AGENDA
CITY OF WATSONVILLE
CITY COUNCIL MEETING

Opportunity Through Diversity; Unity Through Cooperation.

Working with our community to create positive impact through service with heart.

Rebecca J. Garcia, Mayor, District 5
Trina Coffman-Gomez, Mayor Pro Tempore, District 6

Felipe Hernandez, Council Member, District 1
Aurelio Gonzalez, Council Member, District 2
Lowell Hurst, Council Member, District 3
Francisco Estrada, Council Member, District 4
Ari Parker, Council Member, District 7

Matt Huffaker, City Manager
Alan J. Smith, City Attorney
Beatriz Vázquez Flores, City Clerk

City Council Chambers
275 Main Street, Top Floor
Watsonville, CA 95076

Spanish language interpretation is available

Americans with Disabilities Act

The City of Watsonville, in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access and/or participate in City Council meetings, please call the City Clerk's Office at least three (3) days in advance of the meeting to make arrangements. The City of Watsonville TDD number is (831) 763-4075.

Meetings are televised live on Charter Cable Communications Channel 70 and AT&T Channel 99 and re-broadcast on Thursday at 5:00 p.m. and Saturday at 8:00 a.m. the same week of the meeting.
For information regarding this agenda or interpretation services, please call the City Clerk's Office at (831) 768-3040.

AGENDA PACKET

Attachments: Agenda Packet

AGENDA EN ESPAÑOL (LA AGENDA ESTARÁ DISPONIBLE EN CUANTO SE TRADUZCA- WILL BE AVAILABLE ONCE TRANSLATED)

Attachments: Agenda en Español

4:30 p.m.

Anyone Addressing the City Council is asked to fill out a blue card and leave it at the podium for recording purposes

(IF YOU CHALLENGE ANY ACTION APPEARING ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC MEETING DESCRIBED ON THIS AGENDA, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY CLERK PRIOR TO, OR AT, THE PUBLIC MEETING.)

1. ROLL CALL

2. INFORMATION ITEMS

A. REPORT OF DISBURSEMENTS

Attachments: Report of Disbursements February 20, 2020

B. MISCELLANEOUS DOCUMENTS REPORT

Attachments: Miscellaneous Documents Report February 25, 2020

C. WRITTEN REPORTS BY COUNCIL MEMBERS REGARDING ACTIONS TAKEN ON THEIR REGIONAL COMMISSIONS/BOARD MEETINGS THAT MAY AFFECT THE CITY OF WATSONVILLE (IF ANY)

3. INTRODUCTION OF NEW EMPLOYEES

A. Van Vradenburg, Sr. IT Specialist

4. CONSENT AGENDA

All items appearing on the Consent Agenda are recommended actions which are considered to be routine and will be acted upon as one consensus motion. Any items removed will be considered immediately after the consensus

motion. The Mayor will allow public input prior to the approval of the Consent Agenda.

Public Input on any Consent Agenda Item

A. MOTION APPROVING MINUTES OF FEBRUARY 11, 2020, MEETING

Attachments: Minutes 021120

B. RESOLUTION AUTHORIZING PURCHASE BY THE SOLID WASTE ENTERPRISE OF 1 NEW 2019 JOHN DEERE 85G EXCAVATOR UNIT FROM PAPE' MACHINERY, INC., FOR THE CITY'S PUBLIC DROP OFF FACILITY, IN AN AMOUNT NOT TO EXCEED $130,294.28

Requested by: Public Works & Utilities Director Palmisano

Attachments: Excavator Purchase - Report

Excavator Purchase - Resolution

C. RESOLUTION APPROVING 2ND AMENDMENT TO CONTRACT WITH VERDE DESIGN, INC., TO PROVIDE DESIGN & CONSTRUCTION ADMINISTRATION SERVICES FOR THE WATSONVILLE CITY PLAZA ADA RESTROOM PROJECT, IN AN AMOUNT NOT TO EXCEED $75,945

Requested by: Parks & Community Services Director Calubaquib

Attachments: Contract Amd No 2 with Verde Design - Report

Contract Amd No 2 with Verde Design - Resolution

D. RESOLUTION APPROVING FOUR-YEAR LEASE WITH SPECIALIZED HELICOPTERS, INC., FOR USE OF CITY OWNED PROPERTY WHICH INCLUDES 11,580 SQUARE FEET OF HANGAR/OFFICE/STORAGE SPACE LOCATED AT 150 AVIATION WAY

Requested by: Airport Director Williams

Attachments: Specialized Helicopters Lease - Report

Specialized Helicopters Lease - Resolution

E. RESOLUTION APPROVING FOUR-YEAR LEASE WITH INFORMART, DBA GARYAIR FOR USE OF CITY OWNED PROPERTY WHICH INCLUDES 6,727 SQUARE FEET OF OFFICE/HANGAR/STORAGE AT 140 AVIATION WAY

Requested by: Airport Director Williams

Attachments: Lease with Gary Air Inc. - Report

Lease with Gary Air Inc. - Resolution

F. RESOLUTION APPROVING A ONE-YEAR AGRICULTURAL LEASE WITH ADRIAN MONDRAGON, DBA C&M FARMS, FOR USE OF 1 ACRE OF CITY OWNED PROPERTY MORE OR LESS LOCATED AT 852 AIRPORT BOULEVARD

Requested by: Airport Director Williams

Attachments: C&M Farms Agricultural Lease - Report
C&M Farms Agricultural Lease - Resolution

G. RESOLUTION APPROVING A HEALTH IN ALL POLICIES (HIAP) APPROACH THAT WILL INCORPORATE HEALTH CONSIDERATIONS INTO DECISION - MAKING ACROSS ALL DEPARTMENTS & POLICY AREAS WITH THE CITY OF WATSONVILLE

Requested by: Assistant City Manager Vides

Attachments: Health in All Policies - Report
Health in All Policies- A Guide for State and Local Governments
Health in All Policies- A Guide for State and Local Governments - Hyperlink
Health in All Policies - Resolution
Health in All Policies - Resolution REVISED
Health in All Correspondence

H. RESOLUTION AMENDING RESOLUTION 4-20 (CM) APPOINTING MEMBERS TO COMMITTEES FOR CALENDAR YEAR 2020

Attachments: Committee Members 2020 - Amended

I. FINAL ADOPTION OF ORDINANCE RESCINDING CHAPTER 22 (TAXICABS) OF TITLE 5 (PUBLIC WELFARE, MORALS, & CONDUCT) OF THE WATSONVILLE MUNICIPAL CODE & ADDING A NEW CHAPTER 22 ENTITLED TAXICABS

Requested by: Police Chief Honda and City Attorney Smith

Attachments: WMC 5-22 - Taxi Ordinance
WMC 5-22 - Taxi Ordinance 1401-20 Corrected

5. ITEMS REMOVED FROM CONSENT AGENDA

6. UNFINISHED BUSINESS

A. CONSIDERATION OF APPROVAL OF CITY OF WATSONVILLE SAFE STREETS SAVE LIVES VISION ZERO ACTION PLAN 2020

Requested by: Public Works & Utilities Director Palmisano

Attachments: Vision Zero Action Plan 2020 - Report
Vision Zero Action Plan 2020 - Resolution
Vision Zero Action Plan 2020 - Correspondence
Item 6.A. Vision Zero Action Plan 2020 - PPT

1) Staff Report

2) City Council Clarifying & Technical Questions

3) Public Input

4) Motion Whether to Approve Staff Recommendation:

RESOLUTION APPROVING THE CITY OF WATSONVILLE SAFE STREETS SAVE, LIVES VISION ZERO ACTION PLAN 2020

5) City Council Deliberation on Motion

5:30 p.m.

7. CLOSED SESSION
(City Council Conference Room, 275 Main Street, 4th Floor)

A. CLOSED SESSION AGENDA

Attachments: Closed Session Agenda

1) Public Comments regarding the Closed Session agenda will only be accepted by the City Council at this time.

2) Closed Session Announcement
The City Council will now recess to discuss those items listed on the Closed Session Statement attached to the Agenda.

6:30 p.m.

8. ROLL CALL

9. PLEDGE OF ALLEGIANCE

10. PRESENTATIONS & ORAL COMMUNICATIONS

This time is set aside for members of the general public to address the Council on any item not on the Council Agenda, which is within the subject matter jurisdiction of the City Council. No action or discussion shall be taken on any item presented except that any Council Member may respond to statements made or questions asked, or may ask questions for clarification. All matters of an administrative nature will be referred to staff. All matters relating to Council will be noted in the minutes and may be scheduled for discussion at a future meeting or referred to staff for clarification and report. ALL SPEAKERS ARE ASKED TO FILL OUT A BLUE CARD & LEAVE IT AT THE TABLE DESIGNATED NEAR THE PODIUM, GO TO THE PODIUM AND ANNOUNCE THEIR NAME AND ADDRESS IN ORDER TO OBTAIN AN ACCURATE RECORD FOR THE MINUTES.

A. MAYOR'S PROCLAMATION RECOGNIZING FEBRUARY 2020 AS NATIONAL BLACK HISTORY MONTH

B. MAYOR'S PROCLAMATION CONGRATULATING LOU'S CARPET CARE FOR THEIR EXCELLENT SERVICE TO THE COMMUNITY

C. ORAL COMMUNICATIONS FROM THE PUBLIC

D. ORAL COMMUNICATIONS FROM THE COUNCIL (2 MINUTES EACH)

E. REPORT OUT OF CLOSED SESSION

11. PUBLIC HEARINGS, ORDINANCES, & APPEALS

A. CONSIDERATION OF APPEAL TO PLANNING COMMISSION DENIAL OF SPECIAL USE PERMIT WITH DESIGN REVIEW & ENVIRONMENTAL REVIEW TO ALLOW CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET & INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975-1075 MAIN STREET

Requested by: Community Development Director Merriam

Attachments:
- 975-1075 Main Street Appeal - Report
- Mitigated Negative Declaration - Resolution
- Mitigated Negative Declaration Resolution - REVISED
- Special Use Permit & Design Review - Resolution
- SUP & Design Review Resolution - REVISED
- 975-1075 Main Street Appeal - Correspondence
- 975-1075 Main Street Appeal - PPT

1) Staff Report

2) Applicant/Appellant Presentation

3) City Council Clarifying & Technical Questions

4) Appeal Hearing

5) Motion Whether to Approve Staff Recommendation:

a) RESOLUTION OVERTURNING THE DECEMBER 3, 2019, PLANNING COMMISSION ACTION & THEREBY APPROVING A SPECIAL USE PERMIT WITH DESIGN REVIEW & ENVIRONMENTAL REVIEW (PP2018-248) TO ALLOW THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET & INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975-1075 MAIN STREET

b) RESOLUTION OVERTURNING THE DECEMBER 3, 2019, PLANNING COMMISSION ACTION & THEREBY ADOPTING MITIGATED NEGATIVE DECLARATION (PP2018-248) FOR THE COMMERCIAL REDEVELOPMENT PROJECT, CONSISTING OF THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET & INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975 – 1075 MAIN STREET

6) City Council Deliberation on Motion

12. UNFINISHED BUSINESS (Continued)

A. CONSIDERATION OF APPROVAL OF CITY OF WATSONVILLE COMPLETE STREETS TO SCHOOLS PLAN

Requested by: Public Works & Utilities Director Palmisano

Attachments: Complete Streets to Schools Plan - Report
Complete Streets to School Plan - Resolution
Complete Streets to Schools Plan
Complete Streets to Schools Plan - Hyperlink
Complete Streets to Schools Plan - PPT
Complete Streets to Schools Plan - PPT 2

1) Staff Report

2) City Council Clarifying & Technical Questions

3) Public Input

4) Motion Whether to Approve Staff Recommendation:

RESOLUTION APPROVING THE CITY OF WATSONVILLE COMPLETE STREETS TO SCHOOLS PLAN

5) City Council Deliberation on Motion

B. CONSIDERATION OF APPROVAL OF PHASE 1 IMPLEMENTATION PLAN FOR IMPROVEMENTS IN THE DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN - OCTOBER 4, 2019, THAT ARE NOT CONTINGENT WITH A TRAFFIC STUDY

Requested by: Public Works & Utilities Director Palmisano

Attachments: Downtown Complete Streets Phase 1 Implementation Plan - Report
Downtown Complete Streets Phase 1 Implementation Plan - Resolution
Downtown Complete Streets Phase 1 Implementation Plan - PPT

1) Staff Report

2) City Council Clarifying & Technical Questions

3) Public Input

4) Motion Whether to Approve Staff Recommendation:

RESOLUTION APPROVING PHASE 1 IMPLEMENTATION PLAN FOR IMPROVEMENTS IN THE DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN – OCTOBER 4, 2019, THAT ARE NOT CONTINGENT WITH A TRAFFIC STUDY

5) City Council Deliberation on Motion

13. EMERGENCY ITEMS ADDED TO AGENDA

14. REQUESTS & SCHEDULING FUTURE AGENDA ITEMS

15. ADJOURNMENT

Pursuant to Section 54954.2(a)(1) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day and on the City of Watsonville website at www.cityofwatsonville.org.

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are

available for public inspection in the City Clerk's Office (275 Main Street, 4th Floor) during normal business hours. Such documents are also available on the City of Watsonville website at www.cityofwatsonville.org subject to staff's ability to post the document before the meeting.

CITY OF WATSONVILLE
FINANCE DEPARTMENT
SUMMARY OF DISBURSEMENTS
WARRANT REGISTER DATED 2/11/2020 to 2/20/2020

FUND NO.	FUND NAME	AMOUNT
120	TRUST FUND	680.50
130	EMPLOYEE CASH DEDUCTIONS FUND	698,681.26
150	GENERAL FUND	236,568.56
170	INVESTMENTS	792.78
202	REDEVELOPMENT OBLIG RETIREMENT	131.23
205	COMMUNITY DEV BLOCK GRANT	8,262.50
246	CIVIC CENTER COMMON AREA	1,081.18
260	SPECIAL GRANTS	101,152.52
305	GAS TAX	77,115.75
309	PARKING GARAGE FUND	8,201.42
310	SALES TAX MEASURE G	69,669.33
312	MEASURE D-TRANSPORTATION FUND	23,522.74
349	PUBLIC FACILITIES	13,156.31
354	SPECIAL DISTRICT FUNDS	9,709.63
710	SEWER SERVICE FUND	782,865.91
720	WATER OPERATING FUND	94,888.13
730	AIRPORT ENTERPRISE FUND	64,475.51
740	WASTE DISPOSAL FUND	96,294.16
787	HEALTH INSURANCE FUND POOL	633,458.30
	TOTAL	**2,920,707.72**

TOTAL ACCOUNTS PAYABLE 2/11/2020 to 2/20/2020	2,222,036.46
PAYROLL INVOICES	698,671.26
TOTAL OF ALL INVOICES	**2,920,707.72**

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0120	ASSOCIATION OF MONTEREY BAY AREA	35664	2/11/2020	01-2020-016753	REFUND- CIVIC PLAZA COMMUNITY ROOM	$275.00
	ONE TIME VENDOR	35612	2/11/2020	B/L #4685-REFUND	REFUND- BUSINESS LICENSE OVERPAYMENT	$81.50
		35752	2/11/2020	01-2020-016755	REFUND- RAMSAY PARK FAMILY CENTER DEPOSIT	$324.00
	Fund Total					$680.50
0130	AFLAC	35854	2/14/2020	59657	Payroll Run 1 - Warrant 200214	$10,277.10
	BENEFIT COORDINATORS CORPORATION	35855	2/14/2020	59642	Payroll Run 1 - Warrant 200214	$4,268.49
	CA STATE DISBURSEMENT UNIT	538	2/14/2020	59659	Payroll Run 1 - Warrant 200214	$5,301.61
	CINCINNATI LIFE INSURANCE CO	35856	2/14/2020	59656	Payroll Run 1 - Warrant 200214	$45.13
	CITY EMPLOYEES ASSOCIATION	35857	2/14/2020	59644	Payroll Run 1 - Warrant 200214	$489.00
	COLONIAL LIFE & ACCIDENT INS	35858	2/14/2020	59645	Payroll Run 1 - Warrant 200214	$198.40
	COUNTY OF SANTA CRUZ-SHERIFF-CORONER	35859	2/14/2020	59646	Payroll Run 1 - Warrant 200214	$554.60
	ICMA RETIREMENT TRUST 457	533	2/14/2020	59647	Payroll Run 1 - Warrant 200214	$41,037.88
		534	2/14/2020	59677	Payroll Run 1 - Warrant 200214	$3,353.76
	OPERATING ENGINEERS LOCAL #3	35860	2/14/2020	59648	Payroll Run 1 - Warrant 200214	$5,200.00
	PRE-PAID LEGAL SERVICES INC.	35861	2/14/2020	59660	Payroll Run 1 - Warrant 200214	$233.10
	PROF FIRE FIGHTERS-WATSONVILLE	35862	2/14/2020	59649	Payroll Run 1 - Warrant 200214	$2,550.00
	PUBLIC EMP RETIREMENT SYSTEM	535	2/14/2020	59650	Payroll Run 1 - Warrant 200214	$260,624.60
	SALLY MCCOLLUM	35863	2/14/2020	59643	Payroll Run 1 - Warrant 200214	$500.00
	SEIU LOCAL 521	35865	2/14/2020	59651	Payroll Run 1 - Warrant 200214	$1,403.72
		35864	2/14/2020	59678	Payroll Run 1 - Warrant 200214	$35.00
	STATE OF CALIFORNIA TAX BOARD	35866	2/14/2020	59653	Payroll Run 1 - Warrant 200214	$964.03

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0130	WAGEWORKS INC	35867	2/14/2020	59658	Payroll Run 1 - Warrant 200214	$4,218.98
	WATSONVILLE POLICE ASSOCIATION	35868	2/14/2020	59654	Payroll Run 1 - Warrant 200214	$8,150.88
	WIRE TRANSFER-IRS	537	2/14/2020	59655	Payroll Run 1 - Warrant 200214	$293,035.79
	WIRE TRANSFER-STATE OF CALIFORNIA	536	2/14/2020	59652	Payroll Run 1 - Warrant 200214	$56,239.19
	Fund Total					$698,681.26
0150	A L LEASE COMPANY, INC	35869	2/19/2020	1/31/2020	SUPPLIES	$79.60
		35869	2/19/2020	1/31/2020	SUPPLIES	$77.45
	ALBERTSONS/SAFEWAY	35832	2/12/2020	2/1/2020	SUPPLIES	$27.53
	ALLIANT INSURANCE SERVICES, INC.	35660	2/11/2020	QTR.4 OCT-DEC	QTR.4 OCT-DEC - INSURANCE PREMIUMS	$3,639.00
	ARATA EQUIPMENT COMPANY	35870	2/19/2020	2/1/20	VEHICLE REPAIRS	$5,783.04
	AT&T	35665	2/11/2020	292375992-012420	Monthly Service Jan 25-Feb 24	$170.92
	AT&T-CAL NET 2	35669	2/11/2020	000013945293	CALNET3_PRI ACCOUNT FROM 10/24/19-11/23/19	$1,884.10
		35668	2/11/2020	000013945118	CALNET3 _PAL FROM 10/24/19-11/23/19	$62.15
		35667	2/11/2020	000011527185	CALNET3 _PAL FROM 05/24/2018-06/23/2018	$59.40
		35666	2/11/2020	000014087138	CALNET3_PRIMARY LINES FROM 11/24/19-12/23/19	$1,848.99
		35666	2/11/2020	000014086963	CALENT3_PAL CHARGES FROM 11/24/19-12/23/19	$62.63
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$15.12
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$683.65
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$48.20
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$77.76

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	AT&T-CAL NET 2	35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$15.12
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$62.49
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$737.98
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$335.02
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$972.12
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$2,615.36
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$21.38
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$15.22
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$684.57
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$48.40
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$78.16
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$15.44
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$63.19
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$739.58
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$336.36
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$858.60
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$2,617.85
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$21.48

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	BAKER & TAYLOR BOOKS	35671	2/11/2020	12/31/2019-L1734444	BOOKS	$540.50
		35671	2/11/2020	01/31/2020	BOOKS-ACCT L4247564	$137.74
	BODY BY HANK	35562	2/11/2020	19371	BODY LABOR TO UNIT #19	$1,958.68
	BUD'S ELECTRIC SERVICE, INC	35872	2/19/2020	4812	ELEC REPAIRS	$1,258.00
	BURTON'S FIRE APPARATUS, INC.	35563	2/11/2020	W78541	SERVICE	$189.00
	C & N TRACTOR	35834	2/12/2020	1/30/2020	REPAIRS	$102.30
		35834	2/12/2020	1/30/2020	REPAIRS	$621.77
	C2 BUILDERS, INC.	35675	2/11/2020	3093	RAMSAY PARK RESTROOM ADA PK-18	$16,307.45
	CALIFORNIA ARMED GUARDS	35676	2/11/2020	HR03081	INV#HR03081 - SECURITY SERVICE	$364.00
	CALIFORNIA CHAMBER OF COMMERCE	35565	2/11/2020	11422830	CA LABOR LAW DIGEST/POSTERS 2020	$1,132.40
	CASEY PRINTING, INC.	35569	2/11/2020	40514011	FUN GUIDE	$790.80
		35569	2/11/2020	40514011	FUN GUIDE	$753.14
		35569	2/11/2020	40514011	FUN GUIDE	$4,518.77
	CDW GOVERNMENT, INC.	35678	2/11/2020	WHL2844	CISCO 5PORT SWITCH	$71.59
		35678	2/11/2020	WPT4866	SOFTWARE CONVERTER-FORTINET	$36.79
	CENTER POINT LARGE PRINT	35679	2/11/2020	1751023	BOOKS LARGE PRINT	$131.22
	CENTRAL COAST DIESEL	35680	2/11/2020	233982	INV#233982 AIR HOSE	$15.03
	CENTRAL COAST LANDSCAPE & MAINTENANCE	35681	2/11/2020	20714	LANDSCAPE MAINTENANCE FOR FEB 2020	$2,487.00
	CENTRAL MEDICAL LABORATORY, INC.	35682	2/11/2020	18092	LAB SERVICES	$80.00
	CHARTER COMMUNICATIONS	35683	2/11/2020	0258099012620	INTERNET CHARGE FR PINTO LAKE FR 01/26/20-02/25/20	$144.98
	COAST COUNTIES TRUCK & EQUIP	35873	2/19/2020	2/1/2020	VEHICLE REPAIRS	$7,987.11
	COLE PRO MEDIA, LLC	35685	2/11/2020	1886	CONSULTATION SERVICES	$2,500.00
	COLEY HEATH, ANITA	35573	2/11/2020	789	PRELIMINARY BACKGROUND INVESTIGATION - C. COX	$400.00

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	CONTINUANT, INC.	35686	2/11/2020	INV/2020/4738	IP PHONES FOR SENIOR CENTER	$837.60
	COUNTY OF SANTA CRUZ-CLERK OF THE BOARD	35687	2/11/2020	01-15-2020	FILING FEE FOR NOTICE OF EXEMPTION FOR 218 & 225 C	$50.00
		35687	2/11/2020	01-27-2020	FILING FEE FOR NOTICE OF EXEMPTION FOR 45 & 55 BRE	$50.00
	CRUZIO/THE INTERNET STORE INC.	35688	2/11/2020	N29135-109	PUBLIC WIRELESS AP FOR CITY FROM 03/01/-03/312020	$150.00
	CRW INDUSTRIES, INC.	35689	2/11/2020	7	WPD LOCKER ROOM EXPANSION PROJ	$4,905.58
		35689	2/11/2020	7	WPD LOCKER ROOM EXPANSION PROJ	$3,380.15
	CSG CONSULTANTS, INC	35574	2/11/2020	28704	BUILDING CONSTRUCTION PLAN REV	$3,018.75
	DANIEL D. WILLIAMS EQUIPMENT CO., INC.	35576	2/11/2020	26021	TRANSMISSION INSPECTED & DIAGNOSED WITH CORROSION	$375.00
	DASH MEDICAL GLOVES	35692	2/11/2020	INV1181001	EVIDENCE SUPPLIES	$179.94
	DAVIS AUTO PARTS	35577	2/11/2020	566430	SUPPLIES	$21.84
		35694	2/11/2020	1/27/2020	PARTS AND SUPPLIES	$7.98
	DEPARTMENT OF CONSERVATION	35696	2/11/2020	01-23-2020	STRONG MOTION INSTRUCMENTATION & SEISMIC HAZARD MA	$1,452.45
	EDWARDS TRUCK CENTER INC	35581	2/11/2020	66855	CORE CHARGE, DIAGNOSTICS, AND LABOR CHARGE FOR UNI	$1,053.02
		35581	2/11/2020	66852	VARIOUS PARTS, LABOR CHARGE TO REPAIR OIL PAN ON U	$2,323.59
	EMERGENCY VEHICLE SPECIALISTS, INC.	35699	2/11/2020	10869	Installation of Radar	$277.06
	ERNESTO'S CLEANING SERVICES	35700	2/11/2020	013120	CUSTODIAL SERVICES FOR MAIN LI	$3,800.00
	F.S.O.C. LLC	35703	2/11/2020	1013	VESTS	$518.18
	FASTENAL COMPANY	35586	2/11/2020	CAWAT104876	SUPPLIES	$22.90
		35586	2/11/2020	CAWAT104970	SUPPLIES	$21.42
		35586	2/11/2020	CAWAT105113	SUPPLIES	$33.85
		35586	2/11/2020	CAWAT105188	SUPPLIES	$25.83

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	FASTENAL COMPANY	35586	2/11/2020	CAWAT105112	SUPPLIES	$3.82
		35586	2/11/2020	CAWAT104713	SUPPLIES- RAIN SUIT	$53.91
		35586	2/11/2020	CAWAT104740	SUPPLIES	$161.76
		35586	2/11/2020	CAWAT104220	TAPE	$14.19
		35586	2/11/2020	CAWAT105002	SUPPLIES	$25.73
		35586	2/11/2020	CAWAT104216	GRAFFITI REMOVER	$121.89
		35586	2/11/2020	CAWAT104859	SUPPLIES	$140.82
		35586	2/11/2020	CAWAT104859	SUPPLIES	$103.00
		35586	2/11/2020	CAWAT104666	SUPPLIES	$3.82
		35704	2/11/2020	CAWAT105270	PARTS	$1,091.89
		35704	2/11/2020	CAWAT105227	BRACKETS	$57.42
		35704	2/11/2020	CAWAT105235	PARTS	$43.63
		35704	2/11/2020	CAWAT105160	JANITORIAL SUPPLIES FOR RAMSAY	$70.79
		35704	2/11/2020	CAWAT105122	JANITORIAL SUPPLIES FOR FRANICH PARK	$102.29
	FEDEX	35587	2/11/2020	6-900-08616	FRT	$12.86
		35705	2/11/2020	6-913-58636	FRT	$44.21
	FIGUEROA, NAIM	35707	2/11/2020	TUITION REIMB	WPD- COMM-6 AND SPAN-1 REIMBURSEMENT	$347.00
	FIRST ALARM, INC.	35588	2/11/2020	521471	ALARM MONITORING SERVICE	$89.34
		35588	2/11/2020	521453	SERVICE	$213.69
		35588	2/11/2020	521237	ALARM MONITORING SERVICE	$225.09
		35588	2/11/2020	520499	ALARM MONITORING	$30.00
		35708	2/11/2020	521162	ALARM MONITORING SERVICE	$267.51
	FREEDOM TUNE-UP	35589	2/11/2020	10153	OIL AND FILTER SERVICE	$87.69
		35589	2/11/2020	10216	SMOG	$49.00
		35709	2/11/2020	9865	FLEET SMOG	$46.00

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	FREEDOM TUNE-UP	35709	2/11/2020	9781	FLEET SMOG	$46.00
		35709	2/11/2020	9649	FLEET SMOG	$46.00
		35709	2/11/2020	9563	FLEET SMOG	$46.00
	FUENTEZ, BRYAN	35710	2/11/2020	TUITION REIMB	WPD- TUITION REIMBURSEMENT	$690.00
	G3 GRAPHICS, INC.	35711	2/11/2020	150676	MARKETING	$250.00
	GALE CENGAGE LEARNING	35712	2/11/2020	69171088	BOOKS	$81.62
	GCS ENVIRONMENTAL EQUIPMENT SERVICES	35713	2/11/2020	20793	PARTS	$53.82
	GLOBAL EQUIPMENT CO., INC.	35590	2/11/2020	115483797	SUPPLIES	$403.53
	GRAINGER	35714	2/11/2020	9427841185	SUPPLIES	$81.78
		35714	2/11/2020	9420505480	SUPPLIES-PPE	$408.83
	HUFFAKER, MATT	35596	2/11/2020	MILEAGE JUL-NOV 2019	MILEAGE REIMBURSEMENTS JULY-NOV. 2019	$453.71
	INTERSTATE BATTERY CO	35722	2/11/2020	02/04/2020	BATTERIES	$311.60
	ISTW OF WATSONVILLE	35876	2/19/2020	EVENT 02/29/2020	CRAB & SHRIMP EVENT FOR A. GONZALEZ & L. HURST	$55.00
		35876	2/19/2020	EVENT 02/29/2020	CRAB & SHRIMP EVENT FOR A. GONZALEZ & L. HURST	$55.00
	K & D LANDSCAPING INC.	35727	2/11/2020	104998	REPAIRS	$624.48
	KELLY-MOORE PAINT COMPANY, INC.	35601	2/11/2020	818-00000296397	PAINT	$50.99
		35729	2/11/2020	818-C16029-CREDIT	CREDIT	($275.00)
		35729	2/11/2020	818-00000296142	PAINT	$203.66
		35729	2/11/2020	818-00000295982	PAINT	$181.71
	L N CURTIS & SONS	35731	2/11/2020	INV350595	Equipment and Materials	$142.77
	LAYER 1 NETWORKS INC.	35732	2/11/2020	23251	NEW PAGING SYSTEM IN PD RESTROOMS & LOCKER ROOMS	$1,988.52
	LORENZO A DORANTES	35735	2/11/2020	BOOT REIMB FY19/20	PARKS- BOOT REIMBURSEMENT	$200.00
	MAZE & ASSOCIATES	35738	2/11/2020	34128	PROFESSIONAL SERVICES- CAFR	$2,906.00

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	MAZE & ASSOCIATES	35836	2/12/2020	33840	PROFESSIONAL SERVICES	$19,529.00
		35836	2/12/2020	33840	PROFESSIONAL SERVICES	$1,500.00
	MERIDIAN PROPERTY VENTURES II, LLC	35740	2/11/2020	2-5-20	REFUND- CUSTOMER OVERPAID ON THEIR PLANNING APPLIC	$12,617.00
	MID BAY FORD	35606	2/11/2020	135811	VEHICLE MAINTENANCE	$556.81
	MIDWEST TAPE	35742	2/11/2020	98479989	BOOKS	$21.00
		35742	2/11/2020	98394119	BOOKS	$26.74
	MISSION LINEN SUPPLY	35743	2/11/2020	292103-1/31/20	UNIFORM RENTAL AND LAUNDRY SER	$196.28
		35743	2/11/2020	292108-1/31/20	LINEN SERVICE	$140.64
		35743	2/11/2020	292109-1/31/20	LINEN SERVICE	$269.56
	MONTEREY BAY AIR RESOURCES DISTRICT	35746	2/11/2020	410-013120	ACCT 410- ANNUAL RENEWAL INVOICE 410-013120	$465.00
		35746	2/11/2020	410-013120	ACCT 410- ANNUAL RENEWAL INVOICE 410-013120	$354.00
		35746	2/11/2020	410-013120	ACCT 410- ANNUAL RENEWAL INVOICE 410-013120	$354.00
	MUNI SERVICES	35837	2/12/2020	INV06-007675	SUTA SERVICE	$1,433.88
		35837	2/12/2020	INV06-007676	SUTA-DISTRICT TAX SERVICE	$101.74
	NICK CALUBAQUIB	35748	2/11/2020	TRVL ON 01/22/2020	PARKS- CPRS DIRECTOR'S ACADEMY TRAINING REIMB	$51.74
	NOR CAL ASA	35749	2/11/2020	13020	SPRING 2019 SOFTBALL TEAMS	$480.00
	NPM, INC.	35750	2/11/2020	181471	INV#181471 UST OPERATORS MONTHLY VISUAL INSPECTION	$80.00
	OCLC, INC	35751	2/11/2020	1000003082	CATALOGING AND METADATA	$556.96
	ONE TIME VENDOR	35611	2/11/2020	08-2019-012429	REFUND SF TRIP	$52.00
		35610	2/11/2020	01-2020-014409	FLYERS REFUND	$177.50
	OSUNA AUTO ELECTRIC & SMALL ENGINE REPAIR	35613	2/11/2020	36010	REPAIRS	$975.88
		35613	2/11/2020	36002	SMOG CHECK	$50.00
		35613	2/11/2020	36080	SUPPLIES	$28.39

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	OSUNA AUTO ELECTRIC & SMALL ENGINE REPAIR	35753	2/11/2020	36084	REPAIRS AND PARTS	$449.29
		35753	2/11/2020	36120	REPAIRS AND SUPPLIES	$422.16
		35753	2/11/2020	35991	REPAIR	$1,932.73
	PACIFIC GAS & ELECTRIC	35771	2/11/2020	7523404092-3-1/24	ELEC	$1,989.23
		35755	2/11/2020	4287605895-1-1/30	ELEC	$11.89
		35759	2/11/2020	3653340008-5-1/29	ELEC	$23.56
		35758	2/11/2020	4048670603-5-1/29	ELEC	$20.00
		35757	2/11/2020	9656517006-3-1/27	ELEC	$12.78
		35760	2/11/2020	0951393634-5-1/27	ELEC	$36.19
		35767	2/11/2020	0418334151-2-1/28	ELEC	$285.95
		35770	2/11/2020	8480030300-4-1/28	ELEC	$1,001.42
		35763	2/11/2020	4829825447-4-1/31	ELEC	$72.84
		35769	2/11/2020	0458151262-3-1/31	ELEC	$621.23
		35841	2/12/2020	5740377546-3-2/3	ELEC	$239.20
		35843	2/12/2020	5060076049-5-2/3	ELEC	$875.34
		35846	2/12/2020	9491368495-0-1/31	ELEC	$1,077.89
		35846	2/12/2020	9491368495-0-1/31	ELEC	$869.26
		35880	2/19/2020	1553836670-7-2/10	ELEC SERVICE	$963.57
		35880	2/19/2020	1553836670-7-2/10	ELEC SERVICE	$2,334.43

