

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

**TUESDAY OCTOBER 13, 2020**

**6:00 P.M.**

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

*\*Teleconference and Conference call services will be available for the meeting.*

*To join the meeting, select ONE of the options below:*

- 1) Copy and paste the full link highlighted below into your internet browser to  
Join Zoom Meeting

<https://us02web.zoom.us/j/83676976029?pwd=YWNvMmh2c0tRN3RkMXBLTFZhTld0dz09>

**2)-OR- Call the following number +16699009128**

Meeting ID: 836 7697 6029

and put in Passcode: 430443

*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. People's Self-Help Housing's 50<sup>th</sup> Anniversary Proclamation
  - B. Dr Schindelheim Retirement Proclamation

## **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. Consideration: Meeting Minutes of September 22, 2020 Council Meeting  
Recommendation: approve and file.
- B. Consideration: Meeting Minutes of September 29, 2020 Special Council Meeting  
Recommendation: approve and file.
- C. Consideration: City of King Check Register September 16, thru September 30, 2020  
Recommendation: receive and file.
- D. Consideration: Successor Agency Check Register September 16, thru September 30, 2020  
Recommendation: receive and file.
- E. Consideration: Appropriation for Façade Enhancement Grants  
Recommendation: appropriate \$30,000 in the General Fund FY 2020-21 budget from unexpended carryover funds for façade enhancement grants.
- F. Consideration: Cancellation of Regular Meeting on December 22, 2020  
Recommendation: cancel the regularly scheduled meeting on December 22, 2020.
- G. Consideration: Resolutions for the Regional Early Action Planning ("REAP") Grant Application  
Recommendation: adopt Resolutions which authorize application submittal to the Association of Monterey Bay Area Government ("AMBAG") to receive and administer \$65,000 in Regional Early Action Planning ("REAP") Grant Funds.

- H. Consideration: Award of Contract for Consulting Services for Mesa Del Rey Airport (KIC) Taxiway a Rehabilitation Design (2020 FAA Grant) Including Adopting Finding of a Categorical Exemption, Pursuant to Section 15301 of the CEQA Guidelines  
Recommendation: 1) approve the award of contract to Kimley-Horn for Design Services for the Taxiway Rehabilitation Project in the amount of \$94,500.00, and 2) authorize City Manager to execute all necessary documents.
- I. Consideration: Application for Proposition 68 Per Capita Grant Revitalization Program Grant Funds  
Recommendation: approve by motion a Resolution authorizing staff to submit the San Antonio Skate Park Renovation Project Proposition 68 Per Capita grant application to the State of California Department of Parks and Recreation.

## **10. PUBLIC HEARINGS**

- A. Consideration: An Ordinance Amending Chapter 17.03 of Title 17 of the King City Municipal Code Pertaining to Commercial Cannabis Activity  
Recommendation: introduce to be read by title only an ordinance amending Chapter 17.03 of Title 17 of the King City Municipal Code pertaining to commercial cannabis activity in order to modify the restrictions on locating cannabis retail storefront dispensaries adjacent to residential properties, open the hearing, allow for public testimony, close the hearing, waive the first reading of the ordinance, and approve the introduction of the ordinance.

## **11. REGULAR BUSINESS**

- A. Consideration: Resolution Establishing Criteria for City Removal of Street Trees Due to Conflicts with Sewer Lines  
Recommendation: adopt a Resolution establishing criteria for circumstances in which the City may remove and replace street trees due to conflicts with sewer lines.
- B. Consideration: Amendment to Master Fee Schedule  
Recommendation: adopt a Resolution amending the Master Fee Schedule to implement changes to development permit fees, development impact fees, vehicle release fees, false alarm fees, cannabis conditional operations permits, and soccer field usage fees.
- C. Consideration: Reopening of City Playground Facilities  
Recommendation: approve staff's proposed measures for reopening of park playground facilities.
- D. Consideration: Covid-19 Status Report  
Recommendation: 1) receive the status report on City COVID-19 related activities; 2) provide staff direction on any additional actions requested.

**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.

None

**13. ADJOURNMENT**

# City of King

## Proclamation

### Peoples' Self-Help Housing's 50<sup>th</sup> Anniversary



**WHEREAS**, Peoples' Self-Help Housing (PSHH) was incorporated on August 6, 1970 and since that time has been serving working families, veterans, seniors, agricultural workers and special needs groups by providing affordable housing with site-based services that offer opportunities to change lives and strengthen communities on California's central coast; and

**WHEREAS**, for the past fifty years, PSHH has developed more than 1,900 affordable rental units throughout Monterey, San Luis Obispo, Santa Barbara and Ventura counties and through compassionate property management of those neighborhoods brought safety, security and stability to all those who live there; and,

**WHEREAS**, through their self-help program, PSHH has supported nearly 1,250 owner-builders across the region who have worked together and used their 'sweat equity' to build wealth for their families and achieve the American dream of home ownership; and

**WHEREAS**, PSHH have additionally supported those households with financial management opportunities such as homebuyer education, down payment assistance programs and foreclosure prevention counseling; and,

**WHEREAS**, PSHH has through their resident services program supported thousands of individuals with empathetic case management and connection to community health services leading to independent and enriched living; and,

**WHEREAS**, PSHH through its education department has provided a bridge from home to school for students K-8, and has provided mentorship for those college bound and beyond; and,

**WHEREAS**, all of PSHH's programs and services have continuously improved the quality of life for thousands of Central Coast families and empowered them to lead rewarding and enriched lives.

**WHEREAS**, City of King greatly appreciates the work Peoples' Self-Help Housing has provided our city, creating a brighter future for our residents and community.

**NOW, THEREFORE, BE IT RESOLVED** that the City of King does hereby congratulate Peoples' Self-Help Housing for 50 years of successfully building affordable housing and for the support of our citizens in Monterey County.

*Mike LeBarre*

Mike LeBarre  
Mayor

# City of King

## PROCLAMATION

Honoring

**Dr. Roy Schindelheim M.D.**

November 20, 2020

**WHEREAS**, in 2020, Dr. Roy Schindelheim, M.D. will retire from his medical practice in King City after 40 years of dedicated service to the community; and

**WHEREAS**, Dr. Schindelheim attended Kenyon College in Ohio as an undergraduate, graduated with honors from the University of North Carolina at Chapel Hill School of Medicine; and

**WHEREAS**, Dr. Schindelheim completed a one year internship in Seattle, completed his residency at Natividad Medical Center in Salinas, and is BLS, ACLS, NALS and ALSO certified; and

**WHEREAS**, Dr. Schindelheim began work in the emergency room work at Mee Memorial Hospital in 1977 on a part-time basis and became a full-time member of the medical staff in 1979; and

**WHEREAS**, Dr. Schindelheim served as Chief of Staff at Mee Memorial Hospital on three separate occasions, 1991-1993, 2008-2010, 2014-2016; and

**WHEREAS**, Dr. Schindelheim has served on the Mee Memorial Healthcare System Board of Trustees since 2016; and

**WHEREAS**, Dr. Schindelheim has been a valued and well-respected member of the community, and his leadership has improved public health services available to the community; and

**WHEREAS**, Dr. Schindelheim has provided quality and caring medical care for multiple generations of King City residents, who appreciate all he has done to save lives and improve their health.

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

*Mike LeBarre*

Mike LeBarre, Mayor

Monthly Schedule, October 2020  
Mike LeBarre, Mayor, King City California

### COVID-19/WILDFIRE MEETINGS:

10-1 Cal OES/ COVID-19 Thursday Briefing, Phone  
10-2 Cal OES/ Wildfire Briefing, Phone  
10-5 Monterey County COVID-19 Executive Briefing, Zoom  
10-5 Cal OES/ COVID-19 Monday Briefing, Phone  
10-6 Cal OES/ Wildfire Briefing, Phone  
10-7 District 3 Mayors/Supervisor COVID-19 Briefing, Zoom  
10-7 Cal OES/ Wildfire Briefing, Phone  
10-8 Cal OES/ COVID-19 Thursday Briefing, Phone  
10-9 Cal OES/ Wildfire Briefing, Phone  
10-12 Monterey County COVID-19 Executive Briefing, Zoom  
10-12 Cal OES/ COVID-19 Monday Briefing, Phone  
10-13 Cal OES/ Wildfire Briefing, Phone  
10-14 District 3 Mayors/Supervisor COVID-19 Briefing, Zoom  
10-14 Cal OES/ Wildfire Briefing, Phone  
10-14 White House COVID-19 Briefing, Phone  
10-15 Cal OES/ COVID-19 Thursday Briefing, Phone  
10-16 Cal OES/ Wildfire Briefing, Phone  
10-19 Monterey County COVID-19 Executive Briefing, Zoom  
10-19 Cal OES/ COVID-19 Monday Briefing, Phone  
10-20 Cal OES/ Wildfire Briefing, Phone  
10-21 District 3 Mayors/Supervisor COVID-19 Briefing, Zoom  
10-21 Cal OES/ Wildfire Briefing, Phone  
10-22 Cal OES/ COVID-19 Thursday Briefing, Phone  
10-23 Cal OES/ Wildfire Briefing, Phone  
10-26 Monterey County COVID-19 Executive Briefing, Zoom  
10-26 Cal OES/ COVID-19 Monday Briefing, Phone  
10-27 Cal OES/ Wildfire Briefing, Phone  
10-28 White House COVID-19 Briefing, Phone  
10-28 District 3 Mayors/Supervisor COVID-19 Briefing, Zoom  
10-29 Cal OES/ COVID-19 Thursday Briefing, Phone

### MONTHLY MEETINGS:

10-2 Monterey County Water Resource Agency (MCWRA), Personal and Administration committee, Zoom  
10-2 Monterey County Water Resource Agency (MCWRA), Finance committee, Zoom  
10-2 Monterey County Mayors Association (MCMA), Zoom  
10-5 Transportation Agency of Monterey County (TAMC), Rail Policy Committee, Chair, Zoom  
10-7 Transportation Agency of Monterey County (TAMC), Executive Committee, Zoom  
10-7 Transportation Agency of Monterey County (TAMC), Bicycle and Pedestrian Facilities Committee, Zoom  
10-12 Monterey-Salinas Transit (MST) Board of Directors, Zoom  
10-13 King City Council, Zoom  
10-19 Monterey County Water Resource Agency (MCWRA), Board of Directors, Zoom  
10-26 Salinas Valley Mayors and Managers (SVMM), Zoom  
10-27 King City Council, Zoom  
10-28 Transportation Agency of Monterey County (TAMC), Board of Directors, Zoom  
10-29 Monterey County Convention & Visitors Bureau (MCCVB), Advisor, Zoom

### Additional meetings/events

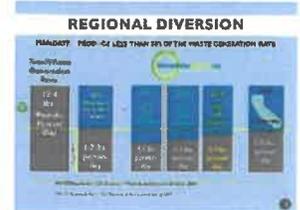
10-5 Salinas Transitional Housing project walk thru, Salinas  
10-5 League of Cities, Monterey Bay meeting, Zoom  
10-6 KSBW interview, tax measure, Salinas  
10-8 King City Faith Community meeting, Zoom



# BOARD OF DIRECTORS MEETING HIGHLIGHTS September 17, 2020

## ANNUAL FRANCHISE HAULER PERFORMANCE REPORT

For calendar year 2019, the Authority administered the franchise agreements between Tri-City Disposal & Recycling and the Cities of Gonzales Soledad, and Greenfield, as well as the Waste Management, Inc. and City of King. The data demonstrated an increase in green waste for both franchise hauler's collection and a decrease in diversion rates and recycling collection compared to 2018. The haulers continue to actively assist commercial businesses to comply with mandatory commercial recycling and organics recycling laws. Both waste haulers met their obligations and despite the decrease in diversion rates and recycling collection, the annual calculated disposal rate for the Regional Agency was well under the 50% minimum diversion target and in compliance with the state mandate.



## 2019-20 SALINAS VALLEY SALINAS AUTHORITY ANNUAL REPORT

The 2019-20 Annual Report demonstrated many accomplishments and included statistics on the finances, waste landfilled, diverted tonnage, and customer trip count. It highlighted the progress made on the expansion of the Organics program with the completion of the composting pad, that will help reduce organic and agricultural waste in the Salinas Valley, the completion of the Johnson Canyon Module VII, all the educational programs, community involvement, and the extensive community outreach conducted that promoted recycling, reducing, reusing and rotting (composting). To view the full report visit our website at <https://svswa.org/about-us/annual-reports/>.

## ZERO WASTE SCHOOL RECOGNITION AWARD

**Jesse G. Sanchez Elementary School** was recognized for their accomplishment of earning the 2020 California Resource Recovery Association (CCRA) Outstanding School Recycling Program Award. The school was nominated by the Authority to recognize their outstanding work of implementing changes to reduce waste on campus. Jesse G. Sanchez School is the first school in the Salinas Valley to implement a comprehensive food waste collection program. They are currently diverting 75% of all cafeteria waste with only 25% going to the landfill. **Excellent work!**



## 2019-20 SALINAS VALLEY SOLID WASTE AUTHORITY SOCIAL MEDIA CAMPAIGN

The Authority staff strives to reach customers and provide as much useful information as possible. The Board was presented statistics demonstrating the outreach conducted via Social Media and other marketing outlets such as printed ads, radio, and television. The data demonstrated a strong Authority presence within the Salinas Valley.

## SUN STREET TRANSFER STATION RELOCATION PROJECT

Authority staff continues to wait for a response from Republic Services regarding the completion of the needs assessment study that was deemed necessary to be complete before the consideration of any type of potential lease option at the Madison Lane Transfer Station. Authority staff has shared the draft project plan and description with the City Managers Group for review and input. Staff continues to analyze other potential property options.

## CITY OF SALINAS NOTICE OF INTENT TO WITHDRAW UPDATE

A meeting between the City of Salinas Mayor Pro Tem, City of Salinas staff, the Authority Board President, Alt. Vice President, General Manger/CAO, and Asst. General Manger has been scheduled for September 25<sup>th</sup>. The meeting will continue the discussion on conditions to rescind the one-year notice of intent to withdraw submitted by the City of Salinas in December of 2018.

## FINANCIAL REPORT FOR MONTH ENDED JULY 2020 (8.33% OF THE FISCAL YEAR - UNAUDITED)

|                             |   |
|-----------------------------|---|
| Revenue collected           | \$ 2,143,456 (21.3% of Estimated Revenue of \$21,644,200) |
| Expenditures for operations | \$ 1,171,005 (6.1% of Operating Budget of \$19,137,200)   |
| Cash balance                | \$ 31,578,479   |

**REDUCE REUSE RECYCLE**

"To manage Salinas Valley solid waste as a resource, promoting sustainable, environmentally sound and cost-effective practices through an integrated system of waste reduction, reuse, recycling, innovative technology, customer service, and education."



# JUNTA DIRECTIVA

## NOTAS DESTACADAS

### 17 de septiembre 2020

(Agencia gubernamental de gestión de residuos sólidos)

#### INFORME ANUAL DEL RENDIMIENTO DE RECOLECTORES DE BASURA CON FRANQUICIA 2019

Para el año calendario 2019, la agencia administró los acuerdos de franquicia entre Tri-City Disposal & Recycling y las ciudades de Gonzales, Soledad y Greenfield, así como el de Waste Management, Inc. y la ciudad de King. La información demostró un aumento en los desechos de jardín y una disminución en recolección de reciclaje en comparación con el 2018. Los transportistas continúan ayudando activamente a las compañías comerciales a cumplir con las leyes obligatorias de reciclaje comercial y de reciclaje de productos orgánicos. Ambos transportistas cumplieron con sus obligaciones y a pesar de la disminución en desviación y recolección de reciclaje, el índice de eliminación anual calculada para la Agencia Regional estuvo muy por debajo del objetivo de desviación mínima del 50% y en cumplimiento con el mandato estatal.



#### INFORME ANUAL DE SALINAS VALLEY SOLID WASTE AUTHORITY DEL AÑO FISCAL 2019-20

El Informe Anual del año fiscal 2019-20 demostró muchos logros e incluyó estadísticas sobre las finanzas, los desechos enterados al basurero, el tonelaje desviado y los viajes de clientes. Destacó el progreso logrado en la expansión del programa Orgánico con la finalización de la plataforma de compostaje, que ayudará a reducir los desechos orgánicos y agrícolas en el Valle de Salinas, la finalización del Módulo VII de Johnson Canyon, todos los programas educativos, participación comunitaria, y el extenso alcance comunitario realizado que promovió el reciclaje, la reducción, la reutilización y la descomposición (compostaje). Para ver el informe completo, visite nuestra página web en <https://svswa.org/about-us/annual-reports/>.

#### RECONOCIMIENTO DE LA ESCUELA DEL PREMIO DE CERO RESIDUOS

La **Escuela Primaria Jesse G. Sanchez** fue reconocida por su logro de ganar el Premio al Programa de Reciclaje Escolar Sobresaliente de la Asociación de Recuperación de Recursos de California (CCRA por sus siglas en Inglés) 2020. La escuela fue nominada por la Agencia para reconocer su trabajo sobresaliente de implementar cambios para reducir el desperdicio en la escuela. La escuela Jesse G. Sanchez es la primera escuela en el Valle de Salinas en implementar un programa integral de recolección de desperdicios de alimentos. Actualmente están desviando el 75% de todos los desechos de la cafetería y solo el 25% va al basurero. ¡Excelente trabajo!



#### CAMPAÑA DE REDES SOCIALES DE SALINAS VALLEY SOLID WASTE AUTHORITY DEL AÑO 2019-20

El personal de la agencia se esfuerza proveer la más información útil a los clientes que sea posible. Al Consejo se les presentó estadísticas que demuestran el alcance realizado a través de las redes sociales y otros medios de marketing, como informes publicados, radio y televisión. La presentación demostró una fuerte presencia de la Agencia a través del Valle de Salinas.

#### OPCIONES DE REUBICACIÓN PARA LA ESTACIÓN DE TRANSFERENCIA DE SUN STREET

El personal de la agencia continúa esperando una respuesta de Republic Services con respecto a la finalización del estudio de evaluación de necesidades que se consideró necesario completar antes de considerar cualquier tipo de opción de arrendamiento potencial en la estación de transferencia de Madison Lane. El personal de la agencia ha compartido el borrador del plan del proyecto y la descripción con el Grupo de Administradores de las Ciudades para su revisión y aportes. El personal continúa analizando otras posibles opciones de propiedades.

#### ACTUALIZACIÓN DEL AVISO DEL INTENTO DE SEPARACIÓN DE LA CIUDAD DE SALINAS

Una reunión entre el Alcalde Pro Tem de la Ciudad de Salinas, el personal de la Ciudad de Salinas, el presidente del Consejo de la agencia, Alt. Vicepresidente, Gerente General / CAO y el Asistente Gerente General está programado para el 25 de septiembre. La reunión continuará la discusión sobre las condiciones para rescindir el aviso de intención de retiro de un año presentado por la Ciudad de Salinas en diciembre de 2018.

#### INFORME FINANCIERO DEL MES FINALIZADO EN JULIO 2020 (8.33% DEL AÑO FISCAL- NO AUDITADA)

|                       |   |
|-----------------------|---|
| Ingresos recaudados   | \$ 2,143,456 (21.3% del Ingreso Estimado de \$21,644,200)     |
| Gastos de operaciones | \$ 1,171,005 (6.1% del Presupuesto Operativo de \$19,137,200) |
| Saldo de caja         | \$ 31,578,479   |

REDUCIR

REUTILIZAR

RECICLAR

“Manejar los residuos sólidos del Valle de Salinas como un recurso, promocionando prácticas sostenibles y ecológicamente racionales y practicas costos eficaces a través de un sistema integrado de reducción, reutilización, reciclaje, tecnología innovadora, servicio al cliente y educación.”

**City Council Meeting  
September 22, 2020**

**1. CALL TO ORDER:**

Regular Meeting called to order at 6:02pm by Mayor LeBarre.

**2. FLAG SALUTE:**

The flag salute was led by Mayor LeBarre.

**3. ROLL CALL:**

City Manager Adams conducted roll call.

City Council: Mike LeBarre (by video conference), Council member Darlene Acosta (by video conference) (by video conference), Rob Cullen (by video conference), Carlos DeLeon (by video conference), Mayor Pro Tem Carlos Victoria (by video conference).

City Staff: City Manager Steven Adams (by video conference); City Attorney Roy Santos (by video conference); Executive Admin. Asst./Deputy City Clerk, Erica Sonne.

**4. CLOSED SESSION ANNOUNCEMENTS:**

None

**5. PRESENTATIONS:**

A. Mayor LeBarre presented the September National Recovery Month 2020 Proclamation to Chris Graveline, Director of Recovery Services, Residential – South County.

**6. PUBLIC COMMUNICATIONS:**

None

**7. COUNCIL COMMUNICATIONS:**

Council Member DeLeon stated he had nothing to report.

Council Member Acosta stated she had nothing to report.

Council Member Cullen stated that this Friday there is a meeting with the Solid Waste Authority and the City of Salinas and Salinas withdrawing from the JPA. Salinas Valley Fair board is still planning on having a drive-in movie night date to be announced. Council Member Cullen spoke on getting an invitation to the conference for Cannabis.

Mayor Pro Tem Victoria suggested that parents join the zoom meetings for the School board. He spoke about a social media post on the skate park and the teenager wanting to fix the skate park. He will be meeting with him.

Mayor LeBarre stated busy as usual still going to a lot of meetings.

**8. CITY STAFF REPORTS AND COMMENTS:**

City Manager Steven Adams stated staff has come up with some additional ideas for the Mills Ranch Specific Plan and the park. He also stated that staff was discussing the skate park today and strategies to improve the skate park.

City Attorney Roy Santos apologized for not getting on the meeting in a timely manner and apologized for not making the last meeting he had a family emergency.

**9. CONSENT AGENDA**

- A. Consideration: Meeting Minutes of September 8, 2020 Council Meeting
- B. Consideration: City of King Check Register September 1, thru September 15, 2020
- C. Consideration: Successor Agency Check Register September 1, thru September 15, 2020
- D. Consideration: Agreement for Development Impact Fee Deferral with People’s Self-Help Housing

Action: Motion to approve consent agenda items A-D by Cullen and seconded by Victoria.

