



CITY OF DEL REY OAKS

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

REGULAR MEETING OF THE CITY COUNCIL AGENDA OF THE CITY OF DEL REY OAKS CITY COUNCIL TUESDAY, MARCH 28, 2023 AT 6:00 PM

*Notice is hereby given that the City Council of the City of Del Rey Oaks has called and will convene a regular meeting of the City Council at the time and location stated on this agenda. The public may **view** the meeting online or may **participate** in-person in the Council Chamber.*

Join Zoom Meeting

<https://us02web.zoom.us/j/84338299013>

Meeting ID: 843 3829 9013

One tap mobile

+16694449171,,84338299013# US

+16699006833,,84338299013# US (San Jose)

- 1. ROLL CALL - Council**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION - Reverend Bob Hellam, Church of the Oaks - Del Rey Oaks**
- 4. PUBLIC COMMENTS: General Public Comment must deal with matters subject to the jurisdiction of the City and the Council that are not on the Agenda. Anyone wishing to address the City Council on matters not appearing on the Agenda may do so now. The public may comment on any other matter listed on the Agenda at the time the matter is being considered. There will be a time limit of not more than three minutes for each speaker. No action will be taken on matters brought up under this item and all comments will be referred to staff.**
- 5. PRESENTATION:**
 - A. Swearing in Ceremony for Police Officer Juan Gomez**
- 6. CONSENT AGENDA:**
 - A. MINUTES: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)**
 - 1. February 28, 2023, Regular City Council Meeting Minutes**

B. MISCELLANEOUS: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)

- 1.** Second Reading and Adoption of Ordinance #312 amending portions of TITLE 17 of the Del Rey Oaks Municipal Code regarding the definition of "Family", as well as establishing an Emergency Shelter overlay to allow emergency shelters by right in accordance with State Housing Laws.

C. MONTHLY REPORTS: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)

- 1.** Fire Department Response Report, February 2023
- 2.** Financials, February 2023 and February 2022
- 3.** Police Activity Report, February 2023

8. OLD BUSINESS: None

9. NEW BUSINESS:

- A.** Authorize the City Manager to Enter into an Agreement with Denise Duffy & Associates to Develop the 6th Cycle Housing Element and Associated CEQA Review
- B.** Housing Element Update by Denise Duffy & Associates
- C.** Consider 2022-23 Mid-Year Budget Adjustments
- D.** Consider Authorizing City Manager to Sign FORTAG Supplemental Agreement with the Transportation Agency for Monterey County for the Fort Ord Regional Trail and Greenway Project and to Approve Resolution 2023-04
- E.** Introduce and waive a full reading of an ordinance amending Section 10.08.030 of the Del Rey Oaks Municipal Code (DROMC) regarding parking vehicles on public property for more than 72 hours.

10. COUNCIL REPORTS:

- A.** Council Reports

11. CORRESPONDENCE:

- A.** TAMC Highlights
MST Highlights
Veteran's Advisory Committee
Thank you notes for Police

13. NEXT MEETING DATE: Tuesday, April 25, 2023 at 6:00pm

14. ADJOURNMENT

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



DEL REY OAKS POLICE DEPARTMENT

650 CANYON DEL REY ROAD - DEL REY OAKS, CA 93940
PHONE: (831)-394-9333 FAX: (831)-394-1596



Del Rey Oaks Oath of Office

FOR PUBLIC OFFICERS AND EMPLOYEES

(State Constitution, Art. XX, Sec. 3 as amended)

State Of California

}
ss.

County of Monterey

*I, **Juan Gomez**, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.*

Juan Gomez, Police Officer

Subscribed and sworn to before me, this 28th day of March 2023

Chris Bourquin, Interim Chief of Police

Del Rey Oaks Police Department
650 Canyon Del Rey Blvd – Del Rey Oaks, California 93950 (831) 375 - 8525
Serving the City of Del Rey Oaks and the Monterey Regional Airport
Chris Bourquin – Interim Chief of Police

City of Del Rey Oaks

**City Hall
650 Canyon Del Rey Blvd
Del Rey Oaks, CA 93940**



Action Minutes

Tuesday February 28, 2023 - 6:00 PM

City Council – Regular Meeting

Del Rey Oaks City Council

**Scott Donaldson – Mayor
Kim Shirley – Vice Mayor
Jeremy Hallock – Councilmember
John Uy – Councilmember
Bill Ragsdale-Cronin - Councilmember**

6:00 PM – Called to Order:

The meeting was called to order by Mayor Donaldson.

Roll Call:

Present: Mayor Donaldson, Councilmember Shirley, Councilmember Hallock, Councilmember Uy and Councilmember Bill Ragsdale-Cronin

Absent: None

Pledge of Allegiance:

Mayor Donaldson led the Pledge of Allegiance

Public Comment:

Frederica Jones: 12 years ago concrete hunks from Fort Ord demolition containing asbestos were sent as waste to Utah. MPE must make regular disclosures to residents concerning their activities on a site here.

Gary Kreeger: Would like the Council to consider a ban on gas powered blowers that cause noise and pollution.

Public Comment is closed

Presentations:

Central Coast Community Energy Presented by Sophia Schwirzke (Customer Accounts Manager): Explained how 3CE procures electricity from many different sources and provides power to 34 agencies in 5 counties. They have adopted a 'cost of service' model that will eventually save customers 18% once they are thoroughly de-coupled from PG&E. They have contributed millions in community investments to schools, housing and individuals.

Council Member Ragsdale-Cronin: Asks about funding to replace outdated solar panels.

Council Member Shirley: Requests info about how many people are currently enrolled in DRO.

Council Member Uy: Wants to know what the common misconceptions are and if rates are competitive.

Ms. Schwirzke: Replies that we have a local rep named Judy Young who can answer the first 2 questions and that 3CE is community owned, there are 19 sources of energy currently and there are no investors involved.

(Swearing in ceremony for Police Officer Juan Gomez will take place at a later date)

CONSENT AGENDA: *Action Items*

- A. MINUTES: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)**

1. January 24, 2023, Regular City Council Meeting
- February 9, 2023, Special City Council Meeting
- December 14, 2022, Regular Planning Commission Meeting

B. MONTHLY REPORTS: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)

2. Financials, January 2023 - January 2022
3. Fire Department Response Report, January 2023
4. Police Activity Report, January 2023

C. MISCELLANEOUS: (CEQA: as to all, not a project per Guidelines Article 20, Section 15378)

5. Appointment of Vice Mayor
6. Finalize Appointments to Regional Boards and Committee List
7. Approve Resolution 2023-01 Cal Fire Grant
8. Approve Resolution 2023-02 Termination AB 361 Requirements
9. Consider a Comment Letter to California Public Utilities Commission Regarding California-American Water and Pure Water Monterey Water Purchase Agreement - Councilmembers Shirley and Uy
10. Approve Resolution 2023-03 for Submittal of the Annual Progress Report (APR) to the Office of Planning and Research (OPR) and the Office of Housing and Community Development (HCD)

Council Member Ragsdale Cronin: Pulls item A1

Council Member Shirley: Pulls items C6, C9 and C10

Mayor Donaldson: Pulls item C7, asks if Public wants any item pulled and hearing none he requests a motion to approve the remaining items on the consent agenda.

A motion was made by Council Member Shirley to approve the remaining Consent Agenda items, Seconded by Council Member Hallock seconds. **Motion passed unanimously.**

Council Member Ragsdale Cronin: In the meeting minutes from February 9 Don Gruber stated that he and Louise Goetzelt were opposed FORTAG and he wants to correct the record because he supports the FORTAG project.

City Manager Guertin: There were some version control issues with the appointment list and the corrections are: Regen does not need an alternate and Hallock is the CHS appointee and has already attended meetings.

Council Member Shirley: Has been appointed to Seaside Groundwater Basin Watermaster Board and wants Ragsdale Cronin as her alternate due to his experience. Planning Commission vacancies application period ends March 20. Parks and Recreation Committee would like to add members. When will those 'vacancies' be filled? Police Advisory Committee also has upcoming vacancies.

City Manager Guertin: The Parks and Recreation committee cannot add members at this time because there are no vacancies and all the committees must be formalized with bylaws and rules about how they are governed.

Mayor Donaldson: Asks Council Member Hallock if he would mind being replaced by Council Member Ragsdale Cronin as Council Member Shirley requested and Hallock agrees to the change. He then discussed item C7 and acknowledges the efforts of Public Works Director Ron Fucci for this work on applying for the grant.

Council Member Shirley and Council Member Uy: Asked that item C9 be added to the agenda. Frustrated that CalAm is preventing progress on the Pure Water expansion. Wants the council to support our public agencies by writing a letter to CPUC demanding that CalAm sign the agreement so the expansion can proceed.

Mayor Donaldson: Attended the Monterey One meeting and they considered a letter signed by all affected cities, received input from their legal team and produced one for everyone to sign. That letter is different than the one in the packet because the new letter was received the morning of February 28.

After discussion there is agreement on changes to the letter .

Council Member Shirley: Regarding item C10 there is an error on page 89 and on page 91 the airport is mentioned. Wants the council to work with the airport. Residents are sometimes concerned and we don't get any updates from the airport. Wants to invite them to a council meeting. Also wants a timeline for the Housing Element from Denise Duffy.

City Manager Guertin: There is a joint meeting of the City Council and Planning Commission being planned where the Housing Element can be discussed. Staff is checking everyone's availability for March 16.

Denise Duffy: The intent of the housing element and general plan partnership course is to identify what you have accomplished in the past year, to answer how have you implemented these policies.

Public Comment:

Gary Kreeger: The water letter is important because we have to keep up pressure on Cal Am

Jim Clark: Business owner who looks at this differently and thinks we are only getting one side of the story from Monterey One. Cal Am is not talking about their side of the story. Also wonders what will happen to Cal Am employees who live here and pay property taxes. Concerned about unintended consequences.

Public Comment is closed.

Mayor asks for a Motion to approve Consent agenda items A1B, C6, 7 9 & 10.
Motion made by **Council Member Shirley**, Seconded by **Council Member Hallock**. **Motion passed unanimously.**

OLD BUSINESS: There is none to consider.

NEW BUSINESS:

A: Consider adoption of Policy Regarding Use of Electronic Devices During City Meetings

City Manager Guertin: Issue many California cities are discussing as we come out of the pandemic, got a little lax in how we conduct our business. It is starting to affect us all, knows we are all interested in being transparent and working for the community in an open fashion. Don't want to give anyone the impression there might be backroom deals. No perception of distraction while doing business in front of the public. Council must all agree to be held to these standards. Asked colleagues around the state for examples of their policies regarding personal devices. Everyone has been issued and is using city computers, in part to see PowerPoint presentations more easily. Brown Act is quiet on this, it was written in the 70's.

Council Member Cronin: This is a good idea, we should only do the city's business during meetings.

Council Member Shirley: Asks about due process and whether or not an email or text from someone about an issue being discussed must be shared with the public

City Manager Guertin: Yes, that communication should be shared.

City Attorney Lorca: Council representation is quasi-judicial and anything influencing your decision making should be shared.

Council Member Hallock: Policy is thorough and should be implemented.

Council Member Uy: Can't judge the effectiveness of the policy until it has been implemented and enforced.

Mayor Donaldson: Appreciates the comments of Council and City Manager and points out that the use of the City laptops saves time and resources compared to when binders had to be prepared.

Public Comment:

Resident George Jaksha: Perception is everything and at the last Council meeting when the new it appeared that a person were staring at their screen and waiting for direction.

Public Comment closes.

Motion to Adopt the Policy made by Council Member Ragsdale Cronin, Seconded by Council Member Hallock, Motion passed unanimously.

Brown Act Overview and Update Presented by City Attorney Alex Lorca.

Attorney Lorca: There shouldn't be discussion of City business, council members must have just cause to attend electronically.

City Manager Guertin: Hybrid meetings are not an option at this time.

Councilman Ragsdale-Cronin: Asks about people in the audience making disparaging comments.

Attorney Lorca: There is a broad right to freedom of speech for the public

Councilman Shirley: Can the public 'Zoom in' if they aren't not feeling well?

City Manager Guertin: It is not technically possible to do hybrid meetings at this time.

Councilman Hallock: What is the cancellation policy for in-person meetings?

Attorney Lorca: It has to be posted on the door.

Councilman Uy: Has the Brown Act ever been challenged?

Attorney Lorca: No, never challenged.

Public Comment: None

Councilman Shirley: Can I 'Zoom in' if I'm not feeling well.

Councilman Ragsdale-Cronin: Use one-time money to make hybrid possible for more public involvement.

Councilman Uy: There are a few members of the public online, people are scared to come to meetings. Suggests hiring an intern to run hybrid meetings.

Mayor Donaldson: There is no action needed to be taken on this item. Could do a feasibility study and timeline for implementing AB2449. Next item is correspondence which is in the packet and there is a staff report from City Manager Guertin.

City Manager Guertin: Coming out of Covid and meeting with other City Managers to discuss issues. Also focusing on collaborations with partner agencies. Some examples: PD is working with the DEA and being reimbursed for that time, met with PG&E rep about issues with the easement, talking to Sand City about sharing resources such as IT and HR staff. Ron has now added grantwriting to his list of skills and is working with CalAm on a grant to beautify the park and the 'islands' in the neighborhoods and transition them to drought resistant plants. Also getting a grant for \$10,000 from our insurance group to address trip hazards. Basketball court is complete and DRO has weathered the recent rains better than surrounding areas due to our pro-active programs. For example there is no longer a flooding issue on South Boundary Road and we have no damages to report to FEMA.

CLOSED SESSION; As permitted by Government Code Section 54956 et. Seq. the Council may adjourn to a Close Session to consider specific matters dealing with certain litigation, personnel, or labor/real negotiations.

Public Comment on Closed Session Items: Anyone wishing to address the City Council on an item to be discussed in closed session may do so now. There will be a time limit of not more than three minutes for each speaker. No action will be taken on matters brought up under this public comment period.

None

Conference with Legal Counsel – Existing Litigation (California Government Code § 54956.9 (d)(1)): California Native Plant Society v. Fort Ord Reuse Authority et al. Monterey County Superior Court Case No. 20CV001529.

Conference with Legal Counsel - Existing Litigation (California Government Code § 54956.9 (d)(1)): Christopher Lawson v. City of Del Rey Oaks, et al. Monterey County Superior Court Case No. 22CV003395.

City Attorney Lorca: No reportable action taken on either item.

NEXT MEETING DATE:

Tuesday, March 28, 2023 at 6:00pm

ADJOURNMENT: 9:16 pm

Attest:

Date:



CITY OF DEL REY OAKS

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

Staff Report

DATE: March 28, 2023

TO: Mayor and City Council Members
John Guertin, City Manager

FROM: Denise Duffy, Planning Consultant

SUBJECT: SECOND READING OF AN ORDINANCE TO AMEND THE DEFINITION OF “FAMILY” IN THE DEL REY OAKS MUNICIPAL CODE (“MUNICIPAL CODE”) AND TO ALLOW FOR THE USE OF EMERGENCY SHELTERS WITHIN CERTAIN ZONING DISTRICTS OF THE CITY
(SECOND READING)

Recommendation

It is recommended the City Council hold second reading of the Ordinance and adopt it.

Summary & Discussion

On December 14, 2022, the Planning Commission voted unanimously to recommend that the City Council adopt the ordinance. On March 16, 2023, the City Council held a public hearing and approved a first reading of the Ordinance. Before voting to introduce the Ordinance, a typographical correction was made and was included in the introduction of the Ordinance, and is included for the second reading.

Environmental Determination

The Ordinance has been determined to be exempt from CEQA review pursuant to State CEQA Guidelines Section 15061(b)(3). This section of CEQA establishes a statutory exemption where “The activity is covered by the commonsense exemption that CEQA applies only to projects 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.” Also, and as a separate and independent basis, pursuant to Government Code section 65583(a)(4)(B) this Ordinance is not a discretionary act subject to CEQA review.

ATTACHMENTS:

1. Draft Ordinance.

ORDINANCE NO. 312

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS, CALIFORNIA, TO AMEND THE DEFINITION OF “FAMILY” IN THE DEL REY OAKS MUNICIPAL CODE (“MUNICIPAL CODE”) AND TO ALLOW FOR THE USE OF EMERGENCY SHELTERS WITHIN CERTAIN ZONING DISTRICTS OF THE CITY

WHEREAS, California State law requires that all local governments adopt a Housing Element as one of the seven mandated elements of the General Plan; and

WHEREAS, in 2007, the State of California passed Senate Bill 2 (“SB2”), the “Emergency Shelter Act,” to clarify and strengthen housing element law to ensure local zoning encourages and facilitates emergency shelters and limits the denial of emergency shelters and transitional and supportive housing under the State’s housing element law (Government Code Sections 65580 - 65589.8); and

WHEREAS, the City’s Planning Staff has evaluated land use and zoning opportunities and constraints to determine ways to best meet the requirements of SB2, while at the same time balancing community safety, needs and resources; and

WHEREAS, additionally, the City desires to amend the definition of “family” in the Municipal Code to align with current State law; and

WHEREAS, the Planning Commission of the City of Del Rey Oaks, California, on the 14th day of December, 2022, held a duly noticed Public Hearing and recommended approval to the City Council of Zoning Ordinance Amendments to the Del Rey Oaks Municipal Code, as identified by Title of this Ordinance.

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

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

SECTION 2. Section 17.04.150 of the Municipal Code shall be amended as follows with text shown in ~~strikethrough~~ being deleted, and text shown in ***bold italic*** being added:

~~Family means a person or persons, related by blood, marriage or adoption, or a group of not more than four persons, excluding necessary employed servants, not related by blood, marriage or adoption, living together as a single housekeeping unit.~~

“Family means one or more persons living together in a dwelling unit as a single housekeeping unit.”

SECTION 3. Chapter 17.80 is added to the City of Del Rey Oaks Municipal Code as follows:

"Chapter 17. 80 – Emergency Shelters

Section 17.80.010: Purpose and Intent

The purpose of this Chapter is to establish standards for emergency shelters, as defined herein, within the City. This Chapter is intended to address emergency shelters in order to comply with the requirements of State law under California Government Code Section 65580 et seq.

Section 17.80.020: Definition of Emergency Shelters “Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.

Section 17.80.030: Standards

Emergency shelters shall be permitted as a principally permitted use in the C-1 Zoning District, subject to the location restrictions identified in this section.

In addition to the development standards in the underlying zoning district, emergency shelters shall comply with the standards set forth in this section. Any application for an emergency shelter facility located the C-1 Zoning District that meets the following performance, development, design, and managerial standards (“Standards”) shall not require a discretionary permit, per Section 65583(a)(4) of the California Government Code:

1. Emergency shelters shall obtain and maintain in good standing all required licenses, permits and approvals from City, county, state and federal agencies or departments and demonstrate compliance with all applicable building and fire codes.
2. The emergency shelter shall conform to all property development standards of the zoning district in which it is located, except as modified by these Standards.
3. The length of stay of an individual client shall not exceed six months within a 12-month period.
4. The maximum number of beds for emergency shelters shall be 16 unless a conditional use permit is approved to permit additional beds.
5. External lighting shall be provided for security purposes. The lighting shall be stationary and directed away from adjacent properties and the public right-of-way.
6. No more than one emergency shelter shall be permitted within a radius of 300 feet from another such shelter when measured from the closest property lines.
7. Parking facilities shall be designed to provide one space per staff member. A secured area for bicycle parking shall be provided for use by staff and clients, commensurate with demonstrated need, but no less than a minimum of four bicycle spaces.

8. A client waiting and intake area shall be provided as interior space and contain a minimum of 10 square feet per bed provided at the facility, and a minimum size of 100 square feet of floor area.

9. Adequate storage for personal belongings shall be provided.

10. The City may inspect the facilities during business hours for compliance with the management plan and any other applicable regulations and standards.

11. A minimum of one staff person or agent shall be on duty and awake when the facility is in operation. Twenty-four-hour security shall be provided.

12. Management plan. The applicant or operator shall submit a management and operation plan for the emergency shelter review and approval by the City Manager prior to approval of a business license. The plan shall include, but not be limited to, the following:

- a. Security.
- b. Staff training.
- c. Neighborhood relations.
- d. Pet policy.
- e. Client intake process.
- f. List of services provided.
- g. Facility maintenance.
- h. Refuse control.
- i. Amenities, such as hours of operation, cooking/dining facilities, laundry facilities and activity policies.
- j. Anti-discrimination policies.

The plan may be reviewed as needed by the City with revisions made by the operator.

In the event of conflict between these standards and the underlying zoning district regulations, the provisions of this section shall apply.”

SECTION 4. Section 17.24.020 of the Del Rey Oaks Municipal Code shall be amended as follows, with deletions shown in strikethrough and additions shown in bold, italic:

“17.24.020 Permitted principal uses.

In the C-1 districts, the following principal uses are permitted:

A. Retail Stores:

1. Bakery shops, including baking only when incidental to retail sales from the premises;
2. Bookstore;
3. Children's wearing apparel stores;
4. Cigar or tobacco stores;
5. Confectionery or candy stores;

6. Delicatessens;
7. Dressmaking or millinery only when incidental to retail sales from the premises;
8. Drug stores;
9. Florist shops;
10. Dry goods or notions stores;
11. Food markets;
12. Garden supplies stores;
13. Gift stores;
14. Hardware stores;
15. Hobby supply stores;
16. Ice cream stores;
17. Jewelry stores with incidental repairs;
18. Liquor stores;
19. Newsstands;
20. Photograph shops;
21. Restaurants, cafes, soda fountains (no floor shows, dancing or drive-in car service);
22. Stationery stores;
23. Toy stores;
24. *Emergency shelters.*”

SECTION 5. Environmental Determination. The Ordinance has been determined to be exempt from CEQA review pursuant to State CEQA Guidelines Section 15061(b)(3). This section of CEQA establishes a statutory exemption where “The activity is covered by the commonsense exemption that CEQA applies only to projects 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.” Also, and as a separate and independent basis, pursuant to Government Code section 65583(a)(4)(B) this Ordinance is not a discretionary act subject to CEQA review.

SECTION 6. This ordinance shall take effect thirty (30) days following its final adoption.

SECTION 7. The City Manager and City Clerk are directed to perform all tasks necessary to implement this ordinance.

SECTION 8. Severability. If any provision, section, paragraph, sentence, clause, or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance, or any part thereof, or its

application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses, or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 9. Publication. The City Clerk of the City of Del Rey Oaks, California, is hereby directed to publish a summary of the ordinance in a newspaper of general circulation.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Del Rey Oaks, California, at its regular meeting held on the **28th** day of **March**, 2023, by the following vote:

AYES:

ABSENT:

ABSTAIN:

Scott Donaldson, Mayor

ATTEST:

John P. Guertin, City Clerk



FIRE DEPARTMENT

1635 Broadway Avenue
Seaside, CA 93955

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

March 10, 2023

John Guertin, City Manager
Del Rey Oaks City Hall
650 Canyon Del Rey
Del Rey Oaks, CA 93940

Dear Mr. Guertin:

Enclosed is a copy of the response reports for the Seaside Fire Department response to Del Rey Oaks for the period of February 1, 2023 through February 28, 2023.

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

Incident #

230202-SEA00323	230215-SEA00429
230204-SEA00340	230217-SEA00449
230206-SEA00353	230218-SEA00464
230207-SEA00360	230221-SEA00502
230209-SEA00376	

There are Nine (9) fire calls for the month of February. If you have any questions, please contact me.

Sincerely,

Paul Blaha
Deputy Fire Chief
CC: File

SEASIDE FIRE DEPARTMENT
City of Del Rey Oaks - Response Report

Incident Date	Incident Number	Alarm Time	Arrival Time	Response Time (Minutes)	Incident Type Code	District	Street Or Highway Name	Priority
2/2/2023	230202-SEA00323	7:05:56 PM	7:14:32 PM	8.00	554	29	Work	Non-Emergent
2/4/2023	230204-SEA00340	5:02:41 PM	5:07:25 PM	3.88	6111	29	Canyon Del Rey	Emergent
2/6/2023	230206-SEA00353	1:19:04 PM	1:25:40 PM	5.88	321	29	Work	Emergent
2/7/2023	230207-SEA00360	9:38:50 AM	9:45:36 AM	6.00	552	29	Carlton	Non-Emergent
2/9/2023	230209-SEA00376	4:57:07 AM	5:04:26 AM	7.32	622	29	Canyon Del Rey	Non-Emergent
2/15/2023	230215-SEA00429	11:14:23 AM	11:18:34 AM	4.18	321	29	Voe	Emergent
2/17/2023	230217-SEA00449	4:05:43 AM	4:12:19 AM	6.03	321	29	Los Encinos	Emergent
2/18/2023	230218-SEA00464	1:58:21 PM	2:06:50 PM	7.88	745	29	Hillwill	Emergent
2/21/2023	230221-SEA00502	1:44:07 PM	1:49:30 PM	5.08	321	29	Quendale	Emergent

Total Calls 9

LEGEND CODE:	INCIDENT TYPE:
100-173	FIRE
200-251	OVERPRESSURE
300-381	MEDICAL RESPONSE
400-482	HAZARDOUS CONDITION
500-571	SERVICE CALL
600-672	GOOD INTENT CALL
700-751	FALSE ALARM/FALSE CALL
800-810	SEVERE WEATHER
900-911	SPECIAL/CITIZEN COMPLAINT



Staff Report

DATE: March 28, 2023

TO: Honorable Mayor and Members of the City Council

FROM: John Guertin, City Manager

SUBJECT: Receive February 2023 Financial Reports

CEQA: This action does not constitute a “project” as defined by the California Environmental Quality Act (CEQA) guidelines section 15378 as it is an administrative activity of the City that will not result in direct or indirect physical changes in the environment.

Consideration

Receive financial reports for the month of February 2023.

Background

The City Council routinely receives financial reports for the previous month.

Summary & Discussion

Attached are the following financial statements:

- February 2023 Cash Balances – The report shows where the City’s funds are invested. The City continue to have a healthy cash balance \$12,814,301.
- February 2023 Checks Issued Register – This is a listing of all the payments issued for the month. The largest payment was \$169,516.50 for the second half of the Worker’s Comp and Liability Insurance premium.
- February 2023 General Fund Summary – This is a one-page summary of the General Fund, the City’s main operating fund. For the month of February, the General Fund shows revenue of \$408,464 and year-to-date revenue of \$2,843,436. At 66.67% of the year (8 months) the City’s revenues are slightly lower at 66.14% and expenditures are slightly lower at 65.24%. For the month of February the General Fund shows an operating deficit of \$13,240 but a year-to-date surplus of \$38,605.
- February 2023 YTD Budget v. Actual Detail – This report shows the line-item detail for all revenues and expenditures by fund and department.

Fiscal Impacts

None. This is informational only.

Recommendation

Staff recommends receiving the reports.

