INCORPORATED	Lift Station Electrical	1,500.00
60488	04/23/2018	Printed		STERI	STERICYCLE, INC	Waste Disposal	65.00
60489	04/23/2018	Printed		SUN STREET	SUN STREET CENTERS	Landscape Design	3,500.00
60490	04/23/2018	Printed		TEMP UNIF	TEMPLETON UNIFORMS	Bullet Proof Vest	1,025.66
60491	04/23/2018	Printed		SPCA	THE SPCA FOR MONTEREY COUNTY	Services for March 2018	2,550.00
60492	04/23/2018	Printed		U.S. BANCO	U.S. BANCORP EQUIPMENT FINANCE	Konica Copier Maint Contract	278.42

Check Register Report

April 20, 2018 (FY 2017-18)

Date: 04/23/2018

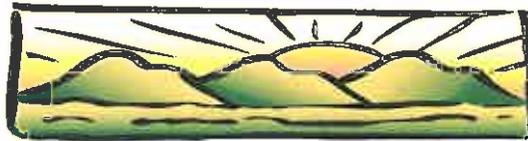
Time: 10:25 am

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KING CITY CITY HALL

BANK: WELLS FARGO BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount	
WELLS FARGO BANK Checks								
60493	04/23/2018	Printed		VALLEY ELE	VALLEY ELECTRIC MOTOR SERVICE	Repair Aerator from WWP	6,717.15	
60494	04/23/2018	Printed		WALKERS	SKYE WALKER	Mural	1,000.00	
60495	04/23/2018	Printed		WASSONA	ANDREA WASSON	CPRS Conference - 3/13 - 3/16/	91.56	
60496	04/23/2018	Printed		WEDGE	WEDGE & FOBES INVESTIGATIONS	IA Investigations	2,040.64	
60497	04/23/2018	Printed		RAIN FOR R	WESTERN OILFIELDS SUPPLY CO	Pump Water from Street	2,479.85	
60498	04/23/2018	Printed		WM J. CLAR	WM J. CLARK TRUCKING SVC, INC.	Dirt for Softball field	45.14	
Total Checks: 59							Checks Total (excluding void checks):	152,099.24
Total Payments: 59							Bank Total (excluding void checks):	152,099.24
Total Payments: 59							Grand Total (excluding void checks):	152,099.24



KING CITY
C A L I F O R N I A

Item No. 9(C)

REPORT TO THE CITY COUNCIL

DATE: MAY 8, 2018

TO: CITY COUNCIL

FROM: STEVEN ADAMS, CITY MANAGER

RE: CONSIDERATION OF SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING AMENDING SECTION 9.08.010 OF CHAPTER 9.08 OF TITLE 9 OF THE KING CITY MUNICIPAL CODE GOVERNING DOGS RUNNING AT LARGE WITHIN THE BOUNDARIES OF THE CITY OF KING

RECOMMENDATION:

It is recommended the City Council conduct the Second Reading, by title only, and adopt an Ordinance amending Municipal Code Section 9.08.010 to require all dogs on public property to be on leash.

BACKGROUND:

The City experiences a significant problem and receives ongoing complaints regarding loose dogs. It results in safety concerns for citizens, as well as the dogs. It also causes significant staff work responding to calls for service.

Currently, Section 9.08.010 prohibits dogs from running at large unless: 1) restrained by a chain, strap or cord attached to its collar or harness, actually held by some person or made fast to some stationary object, or confined within a cage or other dog-tight enclosure; or 2) accompanied by a person, and is sufficiently trained to be reliably responsive to the voice command and control of such person.

The second exception makes enforcement difficult because it is subjective for staff to make judgement decisions regarding whether an individual sufficiently controls an animal through voice commands. If a dog is not adequately trained, it will not be evident until it is too late, and it is not feasible for the Code Enforcement/Animal Control Officer to test someone's voice commands every time a dog is found off leash.

**CITY COUNCIL
CONSIDERATION OF SECOND READING AND ADOPTION OF AN
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING AMENDING
SECTION 9.08.010 OF CHAPTER 9.08 OF TITLE 9 OF THE KING CITY
MUNICIPAL CODE GOVERNING DOGS RUNNING AT LARGE WITHIN THE
BOUNDARIES OF THE CITY OF KING
MAY 8, 2018
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Therefore, the Code Enforcement/ Animal Control Officer proposed to amend the restrictions to remove this exception. The issues were discussed by the Code Enforcement Committee, who recommended the changes. The Ordinance was introduced by the City Council at the April 24th meeting.

DISCUSSION:

Staff recommends the Municipal Code provisions be changed to allow only the following exceptions:

1. The dog is restrained by a leash held by some person or made fast to some stationary object; or confined within a cage or other dog-tight enclosure; or
2. On the private property of its owner, excluding all roads, streets, alleys or any public sidewalk, park or other public property, and restrained by a fence or other barrier from leaving said private property; or
3. In a City owned facility designated as a dog park where dogs are permitted to run at large within a designated fenced area.

The third item was added in anticipation that the City may add a dog park at some time in the future.

In order to improve enforcement capabilities, it is also recommended to change violations to be a misdemeanor rather than an infraction. The City would maintain the ability to downgrade a violation to an infraction depending upon the severity and response of the problem.

COST ANALYSIS:

There is no cost associated with this change, but will aid in increasing effectiveness and efficiency of the Code Enforcement/ Animal Control Officer's responsibilities.

ENVIRONMENTAL REVIEW:

The proposed change in regulations is not considered a "project" for the purposes of the California Environmental Quality Act (CEQA). Therefore, it does not have the potential for resulting in either a direct physical change to the

**CITY COUNCIL
CONSIDERATION OF SECOND READING AND ADOPTION OF AN
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING AMENDING
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BOUNDARIES OF THE CITY OF KING
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environment or a reasonably foreseeable indirect physical change in the environment.

ALTERNATIVES:

The following alternatives are presented for Council consideration:

1. Introduce the Ordinance;
2. Modify and introduce the Ordinance;
3. Request additional analysis;
4. Do not introduce the Ordinance; or
5. Provide staff other direction.

Prepared and Approved by: _____


Steven Adams, City Manager

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING AMENDING
TITLE 9 OF CHAPTER 9.08 OF THE KING CITY MUNICIPAL CODE PERTAINING
TO DOGS - PROHIBITED ACTS**

WHEREAS, the City of King (“the City”) has the authority, under its police power, to enact regulations for the public peace, morals, and welfare of the City, California Constitution Article XI, section 7; and

WHEREAS, the City has the authority to regulate stray animals, including dogs, under its police powers; and

WHEREAS, Chapter 9.08 of the Municipal Code sets forth prohibited acts regarding dog ownership and handling; and

WHEREAS, the City Council has determined that dogs running at large pose a risk to the public's health, safety and well being; and

WHEREAS, the City has a compelling interest in protecting the public health, safety, and welfare of its citizens, residents, visitors and businesses, and in preserving the peace and quiet of the neighborhoods within the City by regulating dogs; and

WHEREAS, it is the intent of the City to regulate and prohibit dogs from running at large within the boundaries of the City.

NOW THEREFORE, the people of the chartered City of King do ordain as follows:

SECTION 1. The above recitals are hereby incorporated by reference.

SECTION 2. The Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines § 15061(b)(3).) It is also exempt from CEQA because it is not a “project” as established within CEQA Guidelines section 15378.

SECTION 3. Chapter 9.08, of Title 9, of the King City Municipal Code is hereby amended and adopted to read as follows:

Section 9.08.010 Running At Large Is Prohibited.

(a) It is unlawful for any person owning or having charge, care or control of any dog, whether licensed or not, to allow or permit any such dog to run at large, within the meaning of this section, unless such dog is: City. A dog shall be deemed to be running at large unless the following applies:

(1) The dog is restrained by a leash ~~Restrained by a chain, strap or cord attached to its collar or harness, actually~~ held by some person or made fast to some stationary object; or confined within a cage or other dog-tight enclosure; or

(2) Accompanied by a person, and is sufficiently trained to be reliably responsive to the voice command and control of such person. On the private property of its owner, excluding all roads, streets, alleys or any public sidewalk, park or other public property, and restrained by a fence or other barrier from leaving said private property; or

(3) In a City owned facility designated as a dog park where dogs are permitted to run at large within a designated fenced area.

(b) Violations of the provisions of this Section shall be considered misdemeanors and are punishable in accordance with Chapter 1.04.010 of the King City Municipal Code. Each and every day, or portion thereof, a violation exists is a new and separate offense. The City may also pursue all applicable civil and administrative remedies, including, but not limited to, injunctive relief and administrative citations.

Should a court of competent jurisdiction subsequently determine that the criminal penalty provision renders the provisions of this Section, or the provisions of any chapter adopted by reference within the King City Municipal Code unlawful, the city intends that the misdemeanor provision be severable from the remaining penalty provisions and the City will only pursue non-criminal remedies for violations of this Section. Violation of the provisions of this Section is an infraction.

(c) Administrative Citations.

The administrative citation penalty for all violations of this chapter, within a rolling twelve-month period, deemed misdemeanors under the King City Municipal Code shall be as follows:

- (1) First administrative citation: two hundred fifty dollars per violation;
- (2) Second administrative citation: five hundred dollars per violation;
- (3) Third administrative citation: one thousand dollars per violation; and
- (4) One thousand dollars per violation for each subsequent administrative citation.

The administrative citation penalty for all violations of this chapter, within a rolling twelve-month period, deemed infractions under the King City Municipal Code shall be as follows:

- (1) First administrative citation: one hundred dollars per violation;
- (2) Second administrative citation: two hundred dollars per violation;
- (3) Third administrative citation: five hundred dollars per violation; and
- (4) Five hundred dollars per violation for each subsequent administrative citation.

(d) Appeals. The appeals procedures as established within Sections 7.51.604, 7.51.608, 7.51.609, 7.51.610 and 7.51.611 shall govern any appeal of an administrative citation issued pursuant to the requirements of this Section.

(e) Cost Recovery and Penalties. The person responsible and/or the property owner shall be responsible for all costs incurred by the City to enforce the requirements of this Section, including all costs relating to the appeal of an administrative citation. The enforcement costs and penalties shall either be a special assessment and lien on the subject property or the personal obligation of the owner of the subject property and/or the person responsible for violating this Section. The special assessment and lien provisions as established within Section 7.51.709 shall govern violations of this Section. If there is more than one responsible party, each responsible party shall be jointly and severally liable for the enforcement cost incurred by the City. Enforcement costs and penalties shall be recoverable even if the violation of this Section is corrected by the property owner or other responsible party.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption. Within fifteen (15) calendar days after its adoption, the Ordinance, or a summary of the Ordinance, shall be published once in a newspaper of general circulation.

I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the ____ day of _____ 2018, and adopted the Ordinance after the second reading at a regular meeting held on the ____ day of _____ 2018, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST

STEVEN ADAMS, City Clerk

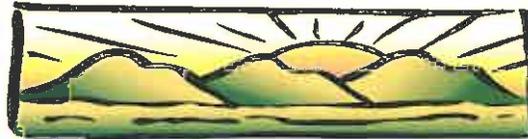
CITY OF KING

By: _____
MIKE LEBARRE, Mayor

APPROVED AS TO FORM:

By: _____
SHANNON L. CHAFFIN, City Attorney
Aleshire & Wynder, LLP

I, _____, City Clerk of the City of King, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and adopted by the City Council of the City of King on the date and by the vote indicated herein.



KING CITY

C A L I F O R N I A

Item No. 9(D)

REPORT TO THE CITY COUNCIL

DATE: MAY 8, 2018
TO: CITY COUNCIL
FROM: STEVEN ADAMS, CITY MANAGER
RE: CONSIDERATION OF ECONOMIC DEVELOPMENT STRATEGY

RECOMMENDATION:

It is recommended the City Council: 1) approve the proposed Economic Development Strategy; and 2) direct staff to update the City's Economic Development Element to be consistent with the Economic Development Strategy.

BACKGROUND:

The City Council has adopted economic development as one of its six major budget priorities. As a result, the City has been working on and initiated a number of efforts designed to promote economic development. While the public and local businesses are beginning to see some of the results, most people are unaware of all the efforts and how they interlink to form a comprehensive strategy. Therefore, staff has drafted a summary of these efforts to provide a document that outlines the overall strategy. It is also designed to have a document that can be provided to potential business owners and developers to demonstrate the City is committed to promoting economic development, is investing in tangible improvements, and has established an agreed upon vision for future direction of these efforts.

DISCUSSION:

There are four primary areas the efforts are focused on:

- Revitalization of the Historic Downtown Area
- Development of the industrial area with a major focus on the cannabis industry
- Attraction of hotel and commercial uses to properties adjacent to Highway 101
- Housing development

**CITY COUNCIL
CONSIDERATION OF ECONOMIC DEVELOPMENT STRATEGY
MAY 8, 2018
PAGE 2 OF 3**

The initial focus of the City's economic development efforts is on downtown improvements. Given King City's role as a regional hub and its accessibility to Highway 101, the City believes efforts to draw visitors and residents from within the region into the community are the key to support business and job growth. Therefore, if the City can improve and make the downtown more successful, it will also help attract investment and new businesses to other areas of the City.

Items outlined in the proposed economic development strategy include the following:

- Downtown Streetscape Conceptual Plan
- Façade Enhancement Grant Program
- Downtown Plaza Project
- Beautification Efforts
- Nuisance Abatement and Code Enforcement
- Marketing and Tourism Promotion
- Local Downtown Business Attraction Strategies
- Chamber of Commerce and Agriculture Ambassadors Program
- Cannabis Industry Development
- Highway 101 Development
- Housing Development
- Removal of barriers, including implementing the Comprehensive Plan to End Youth Violence, development impact fee reductions and streamlining the permitting process

One of the newest efforts proposed is a partnership with the King City Chamber of Commerce and Agriculture to form what many chambers of commerce refer to as an "Ambassadors" program. Under the program, Chamber of Commerce business leaders will form an Ambassadors group, who perform outreach and/or are available by request to meet with potential new business owners and entrepreneurs. The objective will be for local business leaders to assist the City in identifying opportunities and attracting new businesses identified as priorities for the community. Ambassador programs can be effective because initial business owner to business owner meetings are often more effective in promoting business opportunities than contacts from government entities. A list of business types proposed to target efforts has been developed, which is partially the result of a community input process facilitated by King City in Bloom.

If approved, staff recommends City Council direct staff to prepare an update to the City's Economic Development Element in the General Plan to be consistent with measures of the Economic Development Strategy. This work would be done as time permits in the future.

**CITY COUNCIL
CONSIDERATION OF ECONOMIC DEVELOPMENT STRATEGY
MAY 8, 2018
PAGE 3 OF 3**

COST ANALYSIS:

There are no new costs associated with adoption of the Economic Development Strategy, but measures outlined within the document represent a significant investment over time.

ENVIRONMENTAL REVIEW:

The Economic Development Strategy is not considered a "project" for the purposes of the California Environmental Quality Act (CEQA). Therefore, it will not have the potential for resulting in either a direct physical change to the environment or a reasonably foreseeable indirect physical change in the environment. Environmental review for any projects outlined in the Economic Development Strategy has or will be conducted when approval of the project is considered by the City Council. No further action is required under CEQA for City Council action.

ALTERNATIVES:

The following alternatives are presented for Council consideration:

1. Approve the Economic Development Strategy;
2. Modify and approve the Economic Development Strategy;
3. Do not approve the Economic Development Strategy; or
4. Provide staff other direction.

Exhibit:

1. King City Economic Development Strategy

Prepared and Approved by:



Steven Adams, City Manager



CITY OF KING ECONOMIC DEVELOPMENT STRATEGY

Background

The City of King is located on Highway 101 in the Salinas Valley, 155 miles south of San Francisco and 277 miles north of Los Angeles. The population is approximately 14,000 people. King City serves as a gateway and access point for nearby Pinnacles National Park, Monterey County wine region, a thriving agricultural area, and an area rich in history made famous by the writings of John Steinbeck. Other attractions and assets within King City include the Mesa Del Rey Airport, Salinas Valley Fairgrounds, San Lorenzo Park and campground, Monterey County Agricultural & Rural Life Museum, Robert Stanton Performing Arts Theater, Mee Memorial Hospital and the Hartnell Community College satellite campus.

The City's downtown area on Broadway Street was the original route for Highway 101 prior to construction of the freeway. Therefore, the corridor has gradually transitioned from a bustling commercial center to an area struggling to find an identity after the freeway was constructed. It has maintained its historic character despite redevelopment efforts. As a result, it now features a mix of more recently built structures, attractive historical buildings, and older blighted structures.

Overview of Economic Development Efforts

The City of King is implementing a comprehensive community revitalization effort. Six major budget priorities have been established, one of which is economic development. There are four primary areas the efforts are focused on:

- Revitalization of the Historic Downtown Area
- Development of the industrial area with a major focus on the cannabis industry
- Attraction of hotel and commercial uses to properties adjacent to Highway 101
- Housing development

The initial focus of the City's economic development efforts is on downtown improvements. Given King City's role as a regional hub and its accessibility to Highway 101, the City believes efforts to draw visitors and residents from within the region into the community are the key to support business and job growth. Therefore, if the City can improve and make the downtown more successful, it will also help attract investment and new businesses to other areas of the City.

Downtown Streetscape Conceptual Plan

In January 2017, the City Council approved a Downtown Streetscape Conceptual Plan, prepared by RRM Design Group following public workshops and a community outreach effort. A copy of the plan is attached. The objectives of the plan are to make the downtown more pedestrian friendly, active, and an area that will attract people to shop, eat and visit.

The following is a summary of the key features of the plan:

- Redesign and expansion of the corner bulb-outs;
- Decorative crosswalks utilizing stamped asphalt;
- New streetlights and accent lights on the street trees;
- An arch at the entry to the downtown area;
- Creation of incentives to remove the-wood awning and roof overhangs on the 300 block of Broadway Street and installation of new decorative and functional cloth awnings;
- Creation of incentives for addition of outdoor dining and seating;
- Metal trellises and wind sculptures in the medians on the 200 and 100 blocks of Broadway Street;
- Replacement of the liquid amber trees and installation of additional street trees in missing locations to complete the streetscape; and
- Addition of angled parking on cross-streets adjacent to Broadway Street.

The City has been pursuing a number of grants and funding sources to implement the plan on a phased and gradual basis. To date, new streetlights have been installed, some of the trees are being replaced, many of the awnings are being replaced, and the City has begun to purchase and install new planters and trash and recycling containers.

Facade Enhancement Grant Program

In order to also encourage private investment in the downtown, the City has worked to establish partnerships with local business and property owners. Technical business assistance and low-interest loan programs have been accessed through County and regional agencies. Most importantly, a facade improvement grant program has been implemented. To achieve the most visible impact, it is being focused on a one block area at a time. It is currently offered only to properties and businesses on the 300 block. Once completed, it will then be expanded to the 200 block.

The City is initially investing \$150,000 in the program. The grants provide a maximum amount of \$15,000 per business with no matching requirement. Up to \$2,500 can be used for replacement of outdated and non-conforming signs. An additional \$12,500 can be used for other facade improvements, including:

- Repair, replacement, removal or installation of awnings;
- Modification of doors and windows;
- Exterior painting and decorative treatments; and
- Other facade improvements deemed to contribute to improving the retail streetscape environment.

Downtown Plaza Project

One of the recommendations of the Downtown Streetscape Conceptual Plan is the development of a downtown plaza project at the northeast corner of Broadway Street and Vanderhurst Avenue. A copy of the conceptual plan is found in the Downtown Streetscape Conceptual Plan. The plaza will create a pedestrian oriented gathering place in the heart of the downtown and an area to centralize events and activities. Tables, chairs and other furniture and features will be added to encourage downtown outdoor dining. Within the downtown plaza, a local historical museum and visitor's center is proposed by renovating an existing historical building. The City has reached agreement with the property owner for purchase of the property, which is currently in process.

Beautification Efforts

A non-profit volunteer organization, called King City in Bloom, has been formed to coordinate citywide beautification efforts. The organization is affiliated with a national program called America in Bloom. A significant amount of their efforts has been focused on the downtown area, which has included planting and maintaining planters, planting and maintaining median flowers, purchase of downtown streetlight banners, purchase of downtown holiday lighting, metal art projects, landscape areas, and murals.

Nuisance Abatement and Code Enforcement

The City has adopted a new nuisance abatement ordinance and expanded its code enforcement program. Particular attention is focused on addressing blighted buildings in the downtown. Through code enforcement efforts, owners of neglected properties have been required to either upgrade or sell buildings, which has provided a stimulus to upgrade the appearance of buildings in the downtown area. New sign regulations and enforcement have also been implemented.

Marketing and Tourism Promotion

The City has increased outreach efforts to potential businesses and developers. Attached is the City's marketing brochure. King City has recently formed a partnership with the cities of Salinas, Gonzales, Soledad and Greenfield to contract for a Salinas Valley tourism marketing program. The program is being developed in coordination with Pinnacles Partners, a group of communities near the Pinnacles National Park formed for the purpose of jointly promoting visitors to the park. The City partners with the King City Chamber of Commerce and Agriculture to serve as the King City Visitors Center.

King City hosts a number of annual events, including a Christmas Parade, 4th of July Parade and aerial fireworks show, Salinas Valley Fair, Día de la Virgen de Guadalupe parade, Fall Carnival, and El Grito parade and festival. King City is also a host city to the 2018 Stage 3 start for the Amgen tour of California.

Local Downtown Business Attraction Strategies

As the downtown is improved, the City is working in partnership with the King City Chamber of Commerce and Agriculture to attract new tenants and businesses that will create synergy, revitalization, and a successful business environment. Outreach efforts are under way to identify and solicit potential new business owners to the downtown area. Given the transition of a large portion of retail business growth to online sales, it is critical that downtown areas transition to centers of activity that create an “experience” for the public. People will no longer dedicate regular trips to a downtown area simply to purchase merchandise. Successful downtowns are now areas that provide opportunities for interaction, entertainment, pedestrian connectivity, and an overall “sense of place.” The efforts outlined above are all designed to create this type of environment. However, the specific types and variety of businesses are the most critical step in accomplishing these objectives.

The King City downtown area already has a number of businesses that fit within the desired categories, including:

- Restaurants
- Multiplex theater
- Bakery
- Ice cream
- Fitness
- Clothing retail

Other new priority businesses have been identified based upon staff recommendations and a community input process initiated by King City In Bloom. It is the City's goal to balance the need to recruit businesses that serve local residents with the need for businesses that will attract visitors to the downtown. Businesses that are targeted in the City's business attraction efforts include the following:

- Coffee house
- Increased variety of restaurants, particularly including Italian, steak house, deli sandwich shop, and burgers
- Live entertainment
- Retail and gift shops with unique merchandise
- Wine tasting rooms and wine bar
- Specialty foods, such as candy, desserts, smoothies, etc.
- Book store (new & used)

- Bagel shop
- Sports store (bike supplies, skate board, sport supplies, sports team clothing/hats)
- Sports bar, microbrewery
- Hamburger, soda fountain shop (Retro 50-60s, serve ice cream/yogurt)
- Small family pharmacy w/medical supplies and cards/gifts.
- “Across the Prairie” store (western wear, accessories, specialty foods)
- Western wear
- Fabric, quilt, and craft store
- Photo studio
- Five and dime store
- Toy store
- Office supply store (w/UPS, Fed-ex delivery/drop off)
- Small consignment store (various goods)
- Historical museum (small)

A coffee house has been identified as a particularly high priority. This is due not only to the ongoing demand for coffee related sales, but more importantly for the role a coffee house typically serves as a gathering place in downtown areas. A well designed coffee house can provide an outstanding fit for a historical downtown area and serve to anchor other small shops if successful in attracting a regular flow of pedestrian activity throughout the day.

Chamber of Commerce and Agriculture Ambassadors Program

The City is partnering with the King City Chamber of Commerce and Agriculture, who has proposed to establish what many chambers of commerce refer to as an “Ambassadors” program. Chamber of Commerce business leaders form an Ambassadors group, who perform outreach and/or are available by request to meet with potential new business owners and entrepreneurs. The objective will be for local business leaders to assist the City in identifying opportunities and attracting new businesses identified as priorities for the community. Ambassador programs can be effective because initial business owner to business owner meetings are often more effective in promoting business opportunities than contacts from government entities.

Cannabis Industry Development

As a new developing industry, cannabis related businesses can be instrumental in creating new jobs, tax revenues, and investment in the community. This investment will help to support and develop a variety of other non-cannabis related businesses. Available land at an economic price, climate, and central location of King City has made it uniquely suited to attract cannabis business entrepreneurs. The City has designated and zoned the industrial park area for development of cannabis related manufacturing,

cultivation, nursery, testing, and distribution businesses. A competitive tax and fee structure has been established, regulations have been developed in coordination with industry representatives to assist businesses in being successful while protecting the community's interests, and processes have been established that allow the City to mitigate issues effectively while promoting a business friendly approach.

Highway 101 Development

The major target for development along Highway 101 is to attract a higher level of hotel than currently exists to accommodate visitor serving efforts and chain retail stores to meet unmet shopping needs in the community. Currently, limitations on chain retail expansion makes this effort challenging. The City has hired an economic development consultant firm to prepare an economic analysis on hotel and retail demand for a 4.3 acre site owned by the Successor Agency to the Redevelopment Agency and to assist with outreach efforts. Future long-term development opportunities include a 50+ acre parcel in the southern part of the City. This will provide future opportunities for a combination of retail along the freeway, hotel development adjacent to the Fairgrounds, and housing development adjacent to the golf course.

Housing Development

The City has a significant housing shortage in all areas of housing types. Future housing expansion will assist in supporting new commercial and office uses. The City has developed a new seasonal employee housing ordinance to designate areas and establish standards for new projects designed to serve agricultural employment needs. Six sites and opportunities have either been developed or are in planning stages. The City's efforts are anticipated to result in over 1,000 beds serving this need over the next 3-5 year period. Strategies are being developed to promote multi-family and affordable housing developments to increase the economic feasibility of these projects. One of the primary strategies proposed is to reduce in-lieu fees for inclusionary projects to promote more market rate multi-family units and then to utilize the fee revenue to attract new affordable housing projects. Three large single-family development tracts are approved that should meet demand in that category over the next 10-year period.

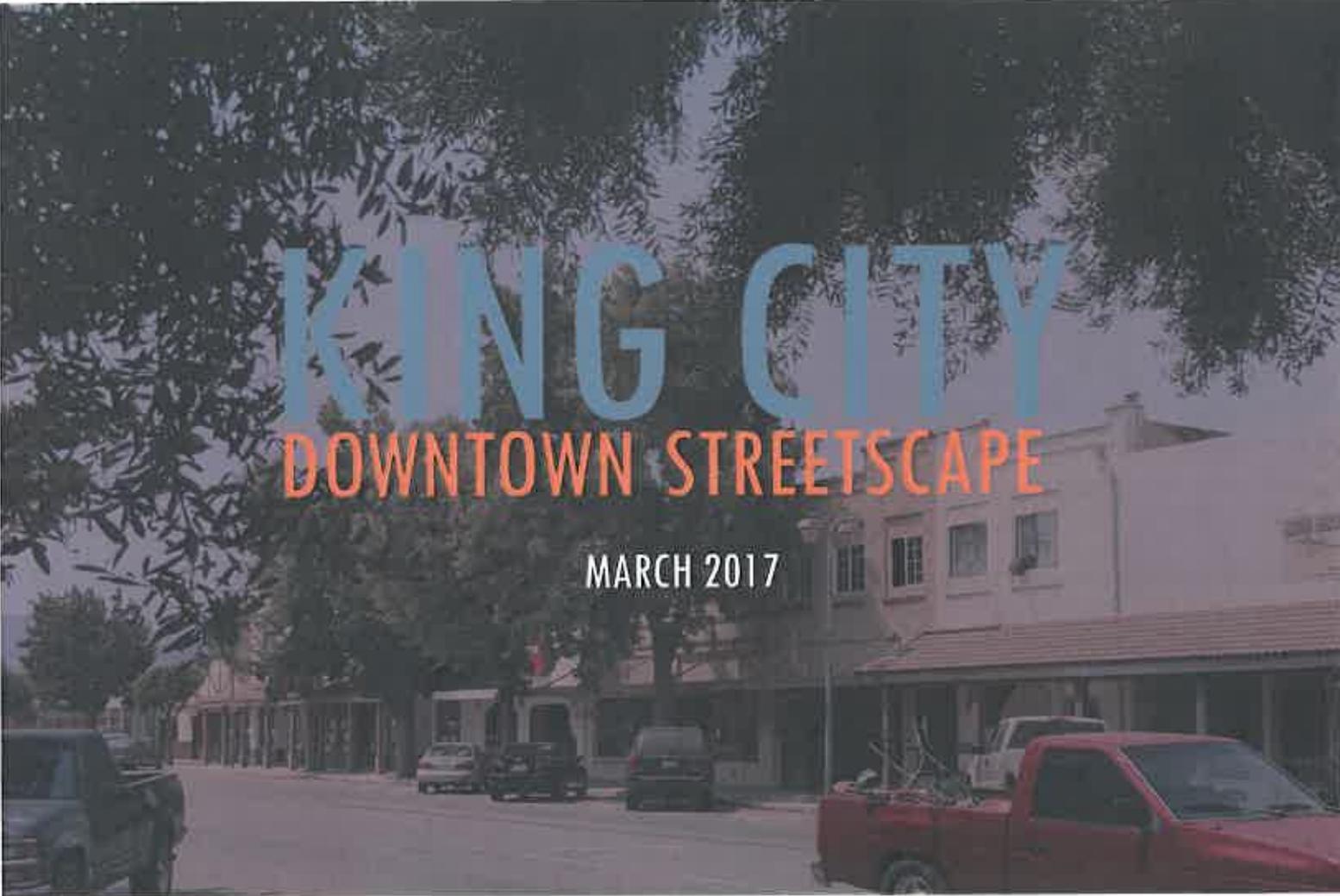
Removal of Barriers

Three primary barriers to development have been identified associated with the City's operations. First, crime problems experienced in King City have served as a disincentive for business and development. As a result, the City Council appointed a community task force in 2016 to develop what is referred to as the Comprehensive Plan to End Youth Violence. The plan includes 22 measures under the categories of Prevention, Intervention, Enforcement, Re-Entry and Community Outreach. Of these, 16 have begun implementation and funded by a major City investment, grants, and partnerships with a number of organizations. In response, a major reduction in violent incidents has begun to occur and the plan is designed to serve as a model for other communities. Second, the City's development impact fees were high in comparison to

other jurisdictions. As a result, all development impact fees except for those funding wastewater improvements have been reduced by 50% for a 3-year period. Sewer fees were not reduced due to the extent of projects needed to address deficiencies in the City's wastewater system. Third, the City has experienced a general perception of not being business friendly in the past. This has been addressed through an extensive effort to redesign processes and overall approach to create a more business friendly reputation and to address the needs of project proponents in a more proactive manner.