AYES: Council Members: LeBarre, Acosta, Cullen, DeLeon and Victoria

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

**10. PUBLIC HEARINGS:**

None

**11. REGULAR BUSINESS:**

- A. Consideration: Covid-19 Status Report

City Manager Adams introduced this item.

Mayor LeBarre went over the numbers and precautions.

Council member Acosta stated that overdose deaths are up all over the state since COVID.

**12. CITY COUNCIL CLOSED SESSION**

None

**ADJOURNMENT:**

Mayor LeBarre adjourned the meeting at 6:36p.m. on a motion by Victoria and seconded by Acosta.

**Approved Signatures:**

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**Mayor, Michael LeBarre**  
City of King

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**City Clerk, Steven Adams**  
City of King

**City Council Meeting  
September 29, 2020**

**1. CALL TO ORDER:**

Regular Meeting called to order at 5:45pm by Mayor LeBarre.

**2. FLAG SALUTE:**

The flag salute was led by Mayor LeBarre.

**3. ROLL CALL:**

City Manager Adams conducted roll call.

City Council: Mike LeBarre (by video conference), Council member Darlene Acosta (by video conference) (by video conference), Rob Cullen (by video conference), Carlos DeLeon (by video conference), Mayor Pro Tem Carlos Victoria (by video conference).

City Staff: City Manager Steven Adams (by video conference); City Attorney Roy Santos (by video conference).

**4. PUBLIC COMMUNICATIONS:**

None

**5. CONSENT AGENDA**

None

**6. PUBLIC HEARINGS:**

None

**7. REGULAR BUSINESS:**

A. Consideration: Letter Requesting Governor to Allow Restaurants in Purple Tier to Open for Indoor Dining

City Manager Adams introduced this item.

Action: Motion to approve authorization for the Mayor to submit a letter to the Governor of California requesting approval to allow restaurants in the purple tier to open immediately for indoor dining by Cullen and seconded by Victoria.

AYES: Council Members: LeBarre, Acosta, Cullen, DeLeon and Victoria

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

**8. ADJOURNMENT:**

Mayor LeBarre adjourned the meeting at 5:54p.m.

**Approved Signatures:**

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**Mayor, Michael LeBarre**  
**City of King**

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**City Clerk, Steven Adams**  
**City of King**



Item No. 9(C)

**REPORT TO THE CITY COUNCIL**

**DATE: OCTOBER 13, 2020**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: MIKE HOWARD, FINANCE DIRECTOR**

**RE: CONSIDERATION OF CITY OF KING CHECK REGISTER  
SEPTEMBER 16 THRU SEPTEMBER 30, 2020**

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**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 invoices paid for the previous month.

**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  
CONSIDERATION OF CITY OF KING CHECK REGISTER SEPTEMBER 16  
THRU SEPTEMBER 30, 2020  
OCTOBER 13, 2020  
PAGE 2 OF 2**

Exhibits:

1. Check Register Report

Submitted by:



Mike Howard, Finance Director

Approved by:



Steven Adams, City Manager

# Check Register Report

Sept 16 to Sept 30, 2020

Date: 09/28/2020

Time: 2:15 pm

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    |
|--------------------------------|------------|---------|----------------|---------------|--------------------------------|--------------------------------|-----------|
| <b>WELLS FARGO BANK Checks</b> |            |         |                |               |                                |                                |           |
| 64347                          | 09/18/2020 | Printed |                | A & G PUMP    | A & G PUMPING, INC             | Covid 19 Wash Unit             | 254.75    |
| 64348                          | 09/18/2020 | Printed |                | A T T         | A T & T                        | Internet - #139650003          | 80.25     |
| 64349                          | 09/18/2020 | Printed |                | AT&T-GA       | A T & T                        | Telephone -                    | 8.60      |
| 64350                          | 09/18/2020 | Printed |                | ADAMS         | ADAMS ASHBY GROUP, LLC         | CDBG Grant Application         | 1,260.00  |
| 64351                          | 09/18/2020 | Void    | 09/18/2020     |               |                                | Void Check                     | 0.00      |
| 64352                          | 09/18/2020 | Printed |                | KCTVHARD      | ALCANTAR HARDWARE INC          | Irrigation Supply for First St | 2,417.37  |
| 64353                          | 09/18/2020 | Printed |                | ALVAREZ       | ALVAREZ TECHNOLOGY GROUP INC   | Flores - Disk Space Issues     | 139.50    |
| 64354                          | 09/18/2020 | Printed |                | AM SUPPLY     | AMERICAN SUPPLY CO.            | Janitorial Supplies            | 763.40    |
| 64355                          | 09/18/2020 | Printed |                | GARDEN        | SYLVIA KANANI BARBREE          | Roses for CorpYard landscape.  | 60.63     |
| 64356                          | 09/18/2020 | Printed |                | CARMEL FIR    | ART BLACK                      | Commercial Fire Alarm System   | 250.00    |
| 64357                          | 09/18/2020 | Printed |                | CAL WATER     | CALIFORNIA WATER SERVICE CO.   | Water - #4640266666            | 27,771.29 |
| 64358                          | 09/18/2020 | Printed |                | CCACA         | CITY CLERKS ASSOCIATION OF     | On-line Election Workshop      | 35.00     |
| 64359                          | 09/18/2020 | Printed |                | CONATSER      | CONATSER WELDING & MACHINE,LLC | Storm Drain Repair Cold Well   | 8.50      |
| 64360                          | 09/18/2020 | Printed |                | COPWARE, I    | COPWARE, INC.                  | Legal Sourcebook               | 615.00    |
| 64361                          | 09/18/2020 | Printed |                | CSGCON        | CSG CONSULTANTS INC            | Building Insp Services         | 14,578.85 |
| 64362                          | 09/18/2020 | Printed |                | FEHR          | FEHR & PEERS                   | Local Road Safety Plan         | 4,775.57  |
| 64363                          | 09/18/2020 | Printed |                | GIS           | GONZALES IRRIGATION SYSTEMS,   | Irrigation Repairs @ First St. | 328.14    |
| 64364                          | 09/18/2020 | Printed |                | ICMC          | INTEGRATED CROP MANAGEMENT     | Weed Control                   | 212.04    |
| 64365                          | 09/18/2020 | Printed |                | KELLY         | KELLY-MOORE PAINT COMPANY      | Supplies for Paint Machine     | 231.32    |
| 64366                          | 09/18/2020 | Printed |                | KIMLEY-HOR    | KIMLEY-HORN & ASSOCIATES, INC. | AIP 2018 Lighting              | 6,880.00  |
| 64367                          | 09/18/2020 | Printed |                | KRKC          | KING CITY COMMUNICATIONS CORP  | Radio Ads for                  | 50.00     |
| 64368                          | 09/18/2020 | Printed |                | KC IND        | KING CITY INDUSTRIAL SUPPLY    | PPE Supply for Public Works    | 2,450.12  |
| 64369                          | 09/18/2020 | Printed |                | NEWSV         | NEW SV MEDIA, INC              | Amendment to Mills Ranch       | 641.75    |
| 64370                          | 09/18/2020 | Printed |                | O'REILLY A    | O'REILLY AUTOMOTIVE, INC.      | New Battery                    | 192.35    |
| 64371                          | 09/18/2020 | Printed |                | OFFICE DEP    | OFFICE DEPOT                   | Office Supplies                | 275.52    |
| 64372                          | 09/18/2020 | Printed |                | PARTS & SE    | PARTS & SERVICE CTR- NAPA, INC | Fuses for Shop Truck           | 6.91      |
| 64373                          | 09/18/2020 | Printed |                | PURE WATER    | PENINSULA PURE WATER INC.      | City Hall Water                | 73.70     |
| 64374                          | 09/18/2020 | Printed |                | PETE'S AUT    | PETE'S AUTOMOTIVE REPAIR       | Repair on City Vehicles        | 2,435.87  |
| 64375                          | 09/18/2020 | Printed |                | PAC           | PG&E                           | Electricity -                  | 26,298.48 |
| 64376                          | 09/18/2020 | Printed |                | PBGFS         | PITNEY BOWES GLOBAL            | Postage Meter Lease            | 190.91    |
| 64377                          | 09/18/2020 | Printed |                | QUALITY CO    | QUALITY CODE PUBLISHING LLC    | Municipal Code                 | 493.00    |
| 64378                          | 09/18/2020 | Printed |                | QUILL CORP    | QUILL CORPORATION              | Sanitizing Wipes               | 140.83    |
| 64379                          | 09/18/2020 | Printed |                | RED SHIFT     | RED SHIFT INTERNET SERVICES    | Internet Services              | 30.90     |
| 64380                          | 09/18/2020 | Printed |                | RRM DESIGN    | RRM DESIGN GROUP, INC.         | K C Downtown Plaza             | 17,006.51 |
| 64381                          | 09/18/2020 | Printed |                | AMERDOOR      | TIMOTHY G. SCARPA              | Repair Doors @ Corp Yard.      | 360.00    |
| 64382                          | 09/18/2020 | Printed |                | SOUTH BAY     | SOUTH BAY REGIONAL PUBLIC      | Training                       | 425.00    |
| 64383                          | 09/18/2020 | Printed |                | SAL CAL       | THE SALINAS CALIFORNIAN #1078  | Recycled water ordinance       | 774.71    |
| 64384                          | 09/18/2020 | Printed |                | TOPES         | TOPE'S TREE SERVICE, INC       | Street Tree Trimming 2020      | 24,600.00 |
| 64385                          | 09/18/2020 | Printed |                | TORO          | TORO PETROLEUM CORP.           | Fuel - Acct #1679              | 2,092.19  |
| 64386                          | 09/18/2020 | Printed |                | TRI           | TRI-COUNTY FIRE PROTECTION INC | Inspection and Repair          | 57.50     |
| 64387                          | 09/18/2020 | Printed |                | U.S. BAN      | U.S. BANK CORP PAYMENT SYSTEM  | Various Charges - 3482         | 2,052.23  |
| 64388                          | 09/18/2020 | Printed |                | WALLACEGR     | WALLACE GROUP                  | SSMP FOG Program               | 7,735.00  |
| 64389                          | 09/18/2020 | Printed |                | WILDHORSE     | WILDHORSE APPLIANCE*PROPANE    | Refridgerator - Corp Yard      | 753.17    |
| 64390                          | 09/18/2020 | Printed |                | FEHR          | FEHR & PEERS                   | Local Road Safety PPlan        | 13,060.94 |
| 64391                          | 09/18/2020 | Printed |                | O'REILLY A    | O'REILLY AUTOMOTIVE, INC.      | Vehicle Headlight              | 21.72     |
| 64392                          | 09/18/2020 | Printed |                | WALLACEGR     | WALLACE GROUP                  | SSMP Fog Program               | 5,181.60  |

Total Checks: 46

Checks Total (excluding void checks):

168,071.12

Check Register Report

Sept 16 to Sept 30, 2020

Date: 09/28/2020

Time: 2:15 pm

Page: 2

<ING CITY CITY HALL

BANK: WELLS FARGO BANK

| Check Number | Check Date | Status | Void/Stop Date | Vendor Number             | Vendor Name                                 | Check Description | Amount            |
|--------------|------------|--------|----------------|---------------------------|---|-------------------|-------------------|
|              |            |        |                | <b>Total Payments: 46</b> | <b>Bank Total (excluding void checks):</b>  |                   | <b>168,071.12</b> |
|              |            |        |                | <b>Total Payments: 46</b> | <b>Grand Total (excluding void checks):</b> |                   | <b>168,071.12</b> |



Item No. 9(D)

**REPORT TO THE SUCCESSOR AGENCY TO THE FORMER KING CITY CDA**

**DATE: OCTOBER 13, 2020**

**TO: HONORABLE CHAIR AND MEMBERS OF THE BOARD**

**FROM: MIKE HOWARD, FINANCE DIRECTOR**

**RE: CONSIDERATION OF SUCCESSOR AGENCY CHECK REGISTER FOR SEPTEMBER 16 THRU SEPTEMBER 30 2020**

**RECOMMENDATION:**

It is recommended the City Council acting as the Successor Agency Board receive and file.

**BACKGROUND:**

At least once a month, the City Treasurer shall submit to the Successor Agency Board, a copy of the invoices paid for the previous month.

**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/SUCCESSOR AGENCY  
CONSIDERATION OF SUCCESSOR AGENCY CHECK REGISTER  
SEPTEMBER 16 THRU SEPTEMBER 30, 2020  
OCTOBER 13, 2020  
PAGE 2 OF 2**

Exhibits:

1. Check Register Report

Submitted by:   
Mike Howard, Finance Director

Approved by:   
Steven Adams, City Manager

Check Register Report

Sept 16 to Sept 30, 2020

Date: 09/28/2020

Time: 2:15 pm

Page: 1

<ING CITY CITY HALL

BANK: SUCCESSOR AGENCY OF

| Check Number | Check Date | Status | Void/Stop Date | Vendor Number | Vendor Name | Check Description | Amount |
|--------------|------------|--------|----------------|---------------|-------------|-------------------|--------|
|--------------|------------|--------|----------------|---------------|-------------|-------------------|--------|

**SUCCESSOR AGENCY OF Checks**

|     |            |         |  |        |         |                 |          |
|-----|------------|---------|--|--------|---------|-----------------|----------|
| 285 | 09/18/2020 | Printed |  | USBANK | US BANK | Bond Admin Fees | 2,200.00 |
|-----|------------|---------|--|--------|---------|-----------------|----------|

Total Checks: 1

Checks Total (excluding void checks): 2,200.00

Total Payments: 1

Bank Total (excluding void checks): 2,200.00

Total Payments: 1

Grand Total (excluding void checks): 2,200.00



Item No. 9(E)

**REPORT TO THE CITY COUNCIL**

**DATE: OCTOBER 13, 2020**

**TO: HONORABLE MAYOR AND MEMBER OF THE CITY COUNCIL**

**FROM: STEVEN ADAMS, CITY MANAGER**

**RE: CONSIDERATION OF APPROPRIATION FOR FAÇADE ENHANCEMENT GRANTS**

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**RECOMMENDATION:**

It is recommended that the City Council appropriate \$30,000 in the General Fund FY 2020-21 budget from unexpended carryover funds for façade enhancement grants.

**BACKGROUND:**

As part of the budget revisions to address the projected shortfall for FY 2020-21, all funding originally budgeted for façade enhancement grants was deleted. There were a number of small façade grant projects that were initiated in FY 2019-20 that were not yet completed at the end of the fiscal year. Staff is recommending funding be appropriated to complete projects that were previously initiated.

**DISCUSSION:**

Projects that have been initiated were anticipated to be completed by the end of the fiscal year when the budget revisions were recommended. They resulted in unexpended budgeted revenue in FY 2020-21. Therefore, staff is recommending Council reappropriate some of this funding to complete projects that have been initiated. No new projects are proposed to be funded.

**COST ANALYSIS:**

Since the amount of unexpended budgeted funds in FY 2019-20 exceeds the amount of the appropriation proposed, the recommendation does not result in a new net increased cost.

**CITY COUNCIL  
CONSIDERATION OF APPROPRIATION FOR FAÇADE GRANTS  
OCTOBER 13, 2020  
PAGE 2 OF 2**

**ENVIRONMENTAL REVIEW:**

The appropriation is not a "project" for the purposes of the California Environmental Quality Act (CEQA) as it 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 at this time. CEQA review will be performed at the time the specific project is proposed for consideration.

**ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Approve staff's recommendation;
2. Modify the amount and approve the appropriation;
3. Do not approve the appropriation; or
4. Provide other direction to staff.

Prepared and Approved by: \_\_\_\_\_

  
Steven Adams, City Manager



Item No. 9(F)

**REPORT TO THE CITY COUNCIL**

**DATE: OCTOBER 13, 2020**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: STEVEN ADAMS, CITY MANAGER**

**RE: CONSIDERATION OF CANCELLATION OF REGULAR MEETING  
ON DECEMBER 22, 2020**

**RECOMMENDATION:**

It is recommended that the City Council cancel the regularly scheduled meeting on December 22, 2020.

**BACKGROUND:**

The City Council has traditionally cancelled the second regularly scheduled meeting in December. This year, this meeting would fall on the 22<sup>nd</sup> of December.

**DISCUSSION:**

The second meeting in December this year falls on December 22<sup>nd</sup>. There are normally many activities and scheduling conflicts around the holidays, a number of employees request leave, and City Hall is closed the following week. Cancelling the meeting allows the Council and staff to prepare for and enjoy the holidays with their families and friends.

**COST ANALYSIS:**

The meeting cancellation typically results in a small savings in overtime pay.

**ENVIRONMENTAL REVIEW:**

This item is not a "project" for the purposes of the California Environmental Quality Act (CEQA) as it does not have the potential for resulting in either a direct physical change to the environment or a reasonably foreseeable indirect physical

**CITY COUNCIL  
CONSIDERATION OF CANCELLATION OF REGULAR MEETING ON  
DECEMBER 22, 2020  
OCTOBER 13, 2020  
PAGE 2 OF 2**

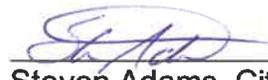
change in the environment. No further action is required under CEQA for City Council action.

**ALTERNATIVES:**

The following alternatives have been identified for City Council consideration:

1. Cancel the December 22, 2020 regularly scheduled meeting;
2. Reschedule the meeting to an alternate date;
3. Do not cancel the meeting; or
4. Provide staff other direction.

Prepared and Approved by:



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Steven Adams, City Manager



Item No. 9(G)

**REPORT TO THE CITY COUNCIL**

**DATE: OCTOBER 13, 2020**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: CONSIDERATION OF A REGIONAL EARLY ACTION PLANNING (“REAP”) GRANT APPLICATION**

**RECOMMENDATION:**

It is recommended the City Council adopt a Resolution authorizing submittal of a Regional Early Action Planning (“REAP”) grant application to the Association of Monterey Bay Area Government (“AMBAG”) for \$65,000.

**BACKGROUND:**

The adopted FY 2019-20 California Budget (AB 74) and associated housing trailer bill (AB 101) established the Local Government Planning Support Grants Program which made Regional Early Action Planning (“REAP”) funding available to the California Central Coast region to fund housing planning activities. Grant funding is to be used for technical assistance, preparation, and adoption of planning documents and process improvements to accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing needs allocation. Based upon the approved suballocation approach from the Central Coast Housing Working Group and the AMBAG Board of Directors, cities and counties within Monterey and Santa Cruz Counties are eligible for funding.

On July 24, 2020, AMBAG published a Notice of Funding Availability (“NOFA”) for the REAP Program allocation. Applications are accepted until October 29, 2020. The City of King is being allocated \$65,000 of available grant funds.

**DISCUSSION**

REAP Grant funds must be used for housing planning activities which demonstrate a nexus to increasing housing supply and accelerating housing production. Eligible activities include, but are not limited to:

**CITY COUNCIL  
CONSIDERATION OF A REGIONAL EARLY ACTION PLANNING (“REAP”)  
GRANT APPLICATION  
OCTOBER 13, 2020  
PAGE 2 OF 3**

- Accommodating development of housing and infrastructure that accelerates housing production that aligns with State planning priorities, housing, transportation, equity, and climate goals
- Covering the cost of technical assistance, planning, temporary staffing, or consultant needs associated with updating local planning and zoning documents, expediting application processing, and other actions to accelerate additional housing production

There are seven State mandated General Plan elements, which are: land use, circulation, housing, open space, conservation, noise, and safety. Since 1998, the State requires issues such as climate change (greenhouse gas emissions), environmental justice, health issues, social equity, food access and other new issues be addressed. The current Housing Element (updated last in 2015) is valid until 2023. To ensure an updated Housing Element is ready prior to expiration of the current version, the City should begin working on the document in 2021.

Updating a General Plan is considered a project under the California Environmental Quality Act (CEQA) and environmental review must be conducted. Due to the new State requirements and CEQA review, updating a General Plan at one time can be costly. Therefore, staff proposes updating the General Plan over a few years rather than at one time.

The City of King is currently experiencing a significant shortage of available housing, which has resulted in widespread overcrowding issues. In formulating a recommendation for REAP City Council consideration, staff referred to strategic planning documents including the Land Use and Housing Elements.

**COST ANALYSIS:**

There is no General Fund impact associated with this agenda item. REAP does not require a local financial commitment or “match” from local jurisdictions requesting grant funds. Two percent of the grant funding, or \$1,300 in this case, can be used for grant administration costs.

The REAP grant funds would be used to supplement the following grant funding that has also been applied for and approved to prepare the update of King City’s General Plan:

1. SB2 Planning Grant: Land Use Element (Status: \$160,000)
2. Local Early Action Planning (“LEAP”): Housing Element (Status: Received Preliminary Approval for \$65,000)

**CITY COUNCIL  
CONSIDERATION OF A REGIONAL EARLY ACTION PLANNING (“REAP”)  
GRANT APPLICATION  
OCTOBER 13, 2020  
PAGE 3 OF 3**

**ENVIRONMENTAL REVIEW:**

The City of King has determined that the proposed action is not a project as defined by the California Environmental Quality Act (“CEQA”) per Guidelines Section 15378. CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

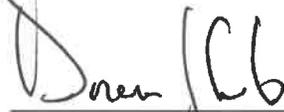
**ALTERNATIVES:**

1. Adopt the attached Resolution;
2. Do not adopt the attached Resolution and take no action;
3. Direct staff to amend the Resolution; or
4. Provide alternate direction.

**Exhibits:**

1. REAP Application
2. REAP Resolution

Submitted by:



\_\_\_\_\_  
Doreen Liberto, Community Development Director

Approved by:



\_\_\_\_\_  
Steven Adams, City Manager

## Regional Early Action Planning (REAP) Suballocation Grant Application

**Deadline: October 29, 2020**

The applicant is applying to the Association of Monterey Bay Area Governments (AMBAG) for a grant authorized under the Regional Early Action Planning Grants (REAP) provisions pursuant to Health and Safety Code Sections 50515 to 50515.05. The grant is to be used for technical assistance, preparation, and adoption of planning documents and process improvements to accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing needs allocation. In order to be considered for funding, all sections of this application, including attachments, must be complete and accurate.