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	PACIFIC GAS & ELECTRIC	35880	2/19/2020	1553836670-7-2/10	ELEC SERVICE	$5,982.09
		35880	2/19/2020	1553836670-7-2/10	ELEC SERVICE	$26.99
	PACIFIC TRUCK PARTS	35779	2/11/2020	1/31/2020	PARTS	$2,216.77
	PAJARO VALLEY FABRICATION INC.	35617	2/11/2020	27531	FLAT BAR	$882.74
		35781	2/11/2020	27570	PARTS	$20.52
		35781	2/11/2020	27390	LABOR AND SUPPLIES	$593.51
		35781	2/11/2020	27318	REPAIRS FOR TRUCK	$2,575.24
	PAJARO VALLEY PRINTING	35783	2/11/2020	39723	39723 OUR TOWN MONTHLY NEWSLETTER JANUARY 2020	$2,288.79
	PENWORTHY COMPANY LLC	35786	2/11/2020	0559099-IN	BOOKS	$205.10
	PRAXAIR DISTRIBUTION, INC	35623	2/11/2020	94388710	CYLINDER RENT	$155.68
	REAL COLIMA RESTAURANT	35794	2/11/2020	43238	INV#43238 - TZU CHI EVENT	$2,000.37
	RECORDED BOOKS, INC.	35796	2/11/2020	76597629	SUBSCRIPTION	$89.70
	REGISTER PAJARONIAN	35797	2/11/2020	2020-371615	PUBLIC HEARING AD	$166.30
		35797	2/11/2020	2020-371610	PUBLIC HEARING LEE RD	$183.78
	RICOH USA, INC	35849	2/12/2020	5058720492	COPIER CHARGES	$29.65
		35849	2/12/2020	5058720492	COPIER CHARGES	$250.07
		35849	2/12/2020	5058720492	COPIER CHARGES	$388.44
		35849	2/12/2020	5058720492	COPIER CHARGES	$90.83
		35849	2/12/2020	5058720492	COPIER CHARGES	$90.83
		35849	2/12/2020	5058720492	COPIER CHARGES	$60.55
		35849	2/12/2020	5058720492	COPIER CHARGES	$60.55
		35849	2/12/2020	5058720492	COPIER CHARGES	$26.38
		35849	2/12/2020	5058720907	TONER-REC DEPT	$117.75
	SAFARI SIGNS	35799	2/11/2020	160393	#160393, PCS CUSTOMER SERVICE OFFICE FRONT DOOR DE	$80.00

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	SAFEGUARD BUSINESS SYSTEMS	35800	2/11/2020	033926770	EVIDENCE SUPPLIES	$98.33
	SANTA CRUZ COUNTY ENVIRONMENTAL HEALTH SERVICES	35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$218.00
		35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$69.50
		35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$2,682.00
		35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$30.00
		35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$49.00
	SHRED-IT USA	35882	2/19/2020	8129085442	SERVICE	$31.91
		35882	2/19/2020	8129085442	SERVICE	$149.62
		35882	2/19/2020	8129085442	SERVICE	$66.03
		35882	2/19/2020	8129085442	SERVICE	$72.61
	SONS OF ITALY WATSONVILLE LODGE #2016	35850	2/12/2020	8TH ANNUAL CALAMARI	TICKET FOR L. HURST-8TH ANNUAL CALAMARI DINNER	$40.00
		35850	2/12/2020	02/15/2020	8TH ANNUAL CALAMARI DINNER- F. HERNANDEZ TICKET	$40.00
	SPRINT	35808	2/11/2020	550592226-201	CELLULAR CHARGES FOR FIRE FROM 12/26/19-01/25/2020	$16.64
	STAPLES BUSINESS CREDIT	35851	2/12/2020	STMT#1627471073	SUPPLIES	$43.00
		35851	2/12/2020	STMT#1627471073	SUPPLIES	$109.15
		35851	2/12/2020	STMT#1627471073	SUPPLIES	$1,086.15
		35851	2/12/2020	STMT#1627471073	SUPPLIES	$575.64
		35851	2/12/2020	STMT#1627471073	SUPPLIES	$69.19
		35851	2/12/2020	STMT#1627471073	SUPPLIES	$233.00
	STAPLES CREDIT PLAN	35809	2/11/2020	01/28/2020	OFFICE SUPPLIES	$62.24

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	STAPLES CREDIT PLAN	35809	2/11/2020	01/28/2020	OFFICE SUPPLIES	$71.00
		35809	2/11/2020	01/28/2020	OFFICE SUPPLIES	$71.00
		35809	2/11/2020	01/28/2020	OFFICE SUPPLIES	$19.57
		35809	2/11/2020	01/28/2020	OFFICE SUPPLIES	$27.20
	STURDY OIL COMPANY	35852	2/12/2020	1/31/2020	PETROLEUM PRODUCTS FOR CITY WI	$22,836.46
		35852	2/12/2020	1/31/2020	PETROLEUM PRODUCTS FOR CITY WI	$700.46
	SYNCB/AMAZON	35813	2/11/2020	AMA-020520	JANUARY STATEMENT	$1,800.87
	TAYLOR'S OFFICE CITY	35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$1,938.09
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$322.86
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$797.32
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$65.65
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$296.03
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$838.76
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$43.44
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$473.32
	TOL, SJON	35820	2/11/2020	BOOT REIMB FY 19/20	WPD- MOTORCYCLE BOOTS REIMBURSEMENT	$381.49
	TORIUMI'S AUTO REPAIR	35630	2/11/2020	89757	VARIOUS PM SVC PARTS AND LABOR FOR UNIT# 530-603-1	$100.91
		35630	2/11/2020	89697	OIL LEAK FIXED - LABOR FOR UNIT# 598-502-62	$34.80
		35630	2/11/2020	89685	VARIOUS PM SVC PARTS AND LABOR FOR UNIT# 220-603-5	$440.19
	TRI-COUNTY FIRE PROTECTION INC	35632	2/11/2020	51979	SERVICE	$112.30
		35821	2/11/2020	51713	MAINTENANCE	$18.00
	TYLER TECHNOLOGIES, INC.	35822	2/11/2020	045-286925	LICENSING, IMPLEMENT, MAINT. M	$12,180.00
		35822	2/11/2020	045-286925	LICENSING, IMPLEMENT, MAINT. M	$1,652.00

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	TYLER TECHNOLOGIES, INC.	35822	2/11/2020	045-290098	LICENSING, IMPLEMENT, MAINT. M	$1,750.00
		35822	2/11/2020	045-290098	LICENSING, IMPLEMENT, MAINT. M	$237.00
		35822	2/11/2020	045-290099	LICENSING, IMPLEMENT, MAINT. M	$746.75
		35822	2/11/2020	045-290099	LICENSING, IMPLEMENT, MAINT. M	$101.00
		35853	2/12/2020	045-288576	TYLER FORMS	$550.00
	UNITED ROTARY BRUSH CORPORATION	35633	2/11/2020	CI245540	PARTS	$1,998.56
	V & V MANUFACTURING, INC.	35823	2/11/2020	48990	BADGES	$87.55
	VERIZON WIRELESS	35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$26.23
		35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$1.35
		35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$23.19
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$266.07
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$491.84
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$988.42
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$456.12
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$152.04
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$634.74
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$33.35
	WATSONVILLE BLUEPRINT	35636	2/11/2020	90250	SUPPLIES	$99.18
		35636	2/11/2020	90486	PRINTS	$89.75
		35636	2/11/2020	90495	COPIES	$49.34
	WATSONVILLE UPHOLSTERY	35637	2/11/2020	003013	HOOD COVERING FOR UNIT# 510-603-67	$256.13

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0150	WATSONVILLE UPHOLSTERY	35637	2/11/2020	003014	SEAT COVER FOR UNIT# 22060357	$180.26
	WEX BANK	35884	2/19/2020	63748023	FUEL	$326.61
	WORK WELL MEDICAL GROUP	35828	2/11/2020	227465	BACK EVALUATION	$100.00
		35828	2/11/2020	227483A	HEP A & B IMMUNIZATIONS	$220.00
	ZOOBEAN INC.	35831	2/11/2020	15972	SUBSCRIPTION RENEWAL	$1,695.00
	Fund Total					$236,568.56
0170	BRINKS INCORPORATED	35674	2/11/2020	11015176	TRANSPORTATION	$771.15
		35674	2/11/2020	3106752	TRANSPORTATION	$21.63
	Fund Total					$792.78
0202	AT&T-CAL NET 2	35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$56.51
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$56.81
	RICOH USA, INC	35849	2/12/2020	5058720492	COPIER CHARGES	$17.91
	Fund Total					$131.23
0205	EL PAJARO COMMUNITY DEV CORP	35582	2/11/2020	NOV-19	2019-2020 COMMUNITY DEVELOPMEN	$8,262.50
	Fund Total					$8,262.50
0246	MISSION LINEN SUPPLY	35743	2/11/2020	296506-1/31/20	UNIFORM RENTAL AND LAUNDRY SER	$102.18
	MONTEREY BAY AIR RESOURCES DISTRICT	35746	2/11/2020	410-013120	ACCT 410- ANNUAL RENEWAL INVOICE 410-013120	$474.00
		35746	2/11/2020	410-013120	ACCT 410- ANNUAL RENEWAL INVOICE 410-013120	$505.00
	Fund Total					$1,081.18
0260	ECOLOGY ACTION OF SANTA CRUZ	35580	2/11/2020	66623	BIKE SMART, WALK SMART AND SAF	$20,750.00
		35580	2/11/2020	66644	CONSULTANT SERVICES FOR COMPLE	$38,757.05
	F.S.O.C. LLC	35703	2/11/2020	1041	VESTS	$2,469.47

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0260	PAJARO VALLEY PREVENTION & STUDENT ASSISTANCE INC	35782	2/11/2020	113019PROP56	TOBACCO SERVICES-PROP 56	$11,710.78
		35782	2/11/2020	103119PROP56	TOBACCO SERVICES-PROP 56	$12,134.31
		35782	2/11/2020	123119PROP56	TOBACCO SERVICES- PROP 56	$9,330.91
	SEC COUNSULTING GROUP, LLC	35628	2/11/2020	YEAR 2 PART 1 OF 2	CONSULTING CONSORTIA WEB PAGE	$6,000.00
	Fund Total					$101,152.52
0305	BIG CREEK LUMBER COMPANY	35871	2/19/2020	1/20/2020	SUPPLIES FOR REPAIR	$118.95
	CENTRAL COAST LANDSCAPE & MAINTENANCE	35570	2/11/2020	20608	LANDSCAPING ALONG FREEDOM BLVD	$25,202.00
	FASTENAL COMPANY	35586	2/11/2020	CAWAT104975	SUPPLIES	$218.11
	HARRIS & ASSOCIATES INC.	35594	2/11/2020	43405	DESIGN PROPOSAL FOR RAIL TRAIL	$330.00
	KIMLEY-HORN & ASSOCIATES, INC.	35730	2/11/2020	15633449	PLAN LINE FOR FREEDOM BLVD.	$6,702.50
	MESITI-MILLER ENGINEERING, INC.	35605	2/11/2020	1119038R	ENGINEERING SVCS FOR LINCOLN S	$3,654.60
		35741	2/11/2020	1219024R	ENGINEERING SVCS FOR LINCOLN S	$7,574.80
	PACIFIC GAS & ELECTRIC	35777	2/11/2020	0909726970-9-1/27	ELEC	$11,072.79
		35765	2/11/2020	1039376060-7-1/30	ELEC	$112.35
		35768	2/11/2020	7294900587-9-1/30	ELEC	$345.70
		35773	2/11/2020	1965495282-9-1/24	ELEC	$2,619.63
		35761	2/11/2020	0581861689-7-1/31/20	ELEC	$49.78
		35842	2/12/2020	6771895322-6-2/3	ELEC	$446.42
		35880	2/19/2020	1553836670-7-2/10	ELEC SERVICE	$1,868.12
	TRAFFICWARE GROUP. INC.	35631	2/11/2020	90043346	ADAPTIVE TRAFFIC CONTROL SYSTE	$16,800.00
	Fund Total					$77,115.75

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0309	AT&T-CAL NET 2	35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$665.85
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$668.48
	DEPARTMENT OF INDUSTRIAL RELATIONS	35874	2/19/2020	S 1707919 SJ	CONVEYANCE INVOICE	$675.00
	ERNESTO'S CLEANING SERVICES	35700	2/11/2020	1228192	Beach St. Parking Garage-Clean	$1,300.00
		35700	2/11/2020	0131202	Beach St. Parking Garage-Clean	$1,300.00
	PACIFIC GAS & ELECTRIC	35845	2/12/2020	3370611625-9-2/3	ELEC	$1,468.84
		35880	2/19/2020	1553836670-7-2/10	ELEC SERVICE	$2,123.25
	Fund Total					$8,201.42
0310	ALBERTSONS/SAFEWAY	35832	2/12/2020	2/1/2020	SUPPLIES	$266.50
		35832	2/12/2020	2/1/2020	SUPPLIES	$25.38
		35832	2/12/2020	2/1/2020	SUPPLIES	$254.72
	AT&T-CAL NET 2	35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$39.85
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$40.06
	AYALA, JAVIER	35670	2/11/2020	TRVL ON 02/23/2020	WPD- SWAT TEAM LEADER TRAINING PER DIEM	$335.50
	BEWLEY'S CLEANING, INC.	35672	2/11/2020	008459	PAL CENTERS CLEANING	$467.75
	CRW INDUSTRIES, INC.	35689	2/11/2020	7	WPD LOCKER ROOM EXPANSION PROJ	$11,416.99
		35689	2/11/2020	6	WPD LOCKER ROOM EXPANSION PROJ	$31,451.80
	F.S.O.C. LLC	35703	2/11/2020	1041	VESTS	$2,469.47
	FIGUEROA, ANTONIO	35706	2/11/2020	TRVL ON 01/12/2020	WPD- BACKGROUND INVESTIGATION TRAINING PER DIEM	$228.75
	HERNANDEZ, NOE	35717	2/11/2020	TRVL ON 01/14/2020	WPD- PROCTOR PISTOL PROCESS TRAINING PER DIEM	$127.16
	JIMMY D. VANHOVE	35725	2/11/2020	189	CANINE TRAINING	$1,000.00

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0310	LEXIS NEXIS RISK SOLUTIONS FL INC.	35733	2/11/2020	805914-20191231	DORS	$708.33
		35733	2/11/2020	805914-20191130	DORS	$708.33
	MATTHEW MCCOLLUM	35737	2/11/2020	12/27/2019 REIMB	FIRE- FITNESS CLOTHING FOR ACADEMY REIMB	$300.00
	MAZE & ASSOCIATES	35738	2/11/2020	34128	PROFESSIONAL SERVICES- CAFR	$184.50
		35738	2/11/2020	34128	PROFESSIONAL SERVICES- CAFR	$184.50
		35836	2/12/2020	33840	PROFESSIONAL SERVICES	$918.50
		35836	2/12/2020	33840	PROFESSIONAL SERVICES	$918.50
	MCMAHON, DEVON	35739	2/11/2020	TRVL ON 02/23/2020	WPD- SWAT TEAM LEADER TRAINING PER DIEM	$335.50
	PACIFIC GAS & ELECTRIC	35766	2/11/2020	9925942904-3-1/29	ELEC	$117.57
		35840	2/12/2020	7624842502-2/3	ELEC	$86.64
	PAJARO VALLEY PREVENTION & STUDENT ASSISTANCE INC	35782	2/11/2020	123119MEASUREG	CAMINOS PROGRAM - CASE MANAGEM	$5,197.64
		35782	2/11/2020	113019MEASUREG	CAMINOS PROGRAM - CASE MANAGEM	$4,116.17
		35782	2/11/2020	103119MEASUREG	CAMINOS PROGRAM - CASE MANAGEM	$5,045.24
	REBECCA RAMIREZ	35795	2/11/2020	TRVL ON 01/14/2020	WPD- PROCTOR PISTOL PROCESS TRAINING PER DIEM	$91.50
	STAPLES CREDIT PLAN	35809	2/11/2020	01/28/2020	OFFICE SUPPLIES	$127.11
	TELLEZ, FERNANDO	35816	2/11/2020	TRVL ON 01/06/2020	WPD- DEFENSIVE TACTICS PER DIEM	$549.00
	VERIZON WIRELESS	35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$1,925.85
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$30.52
	Fund Total					$69,669.33
0312	MAZE & ASSOCIATES	35738	2/11/2020	34128	PROFESSIONAL SERVICES- CAFR	$402.00
		35836	2/12/2020	33840	PROFESSIONAL SERVICES	$2,000.00

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0312	MESITI-MILLER ENGINEERING, INC.	35605	2/11/2020	1219027	Lee Road Trail 30% Design	$8,727.00
	MNS ENGINEERS, INC.	35744	2/11/2020	74396	ON CALL CONSULTANT ENGINEERING	$12,393.74
	Fund Total					$23,522.74
0349	BUD'S ELECTRIC SERVICE, INC	35833	2/12/2020	4826	ELECTRICAL SERVICES - CITY WIDE	$3,396.00
	CDW GOVERNMENT, INC.	35678	2/11/2020	WRL3130	CLOUD SERVICES FOR AEROHIVE AT SENIOR CENTER	$576.05
		35678	2/11/2020	WQF6696	HARDWARE: WIRELESS ACCESS POINTS FOR SENIOR CENTER	$3,164.26
	EPICO SYSTEMS INC.	35584	2/11/2020	2020-16-b	FIBER OPTICS MAINTENANCE CONTR	$6,020.00
	Fund Total					$13,156.31
0354	K & D LANDSCAPING INC.	35727	2/11/2020	16928	LANDSCAPE LABOR FROM 01/27-01/31/2020	$9,552.76
	MISSION LINEN SUPPLY	35743	2/11/2020	292109-1/31/20	LINEN SERVICE	$28.21
		35743	2/11/2020	292109-1/31/20	LINEN SERVICE	$15.67
	OSUNA AUTO ELECTRIC & SMALL ENGINE REPAIR	35613	2/11/2020	36077	SERVICE	$90.00
	PACIFIC GAS & ELECTRIC	35754	2/11/2020	6312050406-1-1/28	ELEC	$10.46
		35756	2/11/2020	0541697410-2-1/28	ELEC	$12.53
	Fund Total					$9,709.63
0710	A L LEASE COMPANY, INC	35869	2/19/2020	1/31/2020	SUPPLIES	$765.44
		35869	2/19/2020	1/31/2020	SUPPLIES	$457.32
	ALS ENVIRONMENTAL	35661	2/11/2020	54-495412-0	SERVICE	$495.00
	AMERICAN MESSAGING	35662	2/11/2020	M7023652UB	PAGER SERVICE FOR WASTEWATER FOR FEBRUARY 2020	$38.12
	APPLIED INDUSTRIAL TECHNOLOGIES	35559	2/11/2020	7017870415	SUPPLIES	$155.11
		35559	2/11/2020	7017859943	SUPPLIES	$351.52
		35559	2/11/2020	7017870069	SUPPLIES	$169.50

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0710	AT&T-CAL NET 2	35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$90.26
		35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$247.67
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$90.85
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$248.14
	BLANKINSHIP & ASSOCIATES, INC.	35561	2/11/2020	BA6660	INTEGRATED PEST MANAGEMENT CON	$2,125.00
	BME INC	35673	2/11/2020	3613	ANNUAL MAINTENANCE FOR CO-GENE	$65,336.58
	BUD'S ELECTRIC SERVICE, INC	35872	2/19/2020	4828	REPAIR	$7,197.50
	CALCON SYSTEMS, INC	35564	2/11/2020	46028	MAINTENANCE	$4,678.47
		35564	2/11/2020	46056	STORM GEN UPDATE	$9,231.25
	CALIFORNIA CONSERVATION CORPS	35566	2/11/2020	INNU-004635	REMOVAL OF INVASIVE PLANTS IN	$2,200.00
	CAMACHO, JOSE LUIS	35567	2/11/2020	MILE REIMB	PW- MILEAGE REIMB NOV AND DEC 2019	$10.44
	CASEY PRINTING, INC.	35569	2/11/2020	40514011	FUN GUIDE	$263.60
	CASSIDY'S PIZZA	35677	2/11/2020	4184	02/05/2020- ENGINEERING MEETING	$95.49
	CERVANTEZ, JOSEPH	35571	2/11/2020	MILEAGE REIMB	PW- MILEAGE REIMBURSEMENT OCT-DEC 2019	$22.04
	CLAIRE LAUGHLIN CONSULTING	35684	2/11/2020	2020-PW-CFE1	COACHING FOR EXCELLENCE CLASS	$2,500.00
	CWEA	35575	2/11/2020	000395472I	CWEA ASSOS. MEMBERSHIP FOR MARCOS J. LONA	$192.00
		35690	2/11/2020	XOCHITL GARCIA	CWEA ASSOCIATION MEMBERSHIP FOR XOCHITL GARCIA	$192.00
	D&G SANITATION	35691	2/11/2020	269550	PORTABLE TOILET SERVICES	$223.96
		35691	2/11/2020	269552	PORTABLE TOILET SERVICE	$163.88
	DAVIS AUTO PARTS	35694	2/11/2020	1/27/2020	PARTS AND SUPPLIES	$188.25
		35694	2/11/2020	1/27/2020	PARTS AND SUPPLIES	$9.38

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0710	DENALI WATER SOLUTIONS LLC	35578	2/11/2020	0025666-IN	BIOSOLIDS REMOVAL	$326,513.86
	DIRECT TV LLC	35697	2/11/2020	37142478791	INVOICE #37142478791 MONTHLY CHARGES AND SERVIC	$256.24
	DKF SOLUTIONS GROUP LLC	35698	2/11/2020	14853	WEB SALES	$1,323.00
	DUKE'S ROOT CONTROL, INC.	35579	2/11/2020	16748	EQUIP PARTS	$819.38
	EUROFINS/EATON ANALYTICAL, INC.	35701	2/11/2020	L0493477	SERVICE	$60.00
		35701	2/11/2020	L0493476	SERVICE	$60.00
		35701	2/11/2020	L0493147	SERVICE	$60.00
		35701	2/11/2020	L0493146	SERVICE	$60.00
		35701	2/11/2020	L0493473	SERVICE	$60.00
		35701	2/11/2020	L0493474	SERVICE	$60.00
	FASTENAL COMPANY	35586	2/11/2020	CAWAT104758	SUPPLIES	$211.43
		35586	2/11/2020	CAWAT104973	SUPPLIES	$6.59
		35586	2/11/2020	CAWAT105083	SUPPLIES	$435.49
		35586	2/11/2020	CAWAT105117	SUPPLIES	$334.26
	FEDEX	35587	2/11/2020	6-900-07698	FRT	$27.59
		35705	2/11/2020	6-914-41317	FRT	$51.42
	GRAINGER	35591	2/11/2020	9414110719	SUPPLIES	$116.26
		35591	2/11/2020	9419058467	SUPPLIES	$65.88
	GREEN TOUCH	35592	2/11/2020	20190905	INVOICE #20190905 MONTHLY LANDSCAPE MAINTENANCE	$420.00
		35715	2/11/2020	17	INVOICE #17 FOR LANDSCAPE MAINTENANCE OF THE WATER	$420.00
	HACH COMPANY	35716	2/11/2020	11817342	REMOTE TRAINING VIA WEBEX	$2,450.00
	HYDROSCIENCE ENGINEERS, INC.	35597	2/11/2020	454001009	SUB BASIN 7 SANITARY SEWER ASS	$5,415.00
		35720	2/11/2020	454003002	LEE/BEACH SUB-BASIN STORM SEWE	$7,936.50
	INTACT PROTECTIVE SERVICES	35721	2/11/2020	8001	INVOICE #8001 SECURITY PATROL SERVICE FOR THE MON	$5,998.50

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0710	JANICE M DRAKE- GUY	35598	2/11/2020	WEF MEMBERSHIP	PW- WEF MEMBERSHIP REIMBURSEMENT	$332.00
		35723	2/11/2020	01/21/2020 REIMB	PW- LAB MANAGER INTERVIEWS REIMB	$36.21
	JIMMIE A. LITTRELL	35724	2/11/2020	JANUARY 2020	DEVELOPMENT OF RWF CONTIGENCY	$8,756.66
	JOAQUIN GONZALEZ	35599	2/11/2020	MILEAGE REIMB	PW- NOV AND DEC MILEAGE REIMB (7 TRIPS)	$170.52
	K LIFT SERVICE COMPANY, INC	35728	2/11/2020	V610003476	FORKLIFT REPAIRS	$626.72
	LOMBARDO DIAMOND CORE DRILLING CO., INC	35734	2/11/2020	2030565	CORE DRILL	$917.73
	MCMASTER CARR	35604	2/11/2020	28770726	PARTS	$26.80
		35604	2/11/2020	29776007	SUPPLIES	$56.70
	MISSION LINEN SUPPLY	35743	2/11/2020	279226-1/31/20	LINEN SERVICE	$1,744.29
	MNS ENGINEERS, INC.	35744	2/11/2020	74395	ON CALL CONSULTANT ENGINEERING	$900.00
	MONTEREY BAY ANALYTICAL SERVICES, INC.	35747	2/11/2020	1912WAT	INVOICE #1912WAT SAMPLES FOR THE CITY OF WATSO	$1,008.00
		35747	2/11/2020	1912WAT	INVOICE #1912WAT SAMPLES FOR THE CITY OF WATSO	$225.00
		35747	2/11/2020	1912WAT	INVOICE #1912WAT SAMPLES FOR THE CITY OF WATSO	$135.00
		35747	2/11/2020	1912WAT	INVOICE #1912WAT SAMPLES FOR THE CITY OF WATSO	$346.50
		35747	2/11/2020	1912WAT	INVOICE #1912WAT SAMPLES FOR THE CITY OF WATSO	$117.00
	PACIFIC 4	35614	2/11/2020	00163416	GLOVES	$239.96
	PACIFIC GAS & ELECTRIC	35778	2/11/2020	6994615709-1-1/29/20	ELEC	$32,750.03
		35762	2/11/2020	0998529372-0-1/30	ELEC	$67.10
		35776	2/11/2020	1283243089-1-1/27	ELEC	$10,429.07

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0710	PACIFIC GAS & ELECTRIC	35772	2/11/2020	2914465320-0-1/28/20	ELEC	$2,460.61
		35847	2/12/2020	5314251010-5-1/30	ELEC	$4,315.75
		35844	2/12/2020	9335083043-1-2/4/20	GAS CHARGES	$1,425.73
	PACIFIC UNDERGROUND CONSTRUCTION, INC.	35780	2/11/2020	4	ROACHE ROAD SANITARY SEWER REP	$234,792.50
	PAJARO VALLEY PRINTING	35618	2/11/2020	39724	"OUR TOWN" MONTHLY NEWSLETTER- JAN 2020	$2,611.08
	PARRA, STEPHEN	35619	2/11/2020	MILEAGE REIMBURS	PW- MILEAGE REIMB. NOV AND DEC 2019	$31.78
	PENINSULA PEST MANAGEMENT, INC.	35785	2/11/2020	13636	INVOICE #13636 INSECICIDE APPLICATION TO ANTS A	$200.00
		35785	2/11/2020	13637	INVOICE #13637 APPLICATION OF HERBICIDE TO UND	$230.00
		35785	2/11/2020	13638	INVOICE #13638 VERTEBRATE PEST MANAGEMENT FOR R	$125.00
		35785	2/11/2020	13639	INVOICE #13639 INSECTICIDE APPLICATION TO SPIDE	$400.00
	PLATT	35621	2/11/2020	0B62560	SUPPLIES	$82.84
		35788	2/11/2020	0C30947	SUPPLIES	$148.62
	POLYDYNE INC.	35622	2/11/2020	1423897	POLYMER	$7,282.04
	POSITIVE DISCIPLINE COMMUNITY RESOURCES	35791	2/11/2020	006	POSITIVE DISCIPLINE TRAINING	$500.00
	PRECIADO, JAIME	35793	2/11/2020	BOOT REIMB FY19/20	PW- BOOT REIMBURSEMENT	$185.71
	PURE WATER OF WATSONVILLE	35624	2/11/2020	2795	SUPPLIES	$170.19
	RICOH USA, INC	35849	2/12/2020	5058720492	COPIER CHARGES	$162.30
		35849	2/12/2020	5058720492	COPIER CHARGES	$8.48
		35849	2/12/2020	5058720492	COPIER CHARGES	$59.77
		35849	2/12/2020	5058721237	COPIER CHARGES	$36.57
	SERVICE PRINTERS	35805	2/11/2020	1742	BUSINESS CARDS	$76.48

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0710	SUPERIOR ALARM COMPANY	35812	2/11/2020	149878	24HR ALARM MONITORING	$79.50
	TAYLOR'S OFFICE CITY	35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$402.37
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$644.41
	TYLER TECHNOLOGIES, INC.	35822	2/11/2020	045-286925	LICENSING, IMPLEMENT, MAINT. M	$3,724.00
		35822	2/11/2020	045-290098	LICENSING, IMPLEMENT, MAINT. M	$535.00
		35822	2/11/2020	045-290099	LICENSING, IMPLEMENT, MAINT. M	$228.00
	USA BLUEBOOK	35635	2/11/2020	093166	UNIV JOINT	$647.80
		35635	2/11/2020	086748	SUPPLIES	$41.04
		35635	2/11/2020	018577	ADAPTER	$118.82
		35635	2/11/2020	085459	SUPPLIES	$552.23
	VERIZON WIRELESS	35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$44.03
		35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$50.60
		35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$45.31
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$38.01
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$114.03
	VWR INTERNATIONAL IN	35825	2/11/2020	8088759620	SUPPLIES	$114.28
		35825	2/11/2020	8088984232	SUPPLIES	$138.57
	WATSONVILLE WETLANDS WATCH	35883	2/19/2020	2019.10CTW	Trail Maintenance and Native P	$2,769.00
		35883	2/19/2020	2019.11CTW	Trail Maintenance and Native P	$3,744.00
		35883	2/19/2020	2019.12CTW	Trail Maintenance and Native P	$2,379.00
		35883	2/19/2020	2019.12 CTW Enc	Trail Maintenance and Native P	$1,365.00
	Fund Total					$782,865.91
0720	A L LEASE COMPANY, INC	35869	2/19/2020	1/31/2020	SUPPLIES	$52.58
		35869	2/19/2020	1/31/2020	SUPPLIES	$116.99

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0720	AMERICAN MESSAGING	35663	2/11/2020	M7023541UB	PAGER SERVICES FOR WATER FOR FEBRUARY 2020	$76.01
	AMERIGAS	35558	2/11/2020	3101591860	PROPANE	$2,930.61
	ARMANDO NAVARRETE	35560	2/11/2020	1/27/2020	PW-SAFETY BOOTS	$174.78
	AT&T-CAL NET 2	35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$304.84
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$305.99
	BIG CREEK LUMBER COMPANY	35871	2/19/2020	1/20/2020	SUPPLIES FOR REPAIR	$219.06
	BLANKINSHIP & ASSOCIATES, INC.	35561	2/11/2020	BA6660	INTEGRATED PEST MANAGEMENT CON	$1,361.93
	CAROLLO ENGINEERS, INC.	35568	2/11/2020	0183648	WATER SYSTEM MASTER PLAN	$24,224.00
	CENTRAL COAST LANDSCAPE & MAINTENANCE	35570	2/11/2020	20624	LANDSCAPE MAINTENANCE	$627.00
	COUNTY OF SANTA CRUZ-DEPT OF PUBLIC WORKS	35835	2/12/2020	20-015	ENCROACHMENT PERMIT	$4,782.00
	D&G SANITATION	35691	2/11/2020	269551	SERVICE	$25.00
		35691	2/11/2020	269554	SERVICE	$25.00
		35691	2/11/2020	269553	SERVICE	$50.00
	DAVID MEDNA	35693	2/11/2020	39751	1 QUALIFYING LANDSCAPE WATER CONSERVATION REBATE @	$500.00
	DAVIS AUTO PARTS	35694	2/11/2020	1/27/2020	PARTS AND SUPPLIES	$218.22
	EPICO SYSTEMS INC.	35584	2/11/2020	2020-16-b	FIBER OPTICS MAINTENANCE CONTR	$1,200.00
	FASTENAL COMPANY	35586	2/11/2020	CAWAT105001	SUPPLIES	$948.91
		35586	2/11/2020	CAWAT105000	SUPPLIES	$46.96
		35704	2/11/2020	CAWAT105262	SUPPLIES	$1,859.60
	FIRST ALARM, INC.	35588	2/11/2020	520499	ALARM MONITORING	$138.15
	GRAINGER	35714	2/11/2020	9429489793	SUPPLIES	$411.61
		35714	2/11/2020	9421552630	SUPPLIES	$292.87
	GRANITE ROCK COMPANY	35875	2/19/2020	1/31/2020	BUILDING MATERIALS AND SERVICE	$3,824.95

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0720	JOHN STEEN	35600	2/11/2020	32721	1 QUALIFYING HIGH EFFICIENCY CLOTHES WASHERE REBAT	$100.00
	JOSEFINA VEGA	35726	2/11/2020	30334	ONE QUALIFYING HIGH EFFICIENCY TOILET REBATE-108 D	$97.23
	MISSION LINEN SUPPLY	35743	2/11/2020	292107-1/31/20	UNIFORM RENTAL AND LAUNDRY SER	$660.16
		35743	2/11/2020	292106-1/31/20	UNIFORM RENTAL AND LAUNDRY SER	$464.36
		35743	2/11/2020	279214-1/31/20	LINEN SERVICE	$435.40
	MOLFINO, MICHAEL	35745	2/11/2020	TRVL ON 01/22/2020	PW- THATCHER TRAINING MILEAGE REIMB	$110.29
	MONUMENT LUMBER COMPANY	35878	2/19/2020	1/25/2020	SUPPLIES	$3.92
	OSUNA AUTO ELECTRIC & SMALL ENGINE REPAIR	35753	2/11/2020	35500	REPAIRS	$40.28
	PACIFIC GAS & ELECTRIC	35775	2/11/2020	8257828808-4-1/27	ELEC	$5,378.92
		35839	2/12/2020	8999729770-3-2/3	ELEC	$10.19
		35879	2/19/2020	4850440932-6-2/11	ELEC	$832.07
		35880	2/19/2020	1553836670-7-2/10	ELEC SERVICE	$28.74
	PAJARO VALLEY PRINTING	35783	2/11/2020	39899	PRINTS	$322.29
	PLATT	35621	2/11/2020	X990933	SUPPLIES	$22.95
	PODLECH, MIKE	35789	2/11/2020	2156	CORRALITOS CREEK WATERSHED SAM	$400.00
	POLLARDWATER.COM	35790	2/11/2020	0158926	INV#0158926 SMALL & LARGE SDL GASKETS B101 MACH	$124.76
	PRAXAIR DISTRIBUTION, INC	35623	2/11/2020	94276027	WELDING SUPPLIES	$74.89
		35792	2/11/2020	94380206	CYLINDER RENT	$36.27
	RICOH USA, INC	35849	2/12/2020	5058720492	COPIER CHARGES	$162.30
		35849	2/12/2020	5058720492	COPIER CHARGES	$23.57

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0720	SANTA CRUZ COUNTY ENVIRONMENTAL HEALTH SERVICES	35627	2/11/2020	IN0095696	INVOICE #IN0095696 FACILITY ID: FA0003377	$1,842.00
		35627	2/11/2020	IN0095695	INVOICE #IN0095695 FACILITY ID: FA0003376	$1,447.00
		35627	2/11/2020	IN0095686	INVOICE #IN0095686 FACILITY ID: FA0003250	$2,019.00
		35627	2/11/2020	IN0095698	INVOICE #IN0095698 FACILITY ID: FA0003379	$1,447.00
		35627	2/11/2020	IN0095677	INVOICE #IN0095677 FACILITY ID: FA0002745	$1,447.00
		35627	2/11/2020	IN0095694	INVOICE #IN0095694 FACILITY ID: FA0003375	$1,665.00
		35627	2/11/2020	IN0095678	INVOICE #IN0095678 FACILITY ID: FA0002746	$1,447.00
		35627	2/11/2020	IN0095685	INVOICE #IN0095685 FACILITY ID: FA0003248 H	$1,842.00
		35627	2/11/2020	IN0095751	INVOICE #IN0095751 FACILITY ID: FA0006380 H	$1,665.00
		35627	2/11/2020	IN0095742	INVOICE #IN0095742 FACILITY ID: FA0005004 H	$1,665.00
		35627	2/11/2020	IN0095697	INVOICE #IN0095697 FACILITY ID: FA0003378 HE	$2,756.00
	SECURITY SHORING AND STEEL PLATES INC.	35803	2/11/2020	155031	INV#155031 MOVE STEEL TRENCH PLATES 12-9-2019	$440.00
	SENSUS USA	35804	2/11/2020	ZA20201657	INV#ZA20201657 MS SU RNI SAAS1 STEUP	$7,957.00
	SHRED-IT USA	35882	2/19/2020	8129085442	SERVICE	$31.91
		35882	2/19/2020	8129085442	SERVICE	$31.92
	STAPLES CREDIT PLAN	35809	2/11/2020	01/28/2020	OFFICE SUPPLIES	$165.16
		35809	2/11/2020	01/28/2020	OFFICE SUPPLIES	$16.37
	STREET SCENE ON & OFF ROAD PERFORMANCE,INC.	35811	2/11/2020	34266	INV#34266 WEATHER TECH FLOOR LINERS	$120.12
	TAP WATER WATCH LLC	35814	2/11/2020	4325	Inv#4325 Purchase of Water Bottle Filling Station	$5,000.00