Attachments:

1. Downtown Streetscape Conceptual Plan
2. Economic Development Marketing Brochure



KING CITY
DOWNTOWN STREETSCAPE

MARCH 2017

KING CITY

DOWNTOWN STREETScape

Acknowledgments

City Council

Mike LeBarre, Mayor
Carlos Victoria, Mayor Pro Tem
Robert Cullen
Darlene Acosta
Carlos DeLeon

City Staff

Steven Adams, City Manager
Doreen Liberto-Blanch, Community Development Director
Octavio Hurtado, City Engineer

RRM Design Group

Jeff Ferber, Principal
Gina Chavez, Senior Landscape Architect
April Miller, Landscape Architect



KING CITY

DOWNTOWN STREETScape

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5	Implementation Strategy	pg 31
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1 | EXECUTIVE SUMMARY

The King City Downtown Streetscape project illustrates a renovated, enhanced and renewed vision for Broadway Street.

The project is introduced in Chapter 2. The chapter begins with the purpose for the project, includes information about the project setting, and provides a detailed site description of existing conditions.

The third chapter describes the design process that was followed to develop the master plan. It describes the numerous meetings that were involved with City staff and the community, the various conceptual alternatives that were developed, and concludes with a description of how the input informed the Final Master Plan.

Chapter Four presents the Final Master Plan illustration and includes a description of plan features. This chapter explains and illustrates in detail the proposed design.

The project report concludes in Chapter 5 with strategies for implementing the Final Master Plan.

2 | INTRODUCTION

Broadway Street in historic downtown King City was once the commercial heart of the city. Historically the route of Highway 101, Broadway thrived until the highway was rerouted in the middle of the Twentieth Century. In an effort to restore the commercial viability along Broadway, the City has initiated this streetscape master plan to study the existing conditions along the Broadway St. corridor and propose streetscape improvements to enhance the public pedestrian experience in downtown King City.

PURPOSE

The purpose of this master plan is:

- 1) To expand upon and upgrade the existing improvements, such as trees, furniture, paving, lighting and crossings;
- 2) Enhance and encourage a more pedestrian oriented area and experience;
- 3) Promote alternate transportation means through bike facilities, bus stop improvements, electric charging stations; and connectivity to a future proposed multi-modal station, in addition to the focus on improved pedestrian activity;
- 4) Incorporate "complete street" design features to improve the overall functionality of the downtown area, including innovative stormwater management features;
- 5) To provide the data and information necessary for the City's grant application to the Transportation Agency of Monterey County (TAMC) for Regional Surface Transportation Plan (RSTP) funding.

PROJECT SETTING & SITE DESCRIPTION

Settled along the banks of the Salinas River in Monterey County, the City of King is an industrious agricultural community with a population of just over 14,000 residents. With Highway 101 running alongside, King City is a gateway to the Pinnacles National Park and an access point to the Monterey County wine region.

Broadway Street is the main road through the historic district of downtown King City. Broadway St. has a wide roadbed with 4 travel lanes and a turning lane.

PROJECT AREA

The project Area encompasses the five-block segment of Broadway Street from San Lorenzo to First Street. Considered part of the historic

corridor of downtown King City, this segment of Broadway can be accessed directly from Highway 101 via the Broadway St. and First St. exits.

EXISTING CONDITIONS

Broadway Street offers a variety of businesses and institutions. Several banks are located within the project area on the western end of Broadway near San Lorenzo and Russ Streets while restaurants, markets, and nightlife venues, such as a bar and a theatre, tend to be located towards the east end of Broadway between First and Third Streets. In addition, Broadway Street hosts a satellite campus for Hartnell College, Monterey County Department of Social Services offices, and King City Monterey County Branch Library.

Broadway Street features a mix of contemporary buildings, older blighted buildings, and historical structures. Though many buildings are occupied, vacancies are sprinkled along the corridor and



Dash yellow line identifies the project area.





Clockwise from top left: Buildings along Broadway, existing bulb-out, roadway width, vacant lot at Second St. intersection

several vacant lots are located on the 100 and 300 blocks of Broadway.

EXISTING BULB-OUTS

Previous redevelopment efforts along Broadway Street constructed bulb-outs (curb extensions) at intersections between Second Street and Russ Street. The existing conditions of the bulb-outs include turf grass, mature olive tree plantings, and flush curbs at the corners paved with exposed aggregate. Concerns at the existing street corners include run-off draining across the flush curbs and the fruit drop from the mature olives.

ROADWAY WIDTH

Having been constructed as a highway, the width of the roadway across Broadway is generous with

an average curb to curb width varying 66-68'. The wide roadway results in a greater crossing distance for pedestrians.

CROSSINGS

An existing mid-block crossing is located approximately 90' west of the intersection at First St. This crosswalk does not align with businesses attracting pedestrian-oriented patrons and is redundant to the intersection crosswalk located nearby.

SIDEWALK CONDITION

At 11' wide, the existing sidewalks are adequately sized to accommodate pedestrian oriented uses. The condition of the sidewalks along Broadway Street is mixed, with some segments posing

grade differentials and in need of repair. The sidewalks along the south side of Broadway St. are in greater need of repair than the north side—specifically the 200 to 300 block of Broadway. The existing overhang located on the buildings between 302-320 Broadway limits visibility, reduces sidewalk width, restricts tree canopies, and darkens the pedestrian zone. As mentioned previously, the drainage issue at the street corners pose an obstacle to pedestrians.

STREET MEDIANS

Existing street medians are located on the 100 and 200 block of Broadway St. The medians are constructed of pavers with shrub planting areas. The sewer line runs beneath Broadway and is too shallow in depth to accommodate planting trees.



Above: Building overhang reduces usable width of sidewalk. Below: Existing crosswalk

ON-STREET PARKING

Existing parking along Broadway St. is diagonally oriented (30-degrees) between the 200 to 400 block. Parallel parking is located on the 100 block and 500 block. Parking is most impacted in the 200 block of Broadway and fluctuates throughout the day. Demand peaks while the college is in session with impacts to parking along Broadway and side streets.

STREET FURNISHINGS

Street furnishings are limited to existing trash receptacles. The streetscape is limited on seating and void of wayfinding signage.



Above: Liguidambers have overgrown site conditions. Below: Patched existing sidewalk



Mature olive and turf planted in bulb-out



Stain from drainage across existing sidewalk corner

STREET TREES AND LANDSCAPING

The urban tree canopy along Broadway St. is a combination of mature olives, liquidambar, and magnolias. Concerns regarding the existing olives include litter that pose a trip hazard and sidewalks stains. Several of the existing liquidambar have out grown the conditions and are crowding the building overhang on the 300 block of Broadway. Many of the magnolias have a nicely shaped form. Beyond trees, landscaping is primarily limited to turf grass.

NIGHT SETTING

The City is currently replacing the existing street lights with new poles and LED high efficient fixtures. Existing street lights are located approximately 80-130' apart and alternate sides along the street. At intersections, street lights are located at two of the four corners.

DRAINAGE

Broadway St. has a centerline crown which sheds water to gutters on both sides of the roadway. The longitudinal slope of the street sheds water in a southwestern direction towards San Lorenzo Ave. Existing storm drains are located beneath the sidewalk adjacent the bulb-outs on the western end of each block on the north and south side of the street.

PUBLIC TRANSIT

King City is serviced by Monterey Salinas Transit bus line #23. The route provides service to Salinas. A bus stop with shelter is on the south side of Broadway east of the Second St. intersection. A multi-modal transit station is planned in close proximity north of the project area.

3 | DESIGN PROCESS

Step one of the design process was connecting with City staff and the public to gather input on the ideas, needs, and desires of the community. A series of meetings with City staff, stakeholder interviews, two community workshops, and one City Council meeting were conducted as part of the outreach process. In addition, the design team reviewed the following planning documents:

- Downtown Addition Specific Plan Landscape Master Plan (2014)
- City of King First Street Corridor Master Plan (2013)
- City of King Historic Corridor Revitalization Plan and Form-based Code (2011),
- City of King West Broadway Master Plan (2011)
- Central Business District Study (1966)

STAKEHOLDER INTERVIEWS

Four stakeholder interviews were conducted on Monday, September 12, 2016. The list of stakeholders was provided by the City staff. Stakeholders interviewed included Broadway Street property owners, councilmembers, and King City in Bloom.

Concerns expressed by the stakeholder group included low lighting conditions at night, impacted parking along Broadway Street, the blighted condition of the 300 block, concerns with the existing olives and other street trees, and sidewalk tripping hazards. Ideas suggested by the stakeholders included proposing additional parking, wayfinding signage, street trees to provide color to the streetscape, and a downtown plaza or park.

COMMUNITY WORKSHOP 1

The first community workshop was hosted at City Hall on Monday, September 12th, at 6:30 pm. Spanish translation was provided.

Crossings

Town Square

Bulb-out

Photo: ● Votes

Photo	Votes
1	
2	●●●●●
3	
4	
5	●
Town Square	
6	
7	●
8	
9	
10	●●
11	
12	●●●●●●●●●●
13	
Bulb-out	
14	
15	●●
16	●
17	●●●●
18	

KING CITY DOWNTOWN STREETScape CONCEPTUAL PLAN
Plan Paisaje Urbano Centro De La Ciudad
 COMMUNITY WORKSHOP #1, SEPTEMBER 14, 2016 (11 PAGES)

Character image board from Workshop #1. Green dots represent community opinions on priorities.



Participants reviewing boards at Worskhop #1



Participants selecting preferences at Worskhop #1

KING CITY DOWNTOWN STREETSCAPE CONCEPTUAL PLAN Plan Paisaje Urbano Centro De La Ciudad

► GOALS AND OBJECTIVES: BIG PICTURE
COMMENTS

● Place a sticker next to your first and second priority.

Vintage Character/A	Wind Turbines
Promote Safety, Lighting	Sports Bars
Inviting to attract people	Dance Venues
Generate Night Life	Gang Activity Control
Need activities for young/middle generation	Overnight Accommodations
King City theme - culture, people, windmills	Low hanging branches, ^{Sidewalk} tripping hazards
Visual Enhancement - Wow Factor	Remove problematic trees
Pedestrian & Bicycle Safety	
Upgrade existing facilities	

COMMUNITY WORKSHOP #1
SEPTEMBER 22, 2016




Goals and Objectives board from Workshop #1. Cream colored dots represent community opinions on priorities.

The goal of this meeting was to gather initial feedback on the condition of Broadway Street and hear directly from the community the vision they hold for Broadway Street.

Community participants had several opportunities to contribute during the workshop. Upon arriving to the workshop, a poster board with the question "What's Important to you" offered participants an opportunity for comment. Lighted trees, street furniture, and seating were among some of the suggestions.

During the workshop, participants brainstormed on the goals and objectives for the streetscape. Later in the workshop, community members selected their favored goal and objective by placing dots next to their preferences. "Visual Enhancement-Wow Factor", "Generate Night Life", "King City Theme-culture people windmills", and "Promote pedestrian & bicycle safety" were popular.

For the closing workshop activity, poster boards with streetscape element ideas to consider were presented and participants again marked their preferences with dots. A bandstand, crosswalks with decorative patterns, wall murals, a gateway,

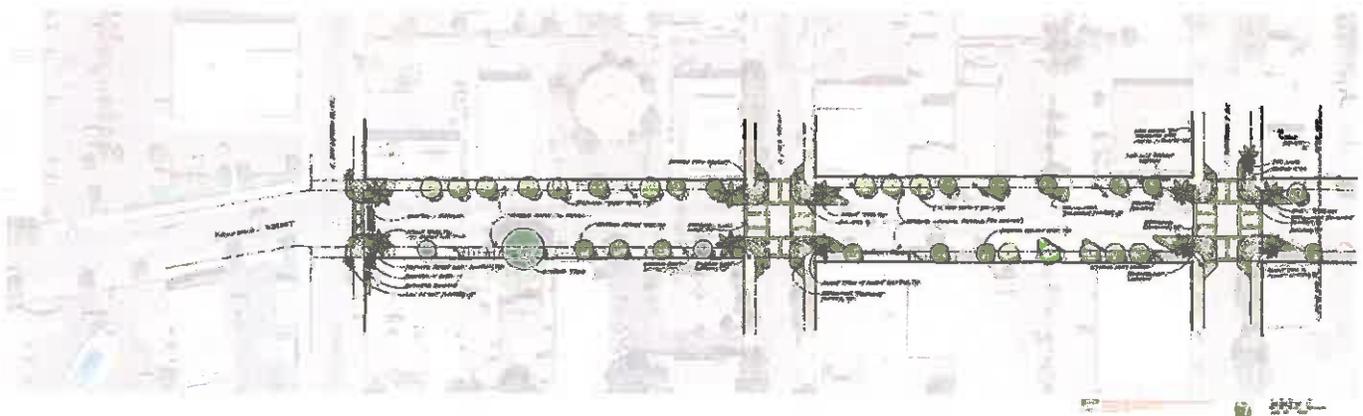
café seating, and sitting areas were popular selections.

COMMUNITY WORKSHOP 2

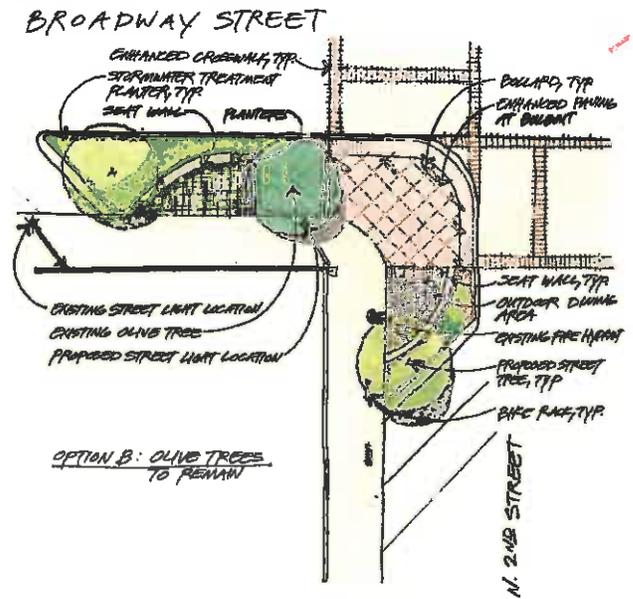
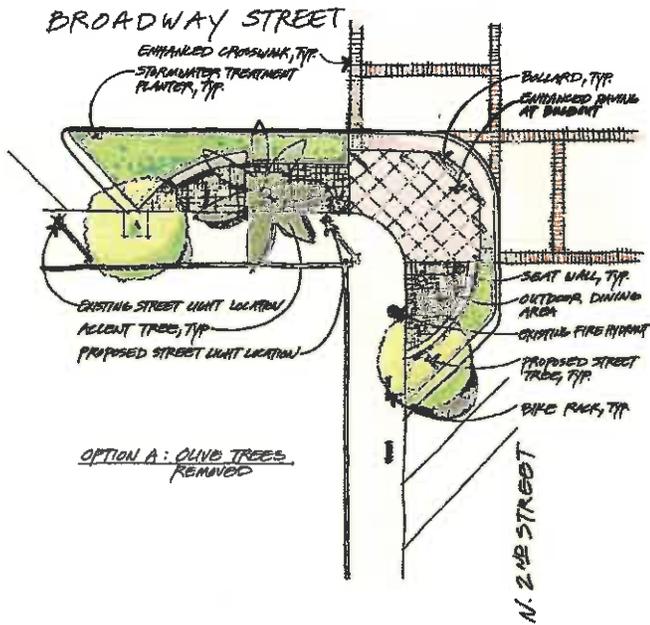
The second community workshop was hosted at City Hall on Thursday, November 3, at 6:00 PM and Spanish translation was again provided.

After the first workshop, the design team integrated the initial community input and developed a preliminary streetscape concept. The goal of the second meeting was to present this initial concept to the community for feedback.

Graphics presented at the meeting included a concept for Broadway from San Lorenzo to First Street and two enlargement plan alternatives studying options for the accent trees at the corner bulb-outs: one option for keeping the existing olives, and a second option proposing a new accent tree. Lastly, two-character image boards were presented updated in response to input received from the previous workshop.



Broadway Streetscape Preliminary Concept presented at Community Workshop #2. (Above: San Lorenzo Ave. to Vanderhurst Ave. Opposite page below: Third St. to First St.)



King City Downtown Streetscape Conceptual Plan
 Preliminary Concept Workshop #2
 November 2016

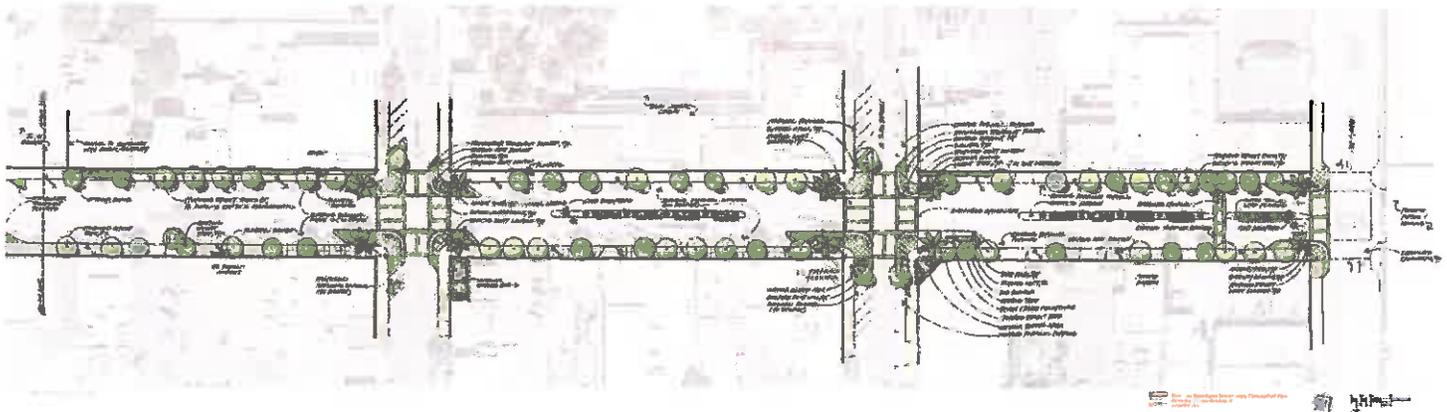


Bulb-out Option A: Illustrates new accent tree to replace existing olive. Presented at Community Workshop #2

King City Downtown Streetscape Conceptual Plan
 Preliminary Concept Workshop #2
 November 2016



Bulb-out Option B: Illustrates keeping existing olive. Presented at Community Workshop #2



Some of the public comments in response to the preliminary concepts included:

- Incorporate local artisan craftsmanship such as local iron fabricators into design
- Consider proposing wind breaks along streetscape
- Create a list of suggested street trees considering species that do not block business signs or lighting, have low to no litter, and provide seasonal interest

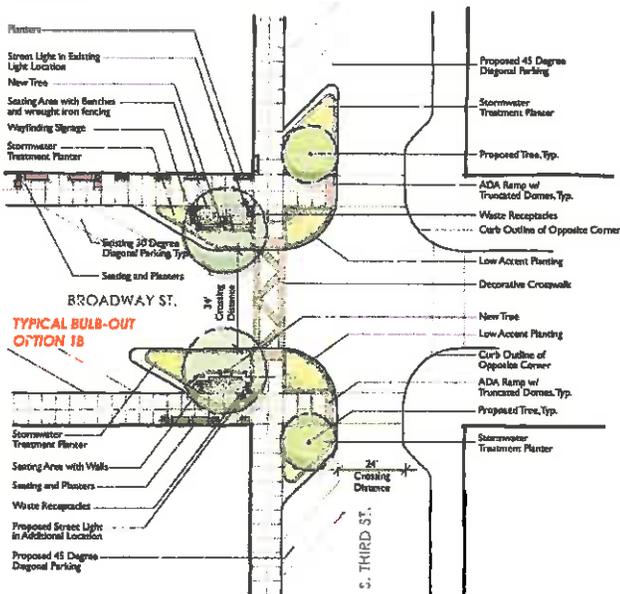
- Keep historic beautiful buildings as visible as possible.

CITY COUNCIL MEETING

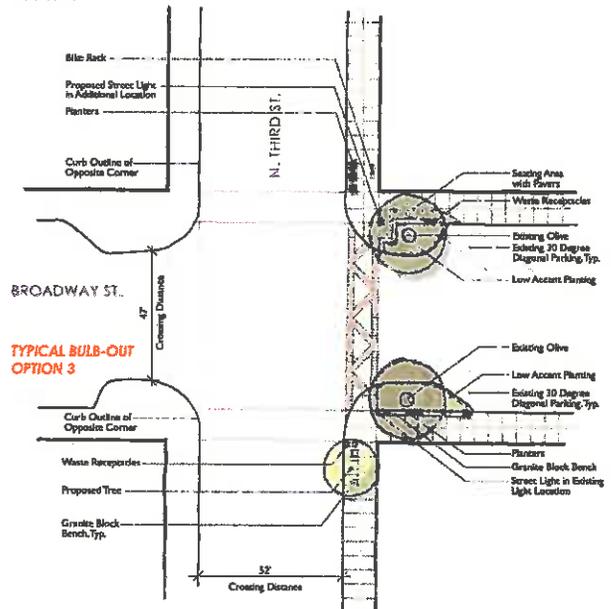
Succeeding the community workshops, the design team developed a preferred streetscape concept in response to the gathered community input. The preferred concept was presented to the City Council on Tuesday, January 10, at 6:00 pm.

The preferred plan presented included three

TYPICAL BULB-OUT
OPTION 1A



TYPICAL BULB-OUT
OPTION 2



TYPICAL BULB-OUT
OPTION 3

Typical Bulb-out Options 1A & 1B: Presented at the City Council meeting.

Typical Bulb-out Options 2 & 3: Presented at the City Council meeting.

options for design treatments at the bulb-outs:

- *Options 1A and 1B*: presented a full curb extension with varied paving and furnishing arrangements.
- *Option 2 and 3*: explored the possibilities of working within the existing curb-line in an effort to incur as little cost as possible. These options sought to keep the existing olives and propose minimal changes to the existing bulb-out and planting area. Option 2 proposed keeping the existing olives and installing pavers into the existing planting area to the extent possible to accommodate seating. Option 3 addressed the concerns in which the existing planting areas are too mounded to add pavers and seating. This option sought to maintain the existing curb-line and olive tree and proposed granite block benches be placed on the adjacent sidewalk and turf replacement with low drought tolerant planting.

The presentation concluded with a discussion of the projected construction costs and potential project phasing possibilities. The preferred conceptual plan and Option 1A were approved by the City Council.

HOW COMMUNITY INPUT INFORMED THE PLAN

The goals and objectives for the streetscape concept were directly identified through the “Goals & Objective” exercise during Community Workshop 1. The results from this activity were then combined with other comments received through the public outreach process to identify the following goals and objectives for the project.

GOALS

- Promote a vibrant public life in the historic downtown
- Prioritize the pedestrian
- Improve the street ecology

OBJECTIVES

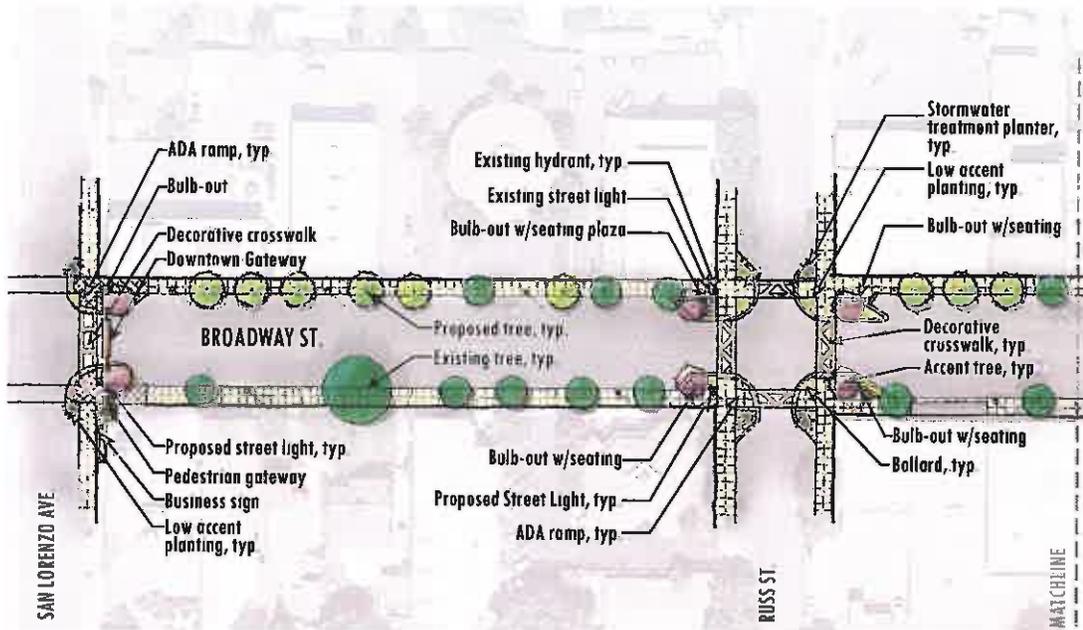
- Provide safe areas to sit and gather that are conveniently located to established businesses; identify additional locations for public use to attract future businesses; update facilities; improve aesthetics through landscaping improvements; and encourage property owners and shopkeepers to participate in improvement efforts.
- Improve pedestrian safety by calming traffic, decreasing pedestrian exposure to traffic, eliminating sidewalk obstacles, and improve sidewalk lighting at night; increase convenience and ease of use for pedestrian and bicyclists visiting the downtown; provide universal access through barrier free sidewalks and curb ramps.
- Provide methods for accommodating on-site stormwater management.

With the framework established by the project’s Goals and Objectives, the design team then synthesized the community’s input on specific streetscape elements. The preferences identified through the priority setting exercises during Community Workshop 1 were combined with community comments and input gathered during the entire outreach process. This input was combined with City staff input, then integrated into the design concepts and final preferred master plan.