ATTACHMENTS:

- February 2023 Cash Balances
- February 2023 Checks Issued Register
- February 2023 General Fund Summary
- February 2023 YTD Budget v. Actual Detail

Respectfully Submitted,

John Guertin
City Manager

**City of Del Rey Oaks
CASH FUND BALANCE
As of 02/28/2023**

	<u>Current Year</u>	<u>Prior Year</u>
Accounts		
General Checking	373,069.34	637,966.29
LAIF	3,755,436.87	3,251,627.65
PARS	351,751.00	351,750.62
Dev - Monterey Peninsula Partne	9,062.62	9,062.62
Fidelity Title Escrow Acct - GJM/SBR Intersection	1,056,168.00	1,056,168.00
Fidelity Title Escrow Acct - SBR Construction	7,268,813.00	7,268,813.00
Total Accounts	<u>12,814,300.83</u>	<u>12,575,388.18</u>

City of Del Rey Oaks
Check/Voucher Register
From 2/1/2023 Through 2/28/2023

Check Number	Payee	Transaction Description	Check Amount
02282023	ADP	01/2023 ADP processing charges	563.93
	ADP	ADP 2022/Q4 Y/E info -tax reporting, W-2s	236.30
02282024	P.E.R.S.-HEALTH	CalPERS 1800 Health 02/2023	30,228.89
02282025	WEX BANK-CHEVRON	Fuel charges for 01/2023	2,468.17
	WEX BANK-CHEVRON	Fuel fees 01/2023	600.06
21160	AMERICAN SUPPLY COMPANY	Supplies	172.45
21161	CALIFORNIA-AMERICAN WATER	Acct # 1015-210018799016 Service 12/20/22 - 01/20/2023	74.42
	CALIFORNIA-AMERICAN WATER	Acct #1015-210018869991 Service 12/21/22 - 01/20/2023	166.68
	CALIFORNIA-AMERICAN WATER	Acct #1015-210021255352 Service 12/21/22 - 01/20/2023	34.82
	CALIFORNIA-AMERICAN WATER	Acct #1015-210021396208 Service 12/20/22 - 01/20/2023	37.58
	CALIFORNIA-AMERICAN WATER	Acct# 1015-210021327653 Service 12/20/22 - 01/20/2023	102.48
	CALIFORNIA-AMERICAN WATER	Acct# 1015-210021397607 Service 12/20/22 - 01/20/2023	123.60
	CALIFORNIA-AMERICAN WATER	Acct#1015-210021092445 service 12/20/22 - 01/20/2023	37.61
21162	CORELOGIC SOLUTIONS, LLC.	RQ2 Flat Rate Limited Package Service to 01/31/2023	150.00
21163	CORONADO DEISEL MOBILE SERVICES	Service Call to CDRO to Install metal screens on Drainage on city street	644.11
21164	Employment Development Department	Acct#925-0483-6 UI Liability Period of 10/1 - 12/31/2022	9,450.00
21165	ENTENMANN-ROVIN CO.	Supplies From 07/22/22	215.89
21166	G.P.S. SOLUTIONS	January 2023 Building Permits and Inspections	6,307.35
21167	HOME DEPOT CRC	Supplies - January 2023	331.92
21168	JAMES DE CHALK	Janitorial Service for January 2023	500.00
21169	LEAGUE OF CALIFORNIA CITIES	Membership Dues for 2023	1,218.00
21170	Monterrey One Water	Sewer - Period 01/01/2023 - 02/28/2023	73.42
21171	ODP Business Solutions, LLC	Supplies	566.30
21172	PRECISION ALARMS AND AUTOMATION	Alarm Monitoring System for January 2023	170.00
21173	Peace Officers Research Association of California	Legal Defence Fund#3162 to 12/31/2022	988.80
21174	PURE WATER	Office Supplies - Bottled Water and Dispensor	44.25
21175	Rodríguez Tree Service	Tree removal and tree trimming	2,300.00
21176	ROGER GUZMAN	Reim for Sidebreak 26, Wax and custome item	252.53
21177	THE MAYNARD GROUP	Acct#AC3744 Monthly Service - Phones for February 2023	67.00
21178	US Bank Equipment Finance	Acct#500-0673430-000 Konica Minolta Lease	397.84
21179	Verizon	Acct#342533778-00001 Mobile Service 01/24 to 02/23/2023	80.02
21180	ABILA	Annual Software Service 02/12/23 to 02/11/2024	3,880.73

City of Del Rey Oaks
Check/Voucher Register
From 2/1/2023 Through 2/28/2023

Check Number	Payee	Transaction Description	Check Amount
21181	AT&T MOBIILITY	Acct #287290891231 - Service Period 02-03 to 03-03-2023	949.97
	AT&T MOBIILITY	Acct #287304221758x02102023 Mobile Phone Service 02/03 to 03/02/2023	80.48
21182	CoPower	DENTAL COVERAGE - March 2023	2,237.99
21183	COMCAST BUSINESS	Acct #8155100280008479 Service 02-10 to 03-09-2023.	746.45
21184	CORONADO DEISEL MOBILE SERVICES	Ford Explorer #92 - Service Job - Lube & Safety Inspection	285.18
	CORONADO DEISEL MOBILE SERVICES	Service to Dodge Charger #99 - Safety Insp, Lube and Compete Breake Job	2,245.59
21185	Dani R. Banionis	Misc Refund - BBQ Areia 02-28-2023	150.00
21186	FENTON & KELLER	CA Native Plant Society vs Fort Ord Reuse - January 2023	1,135.00
	FENTON & KELLER	Christopher Lawson Claim & Investigation - January 2023	325.00
	FENTON & KELLER	January 2023 - City Attorney General Services	5,624.50
21187	I.M.P.A.C.GOVERNM'T SER	Visa #9924 - Staff Charges 02-22-2023	4,200.35
21188	LEAGUE OF CALIFORNIA CITIES	Membership Dues for Monterey Bay Division 2023	300.00
21189	MBS BUSINESS SYSTEMS	Acct #3948511 - Rate Change Adjustment - 03/17/23	10.78
21190	MONTEREY BAY AREA INSURANCE FUND	FY - 22/23 WC Premiam and Liability Insurance	169,516.50
21191	MONTEREY BAY OFFICE PRODUCTS	Acct#500-0598993-000 - Konica Minolta PD Lease - February 2023	138.48
21192	County of Monterey	4th Qtr - FY 2022/2023 Dispatch, NGEN Quarterly Service	16,318.00
21193	MONTEREY COUNTY TAX COLLECTOR	Property Assesment #031-191-028-000 FY 2022-2023	77.91
21194	MONTEREY TIRE SERVICE	#14 Dodge Carger Police - New Tires and Service	750.15
21195	Motorola Solutions	Magnetic Center Mount V300-Black	376.91
21196	ODP Business Solutions, LLC	Supplies	149.82
21197	PG&E	Acct#4283033409-2 PGE services 12-21-22 to 01-22-23	2,429.49
21198	Peace Officers Research Association of California	PORAC - Legal Defence Fund #3162 1st Qtr 2023	988.80
21199	REGIONAL GOVERNMENT SERIVCES	January 2023 - Contrac Services	17,411.09
21200	RON FUCCI	Ron Fucci - Reimbursement for Workout Equipment Feb 2023	614.31
21201	Smartsafety Software	Easy Street Draw (Subscription) 2	280.00
21202	TERMINIX	Pest Control	102.00
21203	Tracnet	CLETS Licenses for DRO Police Dept & MSP thru 06/30/2024	500.00
PERS 020323	PERS	PERS 3100 Contribution Retirement 1/14-1/27/23 -Plan 1364	484.77
	PERS	PERS 3100 Contribution Retirement 1/14-1/27/23 -Plan 25623	3,462.68
	PERS	PERS 3100 Contribution Retirement 1/14-1/27/23 -Plan 26934	1,656.20
	PERS	PERS 3100 Contribution Retirement 1/14-1/27/23 -Plan 1365	4,126.82

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01 Monthly-Check Register

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City of Del Rey Oaks
Check/Voucher Register
From 2/1/2023 Through 2/28/2023

<u>Check Number</u>	<u>Payee</u>	<u>Transaction Description</u>	<u>Check Amount</u>
PERS 02032...	PERS	CalPERS 1900 457 (02/03) Contribution 02/15/2023	2,400.00
Report Total			302,560.37

City of Del Rey Oaks
Statement of Revenues and Expenditures-General Fund Summary
100 - General Fund

From 2/1/2023 Through 2/28/2023

	Current Month Actual	Year to Date Actual	YTD Budget - Revised	Percent Collected/Spent
Revenue				
Property Taxes	0.00	440,132.06	737,700.00	59.66%
Sales Tax	162,931.17	942,854.51	1,253,000.00	75.24%
Other Taxes	23,512.66	305,325.02	468,300.00	65.19%
Licenses and Permits	2,261.76	108,352.91	311,300.00	34.80%
Fines and Forfeitures	25.00	2,584.55	5,200.00	49.70%
Other Revenue	6,068.24	34,927.97	37,200.00	93.89%
Grants	23,682.71	166,839.30	112,500.00	148.30%
Airport Police Services	180,608.34	718,683.36	1,211,250.00	59.33%
Current Services	9,374.38	123,736.69	162,700.00	76.05%
Total Revenue	408,464.26	2,843,436.37	4,299,150.00	66.14%
Expenditures				
Council	1,482.53	17,267.33	33,600.00	51.39%
City Clerk	(20,897.40)	248,603.16	435,260.00	57.11%
City Manager	28,455.66	184,608.71	291,960.00	63.23%
Audit/Treasurer	22,092.05	135,320.52	227,200.00	59.56%
Legal	9,062.10	76,064.25	201,500.00	37.74%
Planning & Building Regulation	6,385.26	85,324.90	108,240.00	78.82%
Government Buildings	602.00	8,921.08	22,100.00	40.36%
Non-Departmental	4.98	26,906.23	21,540.00	124.91%
Police	354,655.52	1,712,974.03	2,435,400.00	70.33%
Fire/Animal Control	0.00	109,551.00	219,100.00	50.00%
Public Works/Streets	18,959.94	165,493.34	258,750.00	63.95%
Parks/Recreation	901.97	33,796.58	44,500.00	75.94%
Total Expenditures	421,704.61	2,804,831.13	4,299,150.00	65.24%
Net Revenues	(13,240.35)	38,605.24	0.00	0.00%
Net Revenues After Other Financing Sources and Uses	(13,240.35)	38,605.24	0.00	0.00%

**City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail**

100 - General Fund

From 2/1/2023 Through 2/28/2023

		Current Period Actual	Current Year Actual	YTD Budget - Revised	Percent of Budget Used
Revenue					
Non Department Specific	000				
P/T-Secured	41110	0.00	311,489.33	520,200.00	59.87%
P/T-Unsecured	41120	0.00	24,139.60	23,000.00	104.95%
P/T-Prior Secured	41130	0.00	2,892.53	6,000.00	48.20%
Prior Unsecured	41140	0.00	0.00	100.00	0.00%
P/T-Unitary Tax	41150	0.00	5,284.58	8,600.00	61.44%
P/T-Supplemental Roll (SB813)	41160	0.00	6,423.56	12,000.00	53.52%
Property Tax - Vlf	41170	0.00	89,683.00	167,000.00	53.70%
P/T-Int/Penal	41180	0.00	219.46	800.00	27.43%
Sales Tax	42210	39,268.67	273,652.92	450,000.00	60.81%
Sales Tax - Add On	42220	123,662.50	669,201.59	803,000.00	83.33%
Cannabis Tax	42222	10,360.96	83,112.48	200,000.00	41.55%
Transient Occupancy Tax	42230	6,376.55	126,935.69	75,000.00	169.24%
Property Transfer Tax	42250	0.00	0.00	5,000.00	0.00%
Sewer Impact	42290	0.00	0.00	15,000.00	0.00%
Business Licenses	42310	598.00	56,658.92	215,000.00	26.35%
Gas Franchises	42761	0.00	0.00	5,800.00	0.00%
Electric Franchises	42762	0.00	0.00	18,500.00	0.00%
Garbage Franchises	42763	0.00	81,395.28	100,000.00	81.39%
Cable Tv Franchises	42764	6,775.15	13,881.57	26,000.00	53.39%
Water Franchises	42765	0.00	0.00	23,000.00	0.00%
Sb1186 Disability Access Fund	43311	32.00	1,498.72	1,000.00	149.87%
SB1473 Environmental Assessment Fee	43312	2.00	47.04	100.00	47.04%
Building Permits	43320	954.96	28,744.79	40,000.00	71.86%
Cannabis Business Permit	43325	0.00	5,000.00	30,000.00	16.66%
Plan Check Fees	43330	206.80	12,382.66	17,000.00	72.83%
Street Opening Permits Fees	43340	250.00	3,000.00	5,000.00	60.00%
Plumbing Permits	43350	250.00	1,750.00	1,600.00	109.37%
Electrical Permits	43360	0.00	375.00	1,600.00	23.43%
Other Licenses/Permits	43390	0.00	394.50	1,000.00	39.45%
Fines & Forfeitures	45000	0.00	35.00	200.00	17.50%
Vehicle Code Fines	45510	25.00	2,549.55	5,000.00	50.99%
Interest Earned	46100	0.00	6,246.85	10,000.00	62.46%
Rental - Garden Ctr	46815	3,000.00	24,000.00	36,000.00	66.66%
Rental - Airport RV	46816	2,900.00	23,200.00	35,000.00	66.28%
Rental - PW Bldg	46817	2,000.00	9,000.00	0.00	0.00%
HOPTR	47130	0.00	309.05	1,200.00	25.75%
Vehicle License Collection	47140	0.00	814.00	0.00	0.00%
Cop Monies	47240	8,333.33	131,937.93	100,000.00	131.93%
AMBAG REAP Grant - Housing Element	47241	0.00	3,123.50	0.00	0.00%
SB1383 Organics Recycling	47243	0.00	6,292.22	0.00	0.00%
Prop 172	47750	3,096.24	19,979.60	25,000.00	79.91%
Grants - Wellness	47760	15,000.00	22,500.00	7,500.00	300.00%
Police Grants Other Agencies	47780	0.00	0.00	5,000.00	0.00%
POST Reimbursements	47781	349.38	2,985.65	0.00	0.00%
Police Reports	48210	50.00	300.00	1,000.00	30.00%
Police Services	48211	0.00	27,925.00	48,000.00	58.17%
Public Events	48212	0.00	0.00	5,000.00	0.00%
Use Permits	48805	610.00	24,300.00	20,000.00	121.50%
Maps/Publications	48810	0.00	0.00	100.00	0.00%

**City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail**

100 - General Fund

From 2/1/2023 Through 2/28/2023

		<u>Current Period Actual</u>	<u>Current Year Actual</u>	<u>YTD Budget - Revised</u>	<u>Percent of Budget Used</u>
Property Inspections	48825	250.00	2,250.00	4,500.00	50.00%
Miscellaneous Revenue	48840	64.38	10,411.69	10,000.00	104.11%
Rental - Park	48910	500.00	2,350.00	3,100.00	75.80%
Miscellaneous Refunds	48930	2,940.00	6,079.75	0.00	0.00%
Total Non Department Specific		227,855.92	2,124,753.01	3,087,900.00	68.81%
Police	210				
Airport Police Services	48220	180,608.34	718,683.36	1,211,250.00	59.33%
Total Police		180,608.34	718,683.36	1,211,250.00	59.33%
Total Revenue		408,464.26	2,843,436.37	4,299,150.00	66.14%
Expense					
Council	110				
Council Member Stipend	61115	625.00	4,900.00	9,000.00	54.44%
Medicare	61130	9.06	71.03	200.00	35.51%
Social Security	61131	38.75	303.80	0.00	0.00%
Employer FUTA	61132	3.75	51.90	0.00	0.00%
Dental Expense	61135	505.97	3,640.78	7,400.00	49.19%
Member/Dues/Contributions	64550	0.00	3,541.17	2,000.00	177.05%
Strategic Planning	64570	300.00	1,300.00	12,000.00	10.83%
Travel Expenses	64610	0.00	3,458.65	3,000.00	115.28%
Total Council		1,482.53	17,267.33	33,600.00	51.39%
City Clerk	111				
Payroll	61105	10,743.45	87,528.12	142,800.00	61.29%
Temp Payroll	61107	0.00	0.00	25,000.00	0.00%
Overtime	61110	1,107.59	5,048.31	5,000.00	100.96%
PERS UAL	61124	0.00	38,622.00	40,000.00	96.55%
PERS Retirement	61125	416.13	5,711.83	11,700.00	48.81%
Medicare	61130	171.84	1,302.57	2,100.00	62.02%
Employer FUTA	61132	17.44	196.09	0.00	0.00%
Dental Expense	61135	190.76	1,525.50	3,400.00	44.86%
Health Insurance	61140	3,702.30	25,813.93	47,200.00	54.69%
Health Insurance -Retiree	61141	0.00	0.00	1,860.00	0.00%
Vision Ins	61145	0.00	188.98	500.00	37.79%
Workers Comp	61150	6,030.06	11,211.06	7,900.00	141.91%
Wellness Program	61155	0.00	724.18	1,100.00	65.83%
Materials/Supply	62410	1,331.08	18,825.93	16,300.00	115.49%
Office Supplies	62430	234.21	4,994.69	11,200.00	44.59%
Repair/Maintenance	63505	85.00	2,719.89	3,000.00	90.66%
Telephone	63530	487.20	3,913.26	7,680.00	50.95%
Website Design & Maintenance	63535	49.97	182.39	3,800.00	4.79%
Postage / Shipping	63540	150.00	3,705.10	2,400.00	154.37%
Training	63605	0.00	717.95	5,000.00	14.35%
Liability/Prop Non-Dpt	63620	4,961.38	13,266.06	14,900.00	89.03%
Contract Services - IT	63635	0.00	4,518.89	5,000.00	90.37%
Contract Services - HR	63652	0.00	51.30	40,000.00	0.12%
Organic Waste Regs Services	63654	0.00	0.00	12,000.00	0.00%
Agenda Management System	64315	(51,184.81)	4,920.00	4,920.00	100.00%
Document Management System	64316	0.00	0.00	1,500.00	0.00%
Municipal Code Service	64320	0.00	3,628.34	10,000.00	36.28%
Records Retention Services	64330	0.00	0.00	5,000.00	0.00%
Member/Dues/Contributions	64550	609.00	809.00	1,000.00	80.90%
Election Cost	64588	0.00	8,477.79	0.00	0.00%

City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail

100 - General Fund

From 2/1/2023 Through 2/28/2023

		Current Period Actual	Current Year Actual	YTD Budget - Revised	Percent of Budget Used
Furniture, Equipment & Vehicles	66300	0.00	0.00	3,000.00	0.00%
Total City Clerk		(20,897.40)	248,603.16	435,260.00	57.12%
City Manager	120				
Payroll	61105	14,808.00	119,685.51	175,000.00	68.39%
PERS UAL	61124	0.00	893.00	900.00	99.22%
PERS Retirement	61125	515.73	7,195.33	13,100.00	54.92%
Medicare	61130	214.72	1,732.40	2,500.00	69.29%
Employer FUTA	61132	0.00	77.04	0.00	0.00%
Dental Expense	61135	193.29	1,546.32	1,700.00	90.96%
Health Insurance	61140	3,120.31	22,730.00	23,600.00	96.31%
Vision Ins	61145	0.00	236.80	200.00	118.40%
Workers Comp	61150	4,706.68	11,190.68	9,700.00	115.36%
Wellness Program	61155	0.00	0.00	500.00	0.00%
Deferred Compensation	61165	0.00	0.00	12,000.00	0.00%
Admin Leave	61175	0.00	0.00	7,000.00	0.00%
Auto Allowance	61180	415.38	3,323.04	5,400.00	61.53%
Office Supplies	62430	0.00	125.62	1,530.00	8.21%
Liability/Prop Non-Dpt	63620	3,872.55	14,326.55	18,200.00	78.71%
Member/Dues/Contributions	64550	609.00	1,159.00	3,500.00	33.11%
Books and Periodicals	64565	0.00	0.00	300.00	0.00%
Travel Expenses	64610	0.00	387.42	8,000.00	4.84%
Contingency	66905	0.00	0.00	8,830.00	0.00%
Total City Manager		28,455.66	184,608.71	291,960.00	63.23%
Audit/Treasurer	130				
ADP Payroll Fees	62310	800.23	1,000.23	7,100.00	14.08%
Bank Service Charges	62320	0.00	3,133.86	1,000.00	313.38%
Accounting Software	62431	3,880.73	3,880.73	3,600.00	107.79%
Contractual Services - Audit	63625	0.00	11,812.26	31,000.00	38.10%
Actuarial Services	63627	0.00	0.00	4,500.00	0.00%
Contract Services - Accounting	63645	17,411.09	115,493.44	180,000.00	64.16%
Total Audit/Treasurer		22,092.05	135,320.52	227,200.00	59.56%
Legal	150				
Contract Services - Legal	63650	9,062.10	75,906.75	200,000.00	37.95%
Legal Advert	64560	0.00	157.50	1,500.00	10.50%
Total Legal		9,062.10	76,064.25	201,500.00	37.75%
Planning & Building Regulation	160				
Economic Development Services	63639	0.00	7,655.50	30,000.00	25.51%
Contract Services - Planning	63640	0.00	43,859.51	40,000.00	109.64%
Contract Services - Housing Element	63642	77.91	77.91	0.00	0.00%
Building Inspections Services	63648	6,307.35	33,731.98	30,240.00	111.54%
Engineering Services	63649	0.00	0.00	5,000.00	0.00%
Travel Expenses	64610	0.00	0.00	3,000.00	0.00%
Total Planning & Building Regulation		6,385.26	85,324.90	108,240.00	78.83%
Government Buildings	180				
Repair/Maintenance	63505	602.00	6,121.08	20,000.00	30.60%
Janitorial Fund	63660	0.00	2,800.00	2,100.00	133.33%
Total Government Buildings		602.00	8,921.08	22,100.00	40.37%
Non-Departmental	190				
Materials/Supply	62410	4.98	3,028.94	6,120.00	49.49%

City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail

100 - General Fund
 From 2/1/2023 Through 2/28/2023

		Current Period Actual	Current Year Actual	YTD Budget - Revised	Percent of Budget Used
Telephone	63530	0.00	67.00	1,120.00	5.98%
Liability/Prop Non-Dpt	63620	0.00	12,066.49	0.00	0.00%
Member/Dues/Contributions	64550	0.00	11,625.24	13,000.00	89.42%
Misc Expenses	64580	0.00	0.00	1,000.00	0.00%
S.M.I.P.	64930	0.00	69.16	200.00	34.58%
Sb 1473	64940	0.00	49.40	100.00	49.40%
Total Non-Departmental		4.98	26,906.23	21,540.00	124.91%
Police	210				
Payroll	61105	70,248.36	598,209.42	1,026,100.00	58.29%
Overtime	61110	9,393.59	103,845.12	120,000.00	86.53%
Reserves Payroll	61120	6,922.50	52,230.00	100,000.00	52.23%
PERS UAL - Post 06/30/18	61123	0.00	0.00	6,100.00	0.00%
PERS UAL	61124	0.00	105,353.00	102,900.00	102.38%
PERS Retirement	61125	4,595.97	66,056.53	127,500.00	51.80%
PERS 457 Expense	61126	1,200.00	20,100.00	36,000.00	55.83%
Medicare	61130	1,255.18	10,957.73	14,900.00	73.54%
Social Security	61131	109.28	1,192.28	0.00	0.00%
Employer FUTA	61132	74.37	886.02	0.00	0.00%
Dental Expense	61135	1,220.99	9,768.50	19,400.00	50.35%
Health Insurance	61140	20,855.04	156,875.52	243,000.00	64.55%
Health Insurance -Retiree	61141	151.00	1,134.00	700.00	162.00%
Vision Ins	61145	0.00	1,609.72	2,900.00	55.50%
Workers Comp	61150	80,056.33	166,753.46	212,800.00	78.36%
Wellness Program	61155	0.00	1,825.26	5,300.00	34.43%
Uniform Allowance	61160	0.00	4,250.00	10,000.00	42.50%
Materials/Supply	62410	1,562.87	53,147.36	45,000.00	118.10%
Ammunition	62420	252.53	4,931.43	4,000.00	123.28%
Office Supplies	62430	52.05	3,048.42	3,000.00	101.61%
PD Safety Equip Lease - Principal	62460	0.00	0.00	24,300.00	0.00%
PD Safety Equip Lease - Interest	62461	0.00	0.00	1,000.00	0.00%
Auto Ops - Supplies / Equip	62710	1,282.38	1,371.07	2,500.00	54.84%
Auto Ops - Fuel	62720	2,468.17	19,401.37	30,000.00	64.67%
Repair/Maintenance	63505	707.10	8,613.04	14,000.00	61.52%
Telephone	63530	1,436.72	14,690.43	14,000.00	104.93%
Internet	63531	0.00	473.71	2,500.00	18.94%
Records Management	63537	0.00	2,638.90	3,400.00	77.61%
Software-Annual Maintenance					
Annual Maintenance	63538	0.00	0.00	3,400.00	0.00%
Postage / Shipping	63540	0.00	293.32	500.00	58.66%
Training	63605	1,373.80	9,198.35	15,000.00	61.32%
Liability/Prop Non-Dpt	63620	75,318.56	130,103.35	111,800.00	116.37%
Contractual Services - Audit	63625	0.00	0.00	4,500.00	0.00%
Contract Services - IT	63635	0.00	4,750.00	6,000.00	79.16%
Contract Services - HR	63652	0.00	0.00	3,000.00	0.00%
Janitorial Fund	63660	0.00	0.00	2,000.00	0.00%
Radio Dispatch Police	63665	16,318.00	73,530.00	73,300.00	100.31%
Auto Repair/Maintenance	63730	3,465.92	11,085.90	14,000.00	79.18%
Animal Regulation Fire	63820	0.00	0.00	500.00	0.00%
Fund Jail & Prisoner	63830	0.00	0.00	200.00	0.00%
Acjis System Police	63840	0.00	5,270.32	9,000.00	58.55%

City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail

100 - General Fund

From 2/1/2023 Through 2/28/2023

		Current Period Actual	Current Year Actual	YTD Budget - Revised	Percent of Budget Used
Personnel Recruit & Pre-Employment	64545	0.00	400.00	3,000.00	13.33%
Member/Dues/Contributions	64550	0.00	1,332.00	5,000.00	26.64%
Books and Periodicals	64565	0.00	580.01	900.00	64.44%
Travel Expenses	64610	0.00	12,733.68	12,000.00	106.11%
Equipment	66302	54,334.81	54,334.81	0.00	0.00%
Total Police		354,655.52	1,712,974.03	2,435,400.00	70.34%
Fire/Animal Control	220				
Fire Seaside	63810	0.00	109,551.00	219,100.00	50.00%
Total Fire/Animal Control		0.00	109,551.00	219,100.00	50.00%
Public Works/Streets	311				
Payroll	61105	6,123.20	49,197.91	79,700.00	61.72%
Overtime	61110	0.00	0.00	3,000.00	0.00%
PERS UAL	61124	0.00	893.00	1,000.00	89.30%
PERS Retirement	61125	205.83	3,384.76	6,000.00	56.41%
Medicare	61130	88.78	710.24	1,200.00	59.18%
Employer FUTA	61132	5.26	77.04	0.00	0.00%
Dental Expense	61135	126.98	1,015.84	1,700.00	59.75%
Health Insurance	61140	2,400.24	17,484.60	23,600.00	74.08%
Vision Ins	61145	0.00	132.08	300.00	44.02%
Workers Comp	61150	2,205.94	4,577.94	4,400.00	104.04%
Wellness Program	61155	614.31	614.31	500.00	122.86%
Materials/Supply	62410	109.09	21,498.46	16,500.00	130.29%
Office Supplies	62430	22.12	499.51	1,530.00	32.64%
Auto Ops - Supplies / Equip	62710	0.00	1,813.22	2,500.00	72.52%
Auto Ops - Fuel	62720	600.06	4,534.04	5,000.00	90.68%
Repair/Maintenance	63505	2,944.11	31,878.32	41,000.00	77.75%
Gabilan Crew	63515	0.00	0.00	5,000.00	0.00%
Utilities/Pge	63520	1,395.04	10,055.97	12,000.00	83.79%
Utilities/Water	63525	303.98	2,624.69	3,200.00	82.02%
Training	63605	0.00	0.00	5,000.00	0.00%
Liability/Prop Non-Dpt	63620	1,815.00	5,642.33	5,500.00	102.58%
Auto Repair/Maintenance	63730	0.00	1,792.08	8,300.00	21.59%
Storm Water Project - Phase 4	64920	0.00	7,067.00	23,000.00	30.72%
Contingency	66905	0.00	0.00	8,820.00	0.00%
Total Public Works/Streets		18,959.94	165,493.34	258,750.00	63.96%
Parks/Recreation	411				
Materials/Supply	62410	555.34	11,008.21	16,500.00	66.71%
Repair/Maintenance	63505	0.00	20,633.05	25,000.00	82.53%
Utilities/Water	63525	346.63	2,155.32	2,000.00	107.76%
Travel Expenses	64610	0.00	0.00	1,000.00	0.00%
Total Parks/Recreation		901.97	33,796.58	44,500.00	75.95%
Total Expense		421,704.61	2,804,831.13	4,299,150.00	65.24%
Excess(Deficit) of Revenue Over Expenditures		(13,240.35)	38,605.24	0.00	0.00%

**City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail**

210 - Gas Tax Fund

From 2/1/2023 Through 2/28/2023

		Current Period Actual	Current Year Actual	YTD Budget - Revised	Percent of Budget Used
Revenue					
Non Department Specific	000				
Gas Tax 2103	47010	0.00	8,941.71	15,000.00	59.61%
Gas Tax 2105	47020	0.00	6,078.84	10,400.00	58.45%
Gas Tax 2106	47030	0.00	6,854.99	9,100.00	75.32%
Gas Tax 2107	47040	0.00	7,405.21	14,200.00	52.14%
Gas Tax 2107.5	47050	0.00	1,000.00	1,000.00	100.00%
Total Non Department Specific		0.00	30,280.75	49,700.00	60.93%
Total Revenue		0.00	30,280.75	49,700.00	60.93%
Expense					
Public Works/Streets	311				
Street Sweeping	63510	0.00	6,203.88	10,000.00	62.03%
Street Lighting	63910	1,034.45	7,300.51	15,000.00	48.67%
Total Public Works/Streets		1,034.45	13,504.39	25,000.00	54.02%
Total Expense		1,034.45	13,504.39	25,000.00	54.02%
Excess(Deficit) of Revenue Over Expenditures		(1,034.45)	16,776.36	24,700.00	67.92%

**City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail**

211 - SB1 Fund
From 2/1/2023 Through 2/28/2023

		<u>Current Period Actual</u>	<u>Current Year Actual</u>	<u>YTD Budget - Revised</u>	<u>Percent of Budget Used</u>
Revenue					
Non Department Specific	000				
SB 1 Funds	47777	2,887.76	22,959.36	36,900.00	62.22%
MBASIA Contribution	48970	0.00	0.00	10,000.00	0.00%
Total Non Department Specific		<u>2,887.76</u>	<u>22,959.36</u>	<u>46,900.00</u>	<u>48.95%</u>
Total Revenue		<u>2,887.76</u>	<u>22,959.36</u>	<u>46,900.00</u>	<u>48.95%</u>
Expense					
Street Improvements	523				
Street Improvements	66410	0.00	0.00	70,000.00	0.00%
Total Street Improvements		<u>0.00</u>	<u>0.00</u>	<u>70,000.00</u>	<u>0.00%</u>
Total Expense		<u>0.00</u>	<u>0.00</u>	<u>70,000.00</u>	<u>0.00%</u>
Excess(Deficit) of Revenue Over Expenditures		2,887.76	22,959.36	(23,100.00)	(99.39)%