All applicants must submit the following to AMBAG by October 29, 2020 in order to be considered for the award:

1. A completed application
2. A fully executed resolution authorizing application for, and receipt of funds (see Attachment 1 for template resolution).
3. A fully executed Government Agency Taxpayer ID Form (see Attachment 2).

All applications must be submitted electronically to AMBAG by email to [phierling@ambag.org](mailto:phierling@ambag.org) and copied to your local COG contact as indicated below. No hard copies will be accepted.

| County                           | Council of Governments                                  | Application Submission Contact   |
|----------------------------------|---|--|
| Santa Cruz and Monterey Counties | Association of Monterey Bay Area Governments (AMBAG)    | Paul Hierling:<br><a href="mailto:phierling@ambag.org">phierling@ambag.org</a>   |
| San Benito County                | Council of San Benito County Governments (SBtCOG)       | Mary Gilbert and<br>Veronica Lezama:<br><a href="mailto:mary@sanbenitocog.org">mary@sanbenitocog.org</a> ,<br><a href="mailto:veronica@sanbenitocog.org">veronica@sanbenitocog.org</a> |
| San Luis Obispo County           | San Luis Obispo Council of Governments (SLOCOG)         | Sara Sanders:<br><a href="mailto:SSanders@slocog.org">SSanders@slocog.org</a>  |
| Santa Barbara County             | Santa Barbara County Association of Governments (SBCAG) | Michael Becker:<br><a href="mailto:MBecker@sbcag.org">MBecker@sbcag.org</a>  |

**Contact:**

If you have questions regarding this application or REAP, contact Paul Hierling at [phierling@ambag.org](mailto:phierling@ambag.org) or 831-264-5092.

## Regional Early Action Planning (REAP) Suballocation Grant Application

### Association of Monterey Bay Area Governments (AMBAG) Jurisdiction Funding:

On June 10, 2020, the AMBAG Board of Directors directed staff to allocate REAP funds to jurisdictions in Monterey and Santa Cruz Counties based on population tier formula. Jurisdictions are eligible for the following amounts:

| Jurisdiction      | Grant Amount Available |
|-------------------|------------------------|
| Monterey County   | \$530,000              |
| Carmel-By-The-Sea | \$65,000               |
| Del Rey Oaks      | \$65,000               |
| Gonzales          | \$65,000               |
| Greenfield        | \$65,000               |
| King City         | \$65,000               |
| Marina            | \$165,000              |
| Monterey          | \$165,000              |
| Pacific Grove     | \$65,000               |
| Salinas           | \$530,000              |
| Sand City         | \$65,000               |
| Seaside           | \$165,000              |
| Soledad           | \$165,000              |

| Jurisdiction      | Grant Amount Available |
|-------------------|------------------------|
| Santa Cruz County | \$530,000              |
| Capitola          | \$65,000               |
| Santa Cruz        | \$300,000              |
| Scotts Valley     | \$65,000               |
| Watsonville       | \$165,000              |

### A. Applicant Information

| <b><i>Complete the following Applicant information</i></b> |  |                                |        |
|--|--|--------------------------------|--------|
| Agency Name  |  | City of King                   |        |
| Agency Type  |  | Local Government               |        |
| Applicant's Mailing Address                                |  | 212 South Vanderhurst Ave.     |        |
| City   |  | King City                      |        |
| State  | California   | Zip Code                       | 93930  |
| County   |  | Monterey                       |        |
| Website  |  | www.kingcity.com               |        |
| Authorized Representative Name                             |  | Steven Adams                   |        |
| Authorized Representative Title                            |  | City Manager                   |        |
| Phone  | 831-385-3281   | Fax                            |        |
| Email  | <a href="mailto:sadams@kingcity.com">sadams@kingcity.com</a>     |                                |        |
| Contact Person Name  |  | Doreen Liberto                 |        |
| Contact Person Title                                       |  | Community Development Director |        |
| Phone  | 831-386-5916   | Fax                            |        |
| Email  | <a href="mailto:dliberto@kingcity.com">dliberto@kingcity.com</a> |                                |        |
| Grant Amount   |  | \$                             | 65,000 |

## Regional Early Action Planning (REAP) Suballocation Grant Application

### B. Threshold Requirements

All applicants must meet all of the following threshold criteria to be eligible for an award.

|   |     |   |    |  |
|---|-----|---|----|--|
| <b>1. Does the application demonstrate a nexus to accelerating housing production?</b>  | Yes | X | No |  |
| <b>2. Does the application include a completed and signed resolution</b><br><i>See attachment 1, "Template Resolution"</i>  | Yes | X | No |  |
| <b>3. Does the address on the Government Agency Taxpayer ID Form exactly match the address listed above?</b><br><i>See attachment 2, "Government Agency Taxpayer ID Form"</i> | Yes | X | No |  |

As the official designated by the governing body, I hereby certify that if approved by AMBAG for a suballocation of funding through the Regional Early Planning Program (REAP), the City of King assumes the responsibilities specified in this application and certifies that the information statements and other content contained in this application are true and correct.

Signature: \_\_\_\_\_ Name: Steven Adams

Date: \_\_\_\_\_ Title: City Manager

## Regional Early Action Planning (REAP) Suballocation Grant Application

### C. Eligible Activities Checklist

*Check at least one or more eligible project activity.*

|   |   |
|---|---|
| X | Accommodating development of housing and infrastructure that accelerates housing production that aligns with state planning priorities, housing, transportation, equity, and climate goals  |
|   | Implementing sustainable communities strategies related to housing planning and accelerating housing production   |
|   | Establishing Prohousing Policies pursuant to Government Code section 65589.9  |
|   | Providing technical assistance in improving housing permitting processes, tracking systems, and planning tools  |
|   | Establishing regional or countywide housing trust funds for affordable housing (e.g. planning activities and processes, guidelines, charters)   |
|   | Performing infrastructure planning, including sewers, water systems, transit, roads, or other public facilities necessary to support new housing and new residents  |
|   | Performing feasibility studies to determine the most efficient locations to site housing consistent with Government Code sections 65040.1 (State Planning Priorities) and 65080 (Regional Transportation Plans)   |
|   | Covering the costs of temporary staffing or consultant needs associated with eligible activities  |
| X | Covering the cost of technical assistance, planning, temporary staffing, or consultant needs associated with updating local planning and zoning documents, expediting application processing, and other actions to accelerate additional housing production |
|   | Reimbursing the cost of approved and eligible costs incurred for work after October 1, 2019   |

## Regional Early Action Planning (REAP) Suballocation Grant Application

### D. Project Description

*Provide a description of the project scope and tasks including a description of the project's impact on accelerating housing production. Indicate how your project addresses regional housing issues that affect the Central Coast. Include whether plans will be adopted. If consultants will be used, identify what tasks they will be responsible for. Use Appendix A if additional space is needed.*

REAP funds will be used to fund updates to various elements of the General Plan, as they apply to accelerating the development of housing. The City is currently working under the SB2 Grant to update the Land Use Element, and a LEAP grant application has been conditionally approved to facilitate an update of the Housing Element. These General Plan updates are focused on policies and programs that will work to accelerate housing production through increased residential densities, increased building heights, rezoning of commercial lands to mixed-use, and residential zones, and community wellbeing.

Building on SB2 and LEAP projects funded by the California Department of Housing and Community Development, King City's REAP project will provide funding for Land Use and Housing Element updates which will include key housing accelerating policies. The funds would also allow the City to begin updating other General Plan elements, as they relate to the generation of housing units. The funds may also support updating portions of the Municipal Code (e.g., zoning ordinance) to be consistent with housing generation priorities identified in the General Plan.

## Regional Early Action Planning (REAP) Suballocation Grant Application

### E. Project Timeline and Budget

*Include tasks, budget amounts, dates and deliverables. Indicate what tasks will be completed by consultant, and include dates for draft and final deliverables if applicable. Budget must account for full amount the jurisdiction is eligible to apply for. Include project location if different from applicant's mailing address. All tasks and spending must be completed by November 1, 2023.*

**Project Title:**

| Task                                    | Budget          | Start Date | End Date | Description and Deliverables   |
|---|-----------------|------------|----------|--|
| Update General Plan                     | \$63,700        | 1/1/20     | 10/1/23  | Partial update work to implement programs/policies/Municipal Code changes that will work to accelerate housing |
| Administration, Reporting and Invoicing | \$1,300         | 1/1/20     | 10/1/23  | Administration costs not to exceed 2% of total grant.  |
| <b>Total:</b>                           | <b>\$65,000</b> |            |          |  |

**Attachment 1: Resolution**

**Attachment 2: Government Agency Taxpayer ID Form**

Financial Information System for California (FI\$Cal)

**GOVERNMENT AGENCY TAXPAYER ID FORM**

2000 Evergreen Street, Suite 215  
Sacramento, CA 95815  
www.fiscal.ca.gov  
1-855-347-2250



The principal purpose of the information provided is to establish the unique identification of the government entity.

**Instructions:** You may submit one form for the principal government agency and all subsidiaries sharing the same TIN. Subsidiaries with a different TIN must submit a separate form. Fields bordered in red are required. Hover over fields to view help information. Please print the form to sign prior to submittal. You may email the form to: vendors@fiscal.ca.gov, or fax it to (916) 576-5200, or mail it to the address above.

Principal Government Agency Name:

Remit-To Address (Street or PO Box):

City:  State:  Zip Code+4:

Government Type:  City  County  Special District  Federal  Other (Specify)

Federal Employer Identification Number (FEIN):

List other subsidiary Departments, Divisions or Units under your principal agency's jurisdiction who share the same FEIN and receives payment from the State of California.

|                         |                      |                  |                      |
|-------------------------|----------------------|------------------|----------------------|
| Dept/Division/Unit Name | <input type="text"/> | Complete Address | <input type="text"/> |
| Dept/Division/Unit Name | <input type="text"/> | Complete Address | <input type="text"/> |
| Dept/Division/Unit Name | <input type="text"/> | Complete Address | <input type="text"/> |
| Dept/Division/Unit Name | <input type="text"/> | Complete Address | <input type="text"/> |

Contact Person:  Title:

Phone number:  Email Address:

Signature:  Date:

**Regional Early Action Planning (REAP) Suballocation Grant Application**

**Appendix A**

*Use this area for additional information if necessary.*

A large, empty rectangular box with a thin black border, occupying the majority of the page below the text. It is intended for the applicant to provide additional information if necessary.

## RESOLUTION NO. 2020-4784

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KING TO AUTHORIZE STAFF TO APPLY FOR AND ENTER INTO AGREEMENTS REQUIRED FOR THE REGIONAL EARLY ACTION PLANNING GRANT**

**WHEREAS**, Governor Gavin Newsom signed Assembly Bill 101 in September 2019, which established the Local Government Planning Support Grants Program which allocates \$125 million in housing planning funds to regional entities throughout the state; and

**WHEREAS**, the California Department of Housing and Community Development (HCD) has been assigned as the state agency overseeing this program; and

**WHEREAS**, the provisions of AB 101 require the California Central Coast's Councils of Government form a multiagency group comprising three representatives from each of the region's five counties to administer approximately \$8 million in housing planning funds dedicated to the Central Coast region through the Regional Early Action Planning (REAP) grant; and

**WHEREAS**, the Central Coast Housing Working Group has been established as the multiagency working group to administer these REAP funds pursuant to AB 101; and

**WHEREAS**, the Association of Monterey Bay Area Governments (AMBAG) will serve as the fiscal agent of the Central Coast Housing Working Group and will staff the group; and

**WHEREAS**, AMBAG will use three (3%) percent of the AB 101 Central Coast regional funding to administer the mega regional grant program, staff the Central Coast Housing Working Group, provide required reporting, and provide oversight of the grant program from 2020 to 2024; and

**WHEREAS**, AMBAG will allocate AB 101 housing planning funds to the four Council of Governments in the Central Coast area: AMBAG, the San Luis Obispo Council of Governments, the Santa Barbara County Association of Governments, and the Council of San Benito County Governments; and

**WHEREAS**, the City of King is eligible to submit a request for allocation for a portion of Central California AB 101 housing planning funds from AMBAG; and

**WHEREAS**, the amounts allocated to the Association of Monterey Bay Area Governments (AMBAG) are based on the allocation method approved by the Central Coast Housing Working Group; and

**WHEREAS**, the amounts allocated to City of King will be based on the allocation method approved by AMBAG, which is approximately \$65,000; and

**WHEREAS**, AMBAG shall approve allocation requests subject to the terms and conditions of eligibility, guidelines, Notices of Funding Availability, and program requirements.

**NOW, THEREFORE**, the City Council of the City of King does resolve as follows:

**SECTION 1.** The foregoing recitals are true and correct and are incorporated by reference.

**SECTION 2.** The City Council of the City of King hereby authorizes the City Manager to request an allocation not to exceed sixty-five thousand dollars (\$65,000.00) from the Association of Monterey Bay Area Governments which acts on behalf of the Central Coast Housing Working Group; and

**SECTION 3.** The City Council of the City of King also authorizes the City Manager to submit an application to the Association of Monterey Bay Area Governments which is consistent with **Exhibit 1** attached hereto. **Exhibit 1** may be modified prior to submittal of application so long as the modifications are consistent with this Resolution; and

**SECTION 4.** Further, the City Manager is hereby authorized to enter into agreements, which are prepared in a manner and form approved by the City Attorney, and take further actions as may be necessary to give effect to this Resolution, such as executing amendments and approving funding applications with the Association of Monterey Bay Area Governments for REAP grant funding.

**SECTION 5.** This Resolution shall take effect immediately upon adoption.

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of King at a regular meeting thereof held on the 13 day of October, 2020 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

**ATTEST**

\_\_\_\_\_  
**STEVEN ADAMS**, City Clerk

**CITY OF KING**

By: \_\_\_\_\_  
**MIKE LEBARRE**, Mayor

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
**ROY C. SANTOS**, 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 Resolution  
passed and adopted by the City Council of the City of King on the date and by the vote  
indicated herein.



Item No. 9(H)

REPORT TO THE CITY COUNCIL

**DATE:** OCTOBER 13, 2020

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** OCTAVIO HURTADO, CITY ENGINEER

**RE:** CONSIDERATION OF AWARD OF CONTRACT FOR CONSULTING SERVICES FOR MESA DEL REY AIRPORT (KIC) TAXIWAY A REHABILITATION DESIGN (2020 FAA GRANT) INCLUDING ADOPTING FINDING OF A CATEGORICAL EXEMPTION, PURSUANT TO SECTION 15301 OF THE CEQA GUIDELINES

**RECOMMENDATION:**

It is recommended City Council: 1) approve the award of contract to Kimley-Horn for Design Services for the Taxiway Rehabilitation in the amount of \$94,975.00, and 3) authorize City Manager to execute all necessary documents.

**BACKGROUND:**

The City received a proposal from Kimley-Horn to provide Construction Drawing and Specifications, including initial research and testing during the construction activities, in the amount of \$94,975.00. A design phase grant application was approved to prepare Plans, Specifications and Engineer's Design Report for the rehabilitation of Taxiway A. As part of the FAA guidelines, an independent fee estimate (IFE) was prepared by J.D. Heithoff, which provided a summary estimate of costs to complete the design. The independent fee estimate for Taxiway A Rehabilitation Design services was \$125,719.45 and was submitted along with Kimley-Horn's fee proposal to the FAA for approval. The City submitted a grant application to the Federal Aviation Administration for the design phase and was awarded with Airport Improvement Project Grant No. 3-06-0113-016-2020 in the amount not to exceed \$105,000.00.

**DISCUSSION:**

The Mesa Del Rey Taxiway A has not received surface maintenance in many years. Cracks have developed, and weeds are growing through them. This has increased maintenance efforts by the Public Works Department. This project has been on the

## **CITY COUNCIL**

### **CONSIDERATION OF AWARD OF CONTRACT FOR CONSULTING SERVICES FOR MESA DEL REY AIRPORT (KIC) TAXIWAY A REHABILITATION DESIGN (2020 FAA GRANT) INCLUDING ADOPTING FINDING OF A CATEGORICAL EXEMPTION, PURSUANT TO SECTION 15301 OF THE CEQA GUIDELINES**

**OCTOBER 13, 2020**

**PAGE 2 OF 3**

Airport Capital Improvement Plan (ACIP) for several years to extend the life of the taxiway and increase safety to the users of the airport.

The project will rehabilitate Taxiway A pavement. Approximately 146,000 SF (3,650'L x 40'W) will be crack sealed, slurry sealed, and re-marked. Approximately 55,000 SF (1,375'L x 40' W) will be rehabilitated via mill and overlay.

#### **COST ANALYSIS:**

The Coronavirus Aid, Relief, and Economic Security (CARES) Act (H.R. 748, Public Law 116-136) (PDF), signed into law by the President on March 27, 2020, includes \$10 billion in funds to be awarded as economic relief to eligible U.S. airports affected by the prevention of, preparation for, and response to the COVID-19 pandemic.

The CARES Act provides funds to increase the federal share to 100% for Airport Improvement Program (AIP) and supplemental discretionary grants already planned for fiscal year 2020. Under normal circumstances, AIP grant recipients contribute a matching percentage of the project costs. Providing this additional funding and eliminating the local share will allow critical safety and capacity projects to continue as planned regardless of airport sponsors' current financial circumstances.

The total project estimate is \$94,975, the maximum Federal Grant amount is \$105,000. Having the federal share increase to 100% relieves the City of its typical 10% match obligation. The difference between the grant amount and the fee proposal will be used to pay for City work, plan review and project management.

#### **ENVIRONMENTAL REVIEW:**

The project is a Class 1 Categorical Exemption under CEQA as it involves no expansion and consists of rehabilitating the existing asphalt concrete taxiway.

#### **ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Approve staff's recommendations;
2. Reject scope and fee proposal and solicit new bids;
3. Do not approve proceeding with the project; or
4. Provide staff other direction.

**CITY COUNCIL  
CONSIDERATION OF AWARD OF CONTRACT FOR CONSULTING SERVICES FOR  
MESA DEL REY AIRPORT (KIC) TAXIWAY A REHABILITATION DESIGN (2020 FAA  
GRANT) INCLUDING ADOPTING FINDING OF A CATEGORICAL EXEMPTION,  
PURSUANT TO SECTION 15301 OF THE CEQA GUIDELINES  
OCTOBER 13, 2020  
PAGE 2 OF 3**

Exhibits:

1. Exhibit A, Kimley-Horn Scope and Fee
2. Independent Fee Estimate (IFE)

Submitted by:



Octavio Hurtado, City Engineer

Approved by:



Steven Adams, City Manager

## EXHIBIT A

**MESA DEL REY AIRPORT  
KING CITY, CALIFORNIA  
TAXIWAY A REHABILITATION DESIGN**

Summary: Kimley-Horn and Associates, Inc (KH) will prepare Plans, Specifications and an Engineer's Design Report for the City of King (City or Client) for the following projects:

**Design of Taxiway A Rehabilitation**

The project will rehabilitate Taxiway A pavement. Approximately 146,000 SF (3,650'L x 40'W) will be crack sealed, slurry sealed, and re-marked. Approximately 55,000 SF (1,375'L x 40' W) will be rehabilitated via mill and overlay. The Kimley-Horn Team will provide Design Services as follows and as more particularly described in the detailed Scope of Services:

**Task 1 - Initial Research, Testing and Preliminary Design**

**Task 2 – Design and Advertising**

**Task 3 – Project Management**

**Detailed Scope of Services**

**Task 1. Initial Research, Testing and Preliminary Design:**

**1.1. Kick-Off Meeting, Initial Stakeholder Coordination and Project Site Familiarization:**

Kick-off Meeting: KH will work with the City to schedule and participate in a meeting at the Airport to discuss the project, objectives, approach and schedule.

Site Investigation: KH with support and coordination from the Airport, will conduct a “field walk” to review and discuss the project and existing conditions.

Research: Identify, compile and review readily available information and reports from the City relative to the project and immediate project vicinity (as-builts, previous studies and utility information).

**Assumptions and Clarifications:**

- KH assumes that all of the effort in Task 1.1. will be accomplished in a one 1-day trip to King City.
- KH assumes that any record drawings, as-builts, reports and/or project documents provided by the City will either be provided as copies by the City, or can be taken from the City, copied and returned.

**Deliverables:**

- KH will provide agendas and a meeting summary for the Kick Off Meeting.

**1.2 Topographical Survey:** KH/ KH Subconsultant will develop and provide a topographical survey of the project areas.

Ground Based Survey:

- Taxiway centerlines and edges and markings for areas and pavements that are included in this Project.
- Relevant monuments and survey control points.
- 50-foot grid points. Said grid will be measured to a vertical tolerance of plus or minus 0.01 feet. Horizontal tolerance will be 0.2 feet for any given point.
- Pavement markings
- Lighting, and signage
- \*Utilities
- Visible drainage system features (inlets, berms, drains, culverts)

Horizontal and Vertical Project Control: Recover existing monumentation and set additional monuments (up to four) in the vicinity of proposed project. All survey information shall be provided/based on Vertical Datum: NAVD 88, Horizontal Datum: NAD83.

Utilities: KH Subconsultant shall collect and review existing readily available utility mapping for the project area from the City, utility owners and other resources of such information and plot existing utilities within the project limits.

**Assumptions and Clarifications:**

- Assumes survey will be completed in one (1) field visit with KH staff on-site to oversee
- Survey access, schedule and procedures will be based on a mutually agreed upon approach between the City and KH. Approach will incorporate roles and responsibilities, as well as mutually agreeable days, times, escorts, runway and taxiway closures.
- City will work with KH to locate and identify locations and types of utilities and drainage infrastructure.
- City will provide adequate property line information and data for the project.
- Potholing, if necessary, is not included in this Scope of Work or within the associated fee.

**Deliverables:**

- One (1) hard copy and one (1) electronic copy of survey mapping/drawings.