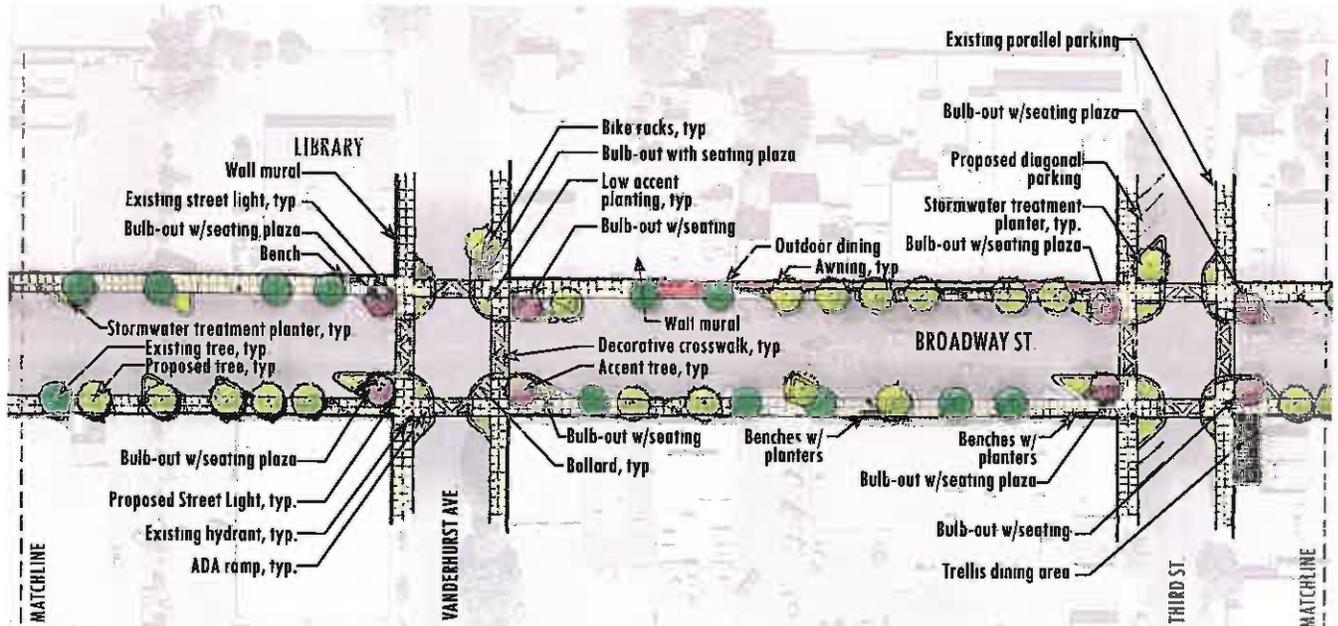
4 | FINAL MASTER PLAN

CHARACTER AND DESIGN INTENT

The intent of the master plan is to enrich the streetscape experience for those users who currently venture to downtown King City, while also attracting more people, both from within the community and beyond the region, to visit the historic Broadway Street neighborhood. The master plan aims to enliven the Downtown and improve the pedestrian experience by recapturing some of the land currently dedicated to vehicular uses and restore it to the public domain to be used for social and pedestrian uses. Through the reallocation of space, the design intends to increase safety, improve the environment, and ignite community interest in participating in the Historic Downtown streetscape improvement process.

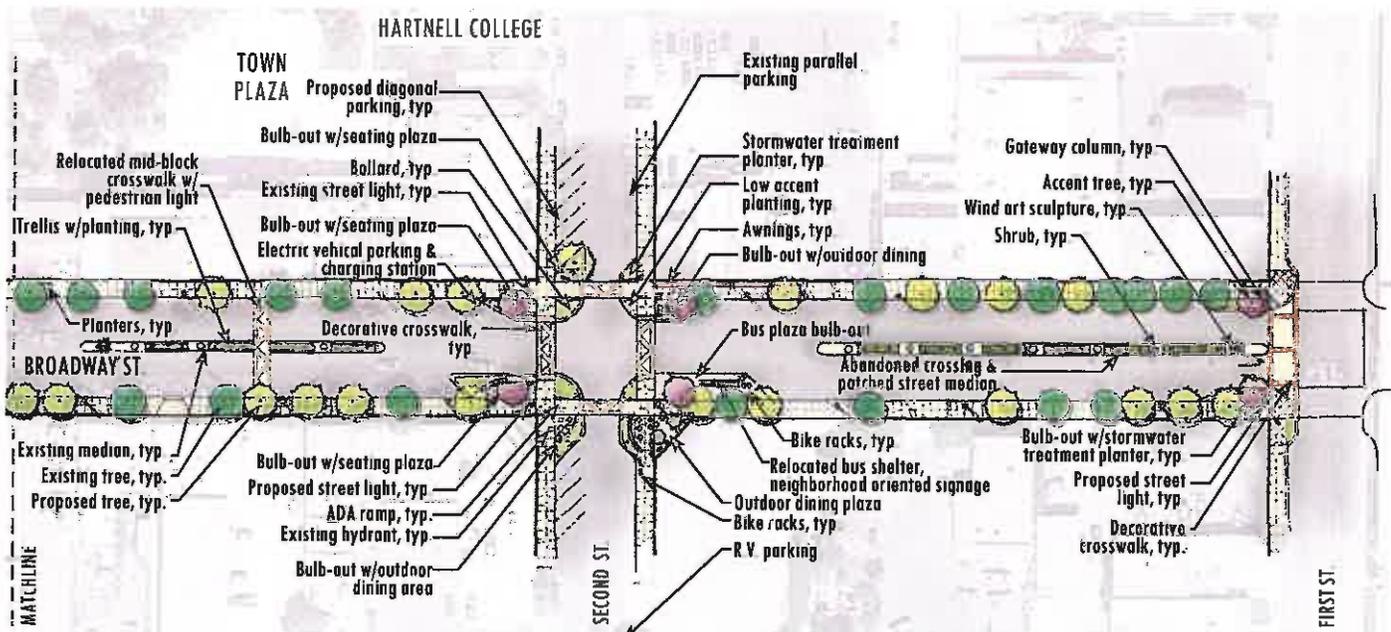


Broadway St. Streetscape Master Plan:
San Lorenzo Ave. to Russ St.



Broadway St. Streetscape Master Plan:
Vanderhurst Ave. to Third St.

KING CITY DOWNTOWN STREETScape MASTER PLAN



Broadway St. Streetscape Master Plan:
Second St. to First St.



SCALE 1" = 120'

PLAN FEATURES

EXTENDED BULB-OUTS

Increase space for public use is a top priority of the master plan. By extending the existing curbs, space is recaptured from the vehicular sphere and can be repurposed as places for people to gather. The master plan designates gathering areas for seating while also opening space to accommodate the overflow of people from the sidewalk. These overflow areas are designed to be briefly occupied as people travel through the streetscape—allowing, for example, the impromptu meeting of neighbors or a pedestrian who is waiting to cross the street.

Extending the bulb-outs improves pedestrian safety as well. The bulb-outs calm traffic by physically narrowing the lanes of the roadway and reducing the effective turning radius at the corners. The reduction in the road width and sharper corners cause drivers to slow down as they navigate the narrower roadway. Furthermore, bulb-outs reduce the crossing distance of the

street decreasing the time a pedestrian is in the path of vehicles. Across Broadway, the master plan crossing distances are decreased by as much as 30' and the crossing distance on side streets is cut in half. Lastly, improved sight lines increase pedestrian visibility.

The extended bulb-out provides for an increased planting area that also function as stormwater treatment planters. Existing drainage issues are resolved as nuisance water flows into the planters and is pretreated before entering the storm drain system.

STREET CROSSINGS

The master plan proposes two street crossing improvements: decorative crosswalks and a relocated mid-block crossing. Decorative crosswalks help drivers identify the pedestrian zone of the roadway.

These decorative crosswalks can be designed by a local artisan incorporating motifs reflective of the local culture. Materials can be stamped asphalt inlaid with a thermoplastic material or pavers.



Bulb-out with seating area



Bulb-out with bench, seat wall, and planting area

Decorative crosswalks are proposed at each intersection within the project area.

The master plan proposes relocating the existing mid-block crossing near First St. to the 200 block of Broadway between Second and Third St. This location aligns with the entrance to the Town Square, the theatre, and improves access to Hartnell College campus beyond. The existing median provides mid-crossing refuge for pedestrians and a pedestrian activated light increases the visibility of those crossing Broadway.

SIDEWALK IMPROVEMENTS

The recommendation of the master plan is to replace sidewalks in poor condition or that pose a tripping hazard. Priority will be given to the higher trafficked stretches of sidewalk as funding becomes available or as development is initiated on adjacent parcels. The 200 and 300 block on the south side of Broadway is an example of a highly-used stretch of sidewalk that needs repair.

PARKING IMPROVEMENTS

The master plan proposes adding diagonal parking on the side streets of Second and Third to help ease congestion on Broadway at the busiest blocks. At just over 50', the curb-to-curb width of the side streets is too narrow to add diagonal parking on both sides of the street. The design solution maintains the existing parallel parking on the east side of the street with 45-degree diagonal parking added to the west. While the curb extensions on Broadway propose removing a nominal number of parking spaces on Broadway, the additional diagonal parking on Second and Third Streets will place approximately 30 spaces in to use. Further study of street conditions and engineering will be necessary before a final design for new parking can proceed.

Additional parking improvements include adding RV parallel parking spaces on east side of Second Street between Bassett and Broadway to accommodate the oversized tourist vehicles that come through the Downtown district. An electric vehicle charging station is proposed at the 200 block of Broadway—a location selected for its prominence and convenience.



Custom decorative crosswalk in San Jose, CA, designed by artist Lacey Bryant



Thermoplastic stamped asphalt decorative crosswalk in San Leandro, CA



Concrete with integral color

STREET MEDIANS

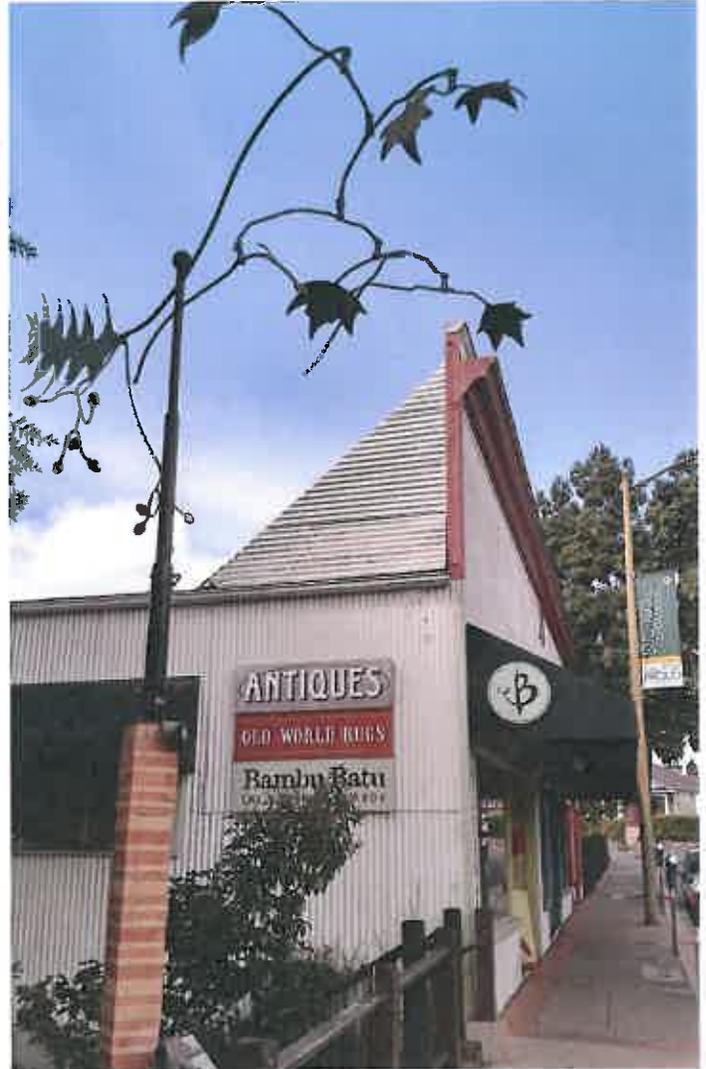
Trellises and wind-art sculptures are proposed to embellish the existing street medians on the 100 and 200 block of Broadway. Constrained by the shallow sewer line beneath Broadway, the trellises provide an overhead element to frame the view and support vegetation without the risk of tree roots damaging the shallow sewer line beneath the street. The wind art sculpture incorporated into the end of the street medians celebrates the diurnal wind that sweeps down Broadway and can be commissioned by a local artist to showcase regional talent. Consideration for visibility and traffic safety will be required prior to finalizing concepts for improvements in the medians.

OUTDOOR SEATING AND DINING AREAS

Introducing outdoor seating and dining areas will enliven the downtown core. Benches and street furniture have been strategically located near places people gather: grocery stores, places of worship, restaurants, and the library. Available seating areas along Broadway can be expanded by allowing restaurateurs to set-up sidewalk bistro tables for outdoor dining. The master plan proposes an outdoor corner seating plaza be incorporated into the redevelopment plans for the vacant lot at Broadway and Second St.

STREETScape CHARACTER AND STREET FURNISHINGS

The design intent of the streetscape is to reinforce the historic charm of the neighborhood through the selection of street furnishings with classic embellishment. The streetscape is to be free of clutter—furnishings and signage is to be consolidated, when possible, and located outside the 6' wide pedestrian sidewalk zone.



Above: wind art sculpture by Jim Jacobson in San Luis Obispo, CA; below: outdoor dining area



Concrete planter



STREET FURNISHINGS

The master plan proposes a variety of seat walls and benches to provide options for seating. Benches can be locally fabricated. Bike Racks are to be located at each intersection out of the pedestrian zone but within viewing distance for added security. Trash and recycling receptacles are to be located adjacent seating areas. Planters are identified on the master plan to add greenery and texture to the streetscape with additional areas for landscaping. Building awnings are proposed to add interest and color to the facades.



Business and property owners are encouraged to work with the City to make improvements to their property by providing furnishings, for example, setting out bistro tables, chairs, or planters outside shops. Specific suggestions include installing an outdoor dining trellis at the restaurant on the corner of Third Street and Broadway, and replacing the overhang with awnings on the buildings at 302-320 Broadway St.



From top to bottom: awning, bulb-out with bistro table, bench with fencing, granite block

STREET TREES

An urban streetscape imposes unique demands on trees; pavement restricts the soil area around a tree and its ability to absorb water and nutrients, passing vehicles can tear off tree limbs, and tree trunks are damaged by car doors, to list but a few issues. Many trees are unable to thrive in such conditions.

Much interest was expressed during the community outreach process in the selection of trees for Broadway Street. Though a perfect street tree is unlikely, the design team carefully considered all input while incorporating professional expertise. In addition to the typical considerations for street trees, the following criteria were included in the development of a tree species list for Broadway Street:

- Tree species with little to no litter
- Species tolerant of winds
- An upright form
- A species not disruptive of sidewalks
- Smaller to mid-size tree to maintain visibility



From left to right: crape myrtle, ginkgo, chitalpa

ACCENT TREES

The accent trees at the intersections are proposed to add a pop of color and interest at the street corners. The following trees species are suggested for consideration:

- Chitalpa tashkentensis 'Morning Cloud', chitalpa
- Lagerstroemia indica, crape myrtle
- Pistacia chinensis, Chinese pistache

MID-BLOCK TREES

The design intent of the mid-block trees is to provide a uniform visual backdrop to the streetscape. Species suggested are:

- Zelkova serrata 'City Sprite' or 'Musashino', zelkova
- Celtis occidentalis, common hackberry
- Ulmus parvifolia 'Drake', Chinese elm



Stormwater treatment planter

- Quercus virginiana, southern live oak
- Ginkgo biloba 'Autumn Gold', ginkgo

In addition, the plan recommends specifying tree wells to be as generously sized as possible¹ at a minimum of 5' wide x 5' long tree well.

STORMWATER TREATMENT PLANTERS

Curb cuts in the extended bulb-outs allow for nuisance and stormwater to flow through the planting area before entering the storm drain system. These stormwater treatment planters allow for pretreatment and infiltration of run-off improving the quality of stormwater and reducing total run-off volume. Plantings are to be low to maintain visibility.

In addition to the bulb-outs stormwater treatment planters are proposed at the existing striped "no parking" areas adjacent driveways.

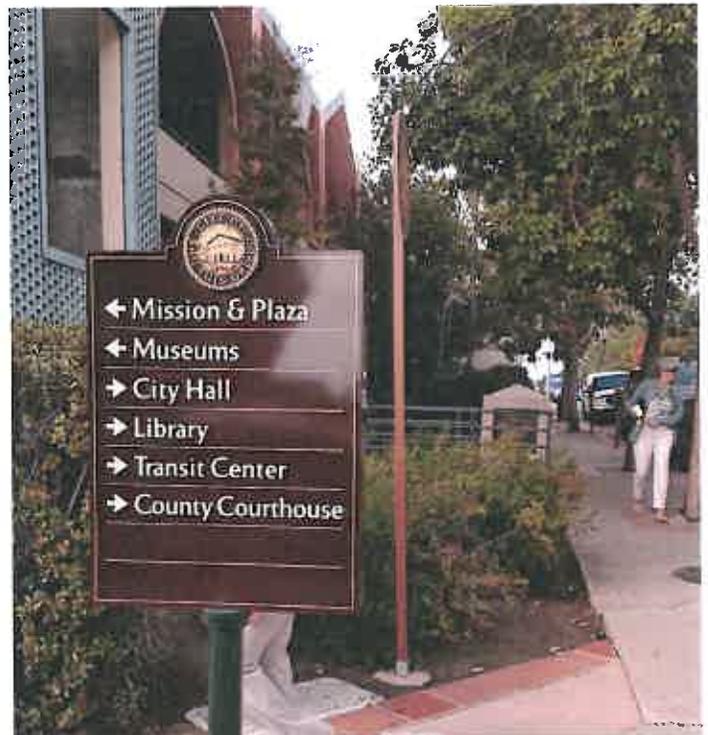
¹ Research indicates optimal soil volume conditions are tree wells with a total area of 1000 cf of loam soil. ASLA Staff. (2016, January 5). Urban Design and Tree Planting Spaces. Retrieved from: <https://thefield.asla.org>.

DOWNTOWN GATEWAY AND SIGNAGE

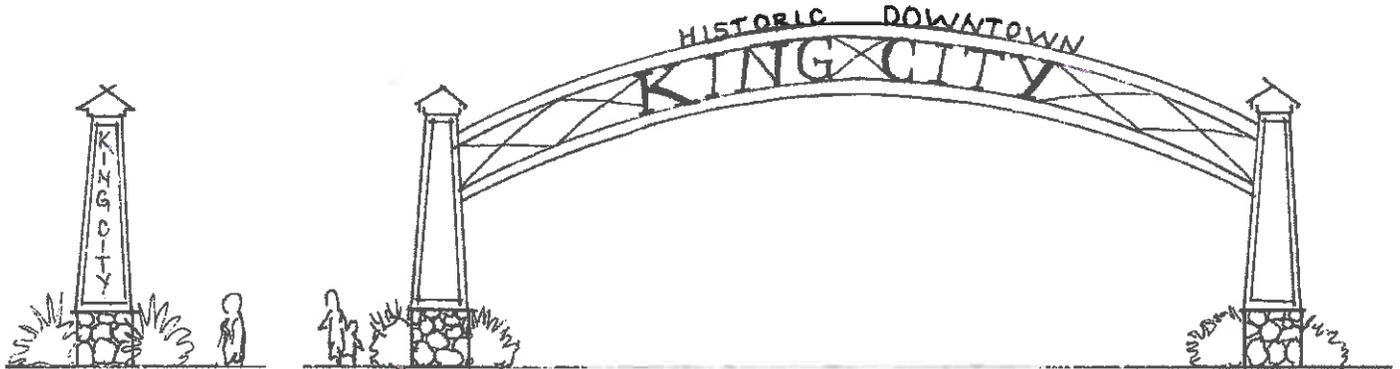
Streetscape signage is used to establish an image for a district, mark entry points, and provide directional information for nearby destinations.

A gateway arch at the intersection of Broadway and San Lorenzo Street announces the arrival to downtown King City at the main approach from the highway. The approach to Broadway at First Street is distinguished with gateway columns.

District orientation signs are proposed at the Corner of Broadway and First St, at the Downtown Plaza, and near to the corner seating plaza and the bus stop at Second Street. These signs are oriented for pedestrians and provide information on the Historic Downtown, neighborhood map, and list of destinations.



Directional signage, designed by Pierre Rademaker



Gateway features: column, left; proposed for First St. intersection; arch, right, proposed for San Lorenzo Ave. intersection

Smaller directional signs, providing place names and wayfinding information, are proposed at the intersections of Broadway and First, San Lorenzo, Second, and Third Street intersections.

BICYCLE FACILITIES

Bicycle racks have been included at each corner of the intersection and at key points along Broadway Street, such as the bus plaza bulb-out. Bicycle lockers installed at Hartnell College or Town Plaza property would increase accommodation of the bicycling community while decreasing the demand for parking and property owners are encouraged to work with the City to add lockers to their properties. "Sharrows" painted on the street call drivers' attention to the shared use of travel lanes with bicycles on Broadway and the adjacent side streets.

NIGHT LIGHTING IMPROVEMENTS

To improve safety, the master plan proposes street lights for each corner from San Lorenzo Avenue to First Streets amounting to an additional 10 street lights along Broadway. Twinkle lights on accent trees planted at the intersections add ambiance and light to the bulb-out seating areas.



"Sharrow" painted on street marking a shared lane



Trees with twinkle lights



Bicycle lockers



A bike plaza with facilities to secure bicycles: bike racks and a covered area with bike lockers



Inspiration for curved trellis featured in Downtown Plaza concept



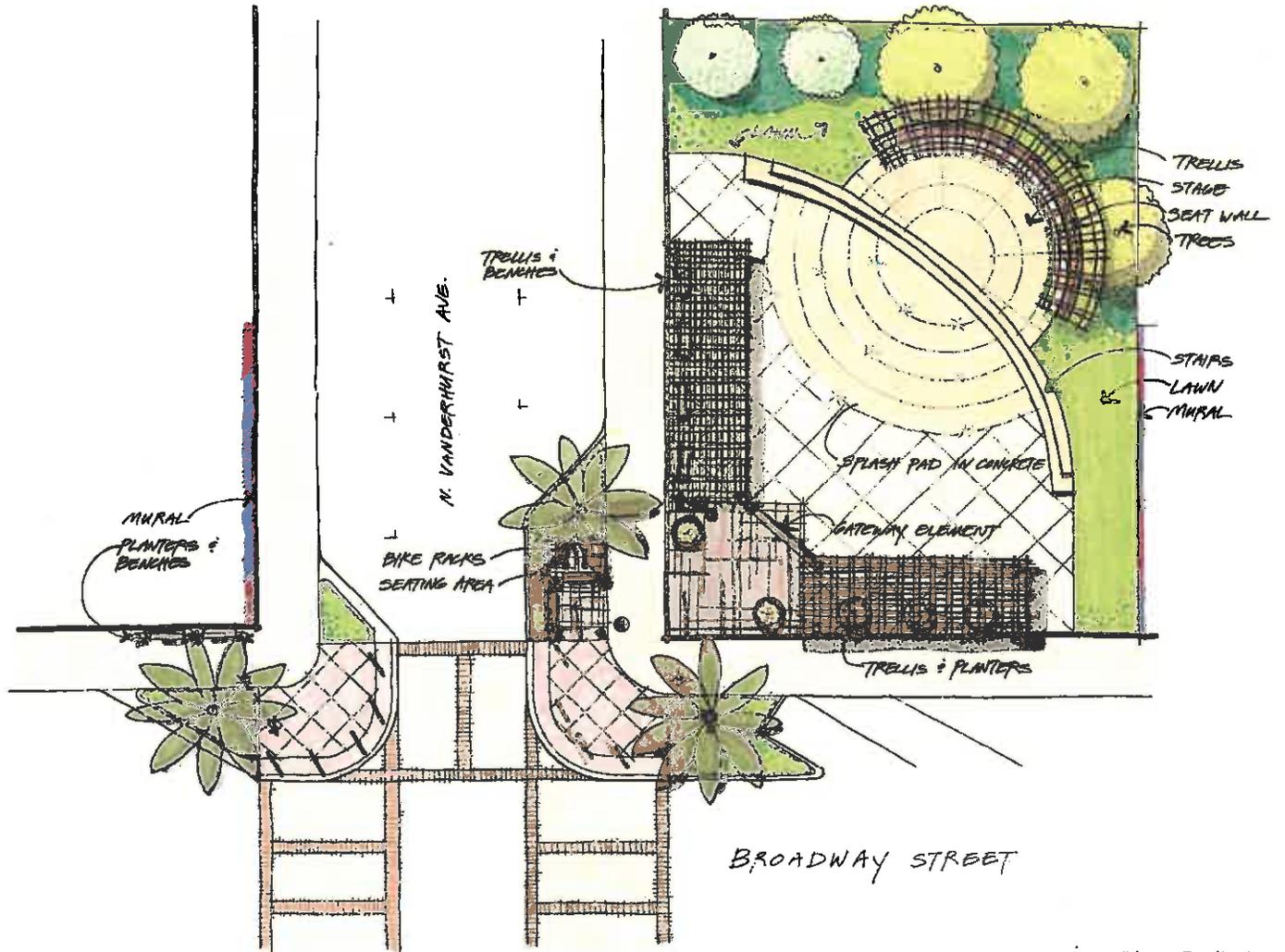
Local artists can be commissioned to paint wall murals on blank walls along Broadway



A downtown plaza with seating, trellis, and splash pad

DOWNTOWN PLAZA

A preliminary concept was explored for a Downtown Plaza for the lot at the corner of Vanderhurst and Broadway. Though the detail design for the plaza is beyond the scope of this project, feedback gathered during the community outreach process was referenced to develop this schematic concept. Plaza features could include a stage area for performances, a splash pad, a clock archway to replace the clock on the Meyer Building that will be lost to the Downtown Extension, iron work showcasing local craftsmanship, and trellises to mirror those proposed for the Broadway street medians. Additional study of the property lines, acquisition, entitlements, existing conditions and utilities, are required to advance the plaza concept on this parcel.



Downtown Plaza Preliminary Concept

5 | IMPLEMENTATION STRATEGY

Though the Broadway Streetscape improvements could be conceivably constructed all at once, it will likely be implemented over a period of years in phases. The order of construction phases will be the result of available funding.

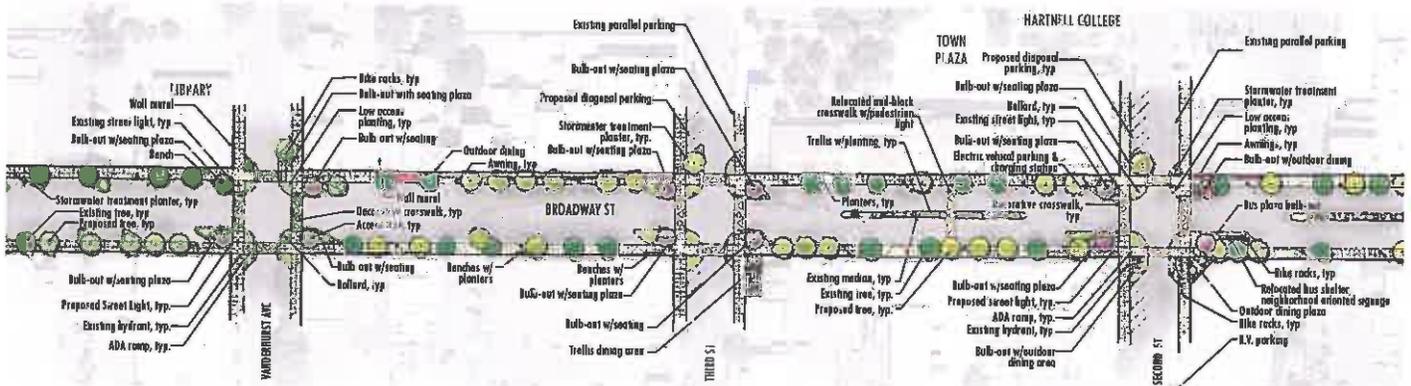
One strategy is to implement several key blocks of the Broadway Streetscape master plan. Under this strategy, the Phase 1 project identifies the blocks in both greatest need and most heavily used for the first stage of construction: the three blocks from Vanderhurst Avenue through Second Street. Future phases could then implement the gateway and streetscape improvements from San Lorenzo to Vanderhurst, and finally completing the improvements from First to Second streets.

When funds are available to prepare construction documents of a specific planning area, careful forethought will be given to which elements are intrinsically connected to others from not only a

planning standpoint, but also from a construction perspective. This will help to minimize the need for spending more money than is necessary later when subsequent phases are built.

PHASE 1 FUNDING PLAN

Funding allocated from sale of Rule 20A Credits:	\$100,000
FY 2016-17 funding to be allocated from sale of property:	\$300,000
FY 2017-18 funding to be allocated from sale of property:	\$400,000
Grant funding:	\$900,000
Total	\$1,700,000



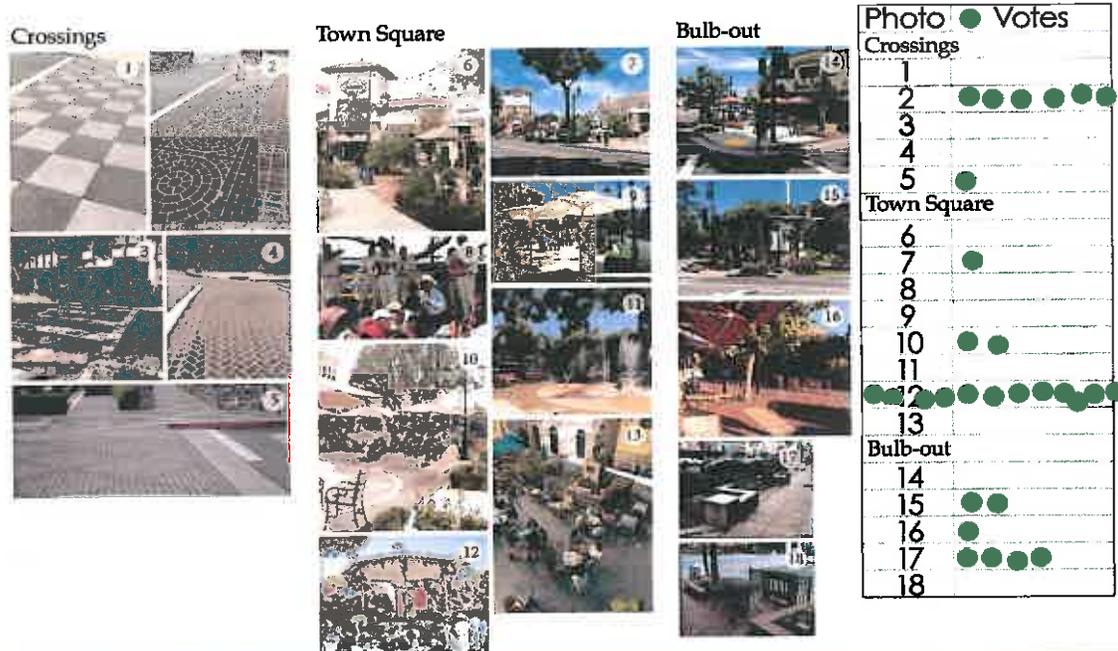
Master Plan Phase 1

6 | APPENDIX

APPENDIX OF PRESENTED MATERIALS

The following pages catalogs the various image poster boards and concepts as presented to the community during the two community workshops.