**City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail**

212 - Measure X Fund
From 2/1/2023 Through 2/28/2023

		Current Period Actual	Current Year Actual	YTD Budget - Revised	Percent of Budget Used
Revenue					
Non Department Specific	000				
Measure X	47775	0.00	0.00	92,000.00	0.00%
Total Non Department Specific		0.00	0.00	92,000.00	0.00%
Total Revenue		0.00	0.00	92,000.00	0.00%
Expense					
Via Verde/Los Encinos Street Repair	524				
Street Improvements	66410	0.00	0.00	30,000.00	0.00%
Total Via Verde/Los Encinos Street Repair		0.00	0.00	30,000.00	0.00%
Angelus/Rosita Storm Drain Repair (Engineering)	525				
Street Improvements	66410	0.00	0.00	10,000.00	0.00%
Total Angelus/Rosita Storm Drain Repair (Engineering)		0.00	0.00	10,000.00	0.00%
Angelus/Rosita Storm Drain Repair (Construction)	526				
Street Improvements	66410	0.00	0.00	60,000.00	0.00%
Total Angelus/Rosita Storm Drain Repair (Construction)		0.00	0.00	60,000.00	0.00%
Debt Service - Measure X	610				
Principal - Measure X Loan	65103	0.00	0.00	90,000.00	0.00%
Interest - Measure X	65203	0.00	0.00	2,000.00	0.00%
Total Debt Service - Measure X		0.00	0.00	92,000.00	0.00%
Total Expense		0.00	0.00	192,000.00	0.00%
Excess(Deficit) of Revenue Over Expenditures		0.00	0.00	(100,000.00)	0.00%

City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail
223 - ARPA Fund
 From 2/1/2023 Through 2/28/2023

		<u>Current Period Actual</u>	<u>Current Year Actual</u>	<u>YTD Budget - Revised</u>	<u>Percent of Budget Used</u>
Revenue					
Non Department Specific	000				
ARPA Grant	47521	0.00	197,836.00	197,870.00	99.98%
Total Non Department Specific		0.00	197,836.00	197,870.00	99.98%
Total Revenue		0.00	197,836.00	197,870.00	99.98%
Expense					
City Clerk	111				
Agenda Management System	64315	(3,150.00)	0.00	0.00	0.00%
Computer Server Replace	64318	0.00	0.00	12,000.00	0.00%
Total City Clerk		(3,150.00)	0.00	12,000.00	0.00%
City Hall Parking Lot Imp	527				
Parking Lot Improvements	66425	0.00	0.00	150,000.00	0.00%
Total City Hall Parking Lot Imp		0.00	0.00	150,000.00	0.00%
Park Parking Lot	528				
Parking Lot Improvements	66425	0.00	0.00	60,500.00	0.00%
Total Park Parking Lot		0.00	0.00	60,500.00	0.00%
Total Expense		(3,150.00)	0.00	222,500.00	0.00%
Excess(Deficit) of Revenue Over Expenditures		3,150.00	197,836.00	(24,630.00)	(803.23)%

**City of Del Rey Oaks
Statement of Revenues and Expenditures-YTD Budget v. Actual Detail**

311 - Prop 68 Grant Fund
From 2/1/2023 Through 2/28/2023

		Current Period Actual	Current Year Actual	YTD Budget - Revised	Percent of Budget Used
Revenue					
Non Department Specific	000				
Donations	48844	0.00	0.00	30,000.00	0.00%
Total Non Department Specific		0.00	0.00	30,000.00	0.00%
Total Revenue		0.00	0.00	30,000.00	0.00%
Expense					
Park Play Structure	529				
Park Improvements	66420	0.00	12,945.99	13,850.00	93.47%
Total Park Play Structure		0.00	12,945.99	13,850.00	93.47%
Basketball Court Reconstruction	530				
Park Improvements	66420	0.00	660.00	30,000.00	2.20%
Total Basketball Court Reconstruction		0.00	660.00	30,000.00	2.20%
Park Parking Lot/Accessibility Project	531				
Park Improvements	66420	0.00	95,000.00	59,500.00	159.66%
Total Park Parking Lot/Accessibility Project		0.00	95,000.00	59,500.00	159.66%
Total Expense		0.00	108,605.99	103,350.00	105.09%
Excess(Deficit) of Revenue Over Expenditures		0.00	(108,605.99)	(73,350.00)	148.06%



POLICE

DEL REY OAKS

City Council Report

FEB 2023

Chris Bourquin
Interim Chief

Case #	Date	Offense Code 1	Offense Code Description	DRO	MPAD	OJ	Residential	Commercial
23-033	02/02/2023	Missing Person		X			X	
23-034	02/04/2023	530.5(A) PC	Identity Theft	X			X	
23-035	02/07/2023	273.6(A) PC	Violation of Protective Order	X			X	
23-036	02/07/2023	484(A) PC	Theft	X				X
23-037	02/07/2023	Outside Warrant/M	Arrest			X		
23-038	02/08/2023	602(L)(1) PC	Trespass	X				X
23-039	02/08/2023	415(1) PC	Disturbance	X				X
23-040	02/09/2023	ACPP	Traffic Collision	X				X
23-041	02/10/2023	484(A) PC	Theft	X				X
23-042	02/11/2023	Found Property		X				x
23-043	02/11/2023	Information Only				X	X	
23-044	02/11/2023	530.5(A) PC	Identity Theft	X			X	
23-045	02/12/2023	Information Only		X				X
23-046	02/15/2023	Death Investigation		X			X	
23-047	02/16/2023	Information Only			X			X
23-048	02/16/2023	23110(A) VC	Throwing Substance at Vehicle			X		X
23-049	02/16/2023	Information Only			X			X
23-050	02/17/2023	530.5(A) PC	Identity Theft	X			X	
23-051	02/18/2023	1203.2(A) PC	Probation Violation					
23-052	02/18/2023	415(1) PC	Disturbance	X			X	
23-053	02/19/2023	415(1) PC	Disturbance		X			X
23-054	02/19/2023	484(A) PC	Theft	X				X
23-055	02/19/2023	14601.2(A) VC	Driving with Suspended License	X				X
23-056	02/22/2023	484G PC	Fraudulent use of Credit Card	X				X
23-057	02/22/2023	484(A) PC	Theft	X				X
23-058	02/22/2023	ACN	Traffic Collision	X				X
23-059	02/23/2023	Information Only		X			X	
23-060	02/24/2023	23152(B) VC	Driving under the influence		X			X
23-061	02/25/2023	Surrendered Property			X			X
23-062	02/25/2023	484(A) PC	Theft	X				X
23-063	02/25/2023	484(A) PC	Theft	X				X
23-064	02/27/2023	Information Only		X			X	
32 Cases								

Calls for Service	
Month	YTD
305	593

Case Reports	
Month	YTD
32	64

Alarms					
Residential		Commercial		MPAD	
Mo.	YTD	Mo.	YTD	Mo.	YTD
3	6	5	8	5	15

Citations					
Moving		Parking		Warning	
Mo.	YTD	Mo.	YTD	Mo.	YTD
13	33	7	10	21	44



Group A Offense Report

Printed On: 03/06/2023

Item 3.

Beginning Date: 02/01/2023

Ending Date: 02/28/2023

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Agency: All

Offense	Reported in 2023	Reported in 2022	Percent Change	Offenses Cleared	Percent Cleared	Percent Of Category	Rate Per 100,000*
Murder	0	0	NA	0	0.00%	0.00%	NA
Negligent Manslaughter	0	0	NA	0	0.00%	0.00%	NA
Justifiable Homicide	0	0	NA	0	0.00%	0.00%	NA
Non-consensual Sex Offenses:							
Rape	0	0	NA	0	0.00%	0.00%	NA
Sodomy	0	0	NA	0	0.00%	0.00%	NA
Sexual Assault with Object	0	0	NA	0	0.00%	0.00%	NA
Fondling	0	0	NA	0	0.00%	0.00%	NA
Aggravated Assault	0	0	NA	0	0.00%	0.00%	NA
Simple Assault	1	0	NA	0	0.00%	50.00%	NA
Intimidation	1	0	NA	0	0.00%	50.00%	NA
Kidnapping/Abduction	0	0	NA	0	0.00%	0.00%	NA
Consensual Sex Offenses:							
Incest	0	0	NA	0	0.00%	0.00%	NA
Statutory Rape	0	0	NA	0	0.00%	0.00%	NA
Human Trafficking, Commercial Sex Acts	0	0	NA	0	0.00%	0.00%	NA
Human Trafficking, Involuntary Servitude	0	0	NA	0	0.00%	0.00%	NA
Crimes Against Persons Total	2	0	NA	0	0.00%	16.67%	NA
Robbery	0	0	NA	0	0.00%	0.00%	NA
Burglary/Breaking & Entering	0	1	-100.00%	0	0.00%	0.00%	NA
Larceny/Theft Offenses	6	3	100.00%	2	33.33%	60.00%	NA
Motor Vehicle Theft	0	0	NA	0	0.00%	0.00%	NA
Arson	0	0	NA	0	0.00%	0.00%	NA
Destruction Of Property	0	2	-100.00%	0	0.00%	0.00%	NA
Counterfeiting/Forgery	0	0	NA	0	0.00%	0.00%	NA
Fraud Offense	4	0	NA	0	0.00%	40.00%	NA
Embezzlement	0	0	NA	0	0.00%	0.00%	NA
Extortion/Blackmail	0	0	NA	0	0.00%	0.00%	NA
Bribery	0	0	NA	0	0.00%	0.00%	NA
Stolen Property Offenses	0	0	NA	0	0.00%	0.00%	NA
Crimes Against Property Total	10	6	66.67%	2	20%	83.33%	NA
Drug/Narcotic Violations	0	1	-100.00%	0	0.00%	0.00%	NA
Drug Equipment Violations	0	1	-100.00%	0	0.00%	0.00%	NA
Gambling Offenses	0	0	NA	0	0.00%	0.00%	NA
Pornography/Obscene Material	0	0	NA	0	0.00%	0.00%	NA
Prostitution	0	0	NA	0	0.00%	0.00%	NA
Weapons Law Violation	0	1	-100.00%	0	0.00%	0.00%	NA
Animal Cruelty	0	0	NA	0	0.00%	0.00%	NA
Crimes Against Society Total	0	3	-100%	0	0.00%	0.00%	NA
Total Group "A" Offenses	12	9	33.33%	2	16.67%	100%	NA

Note: The Rate per 100,000 will be 'NA' when the Adjusted Population Base is Zero.

* Adjusted population base: 1

2023 Crime in California



Group A Offense Report

Printed On: 03/06/2023

Item 3.

Beginning Date: 02/01/2023

Ending Date: 02/28/2023

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Statewide Crime Profile



Group A Offense Report

Printed On: 03/06/2023

Item 3.

Beginning Date: 01/01/2023

Ending Date: 02/28/2023

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Agency: All

Offense	Reported in 2023	Reported in 2022	Percent Change	Offenses Cleared	Percent Cleared	Percent Of Category	Rate Per 100,000*
Murder	0	0	NA	0	0.00%	0.00%	NA
Negligent Manslaughter	0	0	NA	0	0.00%	0.00%	NA
Justifiable Homicide	0	0	NA	0	0.00%	0.00%	NA
Non-consensual Sex Offenses:							
Rape	0	0	NA	0	0.00%	0.00%	NA
Sodomy	0	0	NA	0	0.00%	0.00%	NA
Sexual Assault with Object	0	0	NA	0	0.00%	0.00%	NA
Fondling	0	0	NA	0	0.00%	0.00%	NA
Aggravated Assault	2	0	NA	0	0.00%	50.00%	NA
Simple Assault	1	0	NA	0	0.00%	25.00%	NA
Intimidation	1	0	NA	0	0.00%	25.00%	NA
Kidnapping/Abduction	0	0	NA	0	0.00%	0.00%	NA
Consensual Sex Offenses:							
Incest	0	0	NA	0	0.00%	0.00%	NA
Statutory Rape	0	0	NA	0	0.00%	0.00%	NA
Human Trafficking, Commercial Sex Acts	0	0	NA	0	0.00%	0.00%	NA
Human Trafficking, Involuntary Servitude	0	0	NA	0	0.00%	0.00%	NA
Crimes Against Persons Total	4	0	NA	0	0.00%	19.05%	NA
Robbery	0	0	NA	0	0.00%	0.00%	NA
Burglary/Breaking & Entering	0	1	-100.00%	0	0.00%	0.00%	NA
Larceny/Theft Offenses	11	10	10.00%	3	27.27%	64.71%	NA
Motor Vehicle Theft	0	0	NA	0	0.00%	0.00%	NA
Arson	0	0	NA	0	0.00%	0.00%	NA
Destruction Of Property	2	2	0.00%	0	0.00%	11.76%	NA
Counterfeiting/Forgery	0	1	-100.00%	0	0.00%	0.00%	NA
Fraud Offense	4	1	300.00%	0	0.00%	23.53%	NA
Embezzlement	0	0	NA	0	0.00%	0.00%	NA
Extortion/Blackmail	0	0	NA	0	0.00%	0.00%	NA
Bribery	0	0	NA	0	0.00%	0.00%	NA
Stolen Property Offenses	0	0	NA	0	0.00%	0.00%	NA
Crimes Against Property Total	17	15	13.33%	3	17.65%	80.95%	NA
Drug/Narcotic Violations	0	1	-100.00%	0	0.00%	0.00%	NA
Drug Equipment Violations	0	1	-100.00%	0	0.00%	0.00%	NA
Gambling Offenses	0	0	NA	0	0.00%	0.00%	NA
Pornography/Obscene Material	0	0	NA	0	0.00%	0.00%	NA
Prostitution	0	0	NA	0	0.00%	0.00%	NA
Weapons Law Violation	0	1	-100.00%	0	0.00%	0.00%	NA
Animal Cruelty	0	0	NA	0	0.00%	0.00%	NA
Crimes Against Society Total	0	3	-100%	0	0.00%	0.00%	NA
Total Group "A" Offenses	21	18	16.67%	3	14.29%	100%	NA

Note: The Rate per 100,000 will be 'NA' when the Adjusted Population Base is Zero.

* Adjusted population base: 1

2023 Crime in California



Group A Offense Report

Printed On: 03/06/2023

Item 3.

Beginning Date: 01/01/2023

Ending Date: 02/28/2023

Page 2 of 2

Statewide Crime Profile



Denise Duffy & Associates, Inc.

PLANNING AND ENVIRONMENTAL CONSULTING

City of Del Rey Oaks Housing Element Update – 6th Cycle

March 23, 2023

Overview

The City of Del Rey Oaks (City) is required to perform a Housing Element update every 8 years, at minimum, with the same timelines applicable to all local and county governments within the jurisdiction of Association of Monterey Bay Area Government (AMBAG). AMBAG adopted the final Regional Housing Needs Allocation (RHNA) for 6th cycle in October 2022 for local governments within their jurisdiction. The 6th Cycle Housing Element Update must contain detailed information on purposes, State requirements, demographics, housing needs, housing opportunities and constraints, goals, objectives, policies and programs, and progress towards meeting those items. The following provides background information, and a scope, budget and schedule, for preparation of the 6th Cycle Housing Element Update in accordance with state requirements.

Current 2015-2023 Housing Element

The City is currently finalizing an updated 5th Cycle Housing Element and has also implemented a number of its current Housing Element programs from 2015-2023.

RHNA and Other State Mandates

In 2017, Governor Brown signed a 15-bill housing package aimed at addressing the state's housing shortage and rising housing costs, particularly through funding, streamlining permits, increasing local accountability, inclusionary zoning, and preserving existing affordable housing. Since then, legislative sessions have also created more stringent requirements for site selection, removing barriers to production, reducing fees, and limiting local discretionary control under certain circumstances.

Updating the Housing Element will be a more complex and involved process than past cycles due to the legislation, State mandates, and a substantial increase in RHNA numbers for communities in the Monterey Bay Area, including the City. The 6th Cycle RHNA for City of Del Rey Oaks is 184 units, with 53.26% of those units (98 units) being affordable to low and very-low-income households. The updated Housing Element is required to focus on housing that meets the affordability component of the RHNA. New mandates require that additional public outreach be conducted and new and/or revised policies be enacted that address inequities in housing policies. The mandates also make it more difficult to "carry-over" previous opportunity sites without re-zoning or applying "by-right" development standards. "By right" standards entitle property owners to certain types of development with less local review and discretionary approval.

Approach to Services

DD&A will complete the following scope of services for the City for the 6th Cycle Housing Element Update. Key consideration has been given in our proposed approach to the scope of services described below to facilitate adoption of the updated Housing Element by the City Council prior to the December, 2023 statutory deadline. DD&A has focused our proposed scope of services based upon on our knowledge of

the City and background and preparing the 2019 Housing Element update and the 5th Cycle update. This work will include:

- Holding a kickoff meeting with staff to refine the scope of services (Wednesday March 29 – March 30, 2023);
- Meeting with HCD to review schedule and public review requirements (March 2023)
- Preparing a refined schedule with identification of dates for specific meetings, and work products, working with City staff for facilities and outreach.
- Facilitating up to two (2) open houses, listening sessions or workshops with discussion of strategies to meet the City’s RHNA 6 and the housing element update (sites and programs);
- Up to two (2) Planning Commission and Council meetings (may be combined at the discretion of the City)
- Delivering a draft and final draft housing element for HCD.
- Preparing responses to HCD review comments.
- Preparing final housing element and participating in hearings to adopt the housing element.
- Preparing a CEQA document to accompany housing element for certification at time of adoption.

The statutory deadline for completing the update is December 15, 2023. This tight timeline necessitates a process for rapid community review and collaboration. There are no City Council or Commission approval requirements prior to the initial draft submittal to HCD. HCD requires a 90-day review period with the preliminary draft, preceded with a 30-day public comment period according to AB 215. HCD’s revision requests from the first draft will guide any subsequent drafts. Additionally, HCD’s review of the 5th cycle programs and assessment will help with the 6th cycle program evaluation. Note that while the goal is to not need HCD reviews subsequent to their first review, in all cases that we have reviewed, a second review is anticipated to be necessary within the timeline.

Scope of Services

The scope of services involves the development of a housing element and accompanying public outreach, that will lead to HCD certification of the housing element by December 31, 2023.

Task 1. Initiation and City and HCD Meetings

This task consists of the following items to facilitate project initiation:

- Kickoff meeting with staff to refine the scope of services (Wednesday March 29 – March 30, 2023);
- Meeting(s) with HCD to review schedule and public review requirements (March, April, May 2023);
- Identification of dates for specific meetings, and work products, working with City staff for facilities and dates and assuming up to two (2) open houses, listening sessions or workshops as outlined in Task 1a below;
- Discussion of strategies to meet the City’s RHNA 6th cycle and the housing element update (sites and programs); and
- Confirming with HCD review comments and City staff review times.

City staff is expected to be available for meetings with DD&A, to participate in regular coordination phone calls, and to provide City documents and background data as needed.

Task 1a Public Outreach

This task involves measures that DD&A will take to engage the community in the housing element update process. This assumes that the following tasks would be required:

- Participating in up to two (2) open houses, listening sessions or workshops (one (1) or both meetings may be conducted via Zoom),
- Participating in Planning Commission and City Council study sessions (one (1) meeting each for a total of two (2) meetings, unless combined), and
- Conducting tribal consultation in compliance with SB 18, including preparing all notices and mailings.
- Working with City staff to coordinate website updates and outreach mailings and notices.

DD&A will also work with City staff to update the current list of organizations that will be contacted to participate in the update process. City staff will be responsible for identifying and/or confirming focus group members and providing DD&A with appropriate email contact information.

Task 2. Housing Element Update Components

Task 2a. Review of Existing Programs

This task involves the review of the City's current housing element to identify the City's success in accomplishing/implementing housing goals, policies and programs. This review includes explanations and updates for goals, policies, or programs that are in progress, that have been abandoned, or that have proven ineffective. DD&A will make use of materials provided in the City's annual progress report to HCD as well as 5th Cycle materials on program implementation and progress.

Task 2b. Housing Assessment and Needs Analysis

An update to the housing assessment and needs analysis will be prepared pursuant to State housing law. The housing assessment and needs analysis will contain all topics to satisfy Government Code Section 65583(a) and Senate Bill 379 requirements. Updated information on current population, demographics, income, and employment trends, as well as affordability, housing stock and special needs housing and population will be provided. DD&A will also analyze special housing needs based on data from Census 2020 and interviews with social service agencies in the area. Special housing needs will be evaluated for the disabled, elderly, large families, families with female heads of households, and families and persons in need of emergency shelter.

Task 2c. Housing Resources and Opportunities

DD&A will complete an update to the housing resources, including available programmatic, physical and financial resources.

Task 2d. Housing Constraints Analysis

Potential governmental and non-governmental constraints to housing production will be identified, including environmental and infrastructural constraints. This analysis must contain a review of factors that may potentially constrain the development, improvement, and preservation of housing in the City of Del Rey Oaks. New housing element laws require the assessment of non-governmental constraints, including “NIMBYism”, lending practices, shortage of labor, and other economic factors. This work will include also address an updated discussion of city regulations, codes, and standards related to housing.

Task 2e. Sites Inventory

DD&A will use the inventory of the previous and current sites to determine sites citywide that may be viable RHNA sites based on new State requirements. This task involves the preparation of an inventory of vacant and underutilized sites that demonstrates the City’s capacity to accommodate its RHNA numbers. DD&A will prepare an inventory, map, and analysis illustrating the City’s capacity to accommodate the 6th Cycle RHNA. Requirements include documenting the realistic development capacity of each site and prepare a map showing all identified sites. The sites inventory will be compiled using the HCD template. This task includes inputting the information into HCD’s electronic form for submittal with the updated element.

Task 2f. Affirmatively Furthering Fair Housing Analysis

Per AB 686 (Fair Housing Work), the Affirmatively Furthering Fair Housing Analysis (AFFH)/ AB 686 analysis will be conducted on a Countywide basis and it is assumed that the City, AMBAG and available resources online will provide a portion of the information. Messaging, outreach, contextual awareness, and analysis of proposed meaningful actions are examples of work efforts intended to evolve throughout the process of this update to meet state standards for affirmatively further fair housing.

Task 2g. Revisions and New Programs

DD&A will prepare a Housing Element implementation program, inclusive of quantifiable objectives and programs, to address housing needs for all income levels, the elderly, veterans, and populations with disabilities, special needs or experiencing homelessness. This includes updating housing goals and policies to address compliance with State law and effectively responds to the housing needs, constraints, and key priorities identified through data gathering and analysis and the public participation process; and preparing an implementation program, including quantified objectives, to address housing needs for all income levels, seniors, veterans, populations with disabilities, or special needs, and those experiencing homelessness. This may also include establishing a rezoning plan to identify potential areas for rezoning if additional properties are needed to address any RHNA allocation shortfall.

Task 3. Prepare Draft and Final Housing Element

This task involves preparation of the housing element document, which includes collating materials developed in the previous tasks.

DD&A will prepare and submit an administrative draft housing element for City staff review. City staff will provide a comprehensive set of recommended changes. Once edits are complete, DD&A will then prepare a public review draft housing element that is made available to the public and presented to Planning

Commission, and City Council. DD&A will prepare PowerPoint presentations and attend meetings/hearings. Based on input, the team will then prepare a HCD review draft and submit it to HCD for the mandated 90-day review.

This task involves working closely with HCD and City Staff to respond to comments and produce a Final Draft Housing Element for adoption. DD&A will prepare PowerPoint presentations and present the final draft document at public hearings before the Planning Commission and before the City Council for final approval. DD&A will work with City staff and City attorney to prepare resolutions for EIR certification and Housing Element adoption. After the hearings, DD&A will then prepare the final adopted housing element, including any changes from the public hearings, and submit it to HCD for final certification. DD&A will also distribute the document to the applicable water/sewer district and the California Office of Planning and Research.

Task 4. Planning Commission & Council Meetings Support

This task includes action meeting notes for staff preparation of public hearing staff reports, preparation of PowerPoint presentations with notes for staff.

Task 5. Environmental Documents/CEQA

This task involves the preparation, posting, and filing all the appropriate environmental documents for compliance with the California Environmental Quality Act (CEQA), including the Initial Study, Notice of Intent to Adopt a Mitigated Negative Declaration (or other CEQA determinations as applicable), response to comments, mitigation measures, mitigation monitoring program, and notice of completion to be filed with Governor's Office of Planning and Research and the County Clerk. In addition, the Consultant or Consultant Team will be responsible for preparing all notices and mailings for AB 52 (Tribal Consultation in CEQA process). This proposal assumes that CEQA review will be limited to the preparation of an initial study/mitigated negative declaration, with an optional contingency budget to cover costs for a full Environmental Impact Report (as described below under Optional Task 8).

Task 6. Additional Tasks Requested

This task includes attendance at City Council meetings, and preparation of additional staff reports and monthly progress reports for presenting to the City Council.

Deliverables

The following is a list of deliverables that DD&A is committed to providing through the course of its work program.

Deliverables Specific to the Housing Element Update:

1. Draft Housing Element –DD&A will work with City staff, the City Council and the Planning Commission in drafting the update to the Housing Element.
2. Adoption of Housing Element – DD&A will present the Housing Element Update to the Planning Commission and City Council at one public hearing. Additional hearings may be provided according to costs for time, materials, and travel.

3. Preparation of the Final Housing Element – DD&A will make necessary revisions to the Housing Element Update document as a result of public comments and HCD comments received during the public review process.

Optional Tasks

DD&A offers the following optional services for this planning process including an update to the City's safety element. Services such as rezoning may take place following the December 2023 HCD deadline for the 6th Cycle Housing Element update.

Optional Task 7. Pro-Housing Designation, Increased Support

This budget assumes maximum use of available materials from the 5th Cycle Housing Element. Depending on HCD review, or other factors, additional staff time, subconsultants and/or personnel could potentially be required to meet the deadline for adoption of the 6th Cycle Housing Element Update. In this event, DD&A will coordinate the assignment of additional personnel or subconsultants to support the completion of key deliverables. Additional costs required under this task would require authorization by the City. As an example of increased support, the City may decide to employ California's new Pro-Housing ^{Designation}. This designation has been cited as one way to improve the likelihood of prompt certification and to avoid the expense of multiple rounds of review and revision. In the 2019-2020 legislative cycle, the Newsom Administration and the California Legislature passed the Pro-Housing Designation Program to address housing and homelessness. The California Department of Housing and Community Development (HCD) administers the program, which provides incentives for local governments to local governments to increase the availability of housing in their communities.

Optional Task 8. CEQA Environmental Impact Report (EIR) to include 6th Cycle

This scope of work assumes use of an IS/MND or for CEQA documentation. DD&A is currently preparing an EIR for 5th cycle with analysis of cumulative impacts of 6th cycle RHNA. If an EIR is needed for 6th cycle, this optional task is proposed. In this event, DD&A would prepare a scope of work amendment for preparation of the EIR and approval by the City. This fee proposal includes an estimated not-to-exceed dollar amount for EIR completion as a contingency item.

Optional Task 9. Rezoning & Land Use Update

Should programs for the Housing Element Update require updates to the General Plan, such as the General Plan Land Use Element, Safety Element and zoning code revisions, or prior to certification by HCD, this task provides additional budget for this occurrence. Additional tasks may include added hearings, and resolutions & ordinances and additional presentation of materials to the Planning Commission and City Council. The City Manager and/or City Attorney shall review all material prior to distribution and provide direction on local practice & City process. In this event, DD&A would prepare a scope of work amendment for preparation of the required updates to complete these additional services.

Schedule and Budget

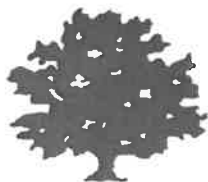
The project schedule is included in **Attachment A**, and the budget is presented in **Attachment B**.