**1.3. Geotechnical Analysis**

KH/KH Subconsultant will develop a geotechnical analysis as follows:

File Review: KH will review readily available files and reports for pertinent geotechnical and geologic information. Such reports include Soil Surveys for the City and available as-built plans and specifications for the airport runway, taxiways, apron, and access roads provided by the City of King, and existing soil reports from previous projects, if available.

Exploratory Borings: In the proposed project areas, Subconsultant will drill, log and sample up to a total of two (2) exploratory borings using a truck-mounted hollow stem auger drill rig. Prior to drilling, the existing asphalt concrete will be cored, as discussed below. Generally, borings will extend to depths of about 10 feet below the existing ground surface or practical refusal. KH will collect soil samples from borings for visual classification and laboratory testing. The soils will be logged in accordance with the Unified Soil Classification System as required by the FAA.

KH will backfill borings and core holes using a quick setting concrete mix.

Pavement Cores: KH Subconsultant will drill up to a total of four (4) pavement cores. KH Subconsultant will use a 10-inch-diameter concrete coring barrel. Subconsultant will measure and record the thickness of the pavement cores. To measure the depth of the base and subbase material (if present), KH Subconsultant will use the same truck-mounted drilling equipment to excavate through the bottom of the pavement section. KH Subconsultant will retain cores and samples of the base and subgrade materials and return them to the geotechnical laboratory for review and classification.

KH Subconsultant will backfill borings and core holes using a quick setting concrete mix.

For the purposed of our fee estimate Subconsultant has assumed an existing pavement thickness of up to 3 inches and a base thickness up to 6 inches.

#### Laboratory Testing

- In-situ Moisture/Density for earthwork evaluations, up to 10 tests (ASTM D2937)
- Maximum density-optimum moisture testing to determine in-situ compaction data as a basis for CBR testing (ASTM D 1557)

- Plasticity index testing (ASTM D 422), up to 4 tests to assist in soil classification
- California Bearing Ratio (CBR), up to 4 tests (ASTM D 1883)
- Corrosivity tests (Sulfate, pH, Chlorides, resistivity), up to 4 tests

**Assumptions and Clarifications:**

- Assumes Geotech will be completed in one (1) field visit, concurrently with survey, with KH staff on-site to oversee
- KH Subconsultant will be responsible for obtaining and paying for any necessary drilling permits from the City.
- Available information reports and data will be used to refine the scope of work and effort required during the Geotechnical Analysis.
- Geotechnical access, schedule and procedures will be based on a mutually agreed upon approach between the City, KH and the Subconsultant. Approach will incorporate roles and responsibilities, as well as mutually agreeable days, times, escorts, runway and taxiway closures.
- For the purpose of this proposal, site restoration is limited to backfilling borings with cement grout and covering with on-site soil.
- General clean-up does not include the restoration or re-vegetation of disturbed areas. Drilling in the airport area will be performed in the daylight hours.
- Up to 20 hours are required to complete the field work. Subconsultant assumes that no special traffic control or flagman will be required and that the airport will provide appropriate on-site personnel to escort crews if/ as needed.
- Spoils generated during drilling will be disposed of on airport. This proposal does not include the cost to drum spoils, environmental testing of spoils, or drum disposal

**Deliverables:**

- One (1) hard copy and (1) electronic copy of Geotechnical Report.

**Task 2. Design and Advertising**

**2.1. Project Plans (65%, 90%, and 'Bid Ready')**

Project design will be prepared in three stages with three submittals consisting of the "65 percent complete", "90 percent complete" and 'Bid Ready'.

Project Plans: KH will prepare up to 20 plan sheets under this Task:

- Cover Sheet: Up to 1 sheet
- General Notes: Up to 1 sheet
- Project Layout Plan: Up to 1 sheet
- Survey Plan: Up to 1 sheet
- Phasing Plan: Up to 2 sheets
- Geometric Layout Plan: Up to 4 sheets
- Pavement Elevation Plan: Up to 2 sheets
- Plan and Profile: Up to 2 sheets
- Striping Plan: Up to 4 sheets
- Civil Details: Up to 2 sheets

**2.2. Project Specifications (65%, 90%, and ‘Bid Ready’)**

Project design will be prepared in three stages with three submittals consisting of the “65 percent complete”, “90 percent complete” and “bid ready” PS&E.

Specifications: KH will prepare specifications as follows:

|  |  |
|--|--|
| Notice to Bidders                                    | KH will prepare the Notice to Bidders based on FAA requirements and City input.              |
| Bid Proposal   | KH will prepare the Bid Proposal based on FAA requirements and City input.                   |
| Contract   | City will provide standard contract documentation for incorporation into the specifications. |
| Federal Assurances                                   | KH will incorporate the required Federal language and current Davis Bacon Wage rates         |
| Standard Specifications for Construction of Airports | KH will utilize AC 150/5370-10H to create the technical specifications for this project      |

**2.3. Construction Safety Phasing Plan and Engineer’s Design Report**

KH will create a Construction Safety Phasing Plan (CSPP) and Engineer Design Report (EDR). The CSPP will be prepared in accordance with FAA AC 150/5370-2G, ‘Operational Safety on Airports During Construction’. The EDR will include an Opinion of Probable Construction Cost (OPCC) for the Project. The Project will include, but not be limited to, design considerations described in the following Advisory Circulars:

FAA AC 150/5300-13A *Airport Design*

FAA AC 150/5320-6F *Airport Pavement Design and Evaluation*

FAA AC 150/5320-5D *Airport Drainage Design*  
FAA AC 150/5340-1M *Standards for Airport Markings*

At the '90 percent' complete stage, the CSPP will be uploaded to the FAA's OE/AAA obstruction evaluation website.

**Assumptions and Clarifications:**

- Plans will be prepared on 24 x 36 border sheets
- Assumes the City will be responsible for final assembly of specifications.
- Assumes no storm drain and utility modifications or additions.
- Assumes SWPPP, NOI, BMPs etc. to comply with local and State Storm Water requirements will be included in the contractor's scope of work.
- The processing of any Modification to Standards as a result of deficient existing conditions are not included in this scope of work.
- Plans, and Specifications will be submitted for review and approval at the "65 percent complete", and "90 percent complete" stages. The Preliminary Engineer's Design Report (PS&E) will be submitted for review and approval at the "65 percent complete" stage.
- Plans, Specifications and the Final Engineer's Design Report (PS&E) will be submitted for advertising at "Bid Ready" stage.
- This Task does not include any effort associated with the identification and removal of hazardous materials.
- KH Project approach, budget and schedule assume that the City will provide one consolidated (City and FAA) set of comments on submittals within a timely manner of receipt from KH.
- KH will respond to review comments on the 65% and 90% submittals. KH assumes up to one on-site design meeting at the 90% complete stage. It is anticipated that comments will be resolved prior to proceeding with the design/next incremental submittal. KH will proceed with the 90% set once the City has approved the 65% set; and the Bid Ready set once the 90% set is approved.
- This scope of work does not address major grade changes or drainage upgrades.
- This task does not include upgrades or modifications to airfield lighting and signage.

**Deliverables:**

- "65 percent complete", "90 percent complete" and "bid ready" Plans,

Specifications and EDR. Each submittal will include one (1) electronic copy of the plans, specifications, and Engineer's Design Report.

- One (1) hard copy of 11x17 and 24x36 plans for "65 percent" and "90 percent" submittals; one (1) 24x36 "bid ready" plans wet stamped and signed
- KH will submit AutoCAD drawings in Civil 3D 2020 format with the bid ready submittal.

## **2.4. Advertising**

KH will assist the City of King with the advertising process. KH will:

Pre-Bid: Assist the City with organizing and will attend one Pre-Bid Meeting with potential contractors at the Mesa Del Rey Airport.

Response to Questions during Bidding: Assist the City with providing responses/clarifications to bidder's questions. The City will be responsible for issuing the response to questions to all Plan Holders.

Bid Addenda Preparation: KH shall assist the City with the preparation of up to one (1) bid addenda in response to questions from potential contractors which require clarification to the contract plans and technical specifications.

Recommendation of Award: KH will assist the City with reviewing bids and preparing a recommendation of award to be submitted to the FAA.

KH will prepare two FAA grant applications for fiscal years 2020 and 2021 and one Caltrans grant applications for the construction of the taxiway rehabilitation based on the construction phasing and funding availability.

### **Assumptions and Clarifications:**

- This Scope of Services assumes that the City will be responsible for publishing the advertisement/Notice to Bidders, reproduction and distribution of contract documents to prospective bidders, and maintaining the Plan Holders List.
- Assumes one (1) set of bid documents and one (1) advertising process covering all project components.
- This scope of services does not include assisting or participating in bid protests.
- See attached for assumed level of effort budgeted by KH for the preparation of this scope of work and associated fee.

**Deliverables:**

- Recommendation of Award via Letter to City.
- Two FAA Grant Applications and one Caltrans Grant Applications

**Task 3: Project Management**

**3.1 Client Communications and Contract Management:** Under this Task, KH will:

- a) Implement a client communication process that involves ongoing project related email and phone calls and participation in up to one (1) meeting in King City, California during each of the design and advertising processes. This meeting is in addition to other Task related meetings at the airport.
- b) Manage contract/subcontract solicitation, preparations, negotiations and execution.
- c) Manage contract/subcontract schedules and budgets including invoicing and maintaining internal KH project controls related to staffing, schedules and budgets.

**Deliverables:**

- Copies of contracts, subcontracts and invoices as appropriate.
- Periodic updates (email) on project status, schedule and budget.

**3.2 Quality Control:** This task includes formal and informal, project specific Quality Control and Continuous Quality Improvement (CQI) measure implemented by KH on this Project. Specific efforts anticipated on this project are:

Submittals: Submittals will be reviewed by a senior staff member for quality, accuracy and constructability.

Constructability Verification: KH will complete up to one (1) field visit to verify and/or address constructability/feasibility of the proposed design with the site conditions.

**Assumptions and Clarifications:**

- Assumes one (1) on-site visit for pre-bid meeting site visit
- Quality Control on submittals assumes up to two (2) submittal packages.

**Deliverables:**

- Updates on Quality Control actions (incorporated/concurrent with periodic project status report)

**4.0 Additional Information and Understanding**

**4.1. Special Considerations**

Standards: formatting standards for all drawings, documents and reports will be defined by KH using AutoCAD® 2020 software for drawings, the Microsoft Word® software for word processing and the Microsoft Excel® software for quantities and estimating purposes. Work by the KH team will conform to or be compatible with these conventions.

**4.2. Owner's Responsibilities**

- Provide copies of all existing pertinent records/reports/studies in its possession.
- Provide consultant access to the project.
- Participate in meetings and planning activities.
- Participate in the development of the project plans and specifications. Assist the consultant in the developing or obtaining wage rates, DBE, legal, bonding and other provisions necessary for the contract documents.
- Timely review and response.
- Approve pre-design studies, preliminary, final design and construction contract documents.
- Perform additional responsibilities as detailed in contract terms and conditions.
- The Consultant and its Subconsultants shall be entitled to rely upon the accuracy and completeness of all surveys, reports and information furnished by the Client and its Co- Consultants or Assigned Subconsultants.

**4.3. Additional Services**

Project related services not included in this Scope can be provided and added to this Task Order by mutual agreement between the City and KH. Additional services shall be agreed upon, in writing between the City and KH prior to costs being incurred. Specific services may include, but not be limited to:

- Storm Water Pollution Prevention Plan

- Participating in Stakeholder outreach and coordination
- Design for additional items not specifically mentioned in our scope of services

**4.4. Schedule**

Design Services by Kimley-Horn will begin upon the issuance of an NTP by October 15, 2020. Assumes that all work will be complete, and this Task closed out by August 31, 2021.

**4.5. Terms of Compensation**

Kimley-Horn will perform the services in Tasks 1 - 3 on a lump sum basis. KH will not exceed \$94,975.00, including all labor and expenses, without authorization from the CITY. KH estimates the fee per task as follows:

|  |                 |
|--|-----------------|
| Task 1 Initial Research, Testing, and Design | \$33,585.00     |
| Task 2 Design and Advertising                | \$54,120.00     |
| Task 3 Project Management                    | \$7,270.00      |
| <br>Maximum Fee                              | <br>\$94,975.00 |

Kimley-Horn will not exceed the Estimated Total Fee shown without authorization from the Client. Individual task amounts are provided for budgeting purposes only. Kimley-Horn reserves the right to reallocate amounts among tasks as necessary.

Payment will be due within 30 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

Invoices will be submitted by the Consultant to the City periodically for services performed and expenses incurred. The City is also responsible for payment of any taxes, including sales tax. Payment of each invoice will be due within thirty (30) days of receipt. Interest will be added to accounts not paid within 30 days at the maximum rate allowed by law. If the City fails to make any payment due the Consultant for services and expenses under this or any other agreement within thirty (30) days after the

Consultant's transmittal of its invoice therefore, the Consultant may, after giving notice to the City, suspend services under this Agreement or the IPO in question until it has been paid in full all amounts due.

If the City objects to any charge on an invoice, it shall so advise the Consultant in writing giving its reasons within fourteen (14) days of receipt of the invoice or all such objections shall be waived, and the amount stated in the invoice shall conclusively be deemed due and owing.

If the Consultant initiates legal proceedings to collect payment, it may recover, in addition to all amounts due, its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings. Such expenses shall include the cost, at the Consultant's normal billing rates, of the time devoted to such proceedings by its employees.

The City agrees that payment to the Consultant is not subject to any contingency. The Consultant may negotiate payment of any check tendered by the City, even if the words "in full satisfaction" or words intended to have similar effect appear on the check without such negotiation being an accord and satisfaction of any disputed debt and without prejudicing the right of the Consultant to collect additional amounts from the City.

*Independent Fee Estimates, LLC*

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March 6, 2020

Mr. Octavio Hurtado, PE, QSD  
City Engineer  
City of King  
212 South Vanderhurst Ave  
King City, CA 93930

RE: Independent Fee Estimate Proposal  
Mesa Del Rey Airport  
Taxiway A Rehabilitation  
Design & Bidding Services

Dear Mr. Hurtado;

Please find attached the detailed Independent Fee Estimate (IFE) spreadsheets for the above referenced project. If you should have any questions regarding the hours, fees, or line items, please contact me at your convenience.

The hours were estimated based upon "Exhibit A – Taxiway A Rehabilitation Design", the project exhibit, and the blank spreadsheet that you provided via email on February 20, 2020.

The total estimate for all of the construction services for this project is \$125,719.45. Each of the individual tasks are broken down in the attached spreadsheets so that you can compare each line item directly to your consultant's proposal. If any of the general tasks need to be discussed further via a teleconference, *Independent Fee Estimates* will be glad to look into those tasks further until they are resolved to your satisfaction.

The summary estimate of costs on the project are as follows:

|  |                     |
|--|---------------------|
| Initial Research, Testing, & Preliminary Design: | \$ 7,156.00         |
| Design and Advertising (Labor):                  | \$ 73,873.00        |
| Project Management (Labor):                      | \$ 23,572.00        |
| Expenses (not including sub-consultants):        | \$ 1,540.56         |
| Surveying Sub-consultant:                        | \$ 8,892.77         |
| Geotech-Subsurface Testing Sub-consultant:       | <u>\$ 10,685.12</u> |

**Grand Total for Taxiway A Rehabilitation Services: \$ 125,719.45**

*Independent Fee Estimates, LLC*

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It was noted that your consultant has an office in Phoenix, Arizona. Therefore, we calculated driving hours for meetings and site visits with travel times estimated from those locations. In conjunction with that, we used the General Services Administration's mileage rate of \$0.575/mile and the travel day diem rate of \$49.50/day for meals and to calculate travel expenses. The GSA rates are typically accepted by the FAA.

Cost estimates are based on research for labor, overhead, and associated fees for completing this type of work for consulting firms in the Southwestern United States. Please note that labor and sub consultant costs may differ from the estimates and actual costs should be reviewed and assessed for acceptability given local circumstances, credentials, and experience of assigned personnel.

After the Airport and the FAA have determined that the IFE is acceptable, and after any line items have been addressed to your satisfaction by *Independent Fee Estimates*, please submit this letter as an invoice for \$2,210 to your accounting department for services rendered.

Don't forget to include the cost for this IFE as an administrative expense in your first Request For Reimbursement as it is a 90%+ reimbursable expense by the FAA.

Thank you for the opportunity to assist you with this project.

Sincerely,

*J. D. Heithoff*

J. D. Heithoff, P.E., C.M.



Item No. 9(1)

**REPORT TO THE CITY COUNCIL**

**DATE: OCTOBER 13, 2020**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: ANDREA WASSON, RECREATION COORDINATOR**

**RE: CONSIDERATION OF APPLICATION FOR PROPOSITION 68  
PER CAPITA GRANT REVITALIZATION PROGRAM GRANT  
FUNDS**

**RECOMMENDATION:**

It is recommended City Council approve by motion a Resolution authorizing staff to submit the San Antonio Skate Park Renovation Project Proposition 68 Per Capita grant application to the State of California Department of Parks and Recreation.

**BACKGROUND:**

The Skate Park at San Antonio Park was built in 2001 as a result of an obligation per the Development Agreement between U.C. Development II and the City from March 13, 1990 for the subdivision now known as the Royal Coach Subdivision. The park not only serves the 353 single family homes within the Royal Coach Subdivision, but is a regional park serving the entire community.

The Skate Park is open year-round and is in significant need of renovation and repairs. Approximately three years ago, the Skate Park was temporarily closed due to the hazardous condition of the ramps at that time. Repairs were made in order to reopen the Skate Park, but it was only a temporary fix and wear and tear on the equipment has continued.

Below are recent pictures showing some of the existing problems:

**CITY COUNCIL  
CONSIDERATION OF APPLICATION FOR PROPOSITION 68 PER CAPITA  
GRANT REVITALIZATION PROGRAM GRANT FUNDS  
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**Figure 1**



**Figure 2**



**Figure 3**



**CITY COUNCIL  
CONSIDERATION OF APPLICATION FOR PROPOSITION 68 PER CAPITA  
GRANT REVITALIZATION PROGRAM GRANT FUNDS  
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**DISCUSSION:**

In 2019, staff applied for a Statewide Park Program (SPP) Proposition 68 grant for a comprehensive renovation of the entire San Antonio Park, including plans to rebuild a new skate park. However, the grant funding was not approved. This year, Proposition 68 made \$10,375,000 available to cities and local districts on a non-competitive bases and the City was awarded \$177,000 for use on any park improvement project.

As part of the SPP application process, five public workshops were held to receive input from the community in the design of the improvements and identify the community need. A combined total of 168 community members participated in the workshops. One of the most common improvements residents asked for was repair and renovation of the Skate Park at San Antonio Park. The Skate Park is heavily used by many residents of all ages. As a result of feedback from the workshops, complaints submitted to the City, and inspection of the facilities, staff is recommending the Skate Park as the current top priority for park improvements.

Therefore, staff recommends this funding be dedicated for this project. It will not be enough to fund construction of a new skate park, but staff estimates that it will be sufficient to replace all the existing ramps. The application is due December 31, 2020.

If approved by the City Council, it is proposed to direct to staff to solicit proposals from firms to design and build the new ramps. Once a firm is selected, staff recommends involving youth that utilize the Skate Park in the process of selecting the design of the ramps. The first step in the process of accessing these funds is for City Council to approve a Resolution authorizing submittal of the application.

**COST ANALYSIS:**

There is no funding commitment to submit an application and no matching funds are required. It is staff's intent to select ramp alternatives that can be funded from the available grant.

**ENVIRONMENTAL REVIEW:**

Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Categorical Exemption set forth in Class 1 Section 15301 as it relates only to rehabilitation of existing facilities with no expansion to the park.

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CONSIDERATION OF APPLICATION FOR PROPOSITION 68 PER CAPITA  
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**ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Approve Resolution No. 2020-4758;
2. Direct staff to make changes and authorize submittal of the grant application;
3. Do not approve Resolution No. 2020-4758; or
4. Provide other direction to staff.

Submitted by:   
Andrea Wasson, Recreation Coordinator

Approved by:   
Steven Adams, City Manager



Item No. 10(A)

REPORT TO THE CITY COUNCIL

**DATE:** OCTOBER 13, 2020

**TO:** HONORABLE MAYOR AND MEMBER OF THE CITY COUNCIL

**FROM:** STEVEN ADAMS, CITY MANAGER

**RE:** CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 17.03 OF TITLE 17 OF THE KING CITY MUNICIPAL CODE PERTAINING TO COMMERCIAL CANNABIS ACTIVITY

**RECOMMENDATION:**

It is recommended that the City Council introduce to be read by title only an ordinance amending Chapter 17.03 of Title 17 of the King City Municipal Code pertaining to commercial cannabis activity in order to modify the restrictions on locating cannabis retail storefront dispensaries adjacent to residential properties, open the hearing, allow for public testimony, close the hearing, waive the first reading of the ordinance, and approve the introduction of the ordinance.

**BACKGROUND:**

At the February 25, 2020 meeting, the City Council adopted an ordinance allowing cannabis retail storefront dispensaries ("storefront dispensaries"). The ordinance included a number of restrictions to prevent potential problems. One of the provisions was a restriction on dispensaries adjacent to residential properties in order to avoid neighborhood concerns from property owners that may not want a dispensary located next to their home.

Specifically, the restriction is worded as follows:

*Further, storefront dispensaries shall be prohibited from being located directly adjacent to any single-family or multi-family residential property. The terms "directly adjacent" mean sharing a property line border with the proposed storefront dispensary property.*

At the time the ordinance was considered by City Council, staff recommended that the restriction be included initially, with the acknowledgement that it could be reconsidered if the City did not receive an adequate number of applications due to a lack of eligible sites. Only one eligible application was received. Therefore,

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CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 17.03 OF  
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at the August 25<sup>th</sup> meeting, staff requested direction from the Council regarding on whether to prepare any amendments to the ordinance. In response, staff was unanimously directed to draft the amended ordinance, which has been prepared by the City Attorney's Office. Approval was recommended by the Planning Commission at their meeting on September 15, 2020 and is now presented to the City Council for consideration.