COMMUNITY WORKSHOP #1



KING CITY DOWNTOWN STREETSCAPE CONCEPTUAL PLAN
Plan Paisaje Urbano Centro De La Ciudad
COMMUNITY WORKSHOP #1 - DETERMINING DOWNTOWN CHARACTER




Above and left: Character image boards, green dots represent community opinions on priorities

COMMUNITY WORKSHOP #1

KING CITY DOWNTOWN STREETScape CONCEPTUAL PLAN

Plan Paisaje Urbano
Centro De La Ciudad

► GOALS AND OBJECTIVES: BIG PICTURE

COMMENTS ● Place a sticker next to your first and second priority.

Vintage Character/A	Wind Turbines
Promote Safety, Lighting	Sports Bars
Inviting to attract people	Dance Venues
Generate Night Life	Gang Activity Control
Need activities for young/middle generation	Overnight Accommodations
King City theme-culture, people windmills	Low hanging branches, ^{Sidewalk} tripping hazards
Visual Enhancement - Wow Factor	Remove problematic trees
Pedestrian & Bicycle Safety	
Upgrade existing facilities	

COMMUNITY WORKSHOP #1
SEPTEMBER 12, 2012





Goals and objectives board, cream colored dots represent community opinions on priorities

KING CITY DOWNTOWN STREETScape CONCEPTUAL PLAN Plan Paisaje Urbano Centro De La Ciudad

► What's important to you?

Dynamite Entrance

Color

Street furniture (benches, planters)
protected bike lanes

Bricks
Spanish tile
Roses

great ideas
Lighted Trees--
Downtown!

New curbs
& sidewalks.

Proper
Business
Signage

Trees
x magnolia, liquid amber
x olive - trim, thin
x tree protect guards for
new, smaller street trees
R-men

Awesome
Vintage Lamp Post!

Great ideas
lighting is really
writing! :-)

Twinkle Lights

Seating
Benches
Concrete/Stone Blocks
Seating Walls @ Trees

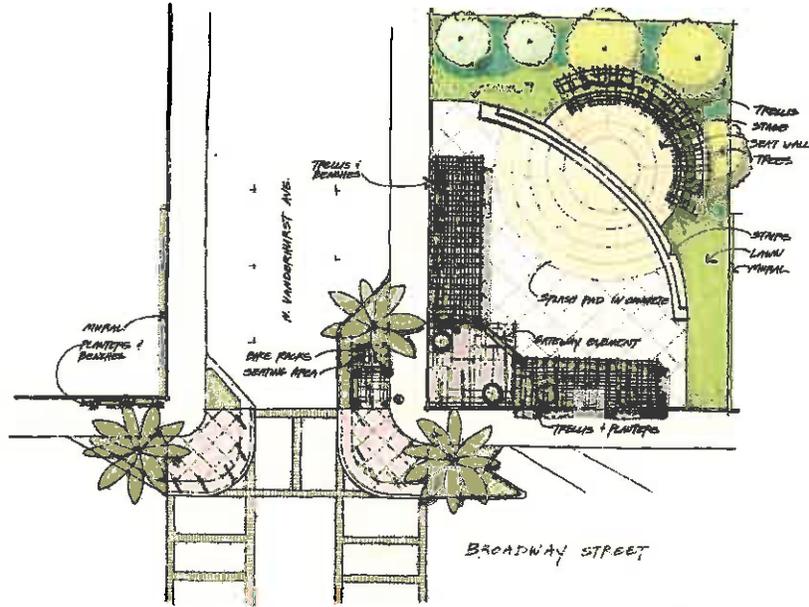
*Old bank
across from
after bank
made into a
R.J. Spurr
type of restaurant*

COMMUNITY WORKSHOP #1
SEPTEMBER 2012

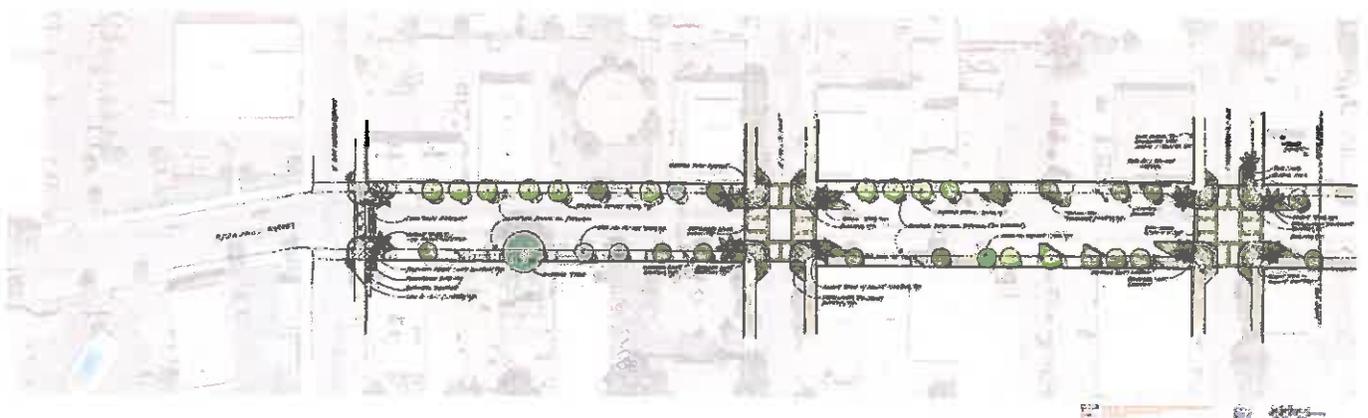



"What's important to you? board"

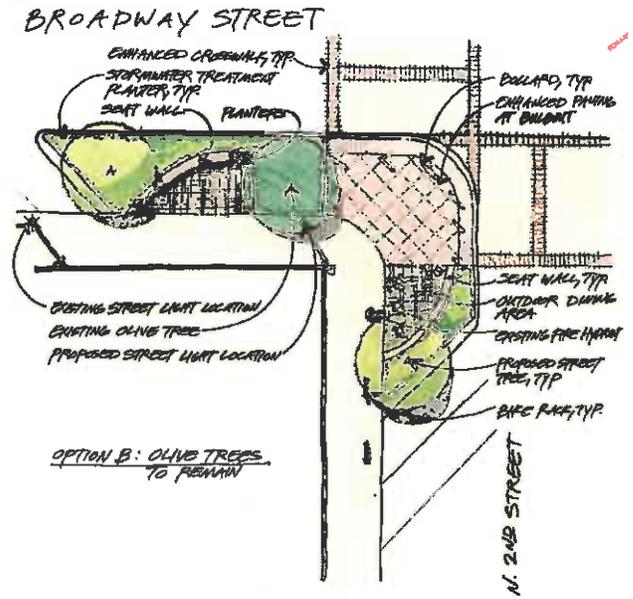
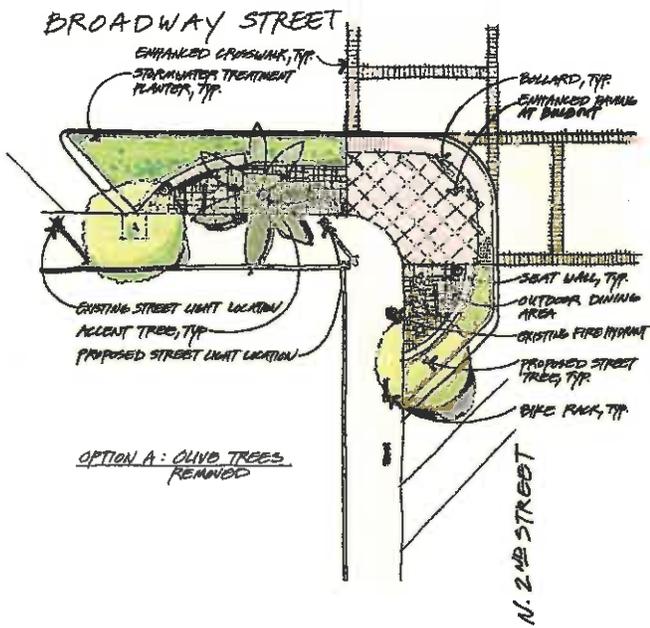
COMMUNITY WORKSHOP #2



Preliminary concept for Downtown Plaza presented at Community Workshop #2



Above & bottom right: Preliminary downtown streetscape concept presented at Community Workshop #2



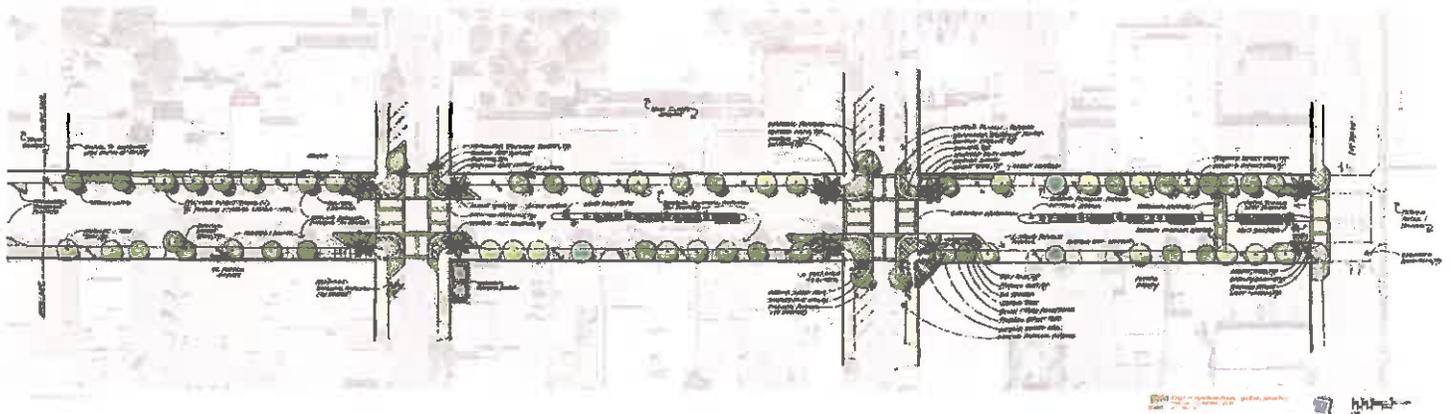
King City Downtown Streetscape Conceptual Plan
Preliminary Concept Workshop #2
November 2016



King City Downtown Streetscape Conceptual Plan
Preliminary Concept Workshop #2
November 2016



Preliminary concept for
Option A & B presented at
Community Workshop #2



King City Downtown Streetscape Conceptual Plan
Preliminary Concept Workshop #2
November 2016

COMMUNITY WORKSHOP #2

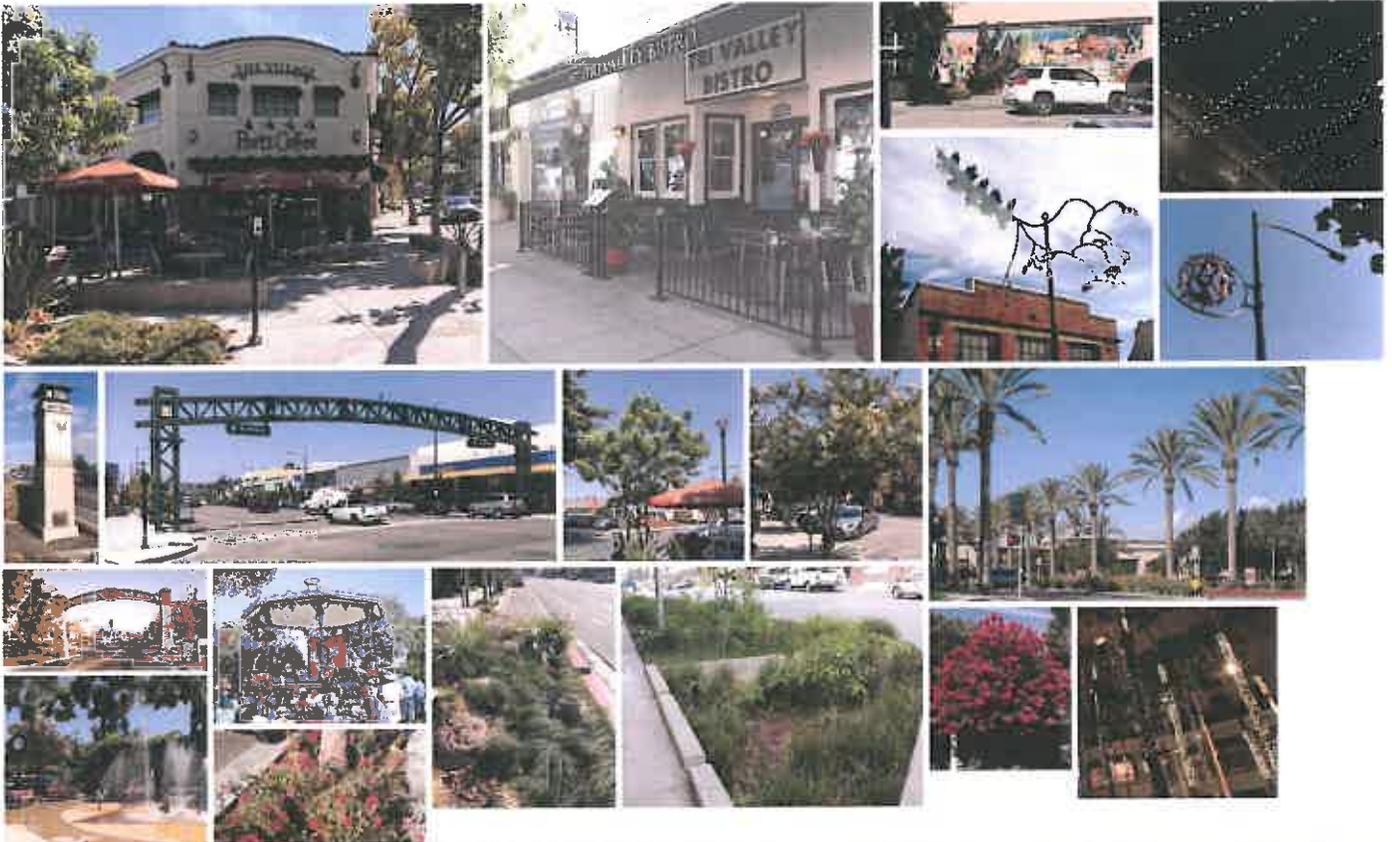


KING CITY DOWNTOWN STREETScape CONCEPTUAL PLAN *Plan Paisaje Urbano Centro De La Ciudad*

COMMUNITY WORKSHOP #2 NOVEMBER 9, 2016



*Above & right: Character image boards
presented at Community Workshop #2*



KING CITY DOWNTOWN STREETScape CONCEPTUAL PLAN
Plan Paisaje Urbano Centro De La Ciudad

COMMUNITY WORKSHOP 12 NOVEMBER 2010



COST ESTIMATES

ITEM	DESCRIPTION	QUANT	UNIT	COST/UNIT	COST	DESCRIPTION	
<p>DATE: Dec 12, 2016 JOB No.: 0897-01-UR16 JOB NM: King City Downtown Streetscape Conceptual Plan CALC BY AM CHK BY: JF</p>							
				 123 Estudillo Ave. Suite 200 San Leandro, CA 94577 Ph: (510) 751-4910 www.rmdesign.com			
INTERSECTION - KING CRYSTAL / WEST BAYVIEW							
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$30,000	\$30,000		
	STORM DRAINAGE & SITE UTILITIES	1	ALLOW	\$17,500	\$17,500		
	ASPHALT PATCHBACK & RESTRIPIING	1	LS	\$3,700	\$3,700		
	RELOCATE BUS SHELTER & STREET SIGNS	1	LS	\$2,800	\$2,800		
	STREETLIGHTS	3	EA	\$12,000	\$36,000		
	WAYFINDING SIGNAGE	4	EA	\$1,000	\$4,000		
	SEAT WALL	66	LF	\$175	\$11,550		
	ART CROSSWALK	1,275	SF	\$25	\$31,875	EXCLUDES ARTIST'S DESIGN FEES	
	PAVING	1	ALLOW	\$96,970	\$96,970		
	STREET FURNISHINGS	1	ALLOW	\$58,400	\$58,400	CAFE TABLES TO BE PROVIDED BY OTHERS	
	LANDSCAPING & IRRIGATION	1	ALLOW	\$17,870	\$17,870		
	ACCENT TREE LIGHTING	4	EA	\$1,000	\$4,000	EXCLUDES ASSOCIATED ELECTRICAL	
					Subtotal:	\$314,665	
INTERSECTION - BAYVIEW / WEST BAYVIEW							
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$30,000	\$30,000		
	STORM DRAINAGE & SITE UTILITIES	1	ALLOW	\$17,500	\$17,500		
	ASPHALT PATCHBACK & RESTRIPIING	1	LS	\$3,700	\$3,700		
	RELOCATE STREET SIGNS	1	LS	\$300	\$300		
	STREETLIGHTS	2	EA	\$12,000	\$24,000		
	WAYFINDING SIGNAGE	4	EA	\$1,000	\$4,000		
	GRANITE BLOCK SEATING	24	LF	\$600	\$14,400		
	ART CROSSWALK	1,275	SF	\$25	\$31,875	EXCLUDES ARTIST'S DESIGN FEES	
	PAVING	1	ALLOW	\$96,970	\$96,970		
	STREET FURNISHINGS	1	ALLOW	\$55,750	\$55,750		
	LANDSCAPING & IRRIGATION	1	ALLOW	\$17,870	\$17,870		
	ACCENT TREE LIGHTING	4	EA	\$1,000	\$4,000	EXCLUDES ASSOCIATED ELECTRICAL	
					Subtotal:	\$296,365	
					Subtotal for 3 Intersections:	\$889,095	
INTERSECTION - BAYVIEW / WEST BAYVIEW							
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$55,000	\$55,000		
	ASPHALT PATCHBACK & STRIPING	1	ALLOW	\$3,000	\$3,000		
	WAYFINDING SIGNAGE	10	EA	\$1,000	\$10,000		
	ART CROSSWALK - THERMOPLASTIC	761	SF	\$25	\$19,025	EXCLUDES ARTIST'S DESIGN FEES	
	SIDEWALK REPLACEMENT	9,300	SF	\$7	\$65,100		
	CONCRETE CURB & GUTTER	250	LF	\$30	\$7,500		
	STREET FURNISHINGS	1	ALLOW	\$93,000	\$93,000	EXCLUDES CAFE TABLES	
	TREE GRATES	88	EA	\$2,500	\$220,000		
	LANDSCAPING & IRRIGATION	1	ALLOW	\$36,405	\$36,405		
					Subtotal:	\$509,030	
INTERSECTION - BAYVIEW / WEST BAYVIEW							
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$15,000	\$15,000	DEMO PAVING, VEGETATION; EXCLUDES DEMO OF CURB & GUTTER	
	PUBLIC ART - WIND SCULPTURES	1	ALLOW	\$100,000	\$100,000	2 SCULPTURES	
	TRELLISES	1	ALLOW	\$200,000	\$200,000	8 3-POST TRELLISES, 1 5-POST TRELLIS	
	PAVING	1	ALLOW	\$6,150	\$6,150		
	LANDSCAPING & IRRIGATION	1	ALLOW	\$1,463	\$1,463		
					Subtotal:	\$322,613	
INTERSECTION - BAYVIEW / WEST BAYVIEW							
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$15,000	\$15,000	EXISTING PAVING, VEGETATION,	
	STORM DRAINAGE & SITE UTILITIES	1	ALLOW	\$17,500	\$17,500		
	ASPHALT PATCHBACK & RESTRIPIING	1	ALLOW	\$1,996	\$1,996		
	RELOCATE STREET SIGNS	1	EA	\$150	\$150		
	GATEWAY COLUMNS	1	ALLOW	\$6,500	\$6,500	EXCLUDES ASSOCIATED ELECTRICAL	
	STREETLIGHTS	1	EA	\$12,000	\$12,000		
	WAYFINDING SIGNAGE	2	EA	\$1,000	\$2,000		
	CUSTOM ART CROSSWALK - THERMOPLASTIC	1,020	SF	\$25	\$25,500	EXCLUDES ARTIST'S DESIGN FEES	
	PAVING	1	ALLOW	\$21,670	\$21,670		
	STREET FURNISHINGS	1	ALLOW	\$11,300	\$11,300		
	LANDSCAPING & IRRIGATION	1	ALLOW	\$7,840	\$7,840		
	ACCENT TREE LIGHTING	4	EA	\$1,000	\$4,000	EXCLUDES ASSOCIATED ELECTRICAL	
					Subtotal:	\$125,456	CONTINUED ON PAGE 2

Above & right: Cost estimate for Master Plan

DATE: Dec 12, 2016
 JOB No.: 0597-01-UR16
 JOB NM: King City Downtown Streetscape Conceptual Plan
 CALC BY: AM
 CHK BY: JF



123 Estudillo Ave. Suite 200
 San Leandro, CA 94577
 Ph: (510) 751-4910 www.rmmdesign.com

DEMOLITION & SITE PREPARATION	1	ALLOW	\$15,000	\$15,000	EXISTING PAVING, CLEARING & GRUBBING,
STORM DRAINAGE & SITE UTILITIES	1	ALLOW	\$17,500	\$17,500	
ASPHALT PATCHBACK & RESTRIPIING	1	ALLOW	\$1,624	\$1,624	
RELOCATE STREET SIGNS	1	LS	\$150	\$150	
OVERHEAD GATEWAY SIGNAGE & BASE	1	ALLOW	\$18,000	\$18,000	EXCLUDES ASSOCIATED ELECTRICAL
PEDESTRIAN GATEWAY	1	ALLOW	\$4,500	\$4,500	EXCLUDES BUSINESS SIGNAGE
STREETLIGHTS	1	EA	\$12,000	\$12,000	
WAYFINDING SIGNAGE	2	EA	\$1,000	\$2,000	
CUSTOM ART CROSSWALK - THERMOPLASTIC	397	SF	\$25	\$9,925	EXCLUDES ARTIST'S DESIGN FEES
PAVING	1	ALLOW	\$24,875	\$24,875	
STREET FURNISHINGS	1	ALLOW	\$6,800	\$6,800	
LANDSCAPING & IRRIGATION	1	ALLOW	\$11,688	\$11,688	
ACCENT TREE LIGHTING	4	EA	\$1,000	\$4,000	EXCLUDES ASSOCIATED ELECTRICAL
			Subtotal:	\$128,062	

Total: \$2,288,920

GENERAL CONDITIONS	6%	OF	\$2,288,920	\$137,335	
BONDS	2%	OF	\$2,288,920	\$45,778	
CONTRACTORS FEES	10%	OF	\$2,288,920	\$228,892	
			Subtotal:	\$2,700,926	
DESIGN CONTINGENCY	20%	OF	\$2,700,926	\$540,185	
ESCALATION (PER YEAR)	4%	OF	\$2,700,926	\$108,037	
			Subtotal:	\$648,222	

GRAND TOTAL: \$3,349,148

EXCLUSIONS: BUILDING AWNINGS, REPLACEMENT COST FOR EXISTING STREETLIGHTS, CAFÉ TABLES

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DATE PALMS	19	EA	\$6,000	\$114,000	
LANDSCAPE TREE CREDIT FOR LINE ITEM	19	EA	\$500	-\$9,500	
			Subtotal:	\$104,500	
GENERAL CONDITIONS	6%	OF	\$104,500	\$6,270	
BONDS	2%	OF	\$104,500	\$2,090	
CONTRACTORS FEES	10%	OF	\$104,500	\$10,450	
			Subtotal:	\$123,310	
DESIGN CONTINGENCY	20%	OF	\$123,310	\$24,662	
ESCALATION (PER YEAR)	4%	OF	\$123,310	\$4,932	
			Subtotal:	\$29,594	

ADD TO GRAND TOTAL: \$152,904

****COST ESTIMATE PREPARED IN DECEMBER 2016 AND MAY NOT REFLECT COSTS AT A FUTURE DATE DUE TO FLUCTUATING MARKET CONDITIONS.****

COST ESTIMATES

ITEM	DESCRIPTION	QUANT	UNIT	COST/UNIT	COST	DESCRIPTION
CONCEPTUAL COSTS (DOWNTOWN PLAZA)						
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$90,000	\$90,000	
	METAL TRELLISES - RECTANGULAR	2	EA	\$15,000	\$30,000	
	METAL TRELLIS - CIRCULAR	1	EA	\$25,000	\$25,000	
	ARCHWAY W/ CLOCK	1	ALLOW	\$10,000	\$10,000	
	CIRCULAR SEAT WALL	70	LF	\$150	\$10,500	
	FLATWORK	6,500	SF	\$10	\$65,000	
	STAIRS	90	LF	\$150	\$13,500	Includes 2 steps
	BENCHES	4	EA	\$1,000	\$4,000	
	PLANTERS	5	EA	\$750	\$3,750	
	TRASH/RECYCLING RECEPTACLES	4	EA	\$1,000	\$4,000	
	LANDSCAPING & IRRIGATION	3,200	SF	\$5	\$16,000	
	TREES	5	EA	\$600	\$3,000	
	Subtotal:				\$274,750	
	Total:				\$274,750	
	GENERAL CONDITIONS	6%	OF	\$274,750	\$16,485	
	BONDS	2%	OF	\$274,750	\$5,495	
	CONTRACTORS FEES	10%	OF	\$274,750	\$27,475	
	Subtotal:				\$324,205	
	DESIGN CONTINGENCY	20%	OF	\$324,205	\$64,841	
	ESCALATION (PER YEAR)	4%	OF	\$324,205	\$12,968	
	Subtotal:				\$77,809	
	GRAND TOTAL:				\$402,014	
EXCLUSIONS: UTILITIES, SPLASH PAD & RELATED MECHANICAL, RESTROOMS, & SHOWERS; WALL MURAL; DECORATIVE IRON WORK						
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	SPLASH PAD	1	ALLOW	\$100,000	\$100,000	EXCLUDES RESTROOMS, SHOWERS. ASSUMES ABOVE GRADE MECHANICAL.
	Subtotal:				\$100,000	

****COST ESTIMATE PREPARED IN FEBRUARY 2017 AND MAY NOT REFLECT COSTS AT A FUTURE DATE DUE TO FLUCTUATING MARKET CONDITIONS.****

Above: Cost estimate for Downtown Plaza Preliminary Concept
 Right: Cost Estimate for Phase 1

DATE: Dec 12, 2016
 JOB No.: 0597-01-UR16
 JOB NM: King City Downtown Streetscape Conceptual Plan
 CALC BY:AM
 CHK BY: JF

rm design group
 123 Estudillo Ave. Suite 200
 San Leandro, CA 94577
 Ph: (510) 751-4910 www.rmdesign.com