Attachment A
Project Schedule

Schedule City of Del Rey Oaks Housing Element Update – 6th Cycle	
Tasks	Time Frame
Task 1 – Initiation and City and HCD Meetings	March and April 2023
<i>Task 1a – Public Outreach</i>	Public Outreach will be ongoing through completion of project Initial meetings to be conducted in March and April. April/May - Up to two (2) open houses, listening sessions or workshops (one (1) or both meetings may be conducted via Zoom depending on outreach needs). April/May - Planning Commission and City Council study sessions (one (1) meeting each for a total of two (2) meetings, unless combined), and May - Conduct tribal consultation in compliance with SB 18, including preparing all notices and mailings.
Task 2 – Housing Element Update Components	April/May 2023 – (Internal City Staff review to be completed by section)
<i>Task 2a - Review of Existing Programs</i>	April 2023
<i>Task 2b - Housing Assessment and Needs Analysis</i>	April 2023
<i>Task 2c - Housing Resources and Opportunities</i>	April/May 2023 -
<i>Task 2d - Housing Constraints Analysis</i>	April/May 2023 -
<i>Task 2e - Sites Inventory</i>	May 2023
<i>Task 2f - AFFH Analysis</i>	May 2023
<i>Task 2g- Revisions and New Programs</i>	May/early June 2023
Task 3 – Prepare Draft Housing Element	April/May/early June 2023
Task 4 – Public Review	30 days starting end of May/early June 2023
<i>Task 4a - HCD review and Housing Element Revisions</i>	90 days starting July/August through early September Mid-September and October Revisions
Task 5 – Environmental Documents/CEQA	Summer 2023 through November 2023
Task 6 – Adoption and Planning Commission & Council Meetings	October/November/December 2023
City of Del Rey Oaks Housing Element Update – 6th Cycle, March 23, 2023	

Attachment B
Budget Estimate

Attachment B. City of Del Rey Oaks Housing Element Update – 6th Cycle		
Task Description	Cost by Individual Task	Total Task
TASK 1: INITIATION, CITY AND HCD MEETINGS		
Review of New Requirements/Previous Programs	\$ 3,500	
Meetings/ HCD/Staff during Draft HE	\$ 2,700	
Refined Schedule for 6th Cycle Meetings	\$ 600	
Public workshops (two)	\$ 3,000	
	\$ 9,800	\$ 9,800
Task 2: HOUSING ELEMENT UPDATE COMPONENTS		
Review of Existing Conditions and Needs	\$ 3,500	
Housing Assessment and Needs Analysis	\$ 3,000	
Housing Resources and Opportunities	\$ 3,000	
Housing Constraints Analysis	\$ 3,500	
Sites Inventory	\$ 4,000	
Affirmatively Furthering Fair Housing Analysis	\$ 10,000	
Revisions and New Programs	\$ 9,000	
	\$ 36,000	\$ 36,000
Task 3: DRAFT HOUSING ELEMENT UPDATE REVIEW AND OUTREACH		
Screencheck Draft	\$ 10,000	
Public Meetings during Public Review	\$ 3,500	
Public Review Draft (30-day public review)	\$ 1,100	
Revisions per Public Review Comments	\$ 3,000	
HCD Draft (90-day review period by HCD)	\$ 1,100	
	\$ 18,700	\$ 18,700
Task 4: PREPARE DRAFT AND FINAL HOUSING ELEMENT PER COMMENTS		
HCD Review Letter and Coordination meetings	\$ 2,200	
Revisions per HCD and additional Public Review Comments	\$ 12,000	
Final Housing Element/Public Hearings/Submittal to HCD	\$ 12,000	
	\$ 26,200	\$ 26,200
Task 5: CEQA		
Initial determination of CEQA document	\$ 2,000	
Estimated CEQA costs for ISMND *see note	\$ 35,000	\$ 37,000
Task 6: Additional Tasks Requested		
Staff Reports and Monthly Progress Reports	\$ 6,000.00	
Additional meetings/materials and coordination with City staff	\$ 3,000.00	\$ 9,000.00
	DD&A Labor	\$ 136,700.00
	Estimated expenses	\$ 2,200.00
	Total	\$ 138,900.00
<i>Optional Tasks</i>		
Optional Task 7. Pro-Housing Designation, Increased Support	\$ 12,000.00	\$ 12,000.00
Optional Task 8. CEQA Environmental Impact Report (EIR) to include 6 th	\$ 60,000.00	\$ 60,000.00
Optional Task 9. Rezoning & Land Use Update		
General Plan Amendment/Rezoning	\$ 8,500.00	\$ 8,500.00
* NOTE: Actual costs to be finalized in initial task. If Task 8, EIR Optional task occurs, then \$35,000 in Task 5 is eliminated.		
CEQA costs to not include excessive responses to comments or litigation response		



CITY OF DEL REY OAKS

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

DATE: March 28, 2023
TO: Honorable Mayor and Councilmembers
FROM: Denise Duffy, City Planning Consultant
SUBJECT: Housing Element Status Report

Recommendation: Receive the staff report on the Housing Element Update, including attachments.

Background: In accordance with applicable State housing law, local government agencies are legally required to adopt plans and programs for housing that provide opportunities for and do not unduly constrain housing development. The Housing Element, which is one of seven State-mandated components of the City's General Plan, is therefore a mechanism by which the State requires local jurisdictions to provide a variety of housing options and strive toward reaching regional housing needs while maintaining civic and local responsibility toward economic, environmental, and fiscal factors and community goals stated within adopted General Plan documents. Housing Elements are required to be updated every eight years and are required to be certified by the State of California Department of Housing and Community Development (HCD) prior to finalization, in order for HCD to ensure that cities are taking necessary steps to promote the creation of housing for all income categories and of all housing types.

5th Cycle Discussion

The City's current Housing Element was adopted by the City Council in December 2019. In 2020, HCD sent a letter stating that the 2019 Element was not certified by the State. The City settled a potential legal challenge in 2020, conducted public workshops, met with HCD staff and completed a draft of the 5th Cycle Update. The Regional Housing Needs Allocation (RHNA) for the 6th Cycle was confirmed in October 2022. The 5th Cycle Update draft will be sent to HCD for 60-day review in April 2023. HCD will have 60 days to respond to address compliance. The City will then proceed to make final changes or adopt with concurrent or subsequent action to rezone Sites 1 and 1a. In addition, pursuant to applicable State housing law, the City solicited public participation from all segments of the community in the preparation of the 5th Cycle.

The Regional Housing Needs Allocation (RHNA). RHNA is mandated by state law as part of the periodic process of updating local housing elements of the General Plan. The RHNA quantifies the need for housing within each jurisdiction during the specified planning periods. The Association of Monterey Bay Area Governments (AMBAG) is responsible for developing RHNA allocations for this region, based on totals provided by HCD. The following table from the Housing Element identifies the City's 5th cycle RHNA with 4th cycle shortfall.

**Table 7-1
Quantified Objectives Summary**

Income Category	Allocation by Cycle*		Totals by Income Category	New Construction	Rehabilitation	Conservation/ Preservation	Total Units By Housing Type	
	5 th Cycle	4 th Cycle						
Very Low (0-50% of AMI)	7	34	41	41	0	0	41	Combined Low and Very Low = 70
Low (51-80% of AMI)	4	25	29	29	0	0	29	
Moderate (81-120% of AMI)	5	-	5	5	0	0	5	Combined Moderate/Above Moderate = 16
Above Moderate (more than 120% of AMI)	11	-	11	11	0	0	11	
Total Units	27	59	86	86	0	0	86	

*4th Planning Cycle affordable housing shortfall requirement applies to very low- and low-income only.
 ** Total very low and low-income
 Source: HCD Projected Housing Needs – Regional Housing Needs Allocation (HCD, 2019)

Per HCD, the City Housing Element and rezoning shall accommodate a shortfall of 59 units of adequately-zoned sites for lower-income households carried over from the previous planning period (4th cycle), as well as a shortfall of 11 units for the 5th cycle planning period.

The City conducted public workshops and hearings on the City’s 5th Cycle Update and provided final input on site inventory and program for rezoning on March 16, 2023, confirming Sites 1 and 1a.

Recommendation: Receive revised program (below) for 5th Cycle Housing Element Update, Program 1a.

<p>Program A.1 Accommodate the City's RHNA</p> <p>According to the RHNA, the City has an affordable housing shortfall of 59 units for the 4th Planning Cycle and an allocation of 11 units for the 5th Planning Cycle for low and very low-income categories. <u>The City has identified Sites 1 and 1a as being the preferred site for development to meet the City's RHNA (please see the Site Inventory in Chapter 3.0 Housing Needs and Resources) for the very low- and low-income categories and for development of moderate and above-moderate income categories. In order to develop the preferred Sites to meet the City's share of the RHNA, the Zoning Ordinance will be revised to allow affordable residential development on Sites 1 and 1a for low- and very low-income. The site will be rezoned in conformance with Government Code section 65583.2(h) and (i). The City will meet the 16 units of moderate and above-moderate RHNA on Site 1 and will re-designate sufficient property in this portion of former Fort Ord within City limits to achieve this goal. The City will provide a range of types of housing units and prices to meet the total 86 units of regional housing allocation needs for Del Rey Oaks. The Housing Element Site Inventory finds that this density can feasibly be developed on these sites. Rezoning will meet the requirements of Government Code section 65583.2(h) and (i). The City must also accommodate its moderate and above moderate RHNA. The City has described 5 sites under consideration <u>adequate area in Site 1 and Site 1a</u> to meet the City's RHNA, see Chapter 3 and Appendix C. All sites must have access to dry utilities, sewer, and water.</u></p>	
Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	<u>Amend General Plan Land Use Map and Zoning Ordinance to allow residential uses as an allowed use for Site 1 and Site 1a by the 3rd quarter of 2023. The City shall accommodate the City's 5th Planning cycle RHNA and 4th cycle shortfall carryover by 4th quarter 2021.</u>
Source of Funding	General Fund

Revisions shown in ~~strike-out~~ and underlined.

6th Cycle Discussion

The 6th cycle RHNA for the City is 184 units, with 53.26% for low and very-low income (38 units low and 60 very low income).

Key components of the housing element are set forth under State law (California Government Code Sec. 65583 et seq) and related land use regulations related to housing. The Draft 6th Cycle Housing Element will include the following components:

- Background Information: A housing needs assessment which identifies and analyzes the existing and projected housing needs within the City by examining demographic, employment, and housing trends and conditions, with attention paid to special housing needs (e.g., seniors, large families, persons with disabilities).
- Constraints on Housing Analysis: An analysis of existing and potential governmental and nongovernmental barriers to housing development.
- Housing Resources: An inventory of resources relevant to meeting the City's housing needs.
- Housing Plan: A statement of goals, policies, quantifiable objectives, and financial resources available for the preservation, improvement, and development of housing.
- Evaluation of Past Performance: Review of the 2015-2023 5th cycle Housing Element to measure progress and effectiveness of housing and outreach policies and programs.
- Public Participation: Public outreach and community engagement program, to include all economic segments of the community including any underrepresented groups.
- Sites Inventory: Identify locations of available sites to ensure there is enough land zoned for housing to meet the future need at all income levels.

The City Council will be considering authorizing DD&A to draft the 6th cycle 2023-2031 Housing Element at its meeting on March 28, 2023. During the 5th Cycle Update, the City has completed work towards the 6th cycle, including portion of the necessary tasks to assess existing and projected housing needs, initial review the existing Housing Element, and other requirements. Once Council approves DD&A's contract to officially start, DD&A and City Staff are ready to undertake the needed work on the 6th cycle update to the City's Housing Element.

6th Cycle Element Requirements

Recent changes to state law have imposed new requirements for the Housing Elements which introduces substantial challenges to the City's ability to identify sites to accommodate our required RHNA allocation. New Housing Element requirements include:

- Higher RHNA Allocations as noted above.
- Affirmative Further Fair Housing (AFFH): Assembly Bill 686 was passed in 2018 as the statewide framework to affirmatively further fair housing (AFFH) to promote inclusive communities, further housing choice, and address racial and economic disparities through government programs, policies, and operations. AB 686 defines "affirmatively furthering fair housing" to mean "taking

meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for persons of color, persons with disabilities, and other protected classes. The bill added an assessment of fair housing to the housing element which includes the following components: a summary of fair housing issues and assessment of the City’s fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities, an assessment of contributing factors, and an identification of fair housing goals and actions.

- **Sites Inventory:** The City must demonstrate in its Housing Element the ability to meet its RHNA allocation, through the provision of sites suitable for residential development. To meet the assigned housing needs, the Housing Element will identify sites that may be suitable for residential development, including vacant and non- vacant sites throughout the City. In addition, the City will include an estimate of ADUs projected to be constructed during the planning period based on development trends. The sites inventory analysis will demonstrate that the City has adequate capacity to accommodate the RHNA for the 6th cycle planning period. The City will also be required to specify the projected housing type/density for each identified site. State law requires that the adequate sites for RHNA must be available for the entire duration of the Housing Element planning period.

This is an overview and intended as informational to the Council. Future Housing Element meetings/workshops will address these items in more detail.

Next Steps

Attachment 1 provides an overview of the schedule. City staff and DD&A will coordinate on providing the following for the 6th Cycle Housing Element Update:

- Proceed with updating the sites inventory analysis;
- Provide community workshops;
- Draft the 6th Cycle Housing Element document and update the housing programs;
- Periodically report to the Planning Commission and City Council for recommendations and input;
- Prepare and refine draft CEQA documents;
- Submittal to HCD (14 days after close of 30-day Public Review);
- HCD Mandatory Review of Draft Housing Element (90 days);
- Respond to HCD comments; and
- Conduct Planning Commission/City Council hearings for adoption of the Housing Element (Fall/Winter 2023)

As part of the upcoming process, the draft housing element will be available for 30-day public review and will require an initial review period by HCD of 90 days.

Public Participation

The process for the 6th Housing Element Update will continue to provide, residents and other interested parties with opportunities to review draft documents and proposed policies, and to provide recommendations and input for consideration by decision-makers pursuant to Government Code §65583.

To date, the following public outreach efforts have been made during the update process for 6th cycle, including the March 16, 2023 Public Workshop and City Council Meeting and tonight's March 28, 2023 City Council Meeting. Additional public outreach efforts will be conducted and scheduled throughout the remainder of the update process.

Current Programs: As noted above, the 6th Cycle Housing Element must contain a section evaluating the 5th cycle programs to assess progress and effectiveness of housing and outreach policies and programs. The attached provides an overview of existing 5th Cycle policies and programs.

The City Council is also encouraged to review the attached Programs from Chapter 7.0 5th Cycle Housing Element. This will be useful in future meetings when Council will be considering specific programs to continue or expand (i.e., continuing programs into 6th cycle.)

Recommendation: There is no formal action required for this agenda item. This item is to inform the City Council of the tasks ahead necessary to complete the 6th cycle Housing Element.

This is also another opportunity to hear from the City Council on any ideas, concerns, and/or direction to staff and consultants regarding the matter, as a continuation of the discussion held by City Council on March 16, 2023. As such, this staff report contains no formal recommendation for action for 6th Cycle.

Attachment 1 – Schedule 6th Cycle

Attachment 2- Programs Chapter 7, Housing Element 5th Cycle

Attachment 1

Schedule

Schedule City of Del Rey Oaks Housing Element Update – 6th Cycle	
Tasks	Time Frame
Task 1 – Initiation and City and HCD Meetings	March and April 2023
<i>Task 1a – Public Outreach</i>	Public Outreach will be ongoing through completion of project Initial meetings to be conducted in March and April. April/May - Up to two (2) open houses, listening sessions or workshops (one (1) or both meetings may be conducted via Zoom depending on outreach needs). April/May - Planning Commission and City Council study sessions (one (1) meeting each for a total of two (2) meetings, unless combined), and May - Conduct tribal consultation in compliance with SB 18, including preparing all notices and mailings.
Task 2 – Housing Element Update Components	April/May 2023 – (Internal City Staff review to be completed by section)
<i>Task 2a - Review of Existing Programs</i>	April 2023
<i>Task 2b - Housing Assessment and Needs Analysis</i>	April 2023
<i>Task 2c - Housing Resources and Opportunities</i>	April/May 2023 -
<i>Task 2d - Housing Constraints Analysis</i>	April/May 2023 -
<i>Task 2e - Sites Inventory</i>	May 2023
<i>Task 2f - AFFH Analysis</i>	May 2023
<i>Task 2g- Revisions and New Programs</i>	May/early June 2023
Task 3 – Prepare Draft Housing Element	April/May/early June 2023
Task 4 – Public Review	30 days starting end of May/early June 2023
<i>Task 4a - HCD review and Housing Element Revisions</i>	90 days starting July/August through early September Mid-September and October Revisions
Task 5 – Environmental Documents/CEQA	Summer 2023 through November 2023
Task 6 – Adoption and Planning Commission & Council Meetings	October/November/December 2023
City of Del Rey Oaks Housing Element Update – 6th Cycle, March 23, 2023	

Attachment 2
Programs Chapter 7, Housing Element 5th Cycle

CHAPTER 7.0 HOUSING PLAN

Housing Goals, Policies and Programs

Under California law, the housing element must include the community's goals, policies, quantified objectives, and housing programs for the maintenance, improvement, and development of housing. This Housing Element contains five goal statements the City has identified to address major housing related issues facing the community. The following goals, policies, and programs are identified to meet the City's unique and specific position in the regional housing market while meeting the community demands of a growing community and changing housing market.

The Housing Plan is organized into two sections: Goals and Policies, and Housing Programs. A goal is a higher-level statement that addresses the general nature and intent of the City's housing objectives. Under each goal statement, policies are also identified which provide guidance and expand upon the City's goals. Following the Goals and Policies section, the Housing Programs section describes specific actions, procedures, or strategies the City will take to carry out the identified goals and policies. These programs also specify who the primary responsibility is for carrying out these actions and an estimated timeframe for its accomplishment. The timeframe indicates the fiscal year in which the activity is scheduled to be completed. These timeframes are general guidelines and may be adjusted based on City staffing and budgetary considerations.

Based on the goals, policies, and programs outlined in the Housing Element and findings from the Housing Needs Assessment, the following objectives represent a reasonable expectation of the number of new housing units that can be developed, rehabilitated, or conserved/preserved for the 5th Cycle Planning Period (Table 7-1).

**Table 7-1
Quantified Objectives Summary**

Income Category	Allocation by Cycle*		Totals by Income Category	New Construction	Rehabilitation	Conservation/ Preservation	Total Units By Housing Type	
	5 th Cycle	4 th Cycle						
Very Low (0-50% of AMI)	7	34	41	41	0	0	41	Combined Low and Very Low = 70
Low (51-80% of AMI)	4	25	29	29	0	0	29	
Moderate (81-120% of AMI)	5	-	5	5	0	0	5	Combined Moderate/ Above Moderate = 16
Above Moderate (more than 120% of AMI)	11	-	11	11	0	0	11	
Total Units	27	59	86	86	0	0	86	
*4 th Planning Cycle affordable housing shortfall requirement applies to very low- and low-income only.								
** Total very low and low-income								
Source: HCD Projected Housing Needs – Regional Housing Needs Allocation (HCD, 2019)								

Goals and Policies

Housing Opportunities

GOAL A: THE CITY WILL PROVIDE ADEQUATE SITES TO BUILD NEW HOUSING UNITS FOR ALL INCOME LEVELS AND TO MEET THE CITY’S FAIR SHARE OF HOUSING NEEDS.

The City wants to facilitate a wide range of housing types to ensure there is adequate supply to meet the current and future needs of the City. By maintaining a balanced inventory of housing types including sizes, price and style, the City will ensure that adequate supply is available to meet existing and future housing needs. Persons and households of different ages, types, incomes, and lifestyles have a variety of housing needs and preferences that evolve over time and in response to changing life circumstances. This goal will ensure the provision of adequate sites that will allow for development of a variety of affordable housing in a safe and sustainable environment for all residents of the City, consistent with the City’s housing allocation adopted by the AMBAG.

Policies

- A.1 Development of Underutilized Sites: The City shall ensure adequate vacant land and underutilized sites suitably zoned and prepared for residential development and/or redevelopment are available to meet the City’s housing need as identified by AMBAG.
- A.2 Diversity of Housing Types that Meet City and Regional Housing Needs: The City shall implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, live-work units, and units in mixed-use developments.
- A.3 Affordable Housing: The City shall promote the development of housing affordable to lower- and moderate-income households by pursuing State and federal funding sources for affordable housing projects. Where possible, the City shall partner with existing non-profit and for-profit corporations that are interested and able to construct and manage very low- and low-income households in the City.
- A.4 New Sources of Infrastructure Financing: The City shall continue to seek new sources of financing for necessary infrastructure improvements for new development to facilitate new housing development.

Affordable Housing

GOAL B: THE CITY WILL ENCOURAGE THE PROVISION OF A WIDE RANGE OF HOUSING BY LOCATION, TYPE OF UNIT, AND PRICE TO MEET THE EXISTING AND FUTURE HOUSING NEEDS IN THE CITY.

The City is committed to provide adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. In order to do this, the City has identified a number of policies and programs ranging from seeking funding from varied sources, thereby increasing the opportunities for the development of affordable housing units, to working with non-profit and for-profit developers in the production of affordable for-sale and rental housing. Recognizing that homeownership plays a significant

role in establishing strong neighborhoods and a sense of community pride, the City also supports programs that make purchasing a home a realistic option for lower-income households.

Policies

- B.1 Adoption of Inclusionary Housing Ordinance: The City shall safeguard availability of affordable housing to moderate-, low-, very low-, and extremely low-income households through the adoption of Inclusionary and Affordable Housing Requirements.
- B.2 Homeownership Housing: The City shall encourage the development of ownership housing and assist tenants to become homeowners within the parameters of federal and state housing laws.
- B.3 Provide Incentives for Affordable Housing: The City shall promote the use of density bonuses and other incentives to facilitate the development of new housing for extremely low-, very low-, and low-income households.
- B.4 Affordable Rentals: The City shall identify and solicit redevelopment funds as well as federal and State financial assistance for the construction of rental housing units and for rent subsidies for very-low-income and low-income households.

Remove Constraints

GOAL C: THE CITY WILL WORK TO REMOVE GOVERNMENTAL AND NON-GOVERNMENTAL CONSTRAINTS TO HOUSING DEVELOPMENT.

Pursuant to State law, the City is obligated to address, and where legally possible, remove governmental constraints affecting the maintenance, improvement, and development of housing. Removing constraints on housing development can help address housing needs in the City by expediting construction, and lowering development costs.

Policies

- C.1 Flexible Development Standards: The City shall continue to improve and streamline the project review process by periodically evaluating and ensuring that zoning provision, City site improvement standards, development review procedures, entitlements procedures, and development fees do not unreasonably constrain the development, conservation, and rehabilitation of housing. Should constraints be identified, actions such as amendments to policies and procedures may be implemented to reduce or eliminate those constraints.
- C.2 Reduce or Eliminate Non-Governmental Constraints: The City shall monitor non-governmental constraints, such as interest rates, construction costs, water availability, and others, through consultation with developers, lenders and other entities directly involved in the provision of housing. Should constraints be identified, actions such as amendments to policies and procedures may be implemented to reduce or eliminate those constraints.

Equal Housing Opportunities

GOAL D: THE CITY WILL PROMOTE EQUAL HOUSING OPPORTUNITIES FOR ALL PERSONS.

The City recognizes the importance of extending equal housing opportunities for all persons, regardless of race, religion, sex, family status, marital status, ancestry, national origin, color, age, physical or mental disability, sexual orientation, source of income, or any other arbitrary factor.

The City has many residents who have special housing needs. State law requires the housing element to address the needs of specific “special needs” groups, including seniors, persons with disabilities, large families with children, female-headed households, and people who are homeless. Meeting the needs of these residents requires a broad range of strategies for housing and other services. This section also addresses student and faculty housing.

Policies

- D.1 **Fair Housing Services:** The City shall support efforts to eliminate housing discrimination on the basis of race, gender, color, religion, age, marital status, offspring, or disability. The City shall ensure compliance with federal, State, and local Fair Housing and anti-discrimination laws and ordinances. Federal, State, and local Fair Housing laws make it illegal to discriminate against any person because of race, color, religion, gender, disability, familial status, national origin, ancestry, marital status, sexual orientation, source of income, or age in the rental or sale, financing, advertising, appraisal, provision of real estate brokerage services, etc., and land-use practices.
- D.2 **Reasonable Accommodation:** The City shall encourage provision of an adequate supply of suitable housing to meet the needs of people with disabilities. The City will continue to implement a reasonable accommodation process for persons with disabilities to request exceptions or modifications of zoning, permit processing, and building regulations to ensure housing is accessible. The City will require incorporation of ADA and California Title 24 Disabled Access Regulations into new construction.
- D.3 **Housing for Seniors:** The City shall support housing programs that increase the ability of senior households to remain in their homes or neighborhoods, and if necessary, to locate other suitable affordable housing to rent or purchase.
- D.4 **Family Housing:** The City shall facilitate and encourage the development of larger rental and ownership units for families with children, including lower- and moderate-income families, and the provision of services such as childcare and after-school care when feasible.
- D.5 **Student and Single-Room Occupancy Housing:** The City shall facilitate and encourage the development of rental and ownership units for families with children, including lower- and moderate-income families, and the provision of services such as childcare and after-school care when feasible.
- D.6 **Support Organizations Serving the Homeless Community:** The City shall support the efforts of non-profit and community organizations that provide emergency shelter and other assistance for the homeless population, including alcohol and drug recovery programs.

Quality Housing Opportunities

GOAL E: THE CITY WILL CONTINUE TO CONSERVE AND IMPROVE THE CONDITION OF THE EXISTING HOUSING STOCK TO ENSURE THE SAFETY, WELFARE, AND AFFORDABILITY OF RESIDENTS.

Conserving and improving the housing stock helps maintain investment in the community and keeps existing housing affordable. Many factors can contribute to the deterioration of residential units including quality of workmanship, age, type of construction, and location. Preventing these problems from occurring and addressing them when they do occur protects the safety and welfare of residents and assists in meeting housing needs throughout the City. As a majority of the City’s housing stock is over 30 years old, it is important to maintain residential units and keep them from deterioration. The City will focus its efforts on rehabilitation, code enforcement, preservation of quality of family home and will take a proactive approach to conserving the current housing stock.

Policies

- E.1 Residential Rehabilitation: The City shall assist lower-income households whose housing units are in need of rehabilitation to ensure the safety and habitability of housing units and the quality of residential neighborhoods.
- E.2 Code Enforcement: The City shall promote the continued maintenance of the City’s existing housing stock and residential neighborhoods through enforcement of adopted code requirements that set forth the acceptable health and safety standards for the occupancy of housing units.
- E.3 Preserve Quality Single Family Housing and Rental Stock: As single family and rental stocks deteriorate, the City shall preserve the existing single-family housing, especially those single-family and rental units occupied by lower-income households.
- E.4 Sustainable Housing Design: The City shall improve affordability by promoting the incorporation of energy efficient practices into residential design.

Housing Programs

Housing Opportunities

Program A.1 Accommodate the City's RHNA

According to the RHNA, the City has an affordable housing shortfall of 59 units for the 4th Planning Cycle and an allocation of 11 units for the 5th Planning Cycle for low and very low-income categories. The City has identified Sites 1 and 1a as being the preferred site for development to meet the City's RHNA (please see the Site Inventory in Chapter 3.0 Housing Needs and Resources) for the very low- and low-income categories and for development of moderate and above-moderate income categories. In order to develop the preferred Sites to meet the City's share of the RHNA, the Zoning Ordinance will be revised to allow affordable residential development on Sites 1 and 1a for low- and very low-income. The site will be rezoned in conformance with Government Code section 65583.2(h) and (i). The City will meet the 16 units of moderate and above-moderate RHNA on Site 1 and will re-designate sufficient property in this portion of former Fort Ord within City limits to achieve this goal. The City will provide a range of types of housing units and prices to meet the total 86 units of regional housing allocation needs for Del Rey Oaks. The Housing Element Site Inventory finds that this density can feasibly be developed on these sites. Rezoning will meet the requirements of Government Code section 65583.2(h) and (i). The City must also accommodate its moderate and above moderate RHNA. The City has ~~described 5 sites under consideration~~ adequate area in Site 1 and Site 1a to meet the City's RHNA, see Chapter 3 and Appendix C. All sites must have access to dry utilities, sewer, and water.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	<u>Amend General Plan Land Use Map and Zoning Ordinance to allow residential uses as an allowed use for Site 1 and Site 1a by the 3rd quarter of 2023. The City shall accommodate the City's 5th Planning cycle RHNA and 4th cycle shortfall carryover by 4th quarter 2021.</u>
Source of Funding	General Fund

Program A.2 Develop written process for continued compliance with AB 2162

The City shall continue to comply with the requirements of state law AB 2162 (Chapter 753, statutes of 2018) and will develop a written process to adhere to the statutory requirements in accordance with state law. AB 2162 streamlines and expedites the approval of supportive housing to better address the need of Californians experiencing homelessness. The legislation requires a local government to approve, within statutory timelines, a supportive housing development that complies with specified criteria.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Continue to comply with AB 2162 (ongoing); develop a written compliance process for AB 2162 by the end of 2022.
Source of Funding	General Fund

Affordable Housing

Program B.1 Develop Inclusionary and Affordable Housing Requirements

The City will adopt an Inclusionary and Affordable Housing Ordinance that will require new residential development or redevelopment in the City to meet the City’s RHNA requirements as identified in the AMBAG RHNA. The City’s RHNA requirement are identified as follows.

**Table 7-2
Regional Housing Need Allocation**

Income Category	5 th Cycle Allocation	4 th Cycle Allocation*	Total
Very low- (31-50% of area of median income)	7	34	41
Low-income (51-80% of area median income)	4	25	29
Moderate-income (81-120% of area median income)	5		5
Above moderate (over 120% of area median income)	11		11
Total	27	59	86

Source: HCD, n.d.

*4th Planning Cycle carry over requirements

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Develop a City Inclusionary and Affordable Housing Ordinance that meets the RHNA inclusionary housing requirements; adopt ordinance by the end of 2023 2021 .
Source of Funding	General Fund

Program B.2 Facilitate Affordable Housing for All Income Levels

The City will support housing for low-income, extremely low-income, and moderate-income households and persons with disabilities (including developmental disabilities). The City will actively seek to participate in and promote housing assistance service provided by such agencies as the Monterey County Housing Authority and the U.S. Department of Housing and Urban Development.

As opportunities arise, new funding sources for lower-income housing will be sought from available non-profit, local, State, and federal programs. Planning and entitlements should consider how to position an affordable project to qualify for future grant applications.

The City will also work with developers to facilitate affordable housing development. Specifically, as funding permits, the City will provide gap financing to leverage State, federal, and other public affordable funding sources. Gap financing will focus on rental housing units affordable to lower-income households and households with special needs (such as seniors and disabled, including people with developmental disabilities). To the extent feasible, the City will also ensure a portion of the affordable housing units created will be available to extremely low-income households.