**DISCUSSION:**

Per the terms of the ordinance and City Council direction, a notice, applications and instructions were distributed to solicit parties interested in applying for approval to open a storefront dispensary business in King City. Applications were due on July 9<sup>th</sup>. Two applications were received.

One of the applications was determined to be ineligible because it will be adjacent to a residential property. It was believed it would be compliant because there was a parcel between the proposed business location and the adjacent residential property even though a portion of the building extended over the property line. Clarification was received from City Council at the June 23<sup>rd</sup> meeting that a storefront dispensary may be located within a building partially on a parcel sharing a property line with a residential property as long as the storefront dispensary is located entirely on the parcel removed from the residential property. However, in this case, it was later determined that the parcels are required to be merged as a condition of the building approval in order to eliminate a substandard sized lot. This will eliminate the parcel separating the business from the residential property. Therefore, it will no longer be eligible under the existing restrictions.

If a change is desired, staff recommended an option that would increase opportunities for storefront dispensaries in areas that appear appropriate like the example above while at the same time maintaining the intent of protecting residential areas from potential impacts. The June 23<sup>rd</sup> City Council clarification defined a residential property as one containing a structure used for housing during the 12 months prior to the time the storefront dispensary application is submitted. The proposed ordinance would simply modify the restriction to instead prohibit storefront dispensary businesses on parcels adjacent to properties in single-family or multi-family housing zones rather than a "residential property" as currently defined.

The objective of the current definition was to minimize neighborhood concerns by eliminating the potential for a cannabis business being opened adjacent to any existing residence. However, an argument can be made that limiting it only to

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CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 17.03 OF  
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residentially zoned properties would be more appropriate because residential structures in other zones should anticipate the potential of being located adjacent to a variety of commercial uses. Meanwhile, someone living in a residential zone has a reasonable expectation that they will only be adjacent to traditionally compatible uses.

**COST ANALYSIS:**

The cost to the City of preparing the ordinance was estimated to be approximately \$3,000 to \$5,000. Since the work is completed, there is no cost associated with the proposed action.

**ENVIRONMENTAL REVIEW:**

This action 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. Therefore, no additional action is necessary.

**ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Introduce the Ordinance;
2. Direct staff to draft to modify the ordinance to eliminate the restriction on locating storefront dispensaries adjacent to residential properties;
3. Direct staff to modify the ordinance to make other modifications to the storefront dispensary restrictions;
4. Do not introduce the ordinance and direct staff to make no changes to the restrictions on storefront dispensaries; or
5. Provide other direction to staff.

Prepared and Approved by:

  
\_\_\_\_\_  
Steven Adams, City Manager

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KING AMENDING  
CHAPTER 17.03 OF TITLE 17 OF THE KING CITY MUNICIPAL CODE  
PERTAINING TO COMMERCIAL CANNABIS ACTIVITY**

**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**, in 1996, with the adoption of Proposition 215, the California voters approved the Compassionate Use Act (Health and Safety Code § 11362.5) to ensure that seriously ill Californians have the right to obtain and use cannabis for medical purposes where that medical use is deemed appropriate and has been recommended by a physician, without fear of criminal prosecution under limited, specified circumstances; and

**WHEREAS**, in 2004, the State Legislature enacted SB 420 to clarify the scope of the Compassionate Use Act and provide additional statutory guidance regarding medical cannabis use. These statutes are codified at Health and Safety Code § 11362.7 et seq. and allow cities and counties to adopt supplemental rules and regulations; and

**WHEREAS**, on October 9, 2015, almost 20 years after passage of the Compassionate Use Act, the Governor signed the Medical Marijuana Regulation and Safety Act (“Act”), comprised of California legislative bills AB 243, AB 266, and SB 643. The Act creates a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis, all subject to local control. One of the purposes of the Act is to ensure uniformity among jurisdictions that wished to allow commercial cannabis operations; and

**WHEREAS**, on June 27, 2016, the Governor signed SB 837, effective immediately, changing the terms in the Act from “medical marijuana” or “marijuana” to “medical cannabis” or “cannabis”, and making other technical changes to the Act. SB 83 7 also adopted regulations relating to the use and diversion of water in connection with the cultivation of cannabis; and

**WHEREAS**, in 2016, the City adopted Title 17, Chapter 17.03 et seq., of the King City Municipal Code pertaining to Medical Cannabis Activity. The Medical Cannabis Ordinance places complete bans and regulations on medical cannabis activity in the City based upon various health, safety and welfare and land use findings relating to cannabis cultivation, dispensing, and consumption, which findings are incorporated herein by reference; and

**WHEREAS**, in November of 2016 the Adult Use of Marijuana Act (“AUMA”) was approved by a majority of California voters. The purpose of AUMA is to establish a comprehensive system to legalize, control and regulate the cultivation, processing, manufacture, distribution, testing, and sale of nonmedical cannabis, including cannabis products. Adults, age 21 and older, will be allowed to possess cannabis and grow certain amounts at home for personal use; and

**WHEREAS**, the AUMA did not provide for a specific effective date, thus the provisions of the AUMA regarding personal use, possession, and cultivation of cannabis became effective the day after the November 8, 2016; and

**WHEREAS**, the AUMA's proposed Health & Safety Code section 11362.1(a)(3), will make it lawful under state and local law for any person twenty-one (21) years of age or older to "Possess, plant, cultivate, harvest, dry, or process not more than six living cannabis plants and possess the cannabis produced by the plants"; and

**WHEREAS**; the City wishes to enact regulations governing commercial cultivation of cannabis at this time; and

**WHEREAS**, the AUMA's proposed Health & Safety Code section 11362.2(b) explicitly allows a city to "enact and enforce reasonable regulations to reasonably regulate" the cultivation of cannabis so long as the City does not prohibit the cultivation of up to six plants "inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure"; and

**WHEREAS**, several California cities have reported negative impacts of cannabis cultivation and related activities, including but not limited to offensive odors, criminal activity, (such as trespassing, theft, violent robberies and robbery attempts, and the illegal sale and distribution of cannabis), and public health and safety concerns (such as fire hazards and problems associated with mold, fungus, and pests); and

**WHEREAS**, cannabis plants, as they begin to flower and for a period of two months or more, produce a strong odor, offensive to many people, and detectable far beyond property boundaries if grown outdoors or if grown indoors without proper ventilation, odor control, and other regulations; and

**WHEREAS**, due to the value of cannabis plants and their strong smell (which alerts others to their locations), cannabis cultivation has been linked to break-ins, robbery, armed robbery, theft and attendant violence and injury, creating an increased risk to public safety; and

**WHEREAS**, unregulated cannabis cultivation can be harmful to the welfare of the surrounding community and its residents and constitute a public nuisance, in that cannabis cultivation has been shown to involve avoidance of environmental laws and regulations, and has resulted in the pollution of waters and navigable waterways in the State of California; and

**WHEREAS**, the indoor cultivation of cannabis has potential adverse effects to the structural integrity of the buildings in which cannabis is cultivated, and the use of high wattage grow lights and excessive use of electricity increases the risk of fire, which presents a clear and present danger to the buildings, its occupants, and neighboring buildings and residents; and

**WHEREAS**, unregulated indoor cultivation of cannabis can be harmful to the public health, safety and welfare, given electrical modifications risk fires, poor irrigation can cause mold, overloaded circuits can leave entire neighborhoods in the dark, plant chemicals can cause illness, improper carbon dioxide mixed with insufficient ventilation can cause injury or death, and structural changes put first responders in danger if they rush into the unknown; and

**WHEREAS**, the Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognize that the cultivation or other concentration of cannabis in any location or premises without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering and/or crime; and

**WHEREAS**, MMRSA and AUMA mandated comprehensive state licensing and regulatory framework for cultivation, manufacturing, distribution, transporting, testing and dispensing cannabis and cannabis products; however, implementing regulations have yet to be written and state licenses may not be available until 2018; and

**WHEREAS**, there are numerous well publicized studies and reports, as well as numerous documented incident in Monterey County and throughout the State, which show that unregulated cannabis activities have a significant adverse effect on the community; and

**WHEREAS**, the City finds that the absence of a formal regulatory framework the adverse impacts frequently associated with commercial cannabis activities will occur, resulting in an unregulated and potentially significant negative impact upon the environment and upon public health, safety, and welfare of the community; and

**WHEREAS**, outdoor cannabis cultivation and unregulated indoor cannabis cultivation are likely to generate these negative effects on the public health, safety, and welfare in the City, based on the experiences of other cities; and

**WHEREAS**, pursuant to the above-described express statutory authority and its police power, the City desires to explicitly prohibit the outdoor cultivation of commercial cannabis for both recreational and medical use; and

**WHEREAS**, pursuant to the above-described express statutory authority and its police power, the City also desires to enact reasonable regulations for the indoor cultivation, manufacturing, testing, distribution, or consumption of commercial recreational and medical cannabis; and

**WHEREAS**, absent clear regulation, cannabis cultivation in the City poses a potential threat to the public peace, health, and safety, and, unless the City takes action to regulate it, the secondary impacts described above are likely to occur very soon after the passage of the AUMA; 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 the commercial cultivation of recreational and medical cannabis; and

**WHEREAS**, nothing in this Ordinance shall be construed to: (1) allow any person to engage in conduct that endangers others or causes a public nuisance; or (2) allow any activity relating to the cultivation, manufacturing, testing, distribution, or consumption of cannabis which is illegal under state or federal law; and

**WHEREAS**, it is the intent of the City to regulation commercial cannabis activities, both recreational and medical, within the boundaries of the City.

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

**SECTION 1.** The above recitals are incorporated are hereby 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 because it consists of regulations and restrictions on activities to assure the maintenance, restoration, or enhancement of natural resources and the environment by prohibiting environmentally destructive components of unregulated cannabis cultivation. (CEQA Guidelines §§ 15307 and 15308.)

**SECTION 3.** Chapter 17.03, of Title 17, of the King City Municipal Code and the Sections specifically identified below are amended to read as follows:

### **Chapter 17.03**

## **COMMERCIAL CANNABIS ACTIVITY**

### **Section 17.03.040 Licenses and Permits.**

- (b) Authorized Commercial Cannabis Activities: Commercial cannabis operations within the City, which comprise the activities of indoor cultivation, mixed-light cultivation, nursery cultivation, retailer (storefront and/or non-storefront delivery), manufacturer, testing laboratory, distributor, and microbusiness are allowed subject to issuance and maintenance of the permits and entitlements set forth in this Chapter and all other applicable City and State laws and regulations, and issuance and maintenance of a valid and current State license of a classification listed below, as provided for in Business & Professions Code Section 26050 and applicable State regulations:

(19) Type 13 = Distributor (i.e. transport only, pursuant to 16 CCR § 5315, as may be amended).

The establishment, development, construction, maintenance, or operation of a non-storefront dispensary shall only be authorized in the M-1, M-2 and M-3 zones and/or the East Ranch Business Park Specific Plan area within the City. The establishment, development, construction, maintenance, or operation of a storefront dispensary shall only be authorized in the highway service area west of the freeway (excluding properties located on Canal Street), the C2 zone, and the First Street corridor and highway service zoned

areas on First Street from Ellis Street to Highway 101. As such, the establishment, development, construction, maintenance, or operation of a storefront and/or non-storefront dispensary shall be prohibited in all other zones and/or areas within the City. Further, storefront dispensaries shall be prohibited from being located directly adjacent to any residential zoned single-family or multi-family property. The terms “directly adjacent” mean sharing a property line border with the proposed storefront dispensary property. Nothing in this subsection shall be interpreted to authorize the establishment, development, construction, maintenance, or operation of a storefront and/or non-storefront dispensary in violations of the requirements of Health and Safety Code section 11362.768, Code of Regulations section 5026 and any other similar statute, law and/or regulation enacted by the City or State of California or one of its departments charged with regulating cannabis activities.

- (h) Issuance of a commercial cannabis storefront dispensary permit shall be governed by the following requirements and/or limitations:
  - (1) All commercial cannabis storefront dispensaries shall be prohibited except within the following designated area(s): the highway service area west of the freeway (excluding properties located on Canal Street), the C2 zone, and the First Street corridor and highway service zoned areas on First Street from Ellis Street to Highway 101. Further, storefront dispensaries shall be prohibited from being located directly adjacent to any residential zoned single-family or multi-family property. The terms “directly adjacent” mean sharing a property line border with the proposed storefront dispensary property. Only pre-applications that can demonstrate the applicant currently owns, leases or has an option to buy or lease the property proposed for the business within an area authorized for a commercial cannabis storefront dispensary shall be considered.

**SECTION 6: 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 13<sup>th</sup> day of October 2020, and adopted the Ordinance after the second reading at a regular meeting held on the      day of                                      2020, by the following roll call vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**ATTEST**

\_\_\_\_\_  
**STEVEN ADAMS**, City Clerk

**CITY OF KING**

By: \_\_\_\_\_  
**MIKE LEBARRE**, Mayor

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.



Item No. 11(A)

**REPORT TO THE CITY COUNCIL**

**DATE:** OCTOBER 13, 2020  
**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
**FROM:** STEVEN ADAMS, CITY MANAGER  
**RE:** CONSIDERATION OF RESOLUTION ESTABLISHING CRITERIA FOR CITY REMOVAL OF STREET TREES DUE TO CONFLICTS WITH SEWER LINES

**RECOMMENDATION:**

It is recommended the City Council adopt a Resolution establishing criteria for circumstances in which the City may remove and replace street trees due to conflicts with sewer lines.

**BACKGROUND:**

The City periodically receives requests from property owners to remove City-owned street trees when they experience a backup in their sewer lateral caused by the tree roots. It would be helpful for staff to have specific agreed upon guidelines on how to respond to these requests. Therefore, staff has developed recommendations for Council consideration and direction.

**DISCUSSION:**

Complaints regarding sewer problems associated with tree roots is a common issue in most jurisdictions. It is common practice that cities are responsible for maintenance of the sewer main lines and the property owner is responsible for maintenance of the lateral. However, it varies how complaints regarding sewer backups involving street trees are handled, which are often responded to based on a case by case basis. Most commonly, the property owner is responsible for repairs. The justification for this is typically that the tree roots only enter pipes where there are cracks or openings. Therefore, the condition of the pipes is the initial cause of the problem rather than the tree, and the property owner is responsible for maintaining the pipes in a good condition.

Section 13.10.090 of the King City Municipal Code sets forth a number of provisions for removal of street trees, which is attached. They are primarily

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limited to health of the tree or damage to sidewalks, curb, gutter or streets. In almost all cases, removal of the tree is the responsibility of the property owner. In instances where it is determined appropriate for the City to remove a tree at the request of the property owner, the property owner shall submit a deposit to pay for the cost of removal. In practice, the City has occasionally removed trees at the City's cost that are in poor health to prevent liability from damage and in cases where sidewalks are repaired and roots cannot be trimmed without damaging the stability of the tree. Once the City begins its program of repairing sidewalks, it is recommended the City remove trees if damage to sidewalks returns within a 5-year period to reduce the cost of ongoing maintenance.

With regard to complaints involving sewer backups, staff believes there are also instances where the City may want to assume responsibility for tree removal and replacement in order to prevent liability claims. These are difficult judgement calls for staff, particularly when residents are upset because they feel it is unfair for them to incur costs for damage they believe has been caused by City trees. Therefore, it would be helpful for staff to have a documented policy specifically addressing trees and sewer lines that can be provided to residents that have submitted complaints. It would also be helpful to ensure that responses are handled consistently and fairly.

Staff recommends the City agree to remove a City tree when requested by a resident for sewer related issues only in the following limited circumstances:

1. The property owner has experienced backups in their sewer lateral due to tree roots a minimum of twice during the past 5 years.
2. The City confirms that the tree was planted directly over the sewer lateral.
3. The City confirms that the blockage has occurred at a location within 3 feet of the base of the tree.
4. The City will replant a new tree at a different location away from the lateral and the resident will agree to water the new tree until it is established.

In most cases, staff believes it is in the City's best interest to maintain the current practice that it is the property owner's responsibility to repair their sewer lateral rather than remove the street tree when there are backups from tree roots. Tree roots can typically be trimmed away from the lateral after it is repaired when it is in the yard or driveway. There is also a foam solution that can be injected in the pipes to kill the roots for a temporary period. If trees were removed in every case of a sewer backup, many mature trees would be lost on an ongoing basis and the costs would not be feasible for the City to incur.

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However, it is difficult for property owner to make the repair to the sewer pipe when the tree is located directly over the damaged section of the pipe. In these cases, the property owner would likely have to move the entire pipe to avoid the tree, which staff believes is an unreasonable cost. In such cases, the tree often pushes down as it grows and can be the cause of damage to the pipe. The tree should not have originally been planted over the sewer line in these instances. Therefore, relocation of the tree is appropriate, and staff believes it would be reasonable for the City to assume responsibility for the cost.

**COST ANALYSIS:**

It is estimated that this change in policy may result in a cost of approximately \$5,000 per year based on one to two trees per year. Since it is associated with the wastewater system, it is recommended the cost be funded from the Wastewater Fund. Therefore, there would be no cost impact to the General Fund.

**ENVIRONMENTAL REVIEW:**

Staff has performed a preliminary environmental assessment of this policy and has determined that it falls within the Class 1 Categorical Exemption set forth in CEQA Guidelines, section 15301 as this practice would involve operation, repair, maintenance, or minor alteration of existing structures or facilities not expanding existing uses. Furthermore, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

**ALTERNATIVES:**

The following alternatives are provided for City Council consideration:

1. Adopt the Resolution;
2. Modify the Resolution to expand situations in which the City would remove trees to include other instances where roots have entered a sewer lateral;
3. Modify the Resolution to make it the property owner's responsibility to pay the cost of the tree removal consistent with other instances as currently outlined in the Municipal Code;
4. Direct staff to not establish any instances where the City would remove or allow removal of street trees for sewer related issues and limit decisions based on the existing authority outlined in the Municipal Code; or
5. Provide staff with other direction.

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Exhibits:

1. King City Municipal Code Section 13.10.090

Prepared and Approved by:

  
\_\_\_\_\_  
Steven Adams, City Manager

**RESOLUTION NO. 2020-**  
**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KING**  
**ESTABLISHING CRITERIA FOR CITY REMOVAL OF STREET TREES DUE**  
**TO CONFLICTS WITH SEWER LINES**

**WHEREAS**, the City of King receives requests for removal of street trees due to private property sewer lateral backups from roots entering the pipes; and

**WHEREAS**, maintenance of sewer laterals are the responsibility of the private property owner; and

**WHEREAS**, removal of street trees requires pre-approval by the City; and

**WHEREAS**, the King City Municipal Code Section 13.10.090 sets forth acceptable reasons for removal of street trees and requires costs for removal to be paid by the property owner; and

**WHEREAS**, King City Municipal Code Section 13.10.090 does not specifically address issues involving street tree impacts on private property sewer laterals; and

**WHEREAS**, the City Council has determined that it would be in the best interest of the City to assume the responsibility and cost for removal of street trees associated with damage to sewer laterals in limited circumstances; and

**WHEREAS**, the City Council desires to establish specific criteria for removal of street trees due to conflicts with sewer lines in order to ensure requests are responded to consistently, fairly and correctly.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the City Council of the City of King hereby authorizes and directs the City Manager to approve and order the removal and replacement of street trees at the cost of the City when requested by property owners due to impacts of roots on private property sewer laterals only in instances when the following criteria are met:

1. The property owner can demonstrate that a minimum of two (2) backups in the sewer lateral have occurred during the past five (5) – year period due to tree roots.
2. The City confirms that the tree was planted directly over the sewer lateral.
3. The City confirms that the blockage has occurred at a location within 3 feet of the base of the tree.
4. The City will replant a new tree at a different location in front of the property away from the lateral and the resident will agree to water the new tree until it is established, which is typically a two (2) – year period.

This resolution was passed and adopted this 13<sup>th</sup> day of **October, 2020** by the following vote:

**AYES**, Council Members:

**NAYS**, Council Members:

**ABSENT**, Council Members:

**ABSTAIN**, Council Members:

**APPROVED:**

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Mike LeBarre, Mayor

**ATTEST:**

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Steven Adams, City Clerk

**APPROVED AS TO FORM:**

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Roy Santos, City Attorney

**13.10.090 Removal of trees—General provisions.**

(a) No tree shall be removed from any public street or planting strip without the prior written consent of the city, acting through the director. Such consent shall be granted only if the tree constitutes a hazard to property or persons using the adjoining street; if its roots are causing excessive damage to curbs, gutters or sidewalks; or if it unduly interferes with any utility.

(b) Acceptable reasons for the removal of a tree shall include, but shall not be limited to, a finding by the director that the tree is any of the following:

- (1) Dead, dying, decayed or hazardous;
- (2) Diseased beyond reclamation;
- (3) Obstructing curb, gutter or sidewalk repair;

(4) In the way of new sidewalk, curb and gutter installation and, in the judgment of the director, deviation from standard design of such improvements would be inconsistent with policies and standards for street tree planting and maintenance established pursuant to the provisions of this chapter;

- (5) In dangerous proximity to existing structures, or interfering with existing utilities;
- (6) Obstructing proposed improvements so as to restrict economic enjoyment of the property;
- (7) Crowded, and good horticultural practice dictates thinning;

(8) One which is of a proven nuisance specie. Also to be considered is the existing topography of the land and the effect of the proposed tree removal on erosion, soil retention, and the resulting increase flow of surface water.

(c) Any tree in a public street that, in the judgment of the director, should be removed because of type, growth habits, or disease, or which does not meet city standards, may be removed or replaced by the city.

(d) Any tree growing on private property which is endangering, or, in the judgment of the director, constitutes a hazard to users of a public street or a public place, or which in any way constitutes a hazard to the usefulness of facilities owned by a public utility, shall be removed or trimmed by the owner of the property within thirty days after receipt of written notice to do so from the director. In the event the property owner fails to remove or trim such tree within said thirty-day period, the city may then remove or trim the same and assess the cost thereof against the property owner.