ITEM	DESCRIPTION	QUANT	UNIT	COST/UNIT	COST	DESCRIPTION
PHASE 1 - DEMOLITION & PREP						
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$30,000	\$30,000	
	STORM DRAINAGE & SITE UTILITIES	1	ALLOW	\$17,500	\$17,500	
	ASPHALT PATCHBACK & RESTRIPIING	1	LS	\$3,700	\$3,700	
	RELOCATE BUS SHELTER & STREET SIGNS	1	LS	\$2,800	\$2,800	
	STREETLIGHTS	3	EA	\$12,000	\$36,000	
	WAYFINDING SIGNAGE	4	EA	\$1,000	\$4,000	
	SEAT WALL	66	LF	\$175	\$11,550	
	CUSTOM ART CROSSWALK	1,275	SF	\$25	\$31,875	EXCLUDES ARTIST'S DESIGN FEES
	PAVING	1	ALLOW	\$96,970	\$96,970	
	STREET FURNISHINGS	1	ALLOW	\$58,400	\$58,400	CAFÉ TABLES TO BE PROVIDED BY OTHERS
	LANDSCAPING & IRRIGATION	1	ALLOW	\$17,870	\$17,870	
	ACCENT TREE LIGHTING	4	EA	\$1,000	\$4,000	EXCLUDES ASSOCIATED ELECTRICAL
	Subtotal:				\$310,665	
PHASE 1 - PAVING & PLANTING						
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$30,000	\$30,000	
	STORM DRAINAGE & SITE UTILITIES	1	ALLOW	\$17,500	\$17,500	
	ASPHALT PATCHBACK & RESTRIPIING	1	LS	\$3,700	\$3,700	
	RELOCATE STREET SIGNS	1	LS	\$300	\$300	
	STREETLIGHTS	2	EA	\$12,000	\$24,000	
	WAYFINDING SIGNAGE	4	EA	\$1,000	\$4,000	
	GRANITE BLOCK SEATING	24	LF	\$600	\$14,400	
	CUSTOM ART CROSSWALK	1,275	SF	\$25	\$31,875	EXCLUDES ARTIST'S DESIGN FEES
	PAVING	1	ALLOW	\$96,970	\$96,970	
	STREET FURNISHINGS	1	ALLOW	\$55,400	\$55,400	
	LANDSCAPING & IRRIGATION	1	ALLOW	\$17,870	\$17,870	
	ACCENT TREE LIGHTING	4	EA	\$1,000	\$4,000	EXCLUDES ASSOCIATED ELECTRICAL
	Subtotal:				\$296,015	
PHASE 1 - PLANTING & FURNISHINGS						
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$30,000	\$30,000	
	STORM DRAINAGE & SITE UTILITIES	1	ALLOW	\$17,500	\$17,500	
	ASPHALT PATCHBACK & RESTRIPIING	1	LS	\$3,700	\$3,700	
	RELOCATE STREET SIGNS	1	LS	\$300	\$300	
	STREETLIGHTS	2	EA	\$12,000	\$24,000	
	WAYFINDING SIGNAGE	4	EA	\$1,000	\$4,000	
	GRANITE BLOCK SEATING	24	LF	\$600	\$14,400	
	CUSTOM ART CROSSWALK	1,275	SF	\$25	\$31,875	EXCLUDES ARTIST'S DESIGN FEES
	PAVING	1	ALLOW	\$96,970	\$96,970	
	STREET FURNISHINGS	1	ALLOW	\$56,400	\$56,400	
	LANDSCAPING & IRRIGATION	1	ALLOW	\$17,870	\$17,870	
	ACCENT TREE LIGHTING	4	EA	\$1,000	\$4,000	EXCLUDES ASSOCIATED ELECTRICAL
	Subtotal:				\$297,015	
PHASE 1 - PLANTING & FURNISHINGS (CONT)						
	DEMOLITION & SITE PREPARATION	1	ALLOW	\$29,500	\$29,500	DEMO PAVING, VEGETATION; EXCLUDES DEMO OF CURB & GUTTER
	ASPHALT PATCHBACK & STRIPING	1	ALLOW	\$1,980	\$1,980	INCLUDES STRIPING ANGLED PARKING ON 2ND & 3RD ST.
	WAYFINDING SIGNAGE	4	EA	\$1,000	\$4,000	
	SIDEWALK REPLACEMENT	4,450	SF	\$7	\$31,150	
	CONCRETE CURB & GUTTER	250	LF	\$30	\$7,500	
	STREET FURNISHINGS	1	ALLOW	\$18,600	\$18,600	CAFÉ TABLES TO BE PROVIDED BY OTHERS
	TREE GRATES	34	EA	\$2,500	\$85,000	
	LANDSCAPING & IRRIGATION	1	ALLOW	\$14,900	\$14,900	2 PLANTER, 19 SIDEWALK TREES, 2 PLANTER TREES
	ACCENT TREE LIGHTING	4	EA	\$1,000	\$4,000	EXCLUDES ASSOCIATED ELECTRICAL
	PUBLIC ART - WIND SCULPTURES	1	ALLOW	\$50,000	\$50,000	1 SCULPTURE
	STREET MEDIAN TRELLISES	1	ALLOW	\$88,000	\$88,000	4 3-POST TRELLISES
	STREET MEDIAN PAVING	1	ALLOW	\$2,290	\$2,290	
	STREET MEDIAN LANDSCAPING & IRRIGATION	1	ALLOW	\$700	\$700	
	Subtotal:				\$337,620	
	Total:				\$1,241,315	
PHASE 1 - SUMMARY						
	GENERAL CONDITIONS	6%	OF	\$1,241,315	\$74,479	
	BONDS	2%	OF	\$1,241,315	\$24,826	
	CONTRACTORS FEES	10%	OF	\$1,241,315	\$124,132	
	Subtotal:				\$1,464,752	
	DESIGN CONTINGENCY	20%	OF	\$1,464,752	\$292,950	
	ESCALATION (PER YEAR)	4%	OF	\$1,464,752	\$58,590	
	Subtotal:				\$351,540	
	PHASE 1 GRAND TOTAL:				\$1,816,292	

EXCLUSIONS: BUILDING AWNINGS, REPLACEMENT COST FOR EXISTING STREETLIGHTS, CAFÉ TABLES

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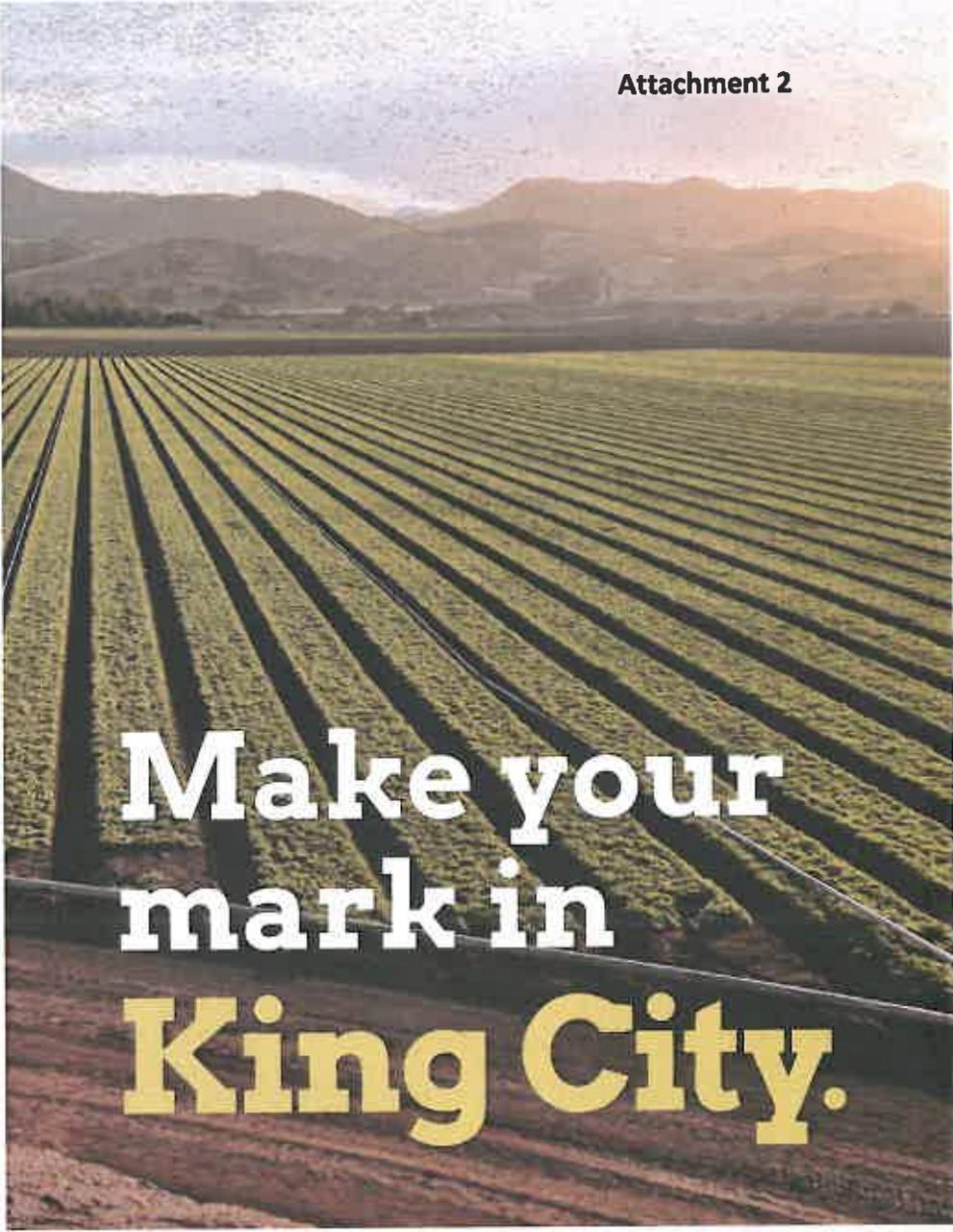
****COST ESTIMATE PREPARED IN DECEMBER 2016 AND MAY NOT REFLECT COSTS AT A FUTURE DATE DUE TO FLUCTUATING MARKET CONDITIONS.****

**You know
an opportunity
when you
see one.**

**You understand
what a rapidly
growing
market
looks like.**

**You can
discern when
land has real
potential.**

**You get excited
when a city
implements
positive change.**



Make your mark in King City.

If we've just described you, turn your attention to King City. This Central Coast town provides unique opportunities for businesses, developers, residents and visitors alike. And the timing couldn't be better. King City is at a pivot point in which resources and amenities are abundant, but land remains to be developed and markets to be met.

***Play a part in shaping King City.
The first step is turning the page.***

Quick Facts

County:

MONTEREY COUNTY

Elevation:

335 FEET

Annual average
high temperature:

75 DEGREES

Annual average
low temperature:

45 DEGREES

Annual average
precipitation:

12.04 INCHES

2014 population:

13,580 PEOPLE

Median
resident age:

25.3 YEARS

Number of schools:

SIX



You know when you meet a strategic location.

King City is ideally located on Highway 101, halfway between the cities of Los Angeles and San Francisco. Its unique Central California location is a convenient access point for reaching all areas of California, north, south, east and west.

Zoom in on the map, and King City is located between Paso Robles and Salinas. The beaches, wineries, agriculture and thriving tourism of both San Luis Obispo and Monterey Counties are just a short drive in both directions, while the endless activities of the Bay Area are less than three hours north. King City's geographic placement serves as a gateway to Pinnacles National Park, the Monterey County wine region and U.S. Army Garrison Fort Hunter Liggett. It's a thriving agricultural scene and an area rich in history made famous by the writings of John Steinbeck.

You know when you encounter a community that feels right.

Neighbors helping neighbors. Strangers helping strangers. These small-town characteristics often feel out of our grasp. But they don't just belong to books, movies or history. They belong to King City and set it apart as a cohesive community which, despite its extensive access to services and amenities, manages to maintain a tight-knit feel.

The neighborly vibe is unmistakable when the community comes together for local events. Like the weekly King City Farmer's Market, annual Christmas and 4th of July parades, and Salinas Valley Fair, held right here in King City.



You know when you find the right resources.

Despite its size, King City's variety of services provides a strong support system to businesses and developers alike. It's a full-service city with a responsive and business-friendly city government that has been making tremendous strides toward positive change.

- ◉ The **Chamber of Commerce and Agriculture** offers a variety of support services for local business and serves as the King City Visitors' Center.
- ◉ **Cal Water** supplies water services, which include an ample water supply to support future growth.
- ◉ **Hartnell Community College** houses a satellite campus in King City, offering high quality educational and job training opportunities, some in partnership with California State University of Monterey Bay.
- ◉ **King City High School and Union School Districts** provide educational services at the local high school, middle school and three elementary schools.
- ◉ The **Salinas Valley Fairgrounds** hosts events throughout the year and offers excellent meeting and activity facilities to meet all types of needs.
- ◉ **Mee Memorial Hospital** provides high-quality medical services to the King City community.
- ◉ **Mesa Del Rey Airport** is a city-owned, public use airport within the city limits.
- ◉ The **King City Golf Course** is a 9-hole, public golf course that has been operating since 1953.
- ◉ **San Lorenzo Regional Park** contains picturesque open space that includes picnic areas, a gazebo, playgrounds, horseshoe pits, volleyball courts, softball areas, campsites and a walking trail.
- ◉ **Monterey County Agricultural & Rural Life Museum** gives visitors a historical peek into the agriculture that has shaped the Salinas Valley.
- ◉ **Department of Motor Vehicles, Highway Patrol, County Sheriff's Department, Cal Fire** and **United States Forest Service** all have local offices within the city.

You know when you see perfect timing.

As opportunities and resources abound and affordable land remains available, it's a highly strategic time to participate in the expansion of what is becoming one of the Central Coast's fastest-growing towns. Available land includes residential, industrial and agricultural commercial properties in the historic downtown area and with freeway visibility.

For businesses looking to enter the market, King City is an untapped resource with a number of unmet markets waiting to be served to the entire Salinas Valley area and population. Within the community, businesses can find an available workforce and a variety of quality housing for all income levels. A number of financial institutions, local contractors and regional business organizations are ready to assist you in meeting your goals.

When you
come across
opportunity...
you know.

Do more than just invest.

Develop and shape
King City's future.



Start by contacting us at one of the following locations:



CITY OF KING

212 South Vanderhurst Avenue
King City, CA 93930

(831) 386-5925
Fax: (831) 386-5935
www.kingcity.com



KING CITY
CHAMBER OF COMMERCE & AGRICULTURE

KING CITY CHAMBER OF COMMERCE AND AGRICULTURE

200 Broadway Street, Suite 40
King City, CA 93930

(831) 385-3814 Fax: (831) 386-9462
www.kingcitychamber.com



Item No. 9(E)

REPORT TO THE CITY COUNCIL

DATE: MAY 8, 2018

TO: CITY COUNCIL

FROM: STEVEN ADAMS, CITY MANAGER

RE: CONSIDERATION OF A RESOLUTION OPPOSING THE TAX FAIRNESS, TRANSPARENCY AND ACCOUNTABILITY ACT OF 2018

RECOMMENDATION:

It is recommended the City Council adopt a Resolution in opposition to the Tax Fairness, Transparency and Accountability Act of 2018.

BACKGROUND:

Petitions are currently being circulated to qualify the "Tax Fairness, Transparency and Accountability Act of 2018" for the November ballot. This initiative would drastically limit local revenue authority, while making comparatively minor modifications to State authority. For cities and other local agencies, it applies retroactively and may void some local measures approved by voters on or after January 1, 2018, but prior to the effective date of this act that does not comply with the provisions of the act.

This initiative is sponsored by the American Beverage Association, the trade association of soda companies, and the California Business Roundtable, an organization that claims membership from some of the State's largest companies including, Wells Fargo, Albertsons, KB Home, Blackstone Group, Chevron, Farmers Insurance, Granite Construction, among others. One paragraph among the three pages declares one of the purposes of the measure is to overturn "loopholes" created by *Cannabis Coalition v. City of Upland* (concern that voters could enact special taxes via initiative by majority vote); *Chamber of Commerce v. Air Resources Board* (a recent case lost by the Chamber which alleged that the state cap and a trade program was an illegal tax) and *Schmeer v. Los Angeles* (which held that a locally imposed-grocer retained bag fee was not a tax).

**CITY COUNCIL
CONSIDERATION OF A RESOLUTION OPPOSING THE TAX FAIRNESS,
TRANSPARENCY AND ACCOUNTABILITY ACT OF 2018
MAY 8, 2018
PAGE 2 OF 3**

The League of California Cities is opposed to the initiative and has requested cities to adopt resolutions in opposition. A resolution is attached for City Council consideration.

DISCUSSION:

This initiative is being funded more than 80% by the American Beverage Association. They spent more than \$25 million dollars in 2016 to unsuccessfully oppose local soda tax measures that are combatting childhood obesity and improving the overall health of the communities. Since those measures only required approval of a majority of voters, they are now using the State initiative process to change the laws so they won't have to continue to fund additional soda tax measures.

Among other concerns, this initiative would make it much more difficult to pass a measure to increase the City's local sales tax or renew the existing sales tax. Some of the most significant measures in the initiative that may negatively impact the City of King include the following:

- Eliminates local authority to impose a tax for general purposes by majority vote and instead requires all local proposed tax increases subject to a two-thirds vote. This proposal also requires two-thirds approval of all members of the local legislative body before a tax can be placed on the ballot.
- Expands the definition of a tax to include payments voluntarily made in exchange for a benefit received, which may cover local franchise fees.
- Prohibits any tax to be placed on the ballot unless it either specifically identifies by binding and enforceable limitation how it can be spent, with any change requiring reapproval by the electorate, or states in a separate stand-alone segment of the ballot that the tax revenue is intended for "unrestricted revenue purposes."
- Clarifies a levy, charge, or exaction retained by and payable to a non-governmental entity is a tax, if the local agency limits in any way the use of the proceeds, to address concerns over the *Schmeer* decision.
- Restricts the ability of a local government to impose fees or charges, other than those subject to Prop. 218, by:
 - Prohibiting a fee or charge from being imposed, increased or extended unless approved by two-thirds vote of the legislative body;

**CITY COUNCIL
CONSIDERATION OF A RESOLUTION OPPOSING THE TAX FAIRNESS,
TRANSPARENCY AND ACCOUNTABILITY ACT OF 2018
MAY 8, 2018
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- Authorizing a referendum on decisions of a legislative body to impose, increase or extend a fee or charge triggered by petitions signed by 5% of affected voters;
- Requiring a fee or charge proposed by initiative to be subject to a two-thirds vote of the electorate;
- Narrowing the legal threshold from “reasonable” to “actual” costs for fees applied to local services, permits, licenses, etc.; and
- Increasing the legal burden of proof for local agencies from “preponderance of evidence” to “clear and convincing evidence” to establish that a levy, charge or other exaction is: (1) not a tax, (2) the amount is no more than necessary to cover the actual costs, and (3) the revenue is not being used for other than its stated purpose.

COST ANALYSIS:

There is no cost associated with the recommended action, but passage of the proposed initiative could have serious cost implications to the City.

ENVIRONMENTAL REVIEW:

Positions on State initiatives are not a “project” for the purposes of the California Environmental Quality Act (CEQA) as they do not have the potential for resulting in either a direct physical change to the environment or a reasonably foreseeable indirect physical change in the environment. No further action is required under CEQA for City Council action.

ALTERNATIVES:

The following alternatives are presented for Council consideration:

1. Adopt the Resolution opposing the proposed initiative;
2. Modify and adopt the Resolution;
3. Do not adopt a Resolution in opposition to the proposed initiative; or
4. Provide staff other direction.

Prepared and Approved by: _____


Steven Adams, City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KING OPPOSING THE TAX FAIRNESS, TRANSPARENCY AND ACCOUNTABILITY ACT OF 2018

WHEREAS, California's cities, counties and special districts follow strict guidelines and existing state law regarding the establishment of reasonable fees and the required voter approval of all local taxes; and

WHEREAS, there is a signature-gathering campaign for a state ballot measure currently sponsored by the California Business Roundtable that would severely harm the ability of local governments to continue to provide quality services by imposing onerous roadblocks to raising local revenue to address community needs, services and infrastructure improvements; and

WHEREAS, it is important for local community members, in concert with their duly- elected officials—rather than a special interest group in Sacramento—to determine the services and funding levels appropriate for their own cities; and

WHEREAS, the proposed ballot measure would allow businesses to escape from their existing obligations to pay the full cost of services that they request and receive from local agencies and benefit from; and

WHEREAS, the proposed ballot measure would then shift the burden of these uncovered costs from business interests to local general funds supported by taxpayers, and thereby reduce general funds available to support police, fire, park, planning, and other community services.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KING DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City of King hereby opposes the Tax Fairness, Transparency and Accountability Act of 2018 sponsored by the California Business Roundtable on the grounds that this measure would harm the ability of local communities to adequately fund services; and

SECTION 2. The City Manager is hereby directed to email a copy of this adopted resolution to the League of California Cities at cityletters@cacities.org

This resolution was passed and adopted this **8th** day of **May, 2018** by the following vote:

AYES, Council Members:

NAYS, Council Members:

ABSENT, Council Members:

ABSTAIN, Council Members:

APPROVED:

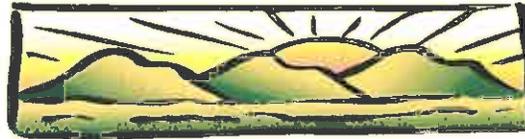
Mike LeBarre, Mayor

ATTEST:

Steven Adams, City Clerk

APPROVED AS TO FORM:

Shannon Chaffin, City Attorney



KING CITY
C A L I F O R N I A

Item No. 9(F)

REPORT TO THE CITY COUNCIL

DATE: MAY 8, 2018

TO: CITY COUNCIL

FROM: STEVEN ADAMS, CITY MANAGER

**RE: CONSIDERATION OF PROPOSAL TO CITY OF DEL REY OAKS
TO PARTICIPATE IN KING CITY COMMUNITY POWER**

RECOMMENDATION:

It is recommended the City Council authorize Pilot Power Group, Inc. to submit a proposal to the City of Del Rey Oaks to participate in King City Community Power (KCCP).

BACKGROUND:

The City is scheduled to launch its KCCP Congregated Choice Aggregation (CCA) program on July 1, 2018. The City of Del Rey Oaks has expressed an interest in joining King City's CCA program. They recently issued a Request for Proposal (RFP) similar to what King City issued when our process was first initiated. Pilot Power Group, Inc. has provided a recommendation on how to structure a proposal, but needs City Council authorization before anything is formally submitted.

DISCUSSION:

Due to the small size of King City's power load, there are some economies of scale of adding partner agencies to the City's CCA program. Del Rey Oaks would add only a small amount, but it could establish a precedent for other partners in the future.

Under the proposal, Del Rey Oaks would contract with Pilot Power Group, Inc. for CCA services and enter into an agreement with King City to participate in the King City Community Power program. All final decisions regarding rates and power purchases would continue to be made by the City of King City Council. King City would receive 15% of the additional headroom created, or a minimum of \$10,000. The remainder of the additional headroom would be allocated to Del

**CITY COUNCIL
CONSIDERATION OF PROPOSAL TO CITY OF DEL REY OAKS TO
PARTICIPATE IN KING CITY POWER
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Rey Oaks and they could allocate it at their discretion. They could reimburse their costs, provide additional rebates, provide energy retrofit subsidies, etc.

In order to comply with California Public Utilities Commission (CPUC) regulations, it would not be feasible to launch the addition of Del Rey Oaks until January 1, 2020. City Council is only being asked to authorize a proposal at this time. Any agreement would require formal approval by the City Council in the future.

COST ANALYSIS:

The total additional annual revenue to KCCP from the addition of Del Rey Oaks is projected to be \$10,000 for the first few years. However, it may increase in the future once debt is paid off for the program.

ENVIRONMENTAL REVIEW:

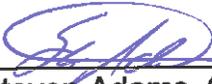
Authorization to submit a proposal is not considered a "project" for the purposes of the California Environmental Quality Act (CEQA). Therefore, this item does not have the potential for resulting in either a direct physical change to the environment or a reasonably foreseeable indirect physical change in the environment. No further action is required under CEQA for City Council action.

ALTERNATIVES:

The following alternatives are presented for Council consideration:

1. Approve staff's recommendation;
2. Do not authorize Pilot Power Group, Inc. to submit a proposal;
3. Direct staff to negotiate a higher portion of the headroom; or
4. Provide staff other direction.

Prepared and Approved by:



Steven Adams, City Manager



Item No. 10(A)

REPORT TO THE CITY COUNCIL

DATE: MAY 8, 2018

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT
DIRECTOR AND OCTAVIO HURTADO, CITY ENGINEER**

**RE: CONSIDERATION OF THE AN ORDINANCE REPEALING
CHAPTER 15.50 OF THE KING CITY MUNICIPAL CODE AND
ADOPTING NEW CHAPTER 15.50 REGARDING WATER
EFFICIENT LANDSCAPING**

RECOMMENDATION:

It is recommended that the City Council open the public hearing, consider public testimony, introduce and conduct the first reading of the Ordinance, by title only, and set the second reading and adoption for the next regularly scheduled Council meeting of May 22, 2018.

BACKGROUND:

Storm water from King City drains into the Salinas River and San Lorenzo Creek. Both water bodies drain into the Monterey Bay and are under the jurisdiction of the Central Coast Regional Water Quality Control Board (Water Board). In 2013, the Water Board issued the City its most recent Phase II Small MS4 General Permit (Permit), authorizing the City to drain its storm water into the Salinas River and San Lorenzo Creek. The City must satisfy the requirements of the Permit to continue draining its storm water in the Salinas River and San Lorenzo Creek without risk of penalty, including fines.

As part of the Permit with the Water Board, the City must implement a landscape design and maintenance program (Program) to reduce the amount of water, pesticides, herbicides and fertilizers used by the City. The City was assisted by an independent grant through the Water Board for rural communities to prepare said program, which is reflected in the attached Ordinance.

The existing Chapter 15.50 – Water Efficient Landscape will be repealed and amended. New Chapter 15.50 also meets the State's requirement for water

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 CHAPTER 15.50 - WATER EFFICIENT LANDSCAPE
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efficient landscaping. In 2006, the State required local government to adopt standards addressing water efficient landscaping. The State subsequently approved changes to the State Model Water Efficient Ordinance (CA MWELO) which increases water efficiency standards for new and existing landscapes through a variety of methods, including on-site storm water capture, greywater usage and limiting the portion of landscapes that can be covered in turf. The updated standards are reflected in the Ordinance.

DISCUSSION:

Analysis

A landscape design and maintenance program (Program) must be adopted and become effective by June 30, 2018 based on the City's Permit with the Regional Board. If the ordinance is not adopted, the City is not in compliance with the approved Regional Board permit. The attached Ordinance addresses pesticides, herbicides, fertilizers and the other requirements by the Water Board, and updates the landscaping standards to meet the current State's Model Water Efficient Ordinance (CA MWELO). The City files an annual report due in the Fall, which will show compliance by adopting the attached Ordinance.

Municipal Code Chapter 15.50 – Water Efficient Landscape - will be repealed and replaced with an updated Chapter 15.50 which includes the regulations required by the Water Board and updated requirements of CA MWELO. The attached Ordinance meets the requirements of the Permit with the Water Board. It addresses a landscape design and maintenance program to reduce the amount of water, pesticides, herbicides and fertilizers. The Ordinance also meets the current State requirements regarding water efficient landscaping (i.e., CA MWELO).

The CA MWELO includes several provisions for new landscaping, including requirements for:

• Landscape documentation submittals	• Greywater Systems
• Water efficient landscape worksheet submittals	• Stormwater and Rainwater Retention
• Soil Management	• Water Waste Prevention
• Landscape and Irrigation Design Plans	• Public Education
• Irrigation scheduling and efficiency	• Annual Reporting
• Recycled Water	

Some of the significant revisions under the updated CA MWELo include:

- **Project Size Applicability:** The thresholds at which CA MWELo applies have been reduced. The size threshold of landscape projects subject to the water efficiency requirements have been reduced from twenty-five hundred (2,500) square feet of landscaping to five-hundred (500) square feet of landscaping for commercial, residential, industrial and institutional projects that require a permit, plan check or design review.
- **Definitions:** Clarified and expanded definitions of technical terms have been incorporated into the revised CA MWELo.
- **Dedicated Landscape Water Meters:** Installing separate landscape water meters for all projects except for single-family homes or any project with a landscaped area of less than five thousand (5,000) square feet.
- **Efficient Irrigation Systems:** Irrigation systems are now required to reduce runoff and limit overhead spray by utilizing specific irrigation technologies, such as drip irrigation systems, pressure regulators, and automatic shut-off valves.
- **Water Budget:** The maximum amount of water that can be applied to the total project landscape area has been reduced. This reduction limits the amount of high water use plants, such as cool season turf/grass, that can be used in projects. The water limit effectively reduces the amount of turf to approximately twenty-five (25%) percent of the residential landscape areas and makes the use of turf in nonresidential projects infeasible. Special function areas, such as active recreation landscapes, edible gardens, or landscapes that use recycled water are given an increased water allowance.

Advantages

Adopting the Ordinance would have the following advantages:

1. Allows compliance with the Water Board Permit.
2. Reduces municipal water usage for the City.
3. Allows the City to follow State landscaping and water use standards.

Disadvantages

There are a number of significant revisions. For example, the size of landscapes subject to the Ordinance has been lowered from twenty-five (2,500) square feet

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to five-hundred (500) square feet for projects requiring a permit, plan check or design review. Therefore, a greater number of applicants will be subject to new regulations, which will add costs to the overall project (e.g., separate irrigation meters, pressure regulators, master shut-off valves, high efficiency sprinklers, flow sensors).

Public Notification and Input

Notification of the Ordinance has been at least seventy-two (72) hours before the City Council meeting. No public input has been received.

COST ANALYSIS:

The Ordinance was prepared using a grant from the Water Board. Cost of review and processing the amendment is through the general fund.

ENVIRONMENTAL REVIEW:

The Ordinance has been determined to be exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15307 of the State CEQA Guidelines for actions by regulatory agencies for protection of natural resources. The Landscape and Water Use Regulations addresses the protection of statewide water resources by requiring certain landscaping standards. There is no evidence that the proposed project may have a potential significant effect on the environment.

ALTERNATIVES:

The following alternatives are provided for City Council consideration:

1. Conduct the first reading of Ordinance No. 2018-757, which repeals existing Chapter 15.50 and adopts new Chapter 15.50 - Water Efficient Landscape;
2. Direct staff to make changes to the Ordinance and reintroduce at the next meeting;
3. Do not conduct the first reading of Ordinance No. 2018-757; or
4. Provide other direction to staff.