Responsible Agency	City Hall, City Manager’s Office
Timeline and Objective	Actively seek funding opportunities to increase the supply of affordable housing for lower income households, analyze sites owned by the City to identify those that could be suitable to support affordable housing. Seek to leverage these funds with federal, state, and County HOME funds to

Update to Adopted Housing Element -Changes Shown

	<p>increase the amount of affordable housing on housing strategy sites. Work with developers of housing strategy sites and non-profit developers to identify opportunities to increase the percentage of affordable housing by encouraging developers to apply for available funds and utilize other creative mechanisms. (Ongoing work with developers; report on funding annually to City Council)</p>
Source of Funding	General Fund

Program B.3 Utilize Section 8 Housing Choice Vouchers

The Housing Authority of Monterey County (HAMC) which administers the Section 8 Certificate/Voucher Program for Del Rey Oaks and throughout Monterey County provides rental subsidies to very low-income families and elderly households that spend more than 30 percent of their gross income on housing.

To help overcome the reluctance of many landlords to sign Section 8 agreements, the City shall work with the Housing Authority to offer incentives to property owners that sign Section 8 agreements.

Responsible Agency	City Hall, City Manager’s Office
Timeline and Objective	<p>The City, working with the HAMC, shall provide information and incentives to property owners to encourage them to sign Section 8 agreements with the HAMC. The number of applications received will depend upon how many property owners apply for Section 8 agreements with the HAMC and City. This program could provide rental assistance to at least two or three renters per year, with the first full active year being 2022.</p>
Source of Funding	Staff time, HAMC, and private owners/developers

Program B.4 Preferential Housing for Del Rey Oaks Residents and Workers

To the extent that such policy can be legally implemented, the City shall consider adoption of a new ordinance in compliance with the Fair Housing Law, requiring that all newly constructed inclusionary dwelling units for below-market-rate income, moderate-income, and lower-income households within the City, and all first-time homebuyer programs, be provided on a preferential basis to Del Rey Oaks residents and workers.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Adopt a Preferential Housing Ordinance by the end of 2020 <u>2023</u> .
Source of Funding	General Fund, Developer Fund

Program B.5 Develop a Density Bonus Ordinance Consistent with State law

Government Code section 65915 requires that a jurisdiction adopt a local Density Bonus Ordinance consistent with State law. State Density Bonus Law requires a local jurisdiction to grant an increase in density, if requested by a developer, for providing affordable housing as part of a development project. Key provisions of the law include incremental density bonuses that correspond to the percentage of

Update to Adopted Housing Element -Changes Shown

housing set aside as affordable units. The City shall develop and adopt a Density Bonus Ordinance consistent with the current Government Code and State Density Bonus Law. Once passed, the City will review any future amendments to State Density Bonus law to ensure that its local ordinance remains consistent with State law. Once passed the City shall commit to consider requests under State Density Bonus Law (including requests for incentives, concessions, waivers, and parking reductions) so that projects that qualify are not prevented from developing at the densities to which they are entitled.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Adopt a City Density Bonus Ordinance, consistent with Government Code and State Density Bonus Law, by the end of 2023 2021.
Source of Funding	Staff Time

Program B.6 Facilitate Affordable Rental Units

The City will apply for low interest loans, grants, and rent subsidies through the U.S. Department of Housing and Urban Development, the California Housing Finance Agency, Farmers Home Administration, and the HCD. The City will apply for at least one funding opportunity per year within the 5th Cycle Planning period. In addition, the City will provide funding through use of tax increment funding for a housing fund as such funds are available.

Responsible Agency	City Council
Timeline and Objective	Research available funds to assist in the construction of affordable units (and accessory dwelling units) to low-income and very low-income households (anticipated to start seeking funding opportunities beginning 2020). The City will file 3 funding application during the 5 th Cycle Planning period.
Source of Funding	Staff time; State, federal, and regional grants; and private property owners/developers

Remove Constraints

Program C.1 Support efforts of public and private groups providing housing for the elderly and disabled, including assistance with obtaining permits and permit streamlining consistent with SB 35, or where appropriate, waiving City fees or regulatory requirements.

The City will continue to find opportunities to streamline the permitting process to remove unnecessary barriers, without compromising public health, safety and community character. In order to do this, as part of the City’s Zoning Ordinance update, site improvement standards and development procedures will be reviewed and, as needed, revised to ensure that such standards and procedures do not unnecessarily constrain the development, conservation, and rehabilitation of affordable housing. This Zoning Ordinance update will ensure compliance with SB 35 which allows streamlined approval processes in municipalities not meeting the RHNA.

Responsible Agency	City Planning and Building Departments
Timeline and Objective	Review, and as needed, revise the City Zoning Ordinance by the end of 2023 2021.
Source of Funding	General Fund

Update to Adopted Housing Element - Changes Shown

Program C.2 ~~Update~~ Encourage the construction of Accessory Dwelling Units ~~Ordinance to Existing Standards~~

A major constraint to housing in the City is affordability. ADUs help meet the City’s needs for housing that is affordable by providing a housing resource for seniors and low- and moderate-income households. The City adopted an ADU ordinance consistent with applicable State law. State ADU law has been updated since the passage of the City ADU ordinance. The City will continue to review and update their ADU Ordinance (also known as auxiliary housing) to be compliant with updated State regulations that promote the development of ADUs.

The City will encourage the construction of ADUs by providing incentives such as waiver or reduction of development fees and expedited permit processing for ADU applications. Further, information to all eligible property owners concerning the City’s amended ordinance will be provided at the City Hall.

In addition, the City will explore the availability of prefabricated tiny homes and micro-units that may be suitable for ADUs, with the intent of providing additional information to interested homeowners.

Responsible Agency	Planning Department, City Council, Planning Commission
Timeline and Objective	Adopt updated ADU Ordinance by the end of 2020. City staff shall give an annual report to City Council on the number of new secondary units that are being built each year, starting at the end of 2021. If this number cannot meet the goal of two to three units per year, City Council will act to further amend the standards of the ADU Ordinance and height/setback requirements (for those units that have adequate water availability). Information detailing the requirements of the City’s amended ADU Ordinance, and incentives for developing ADUs including permits waiver or reduction of development fees and expedited permit processing, shall be readily available at the City Hall and shall be included on the City’s website and in the City newsletter by <u>first third quarter 2023</u> 2021 (anticipated to follow the approval and adoption of the ADU Ordinance in the end of 2020).
Source of Funding	Staff time

Program C.3 Mitigating Constraints

Based upon this review of the City’s standards, the following additional Zoning Ordinance amendments will be considered:

- Amend the Zoning Ordinance to eliminate limits on number of persons allowed to live in housing unit under definition of “Family”.
- Amend the Zoning Ordinance to include language on density bonuses to comply with State requirements.

Update to Adopted Housing Element -Changes Shown

- Review Zoning Ordinance to ensure that transitional and supportive housing is allowed in the same way other residential uses are allowed in all zoning districts allowing residential uses.
- Review and amend the Zoning Ordinance to conditionally permit SRO housing in the C-1 (Commercial) zone.
- Consistent with the California Employee Housing Act, amend the Zoning Ordinance to update standard that requires that housing for six or fewer employees be treated as a regular residential use.

Responsible Agency	Planning Department, City Council, Planning Commission, and City Hall
Timeline and Objective	Adopt updated Zoning Ordinance by the end of 2023 2020.
Source of Funding	Staff time

Program C.4 Ensure the Availability of an Adequate Water Supply to Serve the Long-Term Housing Needs of the City

A major constraint to development within the City is water supply. The City will continue to work with the MPWMD, MCWD, ~~FORA~~, and other appropriate agencies through meetings and consultation to seek securement of sufficient water resources to meet the expected needs of projected housing development.

Responsible Agency	City Council
Timeline and Objective	Participate in an annual meeting with MPWMD, MCWD, FORA , and other appropriate agencies by the end of 2020.
Source of Funding	General Fund

Equal Housing Opportunities

Program D.1 Promote Fair Housing by Providing Educational and Referral Materials

The City will continue to provide Fair Housing education and outreach, making information available in multiple languages, and refer persons with fair housing questions to the Housing Authority, Department of Equal Housing and Employment, and California Rural Legal Assistance on an as-needed basis. The City will make information about fair housing services available at City offices and on the City’s website.

Responsible Agency	City Hall, Planning & Building Departments
Timeline and Objective	Provide Fair housing education materials at City Hall in English and Spanish, post information on the City website by first quarter 2023 ; and provide information in City newsletter annually.
Source of Funding	Staff time, General Fund

Program D.2 Provide Opportunity for and Encourage the Development of Adequate Housing for the City’s Special Needs Groups.

The City shall facilitate the provision of housing for the elderly and disabled, including developmental disabilities, and other special needs housing by modifying the Zoning Ordinance to define licensed residential care facilities, to explicitly allow small residential care homes by right in all residential zone districts, allow group homes of six or fewer to be allowed in all zones allowing single-family uses (not

limited to residential uses), and to permit larger residential care homes (seven or more) in the City’s R-2 and C-1 districts consistent with the standards of these districts.

The City shall also support the efforts of public and private groups to provide housing for the elderly and disabled. Such support may include staff assistance in obtaining permits or financing, or, where appropriate, the waiver of City fees or regulatory requirements, some combination of these, or other tangible measures of support.

Responsible Agency	Planning Department, City Council, and Planning Commission
Timeline and Objective	The City will aim to update the Zoning Ordinance by the end of 2023 2020. It will aim to identify at least one residential project by 2024 that is targeted for seniors and/or persons with mobility impairments. The City will monitor these programs through annual reports to the City Council, with the first annual report by the end of 2021.
Source of Funding	Staff Time, General Fund, and State and federal programs designated specifically for special needs groups

Program D.3 Special Needs Housing for Disabled Persons

The City shall amend the Zoning Ordinance to ensure that future projects incorporate accessible design. Specifically, the zoning ordinance will be amended to:

- 1) Require new multi-family development to be in compliance with Title 24 of the California Code of Regulations;
- 2) Eliminate restrictions on occupancy standards for group homes by amending the definition of family to comply with section 801(c) and 801(k) of the Fair Housing Act; and
- 3) Allow reduced parking standards for all transitional housing and homeless shelters, for age-restricted housing (regardless of affordability), and for persons with disabilities.

The zoning code will be further reviewed to identify and remove any additional constraints and ensure that reasonable accommodations are provided with regard to housing designed for persons with disabilities. This update will expressly allow exceptions to zoning and development standards including, but not limited to, ramps as a permitted encroachment into required front and rear yards in order to ensure accessibility for persons with disabilities.

Responsible Agency	Planning Department, City Council, and Planning Commission
Timeline and Objective	Review zoning code and report to City Council on needed updates to address State law by first quarter 2023 2020. Amendments to Zoning Code specific to this program shall be adopted by end of 2023 2020.
Source of Funding	Staff Time, General Fund

Program D.4 Support Programs to Reduce Homelessness

The City shall identify adequate sites for emergency shelters and then amend its Zoning Ordinance to make appropriate zone changes, if needed, to provide for the zoning for the site to allow for the emergency shelters in the City’s zoning districts consistent with State law. ~~Zoning changes may not be~~

Update to Adopted Housing Element -Changes Shown

~~necessary as certain zones may allow emergency shelters currently.~~ Adequate sites for these housing types are available throughout the City in C zones outside of the former Fort Ord that allow residential use with a permit (acreages and vacant sites in these zones are shown in **Figure 4**). Although the City has constraints due to lack of water and available land sites, the C zone outside could be developed into emergency shelters, most of the City is within a mile of transit stops and community services. Specifically, the City has adequate capacity on vacant and underutilized parcels (approximately 12 acres) within the C-1 zoning districts outside of former Fort Ord near Canyon Del Rey (see **Figure 4**), which are suitable for the development of emergency shelters due to their proximity to public transit lines, social services, and personal services.

To the extent that funds are available, the City will provide financial support to sponsor or assist emergency shelter facilities, inside City limits or outside within a reasonable proximity to the City, as well as encourage or support facilities by providing grants, or low cost loans, to operating agencies.

Responsible Agency	City Council and Planning Commission
Timeline and Objective	Amend the City Zoning Ordinance to include provisions for emergency shelters as needed within one year of housing element adoption by end of first quarter 2023.
Source of Funding	State and federal programs designated specifically for special needs groups

Program D.5 Develop written process for continued compliance with AB 101

The City shall continue to comply with the requirements of AB 101 and develop a written process to adhere to the statutory requirements in accordance with state law. AB 101 requires a Low Barrier Navigation Center (LBNC) be a use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses if it meets specified requirements, including:

- Access to permanent housing.
- Use of a coordinated entry system (i.e. Homeless Management Information System).
- Use of Housing First according to Welfare and Institutions Code section 8255. (Gov. Code section 65662.)

A LBNC is defined as a Housing First, low barrier, temporary, service-enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy. (Gov. Code section 65660).

Responsible Agency	Planning Department, City Council and Planning Commission
Timeline and Objective	Continue to comply with AB 101 (ongoing); develop written compliance process for AB 101 compliance by the end of 2023.
Source of Funding	General Fund

Quality Housing Opportunities

Program E.1 Assist in Rehabilitating Housing

Update to Adopted Housing Element -Changes Shown

The City will investigate available low-interest loans, subsidies, and grants from federal and State agencies to provide rehabilitation funds. As funding becomes available, the City shall provide grants and/or low interest, deferred, and/or forgivable loans for building code violations, health and safety issues, essential repairs, upgrades of major component systems, and modifications to accommodate disabilities. Rehabilitation funds will be available to low-income homeowners and to owners of rental units that will rent to low-income households. Subject to federal funding the City will look to assist an average of one to two households (ranging from single-family, multi-family, and mobile homes), dependent on need.

Responsible Agency	City Council and Manager
Timeline and Objective	Assist two households by the end of 2021.
Source of Funding	Loans, subsidies, and grants and tax increment funding

Program E.2 Continue Code Enforcement

The City will continue to perform code enforcement for areas or homes with building code violations posing life and/or safety risks to occupants and/or significant property maintenance concerns and ensure that such violations are adequately abated. When violations are cited, enforcement officers will provide a list of potential funding sources to homeowners.

Responsible Agency	Police Department
Timeline and Objective	Continue to implement code enforcement efforts in the targeted areas with concentrated issues of code violations; ongoing.
Source of Funding	General Fund

Program E.3 Energy Conservation and Energy Efficient Opportunities

The City will promote subsidy and incentive programs for energy conservation available to residents. Some of these programs include PG&E's rebates, Energy Watch Partnerships, and Energy Savings Assistance Program; CARE/FERA program, and the CaliforniaFIRST program. The City will promote these programs in their newsletter and on their website.

Responsible Agency	City Hall, Planning Department, and Building Department
Timeline and Objective	Information detailing energy conservation programs shall be provided at the City Hall and shall be included on the City's website and updated at least once per year. Energy conservation programs targeted to low-income households shall be promoted in the City newsletter at least once per year and available at the City Hall. Complete annually by December of each year.
Source of Funding	General Fund

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CITY OF DEL REY OAKS

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

Date: March 28, 2023
TO: Honorable Mayor and Finance Committee Members
FROM: John Guertin, City Manager
SUBJECT: Mid-Year Budget Review and Amendment for Fiscal Year 2022-2023

CEQA: This action does not constitute a “project” as defined by the California Environmental Quality Act (CEQA) guidelines section 15378 as it is an organizational activity of the City that will not result in direct or indirect physical changes in the environment.

Recommendation

The Finance Committee recommends approval of the mid-year budget adjustments.

Background

We are pleased to present the Mid-Year Budget Adjustments for Fiscal Year 2022-23. The mid-year budget uses actual revenues and expenditures through December 31, 2022 and incorporates staff’s revised estimates for revenue and expenditures for the remainder of the fiscal year.

Summary & Discussion

The impact of the mid-year budget adjustments is summarized as follows for the General Fund:

	Current Budget	Revised Budget	Mid-Year Adjustments
General Fund			
Estimated Revenues	4,299,150	4,400,350	101,200
Appropriations	4,299,150	4,341,750	42,600
	-	58,600	58,600

The proposed Mid-Year budget adjustments result in General Fund estimated revenues increasing \$101,200, while appropriations are requested to increase \$42,600. This results in a net increase of \$58,600 to the original estimated operating surplus of \$-0- bringing the estimated surplus for the year to \$58,600. The detail of the changes are explained in the following sections.

Estimated Revenue Increase of \$101,200

The increase in estimated revenues is primarily due to the increase in TOT revenue from short-term rentals and the receipt of the one-time surplus payment from the COPS grants. Revenue adjustments are recommended only for known dramatic changes.

General Fund Appropriation Increase of \$42,600

The net increase in appropriations is due to an increase of \$30,500 in the Police Department and \$12,100 in non-departmental for property insurance premiums that were overlooked in the budget preparation. The details of the changes are shown on the attachment.

Fiscal Impacts

The increases in estimated revenues and appropriations will result in the Estimated General Fund operating surplus for the fiscal year increasing by 58,600.

Recommended Action

The Finance Committee reviewed the mid-year budget adjustments and recommended approval of the budget adjustments.

ATTACHMENTS:

Mid-Year Budget Amendment for FY 2022-2023

Respectfully submitted,

John Guertin
City Manager

	FY 22-23 Actual As of 12/31/22	YTD Budget - Revised	Percent of Budget Collected/ Used	FY 2023 Midyear Adjustments	FY 2023 Adjusted Budget
100 - General Fund					
Revenue					
Non Department Specific					
P/T-Secured	311,489	520,200	59.87%		520,200
P/T-Unsecured	24,140	23,000	104.95%	1,000	24,000
P/T-Prior Secured	2,893	6,000	48.20%		6,000
Prior Unsecured	-	100	0.00%		100
P/T-Unitary Tax	5,285	8,600	61.44%		8,600
P/T-Supplemental Roll (SB81:	6,424	12,000	53.52%		12,000
Property Tax - Vlf	89,683	167,000	53.70%		167,000
P/T-Int/Penal	219	800	27.43%		800
Sales Tax	216,459	450,000	48.10%		450,000
Sales Tax - Add On	472,570	803,000	58.85%		803,000
Cannabis Tax	62,426	200,000	31.21%	(80,000)	120,000
Transient Occupancy Tax	95,647	75,000	127.52%	115,000	190,000
Property Transfer Tax	-	5,000	0.00%		5,000
Sewer Impact	-	15,000	0.00%		15,000
Business Licenses	55,625	215,000	25.87%		215,000
Gas Franchises	-	5,800	0.00%		5,800
Electric Franchises	-	18,500	0.00%		18,500
Garbage Franchises	56,611	100,000	56.61%		100,000
Cable Tv Franchises	7,106	26,000	27.33%		26,000
Water Franchises	-	23,000	0.00%		23,000
Sb1186 Disability Access Func	1,443	1,000	144.27%		1,000
SB1473 Evironmental Assessr	33	100	33.04%		100
Building Permits	21,619	40,000	54.04%		40,000
Cannabis Business Permit	5,000	30,000	16.66%		30,000
Plan Check Fees	10,211	17,000	60.06%		17,000
Street Opening Permits Fees	2,750	5,000	55.00%		5,000
Plumbing Permits	1,000	1,600	62.50%		1,600
Electrical Permits	250	1,600	15.62%		1,600
Other Licenses/Permits	395	1,000	39.45%		1,000
Fines & Forfeitures	35	200	17.50%		200
Vehicle Code Fines	1,775	5,000	35.49%		5,000
Interest Earned	6,247	10,000	62.46%		10,000
Rental - Garden Ctr	18,000	36,000	50.00%		36,000
Rental - Airport RV	17,400	35,000	49.71%		35,000
Rental - PW Bldg	5,000	-	0.00%		-
HOPTR	309	1,200	25.75%		1,200
Vehicle License Collection	399	-	0.00%		-
Cop Monies	115,271	100,000	115.27%	65,200	165,200
AMBAG REAP Grant - Housing	3,124	-	0.00%		-
HCD LEAP Grant - Housing Elc	-	-	0.00%		-
SB1383 Organics Recycling	6,292	-	0.00%		-
Prop 172	13,108	25,000	52.43%		25,000

	FY 22-23 Actual As of 12/31/22	YTD Budget - Revised	Percent of Budget Collected/ Used	FY 2023 Midyear Adjustments	FY 2023 Adjusted Budget
Grants - Wellness	7,500	7,500	100.00%		7,500
Police Grants Other Agencies	-	5,000	0.00%		5,000
POST Reimbursements	2,636	-	0.00%		-
Police Reports	175	1,000	17.50%		1,000
Police Services	27,900	48,000	58.12%		48,000
Public Events	-	5,000	0.00%		5,000
Use Permits	21,060	20,000	105.30%		20,000
Maps/Publications	-	100	0.00%		100
Property Inspections	1,750	4,500	38.88%		4,500
Miscellaneous Revenue	10,161	10,000	101.60%		10,000
Donations	-	-	0.00%		-
Rental - Park	1,700	3,100	54.83%		3,100
Miscellaneous Refunds	3,110	-	0.00%		-
Restitution	-	-	0.00%		-
Total Non Department Specific	1,712,227	3,087,900	55.45%	101,200	3,189,100
Police					
Airport Police Services	447,771	1,211,250	36.96%		1,211,250
Total Police	447,771	1,211,250	36.97%	-	1,211,250
Total Revenue	2,159,998	4,299,150	50.24%	101,200	4,400,350
Expense					
Council					
Council Member Stipend	3,750	9,000	41.66%		9,000
Medicare	54	200	27.18%		200
Social Security	233	-	0.00%		-
Employer FUTA	23	-	0.00%		-
Dental Expense	2,239	7,400	30.25%		7,400
Member/Dues/Contributions	991	2,000	49.55%		2,000
Strategic Planning	-	12,000	0.00%		12,000
Travel Expenses	-	3,000	0.00%		3,000
Total Council	7,290	33,600	21.70%	-	33,600
City Clerk					
Payroll	65,783	142,800	46.06%		142,800
Temp Payroll	-	25,000	0.00%	(15,000)	10,000
Overtime	3,204	5,000	64.07%	15,000	20,000
PERS UAL	38,622	40,000	96.55%		40,000
PERS Retirement	4,435	11,700	37.90%		11,700
Medicare	963	2,100	45.85%		2,100
Social Security	-	-	0.00%		-
Employer FUTA	42	-	0.00%		-
Dental Expense	953	3,400	28.03%		3,400
Health Insurance	18,409	47,200	39.00%		47,200
Health Insurance -Retiree	-	1,860	0.00%		1,860
Vision Ins	133	500	26.64%		500

	FY 22-23 Actual As of 12/31/22	YTD Budget - Revised	Percent of Budget Collected/ Used	FY 2023 Midyear Adjustments	FY 2023 Adjusted Budget
Workers Comp	5,181	7,900	65.58%		7,900
Wellness Program	724	1,100	65.83%		1,100
Materials/Supply	15,727	16,300	96.48%		16,300
Office Supplies	3,861	11,200	34.47%		11,200
Repair/Maintenance	1,777	3,000	59.23%		3,000
Telephone	1,918	7,680	24.96%		7,680
Internet	-	-	0.00%		-
Website Design & Maintenanc	112	3,800	2.95%		3,800
Postage / Shipping	3,538	2,400	147.40%		2,400
Training	518	5,000	10.35%		5,000
Liability/Prop Non-Dpt	8,305	14,900	55.73%		14,900
Contract Services - IT	4,519	5,000	90.37%		5,000
Contract Services - HR	27	40,000	0.06%	(8,500)	31,500
Organic Waste Regs Services	-	12,000	0.00%		12,000
Agenda Management System	4,920	4,920	100.00%		4,920
Document Management Syst	-	1,500	0.00%		1,500
Municipal Code Service	3,278	10,000	32.78%		10,000
Records Retention Services	-	5,000	0.00%		5,000
Member/Dues/Contributions	200	1,000	20.00%		1,000
Election Cost	8,478	-	0.00%	8,500	8,500
Furniture, Equipment & Vehic	-	3,000	0.00%		3,000
Total City Clerk	195,627	435,260	44.94%	-	435,260
City Manager					
Payroll	90,020	175,000	51.43%	12,000	187,000
PERS UAL	893	900	99.22%		900
PERS Retirement	5,937	13,100	45.32%		13,100
Medicare	1,303	2,500	52.11%		2,500
Employer FUTA	-	-	0.00%		-
Dental Expense	966	1,700	56.85%		1,700
Health Insurance	16,489	23,600	69.87%		23,600
Vision Ins	178	200	88.80%		200
Workers Comp	6,484	9,700	66.84%		9,700
Wellness Program	-	500	0.00%		500
Deferred Compensation	-	12,000	0.00%	(12,000)	-
Admin Leave	-	7,000	0.00%		7,000
Auto Allowance	2,492	5,400	46.15%		5,400
Office Supplies	126	1,530	8.21%		1,530
Liability/Prop Non-Dpt	10,454	18,200	57.43%		18,200
Member/Dues/Contributions	550	3,500	15.71%		3,500
Books and Periodicals	-	300	0.00%		300
Travel Expenses	-	8,000	0.00%		8,000
Contingency	-	8,830	0.00%		8,830
Total City Manager	135,893	291,960	46.54%	-	291,960
Audit/Treasurer					
ADP Payroll Fees	200	7,100	2.81%		7,100

	FY 22-23 Actual As of 12/31/22	YTD Budget - Revised	Percent of Budget Collected/ Used	FY 2023 Midyear Adjustments	FY 2023 Adjusted Budget
Bank Service Charges	3,114	1,000	311.38%		1,000
Accounting Software	-	3,600	0.00%		3,600
Contractual Services - Audit	11,750	31,000	37.90%		31,000
Actuarial Services	-	4,500	0.00%		4,500
Contract Services - Accountin	77,825	180,000	43.23%		180,000
Total Audit/Treasurer	92,889	227,200	40.88%	-	227,200
Legal					
Contract Services - Legal	65,101	200,000	32.55%		200,000
Legal Advert	158	1,500	10.50%		1,500
Total Legal	65,258	201,500	32.39%	-	201,500
Planning & Building Regulation					
Economic Development Servi	6,466	30,000	21.55%		30,000
Contract Services - Planning	20,137	40,000	50.34%		40,000
Contract Services - Housing E	-	-	0.00%		-
Building Inspections Services	24,530	30,240	81.11%		30,240
Engineering Services	-	5,000	0.00%		5,000
Member/Dues/Contributions	-	-	0.00%		-
Travel Expenses	-	3,000	0.00%		3,000
Total Planning & Building Regu	51,132	108,240	47.24%	-	108,240
Government Buildings					
Repair/Maintenance	3,802	20,000	19.01%		20,000
Janitorial Fund	2,300	2,100	109.52%		2,100
Total Government Buildings	6,102	22,100	27.61%	-	22,100
Non-Departmental					
Materials/Supply	3,008	6,120	49.14%		6,120
Telephone	67	1,120	5.98%		1,120
Liability/Prop Non-Dpt	12,066	-	0.00%	12,100	12,100
Member/Dues/Contributions	11,625	13,000	89.42%		13,000
Misc Expenses	-	1,000	0.00%		1,000
S.M.I.P.	31	200	15.72%		200
Sb 1473	49	100	49.40%		100
Total Non-Departmental	26,847	21,540	124.64%	12,100	33,640
Police					
Payroll	460,849	1,026,100	44.91%		1,026,100
Overtime	85,343	120,000	71.11%	50,000	170,000
Reserves Payroll	38,573	100,000	38.57%	(23,000)	77,000
PERS UAL - Post 06/30/18	-	6,100	0.00%		6,100
PERS UAL	105,353	102,900	102.38%	2,500	105,400
PERS Retirement	53,179	127,500	41.70%		127,500
PERS 457 Expense	16,350	36,000	45.41%		36,000
Medicare	8,476	14,900	56.88%		14,900
Social Security	990	-	0.00%		-
Employer FUTA	111	-	0.00%		-
Dental Expense	6,106	19,400	31.47%		19,400
Health Insurance	115,165	243,000	47.39%	(1,100)	241,900