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0720	TAYLOR'S OFFICE CITY	35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$168.49
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$88.59
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$988.97
	THATCHER COMPANY, INC.	35629	2/11/2020	272212	TRAINING	$125.00
	TRI-COUNTY FIRE PROTECTION INC	35632	2/11/2020	51971	SERVICE	$333.00
		35632	2/11/2020	51913	SERVICE	$89.28
	TYLER TECHNOLOGIES, INC.	35822	2/11/2020	045-286925	LICENSING, IMPLEMENT, MAINT. M	$4,284.00
		35822	2/11/2020	045-290098	LICENSING, IMPLEMENT, MAINT. M	$615.33
		35822	2/11/2020	045-290099	LICENSING, IMPLEMENT, MAINT. M	$263.00
	VERIZON WIRELESS	35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$395.67
		35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$144.58
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$228.06
		35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$114.03
	Fund Total					$94,888.13
0730	A L LEASE COMPANY, INC	35869	2/19/2020	1/31/2020	SUPPLIES	$102.06
		35869	2/19/2020	1/31/2020	SUPPLIES	$65.24
	AT&T-CAL NET 2	35666	2/11/2020	000014086988	CALNET3_C60 ACCOUNT FROM 11/24/19-12/23/19	$320.19
		35666	2/11/2020	000013945143	CALNET3_C60 ACCOUNT FROM 10/24/19-11/23/2019	$321.25
	C & N TRACTOR	35834	2/12/2020	1/30/2020	REPAIRS	$79.45
	EWING IRRIGATION PRODUCTS, INC.	35585	2/11/2020	8947470	SUPPLIES	$146.09
		35702	2/11/2020	8975832	DRIVING RANGE REPAIRS	$346.97
	FIRST ALARM, INC.	35708	2/11/2020	514043	ALARM MONITORING	$575.16
	LUMENATURE	35602	2/11/2020	L-9635	SERVICE CALL FOR LIGHTS	$639.97

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0730	MARITIME INFORMATION SYSTEMS, INC.	35736	2/11/2020	5772	SATELLITE BASED AIRCRAFT OPERA	$711.00
	MAZE & ASSOCIATES	35738	2/11/2020	34128	PROFESSIONAL SERVICES- CAFR	$552.00
		35836	2/12/2020	33840	PROFESSIONAL SERVICES	$2,750.00
	MISSION LINEN SUPPLY	35743	2/11/2020	292110-1/31/20	UNIFORM RENTAL AND LAUNDRY SER	$449.84
	MONUMENT LUMBER COMPANY	35878	2/19/2020	1/25/2020	SUPPLIES	$167.18
		35878	2/19/2020	1/25/2020	SUPPLIES	$87.00
		35878	2/19/2020	1/25/2020	SUPPLIES	$17.44
		35878	2/19/2020	1/25/2020	SUPPLIES	$103.54
	NAPA AUTO PARTS	35607	2/11/2020	101250	SUPPLIES	$34.93
		35607	2/11/2020	101375	SUPPLIES	$82.37
	NPM, INC.	35608	2/11/2020	181472	MONTHLY INSPECTION	$80.00
	PACIFIC CREST ENGINEEERING, INC.	35838	2/12/2020	7806-REISSUE	WATSONVILLE AIRPORT CONSULTATION- REISSUE	$212.50
	PACIFIC GAS & ELECTRIC	35616	2/11/2020	6558284005-7-1/22	ELEC	$985.74
		35615	2/11/2020	1506815321-0-1/22	ELEC	$80.96
		35774	2/11/2020	2209323609-3-1/24/20	GAS & ELEC	$3,561.01
		35764	2/11/2020	9830958081-3-1-31	ELEC	$105.82
	PAJARO VALLEY PRINTING	35618	2/11/2020	39873	ENVELOPES	$81.94
		35783	2/11/2020	39912	AIRPORT CIP PLAN	$86.31
		35783	2/11/2020	39892	ENVELOPES	$147.49
	PRAXAIR DISTRIBUTION, INC	35623	2/11/2020	94369159	CYLINDER RENT	$47.99
	RICOH USA, INC	35849	2/12/2020	5058720766	TONER	$43.41
	SHERWIN WILLIAMS	35806	2/11/2020	2845-1	PAINT AND SUPPLIES	$104.85
	STAPLES CREDIT PLAN	35809	2/11/2020	01/28/2020	OFFICE SUPPLIES	$57.99

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0730	TYLER TECHNOLOGIES, INC.	35822	2/11/2020	045-286925	LICENSING, IMPLEMENT, MAINT. M	$2,800.00
		35822	2/11/2020	045-290098	LICENSING, IMPLEMENT, MAINT. M	$402.00
		35822	2/11/2020	045-290099	LICENSING, IMPLEMENT, MAINT. M	$172.00
	UNITED SITE SERVICES INC.	35634	2/11/2020	114-9683303	SERVICE	$80.43
	VERIZON WIRELESS	35824	2/11/2020	9846859824	CELL & DATA CHARGES FOR CITY FR 12/23/-01/22/2020	$154.84
	WILLIAMS, RAYVON	35827	2/11/2020	TRVL ON 01/27/2020	AIRPORT- AIRPORT EXECUTIVES SHORT COURSE REIMBUR	$175.71
	WORLD FUEL SERVICES	35886	2/19/2020	664215	PURCHASE OF AVIATION GRADE GAS	$30,878.75
		35886	2/19/2020	665109	PURCHASE OF AVIATION GRADE GAS	$16,664.09
	Fund Total					$64,475.51
0740	AIR UNLIMITED	35557	2/11/2020	283953	PROPANE	$144.57
		35557	2/11/2020	274206	DEBIT MEMO 274206	($5.00)
		35659	2/11/2020	284037	INV#284037 PROPANE 49.2 GALLONGS 1-9-2020	$151.09
	BLANKINSHIP & ASSOCIATES, INC.	35561	2/11/2020	BA6660	INTEGRATED PEST MANAGEMENT CON	$5,329.32
	CLEARBLU ENVIRONMENTAL	35572	2/11/2020	22351	JANUARY SERVICE	$377.63
	D&G SANITATION	35691	2/11/2020	269549	SERVICES	$103.79
	DAVIS AUTO PARTS	35694	2/11/2020	566658	SUPPLIES	$60.09
	DENTONI'S WELDING WORKS, INC.	35695	2/11/2020	6293090005	INV#6293090005 2 CAMERA SYSTEM	$4,797.11
	ELECTRONIC RECYCLERS INTERNATIONAL, INC.	35583	2/11/2020	SI108293	INV#SI108293 GAYLORD BOXES 10/2/2019	$1,380.00
	FASTENAL COMPANY	35586	2/11/2020	CAWAT104893	SUPPLIES- RAIN SET	$62.91
		35704	2/11/2020	CAWAT105203	SUPPLIES- GLOVES	$21.41
	FIRST ALARM, INC.	35588	2/11/2020	521212	ALARM MONITORING SERVICE	$340.65
	GRAINGER	35714	2/11/2020	9427516753	SUPPLIES	$19.92
	GROCERY OUTLET	35593	2/11/2020	01/21/2020	01/21/2020- 300 2432 285 2247	$45.40

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0740	HF&H CONSULTANTS, LLC	35718	2/11/2020	9716946	CONSULTING SERVICES TO DEVELOP	$6,151.05
	HOPE SERVICES, INC.	35595	2/11/2020	S170176	LITTER REMOVAL FROM CITY ROADW	$1,995.00
		35719	2/11/2020	S169884	LITTER REMOVAL FROM CITY ROADW	$1,995.00
		35719	2/11/2020	S170210	LITTER REMOVAL FROM CITY ROADW	$2,280.00
	KELLY-MOORE PAINT COMPANY, INC.	35601	2/11/2020	818-00000296866	PAINT	$162.54
	MAPISTRY, INC.	35603	2/11/2020	INV-2750	COMPLIANCE SOLUTION FOR ENVIRO	$6,891.00
		35603	2/11/2020	INV-2750	COMPLIANCE SOLUTION FOR ENVIRO	$6,891.00
	MISSION LINEN SUPPLY	35743	2/11/2020	292100-1/31/20	UNIFORM RENTAL AND LAUNDRY SER	$692.54
		35743	2/11/2020	292101-1/31/20	UNIFORM RENTAL AND LAUNDRY SER	$289.68
		35743	2/11/2020	292102-1/31/20	UNIFORM RENTAL AND LAUNDRY SER	$236.40
		35743	2/11/2020	292104-1/31/20	LINEN SERVICE	$343.20
	MONTEREY BAY AIR RESOURCES DISTRICT	35746	2/11/2020	410-013120	ACCT 410- ANNUAL RENEWAL INVOICE 410-013120	$317.00
		35746	2/11/2020	410-013120	ACCT 410- ANNUAL RENEWAL INVOICE 410-013120	$425.00
		35746	2/11/2020	410-013120	ACCT 410- ANNUAL RENEWAL INVOICE 410-013120	$354.00
	NUTRIEN AG SOLUTIONS	35609	2/11/2020	470726818	SUPPLIES	$22.37
		35609	2/11/2020	40804902	SUPPLIES- RETURNED	($22.37)
		35609	2/11/2020	41068502	SUPPLIES	$426.19
	PAJARO VALLEY FABRICATION INC.	35617	2/11/2020	27119	CONTAINER 307 REPAIRS	$2,807.71
	PAPE MACHINERY, INC	35784	2/11/2020	1834022	INV#1834022 REPAIR ON JD 762B SERIAL NO:T0762BX874	$2,677.46

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0740	PERALTA, HILDA	35787	2/11/2020	TRVL ON 01/22/2020	PW- LEADERSHIP TRAINING PROGRAM MILEAGE AND MEALS	$104.80
	PKT WELDING & FABRICATION	35620	2/11/2020	1491	INV#1491 REPAIR TO UNDERSIDE CHANNEL AND CROSSMEMB	$1,203.29
	PRAXAIR DISTRIBUTION, INC	35623	2/11/2020	94381286	CYLINDER RENT	$94.49
	QUALITY WATER ENTERPRISES	35625	2/11/2020	1167645	INV#1167645 FINANCE CHARGE FOR INVOICES 1158630 &	$1.94
		35625	2/11/2020	1166921	INV#1166921 5 GAL BOTTLE WATER FROM 2/1/2020-2/29/	$44.83
	RETAIL MARKETING SERVICES, INC.	35798	2/11/2020	176311	INV#176311 CART SERVICE FOR THE MONTH OF DECEMBER	$650.00
	ROSALBA FERNANDEZ	35626	2/11/2020	1/27/2020	PW-SAFETY BOOTS	$200.00
	SALA BROTHERS WATER TRUCKING, INC	35801	2/11/2020	25845	INV#25845 1 LOAD TO LANDFILL	$400.00
	SANTA CRUZ COUNTY ENVIRONMENTAL HEALTH SERVICES	35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$451.00
		35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$218.00
		35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$69.50
		35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$1,011.00
		35802	2/11/2020	IN0095705	INV#IN0095705 FACILITY ID:FA0003660 HEALTH PERMIT	$30.00
	SERVICE PRINTERS	35805	2/11/2020	1744	BUSINESS CARDS- JOHN MORENO	$76.48
	SILKE COMMUNICATIONS	35807	2/11/2020	92522	INV#92522 SERVICE RADIO ON RAM 2500 LIC#1427091	$480.00
	STATE WATER RESOURCES CNTRL BD	35810	2/11/2020	WD-0173521	INV#WD-0173521 LANDFILL ANNUAL PERMIT FEE 7/1/19-6	$20,510.00
	STURDY OIL COMPANY	35852	2/12/2020	1/31/2020	PETROLEUM PRODUCTS FOR CITY WI	$396.04
	TAYLOR'S OFFICE CITY	35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$121.23
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$547.78
		35815	2/11/2020	01/31/2020	OFFICE SUPPLIES	$139.19

Fund #	Vendor Name	Check #	Invoice Date	Invoice	Invoice Description	Amount
0740	TENNANT SALES AND SERVICE COMPANY	35817	2/11/2020	916857415	INV#916857415 POWER SCRUBBER MACHINE REPAIR	$258.57
	TERRA X PEST SERVICE, INC.	35818	2/11/2020	34766	INV#34766 PEST SERVICE FOR JANUARY 2020	$126.00
	THE ECOHEROSHOW LLC	35819	2/11/2020	1407	Inv#1407 Hiring of EcoHero Show for Environmental	$4,755.94
	TRI-COUNTY FIRE PROTECTION INC	35821	2/11/2020	52017	MAINTENANCE	$63.00
	TYLER TECHNOLOGIES, INC.	35822	2/11/2020	045-286925	LICENSING, IMPLEMENT, MAINT. M	$3,360.00
		35822	2/11/2020	045-290098	LICENSING, IMPLEMENT, MAINT. M	$483.00
		35822	2/11/2020	045-290099	LICENSING, IMPLEMENT, MAINT. M	$206.00
	VERIZON WIRELESS	35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$148.74
		35824	2/11/2020	9846866098	CELL & DATA CHARGES FOR MSC FR 12/23/19-01/22/2020	$7.67
	WATSONVILLE WETLANDS WATCH	35883	2/19/2020	2019.10 CTW Enc	Trails System Encampment Deter	$4,086.00
		35883	2/19/2020	2019.11 CTW Enc	Trails System Encampment Deter	$2,540.00
	WEST COAST RUBBER RECYCLING	35826	2/11/2020	20-150	INV#20-150 TIRE DISPOSAL	$1,179.68
	YORK RISK SERVICES GROUP, INC.	35829	2/11/2020	BRS-0019139	CONSULTING SERVICES FOR PW OPE	$2,640.00
	ZEP VEHICLE CARE INC	35830	2/11/2020	9004875564	SUPPLIES	$1,926.33
	Fund Total					$96,294.16
0787	MES VISION	35877	2/19/2020	02/15/2020	CLAIMS CHECK RUN 02/15/2020	$1,044.60
	PREFERRED BENEFIT	35848	2/12/2020	EIA31670	EIA31670- CLAIMS WEEK ENDING 02/06/2020	$9,783.18
		35881	2/19/2020	EIA31727	EIA31727- CLAIMS WEEK ENDING 02/13/2020	$14,865.32
	WORKTERRA	35885	2/19/2020	WAT0320	HEALTH BENEFITS MARCH 2020	$607,765.20
	Fund Total					$633,458.30
Total	Total					$2,920,707.72

MISCELLANEOUS DOCUMENTS REPORT
FEBRUARY 25, 2020

1.0 APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES

--The Farm House (Amended Copy)
August 29, 2019

2.0 PROCLAMATIONS & CERTIFICATES

--Watsonville Community Band
73rd Birthday
February 19, 2020

Department of Alcoholic Beverage Control

State of California

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Amended Copy!

TO: Department of Alcoholic Beverage Control
1137 WESTRIDGE PARKWAY
SALINAS, CA 93907
(831) 755-1990

File Number: **609257**
Receipt Number: **2593767**
Geographical Code: **4403**
Copies Mailed Date: **August 29, 2019**
Issued Date:

Received
Watsonville
City Clerk
FEB 11 '20 PM 1:03

DISTRICT SERVING LOCATION: **SALINAS**

First Owner: **SAAVEDRA, GALDINO ESPINOZA**
Name of Business: **FARM HOUSE, THE**
Location of Business: **11 GREEN VALLEY RD**
WATSONVILLE, CA 95076
County: **SANTA CRUZ**
Is Premises inside city limits? **Yes** Census Tract: **1106.00**
Mailing Address:(If different from premises address)
Type of license(s): **41** Dropping Partner: Yes___ No X
Transferor's license/name:

License Type	Transaction Type	Master	Secondary LT And Count
41 - On-Sale Beer And Wine - Eating P	ORI	Y	

License Type	Transaction Description	Fee Code	Dup	Date	Fee
Application Fee	STATE FINGERPRINTS	NA	2	08/29/19	$78.00
Application Fee	ADD PRIMARY LICENSE TYPE	NA	0	08/29/19	$905.00
Application Fee	FEDERAL FINGERPRINTS	NA	2	08/29/19	$48.00
41 - On-Sale Beer And Wine - Eat	ANNUAL FEE	NA	0	08/29/19	$406.00
				Total	$1,437.00

Have you ever been convicted of a felony? **No**
Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**

STATE OF CALIFORNIA County of SANTA CRUZ Date: August 29, 2019

Applicant Name(s)

SAAVEDRA, GALDINO ESPINOZA

SAAVEDRA, ROSA CATALINA

City of Watsonville Mayor's Office

Certificate of

RECOGNITION

Presented to

Watsonville Community Band

in celebration of their 73 years of providing members an opportunity to play music, and entertaining the community with their lively performances. On behalf of the City of Watsonville, we wish you a happy birthday and many more years of enriching lives through music.

February 19, 2020

Rebecca J. García

Rebecca J. García, Mayor
City of Watsonville

MINUTES REGULAR CITY COUNCIL MEETING

February 11, 2020

City of Watsonville
Council Chambers
275 Main Street, Top Floor

4:30 p.m.

1. ROLL CALL
Mayor García and Council Members Estrada, Gonzalez, Hernandez (arrived at 5:05 p.m.), Hurst, and Parker were present. Mayor Pro Tempore Coffman-Gomez was absent.

2. INFORMATION ITEMS—Written Report(s) Only

2.A. REPORT OF DISBURSEMENTS

2.B. MISCELLANEOUS DOCUMENTS REPORT

2.C WRITTEN REPORTS BY COUNCIL MEMBERS REGARDING ACTIONS TAKEN ON THEIR REGIONAL COMMISSIONS/BOARD MEETINGS THAT MAY AFFECT THE CITY OF WATSONVILLE

3. INTRODUCTION OF NEW EMPLOYEES (If any)

4. REPORTS TO COUNCIL

4.A STATE OF METRO PRESENTATION BY ALEX CLIFFORD, CEO

1) Oral Presentation

2) City Council Clarifying & Technical Questions
In answering Member Gonzalez, Mr. Clifford spoke about the Santa Cruz County Metropolitan Transit District (SCCMTD) application that would allow bus riders to view bus routes and times.

In answering Member Hurst, Mr. Clifford spoke about challenges SCCMTD would face in the coming years.

Mr. Clifford, in answering Member Parker, spoke about Paratransit and challenges in maintaining the service.

In answering Mayor García, Mr. Clifford spoke about integrating electric buses in SCCMTD's fleet and potential for a fast charging station at the Watsonville Transit Center.

3) Public Input (None)

5. CONSENT AGENDA

Public Input on any Consent Agenda Item (None)

MOTION: It was moved by Member Gonzalez, seconded by Member Parker and carried by the following vote to approve the Consent Agenda.

AYES:	MEMBERS:	Estrada, Gonzalez, Hurst, Parker, García
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	Coffman-Gomez, Hernandez

5.A MOTION APPROVING MINUTES OF JANUARY 21 & 31, 2020

5.B. RESOLUTION NO. 5-20 (CM):
RESOLUTION APPROVING FIRST AMENDMENT TO CONTRACT WITH BEAR ELECTRICAL SOLUTIONS, INC., FOR ROUTINE & EMERGENCY TRAFFIC SIGNAL MAINTENANCE SERVICES, IN AN AMOUNT NOT TO EXCEED $120,000 FOR A TWO-YEAR TERM

5.C. RESOLUTION NO. 6-20 (CM):
RESOLUTION APPROVING FIRST AMENDMENT TO CONTRACT WITH EPICO SYSTEMS, INC., FOR FIBER OPTIC MAINTENANCE SERVICES, IN AN AMOUNT NOT TO EXCEED $180,000 THROUGH DECEMBER 31, 2022

5.D. MUZZIO PARK PLAYGROUND RECONSTRUCTION PROJECT

1) RESOLUTION NO. 7-20 (CM):
RESOLUTION ACCEPTING DONATION OF $4,000 FROM PÁJARO VALLEY PREVENTION & STUDENT ASSISTANCE & $1,040 DONATION FROM FRIENDS OF WATSONVILLE PARKS & COMMUNITY SERVICES, INC., FOR THE MUZZIO PARK PLAYGROUND RECONSTRUCTION PROJECT

2) RESOLUTION NO. 8-20 (CM):
RESOLUTION AUTHORIZING BUDGET APPROPRIATION FROM THE $4,000 DONATION FROM PÁJARO VALLEY PREVENTION & STUDENT ASSISTANCE PROGRAM; $1,040 DONATION FROM FRIENDS OF WATSONVILLE PARKS & COMMUNITY SERVICES, INC.; & $90,960 FROM PARKS DEVELOPMENT FUND TO THE GENERAL FUND (ESTIMATED AMOUNT OF $46,000 TO BE REIMBURSED BY INSURANCE)

6. ITEMS REMOVED FROM CONSENT AGENDA (None)

7. NEW BUSINESS

7.A. CONSIDERATION OF SUPPORT FOR THE WORLD HEALTH ORGANIZATION'S AGE-FRIENDLY CITIES & COMMUNITIES PROGRAM & APPROVAL OF CITY'S ENROLLMENT INTO THE AMERICAN ASSOCIATION OF RETIRED PERSONS (AARP) FRIENDLY COMMUNITIES

1) Staff Report
The report was given by Parks & Community Services Director Calubaquib and Clay Kempf, Executive Director at Seniors Council.

2) City Council Clarifying & Technical Questions

In answering Member Gonzalez, Parks & Community Services Director Calubaquib and Mr. Kempf explained how the City's financial contributions toward the program were calculated.

Mr. Kempf, in answering Member Hurst, spoke about methods used to communicate with seniors to inform them about services. He added he would distribute findings on the survey.

In answering Member Parker, Mr. Kempf explained ways the needs assessment was being distributed and analyzed. He added he would report to Council on the findings from the survey.

Mr. Kempf answered questions from Member Estrada regarding efforts statewide to create age friendly communities and efforts to bridge the gap between generations.

In answering Mayor García, Mr. Kempf spoke about ways to increase domain of outdoor spaces available to seniors.

3) Public Input

Antonio Rivas spoke in support of staff recommendation. He suggested collaboration with Santa Cruz County Office of Education for use of their special education buses for senior assistance. He also suggested collaboration with Pájaro Valley Unified School District (PVUSD) for creation of an intergenerational community center.

4) **MOTION**: It was moved by Member Hurst, seconded by Member Parker to approve the following resolution:

RESOLUTION NO. 9-20 (CM):
RESOLUTION SUPPORTING THE WORLD HEALTH ORGANIZATION'S AGE-FRIENDLY CITIES & COMMUNITIES PROGRAM & APPROVING THE CITY'S ENROLLMENT INTO THE AMERICAN ASSOCIATION OF RETIRED PERSONS (AARP) FRIENDLY COMMUNITIES

5) City Council Deliberation on Motion(s)

Member Parker suggested creation of a program that allowed teenagers to provide services for seniors.

Member Hernandez stated millennials and baby boomers had similar interests.

In answering Member Estrada, Mr. Kempf spoke about timelines for the proposed program and updates to be provided to Council.

Member Gonzalez asked that Watsonville be the frontrunner and an example for other cities on how to implement age friendly communities.

The City Council recessed the meeting at 5:32 p.m.

6:32 p.m.

8. ROLL CALL

Mayor García and Council Members Estrada, Gonzalez, Hernandez, Hurst, and Parker were present. Mayor Pro Tempore Coffman-Gomez was absent.

Staff members present were City Manager Huffaker, City Attorney Smith, City Clerk Vázquez Flores, Public Works & Utilities Director Palmisano, Administrative Services Director Czerwin, Airport Director Williams, Community Development Director Merriam, Library Director Heitzig, Information Technology Director Boyes, Deputy City Manager Vides, Assistant Public Works & Utilities Directors Rodriguez and Di Renzo, Assistant Police Chief Sims, Assistant Community Development Director Allen, Project Manager Berry, Assistant City Clerk Ortiz, and Interpreter Esqueda.

9. PLEDGE OF ALLEGIANCE

10. PRESENTATIONS & ORAL COMMUNICATIONS

10.A. MAYOR'S PROCLAMATION CONGRATULATING NORDIC NATURALS FOR THEIR COMMITMENT TO DELIVERING THE SAFEST NUTRIENTS ESSENTIAL TO HEALTH & SUSTAINABLE BEST PRACTICES TO MINIMIZE ITS IMPACT ON THE ENVIRONMENT

10.B. ORAL COMMUNICATIONS FROM THE PUBLIC

Steve Trujillo, Advisory Council of YMCA, spoke about the success of YMCA programming and announced fundraising efforts.

Gary Richard Arnold stated the City was participating in a parallel government along with the County of Santa Cruz. He added that Association of Monterey Bay Area Governments (AMBAG) was a communist regime and asked Council not to participate.

Assistant Public Works & Utilities Director Maria Esther Rodriguez invited the public to participate in the 17th Annual Egg Drop Contest.

Dr. Nancy A. Bilicich spoke about her participation at previous Zone 7, Flood Control and Water Conservation District meetings where they explored options for creating revenues to help fund Pájaro River Levee improvements. She also spoke about the Pájaro River Flood Prevention Authority's positive audit rating. She asked the public to provide input on Santa Cruz County Flood Control and Water Conservation District, Zone 7's, environmental impact report for the levee project.

Alan Flores, District 3, spoke about the City's Cannabis Equity Program and asked that it emphasize support for local residents.

10.C. ORAL COMMUNICATIONS FROM THE COUNCIL

Member Hernandez spoke about several events he attended over the previous weeks and invited the public to attend a Measure Y workshop at Project Slice.

Member Gonzalez invited the public to participate in Santa Cruz County Regional Transportation Commission's Transit Corridor Alternatives Analysis. He asked the public to provide input on Santa Cruz County Flood Control and Water Conservation District, Zone 7's, environmental impact report for the levee project.

Member Estrada congratulated Pájaro Valley Prevention and Student Assistance on their grand opening at a new location. He commended Communities Organized for Relational Power in Action (COPA) for organizing a Measure Y workshop. He spoke about events he attended over the previous weeks.

Member Parker stated she had been in a car accident and unable to attend many community events. She spoke about positive impacts the YMCA had on the community. She thanked Dr. Nancy A. Bilicich for her work to improve the river levee.

Member Hurst commended Mayor Garcia for her participation in the City Employees Awards Dinner. He spoke about several events he attended over the previous weeks. He encouraged the public to vote at the Presidential Primary Election.

Mayor García spoke about her participation at Watsonville High School's Civics Day. She stated the moratorium to prevent development of future drive-throughs had failed at the previous meeting. She added that she would like feedback from the business community regarding drive-throughs and would be making a formal request to agendize a discussion on studying community concerns on drive-throughs.

11. PUBLIC HEARINGS, ORDINANCES, & APPEALS

11.A. CONSIDERATION OF ORDINANCE INTRODUCTION TO UPDATE CHAPTER 22 (TAXICABS) OF TITLE 5 (PUBLIC WELFARE, MORALS, & CONDUCT) OF WATSONVILLE MUNICIPAL CODE

1) Staff Report
The report was given by Assistant Police Chief Sims.

2) City Council Clarifying & Technical Questions
In answering Mayor Garcia, Assistant Police Chief Sims explained the process for testing drivers for alcohol and controlled substance use.

3) Public Hearing
Mayor García opened the public hearing.

Steve Trujillo asked that taxi drivers have multiple tests done for drugs and alcohol per year.

City Attorney Smith stated the largest taxi company in Watsonville was in support of the proposed ordinance and resolutions.

Seeing no one else approach the podium, Mayor García closed the public hearing.

4) **MOTION**: It was moved by Member Hernandez, seconded by Member Gonzalez to introduce the following ordinance and approve the subsequent resolutions:

a) INTRODUCTION OF ORDINANCE RESCINDING CHAPTER 22 (TAXICABS) OF TITLE 5 (PUBLIC WELFARE, MORALS, & CONDUCT) OF THE WATSONVILLE MUNICIPAL CODE & ADDING A NEW CHAPTER 22 ENTITLED TAXICABS

b) RESOLUTION NO. 10-20 (CM):
RESOLUTION ESTABLISHING NEW INCREASED TAXICAB RATES & FARES FOR TAXI SERVICES

c) RESOLUTION NO. 11-20 (CM):
RESOLUTION ESTABLISHING & SETTING A "TAXICAB DRIVERS: PERMIT FEE" AT $359 FOR THE ISSUANCE OF EACH TAXI DRIVERS PERMIT & ANNUAL RENEWAL PERMIT FEE AT $250 FOR THE RENEWAL OF A TAXICAB DRIVERS PERMIT

5) City Council Deliberation on Motion(s)

MOTION: The above motion carried by the following vote:

AYES:	MEMBERS:	Estrada, Gonzalez, Hernandez, Hurst, Parker, Garcia
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	Coffman-Gomez

11.B. CONSIDERATION OF ACCEPTANCE OF CITY OF WATSONVILLE COMMUNITY DEVELOPMENT USER FEE STUDY - JANUARY 2020 & ESTABLISHING & ADOPTING FEES, RATES & CHARGES FOR THE COMMUNITY DEVELOPMENT DEPARTMENT

1) Oral Presentation
The report was given by Administrative Services Director Czerwin.

2) City Council Clarifying & Technical Questions
Administrative Services Director Czerwin answered questions from Member Parker regarding reasoning used to set the proposed fees.

Administrative Services Director Czerwin and Community Development Director Merriam answered questions from Member Gonzalez regarding noticing requirements for the proposed fees and outreach to the building community.

Community Development Director Merriam and Assistant Community Development Director Allen, in answering Member Hurst, spoke about rates for inspection, fines issued to those who do not pay for building permits, and additional consequences for chronic violators. City Attorney Smith explained that liens could be placed on homes due to lack of payment of fines.

Community Development Director Merriam answered questions from Mayor García regarding potential for programs to assist non-profits that provide services identified in the Strategic Plan and to low income housing developers.

Member Gonzalez stated more outreach to developers was needed prior to Council taking action on the item.

In answering Member Hernandez, Administrative Services Director Czerwin stated the proposed fees were comparable to other cities.

3) Public Hearing
Mayor Garcia opened the public hearing.

Steve Trujillo stated his neighbors did not want to obtain permits due to high rates and difficult process. He asked staff to do more outreach to the community.

Becky Steinbruner, Aptos resident, commended staff for simplifying the process for obtaining permits. She asked staff to explain the fiscal impact of the changes, to support historic preservation through reduced rates, and to create more outreach to the community.

Seeing no one else approach the podium, Mayor Garcia closed the public hearing.

4) **MOTION (failed)**: It was moved by Member Gonzalez and failed for lack of second to continue the item to a later date for staff to do more outreach to the community.

MOTION: It was moved by Member Hurst, seconded by Member Hernandez to approve the following resolution:

RESOLUTION NO. 12-20 (CM):
RESOLUTION ACCEPTING CITY OF WATSONVILLE COMMUNITY DEVELOPMENT USER FEE STUDY - JANUARY 2020 & ESTABLISHING & ADOPTING FEES, RATES & CHARGES FOR THE COMMUNITY DEVELOPMENT DEPARTMENT

5) **City Council Deliberation on Motion(s)**
Member Hurst spoke about need for enforcement on unlicensed contractors and unpermitted projects.

Member Estrada asked that items be brought to Council with more anticipation in order to give Council adequate time to review items and postpone as needed.

Member Gonzalez stated noticing requirements and staff outreach efforts were not effective and asked for the item to be continued to a later date to do more outreach.

City Manager Huffaker stated the City could continue the item to a later date.

In answering Mayor García, City Manager Huffaker spoke about efforts to ensure public opinion is heard on a variety of topics

MOTION: The above motion carried by the following vote:

AYES:	MEMBERS:	Estrada, Hernandez, Hurst, Garcia
NOES:	MEMBERS:	Gonzalez, Parker
ABSENT:	MEMBERS:	Coffman-Gomez

Member Hernandez asked staff to survey patrons in order to improve City services.

Member Estrada asked staff to email public hearing notices to Council.

12. NEW BUSINESS (Continued)

12.A. CONSIDERATION OF APPROVAL OF CITY OF WATSONVILLE 2020 PARKS & RECREATION STRATEGIC PLAN, RAMSAY PARK MASTER PLAN & CITY PLAZA MASTER PLAN

This item was divided into three sections in order to receive feedback on the Strategic Plan, Ramsay Park Concept (Master) Plan, and City Plaza Concept (Master) Plan individually.

PARKS & RECREATION STRATEGIC PLAN

1) Staff Report

The report was given by Parks & Community Services Director Calubaquib and Corbin Schneider, Verde Design Inc.

2) City Council Clarifying & Technical Questions

In answering Member Hernandez, Parks & Community Services Director Calubaquib explained that there was potential for funding for parks projects within Watsonville through County Supervisor Caput and through State Proposition 68.

Member Hurst asked staff to request funding from Supervisors Caput and Friend for parks projects.

In answering Member Estrada, Parks & Community Services Director Calubaquib spoke about the goals of the proposed plan and sustainability of proposed changes.

City Manager Huffaker and Parks & Community Services Director Calubaquib answered questions from Member Parker regarding funding needs for parks projects and potential for funding through the General Fund.

In answering Member Gonzalez, Parks & Community Services Director Calubaquib stated the restroom project at the Plaza would proceed.

In answering Member Estrada, Parks & Community Services Director Calubaquib spoke about potential for adjusting user fees of parks programs to assist those in need.

In answering Member Parker, Parks & Community Services Director Calubaquib spoke about collaboration with PVUSD for joint use of school facilities.

Parks & Community Services Director Calubaquib answered questions from Mayor García regarding need for park land, particularly in District 5, and planning for attainment of land. He added he would look at City owned land for potential new community garden locations.

3) Public Input

Steve Trujillo recommended areas of Freedom Boulevard that were underutilized for potential use as parkland. He spoke about the need for restrooms in the City Plaza. He recommended creating an adopt-a-park program to help ease the strain of maintaining local parks.

Becky Steinbruner asked that real grass be used instead of turf when improving parks due to health issues arising from turf use. She spoke about funding available for parks through the County. She gave recommendations on how to leverage funding and community support to achieve park's goals.

Seeing no one else approach the podium, Mayor Garcia closed the public hearing.

4) **MOTION**: It was moved by Member Hernandez, seconded by Member Estrada to approve the Parks & Recreation Strategic Plan.

RESOLUTION NO. 13-20 (CM):
RESOLUTION APPROVING THE CITY OF WATSONVILLE 2020 PARKS AND RECREATION STRATEGIC PLAN, WHICH INCLUDES THE RAMSAY PARK CONCEPT PLAN AND CITY PLAZA CONCEPT PLAN

5) **City Council Deliberation on Motion(s)**
Member Hurst spoke about the importance of being equitable to all ages and providing for park space for everyone.