Submitted by:

 FOR Doreen Liberto

Doreen Liberto-Blanck, AICP, Community Development Director



Steven Adams, City Manager

ORDINANCE NO. 2018-757

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING REPEALING
MUNICIPAL CODE CHAPTER 15.50 AND REPLACING IT WITH AMENDED
CHAPTER 15.50 WHICH INCORPORATES LANDSCAPING AND WATER USE
REGULATIONS**

WHEREAS, storm water from the City enters San Lorenzo Creek and the Salinas River and the State of California Water Resources Control Board requires that each city adopt an ordinance that conserves water used in landscaping irrigation and protects the water quality that runs off landscape areas and urban areas;

WHEREAS, in 2013, the Central Coast Regional Water Quality Control Board (Water Board) issued the City its most recent Phase II Small MS4 General Permit (Permit), authorizing the City to drain its storm water into the Salinas River and San Lorenzo Creek;

WHEREAS, certain Permit requirements must be met to continue draining its storm water in the Salinas River and San Lorenzo Creek without risk of penalty, including fines;

WHEREAS, one of the requirements is that the City must implement a landscape design and maintenance program to reduce the amount of water, pesticides, herbicides and fertilizers used by the City;

WHEREAS, on July 15, 2015 the new Model Efficient Landscape Ordinance was adopted by the California Water Commission, and State law requires that all land-use agencies adopt a water-efficient landscape ordinance that is at least as efficient as the Model Ordinance prepared by the Department of Water Resources (DWR);

WHEREAS, the repeal of Municipal Code Chapter 15.50 and adoption of new Chapter 15.50 (Water Efficient Landscape) meets the requirements of the Permit with the Water Board and the DWR Model Ordinance;

WHEREAS, the Ordinance provides for a landscape design and maintenance program to reduce the amount of water, pesticides, herbicides and fertilizers used by the City;

WHEREAS, the Ordinance has been determined to be exempt from the California Environmental Quality Act (CEQA) in accordance with §15307 of the State CEQA Guidelines for actions by regulatory agencies for protection of natural resources; and

WHEREAS, at its meeting of May 8, 2018, the City Council of the City of King conducted a duly noticed meeting to repeal and replace Chapter 15.50 of the Municipal Code.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF KING AS FOLLOWS:

Section 1: The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (CEQA) in accordance with §15307 of the State CEQA Guidelines for actions by regulatory agencies for protection of natural resources.

Section 2: Chapter 15.50 of the City of King Municipal Code is hereby repealed and replaced in its entirety to read as follows.

Chapter 15.50 Water Efficient Landscapes

15.50.010 Purpose.

15.50.015 Applicability.

15.50.020 Definitions.

15.50.030 Provisions for new or rehabilitated landscapes.

15.50.040 Provisions for existing landscapes.

15.50.050 Effective precipitation.

15.50.060 Reference evapotranspiration.

15.50.070 Stormwater Management.

15.50.010 Purpose.

(a) The State Legislature has found:

- (1) That the limited supply of state waters is subject to ever increasing demands;
- (2) That California's economic prosperity depends on adequate supplies of water;
- (3) That state policy promotes conservation and efficient use of water;
- (4) That landscapes provide recreation areas, clean the air and water, prevent erosion, offer fire protection and replace ecosystems displaced by development; and
- (5) That landscape design, installation and maintenance can and should be water efficient.

(b) Consistent with the legislative findings, the purpose of this chapter is to:

- (1) Promote the values and benefits of landscapes while recognizing the need to invest water and other resources as efficiently as possible;
- (2) Establish a structure for designing, installing and maintaining water efficient landscapes in new projects; and

- (3) Establish provisions for water management practices and water waste prevention for established landscapes. (Ord. 559 § 1(Exh. A), 1993)

15.50.015 - Applicability

- (a) This chapter shall apply to all of the following landscape projects:
 - (1) New construction projects with a landscape area greater than 500 square feet requiring a building or landscape permit, plan check or design review;
 - (2) Rehabilitated landscape projects with an aggregated landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review;
 - (3) Existing landscapes limited to Sections 493, 493.1 and 493.2 of the State Model Water Efficient Landscape Ordinance; and
 - (4) Cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 492.4, 492.11 and 492.12; and existing cemeteries are limited to Sections 493, 493.1 and 493.2 of the State Model Water Efficient Landscape Ordinance.
- (b) This ordinance does not apply to:
 - (1) Registered local, state or federal historical sites;
 - (2) Ecological restoration projects that do not require a permanent irrigation system;
 - (3) Mined-land reclamation projects that do not require a permanent irrigation system; or
 - (4) Existing plant collections, as part of botanical gardens and arboretums open to the public.

15.50.020 Definitions.

The words used in this chapter have the meaning set forth below:

“Anti-drain valve” or “check valve” means a valve located under a sprinkler head to hold water in the system so it minimizes drainage from the lower elevation sprinkler heads.

“Application rate” means the depth of water applied to a given area, usually measured in inches per hour.

“Applied water” means the portion of water supplied by the irrigation system to the landscape.

“Automatic irrigation controller” means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data. “Backflow prevention device” means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

“Certified irrigation designer” means a person certified to design irrigation systems by an accredited academic institution a professional trade organization or other program such as the US Environmental Protection Agency’s WaterSense irrigation designer certification program and Irrigation Association’s Certified Irrigation Designer program.

“Check valve” or “anti-drain valve” means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

“Common interest developments” means community apartment projects, condominium projects, planned developments, and stock cooperatives per California Civil Code Section 1351.

“Conversion factor (0.62)” means a number that converts the maximum applied water allowance from acre-inches per acre per year to gallons per square foot per year. The conversion factor is calculated as follows:

$$(325,851 \text{ gallons}/43,560 \text{ square feet})/12 \text{ inches} = (0.62)$$

325,851 gallons = one-acre foot

43,560 square feet = one acre

12 inches = one feet

To convert gallons per year to 100-cubic-feet per year, another common billing unit for water, divide gallons per year by 748.

$$(748 \text{ gallons} = 100 \text{ cubic feet})$$

“Drip irrigation” means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

“Ecological restoration project” means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

“Effective precipitation” or “usable rainfall” (Eppt) means the portion of total precipitation which becomes available for plant growth.

“Emitter” means a drip irrigation emission device that delivers water slowly from the system to the soil. “Established landscape” means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.

“Establishment period” means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth.

“Estimated applied water use” means the portion of the estimated total water use that is derived from applied water. The estimated applied water use shall not exceed the

maximum applied water allowance. The estimated applied water use may be the sum of the water recommended through the irrigation schedule, as referenced in Section 15.50.030(b)(3).

“Estimated total water use” (ETWU) means the annual total amount of water estimated to be needed to keep the plants in the landscaped area healthy. It is based upon such factors as the local evapotranspiration rate, the size of the landscaped area, the types of plants, and the efficiency of the irrigation system, as described in Section 15.50.030(b)(4).

“ET adjustment factor” (ETAF) means a factor of 0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.

“Evapotranspiration” means the quantity of water evaporated from adjacent soil surfaces and other surfaces and transpired by plants during a specific time.

“Flow rate” means the rate at which water flows through pipes and valves (gallons per minute or cubic feet per second).

“Hardscapes” means any durable material (pervious and non-pervious).

“Homeowner-provided landscaping” means any landscaping either installed by a private individual for a single-family residence or installed by a licensed contractor hired by a homeowner. A homeowner, for purposes of this ordinance, is a person who occupies the dwelling he or she owns. This excludes speculative homes, which are not owner-occupied dwellings.

“Hydrozone” means a portion of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule. A hydrozone may be irrigated or non-irrigated. For example, a naturalized area planted with native vegetation that will not need supplemental irrigation once established is a non-irrigated hydrozone.

“Infiltration rate” means the rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).

“Invasive plant species” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. “Noxious weeds” means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.

“Irrigation efficiency” (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiencies for the purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems.

“Irrigation water use analysis” means an analysis of water use data based on meter readings and billing data.

“Landscape architect” means a person who holds a license to practice landscape architecture in the state of California.

“Landscaped area” means the entire parcel less the building footprint, driveways, non-irrigated portions of parking hardscapes, such as decks and patios, and other nonporous areas. Water features are included in the calculation of the landscaped area. Areas dedicated to edible plants, such as orchards or vegetable gardens are not included.

“Landscape contractor” means a person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

“Landscape irrigation audit” means a process to perform site inspections, evaluate irrigation systems and develop efficient irrigation schedules.

“Landscape plan” means the documents required under §15.50.030(b)(6).

“Landscape project” means total area of landscape in a project as defined in “landscape area” for the purposes of this ordinance, meeting requirements under §15.50.015.

“Lateral line” means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

“Local water purveyor” means the California Water Service Company.

“Low volume irrigation” means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

“Main line” means the pressurized pipeline that delivers water from the water source to the valve or outlet.

“Maximum applied water allowance” (MAWA) means, for design purposes, the upper limit of annual applied water for the established landscaped area as specified in Section 15.50.030(b)(2). It is based upon the area’s reference evapotranspiration, the ET adjustment factor and the size of the landscaped area. The estimated applied water use shall not exceed the maximum applied water allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible

plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. $MAWA = (ETo)(0.62)[(ETAF \times LA) + ((1-ETAF) \times SLA)]$.

“Microclimate” means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

“Mined-land reclamation projects” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

“Mulch” means any material such as leaves, bark, straw or other materials left loose and applied to the soil surface for the beneficial purpose of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

“New construction” means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

“Operating pressure” means the pressure at which a system of sprinklers is designed to operate, usually indicated at the base of a sprinkler.

“Overhead sprinkler irrigation systems” means those with high flow rates (pop-ups, impulse sprinklers, rotors, etc.)

“Overspray” means the water which is delivered beyond the landscaped area, wetting pavements, walks, structures, or other non-landscaped areas.

“Permit” means an authorizing document issued by King City for new construction or rehabilitated landscapes.

“Pervious” means any surface or material that allows the passage of water through the material and into the underlying soil.

“Plant factor” or “plant water use factor” means a factor that when multiplied by reference evapotranspiration, estimates the amount of water used by plants. For purposes of this chapter, the plant factor range for very low water use plants is 0 to 0.1, the plant factor of low water using plants ranges from 0 to 0.3, for average water using plants the range is 0.4 to 0.6, and for high water using plants the range is 0.7 to 1.0.

“Precipitation rate” means the rate of application of water measured in inches per hour.

“Project applicant” means the individual or entity submitting a landscape plan required under §15.50.030(a) to request a permit, plan check, or design review from the City. A project applicant may be the property owner or his or her designee.

“Rain sensor” or “rain sensing shutoff device” means a component which automatically suspends an irrigation event when it rains. “Record drawing” or “as-builts” means a set of reproducible drawings which show significant changes in the work made during

construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

“Recreational area” means areas of active play or recreation such as sports fields, school yards, picnic grounds, or other areas with intense foot traffic.

“Recycled water,” “reclaimed water,” or “treated sewage effluent water” means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation; not intended for human consumption.

“Reference evapotranspiration” or “ETo” means a standard measurement of environmental parameters which affect the water use of plants. ETo is given in inches per day, month, or year as represented in §15.50.050, and is an estimate of the evapotranspiration of a large field of four to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the maximum applied water allowances so that regional differences in climate can be accommodated.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
MONTEREY King City	1.7	2.0	3.4	4.4	4.4	5.6	6.1	6.7	6.5	5.2	2.2	1.3	49.6

* The values in this table were derived from:

- 1) California Irrigation Management Information System (CIMIS).
- 2) Reference EvapoTranspiration Zones Map, UC Dept. of Land, Air & Water Resources and California Dept of Water Resources 1999.
- 3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922.
- 4) Determining Daily Reference Evapotranspiration, Cooperative Extension UC Division of Agriculture and Natural Resources (1987), Publication Leaflet 21426.

“Rehabilitated landscape” means any re-landscaping project that requires landscape plan approval, meets the requirements of Section 15.50.015, and the modified landscape area is equal to or greater than 2,500 square feet.

“Run off” means water which is not absorbed by the soil or landscape to which it is applied and flows from the area. For example, run off may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a severe slope.

“Soil moisture sensing device” or “soil moisture sensor” means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

“Soil texture” means the classification of soil based on the percentage of sand, silt and clay in the soil.

“Special Landscape Area” (SLA) means an area of the landscape dedicated solely to edible plants, recreation areas, areas irrigated with recycled water, or water features using recycled water.

“Sprinkler head” means a device which sprays water through a nozzle.

“Static water pressure” means the pipeline or municipal water supply pressure when water is not flowing.

“Station” means an area served by one valve or by a set of valves that operate simultaneously.

“Turf” means a surface layer of earth containing mowed grass with its roots. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue and Tall fescue are cool-season grasses. Bermuda grass, Kikuyu grass, Seashore paspalum, St. Augustine grass, Osiers and Buffalo grass are warm-season grasses.

“Valve” means a device used to control the flow of water in the irrigation system.

“Water conservation concept statement” means a one-page checklist and a narrative summary of the project as shown in Section 15.50.030(b)(1).

“Water conserving plant species” means a plant species identified as having a low plant factor.

“Water feature” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high-water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

“WUCOLS” means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension, and the Department of Water Resources. (Ord. 559 § 1(Exh. A), 1993)

15.50.030 Provisions for new or rehabilitated landscapes.

(a) Landscape Documentation Package.

- (1) A copy of the landscape documentation package conforming to this chapter shall be submitted to the city. No permit shall be issued until the city reviews and approves the landscape documentation package.

- (2) A copy of the approved landscape documentation package shall be provided to the property owner or site manager along with the record drawings and any other information normally forwarded to the power owner or site manager.
- (3) A copy of the water conservation concept statement and the certificate of substantial completion shall be sent by the project manager to the local retail water purveyor.
- (4) Each landscape documentation package shall include the following elements, which are described in subsection (b) of this section:
 - (A) Water conservation concept statement;
 - (B) Calculation of the maximum applied water allowance;
 - (C) Calculation of the estimated applied water use;
 - (D) Calculation of the estimated total water use;
 - (E) Landscape design plan;
 - (F) Irrigation design plan;
 - (G) Irrigation schedules;
 - (H) Maintenance schedule;
 - (I) Landscape irrigation audit schedule;
 - (J) Pesticides, herbicides and fertilizers;
 - (K) Grading design plan;
 - (L) Soil preparation, mulch and amendments; and
 - (M) Certificate of substantial completion (to be submitted after installation of the project).
- (5) If effective precipitation is included in the calculation of the estimated total water use, then an effective precipitation disclosure statement from the landscape professional and the property owner shall be submitted with the landscape documentation package.

(b) Elements of Landscape Documentation Package.

- (1) **Water Conservation Concept Statement.** Each landscape documentation package shall include a cover sheet, referred to as the water conservation concept statement. An example of said statement is on file in the offices of the City Clerk, City of King, 212 South Vanderhurst Avenue, King City, California 93930, and is open to inspection by the public during regular business hours. It serves as a checklist to verify that the elements of the landscape documentation package have been completed and has a narrative summary of the project.
- (2) **The Maximum Applied Water Allowance.**
 - (A) The formula for calculating the maximum applied water allowance and examples of calculations are on file in the offices of the City Clerk, City of

King, 212 South Vanderhurst Avenue, King City, California 93930, and are open to inspection by the public during regular business hours.

- (B) Portions of landscaped areas in public and private projects such as parks, playgrounds, sports fields, golf courses, or school yards where turf provides a playing surface or serves other recreational purposes are considered recreational areas and may require water in addition to the maximum applied water allowance. A statement shall be included with the landscape design plan designating recreational areas to be used for such purposes and specifying any needed amount of additional water above the maximum applied water allowance.

(3) Estimated Applied Water Use.

- (A) The estimated applied water use shall not exceed the maximum applied water allowance.
- (B) A calculation of the estimated applied water use shall be submitted with the landscape documentation package. It may be calculated by summing the amount of water recommended in the irrigation schedule.

(4) Estimated Total Water Use.

- (A) A calculation of the estimated total water use shall be submitted with the landscape documentation package. The estimated total water use may be calculated by summing the amount of water recommended in the irrigation schedule and adding any amount of water expected from effective precipitation (not to exceed twenty-five percent of the local annual mean precipitation) or may be calculated from a formula such as the following:

The estimated total water use for the entire landscaped area equals the sum of the estimated water use of all hydrozones in that landscaped area.

$$EWU(\text{hydrozone}) = (ET_o)(0.62) \left(\frac{PF \times HA}{IE} + SLA \right)$$

EWU (hydrozone) = Estimated water use (gallons per year)

ET_o = Reference evapotranspiration (inches per year)

PF = Plant factor

HA = Hydrozone area (square feet)

(.62) = Conversion factor

SLA = Special landscape area (square feet)

IE = Irrigation efficiency

- (B) If the estimated total water use is greater than the estimated applied water use due to precipitation being included as a source of water, an effective

precipitation disclosure statement such as the one in Section 15.50.040 shall be included in the landscape documentation package.

(5) Landscape Design Plan. A landscape design plan meeting the following requirements shall be submitted as part of the landscape documentation package.

(A) Plant Selection and Grouping.

(i) Any plants may be used in the landscape, providing the estimated applied water use recommended does not exceed the maximum applied water allowance and that the plants meet the specifications set forth in subsection (b)(5)(A)(ii)—(iv) of this section. To encourage the efficient use of water, the following is recommended:

- (I) Protection and preservation of native species and natural vegetation;
- (II) Selection of water-conserving plant and turf species;
- (III) Selection of plants based on disease and pest resistance;
- (ii) Plants having similar water use shall be grouped together in distinct hydrozones.
- (iii) Plants shall be selected appropriately based upon their adaptability to the climatic, geologic and topographical conditions of the site. Protection and preservation of native species and natural areas is encouraged. The planting of trees is encouraged wherever it is consistent with the other provisions of this chapter.
- (iv) Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
- (v) Fire prevention needs shall be addressed in areas that are fire prone. Information about fire prone areas and appropriate landscaping for fire safety is available from local fire departments or the California Department of Forestry.
- (vi) The use of invasive and/or noxious plant species is strongly discouraged.
- (vii) The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

(B) Water Features.

- (i) Recirculating water shall be used for decorative water features.
- (ii) Where available, recycled water shall be used as a source for decorative water features.

- (iii) Surface area of a water feature shall be included in the high-water use hydrozone area of the water budget calculation.
 - (iv) Pool and spa covers are encouraged.
- (C) Landscape Design Plan Specifications. The landscape design plan shall be drawn on project base sheets at a scale that accurately and clearly identifies:
- (i) Designation of hydrozones by number, letter, or other method;
 - (ii) Identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
 - (iii) Landscape materials, trees, shrubs, groundcover, turf and other vegetation. Planting symbols shall be clearly drawn and plants labeled by botanical name, common name, container size, spacing and quantities of each group of plants indicated;
 - (iv) Property lines and street names;
 - (v) Streets, driveways, walkways and other paved areas;
 - (vi) Pools, ponds, water features, fences and retaining walls;
 - (vii) Existing and proposed buildings and structures, including elevation, if applicable;
 - (viii) Natural features including, but not limited to, rock outcroppings, existing trees, shrubs that will remain;
 - (ix) Tree staking, plant installation, soil preparation details and any other applicable planting and installation details;
 - (x) A calculation of the total landscaped area;
 - (xi) Designation of recreational areas;
 - (xii) Identify areas permanently and solely dedicated to edible plants;
 - (xiii) Identify areas irrigated with recycled water;
 - (xiv) Identify type of mulch and application depth;
 - (xv) Identify soil amendments, type, and quantity;
 - (xvi) Identify type and surface area of water features;
 - (xvii) Identify hardscapes (pervious and non-pervious);
 - (xviii) Identify location and installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Stormwater best management practices are encouraged in the landscape design plan and examples include, but are not limited to:

- (I) Infiltration beds, swales, and basins that allow water to collect and soak into the ground;
 - (II) Constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants; and
 - (III) Pervious or porous surfaces (e.g., permeable pavers or blocks, pervious or porous concrete, etc.) that minimize runoff;
 - (xix) Identify any applicable rain harvesting or catchment technologies (e.g., rain gardens, cisterns, etc.);
 - (xx) Include the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and
 - (xxi) Bear the signature of the person authorized to design a landscape.
- (6) Irrigation Design Plan. An irrigation design plan meeting the following conditions shall be submitted as part of the landscape documentation package.

(A) Irrigation Design Criteria.

- (i) **Runoff and Overspray.** Soil types and infiltration rate shall be considered when designing irrigation systems. All irrigation systems shall be designed to avoid runoff, low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures. Proper irrigation equipment and schedules, including features such as repeat cycles, shall be used to closely match application rates to infiltration rates therefore minimizing runoff.

Special attention shall be given to avoid runoff on slopes and to avoid overspray in planting areas with a width less than ten feet, and in median strips.

No overhead sprinkler irrigation systems shall be installed in median strips less than ten feet wide.

- (ii) **Irrigation Efficiency.** For the purpose of determining the Estimated Total Water Use, irrigation efficiency is assumed to be 0.75 for overhead spray devices and 0.81 for drop system devices.

(iii) **Equipment.**

- (I) **Water Meters.** Separate landscape water meters shall be installed for all projects except for single-family homes or any project with a landscaped area of less than five thousand square feet.
- (II) **Controllers.** Automatic control systems shall be required for all irrigation systems and must be able to accommodate all aspects of the design.

- (III) Valves. Plants which require different amounts of water shall be irrigated by separate valves. If one valve is used for a given area, only plants with similar water use shall be used in that area. Anti-drain (check) valves shall be installed in strategic points to minimize or prevent lowhead drainage.
- (IV) Sprinkler Heads. Heads and emitters shall have consistent application rates within each control valve circuit. Sprinkler heads shall be selected for proper area coverage, application rate, operating pressure, adjustment capability and ease of maintenance.
- (V) Rain Sensing Override Devices. Rain sensing override devices shall be required on all irrigation systems.
- (VI) Soil Moisture Sensing Devices. It is recommended that soil moisture sensing devices be considered where appropriate.

(B) Recycled Water.

- (i) The installation of recycled water irrigation systems (dual distribution systems) shall be required to allow for the current and future use of recycled water, unless a written exemption has been granted as described in the following paragraph (B)(ii) of this subdivision.
- (ii) Irrigation systems shall make use of recycled water unless a written exemption has been granted by the local water agency, stating that recycled water meeting all health standards is not available and will not be available in the foreseeable future.
- (iii) The recycled water irrigation systems shall be designed and operated in accordance with all local and state codes.

(C) Irrigation Design Plan Specifications. Irrigation systems shall be designed to be consistent with hydrozones.

The irrigation design plan shall be drawn on project base sheets. It shall be separate from, but use the same format as, the landscape design plan. The scale shall be the same as that used for the landscape design plan described in subsection (b)(5)(C) of this section.

The irrigation design plan shall accurately and clearly identify:

- (i) Location and size of separate water meters for the landscape.
- (ii) Location, type and size of all components of the irrigation system, including automatic controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers and backflow prevention devices.
- (iii) Static water pressure at the point of connection to the public water supply.

- (iv) Flow rate (gallons per minute), application rate (inches per hour) and design operating pressure (psi) for each station.
 - (v) Recycled water irrigation systems as specified in subsection (b)(6)(B) of this section.
- (7) Irrigation Schedules. Irrigation schedules satisfying the following conditions shall be submitted as part of the landscape documentation package.
- (A) An annual irrigation program with monthly irrigation schedules shall be required for the plant establishment period, for the established landscape and for any temporarily irrigated areas.
 - (B) The irrigation schedule shall:
 - (i) Include run time (in minutes per cycle), suggested number of cycles per day and frequency of irrigation for each station; and
 - (ii) Provide the amount of applied water (in hundred cubic feet, gallons, or in whatever billing units the local water supplier uses) recommended on a monthly and annual basis.
 - (C) The total amount of water for the project shall include water designated in the estimated total water use calculation plus water needed for any water features, which shall be considered as a high water using hydrozone.
 - (D) Recreational areas designated in the landscape design plan shall be highlighted and the irrigation schedule shall indicate if any additional water is needed above the maximum applied water allowance because of high plant factors (but not due to irrigation inefficiency).
 - (E) Whenever possible, irrigation scheduling shall incorporate the use of evapotranspiration data such as those from the California Irrigation Management Information System (CIMIS) weather stations to apply the appropriate levels of water for different climates.
 - (F) Whenever possible, landscape irrigation shall be scheduled between two a.m. and ten a.m. to avoid irrigating during times of high wind or high temperature.
- (8) Maintenance Schedules. A regular maintenance schedule satisfying the following conditions shall be submitted as part of the landscape documentation package:
- (A) Landscapes shall be maintained to ensure water efficiency. A regular maintenance schedule shall include, but, not be limited to, checking, adjusting and repairing irrigation equipment; resetting the automatic controller; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning and weeding in all landscaped areas. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
 - (B) Whenever possible, repair of irrigation equipment shall be done with the originally specified materials or their equivalents.

- (C) Irrigation systems shall be properly maintained to prevent water waste from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. Repair of all irrigation equipment shall be done with the originally installed components or equivalents.
- (9) Landscape Irrigation Audit Schedules. A schedule of landscape irrigation audits, for all but single-family residences, satisfying the following conditions shall be submitted to the city or county as part of the landscape documentation package.
 - (A) At a minimum, audits shall be in accordance with the State of California Landscape Water Management Program as described in the Landscape Irrigation Auditor Handbook, the entire document, which is hereby incorporated by reference. (See Landscape Irrigation Auditor Handbook (June, 1990) Version 5.5 [formerly Master Auditor Training]).
 - (B) The schedule shall provide for landscape irrigation audits to be conducted by certified landscape irrigation auditors at least once every five years.
- (10) Pesticides, Herbicides and Fertilizers. Provisions shall be made to reduce the discharge of pesticides, herbicides and fertilizers.
 - (A) No application of pesticides, herbicides or fertilizers shall occur during irrigation or within 48 hours of predicted rainfall with greater than 50 percent probability as predicted by the National Oceanic and Atmospheric Administration (NOAA).
 - (B) Application of pesticide and herbicide should be limited to the least amount feasible, and manual weed and insect removal methods should be employed where practicable.
- (11) Grading Design Plan. Grading design plans satisfying the following conditions shall be submitted as part of the landscape documentation package.
 - (A) A grading design plan shall be drawn on project base sheets. It shall be separate from, but use the same format as, the landscape design plan.
 - (B) The grading design plan shall indicate finished configurations and elevations of the landscaped area, including the height of graded slopes, drainage patterns, pad elevations and finish grade.
- (12) Soil Preparation, Mulch and Amendments.
 - (A) Prior to the planting of any materials, compacted soils shall be transformed to a friable condition.
 - (B) Soil amendments shall be incorporated according to the recommendations of the soil management report in subsection (C) of this section and what is appropriate for the plants selected.
 - (C) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:
 - (l) A soil analysis satisfying the following conditions shall be submitted as part of the landscape documentation package.

- (II) Determination of soil texture, indicating the percentage of organic matter;
 - (III) An approximate soil infiltration rate (either measured or derived from soil texture/infiltration rate tables). A range of infiltration rates shall be noted where appropriate;
 - (IV) Measure of pH, and total soluble salts;
 - (V) Recommendations.
- (D) For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area (unless contradicted by soil test) shall be incorporated to a depth of six inches into the soil. Soils with greater than 25 percent organic matter in the top 6 inches of soil are exempt from adding compost.
- (E) A mulch of at least three inches shall be applied to all planting areas except turf.
- (F) Organic mulch materials should take precedence over inorganic materials in instances where it is suitable, ecologically possible, and the material does not pose a fire hazard. Composted organic material, in particular that which includes post-consumer material, should be considered over more compacted products such as bark, wood chips, etc.
- (13) Certification.
- (A) Upon completing the installation of the landscaping and the irrigation system, an irrigation audit shall be conducted by a certified landscape irrigation auditor prior to the final field observation. (See Landscape Irrigation Auditor Handbook as referenced in subsection (b)(9)(A) of this section.)
 - (B) A licensed landscape architect or contractor, certified irrigation designer, or other licensed or certified professional in a related field shall conduct a final field observation and shall provide a certificate of substantial completion to the city. The certificate shall specifically indicate that plants were installed as specified, that the irrigation system was installed as designed, and that an irrigation audit has been performed, along with a list of any observed deficiencies.
 - (C) Certification shall be accomplished by completing a certificate of substantial completion and delivering it to the city, to the retail water supplier, and to the owner of record. A sample of such a form is on file in the offices of the City Clerk, City of King, 212 South Vanderhurst Avenue, King City, California 93930, and is open to inspection by the public during regular business hours.
- (c) Public Education.
- (1) Publications.
 - (A) Local agencies shall provide information to owners of all new, single-family residential homes regarding the design, installation and maintenance of water efficient landscapes.
 - (B) Information about the efficient use of landscape water shall be provided to water users throughout the community.
 - (2) Model Homes. At least one model home that is landscaped in each project consisting of eight or more homes shall demonstrate via signs and information the principles of water efficient landscapes described in this chapter.

(A) Signs shall be used to identify the model as an example of a water efficient landscape and featuring elements such as hydrozones, irrigation equipment and others which contribute to the overall water efficient theme.