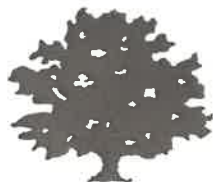
	FY 22-23 Actual As of 12/31/22	YTD Budget - Revised	Percent of Budget Collected/ Used	FY 2023 Midyear Adjustments	FY 2023 Adjusted Budget
Health Insurance -Retiree	832	700	118.85%	1,100	1,800
Vision Ins	1,235	2,900	42.59%		2,900
Workers Comp	86,697	212,800	40.74%		212,800
Wellness Program	1,825	5,300	34.43%		5,300
Uniform Allowance	2,250	10,000	22.50%		10,000
Admin Leave	-	-	0.00%		-
Materials/Supply	45,714	45,000	101.58%		45,000
Ammunition	4,679	4,000	116.97%	1,000	5,000
Office Supplies	1,894	3,000	63.13%		3,000
PD Safety Equip Lease - Princ	-	24,300	0.00%		24,300
PD Safety Equip Lease - Inter	-	1,000	0.00%		1,000
Auto Ops - Supplies / Equip	89	2,500	3.54%		2,500
Auto Ops - Fuel	14,818	30,000	49.39%		30,000
Repair/Maintenance	5,421	14,000	38.71%		14,000
Telephone	8,104	14,000	57.88%		14,000
Internet	474	2,500	18.94%		2,500
Records Management Softwa	2,639	3,400	77.61%		3,400
Annual Maintenance	-	3,400	0.00%		3,400
Postage / Shipping	203	500	40.67%		500
Training	5,960	15,000	39.73%		15,000
Liability/Prop Non-Dpt	54,785	111,800	49.00%		111,800
Contractual Services - Audit	-	4,500	0.00%		4,500
Contract Services - IT	4,750	6,000	79.16%		6,000
Contract Services - HR	-	3,000	0.00%		3,000
Janitorial Fund	-	2,000	0.00%		2,000
Radio Dispatch Police	57,212	73,300	78.05%		73,300
Auto Repair/Maintenance	5,287	14,000	37.76%		14,000
Animal Regulation Fire	-	500	0.00%		500
Fund Jail & Prisoner	-	200	0.00%		200
Acjis System Police	3,001	9,000	33.34%		9,000
Personnel Recruit & Pre-Emp	-	3,000	0.00%		3,000
Member/Dues/Contributions	990	5,000	19.80%	(1,000)	4,000
Books and Periodicals	159	900	17.66%		900
Travel Expenses	12,734	12,000	106.11%	1,000	13,000
Total Police	1,212,246	2,435,400	49.78%	30,500	2,465,900
Fire/Animal Control					
Fire Seaside	54,776	219,100	25.00%		219,100
Total Fire/Animal Control	54,776	219,100	25.00%	-	219,100
Public Works/Streets					
Payroll	36,902	79,700	46.30%		79,700
Overtime	-	3,000	0.00%		3,000
PERS UAL	893	1,000	89.30%		1,000
PERS Retirement	2,722	6,000	45.35%		6,000
Medicare	533	1,200	44.39%		1,200
Dental Expense	635	1,700	37.34%		1,700

	FY 22-23 Actual As of 12/31/22	YTD Budget - Revised	Percent of Budget Collected/ Used	FY 2023 Midyear Adjustments	FY 2023 Adjusted Budget
Health Insurance	12,684	23,600	53.74%		23,600
Vision Ins	99	300	33.02%		300
Workers Comp	2,372	4,400	53.90%		4,400
Wellness Program	-	500	0.00%		500
Materials/Supply	19,888	16,500	120.53%		16,500
Office Supplies	477	1,530	31.20%		1,530
Auto Ops - Supplies / Equip	1,813	2,500	72.52%		2,500
Auto Ops - Fuel	3,419	5,000	68.37%		5,000
Repair/Maintenance	28,539	41,000	69.60%		41,000
Gabilan Crew	-	5,000	0.00%		5,000
Utilities/Pge	6,161	12,000	51.33%		12,000
Utilities/Water	1,981	3,200	61.89%		3,200
Telephone	-	-	0.00%		-
Training	-	5,000	0.00%		5,000
Liability/Prop Non-Dpt	3,827	5,500	69.58%		5,500
Auto Repair/Maintenance	470	8,300	5.66%		8,300
Storm Water Project - Phase	7,067	23,000	30.72%		23,000
Contingency	-	8,820	0.00%		8,820
Total Public Works/Streets	130,481	258,750	50.43%	-	258,750
Parks/Recreation					
Materials/Supply	10,379	16,500	62.90%		16,500
Repair/Maintenance	15,583	25,000	62.33%		25,000
Utilities/Water	1,512	2,000	75.62%		2,000
Travel Expenses	-	1,000	0.00%		1,000
Total Parks/Recreation	27,474	44,500	61.74%	-	44,500
Total Expense	2,006,014	4,299,150	46.66%	42,600	4,341,750
Excess(Deficit) of Revenue Over Exp	153,985	-	0.00%	58,600	58,600
210 - Gas Tax Fund					
Revenue					
Non Department Specific					
Gas Tax 2103	6,827	15,000	45.51%		15,000
Gas Tax 2105	4,537	10,400	43.62%		10,400
Gas Tax 2106	5,388	9,100	59.20%		9,100
Gas Tax 2107	5,288	14,200	37.23%		14,200
Gas Tax 2107.5	1,000	1,000	100.00%		1,000
Total Non Department Specific	23,040	49,700	46.36%	-	49,700
Total Revenue	23,040	49,700	46.36%	-	49,700
Expense					
Public Works/Streets					
Street Sweeping	-	10,000	0.00%		10,000
Street Lighting	4,187	15,000	27.91%		15,000

	FY 22-23 Actual As of 12/31/22	YTD Budget - Revised	Percent of Budget Collected/ Used	FY 2023 Midyear Adjustments	FY 2023 Adjusted Budget
Total Public Works/Streets	4,187	25,000	16.75%	-	25,000
Total Expense	4,187	25,000	16.75%	-	25,000
Excess(Deficit) of Revenue Over Exp	18,853	24,700	76.32%		
211 - SB1 Fund					
Revenue					
Non Department Specific					
SB 1 Funds	17,102	36,900	46.34%		36,900
MBASIA Contribution	-	10,000	0.00%		10,000
Total Non Department Specific	17,102	46,900	36.46%	-	46,900
Total Revenue	17,102	46,900	36.46%	-	46,900
Expense					
Portola/Work Walkway					
Street Improvements	-	-	0.00%		-
Total Portola/Work Walkway	-	-	0.00%	-	-
Street Improvements					
Street Improvements	-	70,000	0.00%		70,000
Total Street Improvements	-	70,000	0.00%	-	70,000
Total Expense	-	70,000	0.00%	-	70,000
Excess(Deficit) of Revenue Over Exp	17,102	(23,100)	-74.03%		
212 - Measure X Fund					
Revenue					
Non Department Specific					
Measure X	-	92,000	0.00%		92,000
Total Non Department Specific	-	92,000	0.00%	-	92,000
Total Revenue	-	92,000	0.00%	-	92,000
Expense					
Via Verde/Los Encinos Street Repair					
Street Improvements	-	30,000	0.00%		30,000
Total Via Verde/Los Encinos St	-	30,000	0.00%	-	30,000
Angelus/Rosita Storm Drain Repair (Engineering)					
Street Improvements	-	10,000	0.00%		10,000
Total Angelus/Rosita Storm Dr	-	10,000	0.00%	-	10,000
Angelus/Rosita Storm Drain Repair (Construction)					
Street Improvements	-	60,000	0.00%		60,000
Total Angelus/Rosita Storm Dr	-	60,000	0.00%		60,000
Debt Service - Measure X					
Principal - Measure X Loan	-	90,000	0.00%		90,000
Interest - Measure X	-	2,000	0.00%		2,000

	FY 22-23 Actual As of 12/31/22	YTD Budget - Revised	Percent of Budget Collected / Used	FY 2023 Midyear Adjustments	FY 2023 Adjusted Budget
Total Debt Service - Measure X	-	92,000	0.00%		92,000
Total Expense	-	192,000	0.00%	-	192,000
Excess(Deficit) of Revenue Over Exp	-	(100,000)	0.00%		
221 - FORA Habitat Management Fund					
Expense					
Planning & Building Regulation					
Habitat Management Plannir	-	-	0.00%		-
Total Planning & Building Regu	-	-	0.00%		
Total Expense	-	-	0.00%		
Excess(Deficit) of Revenue Over Exp	-	-	0.00%		
223 - ARPA Fund					
Revenue					
Non Department Specific					
ARPA Grant	197,836	197,870	99.98%		197,870
Total Non Department Specific	197,836	197,870	99.98%	-	197,870
Total Revenue	197,836	197,870	99.98%	-	197,870
Expense					
City Clerk					
Agenda Management System	3,150	-	0.00%		
Computer Server Replace	-	12,000	0.00%		12,000
Total City Clerk	3,150	12,000	26.25%	-	12,000
City Hall Parking Lot Imp					
Parking Lot Improvements	-	150,000	0.00%		150,000
Total City Hall Parking Lot Imp	-	150,000	0.00%	-	150,000
Park Parking Lot					
Parking Lot Improvements	-	60,500	0.00%		60,500
Total Park Parking Lot	-	60,500	0.00%	-	60,500
Total Expense	3,150	222,500	1.42%	-	222,500
Excess(Deficit) of Revenue Over Exp	194,686	(24,630)	-790.44%		
311 - Prop 68 Grant Fund					
Revenue					
Non Department Specific					
Donations	-	30,000	0.00%		30,000
Total Non Department Specific	-	30,000	0.00%	-	30,000
Total Revenue	-	-	0.00%	-	-
Expense					

	FY 22-23 Actual As of 12/31/22	YTD Budget - Revised	Percent of Budget Collected / Used	FY 2023 Midyear Adjustments	FY 2023 Adjusted Budget
Park Play Structure					
Park Improvements	10,362	13,850	74.81%		13,850
Total Park Play Structure	10,362	13,850	74.82%	-	13,850
Basketball Court Reconstruction					
Park Improvements	-	30,000	0.00%		30,000
Total Basketball Court Reconst	-	30,000	0.00%	-	30,000
Park Parking Lot/Accessibility Project					
Park Improvements	-	59,500	0.00%		59,500
Total Park Parking Lot/Accessit	-	59,500	0.00%	-	59,500
Total Expense	10,362	103,350	10.03%	-	103,350
Excess(Deficit) of Revenue Over Exp	(10,362)	(73,350)	14.12%		



CITY OF DEL REY OAKS

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

DATE: March 28, 2023

TO: Honorable Mayor and City Council

FROM: John Guertin, City Manager

SUBJECT: Consider a Resolution Authorizing the City Manager to Sign a Supplemental Agreement with the Transportation Agency for Monterey County for the Fort Ord Regional Trail & Greenway Project

CEQA: The Transportation Agency for Monterey County (TAMC) is the lead agency on the FORTAG project. TAMC prepared and approved an Environmental Impact Report on the project in compliance with the California Environmental Quality Act (CEQA). As a responsible agency, the City of Del Rey Oaks and all other participating jurisdictions are required to consider whether the Environmental Impact Report is adequate and adopt the Mitigation Monitoring and Reporting Program and findings for decision as well. The City of Del Rey Oaks found the Environmental Impact Report adequate and adopted the Mitigation Monitoring and Reporting Program and findings at the April 28, 2020, City Council meeting. No further action regarding CEQA is required.

Recommended Action

That the Council adopt a resolution authorizing the City Manager to sign a Supplemental Agreement with the Transportation Agency for Monterey County (TAMC) for the Fort Ord Regional Trail & Greenway (FORTAG) project.

Background

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

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

On April 28, 2020 the City of Del Rey Oaks approved the FORTAG Master Agreement and found the Environmental Impact Report adequate, and adopted the Mitigation Monitoring and Reporting Program and findings. Since then the Master Agreement has been revised at the request of several participating responsible agencies to clarify responsibilities, primarily through the upcoming

supplemental agreements required as responsible agencies move forward with constructing the sections located within their jurisdiction.

Discussion

At the time of approval for the Master Agreement covering all agencies involved in the 28-mile trail project, staff advised the Council that a Supplemental Agreement would be drafted to cover specific responsibilities of TAMC and the City relative to the Del Rey Oaks portion of the trail. The Supplemental Agreement for the segment through the City of Del Rey Oaks details the design and construction of that portion of the FORTAG Project as well as compliance with the covenants (i.e. mitigation measures, development, construction, operation, maintenance) of the Master Agreement for the trail segment.

Consistent with Section IV. of the Master Agreement, such mitigation measures include:

- A. The collection of trash from such receptacles on a reasonable, periodic basis
- B. The installation and maintenance of Dog Waste Disposal Bag Dispensers at the locations of the solid waste receptacles
- C. Causing the collection of litter along the CDR Segment on a reasonable, periodic basis
- D. Incorporating the CDR Segment into the police patrols of City, and cooperating with patrols by other Underlying Jurisdictions
- E. Installing and maintaining signage regarding Trail Safety and Courtesy
- F. Inspecting and maintaining the trail conditions along CDR Segment in good condition
- G. Developing monitoring and reporting methodology for sharing of information among the Underlying Jurisdictions to promote safety, reduce potential vandalism, and create and maintain a cohesive experience for FORTAG users

A copy of a Supplemental Monitoring and Reporting Program (MMRP) for the CDR segment is attached to the agreement as Exhibit 2.

Fiscal Impacts

There is no immediate fiscal impact of entering into the Master Agreement. Impacts to staffing resources and operations are expected to be minimal. Some increased costs for materials such as signs and Dog Waste Disposal Bag Dispensers are expected. Long-term maintenance and repair costs are unknown.

Attachments

- Resolution 2023-04
- Supplemental Agreement
- Master Agreement

Respectfully Submitted,

John Guertin
City Manager

RESOLUTION NO. 2023-04

A RESOLUTION OF THE COUNCIL OF THE CITY OF DEL REY OAKS
APPROVING THE SUPPLEMENTAL AGREEMENT FOR THE
FORT ORD REGIONAL TRAIL AND GREENWAY PROJECT

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

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

WHEREAS, on April 28, 2020, the City approved a Master Agreement and adopted the mitigation monitoring and reporting plan and findings for the FORTAG Project; and

WHEREAS, the FORTAG Project Supplemental Agreement for the segment through the City of Del Rey Oaks details the design and construction of that portion of the FORTAG Project as well as compliance with the covenants (i.e. mitigation measures, development, construction, operation, maintenance) of the Master Agreement for the trail segment.

NOW, THEREFORE, BE IT RESOLVED that the City of Del Rey Oaks approves the FORTAG Supplemental Agreement between the Transportation Agency for Monterey County, the City of Del Rey Oaks, and various other local public agencies, and authorizes the City Manager to execute the agreement.

INTRODUCED AND ADOPTED BY THE COUNCIL OF THE CITY OF DEL REY OAKS this 28TH day of March, 2023, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

APPROVED:

Scott Donaldson, Mayor

ATTEST:

John Guertin, City Clerk

**SUPPLEMENTAL AGREEMENT
TO
FORTAG MASTER AGREEMENT
CANYON DEL REY / STATE ROUTE 218 SEGMENT**

This Supplemental Agreement among the Transportation Agency for Monterey County (“TAMC”), and the City of Del Rey Oaks (“City”) supplements and is entered into pursuant to the MASTER AGREEMENT (the “Master Agreement”) by and among TAMC and City. For purposes of this Supplemental Agreement, TAMC and City may be referred to collectively as the “Parties.” The parties to the Master Agreement other than TAMC may be referred to collectively as the “Underlying Jurisdictions.”

RECITALS

This agreement is based on the following facts and circumstances:

- A. **Adoption of Measure X.** On November 6, 2016, a ballot measure known as the Transportation Safety & Investment Plan, or “Measure X,” was adopted by the voters of Monterey County. The measure is anticipated to generate an estimated \$20 million annually for a total of \$600 million over thirty years, through a retail transaction and use tax of three-eighths of one percent (3/8%). Among the transportation safety and mobility projects identified for funding through Measure X is the Fort Ord Regional Trail and Greenway (“FORTAG”). Approximately \$20 million in Measure X funding was identified in the Measure X Transportation Safety & Investment Expenditure Plan for the FORTAG proposal.
- B. **Approval and Adoption of Master Agreement.** On March 25, 2020, TAMC certified an Environmental Impact Report, made appropriate findings, and approved a Master Agreement among the Parties and Underlying Jurisdictions with respect to the development of FORTAG. City approved the Master Agreement on April 28, 2020.
- C. **FORTAG Project.** FORTAG is an approximate 28-mile continuous 12-foot-wide paved bicycle and pedestrian trail with an open-space buffer on both sides. A map designating the evaluated FORTAG alignment is attached to the Master Agreement as Exhibit B.
- D. **Receipt of Active Transportation Program Grant Funds.** As part of their rights and obligations under Measure X and the Master Agreement, TAMC and City coordinated in applying for, and TAMC received funds under the State of California’s Active Transportation Program for the development of a 1.5-mile segment of FORTAG within the jurisdiction of City, and including portions within the jurisdiction of Seaside and the

Monterey Peninsula Regional Parks District. (the “CDR Segment”). A map designating the approved alignment of CDR Segment is attached hereto as Exhibit 1.

NOW, THEREFORE, the Parties agree:

Section I.
Parties

The Parties to this Supplemental Agreement are City and TAMC.

Section II.
Effective Date

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

Section III.
Implementation of Mitigation Measures

Consistent with Section IV. of the Master Agreement, and its environmental findings made in connection with the approval of the Master Agreement, City hereby adopts the Mitigation Measures listed in the Mitigation, Monitoring and Reporting Program (“MMRP”). More specifically, for the CDR Segment, such mitigation measures include:

- A. The collection of trash from such receptacles on a reasonable, periodic basis
- B. The installation and maintenance of Dog Waste Disposal Bag Dispensers at the locations of the solid waste receptacles
- C. Causing the collection of litter along the CDR Segment on a reasonable, periodic basis
- D. Incorporating the CDR Segment into the police patrols of City, and cooperating with patrols by other Underlying Jurisdictions
- E. Installing and maintaining signage regarding Trail Safety and Courtesy
- F. Inspecting and maintaining the trail conditions along CDR Segment in good condition
- G. Developing monitoring and reporting methodology for sharing of information among the Underlying Jurisdictions to promote safety, reduce potential vandalism, and create and maintain a cohesive experience for FORTAG users

A copy of a Supplemental MMRP for the CDR Segment is attached hereto and incorporated herein as Exhibit 2.

Section IV.
Covenants of TAMC

With respect to each party Underlying Jurisdiction and this Supplemental Agreement, TAMC shall:

- A. **Funding Commitment.** TAMC has, and shall continue to provide funding assistance to plan, engineer, and construct the CDR Segment.
- B. **Planning Assistance.** TAMC has, and shall continue to provide planning and development assistance, and manage the construction of the CDR Segment.
- C. **Development and Construction.** TAMC shall undertake the development and construction of the CDR Segment, consistent with the terms of the Active Transportation Program Grant Adoption Resolution G-19-31 and the Project Baseline Agreement between TAMC, Caltrans, and the California Transportation Commission.

Section V.
Covenants of City

- A. With respect to the CDR Segment of FORTAG, City shall:
 - 1. Continue to cooperate with TAMC in seeking funding for the development of segments of FORTAG within its jurisdiction.
 - 2. Accept and enforce all appropriate Mitigation and Monitoring conditions identified for the segment(s) of FORTAG within the boundaries of City, described in Section III and Exhibit 2.
 - 3. Undertake appropriate review and approval of plans and specifications for the CDR Segment of FORTAG within the jurisdiction of City.
 - 4. Accept ownership of that portion of the CDR Segment of FORTAG completed within the boundaries of City.
 - 5. Provide for the reasonable maintenance of the CDR Segment of FORTAG within the boundaries of City.

Section VI.
Mutual Covenants

- A. Covenants of Master Agreement Retained. Nothing in this Supplemental Agreement shall impede or replace the Covenants set forth in the Master Agreement, both Mutual Covenants and Covenants by TAMC and/or City.
- B. Term and Termination. This Supplemental Agreement shall remain in effect as to each Party from the date of approval until terminated as provided herein.
1. This Agreement may be terminated at any time by the mutual consent of both Parties, provided that 60 days' certified mail notice, as provided in Section XI.B., is given to all other Underlying Jurisdictions which are Parties to this Agreement.
- C. Indemnity by TAMC. As to construction of the CDR Segment by TAMC, neither City nor any of their respective governing bodies, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by TAMC under or in connection with any work, authority or jurisdiction delegated to TAMC under this Supplemental Agreement. Notwithstanding Government Code section 895.6, it is also understood and agreed, pursuant to Government Code section 895.4, that TAMC shall fully defend, indemnify, and hold harmless City, and any of its respective governing bodies, elected officials, all its officers, agents, and employees from any liability imposed on City for injury (as defined in Government Code section 810.8) occurring by reason of anything done or omitted to be done by TAMC under or in connection with any work, authority or jurisdiction delegated to TAMC under this Supplemental Agreement.
- Payments to FORTAG contractors shall include reasonable requirements for indemnification and insurance, as appropriate for individual Project segments, and shall include requirements that FORTAG contractors or other entities that provide services defend and indemnify TAMC and the Parties to this Supplemental Agreement.
- D. Indemnity by City. Neither TAMC, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by City in connection with this Supplemental Agreement or any work or action taken with Measure X or funds related to the FORTAG Project. Notwithstanding Government Code section 895.6, it is also understood and agreed, pursuant to Government Code section 895.4, that City shall fully defend, indemnify, and hold harmless TAMC, its

governing body, and all its officers, agents, and employees, from any liability imposed on TAMC for injury (as defined in Government Code section 810.8) occurring by reason of anything done or omitted to be done by City pursuant to this Supplemental Agreement or any work or action taken with FORTAG.

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

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

Section VII.
Amendments

This Supplemental Agreement may be amended at any time, in writing, by an amendment approved by the Parties hereto; provided that no amendment shall modify the Master Agreement, except in accordance with Section V. of the Master Agreement.

Section VIII.

Integration of Agreements

This Supplemental Agreement, together with the Master Agreements, and TAMC Ordinance No. 2016-01, are the sole agreements on the subject matters of this Supplemental Agreement between and among the Parties with respect to FORTAG.

Section IX.
Miscellaneous

- A. **Arbitration.** Any controversy or claim between the Parties to this Supplemental Agreement, or between any Underlying Jurisdiction and TAMC with respect to disputes, demands, differences, controversies, or misunderstandings arising in relation to interpretation of this Supplemental Agreement, or any breach thereof, shall be submitted to and determined by arbitration. The party desiring to initiate arbitration shall give notice by mail of its intention to arbitrate to every other party to this Supplemental Agreement and/or Master Agreement, depending on the nature of the dispute. Such notice shall designate as “respondents” such other parties as the initiating party intends to have bound by any award made therein. Any party not so designated but which desires to join in the arbitration may, within 10 business days of service upon it of such notice, file a response indicating its intention to join in and to be bound by the results of the arbitration, and further designating any other parties it wishes to name as a respondent. Within 20 business days of the service of the initial demand for arbitration, the initiating party and the respondent shall each designate a person to act as an arbitrator. The two designated arbitrators shall mutually designate a third person to act as arbitrator. The three arbitrators shall proceed to arbitrate the matter in accordance with the provisions of Title 9 of Part 3 of the Code of Civil Procedure, sections 1280, et seq.. The Parties to this Agreement agree that the decision of the arbitrators shall be both binding and final.

- B. **Notices.** Any notice or instrument required to be given or delivered by mail shall be deposited in any United States Post Office, registered or certified, postage prepaid, and addressed to the addresses of the Parties as shown on such in Exhibit A of the Master Agreement. Such notice shall be deemed to have been received by the party to whom the same is addressed at the expiration of 72 hours after deposit of the same in the United States Post Office. All other notices may be provided by regular mail to the addresses shown in Exhibit A of the Master Agreement, and/or to by facsimile or email transmission to the numbers and addresses shown associated with the respective parties. Receipt of such notices shall be deemed complete by close of business on the next business day after transmission.

- C. **Partial Invalidity.** If any one or more of the terms, provisions, sections, promises, covenants, or conditions of this Supplemental Agreement shall, to any extent, be adjudged invalid, unenforceable, void, or voidable for any reason whatsoever by a court

of competent jurisdiction, each and all of the remaining terms, provisions, sections, promises, covenants, and conditions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law. The governing body of each of the Parties hereto hereby declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion of this Supplemental Agreement irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Supplemental Agreement be declared invalid or unenforceable.

- D. Governing Law; Interpretation. This Supplemental Agreement shall be deemed to have been made, and shall be construed and interpreted, in accordance with the laws of the State of California. This Supplemental Agreement has been arrived at through good faith negotiation between the Parties; each Party waives the provisions of Civil Code section 1654 concerning the interpretation of this Supplemental Agreement.
- E. No Third-Party Beneficiaries. This Supplemental Agreement is intended solely for the benefit of the parties to this Supplemental Agreement, and no third party shall be deemed to be a beneficiary or to have any rights hereunder against TAMC, Del Rey Oaks, Seaside, the District, or any Underlying Jurisdiction.
- F. Assignment. The Parties hereto shall not assign any rights or obligations under this Supplemental Agreement with the written consent of the other Parties.
- g. Waiver. Any waiver of any terms of this Supplemental Agreement shall be in writing signed by each applicable Party thereto. A waiver of any of the terms and conditions of this Supplemental Agreement shall not be construed as a waiver of any other terms or conditions in this Supplemental Agreement.
- G. Headings. The headings in this Agreement are for convenience only and shall not be used to interpret the terms of this Agreement.
- H. Counterparts. This Supplemental Agreement may be signed in counterparts with the signature pages attached to form a complete document.

Section X.
Execution and Signatures

The Board of Directors of TAMC and the City Council have each authorized the execution of this Agreement, as evidenced by the authorized signatures below on the dates specified below. This Agreement may be signed in counterparts with the signature pages attached to form a complete document.

APPROVED BY:

[Signatures on following pages]

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

By: _____
Its: _____
Date: _____

Approved as to form:

TAMC Counsel

CITY OF DEL REY OAKS

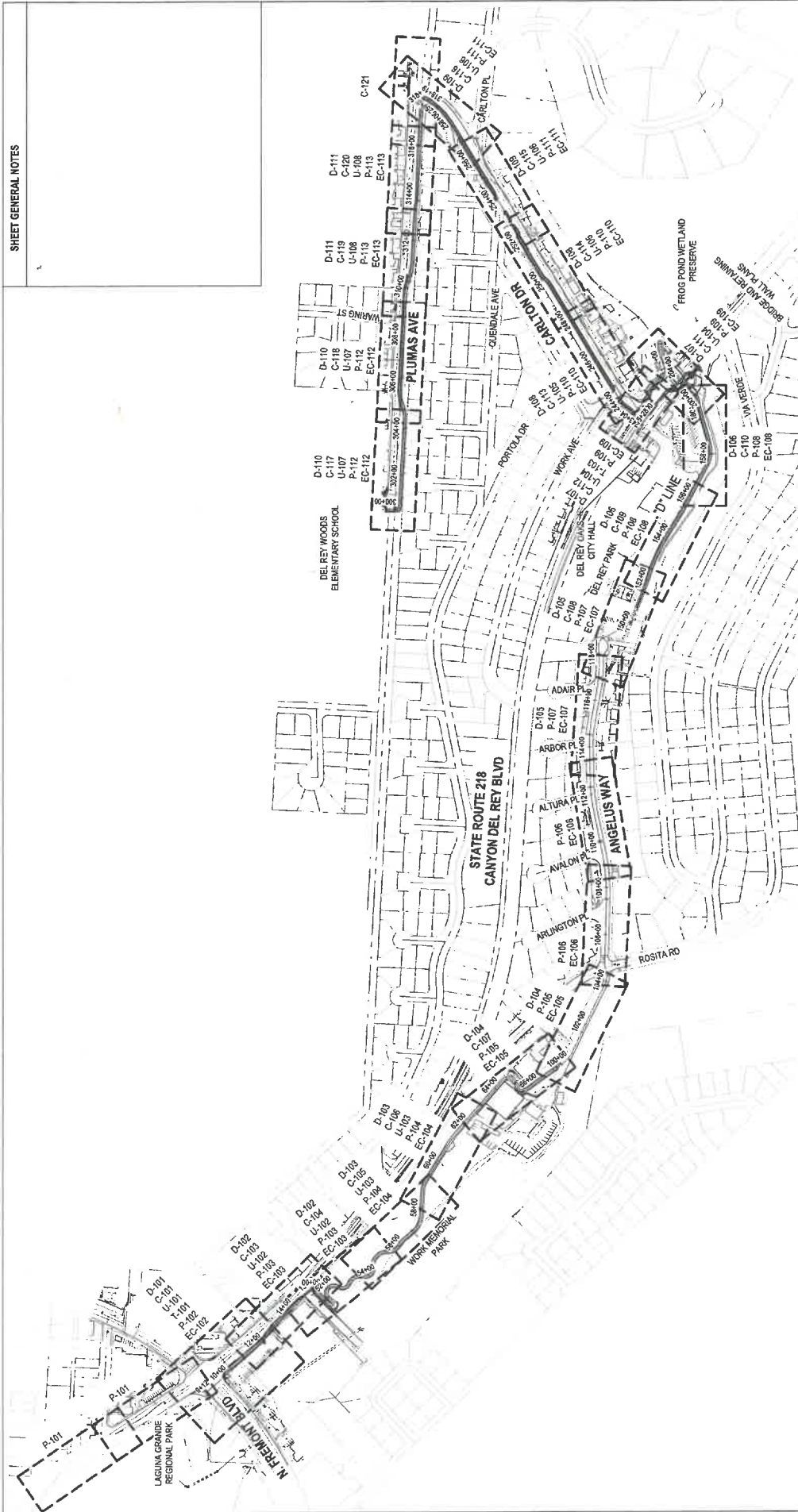
By: _____
Its: _____
Date: _____

Approved as to form:

City Counsel

EXHIBIT 1
MAP OF SEGMENT ONE ALIGNMENT

SHEET GENERAL NOTES



1 KEY MAP

100% SUBMITTAL

 <p>GHD INC. 2025 North Fremont Blvd Suite 210 Folsom, CA 95630 T 916.372.6668 F 916.372.6618</p>				 <p>Fortag Trail Project 17292-Fortag-Trail-100%Submittal-1023-100%Submittal.dwg</p>	
<p>Client: TRANSPORTATION AGENCY FOR MONTEREY COUNTY</p> <p>Project: FORTAG TRAIL PROJECT</p> <p>Project No: 17292B01</p> <p>Date: JANUARY 2023</p> <p>Scale: AS SHOWN</p>		<p>16. PROJECT KEY MAP</p>		<p>100% SUBMITTAL</p>	
<p>100% SUBMITTAL</p>		<p>100% SUBMITTAL</p>		<p>100% SUBMITTAL</p>	

PRELIMINARY DESIGN NOT FOR CONSTRUCTION

Item D.