In answering Member Estrada, Parks & Community Services Director Calubaquib spoke about reasoning used for setting user fees.

MOTION: The above motion carried by the following vote:

AYES:	MEMBERS:	Estrada, Gonzalez, Hernandez, Hurst, Parker, Garcia
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	Coffman-Gomez

CITY PLAZA CONCEPT (MASTER) PLAN

6) **Staff Report**
The report was given by Parks & Community Services Director Calubaquib and Corbin Schneider, Verde Design Inc.

7) **City Council Clarifying & Technical Questions**
Parks & Community Services Director Calubaquib, in answering Member Parker, spoke about potential for movement of artifacts at the Plaza and stated none would be removed. He added that the bandstand would be repaired and not replaced.

City Attorney Smith, in answering Member Estrada, gave historical background to the George Washington bust that is located at the City Plaza. Member Estrada asked staff to explore adding new monuments to the Plaza to represent other sectors of the community.

Mayor Garcia stated the Latino Chamber of Commerce had advocated to Council to approve a headstone representative of the Latino community at the Plaza.

Member Parker stated voters approved an ordinance that set a process for naming public places.

City Manager Huffaker stated any new art elements added to the Plaza would follow the public art project approval process.

8) **Public Input**
Becky Steinbruner asked for more information regarding the amenities that were proposed for the Plaza.

Steve Trujillo gave suggestions on how to improve the fountain. He asked staff to explore converting the Yamashita Market into a historical site.

Member Hernandez asked that historical trees be protected and issued plaques with historical information.

9) **MOTION**: It was moved by Member Hernandez, seconded by Member Parker to approve the City Plaza Concept (Master) Plan.

10) **City Council Deliberation on Motion(s)**
In answering Member Gonzalez, Mr. Schneider stated the tree at the corner of Main Street and Beach Street would be removed because it was no longer alive.

MOTION: The above motion carried by the following vote:

AYES:	MEMBERS:	Estrada, Gonzalez, Hernandez, Hurst, Parker, Garcia
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	Coffman-Gomez

RAMSAY PARK CONCEPT (MASTER) PLAN

11) **Staff Report**
The report was given by Parks & Community Services Director Calubaquib and Corbin Schneider, Verde Design Inc.

12) **City Council Clarifying & Technical Questions**
Parks & Community Services Director Calubaquib answered questions from Member Gonzalez regarding a State grant and its potential use, use of the Ramsay Softball Field by Pájaro Valley High School, and funding for turf field installation.

In answering Member Estrada, Parks & Community Services Director Calubaquib spoke about using the approved plans to ask for financial aid from the community.

In answering Mayor Garcia, Parks & Community Services Director Calubaquib spoke about planned use of the proposed expanded family center. Mr. Schneider, in answering Mayor Garcia spoke about relocation of the Nature Center.

Mr. Schneider answered questions from Member Gonzalez regarding retention of the Ramsay Park car wash area.

13) **Public Input**
Steve Trujillo asked staff to explore ways to make Ramsay Park safer and asked that the City organize dances at THE Ramsay Park Family Center.

Becky Steinbruner asked that reliable restrooms be installed at Ramsay Park. She spoke against turf as it posed health issues and emitted heat.

14) **MOTION**: It was moved by Member Hernandez, seconded by Member Estrada to approve the Ramsay Concept (Master) Plan.

15) City Council Deliberation on Motion(s)

Member Hernandez asked staff to continue exploring grant funding in order to complete parks projects.

Member Hurst stated the City needed to explore funding options and seek new park land.

In answering Member Estrada, Parks & Community Services Director Calubaquib stated staff would explore installation of solar panels at Ramsay Park.

Mr. Schneider answered questions from Mayor Garcia regarding studies about artificial turf and its safety.

In answering Member Estrada, Mr. Schneider spoke about safety of synthetic grass.

MOTION: The above motion carried by the following vote:

AYES:	MEMBERS:	Estrada, Gonzalez, Hernandez, Hurst, Garcia Parker
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	Coffman-Gomez

13. EMERGENCY ITEMS ADDED TO AGENDA (None)

14. REQUESTS & SCHEDULING FUTURE AGENDA ITEMS

Member Hernandez requested an item on the March 24, 2020, agenda to do a formal apology for the Anti-Filipino Riots. He also requested an update on the State's Cannabis Equity Program.

Member Parker asked for updates on the Cannabis Equity Program.

Mayor Garcia asked for a resolution supporting the Health in All Policies. She also asked for an item on the agenda to discuss mailings to parcels that could be affected by a drive-through ban.

15. ADJOURNMENT

The meeting adjourned at 9:50 p.m.

_____
Rebecca J. García, Mayor

ATTEST:

_____
Beatriz Vázquez Flores, City Clerk

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City of Watsonville
Public Works and Utilities

M E M O R A N D U M

DATE: **February 20, 2020**

TO: **Matthew D. Huffaker, City Manager**

FROM: **Steve Palmisano, Director of Public Works and Utilities**
Enrique Vasquez, Municipal Services Operations Manager

SUBJECT: **Authorization to purchase an excavator from Pape' Machinery, Inc. for the Solid Waste Enterprise for $130,294.28**

AGENDA ITEM: **February 25, 2020** **City Council**

RECOMMENDATION:
Staff recommends that the City Council adopt a resolution authorizing the purchase of one new 2019 John Deere 85G Excavator unit to be used by the Solid Waste Enterprise.

DISCUSSION:
The Solid Waste Enterprise will utilize the new John Deere 85G Excavator unit to replace an old 1994 John Deere 244E excavator that will be retired and auctioned off. The equipment serves to load, unload and compress recycling waste material at the City's public drop-off facility.

The vendor, Pape' Machinery, was awarded a Federal Contract as part of Sourcewell, a National Joint Powers Association (NJPA), which uses a competitive bidding process similar to the City of Watsonville. This purchase will "piggy-back" on the Federal contract. The NJPA Contract number is 032515-JDC, effective through May 19, 2020. The City of Watsonville is a Sourcewell Member, number 18533.

STRATEGIC PLAN:
The purchase of the excavator unit is consistent with the City Council Strategic Plan, Goal 3 Infrastructure and Environment.

FINANCIAL IMPACT:
This purchase was identified in the Capital Improvement Plan and budgeted for the 2019-20 fiscal year in account: 740-912-7813-14641. Solid Waste Utility customers are the source of funds, not the general fund.

ALTERNATIVES:
The Council may decide not to approve the purchase or it may direct staff to continue utilizing the current excavator with its aging components and impaired functionality that would have an adverse impact on operations.

ATTACHMENTS:
None

cc: City Attorney

RESOLUTION NO._____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AUTHORIZING THE PURCHASE BY THE SOLID WASTE ENTERPRISE OF ONE (1) NEW 2019 JOHN DEERE 85G EXCAVATOR UNIT FROM PAPE' MACHINERY, INC. TO BE USED AT THE CITY'S PUBLIC DROP OFF FACILITY, IN AN AMOUNT NOT TO EXCEED $130,294.28; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE PURCHASE CONTRACT INCLUDING ANY EXTENSIONS OR AMENDMENTS THEREOF IN ORDER TO IMPLEMENT CONTRACT

WHEREAS, bidding requirements and a reference to procedures for the purchase of supplies, equipment and non-personal contractual services and the sale of personal property are set forth in Chapter 3-5 of the Watsonville Municipal Code, Resolution No. 119-92 (CM) and Section 3.2.1 of the City of Watsonville Administrative Rules and Regulations; and

WHEREAS, Resolution No. 119-92 (CM) adopted by City Council on April 14, 1992, authorizes the City Manager to participate in the purchasing authority of other California public agencies using a competitive bid process similar to that of the City of Watsonville; and

WHEREAS, City staff has evaluated the bid process used by Sourcewell and determined that its bid process is similar to that of the City of Watsonville; and

WHEREAS, Pape' Machinery, Inc. a corporation is the lowest responsive bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the Council hereby authorizes the purchase of one (1) new 2019 John Deere 85G Excavator unit to be used by the Solid Waste Enterprise for the operations of

the City's public drop-off facility from Pape' Machinery, Inc. in an amount not to exceed $130,294.28.

2. That the City Manager be and is hereby authorized and directed to execute Contract for and on behalf of the City of Watsonville including any extensions or amendments thereof in order to implement this Contract.

****

City of Watsonville
Parks & Community Services

M E M O R A N D U M

DATE: **February 11th, 2020**

TO: **Matthew D. Huffaker, City Manager**

FROM: **Nick Calubaquib, Director of Parks & Community Services**
Ben Heistein, Assistant Director of Parks & Community Services

SUBJECT: **Resolution Approving Amendment No. 2 to the Consultant Contract with Verde Design Inc. of Watsonville in the amount of $75,945**

AGENDA ITEM: **February 25, 2020** **City Council**

RECOMMENDATION:
Staff recommends that the City Council adopt a resolution approving Amendment No. 2 to the consultant contract with Verde Design, Inc. in the amount of $75,945 to provide design and construction administration services for the Watsonville City Plaza ADA Restroom project and a term extension until June 30, 2021.

DISCUSSION:
On Dec 11th, 2018, a contract was executed between the City of Watsonville and Verde Design Inc. to develop the Watsonville Parks and Recreation Strategic Plan and Park Master Plans for Ramsay Park and the City Plaza. In the fall of 2018, the City issued a Request for Proposal for Parks and Recreation Strategic and Ramsay Park and City Plaza Master Planning Services that went out to landscape architecture and civil engineering firms. Verde Design, Inc. was selected through a competitive interview process based on experience, project understanding, and pricing. The initial contract covered 13 months for a total amount of $175,918.

Verde Design, Inc. proceeded to work with the Parks and Community Services Department to execute all contract tasks, which included a thorough community engagement process to develop the Strategic Plan and Conceptual Plans for the re-development of Ramsay Park and the City Plaza. In October 2019, Contract Amendment No. 1 was executed in the amount of $6,000 to provide additional consultation and presentation services, including a term extension to June 30th, 2020.

The Conceptual Plan for the Watsonville City Plaza includes park-wide renovations, such as rehabilitation of historic elements and enhancing areas of the park with new construction that

aligns with community needs. One of the new elements on the design is an ADA accessible permanent restroom. The current portable restrooms do not meet the community's needs and the new restroom would include ADA-accessible restroom stalls, handwashing stations and lighting, which serves to support the ongoing community use of this centrally-located downtown park.

The City has secured Federal Community Development Block Grant (CDBG) funding in the amount of $400,000 to develop construction drawings and build the restroom. Because Verde Design Inc. was selected through a competitive process, developed the Plaza Conceptual Plan, including preliminary restroom design and cost estimates, is familiar with the site characteristics, and has a proven track record to complete projects of this nature in a timely fashion, City staff requested a proposal from Verde Design Inc., to provide design and construction administration services for the City Plaza ADA Restroom project. On January 29th 2020, Verde Design, Inc. submitted a detailed proposal to provide these services in an amount not to exceed $75,945.

Staff recommends that City Council approve Amendment No. 2 to Verde Design Inc.'s current contract to include a contract extension through June 30, 2021 and increase the budget in an amount of $75,945.

STRATEGIC PLAN:
This project is consistent with the Strategic Plan goal of Infrastructure and Environment by improving the City's infrastructure, Economic Development by helping Downtown Revitalization efforts, and Community Engagement and Well-Being by building a sanitary park restroom facility that enhances public health.

FINANCIAL IMPACT:
This contract amendment will be entirely funded by existing Community Development Block Grant (CDBG) funding, Project Account 0205-386-7855-14610.

ALTERNATIVES:
None

ATTACHMENTS:
None

cc: City Attorney

RESOLUTION NO._____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING SECOND AMENDMENT TO CONTRACT FOR CONSULTANT SERVICES BETWEEN THE CITY OF WATSONVILLE AND VERDE DESIGN, INC., A CORPORATION, TO PROVIDE DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE WATSONVILLE CITY PLAZA ADA RESTROOM PROJECT, IN AN AMOUNT NOT TO EXCEED $75,945 AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME

Amends Resolution No. 178-18 (CM)

WHEREAS, on or about December 11, 2018, the City Council approved Resolution No. 178-18 (CM) approving an agreement between the City and Verde Design, Inc., to develop a Watsonville Parks and Recreation Strategic Plan and Conceptual Plans for Ramsay Park and the City Plaza; and

WHEREAS, on or about October 7, 2019, the City approved a First Amendment to Consultant Services Contract in an amount not to exceed $6,000 for consultant to provide additional consultation and presentation services and extending the term of the contract from June 30, 2018, to June 30, 2020; and

WHEREAS, this second amendment increases contract amount by $75,945 (from contract amount prior to this amendment of $181,918 to $257,863).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the Second Amendment to Contract for Consultant Services between the City of Watsonville and Verde Design, Inc., a corporation, in an amount not to exceed $75,945, to be funded by the Community Development Block Grant (CDBG) Fund [0205], to provide design and construction administration services for the Watsonville City Plaza ADA Restroom project, a copy of which Second Amendment is attached

hereto and incorporated herein by this reference, is fair and equitable and is hereby ratified and approved.

2. That the City Manager be and is hereby authorized and directed to execute said Amendment for and on behalf of the City of Watsonville.

****

SECOND AMENDMENT TO CONSULTANT SERVICES CONTRACT BETWEEN THE CITY OF WATSONVILLE AND VERDE DESIGN, INC.

THIS SECOND AMENDMENT TO CONTRACT for consultant services is entered into by and between the **City of Watsonville** ("City") and **Verde Design, Inc.** ("Consultant") this 5th day of February, 2020. The City and Consultant agree as follows:

RECITALS

WHEREAS, City and Consultant have previously executed a Formal Bid Contract to develop a strategic plan for Parks and Community Services and Park Master Plan for Ramsay Park and City Plaza on December 11, 2018;

WHEREAS, City and Consultant have previously executed a First Amendment to the contract, adding additional tasks, time and compensation to the work program on October 7, 2019;

WHEREAS, the City has added additional tasks to the work program of the Consultant causing additional cost and time to the project completion; and

WHEREAS, the amendment of the Contract for Consultant Services is in the best interest of the City of Watsonville.

NOW, THEREFORE, the City and the Consultant agree that the Contract shall be amended as follows:

Section 1 is hereby amended to add the following:

"Section 1. Scope of Services. In addition to the performance of those services specified in detail in Exhibit "A" of the Contract, Consultant shall perform additional consultation services as specified in Exhibit "1" attached hereto and incorporated herein"

Section 2 is hereby amended to read:

"Section 2 Term of Contract, is hereby amended to extend the Contract end date to June 30, 2021.

Section 4 is hereby amended to read:

"Section 4 and Exhibit "C" both entitled "Compensation" of the Contract, are hereby amended to provide additional compensation in an amount not to exceed seventy five thousand nine hundred forty-five dollars and no cents ($75,945) for professional services.

All other terms and conditions of the Contract dated December 11, 2018, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to Consultant Services Contract the day and year first hereinabove written.

CITY OF WATSONVILLE

By_____
Matthew D. Huffaker, City Manager

VERDE DESIGN, INC.

By_____
Derek McKee, Principal

ATTEST:

By_____
Beatriz Vázquez Flores, City Clerk

APPROVED AS TO FORM:

By_____
Alan J. Smith, City Attorney

January 29, 2020

VERDE DESIGN

2455 The Alameda, Suite 200
Santa Clara, CA 95050
t 408.985.7200 f 408.985.7260
www.verdedesigninc.com

Ben Heistein
Assistant Parks & Community Services Director
City of Watsonville
231 Union Street
Watsonville, California 95076

SUBJECT: Request for Additional Services for Plaza Restroom Building Project
Verde Design Project No. 1821901

Dear Mr. Heistein,

In response to your request, Verde Design is pleased to submit the following proposal to provide design services, for the above mentioned project. This proposal shall remain valid for a period of ninety (90) days.

Project Understanding
The City of Watsonville's Parks & Community Services (PCS) Department is currently under contract with Verde Design to provide Strategic Planning Services for the Department which includes developing a Master Plan for the City Plaza park. The City Plaza Master Plan conceptual drawings are in final draft stage and include park-wide improvements including a new restroom building.

Recently the PCS Department secured Federal Community Development Block Grant (CDBG) Funds for the construction of an ADA-compliant restroom in the City Plaza. The total project budget, including design and construction, is $400,000 and funds must be expended or encumbered in the current fiscal year 2019-2020. The city has spent the last year conducting an environmental review in accordance with Department of Housing and Urban Development (HUD) guidelines and the National Environmental Policy Act (NEPA). Due to the fact that the Plaza is a registered historic property and has portions located in a 100-year flood plain, the environmental review process has been lengthy but is nearing completion. An Environmental Assessment (EA) document has been drafted which includes mitigation measures to reduce the impacts of restroom construction on historic and cultural resources.

With this proposal, Verde Design will develop construction documents and assist with construction administration in order to begin construction within fiscal year 2019-2020 and complete as soon as possible.

Included in our work are submittals at the 30%, 95% and 100%/Bid submittal levels.

SCOPE OF SERVICES
Verde Design proposes the following detailed scope of work for the above referenced Project Understanding:

Task 1: Project Startup

1. Conduct (1) Kick-Off meeting with City Department staff and Project Managers to review scope of the proposed project in relation to the Strategic Park Conceptual Design, CDBG requirements, maintenance concerns, environmental concerns, and utility locations. Discuss project scope of work and anticipated improvements.
2. Receive all project plans and documents in PDF and/or AutoCAD formats.
3. Receive all City pertinent construction, utility as-built plans, standards and guidelines.
4. Receive and review file records of surveys, geo-technical reports, environmental reports and as-builts from City.
5. Create or further develop AutoCAD base drawings to serve as the basis for design.

Task 2: Design Development - 30% Submittal Package:
Based on City comments at and information received at the Kick-Off meeting, develop, finalize and submit preliminary (30%) design drawings with sufficient detail to move into 95% Plans, Specifications, and Estimates (PS&E) thereafter. Verde will conduct site visits to review the impacts of improvements and further review the plans to ensure that the City's concerns are being met.

1. The submittal will include the following plans on 24"x36" size sheets:
   a. Cover sheet
   b. Existing Conditions Plan
   c. Erosion and Sediment Control Plan
   d. Demolition Plan
   e. Grading Plan
   f. Drainage/Utility Plan
   g. Drainage Calculation
   h. Layout Plan
   i. Materials and Detail Reference Plan
   j. Construction Details and Enlargements
   k. Accessibility Plan
   l. Electrical Plan
   m. Structural Plans (if needed)
   n. Pre-fab or manufacturer's stamped and engineered plans (if needed)
2. Preliminary Statement of Probable Construction Costs.
3. Provide product data on materials to be used.
4. Complete In-house Peer Redline / Review Quality Control process.
5. Submittal preparation and email delivery of a PDF set of plans and cost estimate to City staff for reproduction and review.
6. Conduct (1) one meeting with City Staff to review 30% submittal and collaboratively share comments to be incorporated into development of the 95% PS&E documents.
7. Coordinate the work as required with the City staff.

Task 3: Construction Documents - 95% Submittal Package:
Revise and update the plans with the 30% review meeting comments. Complete plans and specifications in conformance with City standards.

1. This submittal will include the following:
   a. Plan Set
   b. Technical Specifications
   c. Statement of Probable Construction Costs.
2. Oversee work of all consultants required to provide complete set of plans.
3. Complete In-house Peer Redline / Review Quality Control process.
4. Submittal preparation and email delivery of a PDF set of plans, specifications and cost estimate to City staff for reproduction and review.
5. Conduct (1) meeting with City Staff to review 95% PS&E and building department comments and develop 100% design/construction documents based on city review comments.
6. Coordinate the work as required with the City staff.

Task 4: Construction Documents – 100%/Bid Submittal Package:

1. Revise and update the plans with the 95% review meeting comments and Develop a set of 100% design plans, specifications and cost estimates equivalent to bid construction documentation level. Drawings will identify all design elements for review, approval and bidding by City staff.
2. Written response to City 95% Design comments.
3. Complete In-house Peer Redline / Review Quality Control process.

4. Submittal preparation and delivery of one stamped and signed bond set of the complete bid construction documents package, specifications and cost estimate, and digital files in PDF and AutoCAD formats for bidding.
5. Coordinate the work as required with City staff.

Task 5: Bidding Support upon request by the City

1. Attend (1) one pre-bid meeting.
2. Assist City, as required, in responding to bidders' inquiries and requests for clarifications
3. Preparation of addendum as necessary during bidding.

Task 6: Construction Support upon request by the City

1. Attend (1) Pre-construction Meeting.
2. Assist staff with Request for Information (RFI) responses and maintain RFI log.
3. Review and approve shop drawings and submittals in a timely manner in coordination with the project manager.
4. Issue Architect's Supplemental Instructions to the project to document design changes and provide field directives, as required.
5. Attend (2) Construction meetings at intervals appropriate to the stage of construction to observe construction progress and provide observation reports.
6. Attend (1) punch list walk and provide punch list.
7. Review the final record drawings / as-builts submitted by the contractor at the completion of construction including O&M documents and warranty items.
8. Assist with Project Closeout with City and contractor.

CLIENT RESPONSIBILITIES

In order to complete the items described in Scope of Services above, we respectfully request that the Client provide the following information:

1. All City as-built drawings showing underground utilities that may serve or be in conflict with anticipated improvements. These may include storm, sanitary sewer, domestic water, electrical
2. If adequate as-builts are not available, City is to provide existing underground utility survey that delineates components types, sizes and locations.
3. City standard specifications, details, standard equipment and guidelines as applicable.

SPECIAL PROVISIONS

Without attempting to be all-inclusive and for purposes of clarity, the following items are specifically <u>not</u> included in the Scope of Services.

1. Meetings other than those listed
2. Renderings and presentations to public bodies
3. Project design documentation or costing in addition to the scope identified above
4. Design work in the street public right-of way
5. On site utility location or potholing of existing utilities and irrigation components.
6. Any permit application preparation, processing and fees required.
7. SWPPP, NOI filing, and QSD or QSP work
8. CEQA, Environmental, or other impact statement documents.

Services will be diligently pursued and every reasonable effort will be made to meet the mutually agreed upon schedule. If the completion of the services is delayed at any time in the progress of the work undertaken in this Agreement by conditions beyond the control of the Consultant; including but not limited to: strikes, lockouts, labor disputes, or the inability of The City of Watsonville, their consultants, utility companies, or jurisdictional agencies to provide required information, processing or direction; the time of completion shall be extended during such period and Consultant shall be held harmless from any and all claims arising out of such delay.

CHANGE IN SERVICES
Client may order changes in scope or character of service, either decreasing or increasing the amount of Consultant's services, and if necessary, changing the character of services. In the event that such changes are ordered, Consultant is entitled to full compensation for all services performed and expenses incurred prior to receipt of notice of change.

In the event that additional services including, but not limited to design, plans, renderings, and presentations not included in the Scope of Services are required; or for changes and revisions requested by the City of Watsonville after work has been performed, they will be performed on an hourly charge rate basis as extra work in accordance with the charge rate schedule in effect at the time the services are performed.

PROFESSIONAL COMPENSATION
The fee for the above services is based on the current hourly rate of the office as defined in the attached Charge Rate Schedule. We propose the following fixed fee schedule for the identified design services that will provide the following improvements:

Tasks	**Fee Amount**
Task 1: Project Startup	$2,785
Task 2: Design Development – 30% Submittal Package	$10,925
Task 3: Construction Documents – 95% and Bid/100% Submittal Packages	$34,900
Task 4: Bidding Support	$3,550
Task 5: Construction Support	$13,085
TOTAL FEE:	**$65,245**

Optional Service:
If existing power source is determined inadequate, a new PG&E service will be requested:
Scope includes:

1. Coordination with utility company for new electrical service.
2. Design, prepare and submit drawings for PG&E Utility Service Upgrade. Provide, plans, details and single line diagram for PG&E application and submittal.
3. Prepare PG&E application, coordinate/meet with PG&E and respond to PG&E comments.
4. Provide and design for a new distribution panels as required to accommodate new loads. Prepare panel schedule and summary loads for City Review.

Prepare power plans and single line diagram. In addition, prepare PG&E application and submittal. **$10,700**

The above fee includes all reasonable reimbursable expenses that are outlined to be included in the project scope and the provided products. Additional requested reimbursables will be entitled to bill reimbursable expenses as noted on the attached Charge Rate Schedule. Additional services will be charged on a time and material basis. Charges for additional services will be billed separately.

Should the project be delayed beyond the agreed upon project schedule by the Client to a level that puts the project on hold, a re-start fee may apply. This fee will be determined at that point based on the amount of downtime and additional work required to bring the project online.

This fee is based on the anticipated work effort that will be required to successfully complete this project. Additional services will be charged on a time and material basis. Charges for additional services will be billed separately.

Fees for services outside the scope shown in this proposal will be in addition to the direct labor costs. These may be completed on a time and material basis or negotiated fixed fee at the choice of the Client.

TERMINATION OF AGREEMENT

This agreement may be terminated by either party at any point with ten (10) days written notice to the other party in the event of substantial failure of performance, or if the Client should deem it necessary or desirable to indefinitely suspend the project.

In the event the project is terminated or indefinitely suspended in the manner herein provided, the Landscape Architect shall turn over copies of any and all documents completed to that date. The Landscape Architect shall be entitled to compensation up to and including said termination date. Original work shall remain the property of Verde Design.

BILLINGS AND PAYMENT

Invoices will be sent by the 10th of the month for work completed through the 25th of the previous month. Any additional services will be billed separate from contracted services. Payment is due and payable within 30 days of the statement date.

If this proposal meets with your approval, please sign and return one original to our office, along with a signed service order. Ben, thank you for the opportunity to work with you and the City of Watsonville staff on this project. We look forward to helping and being a support in this plaza update and design.

Respectfully Submitted,
Verde Design, Inc.

Corbin M.E. Schneider, RLA, PIC, CLIA, WSP, ASIC
Senior Associate

PROPOSAL APPROVED BY:
The City of Watsonville

_____
Ben Heistein Date

Cc: Verde Design Distribution
Enclosure: Current Charge Rate Schedule

Verde Design, Inc.

Charge Rate Schedule

Effective until December 31, 2020

The following chart outlines the current charge rate for professional and office costs. Reimbursable rates and expenses are shown at the bottom.

Project Rates		
Expert Witness	$350.00	per hour
Principal	$235.00	per hour
Project Manager/Construction Manager		
Level Four	$220.00	per hour
Level Three	$200.00	per hour
Level Two	$170.00	per hour
Level One	$155.00	per hour
IT Manager	$170.00	per hour
CAD Manager	$165.00	per hour
Project Designer	$145.00	per hour
Job Captain/Staff Engineer/Construction Administrator	$140.00	per hour
Draftsperson Level II	$125.00	per hour
Draftsperson Level I	$120.00	per hour
Project Administrator	$80.00	per hour
Intern	$70.00	per hour

Reimbursable Rates	
Blueprints, Printing and Reproductions	Cost plus 10%
Sub Consultant Services	Cost plus 10%

Reimbursable Expenses	
Blueprints and Reproductions	Travel Expenses
Photography	Parking and Toll Expenses
Models and Renderings	Permit Fees
Postage/Overnight Mail Service	Courier Delivery Service

Charge Rate Schedule is subject to revisions.

City of Watsonville
Municipal Airport

M E M O R A N D U M

DATE: **February 20, 2020**

TO: **Matt Huffaker, City Manager**

FROM: **Rayvon Williams, Municipal Airport Director**
Alexandra Aguado, Assistant Administrative Analyst

SUBJECT: **Approval of a four-year lease to Specialized Helicopters, Inc. for a portion of a building and ramp space at 150 Aviation Way**

AGENDA ITEM: **February 25, 2020** **City Council**

RECOMMENDATION:
Staff recommends that the City Council approve a four (4) year aeronautical commercial lease of Airport property at 150 Aviation Way. The Lease will become effective immediately if approved by the Council. The Lease commencement date is March 1, 2020, ending four years later on February 29, 2024.

DISCUSSION:
Specialized Helicopters, Inc., a corporation is a long term commercial tenant of the Watsonville Airport Center. The Watsonville Airport Center was a series of buildings constructed by a tenant under a now expired ground lease. This building (150 Aviation) and others nearby have now reverted to the Airport.

The 150 Aviation total building area is 16,113 square feet. The building is also occupied by

- Sundance Berry Farms 3,187 SF or 20%,
- Strawberry Aviation 290 SF or 2%,
- an Airport conference room (1,056 SF or 7%) .
- and Specialized Helicopters 11,580 SF or 72% of the building.

The leasehold is comprised of four areas.

1. The leasehold building footprint is shown on Exhibit A in yellow and will be leased at $0.55 per square foot for eleven thousand five hundred eighty (11,580) square feet of hangar, office and storage space.
2. Contiguous to the building and shown in orange on Exhibit A are three thousand five hundred seventy (3,570) square feet of ramp space which will be leased at $0.10/square foot.
3. Nearby and outlined in white on Exhibit B are sixty thousand (60,000) square feet of designated ramp space which will be leased at $0.0125 per square foot or $750.00 per month.
4. The Airport will also provide five sparking spaces to be designated by the Airport Director.

The total rent for this aeronautical property is a therefore $7,476.00. The calculations are in Table 1 below.

Table 1				
	Premises designation	**Area**	**$/SF**	**Rent**
1	Hangar, office & storage	11,580 SF	$0.55/SF/month	$6,369/month
2	Ingress and egress ramp space	3,570 SF	$0.10/SF/month	$357/month
3	Aircraft parking and tie-down ramp space	60,000 SF	$0.0125/SF/month	$750/month
	Vehicle parking for five motor vehicles		included	
	Sum			**7,476**/month

As is standard Airport practice, rent will adjust in July of each year in accordance with the Consumer Price Index.

Specialized Helicopters will construct tenant improvements constructed between March 1, 2020 and May 31, 2020. During this three-month period, rent is fixed at $3,895.65 per month a credit discount of $3,580.35 per month or $10,741.05 for the entire three month period. After three months the rent will increase to $7,476. The tenant improvements will be worth more than $10,741.05 at the end of the lease in four years and will increase the fair market rent of the building accordingly. This is therefore a net benefit to the Airport.

STRATEGIC PLAN:
The Lease will promote fiscal independence of the Airport Enterprise and economic vitality in the City.

FINANCIAL IMPACT:
The Airport Enterprise Fund will receive monthly rent for the four-year term. It is expected that there will be continued positive financial impacts to the Municipal Airport and the City resulting from this aeronautical leasehold.

ALTERNATIVES:
Alternatives include not approving the lease which would displace this long-standing tenant.

ATTACHMENTS: See Exhibits A and B mentioned above are attached to the Lease

cc: City Attorney

RESOLUTION NO._____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING A FOUR YEAR LEASE BETWEEN THE CITY OF WATSONVILLE AND SPECIALIZED HELICOPTERS, INC., A CORPORATION, FOR THE USE OF CITY OWNED PROPERTY WHICH INCLUDES 11,580 SQUARE FEET OF HANGAR/OFFICE/STORAGE SPACE LOCATED AT 150 AVIATION WAY, WATSONVILLE, CALIFORNIA, WITH A TENANT IMPROVEMENT PERIOD BEGINNING MARCH 1, 2020, AND ENDING MAY 31, 2020, AND OCCUPANCY COMMENCING JUNE 1, 2020, AND EXPIRING FEBRUARY 29, 2024; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the four year Lease between the City of Watsonville and Specialized Helicopters, Inc., a corporation, for the use of City owned property which includes 11,580 square feet of hangar/office/storage space located at 150 Aviation Way, Watsonville, California, with a tenant improvement period beginning March 1, 2020, and ending May 31, 2020, and occupancy commencing June 1, 2020, and expiring February 29, 2024, a copy of which Lease is attached hereto and incorporated herein by this reference, is fair and equitable and is hereby ratified and approved.

2. That the City Manager be and is hereby authorized and directed to execute such Lease for and on behalf of the City of Watsonville.

****

THIS LEASE, "Lease", is made and entered into to be effective the first day of March 2020, by and between the CITY OF WATSONVILLE, a municipal corporation, hereafter called "Landlord", and Specialized Helicopters, Inc., a corporation, hereafter called "Tenant".

THE PARTIES AGREE AS FOLLOWS:

1. PREMISES.

Landlord does hereby rent, and Tenant does hereby hire and take from Landlord that certain real property and improvements, commonly known and referred to as the Premises and depicted on Exhibits A and B, attached hereto and incorporated by this reference:

- A downstairs portion of an eleven thousand five hundred and eighty (11,580) square foot, more or less, building at 150 Aviation Way as outlined in yellow on Exhibit "A
- Three thousand five hundred seventy (3,570) square feet of ramp space for ingress and egress outlined in orange on Exhibit "A
- Sixty thousand square feet of parking or tie downs for nine fixed wing or rotary wing aircraft contiguous to the building and outlined in white on Exhibit "B
- Five vehicle parking spaces.
- Tenant also has the right of ingress and egress to the building for vehicles solely and exclusively using public and private streets and for fixed wing aircraft solely and exclusively over marked and/or designated Airport taxiways and taxi lanes.

2. TERM.

The term of this Lease is four (4) years, commencing March 1, 2020 and expiring on February 29, 2024, hereafter "Lease Term".

3. RENT WHERE PAID.

Notwithstanding any other provision of this Lease, all rents shall be paid by check payable to the City of Watsonville, to the Finance Department by delivering or mailing to Finance Department, City of Watsonville, 250 Main Street, Watsonville, CA 95076.

The agreed monthly rent is Seven Thousand Four Hundred Seventy Six

Dollars ($7,476.00) per month (approximately $0.55 per square foot per month for 11,580 square foot of office, hanger, and storage space; approximately $0.10 per square foot per month for 3,570 square feet of exclusive ingress and egress ramp space; and approximately $0.0125 per square foot or $750.00 per month for 60,000 square feet of exclusive ramp space for rotary wing parking and fixed wing tie downs. Tenant and Landlord agree to this rent without regard to whether per square foot rent is more or less than the prescribed amounts above (i.e. a rounding error).

The agreed monthly rent is therefore $7,476. Tenant and Landlord agree to this aggregate rent without regard to whether the area, if measured, is greater or less than as set forth herein.

Table 1			
Premises designation	**Area/Number**	**Rent in $/SF/Mnth**	**product**
Hangar, office & storage	11,580 SF	$0.55/SF/month	$6,369/month
Ramp space	3,570 SF	$0.10/SF/month	$357/month
Designated ramp space	60,000 SF	$0.0125/SF/month	$750/month
Five parking spaces to be designated	5	included	
Sum			**7,476**/month

Rent is due and shall be paid in advance on the 1st day of every month during the term of this Lease, commencing March 1, 2020. Rent not received by the tenth (10th) of the month shall be assessed a ten percent (10%) late payment penalty

Rent shall be adjusted annually starting July 1, 2021, and each July 1st thereafter using the rate of April to April change in the Consumer Price Index (CPI) for All Urban Consumers San Francisco-Oakland-San Jose, California. In no event will the annual rental increase be more than five percent (5%) due to increases in the CPI.

If on any rental adjustment date there shall not exist a CPI in the same format as recited herein, the parties shall substitute the Consumer Price Index for all Urban Consumers provided such index has been so revised or changed in such a way as to affect the direct comparability of such revised or changed index published by the Bureau of Labor Statistics or similar or successor governmental agency as may then be in existence and most nearly equivalent thereto (i.e.: the Wholesale Price Index) (CPI). If the parties are unable to agree on a successor index if the aforesaid index is no longer reporting, then the parties shall refer the choice of the successor index to arbitration in accordance with rules of the American Arbitration Association.