(e) Any public utility subject to the jurisdiction of the Public Utilities Commission of the state and any constituted public agency authorized to provide and providing utility service, shall be given a permit from the director, valid for one year from the date of issuance, permitting such utility to trim, brace, or perform such other acts, except removal, with respect to trees growing adjacent to the public streets of the city, or which are on private property and have grown to the extent that they encroach upon a public street, so as to comply with the safety regulations of said commission and so as to maintain the safe operation of facilities owned by said utility; provided, that before any tree is removed pursuant to this subsection, written consent to do so must be obtained from the director.

(f) In addition to the reasons for removal of trees specifically set forth in subsections (b)(1) through (b)(8) of this section, the city may remove trees from planting strips when requested to do so by the owner of abutting property and when, in the judgment of the director, such removal would not be inconsistent with established city policy or with the objectives of this chapter. Written application for such removal shall be made to the director and shall be accompanied by a cash deposit in an amount deemed by the director to be sufficient to cover the cost of removal. If the application is approved by the director, the tree shall be removed by city forces and the applicant's cash deposit shall be applied to the cost of removal; any excess money deposited shall be refunded to the owner and any deficiency in the amount deposited shall be assessed against and paid by the owner. If the application is denied, the entire amount deposited shall be returned to the owner.

(g) The public works director shall be vested with the discretion whether to replace the removed tree, subject to the rights of the property owner in Section 13.10.050. (Ord. 642 § 7, 2003; Ord. 441 § 1, 1981)



Item No. 11(B)

**REPORT TO THE CITY COUNCIL**

**DATE: OCTOBER 13, 2020**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: STEVEN ADAMS, CITY MANAGER**

**RE: CONSIDERATION OF AMENDMENT TO MASTER FEE SCHEDULE**

**RECOMMENDATION:**

It is recommended the City Council adopt a Resolution amending the Master Fee Schedule to implement changes to development permit fees, development impact fees, vehicle release fees, false alarm fees, cannabis conditional operations permits, and soccer field usage fees.

**BACKGROUND:**

State law requires user fees to be set at an amount no higher than necessary to recover the full costs of the service the fee is charged to pay for. As a result, staff reviews fees on an ongoing basis and recommends adjustments as necessary.

Staff has completed a comprehensive review of development project permit fees and developed a number of recommendations for adjustments. The purpose is to make the fee structure more fair and easy to understand, to provide better customer service, to make the system easier to maintain and administer, to maintain fees competitive with other agencies, to accomplish cost recovery, and to promote economic development. Other items involving fee adjustments that have occurred over the past year have also been reviewed and recommended changes are included.

**DISCUSSION:**

Development Impact Fees

The City has a critical housing shortage and a need for economic development projects. Staff has continued to experience difficulties in attracting developers and projects due to the challenges in making projects economically viable. One

**CITY COUNCIL  
CONSIDERATION OF AMENDMENT TO MASTER FEE SCHEDULE  
OCTOBER 13, 2020  
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of the challenges is the cost of development impact fees. While the City has reduced fees significantly the past few years, they still represent a substantial cost and are relatively high in comparison to many other jurisdictions. Therefore, two additional temporary reductions are proposed at this time for a period of three years.

First, it is recommended to reduce park impact fees by 50%. These fees are restricted for new or expanded parks. Other than the Downtown Plaza project, all new parks projected will be constructed by developers as a condition of approved subdivisions. The City's primary need with regard to parks are maintenance and repair costs, which cannot be funded from development impact fees. Therefore, staff believes it is reasonable to reduce these fees at this time without it impacting the ability to mitigate the impacts of new projects.

Second, it is recommended to reduce traffic impact fees by 25%. The City is pursuing a number of grants for planned transportation projects. Most proposed transportation projects are dependent upon grant funding. Therefore, development impact fee revenue will be used primarily for planning costs and matching funds. As a result, staff recommends reducing the fee and making up the difference from grant revenues over time.

Staff is recommending the changes be effective as of October 1, 2020. This will enable the People's Self-Help Housing project to benefit from the reduction, which will help the feasibility of proceeding with that project that will provide homes for low-income families in the community.

Development Project Permit Fees

In order to achieve full cost recovery, almost all of the City's development project permit fees are currently charged on the basis of a reimbursement of actual costs. The applicant is charged an initial deposit and then additional deposits are requested when the original amount is depleted. This has resulted in a number of issues. It is very labor intensive to track and invoice for these costs. There is a lag time in billing, which has made it difficult to ensure that all costs are paid prior to issuing permits. The staff time involved in tracking expenses for multiple applicants has resulted in outstanding balances for many accounts after permits are issued, which often results in lost revenue if the City is unable to collect. In addition, the open-ended nature of the fees often results in poor customer service, lack of accountability, and complaints from applicants when charges are delayed and/or are more than anticipated.

To address these issues, staff has dedicated several months to developing recommendations on how to overhaul the existing permitting process. A number of changes are being proposed.

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CONSIDERATION OF AMENDMENT TO MASTER FEE SCHEDULE  
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First, it is recommended that a flat fee be established for any permits where the cost is typically \$5,000 or less, which is more consistent with the practice in the majority of other jurisdictions. This will improve customer service because applicants will know up front the cost of the permit. It will also substantially reduce the number of applicant accounts where expenses need to be tracked and invoiced. A list of recommended changes is incorporated into the proposed Master Fee Schedule, which is based on a detailed analysis of historical costs for processing permits and estimated staff time dedicated to processing each permit.

Second, for applications that typically exceed \$5,000, fees will still be charged based on actual cost. However, the procedure will be changed so that applicants will pay an initial application fee. The fee will cover the costs for staff to prepare a detailed proposed scope of work, cost estimate and schedule for processing the application. The applicant will pay the cost estimate for the process at that time. At any point in the process where something changes that impacts the scope of work, the scope of work, schedule and cost estimate will be modified. The applicant will be requested to pay the difference at that time rather than waiting until the account is depleted.

A monthly account summary statement will also be sent to the applicant and a monthly overall report will be produced for staff to monitor the accounts. By doing this, the applicant will be kept informed of the status of the process and the expenses at all times.

Cannabis Conditional Operations Permit Issuance and Renewal

The current fee for issuance and renewal of conditional operations permits is \$500. These are permits that are issued and renewed in order for applicants to obtain their State licenses prior to qualifying for their actual operations permits. The current fee is based on the cost for staff to review the applications and issue the permits. It was anticipated that other costs associated with managing cannabis regulations would be funded through operations permits and cannabis tax revenues. However, most of the projects have remained as conditional operations permits for several years without reaching the point of obtaining an operations permit and beginning to operate and paying taxes. This has left revenues short of the costs expended to address ongoing cannabis business regulatory services.

Therefore, staff recommends that some of the annual costs involved in managing the process, updating ordinances, extending conditional use permits, and responding to issues involved in maintaining these permits be incorporated into the fees. It is recommended the fee be increased from \$500 to \$1,500. This is still very cost efficient for cannabis businesses because it enables them to have an active permit for State licensing purposes without obtaining their operations permit for \$15,000 until they are ready to open their facility.

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CONSIDERATION OF AMENDMENT TO MASTER FEE SCHEDULE  
OCTOBER 13, 2020  
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Vehicle Release Fees

At the August 11<sup>th</sup> meeting, Mayor Pro Tem Victoria requested, and the City concurred, for staff to review vehicle release fees to determine if they are high in comparison to other jurisdictions. The Police Department conducted a survey, which resulted in the following comparison:

|               |                                       |
|---------------|---------------------------------------|
| Greenfield    | \$100                                 |
| Gonzalez      | \$109                                 |
| Del Rey Oaks  | \$250                                 |
| King City     | \$150                                 |
| Marina        | \$105 (abatement)/ \$175 (all others) |
| Monterey      | \$172                                 |
| Sand City     | \$95                                  |
| Pacific Grove | \$214                                 |

As can be seen from these results, the City of King fee is almost exactly at the median point of the cities surveyed. However, a reduction to \$110 is recommended to maintain more consistency with the South Monterey County cities.

Fire Alarm Fees

Police Department and Fire Department responses to false alarms can result in a significant cost to the City. Frequent false alarms are typically associated with a failure to maintain the alarm system correctly. Therefore, in order to recover some of these costs and encourage property and business owners to maintain their alarm systems, most jurisdictions impose a fee or fine for repetitive false alarms.

King City's current false alarm fees are as follows, which apply to a 12-month period:

|                        |       |
|------------------------|-------|
| Third False Alarm      | \$200 |
| Fourth False Alarm     | \$300 |
| Fifth False Alarm      | \$400 |
| Additional False Alarm | \$500 |

The City has not been enforcing these fees for some time. As a result of the City's renewed focus on its code enforcement program, application of these fees has been reinstated, which has resulted in complaints about the amount of the fees. A review by staff of these fees determined that the amounts are high in comparison to many other jurisdictions.

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CONSIDERATION OF AMENDMENT TO MASTER FEE SCHEDULE  
OCTOBER 13, 2020  
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As a result, the new fee amounts recommended are as follows:

|                        |       |
|------------------------|-------|
| Third False Alarm      | \$50  |
| Fourth False Alarm     | \$75  |
| Fifth False Alarm      | \$100 |
| Additional False Alarm | \$200 |

If approved in the fee schedule, the City Attorney will still need to draft an ordinance change so the fees are consistent with the enforcement process set forth in the Municipal Code.

Soccer Field Use Fees

The City has recently begun implementation of the Sports Field Improvement Plan and partnered with Aera Energy to renovate the former Creek Bridge Soccer Park. The \$60,000 project included removing the existing grass, leveling the field, and installation of new sod. Renovation of San Antonio Park will begin this year and will include re-seeding, leveling and gopher maintenance. In order to protect the investment in these two fields and the City's liability, staff proposes a change in fees and a requirement for a Certificate of Liability insurance from all organizations that want to rent the soccer fields.

The current fees for most organizations, other than the travel soccer leagues, to rent park soccer fields are \$25 per hour. In 2013, the City Council approved a reduction of in usage fees for the travel soccer leagues to \$3.50 per day.

Staff proposes modifying the fees to be \$20 per adult game, \$15 per youth game, and \$50 per tournament for all users renting the fields for organized play. Renters would also be required to provide the City with a \$1 million Certificate of Liability insurance naming the City of King as additional insured. Since some leagues use more fields than others, charging the fee per game is a more equitable approach. Proposed changes were presented to the Parks and Recreation Commission at their October 7, 2020 meeting, which were recommended for approval.

This change will be more in line with what two of the other South County cities are charging the adult and youth soccer leagues. The three South County cities also require a Certificate of Liability insurance from the organizations who are renting the fields. The City of Soledad does not charge a usage fee, but the City of Greenfield charges \$25 per adult game and \$15 per youth game, and the City of Gonzales charges \$20 per game and \$50 per tournament.

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CONSIDERATION OF AMENDMENT TO MASTER FEE SCHEDULE  
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**COST ANALYSIS:**

The majority of the changes will be cost neutral in order to improve the process and system. There are some minor reductions and some increases, which are anticipated to balance out. The only significant reduction in the fee amounts is the development impact fees, but staff anticipates it will actually result in an increase in revenue by helping to increase the number of development projects paying fees.

**ENVIRONMENTAL REVIEW:**

The Master Fee Schedule adjustments 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 provided for City Council consideration:

1. Adopt the Resolution;
2. Direction staff to make changes to the recommended amounts within cost recovery constraints and approve the Resolution;
3. Do not approve the proposed changes;
4. Provide staff with other direction.

Prepared and Approved by:

  
\_\_\_\_\_  
Steven Adams, City Manager

**RESOLUTION NO. 2020-**  
**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KING**  
**APPROVING AN UPDATED MASTER FEE SCHEDULE**

**WHEREAS**, the City of King maintains a Master Fee Schedule of all user fees; and

**WHEREAS**, the purpose of user fees is for users of services to pay the cost of providing that service; and

**WHEREAS**, the City reviews and updates the Master Fee Schedule on a periodic basis to ensure that fees accurately reflect changes in costs to provide services; and

**WHEREAS**, the City has conducted a study of the costs of certain fees to determine accurate amounts for cost recovery; and

**WHEREAS**, the City has prepared a study and developed recommendations to modify the City's application process for development permits to provide improved customer service and accountability; and

**WHEREAS**, the City has prepared an analysis of development impact fees and determined that park improvement fees can be reduced by 50% due to the parks that will be provided under conditions of approval for new subdivisions, and bridges, signals and thoroughfares fees can be reduced by 25% due to grant funds projected to be received for planned transportation projects; and

**WHEREAS**, the City desires to reduce alarm fees and vehicle release fees to ensure fees are consistent and do not significantly exceed those charged by other jurisdictions in the area; and

**WHEREAS**, the City desires to modify fees for reservation and use of soccer fields in order to reflect appropriate amounts for cost recovery, fairness, and consistency with neighboring jurisdictions.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the City Council of the City of King hereby approves the Master Fee Schedule attached and included herein as Exhibit A to implement changes to development impact fees, development permit fees, cannabis conditional operations permit fees, alarm fees, vehicle release fees, and soccer field use fees to be effective on October 1, 2020.

This resolution was passed and adopted this 13<sup>th</sup> day of **October, 2020** 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:**

\_\_\_\_\_  
Roy Santos, City Attorney

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee   | Per Unit                     | Fee                                    | Minimum  |
|---|------------------------------|--|----------|
| <b>Franchise Fees</b>                                     |                              |  |          |
| PG&E Electric Franchise Fee                               |                              | 2.00%                                  |          |
| CATV Franchise Fee  |                              | 5.00%                                  |          |
| Refuse Franchise Fee                                      |                              | 18.00%                                 |          |
| Cal Water Franchise Fee                                   |                              | 2.00%                                  |          |
| <b>City Hall Front Counter Fees</b>                       |                              |  |          |
| Bicycle License   | Per License                  | \$10.00                                |          |
| Garage Sale Permit  | Per Permit                   | \$15.00                                |          |
| Returned Check Charge                                     | Per Check                    | \$40.00                                |          |
| Rebiling Fee  | Per Incident                 | \$5.00                                 |          |
| Copies - Black and White                                  | Per Page                     | \$0.25                                 |          |
| Copies - Color  | Per Page                     | \$1.50                                 |          |
| Fireworks Sales Application                               | Annual                       | \$35.00                                |          |
| Fireworks Stand Permit                                    | Per stand per year           | \$375.00                               |          |
| Fireworks Stand Inspection outside normal business hours  | As required                  | \$150.00                               |          |
| Fireworks Sales Stand Deposit                             | Annual                       | \$1,000.00                             |          |
| Vacant Building Plan                                      | Per Plan Ordered             | \$1,000.00                             |          |
| <b>Public Works Permit Fees</b>                           |                              |  |          |
| Staff Time  |                              |  |          |
| Encroachment Permit - General                             | Per Application              | Actual Cost Plus 5% Administrative Fee |          |
| Encroachment Permit - Electric and Gas Utilities          | Annual/Service Improvements  | \$375.00                               |          |
| Encroachment Permit - Water Utilities                     | Annual/Service Improvements  | \$5,000.00                             |          |
| Encroachment Permit - Utilities                           | Major Trunkline Replacements | \$7,500.00                             |          |
| Administration Services                                   | Per Item                     | Actual Cost                            |          |
| Curb/Sidewalk/Driveway Review                             | Per Project                  | Actual Cost                            | \$300.00 |
| Encroachment Permit - Sidewalk Repairs Due to Tree Damage | Per Application              | No Charge                              |          |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee                                  | Per Unit                             | Fee         | Minimum          |
|--------------------------------------|--------------------------------------|-------------|------------------|
| <b>Police Department Fees</b>        |                                      |             |                  |
| Police Special Services              |                                      |             |                  |
|                                      |                                      | Actual Cost |                  |
|                                      | Third false alarm in 12 months       | \$50.00     |                  |
|                                      | Fourth false alarm in 12 months      | \$75.00     |                  |
|                                      | Fifth false alarm in 12 months       | \$100.00    |                  |
|                                      | Additional false alarms in 12 months | \$200.00    |                  |
| Finger Printing                      | Per Application                      | \$20.00     |                  |
| Tow Provider Application             | Per Application                      | \$75.00     |                  |
| Vehicle Releases                     | Per Vehicle                          | \$110.00    |                  |
| Immigration Letters                  | Per Letter                           | \$20.00     |                  |
| Citation Sign Offs                   | Per Sign Off                         | \$15.00     |                  |
| Room Rental                          | First hour                           | \$25.00     |                  |
|                                      | Each additional hour                 | \$15.00     |                  |
| Special Event Permits                | Event                                | \$27.00     | Plus actual cost |
| DUI Response Charges                 | Per Response                         | \$256.00    |                  |
| Police Reports                       | First three pages                    | \$15.00     |                  |
|                                      | Each additional page                 | \$2.50      |                  |
|                                      | Maximum charge per report            | \$30.00     |                  |
|                                      | Initial                              | \$125.00    |                  |
|                                      | Renewal                              | \$25.00     |                  |
| <b>Animal Control Fees</b>           |                                      |             |                  |
| Licensing Fees (Spayed/Neutered)     |                                      |             |                  |
|                                      | 1 month to 1 year                    | \$10.00     |                  |
|                                      | 13 months to 2 years                 | \$15.00     |                  |
|                                      | 25 months to 3 years                 | \$30.00     |                  |
|                                      | Seniors over 60 up to 3 years        | \$9.00      |                  |
| Licensing Fees (Not Spayed/Neutered) |                                      |             |                  |
|                                      | 1 month to 1 year                    | \$40.00     |                  |
|                                      | 13 months to 2 years                 | \$50.00     |                  |
|                                      | 25 months to 3 years                 | \$60.00     |                  |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee   | Per Unit         | Fee         | Minimum |
|---|------------------|-------------|---------|
| <b>Animal Control Fees (Continued)</b>                  |                  |             |         |
| Impound Fees (Spayed/Neutered)                          | First time       | \$25.00     |         |
|   | Second time      | \$40.00     |         |
|   | Third time       | \$55.00     |         |
| Impound Fees (Not Spayed/Neutered)                      | First time       | \$35.00     |         |
|   | Second time      | \$50.00     |         |
|   | Third time       | \$80.00     |         |
|   |                  | \$10.00     |         |
| Reclaiming of Impound                                   |                  |             |         |
| Care and Feeding of Animals (Excludes medical care)     |                  |             |         |
| Dog   | Per day          | \$10.00     |         |
| Cat   | Per day          | \$10.00     |         |
| Late fee for renewal license                            |                  | \$20.00     |         |
| Euthanasia & Disposing of Animal                        |                  | \$63.00     |         |
|   | 25 lbs. or less  | \$71.00     |         |
|   | 26-50 lbs.       | \$79.00     |         |
|   | 51 - 75 lbs.     | \$86.00     |         |
|   | 76 - 100 lbs.    | \$94.00     |         |
|   | 101 lbs. or more |             |         |
| Adoption Charges (Does Not Include Spay/Neuter Surgery) |                  |             |         |
| Dog   | Per Animal       | \$10.00     |         |
| Cat   | Per Animal       | \$10.00     |         |
| Medical Care  | Per Incident     |             |         |
| Surrender Fee   | Per Incident     |             |         |
|   |                  | Actual Cost |         |
|   |                  | \$50.00     |         |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee   | Per Unit        | Fee                                    | Minimum     |
|---|-----------------|--|-------------|
| <b>Community Development Department Fees</b>  |                 |  |             |
| Staff Time  |                 |  |             |
| Annexation  | Per Application | Actual Cost Plus 5% Administrative Fee | \$5,000.00  |
| Appeals   | Per Appeal      | Actual Cost                            | \$2,300.00  |
| Application Fee for Actual Cost Projects  | Per Application | Actual Cost                            | \$2,500.00  |
| Architectural Review  |                 |  |             |
| New   | Per Application | Actual Cost                            | \$1,600.00  |
| Amendment   | Per Application | Actual Cost                            | \$850.00    |
| Cannabis Cultivation/Nursery/Manufacturing/Testing/Retail/Distribution/Microbusiness Permit |                 |  |             |
| Operations Permit Application/Amendment   | Per Application | Actual Cost                            | \$500.00    |
| Operations Permit Issuance and Renewal  | Annual          | Actual Cost                            | \$15,000.00 |
| Conditional Operations Permit Issuance and Renewal  | Annual          | Actual Cost                            | \$1,500.00  |
| Cannabis Storefront Retail Dispensary Pre-Application Process                               | Per Application | Actual Cost                            | \$12,250.00 |
| Certificate of Compliance   | Per Certificate | Actual Cost                            | \$2,800.00  |
| Conditional Use Permit  |                 |  |             |
| Minor   | Per Application | Actual Cost                            | \$1,000.00  |
| Remodel/Change of Use   | Per Application | Actual Cost                            | \$3,600.00  |
| New Construction  | Per Application | Actual Cost                            | \$3,000.00  |
| Amendment   | Per Application | Actual Cost                            | \$650.00    |
| Temporary Use Permit  | Per Application | Actual Cost                            | \$300.00    |
| Mural Permit  | Per Application | Actual Cost                            | \$300.00    |
| Extension   | Per Application | Actual Cost                            | \$1,500.00  |
| Condominium Conversion  | Per Application | Actual Cost                            | \$3,000.00  |
| Development Agreement   | Per Application | Actual Cost                            | \$3,000.00  |
| New   |                 |  |             |
| Amendment   | Per Agreement   | Actual Cost                            | \$5,000.00  |
| General Plan Amendment  | Per Agreement   | Actual Cost                            | \$3,000.00  |
| General Plan Consistency Review   | Per Application | Actual Cost                            | \$2,000.00  |
| Home Occupation Permit  | Per Application | Actual Cost                            | \$4,500.00  |
| Interpretation from City Council or Planning Commission                                     | Per Application | Actual Cost                            | \$150.00    |
|   | Per Application | Actual Cost                            | \$1,300.00  |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee  | Per Unit        | Fee         | Minimum                            |
|--|-----------------|-------------|------------------------------------|
| <b>Community Development Department Fees (continued)</b> |                 |             |                                    |
| Landscaping Plan Review                                  | Per Application | Actual Cost | \$300.00                           |
| Lot Line Adjustment                                      | Per Application | \$3,300.00  |                                    |
| Plot Plan Review   |                 |             |                                    |
| Major Plot Plan Review (Construction)                    | Per Application | \$1,800.00  |                                    |
| Minor Plot Plan Review (Interior)                        | Per Application | \$400.00    |                                    |
| Pre Application Review                                   | Per Application | \$1,500.00  |                                    |
| Records Research Fee                                     |                 | \$300.00    |                                    |
| Specific Plan and Planned Development                    |                 |             |                                    |
| New  |                 |             |                                    |
| Amendment  | Per Application | Actual Cost | \$5,000.00                         |
| Planned Development                                      | Per Application | Actual Cost | \$1,000.00                         |
| Sign Permit  | Per Application | Actual Cost | \$1,000.00                         |
| Individual Permanent Sign                                | Per Application | \$300.00    |                                    |
| Master Sign Program                                      | Per Application | \$800.00    |                                    |
| Temporary Sign Permit                                    | Per Application | \$100.00    |                                    |
| Penalty for No Sign Permit                               | Per Violation   | \$300.00    |                                    |
| Sphere of Influence Amendment                            | Per Application | Actual Cost | \$3,200.00                         |
| Subdivision  | Per Application | Actual Cost | \$5,000.00                         |
| Tentative Tract Map and Parcel Maps                      |                 |             |                                    |
| Vesting  | Per Application | Actual Cost | \$2,000.00                         |
| Non-Vesting  | Per Application | Actual Cost | Plus \$30.00 per lot<br>\$2,000.00 |
| Time Extensions  | Per Extension   | \$500       | Plus \$50.00 per lot               |
| Variance   | Per Application | Actual Cost | \$750.00                           |
| Wireless Facilities on Public Right-Of-Way               | Per Application | Actual Cost | \$2,000.00                         |
| Zoning Change Text & Map                                 |                 |             |                                    |
| New  | Per Application | Actual Cost | \$2,000.00                         |
| Pre-Zoning Request                                       | Per Application | Actual Cost | \$600.00                           |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee  | Per Unit                           | Fee                                    | Minimum  |
|--|------------------------------------|--|----------|
| <b>Building Department Fees</b>                |                                    |  |          |
| Staff Time                                     |                                    |  |          |
| Minimum Permit Fee                             |                                    | Actual Cost Plus 5% Administrative Fee |          |
| Certificate of Occupancy                       | Per Application                    | \$100.00                               |          |
| Building Permit Fees                           | Per Application                    | \$180.00                               |          |
| Plan Check Fees                                | Per Permit Based on Valuation      | 2018 International Code Council        |          |
| Model Home Production Plan Check Fee           | Per Permit Based on Valuation      | 2018 International Code Council        |          |
| Permit Issuance Fee                            | Per Application                    | \$150.00                               |          |
| Building Permit Training Surcharge             | Per Application                    | \$100.00                               |          |
| Landscape Water Efficiency Review              | Per Application                    | \$15.00                                |          |
| Minor Building, Electrical and Plumbing Permit | Per Application                    | \$130.00                               |          |
| Solar Energy System                            | Per Application                    | \$60.00                                |          |
| Residential                                    |                                    |  |          |
|  | Up to 15 Kilowatts                 | \$450.00                               |          |
|  | Per Additional kW Above 15         | \$15.00                                |          |
| Commercial                                     |                                    |  |          |
|  | Up to 50 Kilowatts                 | \$1,000.00                             |          |
|  | Per Additional kW 51 kW to 250 kW  | \$7.00                                 |          |
|  | Per Additional kW Above 250 kW     | \$5.00                                 |          |
| Re-Roof Fee                                    |                                    |  |          |
| Buildup, Shingle or Wood Shake                 | Per Application                    | \$170.00                               |          |
| Concrete Tile, Clay Tile or Metal              | Per Application                    | \$285.00                               |          |
| Fence or Wall Over 6 Feet High                 | Per Application Based on Valuation | 2018 International Code Council        |          |
| Property Inquiry Fee                           | Per Inquiry                        | \$65.00                                |          |
| Demolition Permit                              | Per Application                    | Actual Cost                            | \$150.00 |
| Building Moving Fee                            | Per Application                    | Actual Cost                            | \$350.00 |
| Street Address Change                          |                                    | \$50.00                                |          |
| Waste Reduction and Recycling Plan Fee         | Per Building                       | \$125.00                               |          |
|  | Per Subdivision                    | \$300.00                               |          |