EXHIBIT 2
SUPPLEMENTAL MITIGATION MONITORING AND REPORTING PROGRAM

**EXHIBIT 2
SUPPLEMENTAL MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Action Required	Monitoring Timing	Monitoring Frequency
<p>AG-4(b): Install Fencing and Signage Prior to Operation</p> <p>Wherever the Trail is constructed within 50 feet of agricultural fields, fencing shall be installed between the Trail and adjacent agricultural operations. In addition, signs clearly indicating "No Trespassing" shall be installed at key locations near agricultural operations, to be identified by the implementing entity for Trail segments adjacent to agriculture in consultation with agricultural operators. The signs shall specify the legal ramifications for trespassing on adjacent properties. Additional signage shall be installed, where appropriate, reminding Trail users that dogs must be on leash and remain on the trail, that littering is prohibited, and that dog waste must be removed.</p> <p>The implementing entity shall be responsible for ensuring the fencing and signs are properly maintained and shall replace fencing and signs when they are removed or damaged such that they are no longer functional.</p>	<p>Maintain fencing and signage and replace as needed</p>	<p>During operation</p>	<p>Ongoing during operation</p>
<p>AG-4(c): Regularly remove Solid Waste and Litter during Operation</p> <p>Once the Trail is open for public use, the implementing entity shall ensure that solid waste is collected from trash receptacles on a reasonable, periodic basis to ensure that the trash and recycling receptacles located along the Trail do not overflow. The frequency shall be determined by the implementing entity and may vary seasonally, with more frequent collection in the summer months when the Trail is busy.</p> <p>The implementing entity shall also be responsible for collecting litter along the Trail. If litter leaves the Trail ROW, the implementing entity shall ensure that the litter in the vicinity of the Trail that is reasonably attributed to Trail use is removed within a reasonable time frame. Access to agricultural fields for the purpose of litter removal shall be coordinated with on-site agricultural operators, taking into account pesticide/fumigant restrictions and the goal of minimizing soil compaction or direct contact with crops. The implementing entity shall not enter adjacent agricultural fields without express permission by the agricultural operator. All solid waste and recyclable materials shall be properly disposed.</p>	<p>Collect litter attributed to trail use and remove solid waste from trash receptacles on a reasonable, periodic basis</p>	<p>During operation</p>	<p>Ongoing during operation</p>

<p>AQ-4: Install Dog Waste Facilities</p> <p>Trail construction shall include installation of dog waste disposal bag dispensers with a waste receptacle at every amenity area where trash cans are provided. Waste disposal and bag refills shall be incorporated into the Master Agreement for Trail maintenance through Supplemental Agreements.</p>	<p>Install dog waste disposal facilities consistent with the measure and maintain throughout operation.</p>	<p>Install prior to operation; maintain during operation</p>	<p>Once prior to operation; ongoing during operation</p>
<p>PS-1: Ensure Adequate Police Monitoring and Safety Provisions for Each Portion of the FORTAG Alignment</p> <p>Prior to the construction and operation of any segment or portion of FORTAG, the project Master Agreement will be developed and signed by relevant jurisdictional parties, which will include provisions requiring the entry into Supplemental Agreements at the time that actual design and construction occurs. These Supplemental Agreements shall specify: 1) maintenance activities and frequency, including trash collection; 2) safety features or provisions (e.g., lighting, fencing, signage) determined appropriate by local law enforcement in consideration of potential for homeless/transient activity, illegal camping, or criminal activity in the particular trail segment; 3) safety patrol responsibility, frequency, and reporting procedures; 4) protocol for illegal camping and loitering; and 5) monitoring and reporting methodology and frequency, in consideration of ongoing reports to local jurisdictions responsible for maintenance, law enforcement and monitoring. The Supplemental Agreements shall also identify adaptive management options if public safety and law enforcement are determined to be an ongoing issue.</p>	<p>In the Supplemental Agreements to the Master Agreement, include provisions to ensure maintenance, safety, rule enforcement, and police service for the trail.</p>	<p>Prior to the construction and operation of any segment or portion of FORTAG</p>	<p>Once</p>

FORTAG MASTER AGREEMENT

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

RECITALS

This agreement is based on the following facts and circumstances:

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

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

NOW, THEREFORE, the Parties agree:

Section I.
Parties

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

Section II.
Effective Date

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

Section III.
Covenants of TAMC

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

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

Section IV.
Covenants of Underlying Jurisdictions

- A. With respect to the entirety of FORTAG:
 - 1. **Cooperation with TAMC and other Underlying Jurisdictions.** Each Party shall cooperate with TAMC and each other Party in order to fulfill the intent of this Agreement and the FORTAG Project, being the funding, development and

operation of a sustainable active bicycle and pedestrian trail connecting Underlying Jurisdictions, existing trails, and communities. Such cooperation shall not require any Party to approve or enter into a Supplemental Agreement for any segment within that Party's underlying jurisdiction.

2. Public Outreach and Education. Each Party shall participate in periodic public outreach and educational efforts, designed to encourage and educate the public on responsible trail use and preservation of the open space and vistas made available by FORTAG, as well as respect for the flora and fauna found along FORTAG's alignment and the greater community.
- B. With respect to each segment of FORTAG, including any segment phase, that is approved by an Underlying Jurisdiction, such approving Party shall:
1. Cooperate and assist TAMC in developing and finalizing designs and in seeking funding for the development of segments (or phases of segments) of FORTAG within its jurisdiction.
 2. Accept and enforce all appropriate mitigation and monitoring conditions identified in FORTAG environmental documents for and specific to the segment(s) of FORTAG within the boundaries of the Underlying Jurisdiction.
 3. Incorporate the FORTAG Project alignment applicable to the boundaries of the Underlying Jurisdiction into planning and other entitlement documents as necessary and appropriate, subject to final design and alignment approval by the Underlying Jurisdiction, after applicable environmental review by that Underlying Jurisdiction.
 4. Undertake appropriate review and approval of plans and specifications for each segment of FORTAG to be developed and constructed within the boundaries of the Underlying Jurisdiction in accordance with any Supplemental Agreement.
 5. Dedicate land or easement rights to TAMC or agreed upon third parties, as necessary, to permit the development of FORTAG in accordance with the final design specifications approved by the Underlying Jurisdiction pursuant to an approved Supplemental Agreement.
 6. To the extent allowed by law, require the dedication of rights in entitlement documents for properties not owned by the Underlying Jurisdiction, and,

where appropriate, require the construction of segment alignments as a condition of approval for new development applications.

7. Pursuant to a Supplemental Agreement, accept ownership of the segment(s) of FORTAG completed within the boundaries of the Underlying Jurisdiction. The Underlying Jurisdiction may, in its reasonable discretion, cause portions of segments to be owned or retained by other responsible parties, with the consent and approval of TAMC, but only for the purpose of ensuring compliance with the Master Agreement and if necessary any applicable Supplemental Agreement.
8. Provide for the reasonable maintenance of the segment(s) of FORTAG completed with the boundaries of the Underlying Jurisdiction.
9. Adopt and enforce such reasonable use and operations rules and regulations as the Underlying Jurisdiction deems necessary and appropriate for the segment(s) of FORTAG completed within the boundaries of the Underlying Jurisdiction.

Section V. Mutual Covenants

- A. Design and Development of Segment Phases. As any given segment (or phase thereof) of FORTAG is identified by TAMC and an Underlying Jurisdiction for development and receives sufficient funding therefor, TAMC and the Underlying Jurisdiction for such segment shall enter into a Supplemental Agreement. Each Supplemental Agreement will, among other things, specify in greater detail the manner in which the parties will comply with these covenants, consistent with the terms and conditions of relevant funding agreements, and/or such other arrangements between the applicable Parties with respect to trail connectivity. Such Supplemental Agreements shall be duly approved by the applicable parties and a Memorandum of Supplemental Agreement, identifying the basic terms of such agreements, including all funding therefore, shall be attached to this Master Agreement in subsequent exhibits. By way of example, it is anticipated that the City of Del Rey Oaks, the Monterey Peninsula Parks District, the City of Seaside, and TAMC will enter into a Supplemental Agreement soon after their respective approvals of this Master Agreement, and in connection therewith, will receive funds from an Active Transportation Grant. The basic terms of the "Phase One Canyon Del Rey/SR 218 Segment" Supplemental Agreement, consistent with grant funding requirements, will be memorialized and attached to this Master Agreement as Exhibit C. The Parties agree that any such

Memorandum of Supplemental Agreement may be attached to this Master Agreement without further action by the Underlying Jurisdictions.

- B. Term and Termination. This Agreement shall remain in effect as to each Underlying Jurisdiction from the date of approval until terminated as provided herein.
1. This Agreement may be terminated at any time by the mutual consent of all the Parties.
 2. This Agreement may be terminated as to TAMC and an Underlying Jurisdiction upon the mutual consent, which shall not be unreasonably withheld, of TAMC and the Underlying Jurisdiction, provided that 60 days' certified mail notice, as provided in Section IX.B., is given to all other Underlying Jurisdictions that are Parties to this Agreement.
- C. Indemnity by TAMC. With regard to construction of a FORTAG segment by TAMC, the Underlying Jurisdiction, its governing body, elected officials, any officer, consultant, agent, or employee thereof shall not be responsible for any damage or liability occurring by reason of anything done or omitted to be done by TAMC under or in connection with any work, authority or jurisdiction delegated to TAMC under this Agreement. Notwithstanding Government Code Section 895.6, it is also understood and agreed, pursuant to Government Code Section 895.4, that TAMC shall fully defend, indemnify, and hold harmless an Underlying Jurisdiction, and its governing body, elected officials, all its officers, agents, and employees from any liability imposed on the Underlying Jurisdiction for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by TAMC under or in connection with any work, authority or jurisdiction delegated to TAMC under this Agreement.

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

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

defend, indemnify and hold harmless TAMC, its governing body, and all its officers, agents, and employees, from any liability imposed on TAMC for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by the Underlying Jurisdiction pursuant to this Agreement or any work or action taken by an Underlying Jurisdiction related to the FORTAG Project.

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

- E. Mutual Indemnification Among Parties. Except as otherwise provided in this Agreement, each Party to this Agreement agrees to indemnify and hold the other parties harmless from all liability for damage, actual or alleged, to persons or property arising out of or resulting from negligent or wrongful acts or omissions for the indemnifying party or its officials, officers, employees or agents. In the event of liability imposed upon any of the Parties to this Agreement, for injury that is caused by the negligent or wrongful act or omission of any of the Parties in the performance of this Agreement, the contribution of the party or parties not directly responsible for the negligent or wrongful act or omission shall be limited to One Hundred Dollars (\$100). The party or parties directly responsible for the negligent or wrongful acts or omissions shall indemnify, defend, and hold all other parties harmless from any liability for personal injury or property damage arising out of the performance of this Agreement.
- F. Respect for Land Use Authority and Implementation of FORTAG. This Master Agreement is evidence of the Parties' mutual intent to fund, design, construct and operate and maintain an inter-connected trail and bikeway within and between the jurisdictional boundaries of the Underlying Jurisdiction. TAMC and each Underlying Jurisdiction acknowledges the land use authority of each Underlying Jurisdiction and covenants not to construct any segment of FORTAG without the consent and approval of the applicable Underlying Jurisdiction by means of a Supplemental Agreement. Each Underlying Jurisdiction, in turn, acknowledges the existing and future significant commitment of TAMC in the implementation of FORTAG for the benefit of the

Underlying Jurisdiction and covenants to work towards incorporating FORTAG into its land use planning.

Section VI.
Amendments

This Agreement may be amended at any time by a written amendment approved by all of the Parties as evidenced by approval by the governing board or council of each Party.

Section VII.
Sole Agreements

This Agreement, together with the Memorandum of Understanding Re Designation of Lead Agency, approved by TAMC on September 27, 2017, are the sole agreements on the subject matters of this Agreement between and among the Parties with respect to FORTAG. No provision in either of those agreements shall preclude an Underlying Jurisdiction from exercising its discretionary authority for final design specifications and alignment, following appropriate environmental review as may be required. The parties acknowledge that Supplemental Agreements, as described in Section V. may be approved and attached as exhibits to this Master Agreement without changing or otherwise amending the provisions described in this Agreement.

Section VIII.
CEQA Lead Agency Designation

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

Section IX.
Miscellaneous

- A. Dispute Resolution. If any dispute arises between the Parties under this Agreement, the Parties shall resolve the dispute in accordance with this Section IX(A).

1. **Duty to Meet and Confer.** The Parties shall first meet and confer in good faith and attempt to resolve the matter between themselves. Each Party shall make all reasonable efforts to provide to the other Parties all the information in its possession that is relevant to the dispute, so that all Parties have the information needed to reach agreement. If these negotiations fail to produce agreement after fifteen (15) days from the initial demand, any disputing Party may proceed to mediation or judicial resolution pursuant to subsections (2) and (3).
 2. **Mediation.** If meeting and conferring do not resolve the dispute, and if all disputing Parties wish to pursue mediation, then the matter shall be submitted for formal mediation to the Mediation Center of Monterey County, the American Arbitration Association, the Judicial Arbitration and Mediation Services, or such other mediation service as the Parties may mutually agree upon. Any disputing Party may terminate the mediation if it fails to produce agreement within forty-five (45) days from selection of the mediator. The expenses of such mediation shall be shared equally between the disputing Parties.
 3. **Judicial Resolution.** If the dispute is not or cannot be resolved by meeting and conferring and/or mediation, then any disputing Party may commence an action in the Superior Court of Monterey County.
- B. **Notices.** Any notice or instrument required to be given or delivered by mail under this Agreement shall be deposited with the United States Postal Service, registered or certified mail, postage prepaid, and addressed to the addresses of the Parties as shown on Exhibit A. Such notice shall be deemed to have been received by the party to whom the same is addressed at the expiration of seventy-two (72) hours after deposit of the same in the United States mail. All other notices may be provided by regular mail to the addresses shown in Exhibit A, and/or to by facsimile or email transmission to the numbers and addresses shown associated with the respective parties, also in Exhibit A. Receipt of such notices shall be deemed complete by close of business on the next business day after transmission.
- C. **Partial Invalidity.** If any one or more of the terms, provisions, sections, promises, covenants, or conditions of this Agreement shall, to any extent, be adjudged invalid, unenforceable, void, or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, sections, promises, covenants, and conditions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law. The governing body of each of the Parties hereby declares they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Agreement irrespective of the fact that any one or more sections, subsections,

sentences, clauses, phrases, or portions of this Agreement be declared invalid or unenforceable.

- D. Governing Law; Interpretation. This Agreement shall be deemed to have been made, and shall be construed and interpreted, in accordance with the laws of the State of California. This Agreement has been arrived at through good faith negotiation between the Parties; each Party waives the provisions of Civil Code Section 1654 concerning the interpretation of this Agreement.
- E. No Third-Party Beneficiaries. This Agreement is intended solely for the benefit of the Parties to this Agreement, and no third party shall be deemed to be a beneficiary or to have any rights hereunder against the Parties.
- F. Assignment. The Parties hereto shall not assign any rights or obligations under this Agreement without the written consent of all the other Parties.
- G. Waiver. Any waiver of any terms of this Agreement shall be in writing signed by each applicable Party thereto. A waiver of any of the terms and conditions of this Agreement shall not be construed as a waiver of any other terms or conditions in this Agreement.
- H. Headings. The headings in this Agreement are for convenience only and shall not be used to interpret the terms of this Agreement.

Section X.
Execution and Signatures

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

APPROVED BY:

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

By: *[Signature]*
Its: Executive Director
Date: 02/09/2021

Approved as to form:

Katherine A. Hansen
TAMC Counsel

COUNTY OF MONTEREY

By: _____
Its: _____
Date: _____

Approved as to form:

County Counsel

CITY OF DEL REY OAKS

By: _____
Its: _____
Date: _____

Approved as to form:

City Attorney

CITY OF MARINA

By: _____
Its: _____
Date: _____

Approved as to form:

City Attorney

APPROVED BY:

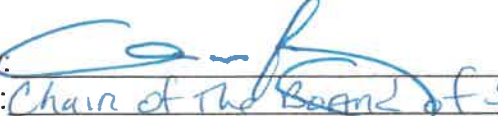
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

By: _____
Its: _____
Date: _____

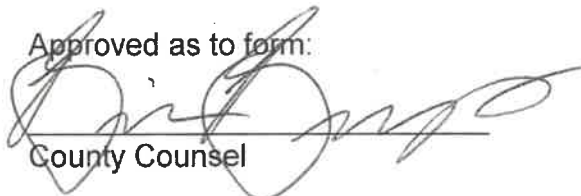
Approved as to form:

TAMC Counsel

COUNTY OF MONTEREY

By: 
Its: Chair of the Board of Supervisors
Date: JUNE 30, 2020

Approved as to form:



County Counsel

CITY OF DEL REY OAKS

By: _____
Its: _____
Date: _____

Approved as to form:

City Attorney

CITY OF MARINA

By: _____
Its: _____
Date: _____

Approved as to form:

City Attorney

APPROVED BY:

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

By: _____
Its: _____
Date: _____

Approved as to form:

TAMC Counsel


COUNTY OF MONTEREY

By: _____
Its: _____
Date: _____

Approved as to form:

County Counsel

CITY OF DEL REY OAKS

By: 
Its: City Manager
Date: 7/11/20

Approved as to form:



City Attorney

CITY OF MARINA

By: _____
Its: _____
Date: _____

Approved as to form:

City Attorney

APPROVED BY:

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

By: _____
Its: _____
Date: _____

Approved as to form:

TAMC Counsel

COUNTY OF MONTEREY

By: _____
Its: _____
Date: _____

Approved as to form:

County Counsel

CITY OF DEL REY OAKS

By: _____
Its: _____
Date: _____

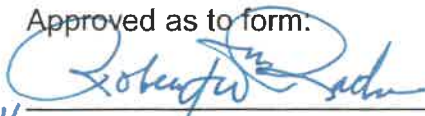
Approved as to form:

City Attorney


CITY OF MARINA

By: 
Its: CITY MANAGER
Date: 4/23/20

Approved as to form:


for the City Attorney

**EXHIBIT A
NOTICE / CONTACT INFORMATION**

TAMC	Executive Director 55-B Plaza Circle Salinas, CA 93901 (831) 775-0903 Name @tamc.org
COUNTY OF MONTEREY	Title Address Salinas, CA 93901 (831) Email address
CITY OF DEL REY OAKS	Title 650 Canyon Del Rey Del Rey Oaks, CA 93940 (831) Email address
CITY OF MARINA	Title 211 Hillcrest Ave. Marina, CA 93933 (831) Email address
CITY OF MONTEREY	Hans Uslar, City Manager 580 Pacific Street Monterey, CA 93940 (831) 646-3760 uslar@monterey.org
CITY OF SEASIDE 	Craig Malin, City Manager 440 Harcourt Ave. Seaside, CA 93955 (831) 899-6701 cmalin@ci.seaside.ca.us w/ Copy to cityattorney@ci.seaside.ca.us
UNIVERSITY OF CALIFORNIA, SANTA CRUZ	Title ADDRESS ADDRESS Phone Email address

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

Exhibit B

Transportation Agency for Monterey County
Fort Ord Regional Trail and Greenway Project

Figure 2-7 Trail Segments¹



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



DEL REY OAKS POLICE DEPARTMENT

650 CANYON DEL REY ROAD - DEL REY OAKS, CA 93940
PHONE: (831)-394-9333 FAX: (831)-394-1596



DATE: March 28, 2023

TO: Mayor Donaldson and Members of the City Council

FROM: Chris Bourquin, Interim Chief of Police

SUBJECT: Introduce and waive a full reading of an ordinance amending Section 10.08.030 of the Del Rey Oaks Municipal Code (DROMC) regarding parking vehicles on public property for more than 72 hours.

CEQA: Not subject to the California Environmental Quality Act (CEQA) as it is not a project pursuant to Guidelines Section 15378. In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. 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 15061(b)(3), this ordinance is not subject to CEQA review.

RECOMMENDATION:

That the City Council introduce and waive a full reading of an ordinance amending Section 10.08.030 of the DROMC regarding parking vehicles on public property for more than 72 hours.

DISCUSSION:

The City of Del Rey Oaks and the Del Rey Oaks Police Department have received numerous complaints from residents about vehicles parked on the streets, without being moved, for extended periods of time.

Currently, DROMC Section 10.08.030 provides “No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of 72 hours. Any vehicle so parked is declared to be a public nuisance and the chief of police may remove it, or cause it to be removed pursuant to Vehicle Code....”

While this Section allows the Police Department to remove a vehicle parked on public property in the same spot for 72 hours or more, it fails to address how far a vehicle must be moved to reset the 72 hour “consecutive period,” and for how long.

{AJL-01395586;2}

Del Rey Oaks Police Department

650 Canyon Del Rey Blvd – Del Rey Oaks, California 93950 (831) 375 - 8525

Serving the City of Del Rey Oaks and the Monterey Regional Airport

Chris Bourquin – Interim Chief of Police

The draft ordinance would require a vehicle to be moved at least 100 liner feet, and for a period of at least 24 hours, to reset the 72 hour consecutive period.

The required movement prevents those who have custody or control over inoperable vehicles from pushing them a few feet forward or back in order to technically comply with the current requirements. Additionally, the requirement not to reoccupy the original space for 24 hours gives others living in the area a chance to use that vacant space.

FISCAL IMPLICATIONS:

There will be no costs in implementing this ordinance modification.

ALTERNATIVES CONSIDERED:

The City Council may decide not to adopt the ordinance.

Attachments: None

Kim Shirley's Council Report for Tuesday, March 28, 2023

Friday, Feb. 24th- MST Leadership with Congressman Panetta- A few board members and some of the executive leadership for MST met with Congressman Panetta to talk about potential federal funding for MST's projects, which include the Surf! Busway from Marina into Seaside/Monterey; transitioning to zero emissions electric busses; and preparing facilities for hydrogen, which will power busses that need to go longer distances (in comparison to the electric busses). While I was there, I also received a tour of the MST facilities at One Ryan Ranch. It's impressive what they've done with the facilities, providing space for all the ways they need to care for their current and future fleet. It was fun to see their electric bus and the shop where they clean and work on the busses. Everything was so neat, clean, and orderly! I also appreciated seeing an emphasis on employee health with the gym that they provide their employees, too.

Tuesday, Feb. 28th- City Council Meeting- This was our first meeting as a 5-person council (welcome, Bill!). I felt it was a very productive meeting and was thankful for the interactions and willingness to move ideas forward. During this meeting we agreed to send a letter to the CPUC which asks them to compel Cal Am to sign the Water Purchase Agreement for the Pure Water Monterey Expansion. We also finalized regional board appointments and approved the annual progress report for the General Plan. In addition, we passed an electronic policy and reviewed and discussed the Brown Act, especially as it relates to teleconferencing. With this discussion, council requested that staff look into the timeline and costs associated with improving our technology to allow the public to zoom in and comment during our meetings (right now they can zoom in but not comment). I believe that increased accessibility is always a good thing. I'm hoping this will make it easier for the public to attend and participate in our meetings.

Wednesday, March 1st- ReGen Monterey Finance Meeting- Besides approving the minutes from the last meeting, we mainly were updated on various topics. The first were the assumptions that may be made for the upcoming budget process. A 5% tip fee increase was discussed which is not a surprise given the increased cost in other areas that we're experiencing (labor, capital improvements, etc.). The amount of money we're making from processing material at the MRF has been reduced this fiscal year and so they will make the assumption that that will continue. The team is also looking at adding another head engineer as it seems our director of engineering will be retiring in the next year or so. We're also going to look at creating a reserve for the post-closure of the landfill. We also received an update on the white paper that is reviewing what materials are coming into ReGen and where are they coming from, along with looking at where our materials go. The idea is to better understand how our landfill is being used, which will help us as we look towards the future. Lastly, we discussed the public recycling drop off area that's in front of Last Chance Mercantile. Pre-pandemic this area was staffed, but since then, it has not been staffed and is such seeing some issues with contamination, damage to the railings, potential damage to the nearby cars with careless handling of big items, and people taking items from the bins. We're hoping staff can gather

some additional information (who is using this area and how much it would cost to keep it going) to figure out the next steps.

Wednesday, March 1st- Seaside Groundwater Basin Water Master Mtg- This was an interesting introduction to this committee, as we chose a new chair (Oglesby) and vice chair (Carbone), and discussed whether the committee and subcommittee falls under the Brown Act (this group does not have a lawyer in attendance, so some questions were left unanswered). We basically decided that the committee, along with its subcommittees, do fall under the Brown Act, which means even the subcommittees must now meet in-person (there was some concern that they'll never have a quorum, but we'll see how it goes). We did approve a split cost for a new well between Marina Coast Water and the Water Management District and agreed that a study session in the future would be very beneficial to new (and old) board members. In the end, I was asked and will participate in the Technical Advisory Committee for this group and I was voted onto the ad hoc committee that's looking at the replenishment cost for the basin.

Wednesday, March 1st- Wednesday's with Wendy Root-Askew- County Supervisor Wendy Root-Askew held this meeting to talk about the upcoming budget planning for this next fiscal year. She invited many guests to talk about their need for county support, which included money for childcare and programs, housing, the arts, and supporting community programs that help with job placement and community connections. I was there to talk about sustainability issues and was able to thank the supervisor for keeping the county parks free. I also talked about reach codes for electrification of new buildings, additional support for organic waste composting and infrastructure, as well as single use plastic ordinances. The county really is in a unique position to move sustainable initiatives forward, creating momentum for the rest of the jurisdictions.

Wednesday, March 8th- Seaside Groundwater Basin Watermaster Technical Advisory Committee- Talk about learning something new! One of the things I truly love about being a councilmember are the variety of topics that cross our desk. And this technical advisory committee will be one of those places where I'll be learning something new everytime. Two main topics were discussed today. One was deciding on whether to move forward with more modeling to explore the potential rates of seawater intrusion. What has already been done, shows that the maximum rate, given certain conservative assumptions in pumping and supply, would be 250ft/yr, giving us about a decade before we see major intrusion. The question was whether we should pay for more modeling to look at more conservative parameters. Ultimately, the group decided the answer was "no" since the outcome of that study was predicted to show little change from what was already calculated. The second topic was reviewing a contract for a well replacement. Lots of technical talk went into this discussion (pipe diameters, different types of flow sampling, pumps, etc.). In the end, it was all approved with some edits to the diameter of the well. You learn something new every day!

Thursday, March 9th- Sustainable Del Rey Oaks meeting- This monthly meeting's focus was mainly planning for the joint Earth Day/Ice Cream Social/Basketball court opening event on April 29th at Del Rey Park. Sustainable Del Rey Oaks will have a table and we'll be talking about our Earth Friendly Households program, the Butterfly Garden, as well as other topics such as

FORTAG, household vermicomposting, and the organic waste composting program. The other topic of the evening was announcing that I was stepping down as co-chair of SDRO. This new term on the council has brought on more responsibilities, so I felt I needed to let this position go for the a greater balance in my life. I'll still be participating and working with the group, but will no longer be part of its leadership. With this announcement, I was very grateful that former Mayor Alison Kerr has decided to take on the role! SDRO is lucky to have her and the other wonderful members of its leadership.

Friday, March 10th- City's Finance Committee Meeting- Mid-year reviews were the big topic for this month's meeting. It had been a few months since our last finance meeting, so I was happy to see this latest update, as it looks like our revenues are just about meeting our expenditures. We're still waiting for our audit from last year, but we did look at our finances and approved the mid-year adjustments. The one surprising note was that our revenue from short-term rentals in the city was our third largest revenue source. It easily outpaced our cannabis tax revenue, which will likely be greatly reduced as we look towards the budget for next year.

Monday, March 13th- MST Board meeting- Please see the meeting summary located in our agenda packet. I will note that I voted for the ordinance that would have required mask wearing in the board room and other MST offices if the CDC established our COVID community levels for our county at the medium or high levels (hospital admissions, new cases, etc.). Unfortunately, it did not pass. We did unanimously pass an ordinance that allows the public to teleconference into our meetings.

Thursday, March 16th- Joint Planning Commission and City Council meeting for the Housing Element- This meeting was a long-time coming and I was very happy to join the planning commission as we learned our next steps for getting to a compliant 5th cycle Housing Element, as well as a 6th cycle Housing Element. The plan is to finish off the 5th cycle by the Fall and then we'll be completing the 6th cycle by the mid-December due date. We discussed using Site 1 and 1A (parcels on the north and south side of South Boundary Rd) to zone for our required units. We have 86 units that need be made up from the 4th and 5 cycle and then we have an additional 184 units that are required for the 6th cycle. All 270 units need to have the appropriate amount of space zoned for residential on those two parcels. I would like to argue that we increase our density beyond the minimum 20 units/acre. I'd also like to see us be considerate of the proposed FORTAG trail on Site 1, as well as the potential for wildlife corridors on both of those parcels.

City Council member Ragsdale-Cronin report March 2023

Attended Budget committee meeting.