UTILITIES AS ADDITIONAL RENT.

Tenant shall pay for all gas, heat, light, power, telephone service, potable water, garbage disposal, telecommunication services, cable, storm and sanitary sewer services, and all other services supplied to the Premises, including installation and connection of such services from the main source thereof, including Landlord meters.

POSSESSORY INTEREST TAX.

Pursuant to Section 107.6 of the State Revenue and Taxation Code the Landlord hereby gives notice that the property interest to Tenant under this Lease may be subject to property taxation as a possessory interest and the Tenant acknowledges that it shall be subject to payment of property tax if a possessory interest tax is levied on the property interest.

4. USES.

PERMITTED USES.

The leased Premises shall be used to engage in the following purposes and such purposes only:

(a) To engage as a Specialized Aviation Service Organization, (SASO) per Section 3 of the Airport's Minimum Commercial Standards.

(b) Any and all operations, events or other group activities are subject to published Airport regulations, City of Watsonville Municipal Code and Airport Minimum Commercial Standards.

PROHIBITED USES.

The leased Premises shall not be used for any other use not expressly allowed in Section 4 of this Lease. The premises shall not be used for any other purposes, including but not limited to:

(a) The preparation and/or sale of food and beverages to the public; provided, however that vending machines dispensing snacks and non-alcoholic beverages such as soft drinks and coffee may be allowed; and;

(b) No sale of aviation grade fuel, jet fuel, automobile or other fuel.

(c) Manufacturing of aircraft.

(d) Operation of a scheduled air cargo service.

(e) The operation of a "Unicom" radio communication system on the Common Traffic Advisory Frequency (CTAF)

(f) The operation of a maintenance or repair service on non-aviation related items, including but not limited to automobiles, motorized

vehicles or boats.

(g) Any other use not expressly allowed in Section 4 of this Lease.

5. IMPROVEMENTS

ALTERATIONS AND ADDITIONS.

Except as otherwise provided by this Lease, Tenant shall not make any alterations or improvements to or erect any additional structures on or within the Premises without prior written consent of Landlord. Any alterations or additions approved by Landlord shall be constructed at the sole expense of Tenant.

PRIOR SUBMISSIONS.

If any improvements are proposed by the Tenant, Tenant shall submit a written description of the proposal to the Airport Manager together with two sketches drawn to scale. The Airport Manager will review the proposal and provide written comments with a recommendation and forward the same to the City Manager for review.

CONDITIONS OF CONSTRUCTION.

Before construction is commenced on the Premises, and before any building materials have been delivered to the Premises by Tenant or under Tenant's authority, Tenant shall satisfy to Landlord's reasonable satisfaction all the following conditions or obtain Landlord's written waiver of the condition or conditions:

- Provide Landlord with four copies of plans and specifications and four (4) copies of site plan. Landlord shall not unreasonably disapprove preliminary plans and specifications.

- Notify Landlord of Tenant's intention to commence the work of improvement at least ten

  (10) days before commencement of any such work or delivery of any materials. Landlord shall have the right to post and maintain on the Premises any notices of non-responsibility provided for under applicable law.

- Furnish Landlord with a true copy of Tenant's contract with the general contractor and with evidence of the general contractor's financial condition for Landlord's approval. The contact shall give Landlord the right but not the obligation to assume Tenant's obligations and rights

under that contract if Tenant should default.

- Tenant shall comply with all applicable codes, ordinances, or regulations, Minimum Standards (as such may be established by the Watsonville City council, from time to time), and requirements for permits and approvals, including, but not limited to or restricted to a grading permit, building permit, zoning and planning requirements, and approvals from various governmental agencies and bodies having jurisdiction.

- Tenant shall require from the contractor: (i) an endorsement or other evidence of coverage, as reasonably determined by Landlord, for "Builder's risk", (ii) evidence of Worker's Compensation Insurance covering all persons employed in connection with the work and with respect to whom death or bodily injury claims could be asserted against Landlord or the Premises, and (iii) evidence that contractor has paid or caused to be paid all premiums for the coverage described in this sub-paragraph and premiums sufficient to assure maintenance of all insurance during the anticipated course of the work.

NEW CONSTRUCTION COMPLETION DATE.

Once work has begun on one area, Tenant shall with reasonable diligence prosecute all construction of improvements for completion and ready for use; provided however, that the time for completion shall be extended for as long as Tenant shall be prevented from completing the construction by delays beyond Tenant's control; but failure, regardless of cause to commence construction within two (2) months following issuance of a building permit, at Landlord's election exercised by ten (10) days written notice, shall terminate this Lease.

PROTECTION OF LANDLORD AGAINST COST OR CLAIM.

Tenant shall pay or cause to be paid the total cost and expense of all works of improvements, as that phrase is defined in the mechanic's lien law in effect at the place of construction when the work begins. No such payment shall be construed as rent. Tenant shall not suffer or permit to be enforced against the Premises or any part of it any mechanic's, designer's, materiel man's, contractor's, or sub-contractor's lien arising from any work of improvement, however it may arise. However, Tenant may in good faith and at Tenant's own expense contest the validity of any such asserted lien, claim, or demand, provided Tenant has furnished the bond required in California Civil Code Section 3 143. Tenant shall defend and indemnify Landlord against all liability and loss of any type arising out of work performed on the Premises by Tenant,

together with reasonable attorney's fees and all costs and expenses incurred by Landlord in negotiating, settling, defending, or otherwise protecting against such claims.

NOTICE OF COMPLETION.

On completion of the work of improvement, Tenant shall record or cause to be recorded a notice of completion. Tenant hereby appoints Landlord as Tenant's attorney in fact to record the notice of completion on Tenant's failure.

6. OWNERSHIP OF IMPROVEMENTS DURING TERM.

All buildings and improvements constructed on the Premises by Tenant as permitted or required by this Lease shall, during this Lease Term, be and remain the property of Tenant; provided, however, that Tenant shall have no right to waste, destroy, demolish or remove the improvements except as expressly provided in this Lease; and provided, further, that Tenant's rights and powers with respect to the improvements are subject to the terms and limitations of this Lease. Landlord and Tenant covenant for themselves, and all persons claiming under or through them, that the improvements are real property. All buildings and improvements existing on the Premises, as of the date of this Lease are Landlord's property, free of all claims to or against them by Tenant or any third person.

7. OWNERSHIP OF IMPROVEMENTS AT EXPIRATION.

Except as specified in the next section regarding Removal of Fixtures" of this Lease, all buildings and improvements placed or constructed on said Premises as part of said project, as well as any and all other alterations, additions, improvements, and fixtures, except furniture and trade fixtures, made or placed in or on said Premises by Tenant or any other person, shall be considered part of the real property of said Premises and on expiration or sooner termination of this Lease, or the exercised option, shall remain on said Premises and become the property of Landlord free and clear of any liens or encumbrances whatsoever and without the payment of any consideration therefore.

8. REMOVAL OF FIXTURES.

At the normal expiration of the Lease Term, provided Tenant is not in default, Tenant shall have the right to remove any and all trade fixtures, provided all resultant damages to the Premises and remaining improvements, except for ordinary wear and tear, are completely remedied and Tenant complies with Landlord's reasonable requirements respecting the resultant appearance. Any such items not so removed within thirty (30) days of expiration shall become the property of Landlord free and clear of any liens or encumbrances whatsoever and without payment of consideration therefore.

9. NO SUBORDINATION.

Landlord shall not subordinate the fee title to the Premises to any security transaction to enable Tenant to obtain financing for the new improvements. The Premises are now and shall remain free and clear of any liens, encumbrances or other Tenant obligations to third person.

10. COMPLIANCE WITH RULES, REGULATIONS AND LAWS.

In the use and occupancy of the Premises and in the conduct of all business, activities and transactions thereon, Tenant will comply with all applicable laws, ordinances, rules, regulations and orders of the Landlord or any governmental subdivision, body or authority, including all federal, state and municipal laws and ordinances and all rules and regulations of the Federal Aviation Administration and the City of Watsonville Airport rules and regulations and Minimum Standards (as such may be established by the Watsonville City Council, from time to time), concerning the operations of the Watsonville Municipal Airport and environs.

11. STORAGE OF MATERIALS, EQUIPMENT.

No materials, supplies, products, equipment or other personal property shall be stored or permitted to remain on any portion of the Premises outside of Landlord approved buildings or structures without Landlord's prior written consent. Tenant shall store personal property items, supplies, materials and combustibles inside the buildings in a safe, neat and sanitary manner.

Tenant shall provide or cause to be provided adequate enclosures, screened areas and/or suitable covered metal receptacles within the Premises for the short-term accumulation and storage of solid waste, such as rubbish, trash, garbage, sludge, discarded machinery or parts and any other solid industrial wastes. Such enclosures and/or screened areas shall be designed in such a way as to prevent, odors, fumes, attraction of pests, and dispersal of wastes due to wind or water runoff and shall be serviced regularly by qualified waste removal and disposal services.

12. ENVIRONMENTAL CONSIDERATIONS.

NO WARRANTY OF CURRENT CONDITION.

Landlord makes no representation or warranty, express or implied, as to the physical condition of the Premises, including, but not limited to the condition of the exterior or interior of the structure, ground, soil, surface water or groundwater. the geology, the presence of known and unknown faults, the presence of any Hazardous Substance or other kinds of contamination or pollutants of any kind in the air, soil, groundwater or surface water, or the

suitability of the Premises for the construction and use of the improvements thereon.

(a) Tenant shall not commit, or suffer to be committed, any waste upon the Premises, or any nuisance or other act or thing which may disturb the quiet enjoyment of the use of Watsonville Airport or surrounding property. Tenant shall ensure that no untreated waste from any type of operation will enter the airport storm drainage system, sewer or sanitary system.

(b) Tenant shall at all times comply with all applicable environmental laws, rules and regulations of federal, state or local governmental agencies, including, but not limited to, the City of Watsonville, Santa Cruz County, Regional Air and Water Quality Control Boards, the Environmental protection Agency, and any other agency with jurisdiction. Tenant shall not permit any activity which directly or indirectly produces objectionable or unlawful amounts or levels of air pollution (gases, particulate matter, odors, fumes, smoke, or dust), water pollution, noise, glare, heat emissions, electronic or radio interference with navigational and communication facilities for the operation of the Airport and for its use by aircraft, trash or refuse accumulation, vibration, prop-wash, or jet blast, or which is hazardous or dangerous by reason or risk of explosion, fire or harmful emission. Any waste oil storage tanks shall be in approved containers and in accordance with all environmental and fire protection regulations.

(c) Hazardous Substance. The term "Hazardous Substance" shall mean any toxic substance, hazardous substance, Hazardous Substance, or hazardous waste, pollutant or contaminant which is or during the term of this Lease becomes regulated by any local governmental authority, the State of California, or the United States government, including, but not limited to any, material or substance which is defined as a "hazardous waste," "extremely hazardous waste" or "restricted hazardous waste" under local, State, or federal law and as determined by the Fire Department. Except in strict compliance with all government approvals, applicable laws and regulations pertaining to Hazardous Substance, and in accordance with the provisions of this Lease, Tenant shall not cause or permit the presence, use, handling, generation, emission, release, discharge, storage, or disposal of any Hazardous Substance on, under, in or about the Premises, excepting the presence of any Hazardous Substance on, under, in or about the Premises as of the date of this Lease or the migration to or seepage of Hazardous Substance from surrounding or adjacent property; and shall not cause or permit the transportation of any.

13. HAZARDOUS SUBSTANCE TO, FROM OR ON THE PREMISES.

(a) Tenant shall at all times notify Landlord of any Hazardous Substance present, used, generated, handled, emitted, released, discharged, stored or disposed of on or from the Premises. Notwithstanding the foregoing, notice shall not be required for Hazardous Substance present on the Premises in

reasonable quantities which are commonly used in machining facilities including, but not limited to, cleaning materials, motor oils, and hydraulic fluids provided such Hazardous Substance are used and disposed of in accordance with law, or for materials which are first designated as Hazardous Substance after expiration of the term of this Lease. Tenant shall also institute operating procedures designed to handle Hazardous Substance consistent with prudent industry practice, including evidence of a licensed agent removal service. Landlord shall have the right to inspect the Premises on 24-hours prior notice for compliance with the provisions of this Section.

INDEMNIFICATION BY LANDLORD.

Landlord shall indemnify, protect, defend, and hold harmless Tenant and Tenant's successors and assigns, officers, directors, employees, agents, subtenants and assignees, from and against all liability, and foreseeable consequential damages, penalties, expenses and costs of any required or necessary remediation, repair, removal, clean up or detoxification, of the

Premises and surrounding properties, and from and against the preparation of any clean up, remediation, closure or other required plans, whether such action is required or necessary during or following the term of this Lease, to the full extent that the same is attributable to the use, handling, generation, emission, release, storage, discharge or disposal of a Hazardous Substance by Landlord, its agents, employees, and contractors.

INDEMNIFICATION BY TENANT.

Tenant shall indemnify, protect, defend, and hold harmless Landlord and Landlord's successors and assigns, officers, directors, employees, agents, subtenants and assignees, from and against all liability, and foreseeable consequential damages, penalties, expenses and costs of any required or necessary remediation, repair, removal, clean up or detoxification, of the Premises and surrounding properties, and from and against the preparation of any clean up, remediation, closure or other required plans, whether such action is required or necessary during or following the term of this Lease, to the full extent that the same is attributable to the use, handling, generation, emission, release, storage, discharge or disposal of Hazardous Substance by Tenant, its agents, employees, and contractors.

INDEMNIFICATION SURVIVES LEASE.

The indemnification provisions of the foregoing shall survive the termination or expiration of this Lease.

14. REPAIR AND MAINTENANCE OF PREMISES.

Landlord shall repair and maintain the exterior of the office and hangar building, including exterior walls and roof, heating and air conditioning, electrical systems (excluding interior lights and fixtures) except if repairs or replacements are necessary thereto because of negligence, neglect or misconduct of the Tenant or if Tenant fails to notify Landlord in writing within three **(3)** days of the need to repair.

Tenant shall maintain the interior of the hangar and office building, including, but not limited to, interior plumbing fixtures (including responsibilities for sanitary sewer obstructions), interior walls, doors, hardware, alarms, internal lights and fixtures, etc., in as good order, condition and repair as they shall be upon the commencement of the term of this Lease and any extended term. Any addition to the electrical system installed by Tenant shall remain the responsibility of the Tenant. Tenant shall keep drainage ditches and gutters free of debris.

15. FREEDOM FROM LIENS.

Tenant shall not create or permit to be created or to remain, and covenants to remove and discharge promptly, at its cost and expense, all liens, claims, stop notices, encumbrances and charges upon the Premises, or Tenant's leasehold interest therein which arise out of the use or occupancy of the Premises by Tenant or anyone using or occupying the Premises with the consent or sufferance of Tenant, or by reason of labor or materials furnished or claimed to have been furnished to Tenant for any construction, alteration, addition or repair of any part of the Premises. Tenant shall give Landlord fifteen (15) days' notice prior to commencing any work on the Premises, so that Landlord shall have a reasonable time within which to post notices of non- responsibility.

16. HOLDING OVER.

If Tenant shall hold possession of the Premises after the term of this Lease, Tenant shall become a Tenant from month to month at the rental and upon the terms herein specified and shall continue to be such tenant until the tenancy shall be terminated by Landlord on thirty (30) days' notice or until Tenant shall have given at least thirty (30) days' notice of Tenant's intention to terminate the tenancy. The provisions of this Lease, so far as applicable, shall govern such tenancy, except that the monthly rent for such tenancy shall be the same as the last full month's rental rate.

ABANDONMENT.

Tenant shall not vacate or abandon the Premises at any time during the term thereof; if Tenant shall abandon, vacate or surrender the Premises or be dispossessed by process of law, or otherwise, any personal property belonging to Tenant and left on the Premises shall be deemed to be abandoned and at the option of Landlord shall become Landlord's property free from all claims of

Tenant. If Tenant abandons the Premises Landlord shall have the option to terminate this Lease by giving Tenant notice of belief of abandonment pursuant to California Civil Code Section 195 1.3 or Landlord has the remedy described in California Civil Code Section 1951.4, i.e., Landlord may continue the Lease after breach and abandonment and recover rent as it becomes due, if Tenant has the right to sublet or assign, subject to reasonable limitations as provided in the previous section regarding holding over.

17. ASSIGNMENT OR SUBLETTING.

Tenant shall not assign or encumber any interest in this Lease or in the Premises, or sublease all or any part of the Premises, or allow any other person or entity (except Tenant's authorized representatives) to occupy or use all or any part of the Premises, without Landlord's prior written consent, and consent to one assignment or sublease shall not be construed as consent to any subsequent assignment or subleasing.

If Tenant is a corporation or partnership, any dissolution, merger, consolidation or other reorganization of Tenant or the sale or transfer of controlling percentage of the capital stock of Tenant or the sale of twenty five percent (25%) of the value of the assets of Tenant shall be deemed a voluntary assignment. The phrase "controlling percentage" means the ownership of and the right to vote stock possessing at least twenty five percent (25%) of the total combined voting power of all classes of Tenant's capital stock issued outstanding and entitled to vote for the election of directors. Landlord shall not unreasonably withhold consent, but Landlord may nevertheless condition consent upon such factors as the identity, reputation, financial worth and stability and operating ability of any proposed assignee or subtenant. Unless prior written consent of Landlord shall have been obtained, any transfer, or attempted assignment or transfer, of this Lease or any interest therein, or any subletting, either by voluntary or involuntary act of Tenant or by operation of law or otherwise, shall at the option of the Landlord terminate this Lease, and any such purported assignment, transfer or subletting without such consent shall be null and void.

Tenant shall pay Landlord at the time the request to assign is submitted, a deposit of Two Thousand Five Hundred Dollars ($2,500.00) to offset Landlord's expenses, including attorney's fee, in evaluating and documenting the assignment. Landlord shall charge said deposit at the then current hourly rate for staff time charged to the Airport. Any balance of said deposit shall be refunded to Tenant, and any excess amount charged, excluding said deposit, shall be paid by Tenant.

Landlord and Tenant hereby deem it reasonable for the Landlord to refuse to consent to a proposed assignment in the following circumstances:

(a) Landlord may object to any proposed assignment if, in the Landlord's sole opinion, the proposed assignee is not a qualified assignee in terms of financial strength, business experience or reputation or the ability to operate the fixed base operation and provide the required services in a manner consistent with the purposes for which this Lease was granted.

(b) Landlord may object on any other reasonable grounds.

The effective date of the assignment shall not occur until thirty (30) days after the Tenant's notice of the proposed assignment unless, within that time, Landlord gives notice of a valid objection or refusal of consent as set forth in subsection A. (3) hereof. If Landlord gives notice of a valid objection and withholds consent, the Lease will not be assigned.

18. SUB-TENANT RENT

Except as expressly authorized in the second paragraph of §18 above, Tenant shall not receive from any person any rent for any portion of the Premises which exceeds the rent charged by Landlord for the same or similar area of the Premises, the purpose hereof is that Tenant shall not receive rent for any portion of the Premises which exceeds the rent Landlord charges tenant for the Premises. Tenant shall instead turn over any such rent to Landlord as additional rent. Tenant may not receive from all sub-tenants combined an amount greater than an amount paid to Landlord. Any greater amount is the property of the Landlord.

RIGHT OF RECAPTURE.

Despite any other provision of this Lease, Tenant shall notify Landlord in writing (Availability Notice) if Tenant wishes to transfer the Premises or any portion thereof (Subject Space). If Tenant does not give Landlord the Availability Notice before delivering a Transfer Notice, the Transfer Notice shall also be the Availability Notice. Landlord has the option, by written notice to Tenant (Recapture Notice) within thirty (30) days after receiving any Availability Notice, to recapture the Subject Space as described in the next section. A timely Recapture Notice terminates this Lease as to the Subject Space and Tenant’s obligations regarding the remaining term of this Lease (or, at Landlord’s election, for a shorter period specified in the Availability Notice as the term of the Transfer) and as of the date specified in the Availability Notice. The Recapture Notice shall be void, however, if Tenant notifies Landlord, within thirty (30) days after receipt of the Recapture Notice, that Tenant withdraws the Availability Notice or Transfer Notice. If Landlord declines or fails timely to elect to recapture the Subject Space, Landlord shall have no further right under this section to the Subject Space unless it becomes available again after Transfer by Tenant.

CONSEQUENCES OF RECAPTURE.

To determine the new Base Rent under this Lease if Landlord recaptures the Subject Space, the original Base Rent under the Lease shall be multiplied by a fraction, the numerator of which is the Rentable Square Feet of the Premises retained by Tenant after Landlord's recapture and the denominator of which is the total Rentable Square Feet of the Premises before Landlord's recapture. The Additional Rent, to the extent that it is calculated based on the Rentable Square Feet within the Premises, shall be reduced to reflect Tenant's proportionate share based on the Rentable Square Feet of the Premises retained by Tenant after Landlord's recapture. This Lease as so amended shall continue thereafter in full force and effect for the remaining Premises only. Either party may require written confirmation of the amendments to this Lease necessitated by Landlord's recapture of the Subject Space. If Landlord recaptures the Subject Space, Landlord shall, at Landlord's sole expense, construct any partitions required to segregate the Subject Space from the space retained by Tenant. Tenant shall, however, pay for painting, covering, or otherwise decorating the surfaces of the partitions facing the remaining Premises retained by Tenant.

If Landlord recaptures the Subject Space, Landlord shall pay Tenant ten percent (10%) of any Transfer Premium received by Landlord.

19. RIGHT TO COLLECT RENT.

If this Lease is assigned, Landlord may collect Rent directly from Transferee. If all or part of the Premises is subleased and Tenant defaults, Landlord may collect Rent directly from Transferee. Landlord may then apply the amount collected from Transferee to Tenant's monetary obligations under this Lease. Collecting Rent from a Transferee or applying that Rent to Tenant's monetary obligations does not waive any other provision of this Lease.

20. SIGNS, POSTERS, BUILDINGS AND TOWERS.

No advertising signs, posters or similar devices shall be erected, displayed or maintained in, on, about or above the Premises or the structures thereon without a sign permit and the written approval of the Airport Manager.

No structures erected on the Premises shall exceed the height limit fixed by any Landlord zoning ordinance or regulations of the Airport or Federal Aviation Administration. Tenant in its operations shall not unreasonably interfere with the property, interests, operations or activities of the Landlord or of other tenants of the Landlord.

21. TAXES.

Tenant will pay all fees, taxes, assessments and licenses levied, imposed or required by any governmental subdivision, body or authority on or in respect

to any improvements or property placed on the Premises by Tenant or any person with its permission

(a) Any business, activity or transaction conducted thereon by Tenant;

(b) Landlord license and permits; and

(c) Commercial Operator Permit fee.

22. WAIVER OF DAMAGES AND INDEMNIFICATION.

Landlord shall not be liable to Tenant for any injury or damage that may result to any person or property by or from any cause whatsoever, except as results from affirmative conduct which is the sole negligence on the part of Landlord, its agents, servants, employees or invitees. Without limiting the generality of the foregoing waiver, it is expressly extended to injury or damage caused by water leakage of any character from the roof(s), wall(s), basement or any part of the property, or caused by gas, oil, or any other cause in or about the Premises or the building(s). Tenant agrees to hold Landlord harmless from, and to defend and indemnify Landlord against, any and all claims or liability for any death of for injury to any person or damage to any property, whatsoever, occurring in, on or about the Premises.

23. WAIVER OF CERTAIN DAMAGES.

In the event of any actual or alleged failure, breach or default hereunder by either party, the other shall have no right to seek from the other any indirect, consequential or special damages, and each of the undersigned hereby waives all and any rights it may have to obtain from the other any indirect, consequential or special damages. Each party's above-stated waiver is a material inducement for each party's entering into this Agreement.

24. THIRD PARTY BENEFICIARIES/PARTIES IN INTEREST.

This Lease has been made and is made solely for the benefit of Landlord and Tenant and their respective successors and permitted assigns. Nothing in this Lease is intended to confer any rights or remedies under or by reason of this Lease on any persons other than the parties to it and their respective successors and permitted assigns. Nothing in this Lease is intended to relieve or discharge the obligation or liability of any third persons to any party to this Lease

25. WAIVER BY ACCEPTING VARIED PERFORMANCE.

No waiver of any provision or consent to any action shall constitute a waiver of any other provision or consent to any other action, whether or not similar. No waiver of consent shall constitute a continuing waiver of consent or commit a party to provide a waiver in the future except to the extent specifically

set forth in writing. Any waiver given by a party shall be null and void if the party requesting such waiver has not provided a full and complete disclosure of all material facts relevant to the waiver requested.

26. SECURITY DEPOSIT.

On execution of this Lease, Tenant shall deposit the sum of $4,000 in cash as security for the faithful performance of the terms, covenants and conditions of this Lease.

If Tenant is in default, Landlord can use the security deposit or any portion of it, to cure the default or to compensate Landlord for any and all damages or loss sustained by Landlord resulting from Tenant's default if the notice requirements, if applicable, have been observed. Tenant shall immediately, on demand, pay to Landlord a sum equal to the portion of the security deposit expended or applied by Landlord as provided in this paragraph so as to maintain the security deposit in the sum initially deposited. Upon final accounting by Landlord, any balance of said deposit shall be refunded to Tenant.

27. HOLD HARMLESS.

(a) Tenant shall save, protect, indemnify, and hold harmless Landlord, its elective and appointive boards, commissions, officers, agents, and employees from any and all claims, cost or liability of any kind allegedly suffered, incurred or threatened, including personal injury, death, property damage, inverse condemnation, or any combination of these, foreseeable or unforeseeable, arising directly or indirectly from or connected with any acts performed pursuant to this Lease, or any omission to perform, including, but not limited to, claims, costs or liability resulting from: (I) The conduct, negligent or otherwise, of Tenant, its subtenant(s), assignee(s), or any officer(s), agent(s) or employee(s) of one or more of them; (2) The joint conduct of the Landlord and Tenant, regardless of whether the Landlord is concurrently, active or passively negligent or not negligent at all; or (3) The sole concurrent conduct of any other person or entity.

The above promise and agreement in this section is not conditioned or dependent on whether Tenant or Landlord has prepared, supplied or approved any plan(s) or specification(s) in connection with this Lease, or has insurance or other indemnification covering any of these matters, or that the alleged damage resulted partly from any negligent or willful misconduct of Landlord.

(b) Non-Liability of Landlord for Damages. This Lease is made upon the express condition that Landlord is to be free from all liability and claim for damages by reason of any injury to any person or persons including, Tenant, or property of any kind whatsoever and to whomsoever belonging, including Tenant, from any cause or causes whatsoever while in, upon, or in any way connected with the Premises during the term of this Lease or any

extension hereof or any occupancy hereunder, Tenant hereby covenanting and agreeing to indemnify and save harmless Landlord from all liability, loss, cost, attorneys fees, and obligations on account of or arising out of any such injuries or losses however occurring.

28. BREACH.

After service of ten (10) days written notice thereof by Landlord on Tenant any one of the following shall constitute a breach of this Lease by Tenant

(a) The appointment a general assignment by Tenant for the benefit of creditors, or of a Receiver to take possession of all or substantially all of the assets of Tenant, or

(b) Period of twenty (20) days, or

(c) A default in the performance of any other covenant or condition of this Lease on the part of Tenant to be performed for a period of twenty (20) days

29. INSURANCE.

(a) During the rental term, Tenant, at Tenant's sole expense, shall secure and maintain in force such policies of insurance as will protect it from claims for damages or injury resulting from bodily injury, including death, and for the loss or damage to property of others which may arise from operations of this Lease. Such insurance shall contain statements that:

(b) These policies shall also apply to Landlord, as an Additional Named Insured; (ii) the insurance afforded by these policies applies severally as to each insured, except that the inclusion of more than one insured shall not operate to increase the limit of the company's liability, and the inclusion hereunder of any person or organization as an insured shall not affect any right which such person or organization would have as a claimant if not so included; (iii) the insurance shall be primary insurance over any other insurance carried by Landlord, which other insurance shall be considered excess only; (iv) the above policies specifically include coverage indemnifying Landlord as set forth in this Lease; (v) the policies may not be canceled, nor the coverage reduced until thirty (30) days after a written notice of such cancellation or reduction in coverage is delivered to Landlord at the address contained herein; (vi) the insurance companies named herein waive any all rights of subrogation against Landlord. Such liability insurance shall be written with limits of at least Two Million Dollars ($2,000,000.00), combined single limits, and shall be written by companies acceptable to Landlord. The limit of liability insurance coverage shall be adjusted commensurate with inflation and other liability factors upon adoption of resolution of the Landlord Council of Landlord. Certificates of Insurance evidencing the above obligations shall be delivered to Landlord on

prior commencement of operations covered by this agreement.

(c) Landlord, at Tenant's cost, shall cooperate fully with Tenant to maximize any recovery following an insured casualty. All policies of fire and extended coverage or other casualty insurance required by subparagraphs (e) and (g) below shall provide that proceeds there under shall be paid to Landlord and Tenant as their interests may appear.

(d) All policies required to be maintained by Tenant pursuant to the terms of this Lease shall be issued by companies authorized to do business in the State of California with a financial rating of at least "A" in the most recent edition of Best Insurance Reports. Tenant shall pay premiums therefore and shall deliver annually to Landlord Certificates of Insurance that such policies are in effect. If Tenant fails or refuses to procure or maintain the insurance coverage required hereunder, or fails or refuses to furnish Landlord with proof that coverage has been procured and is in full force and paid for, Landlord shall have the right, at Landlord's election and without notice to Tenant, but without any obligation to do so, to procure and maintain such coverage. Tenant shall reimburse Landlord on demand for any premiums Landlord so pays in connection with such procurement.

(e) Fire Insurance: During the Lease Term, Tenant, at Tenant's sole expense, shall insure for fire and extended coverage risks all buildings, personal property, improvements, and alterations in, on, or about the Premises. Such insurance shall be in an amount not less than eighty percent (80%) of insurable, full replacement cost of such buildings and improvements, and shall include vandalism and malicious mischief endorsements. Said fire insurance policies shall contain loss payable endorsements in favor of the parties as their respective interests may appear hereunder. Landlord shall be named as additional insured in such policy or policies.

(f) Fire or Casualty:

(1) Destruction of Tenant Owned Building. In the event of extensive damage (greater than fifty percent (50%)) to or destruction of buildings or other improvements on the Premises owned by Tenant as provided in Section 11 of this Lease ("Tenant Improvements"), Tenant shall determine whether to repair or replace the Tenant Improvements. If it is determined to repair or replace the Tenant Improvements, the proceeds of any insurance policy paid on account of such damage or destruction shall be used to defer the cost of repairing or replacing the Tenant Improvements. Tenant shall complete all repairs within a reasonable time. If it is determined not to repair or replace the Tenant Improvements, Tenant may terminate this Lease upon written notice to Landlord within thirty (30) days of such damage or destruction. If Tenant terminates this Lease pursuant hereto,

after deducting any proceeds payable to Tenant's lender pursuant to the following paragraph, the remaining proceeds of any insurance policy paid on account of such damage or destruction shall be distributed to Landlord and Tenant pursuant to the following formula: Landlord's share shall be the product of the amount of the remaining proceeds multiplied by a fraction, the numerator which is the number of months since the commencement date of this Lease until the date of the casualty causing such damage or destruction, and the denominator of which is four hundred and twenty (420). Tenant's share shall be the excess of the remaining proceeds after subtracting the Landlord's share. In the event of termination of the Lease pursuant to this Section 31 (e) (l), Tenant shall remove the Tenant Improvements and, restore the Landlord owned building to its prior condition at Tenant's sole cost and expense prior to the date of termination of the Lease.

All fire and extended coverage insurance policies insuring the Tenant Improvements may have a loss payable clause in favor of any lender of Tenant, including, but not limited to, any mortgagee of Tenant, as such lender's interest may appear.

(2) Destruction of Landlord Owned Premises. If during the term of this Lease the Landlord owned Premises, as provided in Section 11 of this Lease, shall be damaged or destroyed to the extent of fifty percent (50%) of its valuation or at a repair cost estimated by the Landlord Building Official to exceed the sum of Twenty Five Thousand Dollars ($25,000.00) by fire, the elements, or any other cause, then this Lease shall, at Landlord's option, cease and become null and void from the date of such damage, or destruction, and Tenant shall immediately surrender the entire Premises to Landlord and shall pay rent only to the time of such surrender.

If the Landlord owned Premises shall be damaged by fire, or other cause, so as to be capable of being repaired within a reasonable time, Landlord shall have the option to repair the same and during the time that the repairs are being made, Landlord shall remit to Tenant a just and fair portion of the rent according to the nature of the damage sustained and according to the extent that Tenant is deprived of the use of the Landlord owned Premises. Should the estimated time to repair damage exceed one hundred twenty (120) days, the Tenant may, at his option, terminate, this Lease. In such event both parties shall be released from further obligations under the terms of this Lease.

(g) Workers' Compensation: Tenant, at Tenant's sole expense,

must obtain and maintain workers' compensation insurance covering all its employees, and said insurance must be kept in force during the entire term of this Lease.

(h) Notice: Each party hereto shall give to the other prompt and timely notice of any claim made or suit instituted coming to its knowledge which in any way directly, contingently or otherwise, affects or might affect either, and both shall have the right to participate in the defense of the same to the extent of its own interest.

30. LITIGATION EXPENSES.

If either party shall bring an action against the other by reason of the breach of any covenant, warranty or condition hereof, or otherwise arising out of this Lease, whether for declaratory or other relief, the prevailing party in such suit shall be entitled to its costs of suit, expert witness fees and costs and reasonable attorney fees, which shall be payable whether or not such action is prosecuted to judgment. "Prevailing Party" within the meaning of this paragraph shall include without limitation a party who brings an action against the other after the other's breach or default, if such action is dismissed upon the other's breach or default, if such action is dismissed upon the other's payment of the sums allegedly due or performance of the covenant's allegedly breached, or if the plaintiff obtains substantially the relief sought by it in the action.

31. SURRENDER OF PREMISES.

Tenant agrees to surrender the Premises and any addition thereto at the termination of the tenancy herein created in the same condition as the Premises were in at the beginning of the tenancy or at the time of completion of the improvements as the case may be, reasonable use and wear thereof and damage by act of God or the elements excepted. The voluntary or other surrender of this Lease by Tenant or a mutual cancellation thereof shall not work a merger, and shall, at the option of Landlord, terminate all or any existing subleases or sub tenancies, or may, at the option of Landlord, operate an assignment to Landlord of any or all such sublease or sub tenancies.

32. WAIVER.

Any waiver, expressed or implied, by either party of any breach by the other party of any agreement, term or condition of this Lease shall not be, or be construed to be, a waiver of any subsequent breach of a like or other agreement, term of condition hereof; and the acceptance of rent hereunder shall not be, or be construed to be, a waiver of any breach of any agreement, term or condition of this Lease, except as to the payment of rent so accepted. The rights and remedies of either party under this Lease shall be cumulative and in addition to any and all other rights and remedies which either party has or may have.

33. QUIET ENJOYMENT.

Landlord covenants and warrants that upon Tenant's paying the rent and observing and performing all of the terms, covenants, and conditions on Tenant's part to be observed and performed hereunder, Tenant shall and may peaceably and quietly enjoy the Premises hereby demised, subject nevertheless to the terms and conditions of this Lease.