(B) Information shall be provided about designing, installing and maintaining water efficient landscapes. (Ord. 559 § 1(Exh. A), 1993)

15.50.040 Provisions for existing landscapes.

(a) Water Management. All existing landscaped areas to which the city or county provides water that are one acre or more, including golf courses, green belts, common areas, multifamily housing, schools, businesses, parks, cemeteries, and publicly owned landscapes shall have a landscape irrigation audit at least every five years. At a minimum, the audit shall be in accordance with the California Landscape Water Management Program as described in the Landscape Irrigation Auditor Handbook, the entire document which is hereby incorporated by reference. (See Landscape Irrigation Audit Handbook, as referenced in Section 15.50.030(b)(9)(A)).

(1) If the project's water bills indicate that they are using less than or equal to the maximum applied water allowance for that project site, an audit shall not be required.

(2) Recognition of projects that stay within the maximum applied water allowance is encouraged.

(b) Water Waste Prevention. Cities shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff, low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures. Penalties for violation of these prohibitions shall be established locally. (Ord. 559 § 1(Exh. A), 1993)

15.50.050 Effective precipitation.

If effective precipitation is included in the calculation of the estimated total water use, an effective precipitation disclosure statement shall be completed, signed and submitted with the landscape documentation package. No more than twenty-five percent of the local annual mean precipitation shall be considered effective precipitation in the calculation of the estimated total water use. A sample of the precipitation disclosure statement is on file in the offices of the City Clerk, City of King, 212 South Vanderhurst Avenue, King City, California 93930, and is open to inspection by the public during regular business hours. (Ord. 559 § 1(Exh. A), 1993)

15.50.060 Reference evapotranspiration.

The schedule showing the evapotranspiration for the counties situated in the state of California is on file in the offices of the City Clerk, City of King, 212 South Vanderhurst Avenue, King City, California 93930, and is open to inspection by the public during regular business hours. (Ord. 559 § 1(Exh. A), 1993)

15.50.070 Stormwater management.

Landscape-related stormwater management practices can reduce runoff and improve water quality when properly designed and constructed. The following standards apply to the design of landscape areas used as bioretention facilities:

(a) Facility Sizing. Bioretention facilities shall be designed to manage stormwater from the drainage management area. Sizing shall be in accordance with the City's stormwater permit and as codified elsewhere in the King City Municipal Code.

- (b) **Plant Selection.** Plants used in bioretention facilities shall be selected for tolerance to both periodic inundation, as well as prolonged dry periods. Plants shall be non-invasive and should be native to the region whenever possible, so as to reduce the demand for excessive irrigation and pesticide/herbicide application. A list of suitable plant species is on file with the King City Community Development Department. Plants shall be selected according to the surface grade and the incidence of periodic surface water inundation. Plants selected for Zone A should tolerate periodic surface water inundation as well as seasonal dry periods. Plants selected for Zone B should tolerate the planting on side slopes and surface water runoff.
- (c) **Hydrozone Grouping and Irrigation.** Installed plants within rain gardens and other bioretention facilities shall be grouped into hydrozones based on similar water usage. During plant establishment, temporary irrigation shall use separate valves for each hydrozone. All irrigation shall be removed or disconnected from the bioretention facility at the end of plant establishment.
- (d) **Planter Edge and Curb Design.** Bioretention facilities are intended to receive and treat stormwater runoff. Edge treatments shall be designed not to impede sheet flow from surrounding areas. See standard design details contained in the King City Standard Drawings.
- (e) **Compost.** Compost application, quantity, and composition for bioretention facilities shall be as specified in the design details contained in the King City Standard Drawings.

Section 2. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (CEQA) in accordance with §15307 of the State CEQA Guidelines for actions by regulatory agencies for protection of natural resources. There is no evidence that the proposed project may have a potentially significant effect on the environment. As such, the project qualifies for exemption pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 3. If any section, subsection, subdivision, paragraph, sentence or clause of the Ordinance or any part thereof is for any reason held to be unlawful, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, or clause thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, or clause be declared unconstitutional.

Section 4. A summary of this Ordinance shall be published in a newspaper published and circulated in the City of King at least five (5) days prior to the City Council meeting at which the proposed Ordinance is adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the City Clerk. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those City Council Members voting for and against the Ordinance shall be published again, and the City Clerk shall post a certified copy of the full text of such adopted Ordinance.

Section 5. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty (30th) day after its final passage.

I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the ____ day of _____ 2018, and adopted the Ordinance after the second reading at a regular meeting held on the ____ day of _____ 2018, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST

STEVEN ADAMS, City Clerk

CITY OF KING

By: _____
MIKE LEBARRE, Mayor

APPROVED AS TO FORM:

By: _____
SHANNON L. CHAFFIN, City Attorney
Aleshire & Wynder, LLP

I, Steven Adams, City Clerk of the City of King, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and adopted by the City Council of the City of King on the date and by the vote indicated herein.



10(B)

REPORT TO THE CITY COUNCIL

DATE: MAY 8, 2018

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: STEVEN ADAMS, CITY MANAGER

BY: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

RE: CONSIDERATION OF ADOPTION OF AN INTERIM URGENCY ORDINANCE EXTENDING A MORATORIUM ON THE ISSUANCE OF ANY NEW PERMIT FOR THE ESTABLISHMENT OF OR CONVERSION TO SEASONAL EMPLOYEE HOUSING WITHIN THE CITY OF KING FOR 10 MONTHS AND 15 DAYS

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing to consider adoption of the attached proposed interim urgency ordinance extending the moratorium on the issuance of any new permit for the establishment of or conversion to seasonal employee housing in the City of King ("City") for a period of ten (10) months and fifteen (15) days, and thereafter adopt the proposed ordinance.

BACKGROUND:

On March 27, 2018, the City Council adopted Ordinance No. 2018-755, an interim urgency ordinance imposing a forty-five (45) day moratorium on approving permits for the establishment of or conversion to seasonal employee housing in the FSC and C-2 zoning districts of the City ("Moratorium"). The Moratorium, which is attached hereto as Exhibit 1, has the effect of prohibiting seasonal employee housing approvals throughout the City because the FSC and C-2 zoning districts are the only City zoning districts in which seasonal employee housing may otherwise be approved under the City's zoning ordinance. The Moratorium will expire on May 11, 2018, unless extended by the City Council.

DISCUSSION:

The City Council unanimously adopted the Moratorium on March 27, 2018. The adoption of the Moratorium was necessitated by a number of conditions detailed in the Moratorium and the associated staff report, and which include, but are not limited to:

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- The serious shortage of housing that the City is experiencing with respect to all housing types, including affordable housing and seasonal employee housing;
- The overcrowded and unsanitary conditions of seasonal employee housing resulting from low wages of seasonal employees and the financial incentives of landlords favoring large numbers of seasonal employees occupying their properties rather than comparatively small numbers of permanent residents;
- The lack of sufficient authority reserved to the City under its current zoning ordinance to regulate the conditions affecting seasonal employee housing to ensure that such conditions are safe and compliant with applicable law in connection with review and approval of applications for seasonal employee housing;
- The threats to health and safety of residents of communities neighboring seasonal employee housing arising from unsanitary or substandard conditions of seasonal employee housing, which may include fire hazards or conditions conducive to the spread of communicable illness or disease;
- The displacement of permanent residents resulting from the financial incentives of landlords favoring large numbers of seasonal employees occupying their properties rather than comparatively small numbers of permanent residents;
- The risks to health and safety of permanent residents who are displaced by conversions to seasonal employee housing, and the inability of such residents to find suitable replacement housing, given the housing shortage and the fact that many such residents are elderly and living on constrained incomes;
- The lack of control reserved to the City to protect and manage its supply of affordable housing resulting from the conversion of permanent housing to seasonal employee housing.

The City is pursuing a comprehensive effort to address these problems at all levels, and to that end is conducting a study and review of zoning proposals and other possible means to properly regulate and control the process for review and approval of permits for seasonal employee housing. It is important for the City to design and coordinate its efforts in order to achieve long-term results while avoiding inconsistencies or measures which result in progress toward meeting one source of risk or need but which cause or exacerbate another source of risk or need. The effectiveness of the Moratorium provides the City with time to do so while preventing the approval of seasonal employee housing applications which may otherwise conflict with the results of the City's study or exacerbate the threats to health and safety,

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Since the adoption of the Moratorium, City staff has prepared a draft ordinance containing proposed seasonal employee housing standards and a draft amendment to the City's general plan to provide for policies and objectives regarding promotion of safe seasonal employee housing and has circulated these documents for public review and comment. Additionally, on April 3, 2018, the City's Planning Commission conducted a workshop to gather public input and feedback from interested persons. Further Planning Commission and City Council hearings to consider the proposed seasonal employee housing standards will take place beginning later in May, 2018.

Despite the City's efforts, the conditions which necessitated adoption of the Ordinance continue to exist at the present time.

Government Code Section 65858 authorizes the City Council, after notice and a public hearing, and upon approval by a four-fifths vote, to extend the Moratorium for ten (10) months and fifteen (15) days. The City Council may subsequently extend the Moratorium for one additional year. However, the City Council may not extend the Moratorium at all unless, in doing so, it finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with its zoning ordinance would result in that threat to public health, safety, or welfare.

The public hearing on this item has been duly noticed in accordance with state law by publication of the notice in the Californian on April 28, 2018.

The proposed ordinance, attached hereto as Exhibit 2, contains the necessary findings, based on the conditions outlined above. Adoption of the proposed ordinance would extend the Moratorium for ten (10) months and fifteen (15) days. A four-fifths (4/5) vote of the City Council is required to adopt the proposed ordinance. Extending the Moratorium would provide City staff with necessary time to complete its study, review, adoption, and implementation of new seasonal employee housing standards to ensure the protection of the public health, safety and welfare of the occupants of seasonal employee housing and the residents of surrounding communities, and to address the housing needs of permanent City residents and seasonal employees.

Based on the foregoing, extension of the Moratorium for 10 months and 15 days is essential to protect against a current and immediate threat to public health and safety. Staff has proposed the Moratorium be extended for the maximum time allowed to ensure there is the sufficient time available to address any unforeseen circumstances. However, staff anticipates exacting new standards and regulation in a timely manner, which should allow the Council to cancel the Moratorium prior to the expiration.

**CITY COUNCIL
CONSIDERATION OF INTERIM URGENCY ORDINANCE EXTENDING A
MORATORIUM ON THE ISSUANCE OF ANY NEW PERMIT FOR THE
ESTABLISHMENT OF OR CONVERSION TO SEASONAL EMPLOYEE HOUSING
MAY 8, 2018
PAGE 4 OF 4**

ENVIRONMENTAL REVIEW:

The City has determined that the Moratorium is exempt from further environmental review because: (1) it is not a project within the meaning of CEQA Guidelines Sections 15060(c)(3) and 15378, in that it has no potential for resulting in physical change to the environment, either directly or indirectly; and (2) even if the Moratorium is determined to be a project, it can be seen with certainty that there is no possibility that it will have a significant effect on the environment as it preserves existing conditions, and it is therefore exempt from CEQA review under CEQA Guidelines § 15061(b)(3).

COST ANALYSIS:

There are no anticipated fiscal impacts from the recommended action.

ALTERNATIVES:

The following alternatives are provided for Council consideration:

1. The City Council may decline to take action. This will result in the Moratorium expiring on May 11, 2018, allowing approvals of seasonal employee housing projects to recommence immediately thereafter in the City's FSC and C-2 zones.
2. The City Council may decline to adopt the proposed ordinance, but direct staff to revise the proposed ordinance and/or to continue to study and consider seasonal employee housing standards and requirements. This will result in the Moratorium expiring on May 11, 2018, allowing approvals of seasonal employee housing projects to recommence immediately thereafter in the City's FSC and C-2 zones
3. Provide other direction to staff.

Exhibits:

1. Moratorium.
2. Proposed Interim Urgency Ordinance Extending the Moratorium for 10 Months and 15 Days.

Submitted by: _____


Doreen Liberto, Community Development Director

Approved by: _____


Steven Adams, City Manager

ORDINANCE NO. 2018-755**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING ESTABLISHING A 45-DAY MORATORIUM ON THE ISSUANCE OF ANY NEW PERMIT FOR ESTABLISHMENT OF OR CONVERSION TO SEASONAL EMPLOYEE HOUSING AS DEFINED HEREIN**

WHEREAS, the City of King (“the City”) has the police power, pursuant to Article XI, Section 7 of the California Constitution, to make and enforce ordinances to regulate the use of land within its jurisdictional boundaries, to the extent not in conflict with the general law of the State of California (“State”); and

WHEREAS, Government Code Section 65858 expressly authorizes the City Council, to protect public health, safety and welfare, to adopt an interim urgency ordinance prohibiting a use that is in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time, provided that the urgency measure shall require a four-fifths vote of the legislative body for adoption, and shall be of no further force and effect 45 days from its date of adoption; and

WHEREAS, Government Code Sections 36934 and 36937 expressly authorize the City Council to enact urgency ordinances, which take effect immediately upon introduction, for the immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency, and which must be passed by a four-fifths vote of the City Council; and

WHEREAS, numerous state and federal laws impose health, safety and building-related standards applicable to temporary housing for seasonal agricultural workers or employees, which laws include, but are not limited to: (1) California Health and Safety Code, Division 13, Part 1 (Employee Housing Act); (2) California Code of Regulations, Title 25, Chapter 1, Subchapter 3 (Employee Housing); (3) the California Building Standards Code, California Code of Regulations, Title 24; (4) the Federal Migrant and Seasonal Agricultural Worker Protection Act, Chapter 20 of Title 29 of the United States Code; (5) Code of Federal Regulations, Title 29, Part 500 (Migrant and Seasonal Agricultural Worker Protection); and (6) Code of Federal Regulations, Title 29, Part 1910.142 (Occupational Safety and Health Standards Regulations – Temporary Labor Camps) (hereinafter “Applicable Law”); and

WHEREAS, the City currently has insufficient authority under its Zoning Ordinance to regulate the conditions affecting such housing or to ensure that such conditions are safe and compliant with Applicable Law in connection with its review and approval of applications for the establishment of such housing, as is necessary to properly protect the public health and safety of the occupants of such housing and the residents of surrounding areas of the City.

NOW THEREFORE, the City Council of the City of King does hereby ordain as follows:

SECTION 1. FINDINGS.

The City Council hereby finds, determines, and declares as follows:

- A. The foregoing recitals are true and correct and are incorporated herein by reference.
- B. The City is located in an agricultural area of Monterey County, and agriculture is a major component of the City's economy.
- C. During certain peak agricultural seasons each year, the City experiences a significant influx of temporary or seasonal agricultural workers or employees (hereinafter "Seasonal Employees") who reside in the City for several months at a time for the purpose of engaging in agricultural or other seasonal work in or near the City.
- D. The City desires to ensure adequate and safe Seasonal Employee housing, as well as adequate and safe housing for all persons within the City.
- E. The City is currently experiencing a shortage of permanent housing, which shortage is exacerbated by permitting the conversion of permanent housing into Seasonal Employee housing.
- F. Much of the housing that is converted from permanent housing to Seasonal Employee housing is housing that is affordable to lower-income households, and as such the conversion of permanent housing to Seasonal Employee disproportionately affects such residents of the City.
- G. The City's General Plan Housing Element contains a special needs group classification for elderly persons, and many of the occupants of permanent housing in the City that is subject to conversion to Seasonal Employee housing fall within the elderly classification. Such individuals experience can great hardship when displaced from their housing, and such displacement can result in serious threats to their health and safety. As such, the conversion of permanent housing to Seasonal Employee housing disproportionately affects the elderly, as classified by the elderly special needs group classification in the City's General Plan.
- H. Although the City currently has sufficient affordable housing to meet its Regional Housing Needs Allocation ("RHNA") under the Housing Element of its General Plan, the conversion of permanent rental housing to Seasonal Employee housing decreases the number of dwelling units in the City that can be counted toward the City's RHNA, thus adversely impacting the City's ability to ensure sufficient housing remains available to meet the needs of its residents of all income groups as set forth by State law.
- I. The City has taken numerous measures to facilitate and ensure the availability of sufficient temporary housing in the City for Seasonal Employees, including but not limited to: (1) amending its Zoning Ordinance and Historic Corridor Revitalization Plan in 2016 to allow and expand Seasonal Employee housing opportunities in the City's First Street Corridor ("FSC") Zoning District of its Historic Corridor Revitalization Plan and General Commercial ("C-2")

Zoning District, subject to issuance of a conditional use permit; (2) approving an agreement in 2016 by and among the City, the Counties of Monterey and Santa Cruz, and the Cities of Gonzalez, Greenfield, Salinas, and Soledad regarding the Farmworker Housing Study and Action Plan for the Salinas Valley and Pajaro Valley, and subsequently participating in the oversight meetings and action plan preparation related to said agreement; (3) updating the Housing Element of its General Plan in 2016 to identify programs to promote development of Seasonal Employee housing; (4) updating the Land Use Element of its General Plan in 2016 to support Seasonal Employee housing near the City's future multi-modal transit center; (5) approving a 364-bed dormitory-style Seasonal Employee housing project to be developed in two phases in 2016 and 2018; (6) working with the Local Agency Formation Commission of Monterey County between 2015 and 2017 to engage in outreach to farmers and property owners regarding a potential sphere of influence amendment and/or annexation of a new area to the City to facilitate the construction of Seasonal Employee housing, and to obtain approval of an out-of-agency extension of City wastewater services to an existing Seasonal Employee housing complex located just outside of the City's jurisdictional boundaries; (7) classifying Seasonal Employees as a special needs group under the Housing Element of its General Plan; and (8) adopting an ordinance formalizing the ability of hotels and motels throughout the City to utilize up to a specified percentage of their rooms to house Seasonal Employees.

J. As a result of the foregoing measures, and under the City's current Zoning Ordinance, Seasonal Employee housing facilities may currently be permitted in the FSC and C-2 Zoning Districts subject to issuance of a conditional use permit.

K. Although the measures taken to promote the availability of Seasonal Employee housing have been successful in meeting the demand for such housing in the City, the measures were implemented without corresponding permitting conditions or regulatory standards sufficient to preserve the City's authority to exercise its police power to ensure that the conditions existing within Seasonal Employee housing facilities are at all times safe, fit for human habitation and in compliance with Applicable Law. Such measures are currently being studied and developed by the City.

L. During the pendency of the preparation of those measures, Landlords who own rental housing properties in the City, in the pursuit of additional profits, have sought to convert, and have either illegally converted or been permitted to legally convert, dwelling units on their properties from permanent rental dwelling units to Seasonal Employee housing. Such conversions have resulted in the displacement of longer-term tenants, many of whom were lower-income and/or elderly. Due to already limited housing stock, it was extremely difficult for such displaced tenants to find replacement housing, and one elderly tenant who was evicted subsequently died before he was able to find replacement housing. In many cases, landlords have sought to evict or otherwise displace their existing tenants and to convert the use of the property to Seasonal Employee housing without making the appropriate improvements necessary to adequately serve the new use. Absent sufficient regulatory and permitting standards, these conversions of use substantially increase the risk of unsafe conditions affecting such housing, including overcrowding of Seasonal Employees, fire hazards, sanitary and other conditions in violation of Applicable Law, and other threats to public health, safety and welfare of Seasonal Employees and other City residents and guests.

M. In addition, some owners of hotels and motels in the City have been using long-term occupancy arrangements to provide housing for Seasonal Employees, and such housing arrangements have also resulted in overcrowding and other violations of Applicable Law, and the lack of standards adopted by the City regarding permitting and regulation of Seasonal Employee housing has left the City with few options in regards to remediating the health and safety hazards resulting from the conditions of such housing.

N. Although Applicable Law imposes requirements that, if complied with, are generally sufficient to ensure the safety and habitability of Seasonal Employee housing, Applicable Law is not reliably enforced by state or federal authorities in the City, and does not contain requirements that are adapted to address the specific circumstances affecting Seasonal Employee housing in the City, and as such, the City's adoption of standards and conditions allowing the City to properly regulate and condition approval and use of Seasonal Employee housing, to directly enforce the requirements of Applicable Law, and/or to impose additional requirements to address circumstances unique to Seasonal Employee housing in the City, would protect and promote public health, safety and welfare by ensuring that the conditions of Seasonal Employee housing in the City are safe for both Seasonal Employees and for residents of surrounding neighborhoods of the City.

O. City code enforcement and fire inspectors have recently inspected various properties being used as Seasonal Employee housing facilities in the City and have determined that the facilities inspected were overcrowded, rife with fire hazards, unsanitary and capable of facilitating the spread of illness and disease, and otherwise unfit for human habitation and not in compliance with Applicable Law.

P. The existence of Seasonal Employee housing in the City that is not sufficiently regulated constitutes a current and immediate threat to the public health, safety and welfare in that it often results in the existence of conditions which are dangerous not only to occupants of such housing, but also to residents of surrounding neighborhoods (for instance, due to the increased risk of fire resulting from conditions that constitute fire hazards, infestation by rodents due to the lack of adequate trash facilities, parking and traffic compatibility issues, availability of adequate sanitary and sewage facilities given the number of occupants, etc.), and approval of additional conditional use permits or other permits or entitlements for Seasonal Employee housing which are required in order to comply with the City's current zoning ordinance would result in that threat to public health, safety or welfare by allowing further establishment of Seasonal Employee housing which may contain such conditions.

Q. The loss of permanent rental housing in the City, which is attributable in part to the lack of sufficient regulatory and permitting standards and conditions applicable to the City's review of applications to convert permanent housing into Seasonal Employee housing, also constitutes a current and immediate threat to the public health, safety and welfare in that it jeopardizes the ability of current and prospective residents to obtain housing that is affordable to them in the City; and

R. In order to protect against the above-referenced threats to public health, safety and welfare, the City Council has determined that it is necessary to consider and study zoning proposals and other possible actions, including general and specific plan updates, for the purposes of: (1) promoting the availability of seasonal and permanent housing and the orderly transition from one use to another; (2) establishing standards and conditions applicable to permitting and approval of Seasonal Employee housing in order to restore sufficient regulatory control to the City to ensure that all such housing is safe and in compliance with Applicable Law; and (3) providing the City with sufficient means to administer and enforce such standards and conditions as necessary to protect the public health, safety or welfare of the Seasonal Employees, permanent residents, or transient occupants (such as hotel guests) of the City against the current and immediate threats posed by substandard or inadequate housing.

S. The City Council has already commenced the foregoing study, and any approval of a Seasonal Employee housing project or facility prior to completion of the study may be in conflict with the zoning proposal or other action resulting from the study.

T. Based on the foregoing, adoption of an interim urgency ordinance imposing a moratorium on the approval and issuance of City permits and other entitlements authorizing the establishment of, or conversion to, Seasonal Employee housing in the City's FSC and C-2 Zoning Districts, to allow the City time to complete the above-referenced study and take any necessary zoning or other action resulting from the study, is necessary to prevent a current and immediate threat to the public health, safety and welfare.

SECTION 2. MORATORIUM.

During the effective period of this Ordinance, no permit shall be approved or issued by the City for the establishment of or conversion to Seasonal Employee housing in the FSC or C-2 Zoning Districts of the City, as more particularly depicted in the diagram attached hereto as Exhibit "A" and incorporated herein by reference.

For purposes of this moratorium, "Permit" means any City planning or land use approval, conditional use permit, development permit, variance, business license, building permit, subdivision approval, or any other entitlement authorizing the establishment of or conversion to Seasonal Employee housing as required in order to comply with the City's zoning ordinance, whether approval or issuance of such permit is discretionary or ministerial. The annual renewal of an existing permit or business license as necessary for the routine maintenance of existing buildings or sites shall not be considered issuance of a permit for purposes of this moratorium.

SECTION 3. REVIEW AND STUDY.

During the effective period of this Ordinance, the Community Development Director, or her designee(s), is hereby directed to continue to review, consider, study and propose revisions, as warranted and necessary, to the City's Zoning Ordinance, General Plan, Downtown Addition Specific Plan, Historic Corridor Revitalization Plan, and any other relevant City laws, rules, plans, standards, conditions, policies, procedures and/or fees applicable or related to Seasonal Employee housing. The purpose of this study shall be to enable the City to adequately and appropriately

consider the standards, regulations and conditions necessary to establish and impose in connection with the permitting of Seasonal Employee housing, in order to protect the health, safety and welfare of the Seasonal Employees, permanent residents, and transient occupants of the City, while ensuring consistency with the General Plan.

SECTION 4. EXCEPTIONS.

This moratorium shall not apply to: (1) proposed projects that do not propose Seasonal Employee housing; (2) lawfully existing Seasonal Employee housing facilities which are not seeking to expand, convert, relocate or otherwise change their use; and (3) the opening or commencement of any Seasonal Employee housing facility as a new use for which all required conditional use permits and other discretionary approvals have been granted prior March 15, 2018. Further, this moratorium is intended to apply only to housing used specifically for Seasonal Employees and is not intended to have the effect of denying approvals needed for the development of projects with a significant component of multifamily housing, within the meaning of Government Code Section 65858.

SECTION 5. NEED.

This Ordinance is necessary for the preservation of the public health, safety, and general welfare against a current and immediate threat thereto, as it will allow the City time to study and consider zoning proposals and other possible means to properly regulate and control the establishment of, or conversion to, Seasonal Employee housing, to ensure that no such housing is permitted or thereafter maintained in the City in a condition that is unsafe, overcrowded, or that otherwise does not comply with Applicable Law, and to restore the City's full authority to properly manage and safeguard the supply of affordable and other housing available to meet the needs of its residents, all while ensuring consistency with the General Plan.

SECTION 6. AUTHORITY AND EFFECT.

This Ordinance is an interim ordinance enacted pursuant to the authority conferred upon the City Council by Government Code Section 65858 and shall be in full force and effect immediately upon its adoption by a four-fifths (4/5) vote of the entire City Council.

SECTION 7. URGENCY MEASURE.

Based on the findings set forth in Section 1 above, the City Council declares that this Ordinance is necessary as an urgency measure to preserve and address current and immediate threats to the public health, safety, and welfare. To enact this Ordinance after giving notice, holding a public hearing, and two readings thereof, and thereafter wait thirty days for said ordinance to become effective, would be detrimental to the public health, safety, and welfare, in that during the interim period new Seasonal Employee housing uses may be permitted without the benefit of the imposition or implementation of proper health and safety related standards or permit conditions, and such permitted uses may be in conflict with later-enacted standards resulting from the ongoing study authorized in Section 3 above. It is therefore necessary that this Ordinance go into effect immediately upon adoption. This Ordinance, therefore, is adopted pursuant to the

provisions of Sections 36934(b) and 65858 of the California Government Code, shall be adopted by a four-fifths vote of the City Council, shall take effect immediately upon its adoption pursuant to Section 36934(b) of the California Government Code, and shall remain in effect for a period of 45 days, subject to extensions as provided by law.

SECTION 8. CEQA COMPLIANCE

This Ordinance is exempt from the California Environmental Quality Act ("CEQA") because it is not a project within the meaning of CEQA Guidelines Sections 15060(c)(3) and 15378 because it has no potential for resulting in physical change to the environment, either directly or indirectly. Further, even if this Ordinance is determined to be a project, it can be seen with certainty that there is no possibility that it will have a significant effect on the environment as it preserves existing conditions, and it is therefore exempt from CEQA review under CEQA Guidelines § 15061(b)(3). The City Manager or his designee is authorized and directed to file a CEQA Notice of Exemption.

SECTION 9. SEVERABILITY

The City Council hereby declares, if any provision, section, subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this Ordinance and as such they shall remain in full force and effect.

SECTION 10. PUBLICATION

The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be published in a manner prescribed by law.

SECTION 11. EFFECTIVENESS OF ORDINANCE.

This Ordinance shall take effect immediately, pursuant to the authority conferred upon the City Council by Government Code sections 36937 and 65858. This Ordinance shall be of no further force and effect forty-five (45) days following the date of its adoption unless extended in accordance with the provisions set forth in Government Code Section 65858. Not later than ten (10) days prior to the expiration of this interim urgency ordinance, the City Council shall issue a written report as required by Government Code Section 65858(d).