**KING CITY MASTER FEE SCHEDULE**  
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| Fee   | Per Unit                             | Fee      | Minimum |
|---|--------------------------------------|----------|---------|
| <b>Fire Department Fees</b>                   |                                      |          |         |
| Annual Fire Inspection                        | Per Inspection and One Re-Inspection | \$200.00 |         |
| Fire Re-Inspection                            | Per Inspection After First Two       | \$125.00 |         |
| Commercial Aboveground Fire Sprinkler System  | Per Permit and Up to Two Inspections | \$341.25 |         |
| Commercial Underground Fire Main System       | Per Permit and Up to Two Inspections | \$498.55 |         |
| Commercial Fire Alarm Systems                 | Per Permit and Up to Two Inspections | \$262.50 |         |
| Commercial Hood & Duct Suppression System     | Per Permit and Up to Two Inspections | \$262.50 |         |
| Commercial Fire Pump Systems                  | Per Permit and Up to Two Inspections | \$367.50 |         |
| Residential (Household) Fire Sprinkler System | Per Permit and Up to Two Inspections | \$262.50 |         |
| Residential (Household) Fire Alarm System     | Per Permit and Up to Two Inspections | \$157.50 |         |
| Fire Alarm Technology Transfer Projects       | Per Permit and Up to Two Inspections | \$105.00 |         |
| <b>Recreation Department Fees</b>             |                                      |          |         |
| Aquatic Center                                |                                      |          |         |
| Daily Entrance Fee                            | Day                                  | \$3.00   |         |
| 8 years and under                             | 10 visits                            | \$25.00  |         |
| 8 years and under pass                        | Day                                  | \$4.00   |         |
| 9 years and older                             | 10 visits                            | \$35.00  |         |
| 9 years and older pass                        |                                      |          |         |
| Summer Swim Pass                              |                                      |          |         |
| Individual                                    | Season                               | \$100.00 |         |
| Family (immediate family up to 4)             | Season                               | \$300.00 |         |
| Each individual family member over 4          | Season                               | \$25.00  |         |
| Swim Lessons                                  |                                      |          |         |
| Private                                       | 45 minutes                           | \$30.00  |         |
| Semi-private                                  | 45 minutes                           | \$20.00  |         |
| Group   | 45 minutes                           | \$50.00  |         |
| Sibling (Group Lesson)                        | 45 minutes                           | \$35.00  |         |
| Late Fee - Swim Lesson Registration           | Percent of registration fee          | 20.00%   |         |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee   | Per Unit              | Fee         | Minimum |
|---|-----------------------|-------------|---------|
| <b>Recreation Department Fees (continued)</b> |                       |             |         |
| Basketball                                    |                       |             |         |
| Adult - Open Gym                              | Night                 | \$4.00      |         |
| Girls and Boys                                | Child per season      | \$60.00     |         |
|   | 2 children per season | \$100.00    |         |
|   | 3 children per season | \$130.00    |         |
| Day Camp (5-12 year olds)                     | Day                   | \$15.00     |         |
|   | Week                  | \$75.00     |         |
| Facility/Amenity Rentals                      |                       |             |         |
| Aquatic Complex                               |                       |             |         |
| Wade Pool                                     | Hour Non-Profit       | \$40.00     |         |
|   | Hour Private          | \$52.00     |         |
| Dive Pool                                     | Hour Non-Profit       | \$80.00     |         |
|   | Hour Private          | \$100.00    |         |
| Lap Pool                                      | Hour Non-Profit       | \$80.00     |         |
|   | Hour Private          | \$100.00    |         |
| Slide Pool                                    | Hour Non-Profit       | \$100.00    |         |
|   | Hour Private          | \$120.00    |         |
| Additional Supervision                        | Hour                  | Actual Cost |         |
| Concession Stands - Centennial/Arena/SAP      | Day Private           | \$102.00    |         |
| Equipment                                     |                       |             |         |
| Dunk Tank                                     | Day Non-Profit        | \$50.00     |         |
|   | Day Private           | \$60.00     |         |
| Field Reservations                            |                       |             |         |
| Ballfields w/o Lights - Games/Tournaments     | Hour Non-Profit       | \$20.00     |         |
|   | Hour Private          | \$25.00     |         |
| Ballfields w/Lights - Games/Tournaments       | Hour Non-Profit       | \$28.00     |         |
|   | Hour Private          | \$30.00     |         |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee  | Per Unit                                | Fee      | Minimum |
|--|---|----------|---------|
| <b>Recreation Department Fees (continued)</b>              |   |          |         |
| Ballfields w/o Lights - Practice                           | Hour Non-Profit                         | \$3.50   |         |
|  | Hour Private                            | \$6.00   |         |
| Ballfields w/Lights - Practice                             | Hour Non-Profit                         | \$12.00  |         |
|  | Hour Private                            | \$20.00  |         |
| Soccer-Multi-Sports Fields                                 |   | \$20.00  |         |
| Adult  | Game                                    | \$20.00  |         |
| Youth  | Game                                    | \$20.00  |         |
| Tournament   | Tournament                              | \$50.00  |         |
| Use of City Park for Major Events                          | Day                                     | \$160.00 |         |
|  |   |          |         |
| <b>Joint Facility Agreement With Other Public Agencies</b> |   |          |         |
| Raquetball (Access up to four)                             | Day                                     | \$0      |         |
|  | Year                                    | \$110.00 |         |
|  | Quarter                                 | \$30.00  |         |
|  | Month                                   | \$10.00  |         |
|  | Day                                     | \$2.00   |         |
| Recreation Center  | Hour Non-Profit                         | \$20.00  |         |
|  | Hour Private                            | \$60.00  |         |
| Security Deposit   | Event - Before 5:00 p.m. and no alcohol | \$50.00  |         |
|  | Event - After 5:00 p.m. and/or alcohol  | \$500.00 |         |
| Set Up Fee   | Day                                     | \$75.00  |         |
| Security Fee Per Guard                                     | Hour                                    | \$25.00  |         |
| Shelter/Picnic Reservations                                |   |          |         |
| Picnic Shelters  | Day Non-Profit                          | \$40.00  |         |
|  | Day Private                             | \$80.00  |         |
| Park Open Spaces   |   |          |         |
|  | Day Non-Profit                          | \$12.00  |         |
|  | Day Private                             | \$125.00 |         |
| Volleyball Court   | Day Non-Profit                          | \$6.00   |         |
|  | Day Private                             | \$30.00  |         |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee   | Per Unit                 | Fee      | Minimum                                |
|---|--------------------------|----------|--|
| <b>Recreation Department Fees (continued)</b> |                          |          |  |
| Softball - Girls                              |                          |          |  |
|   | Child per season         | \$60.00  |  |
|   | 2 children per season    | \$100.00 |  |
|   | 3 children per season    | \$130.00 |  |
| <b>Miscellaneous Fees</b>                     |                          |          |  |
| Personnel                                     | Hour                     |          | Actual Cost Plus 5% Administrative Fee |
| <b>Airport Fees</b>                           |                          |          |  |
| T-Hanger                                      | Monthly                  | \$130.00 |  |
| Tie Down                                      | Monthly                  | \$42.00  |  |
| Office Space                                  | Monthly                  | \$54.00  |  |
| Commercial Operators                          | Monthly                  | \$54.00  |  |
|   | Each additional aircraft | \$42.00  |  |
| Crop Dusting                                  | Monthly                  | \$68.00  |  |
|   | Daily                    | \$12.00  |  |
| Crop Dusting Storage Area                     | Monthly                  | \$54.00  |  |
| Airplane/Helicopter Transit Fee               | Daily                    | \$8.00   |  |
| Vehicle Transit Fee                           | Monthly                  | \$22.00  |  |
| Major Temporary Staging Operation             | Daily                    | \$200.00 |  |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee  | Per Unit    | Fee        | Minimum |
|--|-------------|------------|---------|
| <b>Impact Fees for Projects Vested as of August 21, 2010</b> |             |            |         |
| Law Enforcement Facilities                                   |             |            |         |
| Single Family Dwelling                                       | Unit        | \$881.22   |         |
| Multiple Family Dwelling                                     | Unit        | \$249.16   |         |
| Mobile Home Dwelling   | Unit        | \$251.45   |         |
| Commercial Lodging Unit                                      | Unit        | \$2,130.47 |         |
| Commercial   | Square foot | \$0.40     |         |
| Industrial   | Square foot | \$0.01     |         |
| <b>Fire Protection Facilities</b>                            |             |            |         |
| Single Family Dwelling                                       | Unit        | \$865.22   |         |
| Multiple Family Dwelling                                     | Unit        | \$692.64   |         |
| Mobile Home Dwelling   | Unit        | \$692.64   |         |
| Commercial Lodging Unit                                      | Unit        | \$376.03   |         |
| Commercial   | Square foot | \$0.57     |         |
| Industrial   | Square foot | \$0.16     |         |
| <b>Bridges Signals and Thoroughfares</b>                     |             |            |         |
| Single Family Dwelling                                       | Unit        | \$2,181.91 |         |
| Multiple Family Dwelling                                     | Unit        | \$1,385.26 |         |
| Mobile Home Dwelling   | Unit        | \$1,098.38 |         |
| Commercial Lodging Unit                                      | Unit        | \$1,160.10 |         |
| Commercial   | Square foot | \$5.30     |         |
| Industrial   | Square foot | \$0.87     |         |

**KING CITY MASTER FEE SCHEDULE**  
Effective 10/1/2020

| Fee  | Per Unit    | Fee      | Minimum |
|--|-------------|----------|---------|
| <b>Impact Fees for Projects Vested as of August 21, 2010 (continued)</b> |             |          |         |
| Storm Drainage Facilities  |             |          |         |
| Single Family Dwelling   | Unit        | \$521.29 |         |
| Multiple Family Dwelling   | Unit        | \$246.92 |         |
| Mobile Home Dwelling   | Unit        | \$289.22 |         |
| Commercial Lodging Unit  | Unit        | \$181.77 |         |
| Commercial   | Square foot | \$0.30   |         |
| Industrial   | Square foot | \$0.25   |         |
| <b>General Government Facilities</b>                                     |             |          |         |
| Single Family Dwelling   | Unit        | \$757.79 |         |
| Multiple Family Dwelling   | Unit        | \$757.79 |         |
| Mobile Home Dwelling   | Unit        | \$757.79 |         |
| Commercial Lodging Unit  | Unit        | \$757.79 |         |
| Commercial   | Square foot | \$0.32   |         |
| Industrial   | Square foot | \$0.32   |         |
| <b>Library Expansion Facilities</b>                                      |             |          |         |
| Single Family Dwelling   | Unit        | \$500.61 |         |
| Multiple Family Dwelling   | Unit        | \$533.76 |         |
| Mobile Home Dwelling   | Unit        | \$494.90 |         |
| Commercial Lodging Unit  | Unit        | -        |         |
| Commercial   | Square foot | -        |         |
| Industrial   | Square foot | -        |         |

**KING CITY MASTER FEE SCHEDULE**  
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| Fee  | Per Unit    | Fee        | Minimum |
|--|-------------|------------|---------|
| <b>Impact Fees for Projects Vested as of August 21, 2010 (continued)</b> |             |            |         |
| Public Meeting Facilities  |             |            |         |
| Single Family Dwelling   | Unit        | \$705.21   |         |
| Multiple Family Dwelling   | Unit        | \$754.35   |         |
| Mobile Home Dwelling   | Unit        | \$697.21   |         |
| Commercial Lodging Unit  | Unit        | -          |         |
| Commercial   | Square foot | -          |         |
| Industrial   | Square foot | -          |         |
| Aquatic Center Facilities  |             |            |         |
| Single Family Dwelling   | Unit        | \$697.21   |         |
| Multiple Family Dwelling   | Unit        | \$746.35   |         |
| Mobile Home Dwelling   | Unit        | \$690.35   |         |
| Commercial Lodging Unit  | Unit        | -          |         |
| Commercial   | Square foot | -          |         |
| Industrial   | Square foot | -          |         |
| Park and Open Space Acquisition  |             |            |         |
| Single Family Dwelling   | Unit        | \$3,675.75 |         |
| Multiple Family Dwelling   | Unit        | \$3,932.91 |         |
| Mobile Home Dwelling   | Unit        | \$3,639.17 |         |
| Commercial Lodging Unit  | Unit        | -          |         |
| Commercial   | Square foot | -          |         |
| Industrial   | Square foot | -          |         |

**KING CITY MASTER FEE SCHEDULE**  
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| Fee  | Per Unit    | Fee               | Minimum |
|--|-------------|-------------------|---------|
| <b>Impact Fees for Projects Vested as of August 21, 2010 (continued)</b> |             |                   |         |
| Total Impact Fees  |             |                   |         |
| Single Family Dwelling   | Unit        | \$11,152.92       |         |
| Multiple Family Dwelling   | Unit        | \$9,615.32        |         |
| Mobile Home Dwelling   | Unit        | \$8,903.88        |         |
| Commercial Lodging Unit  | Unit        | \$4,762.77        |         |
| Commercial   | Square foot | \$7.13            |         |
| Industrial   | Square foot | \$1.66            |         |
| <b>Impact Fees for Projects Vested after August 21, 2010</b>             |             |                   |         |
| Law Enforcement Facilities   |             |                   |         |
| Single Family Dwelling   | Unit        | \$847.64          |         |
| Multiple Family Dwelling   | Unit        | \$134.88          |         |
| Mobile Home Dwelling   | Unit        | \$85.08           |         |
| Commercial Lodging Unit  | Unit        | \$193.50          |         |
| Seasonal Employee Housing  | Bed         | \$10.64           |         |
| Commercial   | Square foot | \$0.373           |         |
| Industrial   | Square foot | \$0.003           |         |
| Storage Units  | Square foot | \$0.206           |         |
| Fire Protection Facilities   |             |                   |         |
| Single Family Dwelling   | Unit        | \$693.57          |         |
| Multiple Family Dwelling   | Unit        | \$533.80          |         |
| Mobile Home Dwelling   | Unit        | \$351.72          |         |
| Commercial Lodging Unit  | Unit        | \$0.216           |         |
| Seasonal Employee Housing  | Bed         | \$66.73           |         |
| Commercial   | Square foot | \$0.160           |         |
| Industrial   | Square foot | \$0.010           |         |
| Storage Units  | Square foot | \$0.010           |         |
| Buildings 3-Story and Above  | Building    | Fee plus \$30,000 |         |

**KING CITY MASTER FEE SCHEDULE**  
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|  | <b>Fee</b> | <b>Per Unit</b> | <b>Fee</b> | <b>Minimum</b> |
|--|------------|-----------------|------------|----------------|
| <b>Impact Fees for Projects Vested after August 21, 2010 (continued)</b> |            |                 |            |                |
| <b>Bridges Signals and Thoroughfares (Traffic/Transportation)</b>        |            |                 |            |                |
| Single Family Dwelling   |            | Unit            | \$2,872.07 |                |
| Multiple Family Dwelling   |            | Unit            | \$1,917.30 |                |
| Mobile Home Dwelling   |            | Unit            | \$1,502.57 |                |
| Commercial Lodging Unit  |            | Unit            | \$1,510.73 |                |
| Seasonal Employee Housing  |            | Bed             | \$119.84   |                |
| Commercial   |            | Square foot     | \$3.480    |                |
| Industrial   |            | Square foot     | \$1.880    |                |
| Storage Units  |            | Square foot     | \$0.820    |                |
| <b>Storm Drainage Facilities</b>   |            |                 |            |                |
| Single Family Dwelling   |            | Unit            | \$1,321.50 |                |
| Multiple Family Dwelling   |            | Unit            | \$475.00   |                |
| Mobile Home Dwelling   |            | Unit            | \$526.00   |                |
| Commercial Lodging Unit  |            | Unit            | \$240.50   |                |
| Seasonal Employee Housing  |            | Bed             | \$59.38    |                |
| Commercial   |            | Square foot     | \$0.452    |                |
| Industrial   |            | Square foot     | \$0.365    |                |
| Storage Units  |            | Square foot     | \$0.246    |                |
| <b>General Government Facilities</b>                                     |            |                 |            |                |
| Single Family Dwelling   |            | Unit            | \$582.50   |                |
| Multiple Family Dwelling   |            | Unit            | \$582.50   |                |
| Mobile Home Dwelling   |            | Unit            | \$582.50   |                |
| Commercial Lodging Unit  |            | Unit            | \$161.50   |                |
| Seasonal Employee Housing  |            | Bed             | \$72.81    |                |
| Commercial   |            | Square foot     | \$0.204    |                |
| Industrial   |            | Square foot     | \$0.204    |                |
| Storage Units  |            | Square foot     | \$0.204    |                |

**KING CITY MASTER FEE SCHEDULE**  
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|  | Fee | Per Unit    | Fee         | Minimum |
|--|-----|-------------|-------------|---------|
| <b>Impact Fees for Projects Vested after August 21, 2010 (continued)</b> |     |             |             |         |
| Wastewater Collection System   |     |             |             |         |
| Single Family Dwelling   |     | Unit        | \$2,463.03  |         |
| Multiple Family Dwelling   |     | Unit        | \$1,458.73  |         |
| Mobile Home Dwelling   |     | Unit        | \$1,458.73  |         |
| Commercial Lodging Unit  |     | Unit        | \$552.99    |         |
| Seasonal Employee Housing  |     | Bed         | \$182.34    |         |
| Commercial   |     | Square foot | \$0.668     |         |
| Industrial   |     | Square foot | \$1.002     |         |
| Storage Units  |     | Square foot | \$0.362     |         |
| Wastewater Treatment Plant   |     |             |             |         |
| Single Family Dwelling   |     | Unit        | \$4,523.50  |         |
| Multiple Family Dwelling   |     | Unit        | \$2,679.86  |         |
| Mobile Home Dwelling   |     | Unit        | \$2,679.86  |         |
| Commercial Lodging Unit  |     | Unit        | \$1,014.68  |         |
| Seasonal Employee Housing  |     | Bed         | \$334.98    |         |
| Commercial   |     | Square foot | \$1.227     |         |
| Industrial   |     | Square foot | \$1.841     |         |
| Storage Units  |     | Square foot | \$0.666     |         |
| Public Meeting Facilities  |     |             |             |         |
| Single Family Dwelling   |     | Unit        | \$946.500   |         |
| Multiple Family Dwelling   |     | Unit        | \$1,027.000 |         |
| Mobile Home Dwelling   |     | Unit        | \$980.500   |         |
| Commercial Lodging Unit  |     | Unit        | -           |         |
| Seasonal Employee Housing  |     | Bed         | -           |         |
| Commercial   |     | Square foot | -           |         |
| Industrial   |     | Square foot | -           |         |
| Storage Units  |     | Square foot | -           |         |

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| Fee  | Per Unit    | Fee         | Minimum |
|--|-------------|-------------|---------|
| <b>Impact Fees for Projects Vested after August 21, 2010 (continued)</b> |             |             |         |
| Aquatic Center Facilities  |             |             |         |
| Single Family Dwelling   | Unit        | \$343.00    |         |
| Multiple Family Dwelling   | Unit        | \$371.00    |         |
| Mobile Home Dwelling   | Unit        | \$355.00    |         |
| Commercial Lodging Unit  | Unit        | -           |         |
| Seasonal Employee Housing  | Bed         | -           |         |
| Commercial   | Square foot | -           |         |
| Industrial   | Square foot | -           |         |
| Storage Units  | Square foot | -           |         |
| Park and Open Space Acquisition  |             |             |         |
| Single Family Dwelling   | Unit        | \$1,661.75  |         |
| Multiple Family Dwelling   | Unit        | \$1,801.25  |         |
| Mobile Home Dwelling   | Unit        | \$1,721.00  |         |
| Commercial Lodging Unit  | Unit        | -           |         |
| Seasonal Employee Housing  | Bed         | \$225.16    |         |
| Commercial   | Square foot | -           |         |
| Industrial   | Square foot | -           |         |
| Storage Units  | Square foot | -           |         |
| Total Impact Fees  |             |             |         |
| Single Family Dwelling   | Unit        | \$16,255.06 |         |
| Multiple Family Dwelling   | Unit        | \$10,981.32 |         |
| Mobile Home Dwelling   | Unit        | \$10,242.96 |         |
| Commercial Lodging Unit  | Unit        | \$3,674.11  |         |
| Seasonal Employee Housing  | Bed         | \$1,071.88  |         |
| Commercial   | Square foot | \$6.56      |         |
| Industrial   | Square foot | \$5.31      |         |
| Storage Units  | Square foot | \$2.51      |         |



Item No. 11(C)

REPORT TO THE CITY COUNCIL

**DATE:** OCTOBER 13, 2020  
**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
**FROM:** STEVEN ADAMS, CITY MANAGER  
**RE:** CONSIDERATION OF REOPENING CITY PLAYGROUND FACILITIES

**RECOMMENDATION:**

It is recommended the City Council approve staff's proposed measures for reopening of park playground facilities.