34. NOTICES.

All notices, consents, waivers or other communications which this Lease requires or permits either party to give to the other shall be in writing and shall be served personally or delivered by registered or certified mail, return receipt requested, made upon or addressed to the respective parties as follows:

To Landlord:	To Tenant:
City Clerk City of Watsonville 275 Main Street, Suite 400 Watsonville, CA 95076	Specialized Helicopters, Inc. Christopher Gularte 150 Aviation Way, Suite 101 Watsonville, CA 95076

or such other address as may be contained in a notice from either party to the other given pursuant to this section. Notice of registered or certified mail shall be deemed to be given forty- eight (48) hours from the time of postmarking if mailed within the United States (excluding Alaska).

35. RECORDATION.

Neither party, without the consent of the other, shall cause or permit the original nor any copy of this Lease to be recorded, filed or published.

36. TENANT TO ASSUME ALL UNKNOWN EXPENSES.

Notwithstanding the existence of a provision therefore in this Lease, Tenant shall assume, pay and be obligated for any and all costs and expenses toward the operation, protection, maintenance of the Premises, known or unknown, expressed or unexpressed, it being the intention of the parties for this to be a triple net lease to Landlord.

37. RIGHT OF LANDLORD TO INSPECTION.

Landlord shall have the right to enter upon the Premises at all reasonable

times during the term of this Lease for the purpose of making any inspection it may deem expedient to the proper enforcement of this Lease.

Tenant shall furnish Landlord a copy of any lease of any subtenant, any amended lease and any amendment to any lease and shall furnish Landlord upon request with all evidence of rent or other compensation paid by any and all sub-tenant for use or occupation of all or any part of the Premises.

38. NONDISCRIMINATION.

Tenant hereby covenants that Tenant in its use of the Premises and any and all structures, buildings and improvements located here on shall conduct the fixed base operation or any other activity hereafter authorized by the Landlord on the Premises on a non-exclusive and non-discriminatory basis in all respects with regard to any person, firm or group of persons. Tenant shall not act in any manner prohibited by Part 15 of the Federal Aviation Regulations and further agrees to be nondiscriminatory also with respect to price or cost of services or goods and in every other fashion.

39. ENFORCEMENT OF NONDISCRIMINATION CLAUSE.

Landlord shall have the right to take such action against the Tenant as the United States Government may direct or request to enforce the terms of the preceding paragraph on behalf of the United States Government or on behalf of any of its citizens or the Landlord itself.

40. OTHER OPERATIONS.

It is understood that the use authorized at the Watsonville Municipal Airport by this Lease is not given to Tenant exclusively but may be given to any other Tenant at the Airport at the sole discretion of the Landlord.

41. CONDEMNATION.

If the whole or any substantial part of the Premises shall be taken by any paramount public authority under the power of eminent domain then the term of this Lease shall cease as to the part so taken from the date the possession of that part shall be taken for any public purpose, and from that day Tenant shall have the right either to cancel this Lease or to continue in the possession of the remainder of the Premises under the term herein provided, except that the square foot rental shall be reduced in proportion to the amount of the Premises taken. Damages awarded for such taking shall be apportioned between the Landlord and Tenant in a ratio relating to the number of years expired and remaining in the Lease Term between Landlord and Tenant respectively; provided, however, that Landlord shall not be entitled to any portion of the award made for loss of business installation or improvements belonging to Tenant.

42. NONDISCRIMINATION- (FAA, MBE, DB REQUIREMENTS).

The Tenant, for itself, its heirs, personal representatives, successors in interest, and assigns, as a part of the consideration for this Lease, does hereby covenant and agree as a covenant running with the land that if facilities are constructed, maintained, or otherwise operated on the Premises for a purpose for which a Department of Transportation (DOT) program or activity is extended or for another purpose involving the provision of similar services or benefits, the Tenant shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, DOT, Subtitle **A,** Office of the Secretary, Part 21, Nondiscrimination in Federally- Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as such Regulations may be amended.

The Tenant for itself, its personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby further covenant and agree as a covenant running with the land that: (a) no person on the grounds of race, color or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of facilities; (b) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subject to discrimination; (c) that the Tenant shall use the with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 2 1, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as such Regulations may be amended.

Tenant shall furnish its accommodations and/or services on a fair, equal and not unjustly discriminatory basis to all users thereof and it shall charge fair, reasonable and not unjustly discriminatory prices for each unit or service; PROVIDED, THAT the Tenant may be allowed to make reasonable and nondiscriminatory discounts, rebates or other similar type of price reductions to volume purchasers.

Tenant shall insert the provisions of this section in any lease agreement or contract by which Tenant grants a right of privilege to any person, firm or corporation to render accommodations and/or services to the public on the Premises.

43. REMEDY FOR DISCRIMINATION.

In the event of breach of any of the nondiscrimination covenants

identified in Paragraph 42, Landlord shall have the right to terminate this Lease and to reenter and repossess the Premises and the facilities thereon, and hold the same as if this Lease had never been made or issued. The provision does not become effective until the procedures of 49 CFR Part 21 are followed and completed including expiration of appeal rights.

Non-compliance with paragraph 42 shall constitute a material breach thereof and in the event of such non-compliance Landlord shall have the right to terminate this Lease and the estate hereby created without liability therefore or at the election of the Landlord or the United States either or both Governments shall have the right to judicially enforce paragraph 48.

44. AFFIRMATIVE ACTION.

Tenant assures that it will undertake an affirmative action program as required by 14 CFR Part 152, Subpart E, to insure that no personal shall be on the grounds of race, creed, color, national origin, or sex be excluded from participating in any employment activities covered in 14 CFR, Subpart E. Tenant assures that no person shall be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by such subpart. Tenant assures that it will require that it's covered by such subpart. Tenant assures that it will require that its covered sub-organizations provide assurances to the Tenant that they similarly will undertake affirmative action programs and that they will require assurances from their sub-organizations, as provided by 14 CFR Part 152, subpart 2, to the same effect.

45. SUBORDINATION TO FUTURE FAA AGREEMENTS.

This Lease shall subordinate to the provisions and requirements of any existing or future agreement between the Landlord and the United States, relative to the development, operation or maintenance of the Airport.

46. NOTICE TO FEDERAL AVIATION ADMINISTRATION.

Tenant shall comply with the notification and review requirements covered in Part 77 of the Federal Aviation Regulations in the event of future construction of a building planned for the Premises, or in the event of any planned modification or alteration of any present or future building or structure situated on the Premises.

47. NON-EXCLUSIVE RIGHT.

It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right within the meaning of Section 308 of the Federal Aviation Act.

48. TERMS.

All the provisions of this Lease shall be deemed and construed to be "covenants" as though the words imported such covenants were used in each separate paragraph hereof, except when expressed as conditions.

49. GOVERNING LAW.

This Lease shall be construed and enforced in accordance with the laws of the State of California.

50. BINDING EFFECT.

This Lease and the covenants and agreements herein contained shall bind and inure to the benefit of the parties hereof, their heirs, successors, executors, administrators, and when permitted assigns.

51. TIME IS OF THE ESSENCE.

Time is of the essence regarding this Lease.

52. CONSENT.

Whenever consent or approval of either party is required, that part shall not unreasonably withhold such consent or approval.

53. CORPORATE STATUS.

If either party is a corporation, that party shall deliver to the other party on execution of this Lease, a certified copy of a resolution of its governing body authorizing the execution of this Lease and naming the officers that are authorized to execute this Lease on behalf of the corporation.

54. BROKERS.

Each party represents that it has not had dealings with any real estate broker, finder, or other party, with respect to this Lease in any manner. Each party shall hold harmless the other party from all damages resulting from any claims that may be asserted against the other party by any broker, finder, or other person, with whom the other party has or purportedly has dealt.

55. JURY TRIAL WAIVERS.

To the fullest extent permitted by law, and as separately bargained-for-consideration, each party hereby waives any right to trial by jury in any action, suit, proceeding, or counterclaim of any kind arising out of or relating to this

Agreement. Each party hereby expressly acknowledges the inclusion of this jury trial waiver through the execution by its duly authorized representative.

56. EXHIBITS.

There are two Exhibits to this lease: Exhibit A and Exhibit B. Both exhibits are attached to this Lease and incorporated by reference.

57. INTERPRETATION.

The terms of this Lease have been negotiated by the parties hereto and the language used in this Lease shall be deemed to be the language chosen by the parties hereto to express their mutual intent. This Lease shall be construed without regard to any presumption or rule requiring construction against the party causing such instrument or any portion thereof to be drafted, or in favor of the party receiving a particular benefit under the lease. No rule of strict construction will be applied against any person.

58. ENTIRE AGREEMENT.

This Lease contains the entire agreement of the parties, and by signing this Lease they agree that there is no other written or oral agreement, promise, or representation between them respecting the Premises. This Lease shall bind and inure to the benefit and advantage of the assigns of Landlord, and of the heirs, executors, administrators, and when permitted hereunder the assigns of Tenant.

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IN WITNESS WHEREOF, the parties hereto have executed this Lease the day and year first above written.

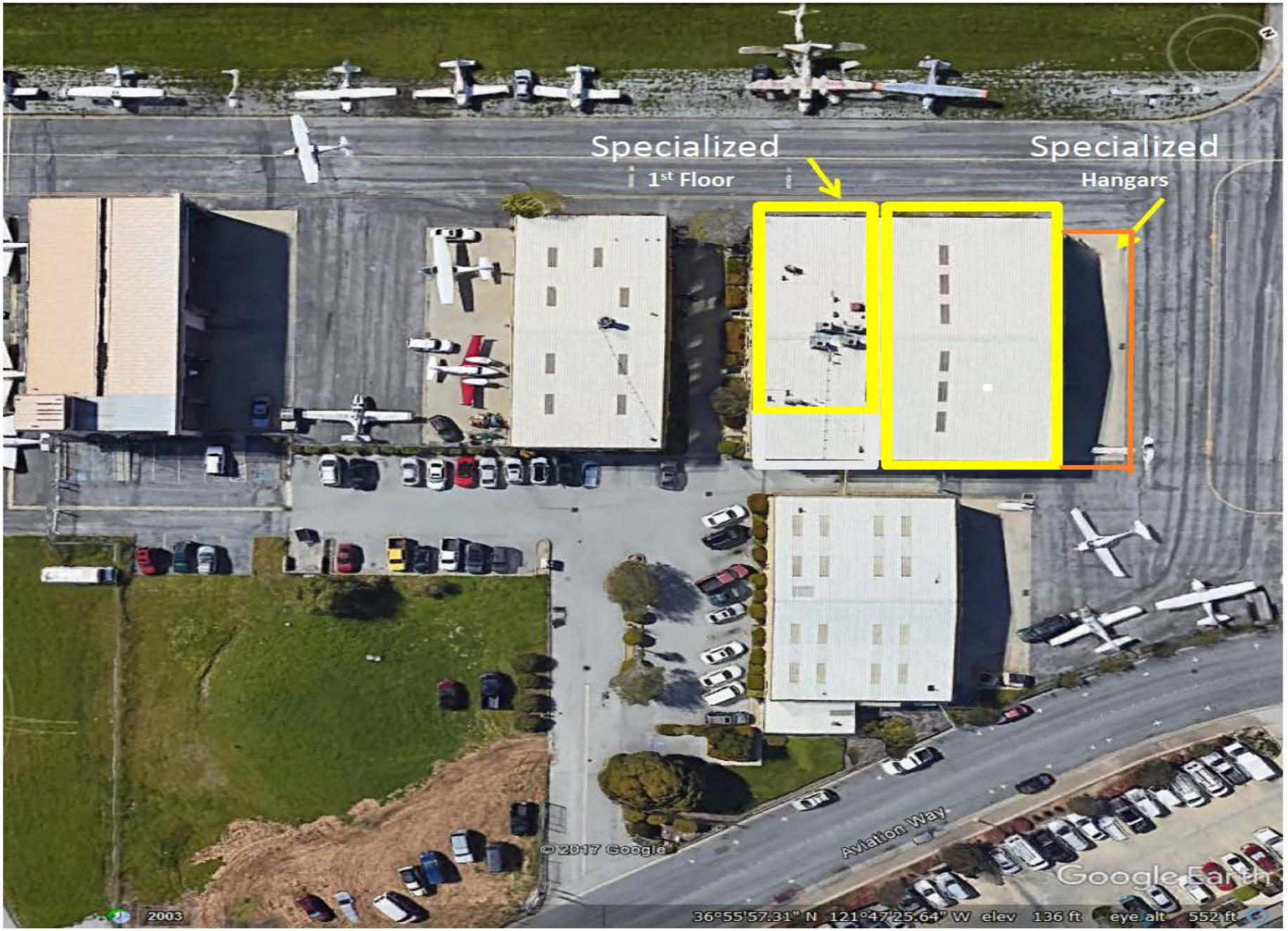
Landlord	**Tenant**
City of Watsonville, a municipal corporation	Specialized Helicopters, Inc., a corporation
By Matt Huffaker, City Manager	By Christopher Gularte

ATTEST:

By: _____
Beatriz Vázquez Flores, City Clerk

APPROVED AS TO FORM:

_____
Alan J. Smith, City Attorney



Specialized Helicopters Exhibit "A"

Premises=

Ramp=


3/2015
Google Earth
1993
Imagery Date: 3/28/2015 36°56'00.11" N 121°47'24.33" W elev 142 ft eye alt 708 ft

Exhibit B

City of Watsonville
Municipal Airport

M E M O R A N D U M

DATE: **January 6, 2020**

TO: **Matt Huffaker, City Manager**

FROM: **Rayvon Williams, Municipal Airport Director**
Alexandra Aguado, Assistant Administrative Analyst

SUBJECT: **Approval of a four year lease to Informart, a corporation, doing business as GaryAir for airport property at 140 Aviation Way**

AGENDA ITEM: **February 25, 2020** **City Council**

RECOMMENDATION:
Staff recommends that the City Council approve a four (4) year aeronautical commercial lease of Airport property at 140 Aviation Way to Informart, a corporation, doing business as GaryAir.

DISCUSSION:
Informart is a private corporation doing business as GaryAir offering a number of general aviation commercial activities at the airport. GaryAir is an FAA Certificated Air Carrier (Certificate Number 6GTA731M) that offers personal, economical and environmentally-friendly air service. In addition to the on-demand air charter operation GaryAir will bring an FAA approved aircraft avionics repair facility to Watsonville Municipal.

Staff negotiated terms for the approximately six thousand seven hundred twenty-seven (6,727) square feet free standing metal office/hangar/storage building at 140 Aviation Way and five (5) assigned vehicle parking spaces.

The fair market rent is $0.55 per square foot/month for hangar, office and storage space and $0.10 per square foot for ramp space for a total monthly rent of $3,994.85. Per standard airport aeronautical leases, the tenant is responsible for all City provided and other utilities as additional rent. GaryAir is also responsible for insurance, business license, Airport permit and in-lieu property taxes. Per Airport leasehold practice rent adjusts each year in accordance with the Consumer Price Index.

STRATEGIC PLAN:
The Lease will promote fiscal independence of the Airport Enterprise and economic vitality in the City.

FINANCIAL IMPACT:
Informart (dba GaryAir) has agreed to pay the required one month's security deposit and enter into a four year lease. In addition to the annual revenue received, it is expected that this lease will have positive financial impacts to the Municipal Airport and the City from increased employment, and increased sales and use tax revenue.

ALTERNATIVES:
Alternatives include not approving the lease which would result in almost $48,000/year in lost rent.

ATTACHMENTS: None

cc: City Attorney

RESOLUTION NO._____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING A FOUR-YEAR LEASE BETWEEN THE CITY OF WATSONVILLE AND INFORMART, A CORPORATION, DBA GARYAIR FOR THE USE OF CITY OWNED PROPERTY WHICH INCLUDES 6,727 SQUARE FEET OF OFFICE/HANGAR/STORAGE SPACE LOCATED AT 140 AVIATION WAY, WATSONVILLE, CALIFORNIA, COMMENCING ON MARCH 1, 2020, AND ENDING FEBRUARY 29, 2024, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the four-year Lease between the City of Watsonville and Informart, a corporation, dba GaryAir for the use of City owned property which includes 6,727 square feet of office/hangar/storage space located at 140 Aviation Way, Watsonville, California, commencing March 1, 2020, and ending February 29, 2024, a copy of which Lease is attached hereto and incorporated herein by this reference, is fair and equitable and is hereby ratified and approved.

2. That the City Manager be and is hereby authorized and directed to execute such Lease for and on behalf of the City of Watsonville.

****

THIS LEASE, "Lease", is made and entered into to be effective the first day of March 2020, by and between the CITY OF WATSONVILLE, a municipal corporation, hereafter called "Landlord", and INFORMART, a corporation, dba GARYAIR hereafter called "Tenant".

THE PARTIES AGREE AS FOLLOWS:

1. PREMISES.

Landlord does hereby rent, and Tenant does hereby hire and take from Landlord that certain real property and improvements, commonly known and referred to as the Premises and depicted on Exhibit A, attached hereto and incorporated by this reference:

- A six thousand seven hundred and twenty-seven (6,727) square foot, more or less, building at 140 Aviation Way as outlined in red on Exhibit "A
- Two thousand, nine hundred and fifty square feet of exclusive ramp space, contiguous to the building and as outlined in red on Exhibit "A
- Two aircraft tie-down spaces identified as “Two Tie Down Spaces” on Exhibit “A”
- Five vehicle parking spaces.
- Tenant also has the right of ingress and egress to the building for vehicles solely and exclusively using public and private streets and for vehicles solely and exclusively over marked and/or designated Airport taxiways and taxilanes.

2. TERM.

INITIAL TERM.

The term of this Lease is four (4) years, commencing March 1, 2020 and expiring on February 29, 2024, hereafter "Lease Term".

3. RENT WHERE PAID.

Notwithstanding any other provision of this Lease, all rents shall be paid by check payable to the City of Watsonville, to the Finance Department by delivering or mailing to Finance Department, City of Watsonville, 250 Main Street, Watsonville, CA 95076.

INITIAL TERM.

The agreed monthly rent is $3,994.85 per month. (approximately $0.55 per square foot per month.) Tenant and Landlord agree to this aggregate rent without regard to whether the area is greater or less than as set forth herein.

Premises	Area/number	$/SF/Month	Product
Building	±6,727	$.55	$3,699.00
Ramp	2,950	$.10	$295
Tie Downs	2	No additional charge	
Parking spaces	5	No additional charge	
Sum			**$3,994,85**

During the initial term, the rent shall be adjusted annually starting July 1, 2021 and each July 1st thereafter using the rate of April to April change in the Consumer Price Index (CPI) for All Urban Consumers San Francisco-Oakland-San Jose, California. In no event will the annual rental increase be more than five percent (5%) due to increases in the CPI.

If on any rental adjustment date there shall not exist a CPI in the same format as recited herein, the parties shall substitute the Consumer Price Index for all Urban Consumers provided such index has been so revised or changed in such a way as to affect the direct comparability of such revised or changed index published by the Bureau of Labor Statistics or similar or successor governmental agency as may then be in existence and most nearly equivalent thereto (i.e.: the Wholesale Price Index) (CPI). If the parties are unable to agree on a successor index if the aforesaid index is no longer reporting, then the parties shall refer the choice of the successor index to arbitration in accordance with rules of the American Arbitration Association. Rent is due and shall be paid in advance on the 1st day of every month during the term of this Lease, commencing January 2013. Rent not received by the fifteenth (15th) of the month shall be assessed a ten percent (10%) late payment penalty.

UTILITIES AS ADDITIONAL RENT.

Tenant shall pay for all gas, heat, light, power, telephone service, potable water, garbage disposal, telecommunication services, cable, storm and sanitary sewer services, and all other services supplied to the Premises, including installation and connection of such services from the main source thereof, including Landlord meters.

POSSESSORY INTEREST TAX.

Pursuant to Section 107.6 of the State Revenue and Taxation Code the Landlord hereby gives notice that the property interest to Tenant under this Lease may be subject to property taxation as a possessory interest and the Tenant acknowledges that it shall be subject to payment of property tax if a possessory interest tax is levied on the property interest.

4. USE.

PERMITTED USES.

The leased Premises shall be used to engage in the following purposes and such purposes only:

(a) To engage in Specialized Aviation Service Organization, (SASO) per Section 3 of the airport's Minimum Commercial Standards.

(b) Any and all operations, events or other group activities are subject to published Airport regulations, City of Watsonville Municipal Code and Airport Minimum Commercial Standards.

PROHIBITED USES.

The leased Premises shall not be used for any other use not expressly allowed in Section 4 of this Lease. The premises shall not be used for any other purposes, including but not limited to:

(a) The preparation and/or sale of food and beverages to the public; provided, however that vending machines dispensing snacks and non-alcoholic beverages such as soft drinks and coffee may be allowed; and;

(b) No sale of aviation grade fuel, jet fuel, automobile or other fuel.

(c) Manufacturing of aircraft.

(d) Operation of a scheduled air cargo service.

(e) The operation of a "Unicom" radio communication system on the Common Traffic Advisory Frequency (CTAF)

(f) The operation of a maintenance or repair service on non-aviation related items, including but not limited to automobiles, motorized vehicles or boats.

(g) Any other use not expressly allowed in Section 4 of this Lease.

5. IMPROVEMENTS

ALTERATIONS AND ADDITIONS.

Except as otherwise provided by this Lease, Tenant shall not make any alterations or improvements to or erect any additional structures on or within the Premises without prior written consent of Landlord. Any alterations or additions approved by Landlord shall be constructed at the sole expense of Tenant.

PRIOR SUBMISSIONS.

If any improvements are proposed by the Tenant, Tenant shall submit a written description of the proposal to the Airport Manager together with two sketches drawn to scale. The Airport Manager will review the proposal and provide written comments with a recommendation and forward the same to the City Manager for review.

CONDITIONS OF CONSTRUCTION.

Before construction is commenced on the Premises, and before any building materials have been delivered to the Premises by Tenant or under Tenant's authority, Tenant shall satisfy to Landlord's reasonable satisfaction all the following conditions or obtain Landlord's written waiver of the condition or conditions:

- Provide Landlord with four copies of plans and specifications and four (4) copies of site plan. Landlord shall not unreasonably disapprove preliminary plans and specifications.
- Notify Landlord of Tenant's intention to commence the work of improvement at least ten (10) days before commencement of any such work or delivery of any materials. Landlord shall have the right to post and maintain on the Premises any notices of non-responsibility provided for under applicable law.
- Furnish Landlord with a true copy of Tenant's contract with the general contractor and with evidence of the general contractor's financial condition for Landlord's approval. The contact shall give Landlord the right but not the obligation to assume Tenant's obligations and rights under that contract if Tenant should default.
- Tenant shall comply with all applicable codes, ordinances, or regulations, Minimum Standards (as such may be established by the Watsonville City council, from time to time), and requirements for permits and approvals, including, but not limited to or restricted to a grading permit, building permit, zoning and planning requirements, and approvals from various governmental agencies and bodies having jurisdiction.
- Tenant shall require from the contractor: (i) an endorsement or other evidence of coverage, as reasonably determined by Landlord, for "Builder's risk", (ii) evidence of Worker's Compensation Insurance covering all persons employed in connection with the work and with respect to whom death or bodily injury claims could be asserted against Landlord or the Premises, and (iii) evidence that contractor has paid or caused to be paid all premiums for the coverage described in this sub- paragraph and premiums sufficient to assure maintenance of all insurance during the anticipated course of the work.

NEW CONSTRUCTION COMPLETION DATE.

Once work has begun on one area, Tenant shall with reasonable diligence prosecute all construction of improvements for completion and ready for use; provided however, that the time for completion shall be extended for as long as

Tenant shall be prevented from completing the construction by delays beyond Tenant's control; but failure, regardless of cause to commence construction within two (2) months following issuance of a building permit, at Landlord's election exercised by ten (10) days written notice, shall terminate this Lease.

PROTECTION OF LANDLORD AGAINST COST OR CLAIM.

Tenant shall pay or cause to be paid the total cost and expense of all works of improvements, as that phrase is defined in the mechanic's lien law in effect at the place of construction when the work begins. No such payment shall be construed as rent. Tenant shall not suffer or permit to be enforced against the Premises or any part of it any mechanic's, designer's, materiel man's, contractor's, or sub-contractor's lien arising from any work of improvement, however it may arise. However, Tenant may in good faith and at Tenant's own expense contest the validity of any such asserted lien, claim, or demand, provided Tenant has furnished the bond required in California Civil Code Section 3 143. Tenant shall defend and indemnify Landlord against all liability and loss of any type arising out of work performed on the Premises by Tenant, together with reasonable attorney's fees and all costs and expenses incurred by Landlord in negotiating, settling, defending, or otherwise protecting against such claims.

NOTICE OF COMPLETION.

On completion of the work of improvement, Tenant shall record or cause to be recorded a notice of completion. Tenant hereby appoints Landlord as Tenant's attorney in fact to record the notice of completion on Tenant's failure.

6. OWNERSHIP OF IMPROVEMENTS DURING TERM.

All buildings and improvements constructed on the Premises by Tenant as permitted or required by this Lease shall, during this Lease Term, be and remain the property of Tenant; provided, however, that Tenant shall have no right to waste, destroy, demolish or remove the improvements except as expressly provided in this Lease; and provided, further, that Tenant's rights and powers with respect to the improvements are subject to the terms and limitations of this Lease. Landlord and Tenant covenant for themselves, and all persons claiming under or through them, that the improvements are real property. All buildings and improvements existing on the Premises, as of the date of this Lease are Landlord's property, free of all claims to or against them by Tenant or any third person.

7. OWNERSHIP OF IMPROVEMENTS AT EXPIRATION.

Except as specified in the next section regarding Removal of Fixtures" of this Lease, all buildings and improvements placed or constructed on said Premises as part of said project, as well as any and all other alterations, additions, improvements, and fixtures, except furniture and trade fixtures, made or placed in

or on said Premises by Tenant or any other person, shall be considered part of the real property of said Premises and on expiration or sooner termination of this Lease, or the exercised option, shall remain on said Premises and become the property of Landlord free and clear of any liens or encumbrances whatsoever and without the payment of any consideration therefore.

8. REMOVAL OF FIXTURES.

At the normal expiration of the Lease Term, provided Tenant is not in default, Tenant shall have the right to remove any and all trade fixtures, provided all resultant damages to the Premises and remaining improvements, except for ordinary wear and tear, are completely remedied and Tenant complies with Landlord's reasonable requirements respecting the resultant appearance. Any such items not so removed within thirty (30) days of expiration shall become the property of Landlord free and clear of any liens or encumbrances whatsoever and without payment of consideration therefore.

9. NO SUBORDINATION.

Landlord shall not subordinate the fee title to the Premises to any security transaction to enable Tenant to obtain financing for the new improvements. The Premises are now and shall remain free and clear of any liens, encumbrances or other Tenant obligations to third person.

10. COMPLIANCE WITH RULES, REGULATIONS AND LAWS.

In the use and occupancy of the Premises and in the conduct of all business, activities and transactions thereon, Tenant will comply with all applicable laws, ordinances, rules, regulations and orders of the Landlord or any governmental subdivision, body or authority, including all federal, state and municipal laws and ordinances and all rules and regulations of the Federal Aviation Administration and the City of Watsonville Airport rules and regulations and Minimum Standards (as such may be established by the Watsonville City Council, from time to time), concerning the operations of the Watsonville Municipal Airport and environs.

11. STORAGE OF MATERIALS, EQUIPMENT.

No materials, supplies, products, equipment or other personal property shall be stored or permitted to remain on any portion of the Premises outside of Landlord approved buildings or structures without Landlord's prior written consent. Tenant shall store personal property items, supplies, materials and combustibles inside the buildings in a safe, neat and sanitary manner.

Tenant shall provide or cause to be provided adequate enclosures, screened areas and/or suitable covered metal receptacles within the Premises for the short-term accumulation and storage of solid waste, such as rubbish, trash, garbage, sludge, discarded machinery or parts and any other solid industrial wastes. Such

enclosures and/or screened areas shall be designed in such a way as to prevent, odors, fumes, attraction of pests, and dispersal of wastes due to wind or water runoff and shall be serviced regularly by qualified waste removal and disposal services.

12. ENVIRONMENTAL CONSIDERATIONS.

NO WARRANTY OF CURRENT CONDITION.

Landlord makes no representation or warranty, express or implied, as to the physical condition of the Premises, including, but not limited to the condition of the exterior or interior of the structure, ground, soil, surface water or groundwater. the geology, the presence of known and unknown faults, the presence of any Hazardous Substance or other kinds of contamination or pollutants of any kind in the air, soil, groundwater or surface water, or the suitability of the Premises for the construction and use of the improvements thereon.

(a) Tenant shall not commit, or suffer to be committed, any waste upon the Premises, or any nuisance or other act or thing which may disturb the quiet enjoyment of the use of Watsonville Airport or surrounding property. Tenant shall ensure that no untreated waste from any type of operation will enter the airport storm drainage system, sewer or sanitary system.

(b) Tenant shall at all times comply with all applicable environmental laws, rules and regulations of federal, state or local governmental agencies, including, but not limited to, the City of Watsonville, Santa Cruz County, Regional Air and Water Quality Control Boards, the Environmental protection Agency, and any other agency with jurisdiction. Tenant shall not permit any activity which directly or indirectly produces objectionable or unlawful amounts or levels of air pollution (gases, particulate matter, odors, fumes, smoke, or dust), water pollution, noise, glare, heat emissions, electronic or radio interference with navigational and communication facilities for the operation of the Airport and for its use by aircraft, trash or refuse accumulation, vibration, prop-wash, or jet blast, or which is hazardous or dangerous by reason or risk of explosion, fire or harmful emission. Any waste oil storage tanks shall be in approved containers and in accordance with all environmental and fire protection regulations.

(c) Hazardous Substance. The term "Hazardous Substance" shall mean any toxic substance, hazardous substance, Hazardous Substance, or hazardous waste, pollutant or contaminant which is or during the term of this Lease becomes regulated by any local governmental authority, the State of California, or the United States government, including, but not limited to any, material or substance which is defined as a "hazardous waste," "extremely hazardous waste" or "restricted hazardous waste" under local, State, or federal law and as determined by the Fire Department. Except in strict compliance with all government approvals, applicable laws and regulations pertaining to Hazardous Substance, and in accordance with the provisions of this Lease, Tenant shall not cause or permit the

presence, use, handling, generation, emission, release, discharge, storage, or disposal of any Hazardous Substance on, under, in or about the Premises, excepting the presence of any Hazardous Substance on, under, in or about the Premises as of the date of this Lease or the migration to or seepage of Hazardous Substance from surrounding or adjacent property; and shall not cause or permit the transportation of any.

13. HAZARDOUS SUBSTANCE TO, FROM OR ON THE PREMISES.

(a) Tenant shall at all times notify Landlord of any Hazardous Substance present, used, generated, handled, emitted, released, discharged, stored or disposed of on or from the Premises. Notwithstanding the foregoing, notice shall not be required for Hazardous Substance present on the Premises in reasonable quantities which are commonly used in machining facilities including, but not limited to, cleaning materials, motor oils, and hydraulic fluids provided such Hazardous Substance are used and disposed of in accordance with law, or for materials which are first designated as Hazardous Substance after expiration of the term of this Lease. Tenant shall also institute operating procedures designed to handle Hazardous Substance consistent with prudent industry practice, including evidence of a licensed agent removal service. Landlord shall have the right to inspect the Premises on 24-hours prior notice for compliance with the provisions of this Section.

INDEMNIFICATION BY LANDLORD.

Landlord shall indemnify, protect, defend, and hold harmless Tenant and Tenant's successors and assigns, officers, directors, employees, agents, subtenants and assignees, from and against all liability, and foreseeable consequential damages, penalties, expenses and costs of any required or necessary remediation, repair, removal, clean up or detoxification, of the

Premises and surrounding properties, and from and against the preparation of any clean up, remediation, closure or other required plans, whether such action is required or necessary during or following the term of this Lease, to the full extent that the same is attributable to the use, handling, generation, emission, release, storage, discharge or disposal of a Hazardous Substance by Landlord, its agents, employees, and contractors.

INDEMNIFICATION BY TENANT.

Tenant shall indemnify, protect, defend, and hold harmless Landlord and Landlord's successors and assigns, officers, directors, employees, agents, subtenants and assignees, from and against all liability, and foreseeable consequential damages, penalties, expenses and costs of any required or necessary remediation, repair, removal, clean up or detoxification, of the Premises and surrounding properties, and from and against the preparation of any clean up,

remediation, closure or other required plans, whether such action is required or necessary during or following the term of this Lease, to the full extent that the same is attributable to the use, handling, generation, emission, release, storage, discharge or disposal of Hazardous Substance by Tenant, its agents, employees, and contractors.

INDEMNIFICATION SURVIVES LEASE.

The indemnification provisions of the foregoing shall survive the termination or expiration of this Lease.

14. REPAIR AND MAINTENANCE OF PREMISES.

Landlord shall repair and maintain the exterior of the office and hangar building, including exterior walls and roof, heating and air conditioning, electrical systems (excluding interior lights and fixtures) except if repairs or replacements are necessary thereto because of negligence, neglect or misconduct of the Tenant or if Tenant fails to notify Landlord in writing within three **(**3**)** days of the need to repair.

Tenant shall maintain the interior of the hangar and office building, including, but not limited to, interior plumbing fixtures (including responsibilities for sanitary sewer obstructions), interior walls, doors, hardware, alarms, internal lights and fixtures, etc., in as good order, condition and repair as they shall be upon the commencement of the term of this Lease and any extended term. Any addition to the electrical system installed by Tenant shall remain the responsibility of the Tenant. Tenant shall keep drainage ditches and gutters free of debris.

15. FREEDOM FROM LIENS.

Tenant shall not create or permit to be created or to remain, and covenants to remove and discharge promptly, at its cost and expense, all liens, claims, stop notices, encumbrances and charges upon the Premises, or Tenant's leasehold interest therein which arise out of the use or occupancy of the Premises by Tenant or anyone using or occupying the Premises with the consent or sufferance of Tenant, or by reason of labor or materials furnished or claimed to have been furnished to Tenant for any construction, alteration, addition or repair of any part of the Premises. Tenant shall give Landlord fifteen (15) days' notice prior to commencing any work on the Premises, so that Landlord shall have a reasonable time within which to post notices of non- responsibility.

16. HOLDING OVER.

If Tenant shall hold possession of the Premises after the term of this Lease, Tenant shall become a Tenant from month to month at the rental and upon the terms herein specified and shall continue to be such tenant until the tenancy shall be terminated by Landlord on thirty (30) days' notice or until Tenant shall have given

at least thirty (30) days' notice of Tenant's intention to terminate the tenancy. The provisions of this Lease, so far as applicable, shall govern such tenancy, except that the monthly rent for such tenancy shall be the same as the last full month's rental rate.

ABANDONMENT.

Tenant shall not vacate or abandon the Premises at any time during the term thereof; if Tenant shall abandon, vacate or surrender the Premises or be dispossessed by process of law, or otherwise, any personal property belonging to Tenant and left on the Premises shall be deemed to be abandoned and at the option of Landlord shall become Landlord's property free from all claims of Tenant. If Tenant abandons the Premises Landlord shall have the option to terminate this Lease by giving Tenant notice of belief of abandonment pursuant to California Civil Code Section 195 1.3 or Landlord has the remedy described in California Civil Code Section 1951.4, i.e., Landlord may continue the Lease after breach and abandonment and recover rent as it becomes due, if Tenant has the right to sublet or assign, subject to reasonable limitations as provided in the previous section regarding holding over.