I HEREBY CERTIFY that the foregoing Ordinance was passed, approved and adopted as an Interim Urgency Ordinance by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the 27th day of March 2018, by the following roll call vote:

AYES: LeBarre, Victoria, Acosta, Cullen, DeLeon

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST



STEVEN ADAMS, City Clerk

CITY OF KING

By: 

MIKE LEBARRE, Mayor

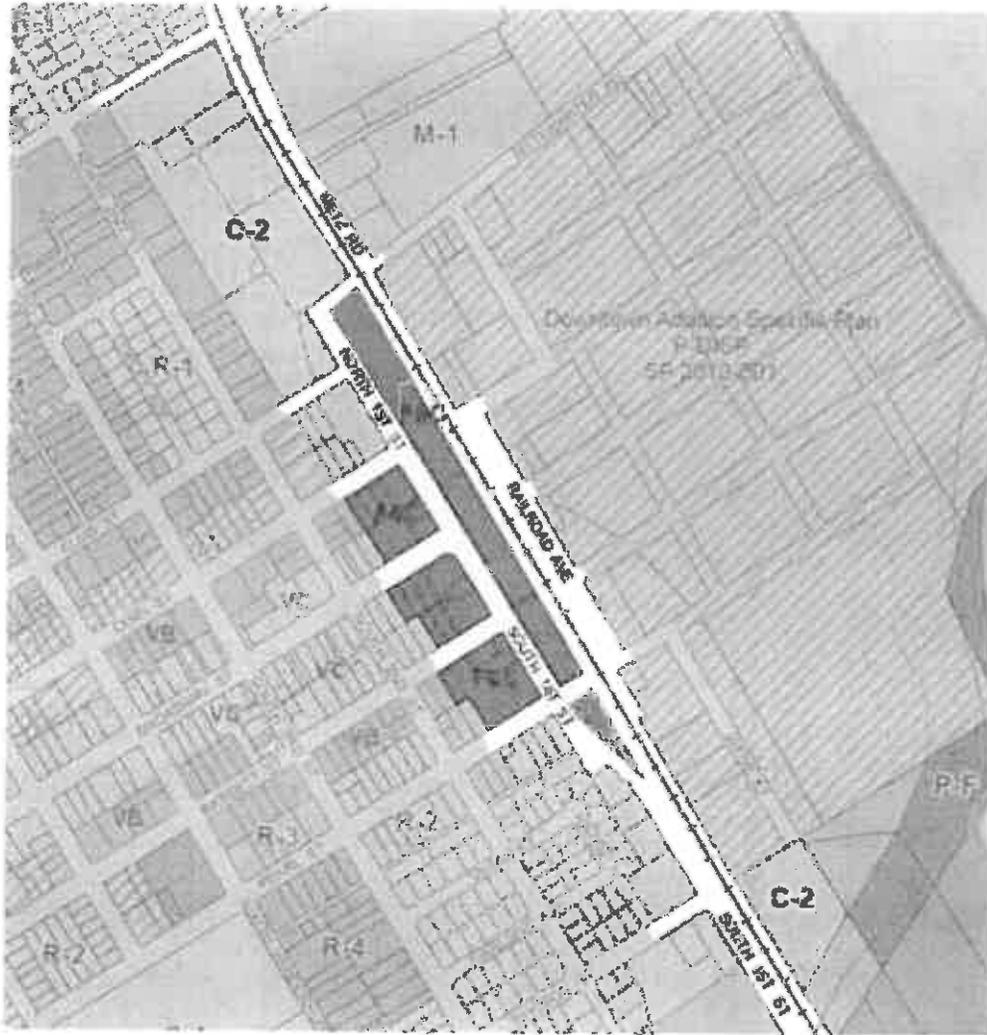
APPROVED AS TO FORM:

By: 

SHANNON L. CHAFFIN, City Attorney
Aleskire & Wynder, LLP

I, _____, City Clerk of the City of King, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and adopted by the City Council of the City of King on the date and by the vote indicated herein.

EXHIBIT A – DIAGRAM OF ZONING DISTRICTS SUBJECT TO MORATORIUM



Zoning District Classifications

- | | | |
|---|------------|------------------------------------|
|  | FSC | FIRST STREET CORRIDOR |
|  | C-2 | GENERAL COMMERCIAL DISTRICT |

ORDINANCE NO. 2018-758**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING EXTENDING A MORATORIUM ON THE ISSUANCE OF ANY NEW PERMIT FOR ESTABLISHMENT OF OR CONVERSION TO SEASONAL EMPLOYEE HOUSING WITHIN THE CITY OF KING FOR 10 MONTHS AND 15 DAYS**

WHEREAS, the City of King (“the City”) has the police power, pursuant to Article XI, Section 7 of the California Constitution, to make and enforce ordinances to regulate the use of land within its jurisdictional boundaries, to the extent not in conflict with the general laws of the State of California (“State”); and

WHEREAS, Government Code Section 65858(a) expressly authorizes the City Council, to protect public health, safety and welfare, to adopt an interim urgency ordinance prohibiting a use that is in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time, upon approval by a four-fifths vote and a finding that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare; and

WHEREAS, Government Code Section 65858(a) provides that an interim urgency ordinance adopted pursuant thereto shall be of no further force and effect 45 days from its date of adoption; and

WHEREAS, on March 27, 2018, the City Council adopted Ordinance No. _____, an interim urgency ordinance establishing a 45-day moratorium on the issuance of any new permit for establishment of or conversion to seasonal employee housing in the City (the “Moratorium”), by a four-fifths vote; and

WHEREAS, the Moratorium will expire on May 11, 2018, unless extended pursuant to Government Code Section 65858, which authorizes the City Council, after notice pursuant to Government Code Section 65090 and a public hearing, to adopt an ordinance extending the Moratorium for 10 months and 15 days, upon approval by a four-fifths vote, and upon making the same findings required for initial adoption of the Moratorium; and

WHEREAS, Government Code Section 65858(d) requires the City Council, ten days prior to expiration of the Moratorium or any extension thereof, to issue a written report describing the measures taken to alleviate the condition which led to the adoption of the Moratorium; and

WHEREAS, in accordance with Government Code Section 65858(d), on April 24, 2018, the City Council approved and issued a ten-day report describing the measures taken to alleviate the condition which led to the adoption of the Moratorium (the “10 Day Report”); and

WHEREAS, despite the numerous measures taken by City staff to alleviate the condition which led to the adoption of the Moratorium, as set forth in the 10 Day Report, the condition which led to adoption of the Moratorium continues to exist, and the current and immediate threats to public health safety arising from approval of Seasonal Employee housing, as identified in the Moratorium, remain ongoing; and

WHEREAS, City staff requires more time after May 11, 2018 to complete the measures being taken to alleviate the condition which led to the adoption of the Moratorium; and

WHEREAS, in accordance with Government Code Section 65090, the City gave notice of a public hearing to consider adoption of this Interim Urgency Ordinance (“Ordinance”) to extend the Moratorium, by publishing the notice in the Californian, a newspaper of general circulation within the jurisdiction of the City, on April 28, 2018;

WHEREAS, on May 8, 2018, at the time and place specified in the notice of public hearing, the City Council conducted a public hearing to consider adoption of this Interim Urgency Ordinance.

NOW THEREFORE, the City Council of the City of King does hereby ordain as follows:

SECTION 1. FINDINGS.

The City Council hereby finds, determines, and declares as follows:

- A. The foregoing recitals are true and correct and are incorporated herein by reference.
- B. The City is located in an agricultural area of Monterey County, and agriculture is a major component of the City’s economy.
- C. During certain peak agricultural seasons each year, the City experiences a significant influx of temporary or seasonal agricultural workers or employees (hereinafter “Seasonal Employees”) who reside in the City for several months at a time for the purpose of engaging in agricultural or other seasonal work in or near the City.
- D. The City desires to ensure adequate and safe Seasonal Employee housing, as well as adequate and safe housing for all persons within the City.
- E. The City is currently experiencing a shortage of permanent housing, which shortage is exacerbated by permitting the conversion of permanent housing into Seasonal Employee housing.
- F. Much of the housing that is converted from permanent housing to Seasonal Employee housing is housing that is affordable to lower-income households, and as such the conversion of permanent housing to Seasonal Employee disproportionately affects such residents of the City.

G. The City's General Plan Housing Element contains a special needs group classification for elderly persons, and many of the occupants of permanent housing in the City that is subject to conversion to Seasonal Employee housing fall within the elderly classification. Such individuals can experience great hardship when displaced from their housing, and such displacement can result in serious threats to their health and safety. As such, the conversion of permanent housing to Seasonal Employee housing disproportionately affects the elderly, as classified by the elderly special needs group classification in the City's General Plan.

H. Although the City currently has sufficient affordable housing to meet its Regional Housing Needs Allocation ("RHNA") under the Housing Element of its General Plan, the conversion of permanent rental housing to Seasonal Employee housing decreases the number of dwelling units in the City that can be counted toward the City's RHNA, thus adversely impacting the City's ability to ensure sufficient housing remains available to meet the needs of its residents of all income groups as set forth by State law.

I. The City has taken numerous measures to facilitate and ensure the availability of sufficient temporary housing in the City for Seasonal Employees, including but not limited to: (1) amending its Zoning Ordinance and Historic Corridor Revitalization Plan in 2016 to allow and expand Seasonal Employee housing opportunities in the City's First Street Corridor ("FSC") Zoning District of its Historic Corridor Revitalization Plan and General Commercial ("C-2") Zoning District, subject to issuance of a conditional use permit; (2) approving an agreement in 2016 by and among the City, the Counties of Monterey and Santa Cruz, and the Cities of Gonzalez, Greenfield, Salinas, and Soledad regarding the Farmworker Housing Study and Action Plan for the Salinas Valley and Pajaro Valley, and subsequently participating in the oversight meetings and action plan preparation related to said agreement; (3) updating the Housing Element of its General Plan in 2016 to identify programs to promote development of Seasonal Employee housing; (4) updating the Land Use Element of its General Plan in 2016 to support Seasonal Employee housing near the City's future multi-modal transit center; (5) approving a 364-bed dormitory-style Seasonal Employee housing project to be developed in two phases in 2016 and 2018; (6) working with the Local Agency Formation Commission of Monterey County between 2015 and 2017 to engage in outreach to farmers and property owners regarding a potential sphere of influence amendment and/or annexation of a new area to the City to facilitate the construction of Seasonal Employee housing, and to obtain approval of an out-of-agency extension of City wastewater services to an existing Seasonal Employee housing complex located just outside of the City's jurisdictional boundaries; (7) classifying Seasonal Employees as a special needs group under the Housing Element of its General Plan; and (8) adopting an ordinance formalizing the ability of hotels and motels throughout the City to utilize up to a specified percentage of their rooms to house Seasonal Employees.

J. As a result of the foregoing measures, and under the City's current Zoning Ordinance, absent the Moratorium, Seasonal Employee housing facilities may be permitted in the FSC and C-2 Zoning Districts subject to issuance of a conditional use permit.

K. Although the measures taken to promote the availability of Seasonal Employee housing have been successful in meeting the demand for such housing in the City, the measures were implemented without corresponding permitting conditions or regulatory standards sufficient

to preserve the City's authority to exercise its police power to ensure that the conditions existing within Seasonal Employee housing facilities are at all times safe, fit for human habitation and in compliance with Applicable Law. Such measures are currently being studied and developed by the City.

L. During the pendency of the preparation of those measures, landlords who own rental housing properties in the City, in the pursuit of additional profits, have sought to convert, and have either illegally converted or been permitted to legally convert, dwelling units on their properties from permanent rental dwelling units to Seasonal Employee housing. Such conversions have resulted in the displacement of longer-term tenants, many of whom were lower-income and/or elderly. Due to already limited housing stock, it was extremely difficult for such displaced tenants to find replacement housing, and one elderly tenant who was evicted subsequently died before he was able to find replacement housing. In many cases, landlords have sought to evict or otherwise displace their existing tenants and to convert the use of the property to Seasonal Employee housing without making the appropriate improvements necessary to adequately serve the new use. Absent sufficient regulatory and permitting standards, these conversions of use substantially increase the risk of unsafe conditions affecting such housing, including overcrowding of Seasonal Employees, fire hazards, sanitary and other conditions in violation of Applicable Law, and other threats to public health, safety and welfare of Seasonal Employees and other City residents and guests.

M. In addition, some owners of hotels and motels in the City have been using long-term occupancy arrangements to provide housing for Seasonal Employees, and such housing arrangements have also resulted in overcrowding and other violations of Applicable Law, and the lack of standards adopted by the City regarding permitting and regulation of Seasonal Employee housing has left the City with few options in regards to remediating the health and safety hazards resulting from the conditions of such housing.

N. Although Applicable Law imposes requirements that, if complied with, are generally sufficient to ensure the safety and habitability of Seasonal Employee housing, Applicable Law is not reliably enforced by state or federal authorities in the City, and does not contain requirements that are adapted to address the specific circumstances affecting Seasonal Employee housing in the City, and as such, the City's adoption of standards and conditions allowing the City to properly regulate and condition approval and use of Seasonal Employee housing, to directly enforce the requirements of Applicable Law, and/or to impose additional requirements to address circumstances unique to Seasonal Employee housing in the City, would protect and promote public health, safety and welfare by ensuring that the conditions of Seasonal Employee housing in the City are safe for both Seasonal Employees and for residents of surrounding neighborhoods of the City.

O. City code enforcement and fire inspectors have recently inspected various properties being used as Seasonal Employee housing facilities in the City and have determined that the facilities inspected were overcrowded, rife with fire hazards, unsanitary and capable of facilitating the spread of illness and disease, and otherwise unfit for human habitation and not in compliance with Applicable Law.

P. The existence of Seasonal Employee housing in the City that is not sufficiently regulated constitutes a current and immediate threat to the public health, safety and welfare in that it often results in the existence of conditions which are dangerous not only to occupants of such housing, but also to residents of surrounding neighborhoods (for instance, due to the increased risk of fire resulting from conditions that constitute fire hazards, infestation by rodents due to the lack of adequate trash facilities, parking and traffic compatibility issues, availability of adequate sanitary and sewage facilities given the number of occupants, etc.), and approval of additional conditional use permits or other permits or entitlements for Seasonal Employee housing which are required in order to comply with the City's current zoning ordinance would result in that threat to public health, safety or welfare by allowing further establishment of Seasonal Employee housing which may contain such conditions.

Q. The loss of permanent rental housing in the City, which is attributable in part to the lack of sufficient regulatory and permitting standards and conditions applicable to the City's review of applications to convert permanent housing into Seasonal Employee housing, also constitutes a current and immediate threat to the public health, safety and welfare in that it jeopardizes the ability of current and prospective residents to obtain housing that is affordable to them in the City; and

R. In order to protect against the above-referenced threats to public health, safety and welfare, the City Council has determined that it is necessary to consider and study zoning proposals and other possible actions, including general and specific plan updates, for the purposes of: (1) promoting the availability of Seasonal Employee and permanent housing and the orderly transition from one use to another; (2) establishing standards and conditions applicable to permitting and approval of Seasonal Employee housing in order to restore sufficient regulatory control to the City to ensure that all such housing is safe and in compliance with Applicable Law; and (3) providing the City with sufficient means to administer and enforce such standards and conditions as necessary to protect the public health, safety or welfare of the Seasonal Employees, permanent residents, or transient occupants (such as hotel guests) of the City against the current and immediate threats posed by substandard or inadequate housing.

S. The City Council had already commenced the foregoing study as of the date of adoption of the Moratorium and has continued the study since adoption of the Moratorium, and any approval of a Seasonal Employee housing project or facility prior to completion of the study may conflict with the zoning proposal or other action resulting from the study.

T. Specifically, during the period the Moratorium has been in place, the City has taken the following measures to alleviate the condition which led to adoption of the Moratorium:

1. Seeking and receiving initial feedback from persons and entities interested in or affected by the Moratorium;
2. Preparing a draft amendment to the General Plan to provide for policies and an objective regarding promotion of safe Seasonal Employee housing; and

3. Preparing a draft Seasonal Employee housing ordinance to regulate the creation of new, and the conversion of existing housing to, Seasonal Employee housing uses.

U. City staff have distributed the draft Seasonal Employee housing ordinance and draft amendment referenced in subsection (T) above and are currently allowing sufficient time for meaningful review by interested persons and entities to achieve the purposes of the Moratorium.

V. Despite the foregoing efforts to alleviate the conditions which led to adoption of the Moratorium, the conditions remain ongoing, and there remains a current and immediate threat to the public health, safety and welfare, and the approval of additional permits for Seasonal Employee housing as required in order to comply with the City's zoning ordinance would result in that threat to public health, safety and welfare.

W. The potential impacts of approval of the Seasonal Employee housing uses subject to the Moratorium necessitate further time and analysis to achieve the purposes of the Moratorium.

X. Based on the foregoing, extension of the Moratorium on the approval and issuance of City permits and other entitlements authorizing the establishment of, or conversion to, Seasonal Employee housing in the City's FSC and C-2 Zoning Districts, to allow the City time to complete the above-referenced study and associated measures, is necessary to prevent a current and immediate threat to the public health, safety and welfare.

SECTION 2. MORATORIUM.

During the effective period of this Ordinance, no permit shall be approved or issued by the City for the establishment of or conversion to Seasonal Employee housing in the FSC or C-2 Zoning Districts of the City, as more particularly depicted in the diagram attached hereto as Exhibit "A" and incorporated herein by reference.

For purposes of this moratorium, "Permit" means any City planning or land use approval, conditional use permit, development permit, variance, business license, building permit, subdivision approval, or any other entitlement authorizing the establishment of or conversion to Seasonal Employee housing as required in order to comply with the City's zoning ordinance, whether approval or issuance of such permit is discretionary or ministerial. The annual renewal of an existing permit or business license as necessary for the routine maintenance of existing buildings or sites shall not be considered issuance of a permit for purposes of this moratorium.

SECTION 3. REVIEW AND STUDY.

During the effective period of this Ordinance, the Community Development Director, or her designee(s), is hereby directed to continue to review, consider, study and propose revisions, as warranted and necessary, to the City's Zoning Ordinance, General Plan, Downtown Addition Specific Plan, Historic Corridor Revitalization Plan, and any other relevant City laws, rules, plans, standards, conditions, policies, procedures and/or fees applicable or related to Seasonal Employee housing. The purpose of this study shall be to enable the City to adequately and appropriately

consider the standards, regulations and conditions necessary to establish and impose in connection with the permitting of Seasonal Employee housing, in order to protect the health, safety and welfare of the Seasonal Employees, permanent residents, and transient occupants of the City, while ensuring consistency with the General Plan.

SECTION 4. EXCEPTIONS.

This moratorium shall not apply to: (1) proposed projects that do not propose Seasonal Employee housing; (2) lawfully existing Seasonal Employee housing facilities which are not seeking to expand, convert, relocate or otherwise change their use; and (3) the opening or commencement of any Seasonal Employee housing facility as a new use for which all required conditional use permits and other discretionary approvals have been granted prior March 15, 2018. Further, this moratorium is intended to apply only to housing used specifically for Seasonal Employees and is not intended to have the effect of denying approvals needed for the development of projects with a significant component of multifamily housing, within the meaning of Government Code Section 65858.

SECTION 5. NEED.

This Ordinance is necessary for the preservation of the public health, safety, and general welfare against a current and immediate threat thereto, as it will allow the City time to study and consider zoning proposals and other possible means to properly regulate and control the establishment of, or conversion to, Seasonal Employee housing, to ensure that no such housing is permitted or thereafter maintained in the City in a condition that is unsafe, overcrowded, or that otherwise does not comply with Applicable Law, and to restore the City's full authority to properly manage and safeguard the supply of affordable and other housing available to meet the needs of its residents, all while ensuring consistency with the General Plan.

SECTION 6. AUTHORITY AND EFFECT.

This Ordinance is an interim ordinance enacted pursuant to the authority conferred upon the City Council by Government Code Section 65858 and shall be in full force and effect immediately upon its adoption by a four-fifths (4/5) vote of the entire City Council.

SECTION 7. URGENCY MEASURE.

Based on the findings set forth in Section 1 above, the City Council declares that this Ordinance is necessary as an urgency measure to preserve and address current and immediate threats to the public health, safety, and welfare. To enact this Ordinance after giving notice, holding a public hearing, and two readings thereof, and thereafter wait thirty days for the Ordinance to become effective, would be detrimental to the public health, safety, and welfare, in that during the interim period new Seasonal Employee housing uses may be permitted without the benefit of the imposition or implementation of proper health and safety related standards or permit conditions, and such permitted uses may be in conflict with later-enacted standards resulting from the ongoing study authorized in Section 3 above. It is therefore necessary that this Ordinance go into effect immediately upon adoption. This Ordinance, therefore, is adopted pursuant to the

provisions of Sections 36934(b) and 65858 of the California Government Code, shall be adopted by a four-fifths vote of the City Council, shall take effect immediately upon its adoption pursuant to Section 36934(b) of the California Government Code, and shall remain in effect for a period of ten (10) months and fifteen (15) days, subject to further extensions as authorized by law.

SECTION 8. CEQA COMPLIANCE

This Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it is not a project within the meaning of CEQA Guidelines Sections 15060(c)(3) and 15378 because it has no potential for resulting in physical change to the environment, either directly or indirectly. Further, even if this Ordinance is determined to be a project, it can be seen with certainty that there is no possibility that it will have a significant effect on the environment as it preserves existing conditions, and it is therefore exempt from CEQA review under CEQA Guidelines §15061(b)(3).

SECTION 9. SEVERABILITY

The City Council hereby declares, if any provision, section, subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this Ordinance and as such they shall remain in full force and effect.

SECTION 10. PUBLICATION

The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be published in a manner prescribed by law.

SECTION 11. EFFECTIVENESS OF ORDINANCE.

This Ordinance shall take effect immediately, pursuant to the authority conferred upon the City Council by Government Code Sections 36937 and 65858. This Ordinance shall be of no further force and effect ten (10) months and fifteen (15) days following the date of its adoption unless extended in accordance with Government Code Section 65858.

I HEREBY CERTIFY that the foregoing Ordinance was passed, approved and adopted as an Interim Urgency Ordinance by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the 8th day of May 2018, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST

STEVEN ADAMS, City Clerk

CITY OF KING

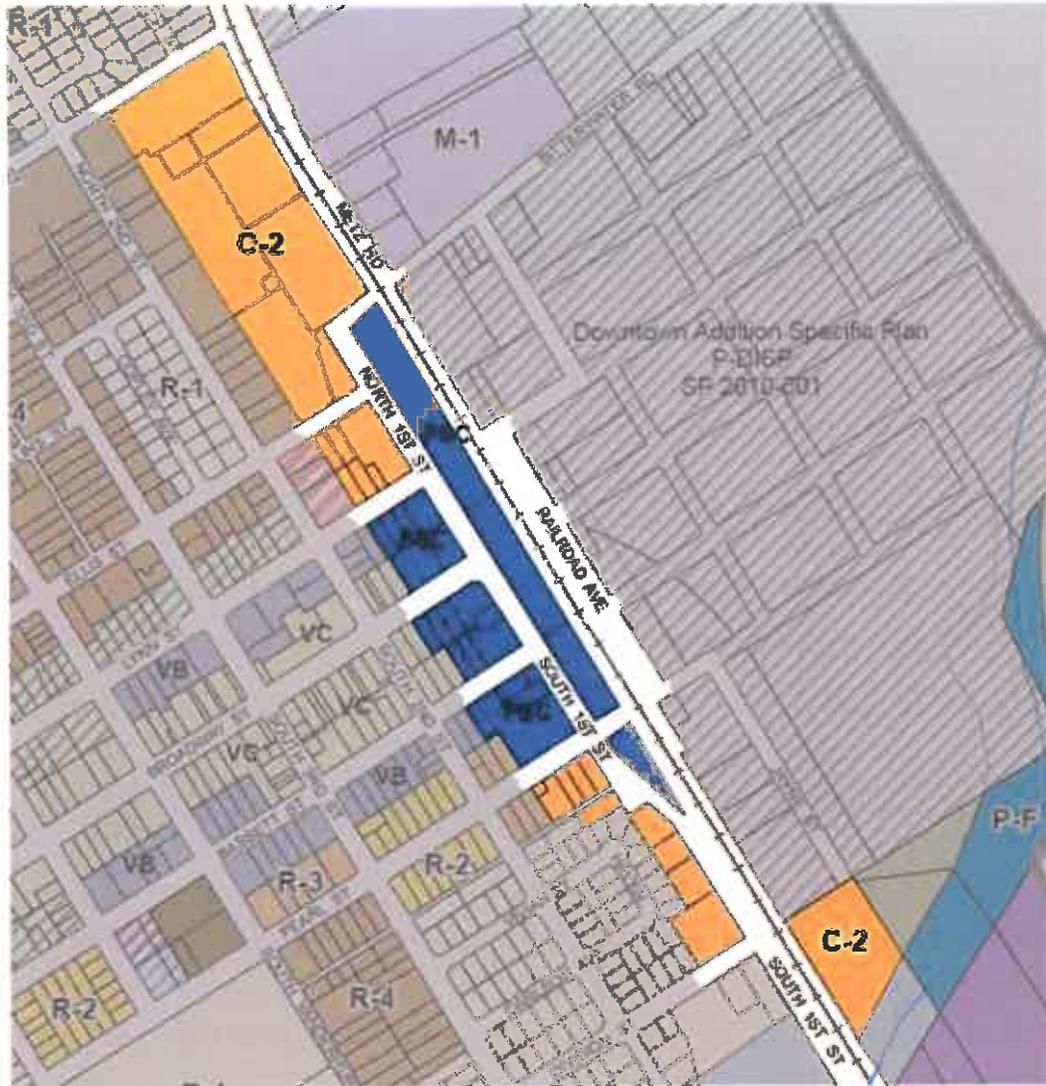
By: _____
MIKE LEBARRE, Mayor

APPROVED AS TO FORM:

By: _____
SHANNON L. CHAFFIN, City Attorney
Aleshire & Wynder, LLP

I, Steven Adams, City Clerk of the City of King, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and adopted by the City Council of the City of King on the date and by the vote indicated herein.

EXHIBIT A – DIAGRAM OF ZONING DISTRICTS SUBJECT TO MORATORIUM



Zoning District Classifications

- FSC FIRST STREET CORRIDOR
- C-2 GENERAL COMMERCIAL DISTRICT



Item No. 11(A)

REPORT TO THE CITY COUNCIL

DATE: MAY 8, 2018

TO: CITY COUNCIL

FROM: STEVEN ADAMS, CITY MANAGER

RE: CONSIDERATION OF SALES TAX BALLOT MEASURE SUNSET CLAUSE

RECOMMENDATION:

It is recommended the City Council provide direction to staff on whether to include a sunset clause in the sales tax ballot measure and the length if one is included.

BACKGROUND:

At the April 24, 2018 meeting, staff presented City Council with background information on the City's financial needs and an analysis on the option of placing a measure on the November 6, 2018 ballot to increase King City's local sales tax by ½ cent. City Council directed staff to proceed to prepare the measure for consideration. It was also agreed to include a provision for a community advisory committee and to place an accompanying advisory measure on the ballot. Lastly, City Council requested additional information on measures adopted by other communities in the County before making a decision on whether to include, and the length of, a sunset clause.

DISCUSSION:

The advantage of a sunset clause is that experts typically believe they help increase voter support. The disadvantages are that they leave future revenue projections uncertain, make it difficult to issue long-term financing for capital improvements, and increase staff work and costs to periodically place measures on the ballot to extend the tax.

**CITY COUNCIL
 CONSIDERATION OF SALES TAX BALLOT MEASURE SUNSET CLAUSE
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Below is a summary of sunset clauses in other Monterey County communities:

<u>City</u>	<u>Amount</u>	<u>Sunset</u>
Greenfield	1 ¾ cents	Measure V - 5 Years Measure W - No Sunset
Del Rey Oaks	1 ½ cents	1 cent 5 Years ½ cent 5 Years 2014 extension – No sunset
Salinas	1 ½ cents	Measure E - No sunset Measure G - 15 Years
Seaside	1 ½ cents	No sunset
Carmel	1 cent	10 years
Marina	1 cent	11 years
Monterey	1 cent	4 years
Pacific Grover	1 cent	No sunset
Sand City	1 cent	No sunset
Soledad	1 cent	15 years
Gonzales	½ cent	10 years
King City	½ cent	7 years

As can be seen above, there is a wide variety of approaches used so it is difficult to draw any specific conclusions. Two factors should probably be considered.

First, due to the disadvantages outlined above, staff would likely urge the City Council to omit a sunset clause if not for the State initiative being circulated for signatures that would increase the requirement from a majority vote to a 2/3 vote. Information on that measure is provided in a consent item with a recommended Resolution in opposition. Unfortunately, if it qualifies for the ballot, the City will not know what threshold is required until after the election is completed. Therefore, it must be assumed at this point that a 2/3 vote may be required. Given the difficulty in achieving a 2/3 vote, it is probably not in the City's best interest to risk losing potential votes by omitting a sunset clause. The City Council could reconsider prior to approving the measure for the ballot if the initiative does not qualify.

Second, staff believes a sunset clause in the range of 10 to 15 years is preferred. Less than 10 years does not provide sufficient time before renewal is required. A sunset clause over 15 years tends to lose its benefit because voters no longer view it as a sufficient expiration period.

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COST ANALYSIS:

Including a sunset clause will result in future costs to place measures on the ballot to extend the tax when it expires and may have a cost impact if the City were to propose long-term financing of any projects.

ENVIRONMENTAL REVIEW:

Since the local sales tax measure is only a discussion item at this time, it is not considered a project for the purposes of CEQA and has no potential for resulting in either a direct or indirect impact to the environment.

ALTERNATIVES:

The following alternatives are presented for Council consideration:

1. Direct staff to include a sunset clause in the local sales tax measure of 14 years from the date it takes effect;
2. Direct staff to include a sunset clause in the local sales tax measure of 12 years from the date it takes effect;
3. Direct staff to include a sunset clause in the local sales tax measure of 10 years from the date it takes effect;
4. Direct staff to include a sunset clause in the local sales tax measure of a different length;
5. Direct staff to not include a sunset clause in the local sales tax measure;
6. Direct staff not to proceed with a local sales tax measure at this time; or
7. Provide staff other direction.

Prepared and Approved by:



Steven Adams, City Manager