**BACKGROUND:**

The Governor's Order has now allowed reopening of playgrounds. It is important for children to have opportunities to expend their physical energy and play. Public parks and playgrounds provide a critical shared outdoor resource for children and families. Therefore, the City is anxious to reopen its recreation facilities as soon as it is safe and practicable to do so. However, there are a number of guidelines and restrictions that are difficult to comply with and potentially costly.

Staff has developed alternatives and is seeking policy direction on how to proceed. The Parks and Recreation Commission met on October 7<sup>th</sup> and voted unanimously to recommend City Council approve reopening of playgrounds under the conditions recommended by staff.

**DISCUSSION:**

Restrictions

Under the guidelines issued by the Governor, visitors to outdoor community playgrounds must comply with the following requirements:

1. Face masks over the mouth and nose are required for everyone 2 years of age or older with caregiver supervision at all times to ensure face mask use.

**CITY COUNCIL  
CONSIDERATION OF REOPENING CITY PLAYGROUND FACILITIES  
OCTOBER 13, 2020  
PAGE 2 OF 6**

2. Do not use the playground when different households are unable to maintain a physical distance of 6 feet or when the capacity limit has been reached.
3. Caregivers must monitor to keep adults and children from different households at least 6 feet apart.
4. Consider coming on different times or days to avoid wait times and potential crowded times.
5. No eating or drinking in playground, to ensure face masks are worn at all times.
6. Wash or sanitize hands before and after using the playground.
7. Elderly and persons with underlying medical conditions should avoid playground when others are present.
8. Limit visit to 30 min per day when others are present

All playground facility operators are requested to follow these recommendations:

1. An adult must actively supervise each child at all times to make sure that children two years of age or older keep their face covering over their nose and mouth and stay 6 feet away from adults and children outside their household.
  - a. Children who are supervised by the same adult must stay together in the same play area or play structure at all times, to allow active supervision.
  - b. If an infant or child requires attention (nursing, diapering) that precludes an adult from actively supervising other children using the playground, the adult should ask the other children to leave the play structure/area and stay by the adult's side until needed care is complete.
2. People standing outside the playground, including people waiting to enter the playground, should remain 6 feet away from areas of the playground used by children and adults.
3. Maintain six-foot distancing between children and adults from different households including children using or waiting to use play structures or play areas, and families waiting to enter the playground.

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CONSIDERATION OF REOPENING CITY PLAYGROUND FACILITIES  
OCTOBER 13, 2020  
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4. Increase cleaning of frequently touched surfaces, daily as practicable.
5. To the extent feasible, provide handwashing stations or sanitizer to facilitate hand hygiene, especially during times of heavy usage. Use a hand sanitizer containing (60% ethanol or 70% isopropanol). Never use hand sanitizers with methanol due to its high toxicity to both children and adults, '=
6. Post the maximum number of children allowed at the entrance of each playground.
  - a. Determine and post the maximum occupancy of each play structure, (e.g., climbing structures, slides, swings, spinning structures, and sand areas) with 6 foot vertical and horizontal distancing.
  - b. Determine and post the maximum occupancy for supervising adults to ensure that each adult can maintain six feet of distance from other adults and children.
  - c. Provide directions on how to wait in line when maximum playground occupancy has been reached.
7. Mark playgrounds to help children and adults maintain 6-foot distancing.
  - a. Mark spaces for families to stand while waiting to enter the playground. The spaces should be far enough apart to allow 6 feet of distance between households.
  - b. For play structures or play areas that can hold more than one child while allowing 6 foot distancing:
    - i. Post the maximum number of children allowed on each structure/in each area to allow 6 foot distancing vertically and horizontally.
    - ii. For play structures or areas that can hold more than 1 child, consider marking with tape or other visual indicators to help children assess whether they are 6 feet apart.
  - c. Mark designated spaces 6 feet apart for children to stand while waiting to use a play structure/area.

**Issues**

The following issues need to be considered in how to proceed with regard to reopening playgrounds:

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CONSIDERATION OF REOPENING CITY PLAYGROUND FACILITIES  
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1. Significant City costs may be involved in order to fully comply with the recommendations, which involve signage, hand sanitizer equipment or hand wash stations, and ongoing cleaning of play equipment and potentially bathroom facilities.
2. It is not feasible to provide the supervision and enforcement necessary to ensure compliance with the restrictions. Therefore, the requirements will be posted, and playground users will be responsible for voluntary compliance. Given the complexity and number of restrictions, it is unlikely that compliance will be consistent. This also means that there is likely to be conflicts among playground users and the City will have to respond to complaints.
3. Given the inability to adequately enforce the restrictions, playground use has the potential for increasing exposure to and spread of COVID-19. Meanwhile, the community is in the fall season and approaching winter when the risk of spread may increase.
4. Opening playgrounds will make it more difficult to restrict prohibited activities on sports fields and other facilities located adjacent to the playgrounds.
5. If members of the community are utilizing playgrounds, it may become necessary to open restrooms, which will further increase demands on staff for cleaning.
6. The legal requirements associated with the measures are unclear. They are referred to as restrictions in some cases and guidelines and recommendations in other cases. Cleaning requirements also state "as practicable." The City Attorney has been briefed on the recommendations, which he believes will not generate a significant level of liability if everything is adequately posted.
7. Winter months are approaching when the weather will be less conducive for outdoor play and demand for playground use will decrease.
8. It will not be feasible to wipe down each play structure. Therefore, it will be necessary to determine a method of sanitizing the play structures by spraying them and then allowing them dry. To do this, the City will need to identify a solution available that is effective at eliminating COVID-19 that is not hazardous for children and will not discolor the equipment or the rubberized play surfaces.

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Proposed Measures

Staff recommends the playgrounds be opened with the following conditions and measures:

1. Playgrounds in all parks will be opened 7 days per week.
2. Restroom facilities will remain closed.
3. Staff will clean playground structures on Monday and Friday mornings by spraying them with a disinfectant solution, which staff believes is the maximum practicable.
4. Signage and hand washing stations will be installed at each playground.
5. Cleaning of other City facilities will be reduced on Mondays and Fridays in order to provide staffing needed.
6. No ongoing monitoring or enforcement will be provided.

**COST ANALYSIS:**

The estimated cost for purchasing and installing signage is \$1,000 to \$1,500. The cost of 7 handwashing stations will be \$45 per unit for setup and \$20 per unit per week. Therefore, the estimated cost for a 6-month period is projected to be approximately \$4,000. Staff is hopeful 75% of these costs will be reimbursed by FEMA, but it is not assured.

Staff believes the proposed cleaning can be accomplished with existing staff and no budget impact. In order to instead provide daily cleaning frequencies, staff would need to contract additional cleaning services. It would require a minimum of 2 hours per day and 3 – 4 hours per day if restrooms are opened. In order to accomplish this, staff would likely recommend the City temporarily contract out facilities cleaning and reassign Public Works maintenance staff to playground cleaning. Staff has already obtained bids for this service, which would be approximately \$800 per week and roughly \$20,000 for a 6-month period.

**ENVIRONMENTAL REVIEW:**

This matter is not a “project” for the purposes of the California Environmental Quality Act (CEQA) as it 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.

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**ALTERNATIVES:**

The following alternatives are provided for Council consideration:

1. Approve staff's recommendations for reopening of park playground facilities;
2. Direct staff to fully reopen playgrounds and park restroom facilities and provide daily cleaning services, including accepting the risk that a portion of the costs may or may not be reimbursed from FEMA;
3. Direct staff to fully reopen playgrounds, but not park restroom facilities, and provide daily cleaning services;
4. Direct staff to fully reopen playgrounds with or without park restroom facilities on Saturdays and Sundays only;
5. Direct staff to open only a limited number of park playgrounds;
6. Direct staff to continue to keep playgrounds and restrooms closed until Monterey County is approved to move to the next lower category of COVID-19 risk;
7. Direct staff to continue to keep playgrounds and restrooms closed until the end of the winter months when demand for outdoor play will increase; or
8. Provide staff other direction.

Prepared and Approved by:

  
\_\_\_\_\_  
Steven Adams, City Manager



Item No. 11(D)

**REPORT TO THE CITY COUNCIL**

**DATE: OCTOBER 13, 2020**  
**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**  
**FROM: STEVEN ADAMS, CITY MANAGER**  
**RE: CONSIDERATION OF COVID-19 STATUS REPORT**

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**RECOMMENDATION:**

It is recommended the City Council: 1) receive the status report on City COVID-19 related activities; and 2) provide staff direction on any additional actions requested.

**BACKGROUND:**

On March 4, 2020, the Governor of California declared a State of Emergency to make additional resources available, formalize emergency actions already underway, and help the state prepare for broader spread of the coronavirus (COVID-19). On March 13, 2020, the President declared a National State of Emergency. As a result, on March 16, 2020, the City Manager signed a Proclamation of Local Emergency in King City, which was ratified by the City Council on March 20, 2020.

On March 18<sup>th</sup>, the Monterey County Health Officer issued a Shelter in Place Order, which was reissued on April 3<sup>rd</sup> with increased restrictions. Under the Municipal Code, the County Health Officer also serves as the City's Health Officer. A similar order was issued by the Governor of California for the entire State of California on March 19<sup>th</sup>, which has been followed with a number of subsequent changes. On April 30, 2020, a subsequent Order was issued by the County Health Officer, which allows additional businesses to reopen under restrictions and established protocols.

Since then, the State has approved a variance request from the County of Monterey enabling the County to proceed to an additional stage of the "Resilience Roadmap for State Reopening", which allowed indoor restaurant dining, indoor retail sales and churches. Additional orders were issued by the County Health Officer on May 8, 2020 and May 26, 2020 to implement the reopening process consistent with the State guidelines. In response to the

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Governor's Order, an Order was issued by the County Health Officer on July 8<sup>th</sup> that once again prohibits operation of bars and indoor dine-in restaurants.

On Friday, August 28<sup>th</sup>, the Governor issued a new blueprint for reducing COVID-19 in the state with revised criteria for loosening and tightening restrictions. The primary impact on King City is that salons are now allowed to open. The new blueprint places each county in one of 4 risk levels: widespread, substantial, moderate and minimal. Monterey County is in the widespread tier. All but 19 counties in the state are in the same tier. To move to the substantial tier, it must experience less than 7 daily new cases per 100,000 people for 2 consecutive weeks.

The City has been tasked with enforcing the Orders. Therefore, at the April 14<sup>th</sup> meeting, the City Council adopted an Urgency Ordinance establishing enforcement and appeals procedures for the orders of the County Health Officer related to the COVID-19 pandemic within the City of King in order to establish an effective and clear process. At the May 12, 2020 meeting, the City Council voted to extend the enforcement and appeals procedures through June 9, 2020, at which time it expired.

Since the pandemic began, the City has been involved in implementing an extensive number of measures aimed at enforcement of the County's orders, safety of City facilities and staff, public education, business assistance, and assistance to the public in need due to the impacts of COVID-19. The City has attempted to maintain a consistent approach throughout this crisis in order to respond to both health and economic needs, as well as the diverse concerns of those in the community. This approach has been to maintain the City's focus on fulfilling the responsibilities it is assigned in the most fair and impartial manner possible; to accurately follow the directions of the County Health Officer, Governor and medical experts; and to take all proactive steps feasible to effectively manage the tasks assigned, but to limit actions to the City's authority and technical expertise.

At the June 23, 2020 meeting, the City Council requested staff to place on each agenda an ongoing status report of City COVID-19 efforts. In response, staff has prepared this report, which provides a history and summary of the impacts, status and response related to COVID-19 in King City. Staff intends to provide the same written report to the Council each meeting with new activities added to it. By doing that, anyone from the public seeking information can obtain the full overview by accessing the most recent report.

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**DISCUSSION:**

COVID-19 Case Summary

As of October 5, 2020, the County of Monterey has had a total of 10,402 confirmed COVID-19 cases, 616 hospitalizations, and 75 fatalities. Of the total number of cases, 7,770 have recovered. In the 93930 zip code, there have been a total of 716 cases, which represents 6.88% of the total in Monterey County. After several weeks of decrease, this percentage has been slightly increasing over the past few weeks. Of this number, 552 have recovered.

Completed and Ongoing City Activities

The following is a summary of the most significant measures the City has taken in response to the pandemic since it began:

- A comprehensive Pandemic Emergency Plan was immediately prepared, implemented and continues to be updated as circumstances evolve.
- The City is coordinating closely with the other South Monterey County cities, and the City's multi-agency Emergency Preparedness Committee has met via teleconference on a regular basis to coordinate a community-wide response.
- The City partnered with Mee Memorial Hospital to access N-95 masks and training for public safety personnel.
- Strict sanitation and social distancing policies have been implemented in all City operations.
- All City public events and recreation programs were cancelled.
- All park playground, restroom and picnic areas were closed and signs and temporary fencing installed.
- Technology capabilities were established to implement telecommuting practices to reduce the number of staff on site. Public Works crews were divided into separate work units to avoid potential exposure. With the reopening of City Hall, these practices have been discontinued at this time except on an as needed basis.
- New procedures were established and technology acquired to implement virtual City Council and other regular ongoing meetings.

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- Notification of each of the Shelter in Place Orders issued by the County Health Officer were translated and distributed door to door to each business by the Police Department. The Police Department provided personal assistance to businesses by explaining and reviewing compliance with reopening requirements.
- Retail business public safety best practices were drafted and delivered to each exempted business during the Shelter in Place Order prior to the State's guidance of safety requirements.
- The Police Department established a process for making determinations on which businesses met the criteria of an "essential" business in a fair and impartial manner, as well as response to other questions regarding what activities are allowed.
- The Police Department has patrolled the downtown area and responded to complaints regarding violations of the Shelter in Place Order.
- King City was the only jurisdiction in Monterey County to adopt its own enforcement, citation and appeal ordinance.
- Information was distributed to the public regarding procedures to report price gauging violations.
- Warning signs for customers were prepared and placed at the entrance of every exempted store. These have now been replaced by new professionally designed and printed signs that have been distributed to each business to display on their window.
- Instructional pedestrian signs were placed on the sidewalks in the downtown area, and handwashing stations were placed at strategic locations throughout the commercial areas. These items were removed when most businesses were allowed to reopen.
- A budget contingency plan to address the revenue impacts from COVID-19 was prepared and later adopted by the City Council.
- The Finance Department submitted an application for Federal Emergency Management Agency (FEMA) reimbursement of COVID-19 emergency response expenditures and established an expense tracking system.
- The City has distributed public education information to the public on an ongoing basis through regular Facebook posts, flyers, press releases, KRKC radio ads, and public service announcements.

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- A direct mailer was distributed to every household to notify the public on the County Health Officer Order requiring face coverings.
- A new section devoted to COVID-19 information was created on the City's website and updated on a regular basis.
- The Mayor and Mayor Pro Tem recorded a series of public service announcements in both English and Spanish, which were posted on Facebook and YouTube.
- The City coordinated a joint public service announcement of all the South Monterey County mayors.
- A special issue of the City Newsletter was dedicated entirely to information on COVID-19 and was distributed to every household and business.
- The City developed a contact list of local agricultural employers, facilitated a virtual training session with Mee Memorial Hospital provided to representatives of each employer, developed and distributed guidelines and requested best practices, and provided masks at no cost for agricultural workers.
- City staff prepared an inventory of all food and supply assistance and delivery programs, prepared and distributed informational materials to the public on the services available, coordinated with the Monterey County Food Bank to provide a new weekly food pickup program, and acquired resources to make available free pet food and diapers to the public in need on a periodic basis.
- The City partnered with the Small Business Development Center (SBDC) to offer personal assistance to business owners in applying for Federal Cares Act and other funding grants and loans, prepared and mailed multiple flyers on each of the deadlines to every King City business, and contacted businesses by phone to promote workshops held by the SBDC.
- The City Council adopted an ordinance to prohibit evictions of commercial tenants to accompany the Governor's Order restricting evictions of residential tenants.
- Restricted parking was installed upon request to assist restaurants to provide curbside service.
- A program was developed in partnership with Cal Water to freeze minimum water and wastewater accounts while businesses were closed.

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- Hundreds of free Census 2020 masks were distributed by the Police Department to businesses to provide to their customers.
- Equipment was purchased and installed at City Hall to protect the health of City employees and customers in order to reopen City Hall, which include screens, signage, floor mat social distancing signs, and access barriers.
- The City developed an expanded public information campaign in July to increase public safety compliance by promoting the importance of three basic practices; 1: wearing face coverings; 2) distancing 6 feet from other individuals; and 3) washing hands before touching one's face. Since regulations became increasingly complex and rapidly changing, the campaign was designed to emphasize the most important basics. A public information mailer was designed and mailed to all households within King City and the surrounding areas. New radio ads have aired on KRKC and frequent items are posted on Facebook.
- A process has been established on how to respond if an employee is tested positive for COVID-19, which has been communicated to all employees. Human Resources has tracked and is prepared to implement all leave benefits established by the Federal government.
- The City Council adopted an urgency ordinance establishing a citation process on face covering requirements. Staff released a press release, posted a Facebook announcement, and included information on the website.
- A letter was approved and sent to the County Health Officer requesting guidance on concerns involving bounce houses. Public information on bounce house safety measures was provided to the City.
- Banners with park restrictions have been designed, printed and installed at City parks.
- In response to the letter submitted by the Mayor to the County Health Officer, flyers were received from the County providing bounce house safety information. The flyers have been printed and distributed by the Police Department to party stores with a request to provide a copy to anyone renting a bounce house.

**Current City Activities**

- The City is leading an extensive effort to help identify strategies to relocate the homeless individuals in the nearby encampment to temporary or permanent housing. A committee consisting of over 30 representatives

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from multiple agencies has been meeting on a regular basis. Funding has been obtained from the County Homeless Coalition and staff is pursuing other funding sources through the County and the City's allocation of various CARES funds. Information has been recorded for each individual by a team of case workers, who are now working together to identify assistance each may be eligible for based on their specific situation and needs.

- Three grants have been obtained to fund a program of providing rent, mortgage and utility bill assistance for those whose incomes have been negatively impacted by COVID-19. Staff has developed the process and forms, which will be launched on October 15<sup>th</sup>.
- Staff solicited bids for increased contract cleaning services on a temporary basis, but implementation is on hold until staff can confirm the costs will be reimbursed by FEMA.
- Since the face covering ordinance was adopted, the Police Department has issued 24 warnings, 9 citations and distributed 210 masks.

**COST ANALYSIS:**

No cost impact is associated with this item since it is limited to an update of past and current activities. Staff continues to track expenses associated with the COVID-19 response for 75% FEMA reimbursement.

**ENVIRONMENTAL REVIEW:**

Since this is an update on ongoing activities, this matter is not a "project" for the purposes of the California Environmental Quality Act (CEQA) as it 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 provided for Council consideration:

1. Receive the status report;
2. Provide staff direction on any desired additional actions;
3. Provide staff direction on any current activities Council requests to change or discontinue; or
4. Provide staff other direction.

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Prepared and Approved by:

  
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Steven Adams, City Manager