17. ASSIGNMENT OR SUBLETTING.

Tenant shall not assign or encumber any interest in this Lease or in the Premises, or sublease all or any part of the Premises, or allow any other person or entity (except Tenant's authorized representatives) to occupy or use all or any part of the Premises, without Landlord's prior written consent, and consent to one assignment or sublease shall not be construed as consent to any subsequent assignment or subleasing.

If Tenant is a corporation or partnership, any dissolution, merger, consolidation or other reorganization of Tenant or the sale or transfer of controlling percentage of the capital stock of Tenant or the sale of twenty five percent (25%) of the value of the assets of Tenant shall be deemed a voluntary assignment. The phrase "controlling percentage" means the ownership of and the right to vote stock possessing at least twenty five percent (25%) of the total combined voting power of all classes of Tenant's capital stock issued outstanding and entitled to vote for the election of directors. Landlord shall not unreasonably withhold consent, but Landlord may nevertheless condition consent upon such factors as the identity, reputation, financial worth and stability and operating ability of any proposed assignee or subtenant. Unless prior written consent of Landlord shall have been obtained, any transfer, or attempted assignment or transfer, of this Lease or any interest therein, or any subletting, either by voluntary or involuntary act of Tenant or by operation of law or otherwise, shall at the option of the Landlord terminate this Lease, and any such purported assignment, transfer or subletting without such consent shall be null and void.

Tenant shall pay Landlord at the time the request to assign is submitted, a deposit of Two Thousand Five Hundred Dollars ($2,500.00) to offset Landlord's expenses, including attorney's fee, in evaluating and documenting the assignment. Landlord shall charge said deposit at the then current hourly rate for staff time charged to the Airport. Any balance of said deposit shall be refunded to Tenant, and any excess amount charged, excluding said deposit, shall be paid by Tenant.

Landlord and Tenant hereby deem it reasonable for the Landlord to refuse to consent to a proposed assignment in the following circumstances:

(a) Landlord may object to any proposed assignment if, in the Landlord's sole opinion, the proposed assignee is not a qualified assignee in terms of financial strength, business experience or reputation or the ability to operate the fixed base operation and provide the required services in a manner consistent with the purposes for which this Lease was granted.

(b) Landlord may object on any other reasonable grounds.

The effective date of the assignment shall not occur until thirty (30) days after the Tenant's notice of the proposed assignment unless, within that time, Landlord gives notice of a valid objection or refusal of consent as set forth in subsection A. (3) hereof. If Landlord gives notice of a valid objection and withholds consent, the Lease will not be assigned.

18. SUB-TENANT RENT

Except as expressly authorized in the second paragraph of §18 above, Tenant shall not receive from any person any rent for any portion of the Premises which exceeds the rent charged by Landlord for the same or similar area of the Premises, the purpose hereof is that Tenant shall not receive rent for any portion of the Premises which exceeds the rent Landlord charges tenant for the Premises. Tenant shall instead turn over any such rent to Landlord as additional rent. Tenant may not receive from all sub-tenants combined an amount greater than an amount paid to Landlord. Any greater amount is the property of the Landlord.

RIGHT OF RECAPTURE.

Despite any other provision of this Lease, Tenant shall notify Landlord in writing (Availability Notice) if Tenant wishes to transfer the Premises or any portion thereof (Subject Space). If Tenant does not give Landlord the Availability Notice before delivering a Transfer Notice, the Transfer Notice shall also be the Availability Notice. Landlord has the option, by written notice to Tenant (Recapture Notice) within thirty (30) days after receiving any Availability Notice, to recapture the Subject Space as described in the next section. A timely Recapture Notice terminates this Lease as to the Subject Space and Tenant’s obligations regarding the remaining term of this Lease (or, at Landlord’s election, for a shorter period specified in the Availability Notice as the term of the Transfer) and as of the

date specified in the Availability Notice. The Recapture Notice shall be void, however, if Tenant notifies Landlord, within thirty (30) days after receipt of the Recapture Notice, that Tenant withdraws the Availability Notice or Transfer Notice. If Landlord declines or fails timely to elect to recapture the Subject Space, Landlord shall have no further right under this section to the Subject Space unless it becomes available again after Transfer by Tenant.

CONSEQUENCES OF RECAPTURE.

To determine the new Base Rent under this Lease if Landlord recaptures the Subject Space, the original Base Rent under the Lease shall be multiplied by a fraction, the numerator of which is the Rentable Square Feet of the Premises retained by Tenant after Landlord's recapture and the denominator of which is the total Rentable Square Feet of the Premises before Landlord's recapture. The Additional Rent, to the extent that it is calculated based on the Rentable Square Feet within the Premises, shall be reduced to reflect Tenant's proportionate share based on the Rentable Square Feet of the Premises retained by Tenant after Landlord's recapture. This Lease as so amended shall continue thereafter in full force and effect for the remaining Premises only. Either party may require written confirmation of the amendments to this Lease necessitated by Landlord's recapture of the Subject Space. If Landlord recaptures the Subject Space, Landlord shall, at Landlord's sole expense, construct any partitions required to segregate the Subject Space from the space retained by Tenant. Tenant shall, however, pay for painting, covering, or otherwise decorating the surfaces of the partitions facing the remaining Premises retained by Tenant.

If Landlord recaptures the Subject Space, Landlord shall pay Tenant ten percent (10%) of any Transfer Premium received by Landlord.

19. RIGHT TO COLLECT RENT.

If this Lease is assigned, Landlord may collect Rent directly from Transferee. If all or part of the Premises is subleased and Tenant defaults, Landlord may collect Rent directly from Transferee. Landlord may then apply the amount collected from Transferee to Tenant's monetary obligations under this Lease. Collecting Rent from a Transferee or applying that Rent to Tenant's monetary obligations does not waive any other provision of this Lease.

20. SIGNS, POSTERS, BUILDINGS AND TOWERS.

No advertising signs, posters or similar devices shall be erected, displayed or maintained in, on, about or above the Premises or the structures thereon without a sign permit and the written approval of the Airport Manager.

No structures erected on the Premises shall exceed the height limit fixed by any Landlord zoning ordinance or regulations of the Airport or Federal Aviation Administration. Tenant in its operations shall not unreasonably interfere with the

property, interests, operations or activities of the Landlord or of other tenants of the Landlord.

21. TAXES.

Tenant will pay all fees, taxes, assessments and licenses levied, imposed or required by any governmental subdivision, body or authority on or in respect to any improvements or property placed on the Premises by Tenant or any person with its permission.

(a) Any business, activity or transaction conducted thereon by Tenant;

(b) Landlord license and permits; and

(c) Commercial Operator Permit fee.

22. WAIVER OF DAMAGES AND INDEMNIFICATION.

Landlord shall not be liable to Tenant for any injury or damage that may result to any person or property by or from any cause whatsoever, except as results from affirmative conduct which is the sole negligence on the part of Landlord, its agents, servants, employees or invitees. Without limiting the generality of the foregoing waiver, it is expressly extended to injury or damage caused by water leakage of any character from the roof(s), wall(s), basement or any part of the property, or caused by gas, oil, or any other cause in or about the Premises or the building(s). Tenant agrees to hold Landlord harmless from, and to defend and indemnify Landlord against, any and all claims or liability for any death of for injury to any person or damage to any property, whatsoever, occurring in, on or about the Premises.

23. WAIVER OF CERTAIN DAMAGES

In the event of any actual or alleged failure, breach or default hereunder by either party, the other shall have no right to seek from the other any indirect, consequential or special damages, and each of the undersigned hereby waives all and any rights it may have to obtain from the other any indirect, consequential or special damages. Each party's above-stated waiver is a material inducement for each party's entering into this Agreement.

24. THIRD PARTY BENEFICIARIES/PARTIES IN INTEREST.

This Lease has been made and is made solely for the benefit of Landlord and Tenant and their respective successors and permitted assigns. Nothing in this Lease is intended to confer any rights or remedies under or by reason of this Lease on any persons other than the parties to it and their respective successors and permitted assigns. Nothing in this Lease is intended to relieve or discharge the obligation or liability of any third persons to any party to this Lease.

25. WAIVER BY ACCEPTING VARIED PERFORMANCE.

No waiver of any provision or consent to any action shall constitute a waiver of any other provision or consent to any other action, whether or not similar. No waiver of consent shall constitute a continuing waiver of consent or commit a party to provide a waiver in the future except to the extent specifically set forth in writing. Any waiver given by a party shall be null and void if the party requesting such waiver has not provided a full and complete disclosure of all material facts relevant to the waiver requested.

26. SECURITY DEPOSIT.

On execution of this Lease, Tenant shall deposit the sum of $4,000 in cash as security for the faithful performance of the terms, covenants and conditions of this Lease.

If Tenant is in default, Landlord can use the security deposit or any portion of it, to cure the default or to compensate Landlord for any and all damages or loss sustained by Landlord resulting from Tenant's default if the notice requirements, if applicable, have been observed. Tenant shall immediately, on demand, pay to Landlord a sum equal to the portion of the security deposit expended or applied by Landlord as provided in this paragraph so as to maintain the security deposit in the sum initially deposited. Upon final accounting by Landlord, any balance of said deposit shall be refunded to Tenant.

27. HOLD HARMLESS.

(a) Tenant shall save, protect, indemnify, and hold harmless Landlord, its elective and appointive boards, commissions, officers, agents, and employees from any and all claims, cost or liability of any kind allegedly suffered, incurred or threatened, including personal injury, death, property damage, inverse condemnation, or any combination of these, foreseeable or unforeseeable, arising directly or indirectly from or connected with any acts performed pursuant to this Lease, or any omission to perform, including, but not limited to, claims, costs or liability resulting from: (I) The conduct, negligent or otherwise, of Tenant, its subtenant(s), assignee(s), or any officer(s), agent(s) or employee(s) of one or more of them; (2) The joint conduct of the Landlord and Tenant, regardless of whether the Landlord is concurrently, active or passively negligent or not negligent at all; or (3) The sole concurrent conduct of any other person or entity.

The above promise and agreement in this section is not conditioned or dependent on whether Tenant or Landlord has prepared, supplied or approved any plan(s) or specification(s) in connection with this Lease, or has insurance or other indemnification covering any of these matters, or that the alleged damage resulted partly from any negligent or willful misconduct of Landlord.

(b) Non-Liability of Landlord for Damages. This Lease is made upon the express condition that Landlord is to be free from all liability and claim for damages by reason of any injury to any person or persons including, Tenant, or property of any kind whatsoever and to whomsoever belonging, including Tenant, from any cause or causes whatsoever while in, upon, or in any way connected with the Premises during the term of this Lease or any extension hereof or any occupancy hereunder, Tenant hereby covenanting and agreeing to indemnify and save harmless Landlord from all liability, loss, cost, attorneys fees, and obligations on account of or arising out of any such injuries or losses however occurring.

28. BREACH.

After service of ten (10) days written notice thereof by Landlord on Tenant any one of the following shall constitute a breach of this Lease by Tenant

(a) The appointment a general assignment by Tenant for the benefit of creditors, or of a Receiver to take possession of all or substantially all of the assets of Tenant, or

(b) Period of twenty (20) days, or

(c) A default in the performance of any other covenant or condition of this Lease on the part of Tenant to be performed for a period of twenty (20) days

29. INSURANCE.

(a) During the rental term, Tenant, at Tenant's sole expense, shall secure and maintain in force such policies of insurance as will protect it from claims for damages or injury resulting from bodily injury, including death, and for the loss or damage to property of others which may arise from operations of this Lease. Such insurance shall contain statements that:

(b) These policies shall also apply to Landlord, as an Additional Named Insured; (ii) the insurance afforded by these policies applies severally as to each insured, except that the inclusion of more than one insured shall not operate to increase the limit of the company's liability, and the inclusion hereunder of any person or organization as an insured shall not affect any right which such person or organization would have as a claimant if not so included; (iii) the insurance shall be primary insurance over any other insurance carried by Landlord, which other insurance shall be considered excess only; (iv) the above policies specifically include coverage indemnifying Landlord as set forth in this Lease; (v) the policies may not be canceled, nor the coverage reduced until thirty (30) days after a written notice of such cancellation or reduction in coverage is delivered to Landlord at the address contained herein; (vi) the insurance companies named herein waive any all rights of subrogation against Landlord. Such liability insurance shall be written with limits of at least Two Million Dollars ($2,000,000.00), combined single limits, and shall be written by companies acceptable to Landlord. The limit of liability

insurance coverage shall be adjusted commensurate with inflation and other liability factors upon adoption of resolution of the Landlord Council of Landlord. Certificates of Insurance evidencing the above obligations shall be delivered to Landlord on prior commencement of operations covered by this agreement.

(c) Landlord, at Tenant's cost, shall cooperate fully with Tenant to maximize any recovery following an insured casualty. All policies of fire and extended coverage or other casualty insurance required by subparagraphs (e) and (g) below shall provide that proceeds there under shall be paid to Landlord and Tenant as their interests may appear.

(d) All policies required to be maintained by Tenant pursuant to the terms of this Lease shall be issued by companies authorized to do business in the State of California with a financial rating of at least "A" in the most recent edition of Best Insurance Reports. Tenant shall pay premiums therefore and shall deliver annually to Landlord Certificates of Insurance that such policies are in effect. If Tenant fails or refuses to procure or maintain the insurance coverage required hereunder, or fails or refuses to furnish Landlord with proof that coverage has been procured and is in full force and paid for, Landlord shall have the right, at Landlord's election and without notice to Tenant, but without any obligation to do so, to procure and maintain such coverage. Tenant shall reimburse Landlord on demand for any premiums Landlord so pays in connection with such procurement.

(e) Fire Insurance: During the Lease Term, Tenant, at Tenant's sole expense, shall insure for fire and extended coverage risks all buildings, personal property, improvements, and alterations in, on, or about the Premises. Such insurance shall be in an amount not less than eighty percent (80%) of insurable, full replacement cost of such buildings and improvements, and shall include vandalism and malicious mischief endorsements. Said fire insurance policies shall contain loss payable endorsements in favor of the parties as their respective interests may appear hereunder. Landlord shall be named as additional insured in such policy or policies.

(f) Fire or Casualty:

(1) Destruction of Tenant Owned Building. In the event of extensive damage (greater than fifty percent (50%)) to or destruction of buildings or other improvements on the Premises owned by Tenant as provided in Section 11 of this Lease ("Tenant Improvements"), Tenant shall determine whether to repair or replace the Tenant Improvements. If it is determined to repair or replace the Tenant Improvements, the proceeds of any insurance policy paid on account of such damage or destruction shall be used to defer the cost of repairing or replacing the Tenant Improvements. Tenant shall complete all repairs within a reasonable time. If it is determined not to repair or replace the Tenant Improvements, Tenant may terminate this

Lease upon written notice to Landlord within thirty (30) days of such damage or destruction. If Tenant terminates this Lease pursuant hereto, after deducting any proceeds payable to Tenant's lender pursuant to the following paragraph, the remaining proceeds of any insurance policy paid on account of such damage or destruction shall be distributed to Landlord and Tenant pursuant to the following formula: Landlord's share shall be the product of the amount of the remaining proceeds multiplied by a fraction, the numerator which is the number of months since the commencement date of this Lease until the date of the casualty causing such damage or destruction, and the denominator of which is four hundred and twenty (420). Tenant's share shall be the excess of the remaining proceeds after subtracting the Landlord's share. In the event of termination of the Lease pursuant to this Section 31 (e) (l), Tenant shall remove the Tenant Improvements and, restore the Landlord owned building to its prior condition at Tenant's sole cost and expense prior to the date of termination of the Lease.

All fire and extended coverage insurance policies insuring the Tenant Improvements may have a loss payable clause in favor of any lender of Tenant, including, but not limited to, any mortgagee of Tenant, as such lender's interest may appear.

(2) Destruction of Landlord Owned Premises. If during the term of this Lease the Landlord owned Premises, as provided in Section 11 of this Lease, shall be damaged or destroyed to the extent of fifty percent (50%) of its valuation or at a repair cost estimated by the Landlord Building Official to exceed the sum of Twenty Five Thousand Dollars ($25,000.00) by fire, the elements, or any other cause, then this Lease shall, at Landlord's option, cease and become null and void from the date of such damage, or destruction, and Tenant shall immediately surrender the entire Premises to Landlord and shall pay rent only to the time of such surrender.

If the Landlord owned Premises shall be damaged by fire, or other cause, so as to be capable of being repaired within a reasonable time, Landlord shall have the option to repair the same and during the time that the repairs are being made, Landlord shall remit to Tenant a just and fair portion of the rent according to the nature of the damage sustained and according to the extent that Tenant is deprived of the use of the Landlord owned Premises. Should the estimated time to repair damage exceed one hundred twenty (120) days, the Tenant may, at his option, terminate, this Lease. In such event both parties shall be released from further obligations under the terms of this Lease.

(g) Workers' Compensation: Tenant, at Tenant's sole expense, must obtain and maintain workers' compensation insurance covering all its employees,

and said insurance must be kept in force during the entire term of this Lease.

(h) Notice: Each party hereto shall give to the other prompt and timely notice of any claim made or suit instituted coming to its knowledge which in any way directly, contingently or otherwise, affects or might affect either, and both shall have the right to participate in the defense of the same to the extent of its own interest.

30. LITIGATION EXPENSES.

If either party shall bring an action against the other by reason of the breach of any covenant, warranty or condition hereof, or otherwise arising out of this Lease, whether for declaratory or other relief, the prevailing party in such suit shall be entitled to its costs of suit, expert witness fees and costs and reasonable attorney fees, which shall be payable whether or not such action is prosecuted to judgment. "Prevailing Party" within the meaning of this paragraph shall include without limitation a party who brings an action against the other after the other's breach or default, if such action is dismissed upon the other's breach or default, if such action is dismissed upon the other's payment of the sums allegedly due or performance of the covenant's allegedly breached, or if the plaintiff obtains substantially the relief sought by it in the action.

31. SURRENDER OF PREMISES.

Tenant agrees to surrender the Premises and any addition thereto at the termination of the tenancy herein created in the same condition as the Premises were in at the beginning of the tenancy or at the time of completion of the improvements as the case may be, reasonable use and wear thereof and damage by act of God or the elements excepted. The voluntary or other surrender of this Lease by Tenant or a mutual cancellation thereof shall not work a merger, and shall, at the option of Landlord, terminate all or any existing subleases or sub tenancies, or may, at the option of Landlord, operate an assignment to Landlord of any or all such sublease or sub tenancies.

32. WAIVER.

Any waiver, expressed or implied, by either party of any breach by the other party of any agreement, term or condition of this Lease shall not be, or be construed to be, a waiver of any subsequent breach of a like or other agreement, term of condition hereof; and the acceptance of rent hereunder shall not be, or be construed to be, a waiver of any breach of any agreement, term or condition of this Lease, except as to the payment of rent so accepted. The rights and remedies of either party under this Lease shall be cumulative and in addition to any and all other rights and remedies which either party has or may have.

33. QUIET ENJOYMENT.

Landlord covenants and warrants that upon Tenant's paying the rent and observing and performing all of the terms, covenants, and conditions on Tenant's part to be observed and performed hereunder, Tenant shall and may peaceably and quietly enjoy the Premises hereby demised, subject nevertheless to the terms and conditions of this Lease.

34. NOTICES.

All notices, consents, waivers or other communications which this Lease requires or permits either party to give to the other shall be in writing and shall be served personally or delivered by registered or certified mail, return receipt requested, made upon or addressed to the respective parties as follows:

To Landlord:	To Tenant:
City Clerk City of Watsonville 275 Main Street, Suite 400 Watsonville, CA 95076	Informart dba Gary Air Post Office Box 116 Moffett Field, Mountain View, CA 94035

or such other address as may be contained in a notice from either party to the other given pursuant to this section. Notice of registered or certified mail shall be deemed to be given forty- eight (48) hours from the time of postmarking if mailed within the United States (excluding Alaska).

35. RECORDATION.

Neither party, without the consent of the other, shall cause or permit the original nor any copy of this Lease to be recorded, filed or published.

36. TENANT TO ASSUME ALL UNKNOWN EXPENSES.

Notwithstanding the existence of a provision therefore in this Lease, Tenant shall assume, pay and be obligated for any and all costs and expenses toward the operation, protection, maintenance of the Premises, known or unknown, expressed or unexpressed, it being the intention of the parties for this to be a triple net lease to Landlord.

37. RIGHT OF LANDLORD TO INSPECTION.

Landlord shall have the right to enter upon the Premises at all reasonable times

during the term of this Lease for the purpose of making any inspection it may deem expedient to the proper enforcement of this Lease.

Tenant shall furnish Landlord a copy of any lease of any subtenant, any amended lease and any amendment to any lease and shall furnish Landlord upon request with all evidence of rent or other compensation paid by any and all sub-tenant for use or occupation of all or any part of the Premises.

38. NONDISCRIMINATION

Tenant hereby covenants that Tenant in its use of the Premises and any and all structures, buildings and improvements located here on shall conduct the fixed base operation or any other activity hereafter authorized by the Landlord on the Premises on a non-exclusive and non-discriminatory basis in all respects with regard to any person, firm or group of persons. Tenant shall not act in any manner prohibited by Part 15 of the Federal Aviation Regulations and further agrees to be nondiscriminatory also with respect to price or cost of services or goods and in every other fashion.

39. ENFORCEMENT OF NONDISCRIMINATION CLAUSE.

Landlord shall have the right to take such action against the Tenant as the United States Government may direct or request to enforce the terms of the preceding paragraph on behalf of the United States Government or on behalf of any of its citizens or the Landlord itself.

40. OTHER OPERATIONS.

It is understood that the use authorized at the Watsonville Municipal Airport by this Lease is not given to Tenant exclusively but may be given to any other Tenant at the Airport at the sole discretion of the Landlord.

41. CONDEMNATION.

If the whole or any substantial part of the Premises shall be taken by any paramount public authority under the power of eminent domain then the term of this Lease shall cease as to the part so taken from the date the possession of that part shall be taken for any public purpose, and from that day Tenant shall have the right either to cancel this Lease or to continue in the possession of the remainder of the Premises under the term herein provided, except that the square foot rental shall be reduced in proportion to the amount of the Premises taken. Damages awarded for such taking shall be apportioned between the Landlord and Tenant in a ratio relating to the number of years expired and remaining in the Lease Term between Landlord and Tenant respectively; provided, however, that Landlord shall not be entitled to any portion of the award made for loss of business installation or improvements belonging to Tenant.

42. NONDISCRIMINATION- (FAA, MBE, DB REQUIREMENTS).

The Tenant, for itself, its heirs, personal representatives, successors in interest, and assigns, as a part of the consideration for this Lease, does hereby covenant and agree as a covenant running with the land that if facilities are constructed, maintained, or otherwise operated on the Premises for a purpose for which a Department of Transportation (DOT) program or activity is extended or for another purpose involving the provision of similar services or benefits, the Tenant shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, DOT, Subtitle **A,** Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as such Regulations may be amended.

The Tenant for itself, its personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby further covenant and agree as a covenant running with the land that: (a) no person on the grounds of race, color or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of facilities; (b) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subject to discrimination; (c) that the Tenant shall use the with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 2 1, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as such Regulations may be amended.

Tenant shall furnish its accommodations and/or services on a fair, equal and not unjustly discriminatory basis to all users thereof and it shall charge fair, reasonable and not unjustly discriminatory prices for each unit or service; PROVIDED, THAT the Tenant may be allowed to make reasonable and nondiscriminatory discounts, rebates or other similar type of price reductions to volume purchasers.

Tenant shall insert the provisions of this section in any lease agreement or contract by which Tenant grants a right of privilege to any person, firm or corporation to render accommodations and/or services to the public on the Premises.

43. REMEDY FOR DISCRIMINATION.

In the event of breach of any of the nondiscrimination covenants identified in Paragraph 42, Landlord shall have the right to terminate this Lease and to reenter and repossess the Premises and the facilities thereon, and hold the same as if this Lease had never been made or issued. The provision does not become effective

until the procedures of 49 CFR Part 21 are followed and completed including expiration of appeal rights.

Non-compliance with paragraph 42 shall constitute a material breach thereof and in the event of such non-compliance Landlord shall have the right to terminate this Lease and the estate hereby created without liability therefore or at the election of the Landlord or the United States either or both Governments shall have the right to judicially enforce paragraph 48.

44. AFFIRMATIVE ACTION.

Tenant assures that it will undertake an affirmative action program as required by 14 CFR Part 152, Subpart E, to insure that no personal shall be on the grounds of race, creed, color, national origin, or sex be excluded from participating in any employment activities covered in 14 CFR, Subpart E. Tenant assures that no person shall be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by such subpart. Tenant assures that it will require that it's covered by such subpart. Tenant assures that it will require that its covered sub-organizations provide assurances to the Tenant that they similarly will undertake affirmative action programs and that they will require assurances from their sub-organizations, as provided by 14 CFR Part 152, subpart 2, to the same effect.

45. SUBORDINATION TO FUTURE FAA AGREEMENTS.

This Lease shall subordinate to the provisions and requirements of any existing or future agreement between the Landlord and the United States, relative to the development, operation or maintenance of the Airport.

46. NOTICE TO FEDERAL AVIATION ADMINISTRATION.

Tenant shall comply with the notification and review requirements covered in Part 77 of the Federal Aviation Regulations in the event of future construction of a building planned for the Premises, or in the event of any planned modification or alteration of any present or future building or structure situated on the Premises.

47. NON-EXCLUSIVE RIGHT.

It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right within the meaning of Section 308 of the Federal Aviation Act.

48. TERMS.

All the provisions of this Lease shall be deemed and construed to be "covenants" as though the words imported such covenants were used in each separate paragraph hereof, except when expressed as conditions.

49. GOVERNING LAW.

This Lease shall be construed and enforced in accordance with the laws of the State of California.

50. BINDING EFFECT.

This Lease and the covenants and agreements herein contained shall bind and inure to the benefit of the parties hereof, their heirs, successors, executors, administrators, and when permitted assigns.

51. TIME IS OF THE ESSENCE.

Time is of the essence regarding this Lease.

52. CONSENT.

Whenever consent or approval of either party is required, that part shall not unreasonably withhold such consent or approval.

53. CORPORATE STATUS.

If either party is a corporation, that party shall deliver to the other party on execution of this Lease, a certified copy of a resolution of its governing body authorizing the execution of this Lease and naming the officers that are authorized to execute this Lease on behalf of the corporation.

54. BROKERS.

Each party represents that it has not had dealings with any real estate broker, finder, or other party, with respect to this Lease in any manner. Each party shall hold harmless the other party from all damages resulting from any claims that may be asserted against the other party by any broker, finder, or other person, with whom the other party has or purportedly has dealt.

55. JURY TRIAL WAIVERS.

To the fullest extent permitted by law, and as separately bargained-for-consideration, each party hereby waives any right to trial by jury in any action, suit, proceeding, or counterclaim of any kind arising out of or relating to this Agreement. Each party hereby expressly acknowledges the inclusion of this jury trial waiver through the execution by its duly authorized representative.

56. EXHIBITS.

There is one Exhibit to this lease. It is Exhibit A. All exhibits referred to are attached to this Lease and incorporated by reference.

57. INTERPRETATION

The terms of this Lease have been negotiated by the parties hereto and the language used in this Lease shall be deemed to be the language chosen by the parties hereto to express their mutual intent. This Lease shall be construed without regard to any presumption or rule requiring construction against the party causing such instrument or any portion thereof to be drafted, or in favor of the party receiving a particular benefit under the lease. No rule of strict construction will be applied against any person.

58. ENTIRE AGREEMENT.

This Lease contains the entire agreement of the parties, and by signing this Lease they agree that there is no other written or oral agreement, promise, or representation between them respecting the Premises. This Lease shall bind and inure to the benefit and advantage of the assigns of Landlord, and of the heirs, executors, administrators, and when permitted hereunder the assigns of Tenant.

IN WITNESS WHEREOF, the parties hereto have executed this Lease the day and year first above written.

"Landlord"
City of Watsonville, a municipal corporation

By: _____
Matthew D. Huffaker, City Manager

"Tenant"
Informart, a corporation, dba GaryAir

By:_____
David Alan Guerrieri, Secretary and Chief Financial Officer

ATTEST:

By: _____
Beatriz Vázquez Flores, City Clerk

APPROVED AS TO FORM:

_____
Alan J. Smith, City Attorney



140 Aviation Way Exhibit “A”

Premises = Ramp = Parking =

City of Watsonville
Municipal Airport

M E M O R A N D U M

DATE: **February 20, 2020**

TO: **Matthew D. Huffaker, City Manager**

FROM: **Rayvon Williams, Director of Municipal Airport**
Alexandra Aguado, Assistant Administrative Analyst

SUBJECT: **C&M Farms Inc., One year agricultural ground lease for one acre at 852 Airport Boulevard**

AGENDA ITEM: **February 25, 2020** **City Council**

RECOMMENDATION:
Staff recommends that the City Council adopt a resolution approving an agricultural ground lease of one acre at 852 Airport Boulevard to Adrian Mondragon individually and dba C&M Farms Inc. for a period of one year.

DISCUSSION:
Adrian Mondragon, dba C&M Farms is a local farmer whose focus is farmers' markets sales. Mr. Mondragon approached the Municipal Airport in 2017 expressing a desire to execute an agricultural lease on available suitable Airport property. Over the last two years the Airport and Mr. Mondragon have worked to develop a "clear zone" on the opposite side of the freeway from the Airport and adjacent to the Airport Driving Range, into the only City owned property used for organic farming.

Mr. Mondragon dba C&M Farms has committed to a smaller footprint for 2020 with smaller farming equipment and conservative watering methods (drip tape watering system) so that only intended crops are watered and avoiding water runoff. He plans to primarily farm broccoli, cabbage, kale, cauliflower, bush and pole beans. Terms of the lease are $4,000 per acre/per year with a 10% down payment upon lease execution and twelve (12) monthly ground lease payments of $300 per month.

STRATEGIC PLAN:
This supports the City Council's Strategic Plan priorities of Infrastructure and Environment and Economic Development. The agricultural ground lease is aligned with the 1994 FAA grant (ACIP #3-06-0272-07) which was used to purchase a number of properties to ensure approach/departure protection and will also serve as the only City-owned property utilized for farming.

FINANCIAL IMPACT:
The Airport Enterprise Fund will directly recover $4,000.00 for use of the one acre site. It is expected that there will be additional positive financial impacts to the City resulting from C&M Farms sales at the Watsonville Farmers' Market.

ALTERNATIVES:
Council may choose not to approve the agricultural ground lease.

ATTACHMENTS:
None.

cc: City Attorney

RESOLUTION NO._____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING A ONE-YEAR AGRICULTURAL LEASE BETWEEN THE CITY OF WATSONVILLE AND ADRIAN MONDRAGON, INDIVIDUALLY, AND DBA C&M FARMS FOR THE USE OF 1 ACRE OF CITY OWNED PROPERTY MORE OR LESS LOCATED AT 852 AIRPORT BOULEVARD, WATSONVILLE, CALIFORNIA (FORMERLY THE BANOVAC PROPERTY), COMMENCING ON MARCH 1, 2020, AND ENDING FEBRUARY 28, 2021, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the one-year Agricultural Lease between the City of Watsonville and Adrian Mondragon, individually, and dba C&M Farms for the use of 1 acre of City owned property more or less located at 852 Airport Boulevard, Watsonville, California, (formerly the Banovac Property) commencing March 2, 2020, and ending February 28, 2021, a copy of which Lease is attached hereto and incorporated herein by this reference, is fair and equitable and is hereby ratified and approved.

2. That the City Manager be and is hereby authorized and directed to execute such Lease for a one-year term for and on behalf of the City of Watsonville.

****

C&M Farms

Agricultural Lease

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This agricultural lease, made to be effective as of the 1st day of March, 2020, between the City of Watsonville, hereinafter "Landlord", and Adrian Mondragon, individually and dba C&M Farms, "Tenant", who for the consideration of their mutual promises herein agree as follows:

DEFINITIONS.

The following definitions shall apply to this Lease, except as expressly limited or changed within a paragraph:

a. "Landlord" means the fee owner of the Premises described herein and all lawful successors in interest, either by voluntary transfer or by operation of law.

b. "Tenant" means the original entity referred to above as "Tenant" and all successor corporations, partnerships, or other business entities resulting from reorganization of such limited liability company so long as notice of such reorganization is given promptly to Landlord. Tenant also includes any lawful assignee as to all or part of this Lease, so long as the assignment is made in accordance with the restrictions on Assignment in this Lease.

c. The verb "shall" is a mandatory term denoting a requirement, while "may" is a permissive action or optional authority.

PREMISES

Landlord hereby leases and Tenant hereby hires upon the terms and conditions herein set forth, and subject to existing conditions, covenants, restrictions and easements,

the real property, improvements thereon and appurtenances thereto, commonly known as the Gilbertson Property one (1) acre more or less at 852 Airport Boulevard at Ranport Road in the City of Watsonville, County of Santa Cruz, State of California, also being a portion of Santa Cruz County Assessor's Parcel No. 018-351-04 and 052-011-46 (the "Premises"). An area diagram of the Premises is attached to this lease and marked Exhibit A.

TERM.

The initial term of this Lease shall be for one year commencing on March 1, 2020, and expiring on February 28, 2021.

PAYMENT.

Tenant shall pay to Landlord rent at the rate of Four Thousand Dollars ($4,000.00) per acre per year for the period of March 1, 2020 through February 28, 2021. Rent shall be due as follows: $400 down payment upon lease execution and $300 per month due the 10th of each month beginning March 10, 2020. A late charge of one percent (10%) per month of the installment due shall be added to each payment received and deemed late. Rent shall be paid to Landlord at 250 Main Street, Watsonville, or at such other place as Landlord may from time to time designate in writing.

TAXES, FEES AND LICENSES.

Tenant shall pay and satisfy within the time required by law all taxes, assessments and licenses levied, imposed or required by any governmental subdivision, body or authority on or in respect to:

- Any improvement or property placed on the Premises by Tenant or by City with Tenant's permission or by any other person with Tenant's permission.
- All personal property taxes assessed by any assessing governmental authority(ies) on all of Tenant's property situated on the Premises, whether attached to the realty or otherwise.
- The use, occupancy or possessory rights in the Premises. City, pursuant to Section 107.6 of the California Revenue and Taxation Code hereby gives notice that the interest of Tenant in this Lease may be subject to property taxation as a possessory interest. By signing this Lease, Tenant acknowledges that it is aware of such tax and agrees to pay same when due.
- Any business, activity or transaction conducted thereon by Tenant.

- City, county, state or federal licenses(s) required as a result of Tenant's business.

Taxes upon the Premises shall be prorated. Tenant will pay only such proportion of said taxes levied with respect to such tax year as the portion of the tax year following the beginning of the Lease term bears to the entire tax year and so that at the end of the term, with respect to any taxes levied for a tax year extending beyond the end of the term, Tenant will pay only such proportion of said taxes as the portion of the tax year preceding the end of the lease term bears to the entire tax year.

UTILITIES.

Tenant shall pay, in addition to the rental herein stated, all proportionate charges for water, lights, fuel, gas, heat, electric power, and any and all other utilities and services used or supplied to Tenant in connection with the use and occupancy of the Premises, including but not limited to electrical energy and standby charges for the operation of the pumps.

Failure to make timely payment to the Agency shall constitute a material breach of this lease. Tenant shall provide written evidence of payment of Water Agency charges no later than ten (10) days after payment is due to the Agency or after a request therefore from Landlord.