Council Report from Councilmember John Uy March 28, 2023

I. Council Report: Regular Meeting of the DRO City Council on February 28, 2023

Presentation by Central Coast Community Energy (3CE) - Ms. Sophia Schwirzke

On February 28, 2023, Sophia Schwirzke, the Customer Accounts Manager of Central Coast Community Energy (3CE), gave a presentation to the Del Rey Oaks City Council. The presentation was focused on the community energy program offered by 3CE, which is a non-profit organization that serves Monterey, Santa Cruz, and San Luis Obispo counties. The program offers residents and businesses in these counties an alternative to their traditional energy provider by sourcing renewable energy from local resources.

Presentation Highlights

Sophia Schwirzke started her presentation by providing an overview of the benefits of the community energy program. She highlighted that the program offers competitive rates that are comparable to the rates offered by traditional energy providers in the area. She also pointed out that the program sources energy from renewable resources, which helps to reduce the carbon footprint of the community.

Sophia Schwirzke also highlighted the community benefits of the program. She explained that the program reinvests a portion of its revenue back into the community in the form of energy projects, such as electric school bus, electrify your ride, new construction electrification. These projects help to create local jobs and reduce energy costs for the community.

Finally, Sophia Schwirzke addressed some common questions and concerns about the program. I asked questions about the program, such as the common misconceptions of residents when it comes to renewable energy and how 3CE plans to address the potential challenges that may arise during the transition to renewable energy, such as ensuring reliability and affordability, how 3CE ensures that their pricing for renewable electricity remains competitive with traditional fossil fuel sources, how 3CE plans to prioritize equity and ensure that all members of the community have access to clean and affordable energy, how 3CE plans to ensure that its governance structure remains representative of the communities it serves and accountable to its stakeholders, and what steps Del Rey Oaks can take to support Central Coast Community Energy's efforts and help advance renewable energy goals in our community. She answered these questions in detail and provided data to support her answers.

Conclusion

Overall, the presentation by Sophia Schwirzke was informative and well-received by the Del Rey Oaks City Council. The program offered by 3CE appears to be a promising option for the

community, as it provides renewable energy at competitive rates and reinvests in local energy projects. The Council will consider the information provided in the presentation and decide whether to take further action to support the program.

Consider a Comment Letter to California Public Utilities Commission Regarding California-American Water and Pure Water Monterey Water Purchase Agreement

I am very hopeful and happy that our Council has felt the need to submit a comment letter to the CPUC in support of the Monterey Peninsula Water Management District's petition that would compel Cal-Am to sign the Water Purchase Agreement so that we can move forward with the expansion of the Pure Water Monterey. I encouraged my councilmembers to join in this effort so that we can demonstrate the unwavering dedication and enthusiasm of the City Council towards ensuring that we, as a city, have access to sustainable water sources and can move forward with affordable housing for our residents and workforce in the future. By taking action and speaking out, we, as the City Council, can showcase our commitment to this important issue that we are facing here at the Peninsula, and we can emphasize the importance of responding and addressing this concern in a timely and effective manner as one of our city's core values.

Use of Electronic Communications Devices in Public Meetings Policy

This policy aims to regulate the use of electronic communication devices by city officials during public meetings to ensure compliance with applicable laws and regulations, such as the Brown Act and due process requirements. However, the policy also allows for some limited use of electronic communication devices in specific circumstances, such as emergency situations or necessary family caregiving.

I agree with this policy because it can promote greater transparency, fairness, and accountability in government decision-making. As I can analyze this, the effectiveness of this policy will depend on its implementation and enforcement.

Receive and Update and Overview of the Brown Act

The Brown Act is a law that requires transparency and openness in the decision-making process of local governments in California. The changes to the Brown Act described in this policy have several implications:

Remote Participation: AB 2449 allows for individual council members to participate remotely for "just cause" or due to "emergency circumstances". This means that council members can participate in meetings via teleconference or videoconference if they meet the criteria for "just cause" or "emergency circumstances." However, the law limits the number of remote

participations by a council member to a maximum of three consecutive months or 20% of the regular meetings within a calendar year.

Public Participation: SB 1100 clarifies the process for removing individuals from a meeting who are disrupting the meeting. The governing body must warn them that their behavior is disruptive and may remove them if they do not stop their behavior. This bill does not prohibit public criticism of the agency or the legislative body, but it does allow for the removal of individuals who are causing a disturbance.

Compliance: Compliance with the new changes to the Brown Act is essential to avoid legal and financial consequences. The Council directed Staff to provide a report on the different viable options that the city can do to comply with the new update of the Brown Act. Staff will work closely with the council to ensure compliance with the new obligations.

Overall, these changes aim to balance the need for transparency and public participation with the practical considerations of holding meetings during times of emergency or when a council member has a justifiable reason for remote participation.

II. Council Report: AMBAG Board of Directors Meeting on March 8, 2023, at 6:00 PM

I attended the AMBAG Board of Director's Meeting on March 8, 2023, at the Monterey Bay Air Resources District Board Room. The meeting was called to order, and a vote was taken on the "Emergency" cause of Assembly Bill (AB) 2449 because a board director was attending remotely. AB 2449 provides alternative teleconference procedures to allow members of the AMBAG Board of Directors to participate remotely under very limited circumstances. The executive director, Maura Twomey, gave an oral report.

During the meeting, there were no oral communications from the public and the board on items not on the agenda. The board received committee reports from Maura Twomey from the Executive/Finance Committee and from Director Brown from the Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council (SAC). Director Brown provided a report on the February 17, 2023, Monterey Bay National Marine Sanctuary (MBNMS) Advisory Council (SAC) meeting, and the next meeting is scheduled on May 19, 2023.

The Board of Directors approved the Consent Agenda items that included the draft minutes of the February 8, 2023 AMBAG Board of Directors meeting, the AMBAG Regional Clearinghouse Monthly Newsletter, the AMBAG Sustainability Program Update from Amaury Berteaud, the AMBAG Sustainability Program Manager, the Draft Amendment No. 3 FY 2022-23 Monterey Bay Region Overall Work Program (OWP) and Budget from Bhupendra Patel, Director of Modeling, and the Financial Update Report from Errol Osteraa, Director of Finance & Administration.

The Draft FY 2023-24 Monterey Bay Region Overall Work Program (OWP) and Budget were provided for Board review and comments. Heather Adamson, Director of Planning, provided an

update on the Regional Early Action Program (REAP) 2.0 Program development activities for AMBAG's Regional Competitive and Local Suballocation Grant Programs. And she also provided an overview of the 2050 Metropolitan Transportation Plan/Sustainable Communities Strategy draft work program and schedule. Board members were requested to discuss and provide input on the draft work program and schedule.

In conclusion, the meeting covered a wide range of topics relevant to the AMBAG region. I look forward to the next meeting and will continue to represent Del Rey Oaks at the AMBAG Board of Directors meetings.

More details about the Regional Early Action Program (REAP) 2.0 Program Development Activities Update from Heather Adamson, Director of Planning

Heather Adamson, Director of Planning, provided an update on the Regional Early Action Program (REAP) 2.0 Program development activities during AMBAG's Board of Director's Meeting held on March 8, 2023. The report presented the progress of the REAP 2.0 program development activities for AMBAG's Regional Competitive and Local Suballocation Grant Programs.

Background/Discussion:

The REAP 2.0 program builds on the success of the 2019 REAP program and expands its focus by integrating housing and climate goals. It enables broader planning and implementation investments, including infrastructure investments supporting future housing development. REAP 2.0 aims to meet multiple objectives, such as infill development, housing for all incomes, Vehicle Miles Traveled (VMT) reduction, and affirmatively furthering fair housing. The program intends to accelerate the implementation of regional and local plans to achieve these goals. The REAP 2.0 program is funded with \$600 million from the State General Fund, and AMBAG's share of this funding is \$10,133,742.41.

Updates:

In early June 2022, AMBAG submitted an advanced application to California Department of Housing and Community Development (HCD) for funding to deploy an outreach and engagement strategy and to develop a program to disperse these funds throughout the region, promoting the core program objectives of REAP 2.0. AMBAG's advanced application was approved in August 2022.

Throughout 2022, AMBAG conducted extensive outreach to a broad array of stakeholders to gather input and identify programs and partners that assisted in the development of the proposed REAP 2.0 program framework. AMBAG developed a REAP 2.0 program framework, suballocation programs, and draft criteria. The criteria were guided by the State's final program guidelines, HCD input, and stakeholder engagement processes. AMBAG submitted the full REAP

2.0 application to the State in December 2022, and the State is expected to complete the application review within 60 days.

In November 2022, the AMBAG Board of Directors approved the REAP 2.0 program framework consisting of three (3) core components:

- **Regional Competitive Grant Program (60% - \$6,000,000):** This program, which is developed and administered by AMBAG, grants awards to applicants that best achieve all REAP 2.0 goals and objectives. It will suballocate the majority of AMBAG's REAP 2.0 funds to a competitive program.
- **Local Suballocation Grant Program (25% - \$2,625,000):** This program sets aside \$125,000 per jurisdiction with eligible projects that meet all REAP 2.0 goals and objectives. The suballocation program aims to provide all cities and counties with an opportunity to propose a REAP 2.0 eligible project while allowing for both implementation and planning uses.
- **AMBAG SCS Implementation, Technical Assistance, REAP 2.0 Program Development, and Administration (15% - \$1,508,742):** This program includes regional planning activities that support infill development and implement the SCS, such as pricing studies, transit-oriented development, and Opportunity Area planning and implementation. The program also provides technical assistance, development of the REAP 2.0 program, including outreach activities, and REAP 2.0 administration.

REAP 2.0 Grant Programs Criteria:

AMBAG staff developed draft criteria for both the Regional Competitive and Local Suballocation Grant Programs based on HCD program requirements. The draft criteria were presented to the Planning Directors Forum in January and to the AMBAG Board of Directors in February 2023. The criteria are included in the draft grant guidelines for both grant programs. The Board of Directors were asked to review the draft grant guidelines and provide feedback and input.

The next steps for AMBAG include refining the draft grant guidelines and releasing them for a public review period in late March/early April, and then finalizing the grant guidelines and issuing the Notice of Funding Availability. Staff will continue to provide updates on the progress of the REAP 2.0 Program development activities to the AMBAG Board of Directors as needed.

Timeline:

January – March 2023:

HCD and state partners review AMBAG's final full REAP 2.0 application.

Spring/early Summer 2023:

Develop AMBAG's Regional Competitive and Local Suballocation Grant Programs, including criteria, guidelines, application, forms, etc.

Summer/early Fall 2023:

Applications are due for AMBAG's Regional Competitive and Local Suballocation Grant Programs.

Late 2023/early 2024:

AMBAG awards Regional Competitive Grant Programs and enters into funding agreements with grant applicants.

June 30, 2024:

Deadline for REAP 2.0 recipient to encumber funds.

June 30, 2026:

Deadline for REAP 2.0 funds to be expended.

This timeline outlines the major milestones for the REAP 2.0 program, from the review of the application to the distribution of grants and the expenditure of funds.

III. Council Report: Seaside County Sanitation District Regular Meeting on March 14, 2023

I attended the Seaside County Sanitation District regular meeting on March 14, 2023, at 9:30 AM in the Conference Room. The meeting was called to order, and the roll was called, with the three Board of Directors members in attendance: Ian N. Oglesby, Jerry Blackwelder, and John Uy, who respectively served as the Chair, First Vice Chair, and Second Vice Chair respectively.

The agenda was reviewed, and there were no items added since the 72-hour posting deadline. During the public comment period, members of the public who wished to address the Seaside County Sanitation District on matters within the jurisdiction of the Board but not on the agenda were given an opportunity to speak. But there was no public comment.

The Board approved the Consent Agenda, which included approving the minutes from the February 14, 2023 regular meeting and receiving the Seaside County Sanitation District Operations Report for February 2023. The recommendation was to accept the report and associated map, which was presented for information only.

The Board also approved the January 2023 expenditure report for the Seaside County Sanitation District in the amount of \$51,706.06. The recommendation was to approve the expenditures for January 2023, and the total expenditures for that month were \$51,706.06.

There was no New Business item, and no staff reports were presented other than the ones on the Consent Agenda.

The meeting was concluded with the Board Members' comments, and the next regularly scheduled meeting was set for April 11, 2023, at 9:30 AM. Overall, the meeting was efficient, and I was pleased to represent Del Rey Oaks at the Seaside County Sanitation District regular meeting.

IV. Council Report: Joint Meeting of the City Council and Planning Commission followed by a Special Meeting of the DRO City Council on March 16, 2023, at 6:00 PM

Housing Element Update Presentation by Denise Duffy, DD&A

I am writing to provide a council report on the Housing Element Update agenda item presented by Denise Duffy of DD&A at the recent Planning Commission and City Council meeting. The presentation aimed to provide an update on the Housing Element process and timeline to address the requirements of the State Housing Element law and the Regional Housing Needs Assessment (RHNA).

Presentation Overview:

Denise Duffy presented an overview of the Housing Element process to meet the State's housing requirements. During the presentation, the past workshops were discussed, which focused on policies and programs to meet state requirements. These workshops involved community input and feedback, which helped to shape the Housing Element Update. The presentation outlined the steps taken during these workshops, which included community engagement, data analysis, and the development of strategies and goals.

The presentation also discussed the policies and programs that are being implemented to meet the state requirements of the Housing Element Law and the RHNA. These policies and programs aim to increase housing production and affordability, as well as address the housing needs of various income levels and demographics.

The presentation outlined the following key points:

- The City of Del Rey Oaks has to update its Housing Element to meet the State's housing requirements. The Housing Element will address the RHNA allocation, which is the number of housing units the City needs to plan for, as determined by the State of

California. For the 4th and 5th cycles, DRO has a RHNA allocation of 86 combined units of the shortfall for low and very low-income levels. For the 6th cycle, DRO has a RHNA allocation of 184 units which is in addition to the shortfall units in the 4th and 5th cycles. The size or type of a unit is not stipulated in the laws.

- The City has to provide opportunities for various income groups and special needs groups, including senior citizens, people with disabilities, and low-income families.
- The Housing Element Update will include policies and programs to address affordable housing, streamline housing development, and promote infill development.
- The Housing Element Update will include an analysis of potential sites for housing development, with an emphasis on opportunities for affordable housing.
- The City has to provide a timeline for the Housing Element Update process, including community outreach and public input opportunities.

Conclusion:

In conclusion, the Housing Element Update is an important item for the City of Del Rey Oaks. The presentation by Denise Duffy provided valuable insights into the progress made in meeting the state requirements of the Housing Element Law and the RHNA. It also provided an outline of the process and timeline for the Housing Element Update. The City must ensure that the Housing Element Update addresses the State's housing requirements and provides opportunities for various income groups and special needs groups. I believe that this presentation was informative and useful to the City Council and Planning Commission, and I recommend that we move forward with the Housing Element Update process. As council members, we will continue to monitor the progress of the Housing Element Update and ensure that it is in compliance with state requirements and the needs of our community.

Introduction and first reading of Ordinance #312 amending portions of TITLE 17 of the Del Rey Oaks Municipal Code regarding the definition of "Family", as well as establishing an Emergency Shelter overlay to allow emergency shelters by right in accordance with State Housing Laws

I am pleased to provide this report on the introduction and first reading of Ordinance #312, which aims to amend portions of TITLE 17 of the Del Rey Oaks Municipal Code regarding the definition of "Family," as well as establishing an Emergency Shelter overlay to allow emergency shelters by right in accordance with State Housing Laws.

Amendment of "Family" Definition:

The proposed amendment to the definition of "Family" is intended to align with current social norms and promote fair housing practices. In looking at the revised definition, I set some criteria in my evaluation. Does the proposed definition align with the City's goals and values, such as promoting inclusivity, diversity, and equity? Does the revised definition of "Family"

provide greater flexibility for households with non-traditional arrangements, such as cohabiting couples, single parents, or individuals with disabilities? Does the revised definition of "Family" help to address housing affordability and accessibility issues by allowing more people to live together in a single dwelling unit?

I believe that the proposed definition promotes inclusivity, diversity, and equity. The new definition will also allow for greater flexibility in living arrangements, recognizing that families come in various forms and sizes. The amendment addresses housing affordability and accessibility issues and also includes a feature to prevent discrimination against individuals based on familial status.

I like the proposed new definition of "Family" because it is a bigger improvement from the previous one. However, I also asked Ms. Duffy if there are any potential negative impacts of the revised definition, such as increased density or noise, that need to be addressed. She responded that there is no identified negative impact.

I also raised the question of whether the City will monitor and evaluate the effectiveness of the revised definition over time, and make adjustments if necessary. I raised this question because I know that many people also consider their pets as family members and not property. The definition may need revision again in the future because of changing social norms, thus the need for some monitoring mechanism to keep it current and relevant.

Emergency Shelter Overlay:

The proposed Emergency Shelter overlay aims to address the urgent need for emergency shelter facilities in our community. The overlay will allow for emergency shelters to be established by right, which means that they can be developed without requiring a conditional use permit. This change will streamline the process of establishing emergency shelters in accordance with State Housing Laws and provide a necessary resource for individuals and families experiencing homelessness.

Next Steps:

The introduction and first reading of Ordinance #312 is just the beginning of the process of amending TITLE 17 of the Del Rey Oaks Municipal Code. The next step will be a public hearing, during which members of the community will have the opportunity to provide feedback on the proposed changes. The council will consider the feedback received during the public hearing and make any necessary adjustments to the ordinance before proceeding with a second reading and final adoption.

Conclusion:

In conclusion, the introduction and first reading of Ordinance #312 is an important step towards amending portions of TITLE 17 of the Del Rey Oaks Municipal Code. The proposed

changes to the definition of "Family" and the establishment of an Emergency Shelter overlay will promote fair housing practices and address the urgent need for emergency shelter facilities in our community. As council members, we will continue to work towards ensuring that our community is inclusive and provides resources to those in need.

V. Council Report: Seminar on Climate Change on March 20, 2023

On Monday, 20 March 2023, I attended a seminar on climate change at the Chapman Science Academic Center, CSUMB. The seminar titled "Climate Change: An Overview of the Science and the Impacts" was presented by a climate scientist, Dr. Murphree, who discussed some key elements of climate change science, the impacts of climate change on natural and human systems, and some of the implications of climate change for practicing environmental scientists.

The event was free and open to the public, and it was a great opportunity for all attendees to learn about the current state of climate change science and its implications for our planet. The presenter explained in detail the causes and effects of climate change and the steps that can be taken to reduce its impact on our environment.

The presentation was informative and well-structured, and the audience was actively engaged in the discussion. The attendees shared their questions about climate change and its effects on their respective communities. Their attendance manifests their desire to learn about the issue and take concrete actions to address it.

I gained several insights and realizations regarding the severity and urgency of the issue of climate change. One of the key takeaways for me was the significant impact that climate change has on our environment, economy, and social systems. One of the best things that we can do is to help protect natural environments because protecting natural environments is critical in helping to remove and store carbon and absorb the shocks of extreme events. One of the most important ways in which climate change is impacting natural environments is by creating extreme conditions that push these systems and related human systems to their limits.

I also learned that climate change is not just an environmental issue but a broader social and economic issue that requires immediate attention and action. Climate change is critical for people who work in many fields because climate change affects all aspects of human activity (agriculture, fisheries, human health, housing, social justice, etc.).

I also realized that climate change is a global issue that requires collective action at all levels, including individual, community, and government levels. Understanding the basics of climate change science is important in helping us weigh climate change information, support decision-making, and deal with climate change denial and other types of resistance. As a councilmember, I am committed to working with my colleagues and community members to develop policies and strategies to mitigate the effects of climate change.

Another insight I gained was the importance of educating the public about the science of climate change, its impacts, and the steps we can take to reduce its impact. As a councilmember, I am committed to raising awareness about the issue of climate change and encouraging community members to take concrete actions to address the issue.

Overall, the seminar was an eye-opening experience, and I believe it is crucial for community leaders and policymakers to be informed about the science of climate change and its implications. It served as an excellent platform for raising awareness about the issue of climate change, and it was a valuable opportunity for all attendees, including myself, to learn more about the science of climate change, its impacts, and the steps we can take to mitigate its effects. I would recommend similar seminars and discussions in the future to keep the community informed and engaged on this critical issue.

Thank you so much.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

www.tamcmonterey.org

HIGHLIGHTS

March 22, 2023

Salinas Valley Safe Routes to School Plan and Participatory Budgeting Presentation

The Transportation Agency Board of Directors received a presentation on the Salinas Valley Safe Routes to School Plan and the participatory budgeting process. The Plan was funded through a Caltrans Sustainable Transportation Planning Grant (\$664,127) and Measure X Safe Routes to School funds (\$126,501).

The Salinas Valley Safe Routes to School Plan, developed by the Transportation Agency, Monterey County Health Department, Ecology Action, and the cities, will identify barriers to safe access to all K-12 public schools in South County cities and recommend infrastructure and non-infrastructure improvements. An important component of the Plan is a participatory budgeting process that is designed to fast-track funding and implementation of safe routes to school projects that are meaningful to community members.

The first participatory budgeting planning process was in the City of Greenfield. The Greenfield Safe Routes to School Steering Committee, made up of residents, students, and community advocates, developed a list of projects for the community to vote on. The ballot included 21 street safety projects, three projects for each public school in the city. After reviewing the election results, the Greenfield Safe Routes to School Steering Committee recommended four projects for near-term implementation that include filling sidewalk gaps, crosswalks, curb ramps, high visibility signage, and flashing stop signs, to the Greenfield City Council, which voted to approve funding the recommended projects during their March 14, 2023, council meeting. The Participatory Budgeting process in the cities of Gonzales, Soledad, and King City will occur this year.

Greenfield PB Election Results

Highway 1 Elkhorn Slough Resiliency Project

After receiving a presentation on the Highway 1 Elkhorn Slough Resiliency Project, TAMC's Board of Directors authorized the Transportation Agency's Executive Director to pursue member designated funding for planning and environmental studies for the project.

The Highway 1 corridor through Elkhorn Slough presents significant challenges to the future of transportation in the Monterey Bay region under conditions of climate change and sea level rise. Submitting the Highway 1 Elkhorn Slough Resiliency Project as a candidate for state funding for planning activities will help prepare the project for future local, state, and federal grant opportunities.

The Central Coast Highway 1 Climate Resiliency Study, adopted by the Association of Monterey Bay Area Governments (AMBAG) in 2020, concluded that as early as 2030, an eight-mile section of Highway 1 and five miles of railway in Elkhorn Slough, home to extraordinary biological diversity, could experience regular storm and tidal flooding.

[Central Coast Highway 1 Climate Resiliency Study](#)

[Elkhorn Slough sea level rise - virtual reality video](#)

2023 Programming Guidelines and Competitive Grants

The TAMC Board of Directors approved the 2023 programming guidelines and competitive grants funds for the Regional Surface Transportation Program (RSTP). The RSTP, now known as the Surface Transportation Block Grant Program, is a federal program that provides states and local jurisdictions with funding for highway improvements, street rehabilitation, and transportation enhancements. The Transportation Agency receives an annual apportionment of Regional Surface Transportation Program funding passed through the State.

Because Monterey County did not have an urbanized area with a population of greater than 200,000 in the 1990 census, it qualified for the state exchange program, whereby Caltrans keeps the federal apportionments for a region and gives the regional agency an equivalent amount of state funds.

The Transportation Agency distributes Regional Surface Transportation Program funding in both fair-share, set aside, and competitive programs. Monterey County and the cities receive fair-share Regional Surface Transportation Program funds based on a formula of 50% population and 50% centerline miles. The total fair share allocation over the next three years is \$3.6 million. Ten percent (\$1.8 million) is set aside as an RSTP reserve to provide flexibility to meet needs as they arise over the three-year period of this funding cycle.

[2023 RSTP Guidelines & Grant Application](#)



MST HIGHLIGHTS
Board of Directors Meeting
March 13, 2023

APPROVED REMOTE TELECONFERENCE MEETING

The Monterey-Salinas Transit (MST) Board approved Resolution 2023-31 for the March 13, 2023 board meeting to be held remotely (via Zoom teleconference) due to the State of Emergency in Monterey from severe flooding.

RECOGNIZED MARCH EMPLOYEE OF THE MONTH

The MST Board adopted Resolution 2023- 28 recognizing Marzette Henderson, Transportation Manager as the March 2023 Employee of the Month for his outstanding contribution to MST and to the entire community.

35 YEARS OF SERVICE

The MST Board recognized Tiziano Minelli, Operations Superintendent for 35 years of service and his outstanding dedication and contribution to MST and the entire community.

FIRST READING OF AN ORDINANCE ADOPTING RULES OF CONDUCT FOR ATTENDING MEETINGS OF LEGISLATIVE BODIES AT MST FACILITIES

The MST Board voted to not adopt rules of conduct for attending meetings of legislative bodies at MST facilities.

APPROVED REMOTE MEETING PARTICIPATION FOR MEMBERS OF THE PUBLIC

The MST Board approved Resolution 2023-29 authorizing remote meeting participation for members of the public at all MST legislative bodies.

APPROVED CEQA STATUTORY EXEMPTIONS FOR SURF! BUSWAY AND BUS RAPID TRANSIT PROJECT

The MST Board held a public meeting to review and consider comments and responses on the SURF! Busway and Bus Rapid Transit Project ("Project") California Environmental Quality Act (CEQA) Exemptions under Senate Bill 922 [2022] (Public Resources Code Section 21080.25) ("CEQA Exemptions"), adopted Resolution 2023-30 approving CEQA Exemptions for the SURF! Busway and Bus Rapid Transit Project, adopted project conditions, and directed staff to file a notice of exemption.

NEXT MST BOARD MEETING

The next regular MST Board meeting is scheduled on April 10, 2023.

Monterey County Veterans Issues Advisory Committee ((VIAC))

Report to the Del Rey Oaks City Council

Date of Meeting: February 23, 2023

The following is an overview of issues reported to, and considered at, the February meeting:

Veterans Transition Center (VTC)

- Erica Parker introduced herself as the new Director of Strategic Initiatives at the VTC.
Within her scope of work will be grants, donors, outreach and social media.
- The VTC continues to move forward with Lightfighter Village and the Extended Use Lease Agreement. Note: Lightfighter Village will provide housing for 70 Veterans and their families. It is zoned for low and extremely low-income veterans. The Extended Use Lease Project is approved for 60 units.

California Central Coast Veterans Cemetery (CCCVC)

- **The cemetery has hired a new office technician**

Cemetery Foundation

- Plans for the Donor Wall at the Central Coast Veterans Cemetery are moving ahead. The Wall will be located directly south of the Flag Circle. The foundation has hired Westin (the company that cleared the land of unexploded ordinance (UXO)). The foundation is required to develop a construction support plan and process in place in the event UXO is found. The plan has been circulated to the Environmental Protection Agency, the Defense Department, the Army, the City of Seaside, and to Cal Vet.
Please note: The wall has been extended by 10 feet due to the large number of names the public has submitted for inclusion.

Fort Ord Retiree Council

- Louise Goetzelt is working on the Department of the Army National Retiree Council. The annual meeting is the week of April 23rd at the Pentagon. Her position with the National Council greatly benefits our local military community with a voice at the national level. The issues the council addresses are based on issues submitted from around the nation, and is an important conduit for retirees to the Department of Defense at his highest levels.
- Retiree Appreciation Day is scheduled for July 15th from 8:00 AM to 2:00 PM at Stillwell Community Center. More information to follow


As always,. Thank you to all the military veterans, their spouses and their dependents living in Del Rey Oaks. You make us a better community! If any of you have questions about possible benefits, please don't hesitate to contact me through City Hall, or email me at rlj.dro@gmail.com.

Best regards –

-Rick Johnson



County of Monterey Military & Veterans Affairs Office

MILITARY & VETERANS AFFAIRS OFFICE

MONTHLY ACTIVITY REPORT

February 2023


8
Outreach Events
94
New Contacts



751
Phone Calls

347
Vet Rep Appointments

503 Claims Actions
253 Unique Veterans
188 Compensation Awards



8 College Fee
Waivers valued
at nearly
\$35,000

New Disability Compensation Awards



**THE 2022
PACT
ACT**

\$509,978
Retroactive Payments
\$90,538
Recurring Monthly Payments





Customer Satisfaction Survey
80% Very Satisfied!

Dear Sergeant Sugman,
I would like to
thank you for taking
the time to stay with
me after my fall at
dayway

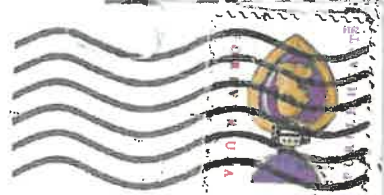
I realize now that
I was a bit in shock,
and needed someone to
watch over me.

You were very kind
and thoughtful in your
actions. I appreciate your
kindness. Regina Lauterbach

Regina Lauterbach
526 Loma Alta Rd.
Carmel, CA. 93925

SAN JOSE CA 950

15 MAR 2023 PM 4 L



Del Rey Oaks Police Dept.
650 Canyon Del Rey Blvd.
Del Rey Oaks, CA.
93940

Chris -
A THOUSAND THANKS
FOR YOUR COMMITMENT TO
MUNITIONS SAFETY!
HERE ARE SAFETY
STICKERS AS A
THANK YOU,
Melissa

This card was received from Melissa Broadston for participation in online course "Military Munitions Recognition and Safety Training".

Melissa Broadston
City of Seaside
Environmental Services Cooperative Agreement Program