Tenant shall indemnify Landlord if any supplier of utilities including, but not limited to, electricity and water, shall make a claim against Landlord for utilities related to the Premises during the term of this Lease. Said indemnity by Tenant shall include all of Landlord' expenses in defending or paying the costs of such claims including, but not limited to, attorney's fees and costs related thereto.

USE.

The Premises are leased to Tenant for agricultural crop growing and harvesting purposes only. The Premises shall not be used for any other purpose, such as a farm stand or similar without the written permission of Landlord obtained before such use.

Tenant shall not commit nor permit others to commit waste or nuisance on the leased premises, nor any other act that could disturb the quiet enjoyment of Landlord, any other tenant of Landlord, or any person on adjacent property.

Tenant acknowledges the joint use of nearby leased premises for a golf driving range, and agrees to operate agricultural activities so as to minimize their adverse effect on such activities.

DEVELOPMENT OF LANDING AREA.

Landlord reserves the right to further develop or improve the Airport as it sees fit, regardless of the desires or views of the Tenant, and without interference or hindrance from Tenant.

MAINTENANCE OF LANDING AREA.

Landlord reserves the right to maintain and keep in repair the landing area of the Airport and all publicly-owned facilities at the Airport, together with the right to direct and control all activities of the Tenant in this regard.

NO EXCLUSIVE RIGHT GRANTED.

It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right within the meaning of Section 308a of the Federal Aviation Act of 1958 (49 U.S.C. 1349a.) or Article 2 Section 7-18.200 "Permits and leases required" of the Airport Chapter of the City of Watsonville's Municipal Code.

LEASE SUBJECT TO U.S. GOVERNMENT ACQUISITION AND CONTROL.

This lease and all the provisions hereof shall be subject to whatever right the United States Government now has or in the future may have or acquire, affecting the control, operation, regulation and taking over of said airport or the exclusive or non-exclusive use of the airport by the United States during the time of war or national emergency.

LEASE SUBORDINATE.

This lease shall be subordinate to the provisions and requirements of any existing or future agreement between the Landlord and the United States, relative to the development, operation or maintenance of the Airport.

RIGHT OF FLIGHT.

There is hereby reserved to the Landlord, its successors and assigns, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the premises herein leased. This public right of flight shall include the right to cause in said airspace any noise inherent in the operation of any aircraft used for navigation or flight through the said airspace or landing at, taking off from or operation on the Airport.

NONINTERFERENCE WITH LANDING AND TAKE OFF.

By accepting this lease, Tenant agrees for itself, its successors and assigns that it will not make use of the lease premises in any manner which might interfere with the landing and taking off of aircraft from the Airport or otherwise constitute a hazard. In the

event the aforesaid covenant is breached, the Landlord reserves the right to enter upon the premises hereby leased and cause the abatement of such interference at the expense of the Tenant.

METHOD OF FARMING.

Tenant covenants and agrees that it will occupy, till, cultivate, plant, tend and harvest all crops to be grown on said Premises in a good and farmer-like manner, and keep down noxious weeds and grasses and rodents and other vertebrate pests in accordance with practices of good farmers of row crops in the Pajaro Valley.

Tenant agrees to make diligent effort to prevent infestations of insects or organisms that may produce disease in plants or animals that may come onto or develop on the premises during the term of this lease that might damage crops grown on the premises after expiration of the Lease. Tenant agrees to prevent crops from interfering with pilots' views of runway lights at all times. Tenant agrees to refrain from performing repairs on farm equipment on Airport property except in an emergency as required to make equipment operable. Tenant agrees to remove all equipment when not in use. Tenant agrees to reimburse Landlord for cost of repairs to roadways, and other permanent surfaces caused by Tenant's equipment. On default of the Tenant to do so, Landlord reserves the right, after ten (10) days written notice, to take necessary remedial measures at Tenant's expense for which Tenant agrees to reimburse Landlord upon demand.

WELL & PUMP.

Tenant shall have the right to use the well, pumping plant, and underground pipeline presently located on the Premises and will be responsible for the utility charges relating to the well, pump, and pumping plant throughout the term of this Lease or any extensions thereof occasioned by Tenant's use.

If the well shall fail or shall not produce sufficient water to meet Tenant's needs, Tenant shall have no recourse against Landlord. Tenant and Landlord acknowledge that the water under the Premises may be subject to salt water intrusion which may have the effect of making the well water unsuitable for agricultural use. Tenant accepts the Premises knowing that this condition exists. Tenant may not use the well for other purposes.

MAINTENANCE & REPAIRS.

Tenant shall maintain and repair, at its own expense, all improvements on the Premises being used by Tenant, including but not limited to, fences, ditches, roadways and maintain them in the same order and condition in which received, reasonable use and wear excepted.

Tenant shall be required to exercise reasonable care to prevent irrigation water or rain water from escaping from the Premises and from ditches and other water conduits and to prevent flooding or interference with the use of adjoining lands, roads or easements. If that Tenant's use of the said Premises shall result in a claim against Landlord by an adjoining property owner, Tenant shall fully indemnify Landlord for any liability assigned to Landlord arising therefrom, including all costs related to legal defense of said claim.

ZONING.

Landlord warrants that at the time of the execution of this Lease the leased Premises are zoned Coastal Zone-A (CZ-A) and Commercial Agriculture Watsonville (CA-W) and may be lawfully used for the purposes provided herein, for which the Premises are leased to Tenant.

LIENS.

Tenant shall not suffer or permit any lien or encumbrance of whatever kind or nature to be placed upon, levied upon or assessed against the Premises by reason or as a result of any act of omission or commission of the Tenant. If any such lien is placed upon the Premises, Tenant shall promptly pay or otherwise remove the lien, and upon Tenant's failure to do so, the same may be paid by Landlord and charged to Tenant, the same being due and payable immediately upon presentation of a statement of Landlord. Landlord, or their agents, may at any time in their discretion go in and upon the Premises and post notice of non-responsibility where any alterations, repairs or improvements have been commenced on the Premises.

INSURANCE.

Tenant shall maintain public liability insurance with a company approved by Landlord for protection against liability arising as an incident of the use of, or any interest in, the Premises leased hereunder. The limits of liability under this insurance shall not be less than a combined single limit of Two Million Dollars ($2,000,000.00) for any one person injured or for any one accident and Two Million Thousand Dollars ($2,000,000.00) for property damage. Such insurance shall insure the contingent liability of Landlord and name and endorse Landlord as an additional insured. Should Tenant fail to maintain such insurance, Landlord may obtain same on behalf of Tenant and the cost thereof shall be paid by Tenant, upon demand. All such insurance policies shall be delivered to and held by Landlord, or a certificate of such insurance shall be provided to Landlord each time the lease term may be renewed. All such insurance companies shall be obligated to notify Landlord at least ten (10) days prior to any change or cancellation thereof.

INDEMNITY.

a. Tenant's Indemnity of Landlord. Tenant shall indemnify, defend, and hold Landlord, Landlord' employees and agents, and Landlord' Premises harmless from and against all Claims, losses, damages, liabilities and expenses, including attorney's fees, ("Claims") arising from personal injury or physical damage to any person or property occurring on the Premises or arising from Tenant's use of the property and caused by Tenant, Tenant's employees, agents or representatives, or due to Tenant's operations on the Premises during the lease term. Tenant's obligations under this paragraph, however, shall not apply to Claims arising from the acts or omissions of Landlord or Landlord' employees, agents or representatives.

b. Landlord' Indemnity of Tenant. Landlord shall indemnify, defend and hold Tenant, Tenant's employees and agents and Tenant's property harmless from all Claims arising from or relating to the acts or omissions of Landlord or Landlord' employees, agents, or representatives.

ENTRY BY LANDLORD.

Tenant shall permit Landlord and Landlord's agents to enter the Premises for the purpose of inspection at all reasonable times. Such inspections shall be so scheduled as to not unreasonably interfere with the conduct of the Tenant's operations on the Premises.

CONDITION OF PREMISES.

Landlord expressly disclaims any warranty of soil suitability for growing any crop. Landlord also disclaims any warranty whatsoever of availability, quantity, or quality of water in or upon or available to the real property which is the subject of this lease.

By entry under this Lease, Tenant accepts the Premises in their present condition; and Tenant agrees, on the last day of the term or on sooner termination of this Lease, to surrender the Premises and the appurtenances to Landlord in the same condition as when received, and to remove all of Tenant's personal property from the Premises no later than the date of lease expiration.

In the event of damage to the property arising from Acts of God, such as saltwater intrusion from natural events, storms, earthquakes, tsunamis or other natural events not directly caused by Landlord or Tenant, neither Landlord nor Tenant shall be liable to make repairs or improvements of the property as a result of such events. Rent of the premises shall not be subject to reduction as a result of any damage caused by such events. In the event that Landlord may elect to repair or improve the property after such an event, Tenant shall cooperate with Landlord in the work to repair or improve. If that Landlord shall elect

not to make repairs or improvements, Tenant may elect to perform such repairs or improvements, subject to written approval of the plans for such work provided by Tenant to Landlord.

ABANDONMENT.

Tenant shall not vacate or abandon the Premises at any time during the term. If Tenant does abandon, vacate, or surrender the Premises, or it's dispossessed by process of law, or otherwise, personal property belonging to Tenant and left on the Premises shall be kept for a reasonable time by Landlord, but in no event longer than thirty (30) days after Landlord give Tenant notice to remove that property from the Premises, after which time, if it has not been reclaimed by Tenant, it may be treated by Landlord as abandoned. If Tenant does not reclaim Tenant's personal property, Tenant shall reimburse Landlord for all costs associated with Landlord' disposing of any and all personal property abandoned by Tenant on the Premises.

HOLDING OVER.

Any holding over after expiration of the term of this Lease, may only occur with the written consent of Landlord, and shall be treated as a tenancy from month to month, at the rental prorated upon the rental paid for the last term of the lease, and shall otherwise be on the terms and conditions specified in this Lease, as far as applicable. Tenant shall have no rights to renewal of the lease other than as specifically contained herein, and holding over shall not permit Tenant to exercise any further rights to farm the Premises beyond the period of this lease or any written extension thereof.

SURRENDER OF PROPERTY.

Tenant shall surrender possession of the Premises to Landlord immediately upon the expiration or earlier termination of this Lease. Upon the termination of this Lease, Tenant shall remove all of its personal property from the Premises. Tenant shall, upon termination of this Lease, also remove all crops, equipment, plastic, or other covering, and shall cultivate and disk the Premises twice in each direction.

COMPLIANCE WITH LAW.

Tenant shall at all times and at its own expense materially observe and comply with any and all federal, state, county or municipal laws, statutes, ordinances, rules, regulations and orders of any duly constituted governmental authority now in effect or hereafter passed, adopted or promulgated with reference to Tenant's use of or conduct of operations on the Premises under which Tenant has the obligation of compliance. Tenant's obligations hereunder do not extend to compliance relating to conditions existing prior to the

commencement of Tenant's Lease of the subject Property in the past or present terms.

a. Covenants Regarding Use. Tenant covenants that during the Lease Term it will not use, generate, manufacture, produce, store, release, discharge, or dispose of on, under or about the Premises or transport to or from the Premises any hazardous substances except: (i) petroleum, gasoline or diesel fuel, propane or natural gas used to operate motor vehicles or farm machinery or equipment (but which shall not be released, discharged or disposed of on the Property); and (ii) hazardous substances used in the production of agricultural crops on the Premises, which are commonly used for such purposes in the vicinity of the Premises, and which are used in compliance with applicable laws (but which shall not be disposed of on the Property). Tenant hereby agrees to indemnify and hold harmless Landlord from and against any and all losses, costs, Claims, or damages to the Premises resulting from use, generation, manufacture, production, storage, release, discharge, or disposal of these hazardous substances on, under, or about the Premises caused by Tenant during the term of this Lease including the reasonable attorney's fees and costs incurred by Landlord in defense of any claim against Landlord in connection therewith. Further, Tenant assumes all liabilities for any cleanup, remediation, and/or restoration costs which result from such actions by Tenant during the term of this Lease.

b. Hazardous Substances Defined. The term "hazardous substances" shall include without limitation: (i) those substances included within the definitions of "Hazardous Substances", "Hazardous Materials", "Toxic Substances" or "Solid Waste" in CERCLA (42 U.S.C. 9601 et seq.), RCRA (42 U.S.C. 6901 et seq.) and the Hazardous Materials Transportation Act (49 U.S.C. Sections 1801 et seq.) TSCA (15 U.S.C. §2601 et seq.) and in the regulations promulgated pursuant to said laws; (ii) those substances defined as "hazardous wastes" in sections 25117 of the California Health and Safety Code, or as Health and Safety Code and in the regulations promulgated pursuant to said laws, (iii) those substances listed in the United States Department of Transportation Table of Hazardous Materials (49 CRF 172.101 and amendments thereto) or by the Environmental Protection Agency (or any successor agency) as hazardous substances (40 CFR Part 302 and amendments thereto); (iv) such other substances, materials and wastes which are or become regulated under applicable local, state or federal law, or which are classified as hazardous or toxic under Federal, State or local laws or regulations; and (v) any materials, wastes or substance which is petroleum, asbestos, polychlorinated bipheyls, flammable explosives, or radioactive materials. Any reference herein to statutory or regulatory sections shall be deemed to include any amendments thereto and any successor section. "Hazardous substances" shall also include any substance the presence of which requires

investigation or remediation under any Federal, state or local statute, regulation, ordinance, order, action or policy; and includes, in addition, any substance the presence of which causes or threatens to cause a nuisance upon the Premises or adjacent property or threatens the health and safety of persons on or about the Premises.

REMEDIES OF LANDLORD FOR DEFAULT.

If default shall be made by Tenant, in the payment of the rent herein reserved or any part thereof, or if the Tenant shall commit any material breach of omission or commission of any of the terms herein contained on its part to be complied with or performed and shall fail to remedy such breach within thirty (30) days after notice served personally or by certified mail on Tenant (unless said remedy cannot be completed within thirty (30) days and Tenant continues to diligently pursue the same), this Lease and the term hereby created shall, at the option of Landlord, terminate and Landlord may reenter . the Premises and remove therefrom the Tenant and all persons claiming through or under it and terminate this Lease and the term hereby created and recover damages for the breach hereof; or Landlord may, at their option, without terminating this Lease, take possession of the Premises and in their own name may lease the Premises or rent the same to any other person or persons on such terms and conditions as they may deem proper and recover from the Tenant any difference between the rent to be collected under such new rental and the rent herein reserved.

In the event of default or material breach by Tenant, in addition to the remedies provided in the previous paragraph, Landlord may give tenant notice that the lease will terminate at the end of the lease year (November 30) of the year of the default or material breach and the lease shall terminate at such time. Landlord may further pursue all damages for default and material breaches from Tenant after such termination.

Landlord and Tenant agree that in the event of default by Tenant, Landlord have the right to exclude Tenant from the Premises after terminating the Lease. Tenant shall be entitled, upon written notice to Landlord, to enter the Premises and remove personal property belonging to Tenant, other than property which may be permanently attached to the ground. Landlord and Tenant further agree that growing crops at the time of default and termination shall become the property of Landlord upon re-entry of the Premises by Landlord. Landlord, in such event, may remove such growing crops or may continue cultivation of said growing crops and shall be entitled to all revenues derived therefrom. Upon default, termination and re-entry, Landlord shall have no liability for or responsibility to maintain any personal property left on the Premises by Tenant at the time of default.

ATTORNEYS' FEES.

In any action or legal proceeding to enforce any provision of this Lease, the prevailing party shall be entitled to all costs incurred, including the fees or experts and consultants retained by that party, and reasonable attorneys' fees. The fees and costs of arbitration, including the fees of the arbitrator, shall be included in the arbitrator's award to the prevailing party.

REMOVAL OF GROWING CROPS.

Subject to the provisions of paragraph 21, above, Tenant shall remove any then growing crops by the date of termination of this Lease unless otherwise authorized in writing by Landlord which authorization shall not be unreasonably withheld. Said authorization shall not constitute a waiver or consent to a holdover in favor of Tenant.

ENVIRONMENTAL REGULATORY PROVISIONS.

In order to protect water quality, Tenant will install and maintain best management practices to keep sediment on the property. Tenant shall have a 50 foot buffer from any drop inlets or storm drain. Tenant shall leave any riparian habitat located near such drop inlets or storm drains in place so that no denuded soils erode or cause sediment to enter the storm sewer system.

STORMWATER INSPECTIONS.

City maintains the right to conduct storm water inspections on site. At a minimum, City staff will be inspecting the storm water sewer system quarterly. Upon inspection, if City determines that there is significant impacts to storm water features, City will send a written corrective action notice to Tenant. Tenant will have 30 days to respond to the notice.

ASSIGNMENT OR SUBLETTING.

Provided Tenant is not in default under this Lease, Tenant shall be entitled to assign or sublet the Premises on the following conditions:

a. The assignment or sublease shall be in writing and require the assignee or subtenant to perform all of the terms and satisfy all of the conditions of this Lease, and to assume all obligations of Tenant under this Lease.

b. Tenant guarantees in writing the performance by assignee or subtenant of the terms of this Lease. Notwithstanding whether the execution of Tenant's written guarantee has been delivered to Landlord, Tenant shall act as guarantor of any assignee or subtenant.

c. Landlord' consent to such assignment or subletting is obtained in writing

prior to the effective date thereof, provided that such consent shall not be unreasonably withheld.

d. Tenant pays all Landlord' costs in connection with any such assignment, including any attorney's fees incurred by Landlord.

Any assignment or subletting in violation of the terms of this section is subject to Landlord's right to give notice that such attempted subletting or assignment is a material breach of the terms of this lease.

NOTICES.

Any notice or other communication (including the payment of rent, property taxes, late charges or other fees) required or desired to be given under this Lease shall be given in writing and shall be deemed sufficiently given and served for all purposes when personally delivered or when delivered by expedited courier, or on the third day after mailing if delivered by first class, certified mail, to the party to whom directed at such party's address for notice as shown below.

Landlord	Tenant
City of Watsonville Finance Department 250 Main Street Watsonville, CA 95076	Adrian Mondragon 36 Bradford Road Watsonville, CA 95076

CONDEMNATION.

If any public authority exercises the right of eminent domain and condemns or takes the whole or such portion of the Premises as to constitute a material interference with Tenant's agricultural operations, or if changes in current zoning laws shall prohibit the use of the Premises for agricultural purposes, then this Lease shall thereupon terminate.

In such event, however, subject to such restrictions, limitations or other requirements which may be imposed by the condemning authority, Tenant shall have the right to remove any crops growing on the Premises at the time of such condemnation.

In the event of a condemnation of a portion of the Premises which does not materially affect Tenant's farming operations, this Lease shall remain in full force and effect, and the rent payable under this Lease shall be adjusted so that Tenant shall be required to pay for the remainder of the term only the portion of the rent that is proportionate to the farmable area of the total parcel prior to condemnation. All expenses necessary to restore fences, to replace access roads and to restore or repair the water and irrigation system, or move buildings necessitated by the condemnation shall be borne by Landlord. Tenant shall be entitled to recover from any condemnation award at fair market

value of all trade fixtures, equipment and improvements owned by the Tenant, which are taken or rendered unusable by the condemnation, and the cost to the Tenant of plants, ground preparation, fertilizing, soil treatment, and labor incurred since the harvesting of the last crop grown on the condemned portion of the demised Premises and ending on the date the order of condemnation is flied in the office of the County Recorder, together with the value of the crops in the ground on the date that the order of condemnation is filed in the office of the County Recorder.

MINERAL RESERVATION.

Landlord hereby reserve and retain the right to enter upon the Premises for the purpose of exploring for, drilling for, storing, extracting and removing therefrom oil, gas and other hydrocarbons and minerals. If the Landlord or their successors, assigns, or Tenants should exercise any of the rights under this paragraph, Landlord shall indemnify Tenant for any and all damages to growing crops, ditches, improvements, and personal property of Tenant which may be occasioned by the acts of Landlord or their successors, assigns or Tenants. In addition, the amount of rental herein reserved shall be reduced in proportion to the amount of the surface of the land used or occupied in connection with such activities. Tenant, in Tenant's sole discretion, may terminate this Lease If such use or occupation materially interferes with Tenant's operations. If Landlord enter into any Lease or contract authorizing third parties to exercise any rights herein expressly reserved to Landlord, Landlord agree that a provision in any such contract or Lease will require such third parties to indemnify the Tennant herein for damages to growing crops and personal property.

BINDING EFFECT ON SUCCESSORS AND ASSIGNS.

This Lease shall be binding on and inure to the benefit of the heirs, executors, administrators, successors and assigns of Landlord and Tenant; provided, however, that nothing in this section shall be construed as a consent by Landlord to any assignment of this Lease, or any interest in it by Tenant.

INTERPRETATION OF DOCUMENT

The following principles of legal interpretation and construction shall apply to this Lease and all its provisions:

a. Captions and organization are for convenience only, and shall not be used in construing meaning;

b. Exhibits referred to shall be deemed incorporated by reference, whether attached or not;

c. California law shall govern validity, performance and enforcement of his Lease;

d. Whenever the consent of a party is required by a provision of this Lease, such consent shall not be unreasonably withheld;

e. The provisions of this Lease are severable so that the illegality or unenforceability of any paragraph shall not affect the rest of the Lease;

f. This Lease contains the entire agreement between the parties, and no promises, representation or warrants not expressly made is to be considered a part of the Lease agreement. No amendment shall have any effect unless in writing and signed by the party against whom it is to be enforced;

g. No Partnership. This Lease shall not be deemed to create a partnership or joint venture between the parties; and

h. Waiver. No waiver of Tenant's default by Landlord under this Lease shall constitute a waiver of a subsequent default, and after a waiver, express or implied, no notice need be given that strict compliance in the future will be required.

i. Waiver of subrogation. To the extent permitted by the parties insurers, the parties release each other, and their respective authorized representatives, from any claim for damage to any person or to the premises and buildings thereon and/or improvements in which the Premises are located, and to the fixtures, personal property, Tenant's improvements and alterations of either Landlord or Tenant in and on the Premises that are caused by or result from risks insured against under any insurance policies carried by the parties and in force at the time of any such damage. Neither party shall be liable to the other for any damage caused by fire or any other risk insured against under any insurance policy required by this Lease. The parties shall notify their insurance carriers of this waiver of subrogation clause and obtain their consent therefore. However, failure to so notify said insurance carriers shall not affect the enforceability of this provision.

j. Time of Essence. Time is of the essence of this Lease and each and all its provisions.

k. Authority. Signators hereto warrant that they have authority to execute this Lease on behalf of the entities who are parties hereto.

We hereby agree to the above provisions of this lease:

//

//

"City"	"Tenant"
CITY OF WATSONVILLE, a municipal corporation By:_____ Matthew D. Huffaker, City Manager **ATTEST:** By:_____ Beatriz V. Flores, City Clerk **APPROVED AS TO FORM:** By:_____ Alan J. Smith, City Attorney	Adrian Mondragon, individually, and dba **C&M Farms** By:_____ Adrian Mondragon, Owner

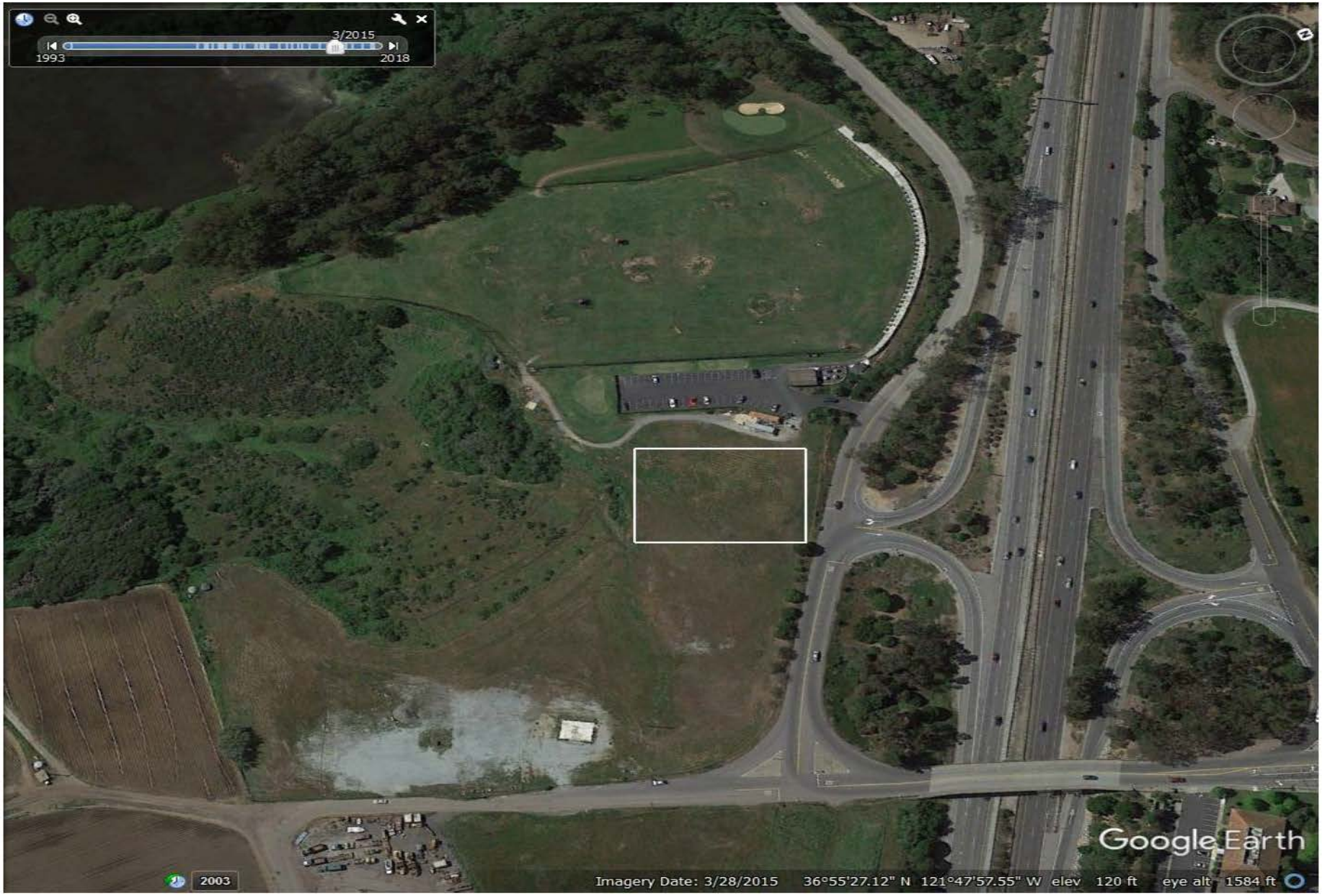

3/2015
1993
2018
2003
Imagery Date: 3/28/2015 36°55'27.12" N 121°47'57.55" W elev 120 ft eye alt 1584 ft
Google Earth

Exhibit "A"

City of Watsonville
City Manager's Office

M E M O R A N D U M

DATE: **February 20, 2020**

TO: **Matthew D. Huffaker, City Manager**

FROM: **Tamara Vides, Deputy City Manager**
Raunel Zavala, Administrative Analyst

SUBJECT: **Resolution approving a Health in All Policies (HiAP) framework that will incorporate health considerations into decision - making across all departments and policy areas within the City of Watsonville**

AGENDA ITEM: **February 25, 2020** **City Council**

RECOMMENDATION:
Staff recommends that the City Council, adopt a Health in All Policies (HiAP) framework that will incorporate health considerations into decision-making across all departments and policy areas within the City of Watsonville and direct staff to develop an implementation plan to train all policy makers and City staff.

DISCUSSION:
The Health in All Policies framework dates back to 1978 through work of the World Health Organization. Through many decades, the framework has evolved and been discussed at many international health policy groups. In 2010, the California Health in All Policies Task Force was formed and has since adopted it for 20 State agencies.

The health and well-being of the residents of the City of Watsonville is critical for a prosperous and sustainable Watsonville.

A Health in All Policies approach promotes health, wellness, equity, and sustainability. It requires that all departments and their staff consider health, alongside other important factors such as fiscal and environmental impact, when making decisions that affect the community.

There is growing awareness that health and well-being are influenced by the interaction of many factors and not simply by genetics, individual behavior, or access to medical care. It is now widely accepted that conditions in the environments in which people are born, live,

learn, work, play, and age, known as the social determinants of health, have the greatest influence on health and well-being outcomes across populations.

The social determinants of health and well-being affect chronic disease rates, mental illness, as well as injuries caused by accidents and violence. They also influence the adoption of healthy lifestyles by making it difficult for individuals to choose behaviors that promote health, well-being and environmental sustainability.

Policies implemented by the City of Watsonville outside of the traditional health sector significantly affect the social determinants of health, including policies related to homelessness, food access, housing, transportation, public safety, education, sustainability, climate change, parks, air and water quality, criminal justice, and economic development.

Interagency collaboration can lead to improved decision-making and outcomes and greater efficiencies in service delivery. Additionally, adopting HiAP will align local policies with California State law.

STRATEGIC PLAN:
By adopting a "Health in All Policies" approach, the City of Watsonville recognizes that all of the City of Watsonville Government has a role to play in improving health and well-being outcomes and reducing inequities.

FINANCIAL IMPACT:
Approval of a resolution to adopt the Health in All Policies (HiAP) framework that will incorporate health considerations into decision-making across all departments and policy areas within the City of Watsonville will not have a financial impact at this time. If the Council directs staff to work on an implementation plan to train all policy makers and City staff, there will be minimal costs associated with the training.

ALTERNATIVES:
City Council may choose not to adopt Health in All Policies (HiAP) framework at this time.

ATTACHMENTS:
Health in All Policies: A Guide for State and Local Governments

cc: City Attorney

HEALTH IN ALL POLICIES

A Guide for State and Local Governments



The California Endowment

APHA American Public Health Association

CDPH California Department of PublicHealth

PUBLIC HEALTH INSTITUTE®

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Kym Dorman, MPH, and Kallista Bley, MPH, at Harder + Company conducted an evaluation of the California Health in All Policies Task Force that informed this guide. This guide was designed by Weiher Creative.

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PREFACE

The health of our nation is in crisis: chronic disease is on the rise, health care costs are spiraling up, and inequities are growing. More and more children are facing illnesses that have historically been associated with adults, and current trends suggest that today's young people may be the first generation of children in the United States with shorter life expectancies than their parents. At the same time, we face urgent environmental problems—such as climate change, water shortages, the loss of habitat and other natural resources—which will pose additional health challenges.

There is an increasing recognition that the environments in which people live, work, learn, and play have a tremendous impact on their health. Re-shaping people's economic, physical, social, and service environments can help ensure opportunities for health and support healthy behaviors. But health and public health agencies rarely have the mandate, authority, or organizational capacity to make these changes. Responsibility for the social determinants of health falls to many non-traditional health partners, such as housing, transportation, education, air quality, parks, criminal justice, energy, and employment agencies. Solutions to our complex and urgent problems will require collaborative efforts across many sectors and all levels, including government agencies, businesses, and community-based organizations.

Public health agencies and organizations will need to work with those who are best positioned to create policies and practices that promote healthy communities and environments and secure the many co-benefits that can be attained through healthy public policy. This approach is called "Health in All Policies," and is described in the World Health Organization's Adelaide Statement on Health in All Policies as assisting "leaders and policymakers to integrate considerations of health, well-being and equity during the development, implementation and evaluation of policies and services." The Health in All Policies approach builds on previous collaborative public health work and is spreading rapidly and dynamically in the United States and around the world.

We are very proud of the American Public Health Association's long history of working with colleagues in many sectors to improve the health of communities across the United States. This guide follows in that tradition, and will be of great value as the implementation of Health in All Policies expands and evolves to transform the practice of public health for the benefit of all.



Adewale Troutman, MD, MPH, MA, CPH
President
American Public Health Association



Georges C. Benjamin, MD
Executive Director
American Public Health Association

ABOUT THIS GUIDE

"Health in All Policies: A Guide for State and Local Governments" was written by the public health facilitators of the California Health in All Policies Task Force and is geared toward state and local government leaders who want to use intersectoral collaboration to promote healthy environments. There are many different ways to support intersectoral collaboration for health, and the guide provides a broad range of perspectives and examples.

In developing the guide, the authors reviewed the published peer-reviewed and gray literature and interviewed people working in formal and informal intersectoral collaborative government processes to promote health at local, state, and national levels across the United States and in other countries. While the guide reflects a wide variety of approaches to Health in All Policies, and provides local, state, and national case examples from across the United States and around the world, it draws heavily on the authors' experiences in California and from documents produced by the California Health in All Policies Task Force. More information about the California experience is available in Part III.

Much of the information in this guide may appear intuitive or self-evident. However, the authors' experiences suggest that careful consideration of basic concepts, such as relationship building and decision-making, is very helpful in pursuing the broad range of activities that fall within Health in All Policies.

Health in All Policies is a growing field and the authors expect that new approaches to Health in All Policies will continue to emerge after the publication of this guide.

A NOTE ABOUT THE ORGANIZATION OF THE GUIDE

The order of information in this guide is not intended to imply that the practice of Health in All Policies will necessarily follow any one sequence. For example, some Health in All Policies initiatives will emerge from existing relationships, while others will be created through a top-down directive and necessitate the building of new relationships.

Part I of this guide is a discussion of the concept of Health in All Policies, including its key elements, history, and links to other public health and equity initiatives. Part II covers the "nuts and bolts" of this work and discusses an array of considerations including structure, relationship building, leadership, and messaging. Part III of the guide is a case study of the California Health in All Policies Task Force. Those less familiar with Health in All Policies approaches may find it useful to read the guide in order, while others may be more interested in starting with the California case study or another section.

The guide includes a glossary of commonly used terms, as well as a list of annotated resources, organized by section. You will also find *Food for Thought* sections throughout the guide. These are lists of critical thinking questions you may wish to consider as you apply a Health in All Policies approach.

LANGUAGE USE IN THIS GUIDE

Several of the authors' choices of language merit comment.

The term "policy" deserves special attention. While policy is often seen as synonymous with legislation, it actually describes a broad range of activities, and can be defined much more broadly as an agreement on issues, goals, or a course of action by the people with power to carry it out and enforce it.[1,2] In this guide, "policy" refers to *public* policy, which can be defined as the "sum of government activities, whether acting directly or through agents,"[3] that have an influence on residents and communities. Public policy has also been defined as "the actions of government and the intentions that determine those actions,"[4] "political decisions for implementing programs to achieve societal goals,"[5] or simply "whatever governments choose to do or not to do."[6]

Another term that deserves attention is "equity," which is used frequently in the phrase "health equity," and sometimes by itself. Promoting equity is a key strategy for addressing major population health issues rooted in socioeconomic inequalities facing the United States. Health inequities are differences in health "that are a result of systemic, avoidable and unjust social and economic policies and practices that create barriers to opportunity."[7] In this guide "sustainability" refers to the need of society to create and maintain conditions so that humans can fulfill social, economic, and other requirements of the present without compromising the ability of future generations to meet their own needs.[8] This can be thought of in terms of environmental, economic, and social impacts, and encompasses the concept of stewardship and the responsible management of resources. The authors believe that equity and sustainability are core components of a healthy community.

The term "agency" is generally used to indicate any government entity including an agency, department, office, or board.

The terms "partners" or "partner agencies" generally refer to government agencies, while "stakeholders" generally refers to those outside of government, including members of local communities, representatives of community groups and nonprofit organizations, academics, and representatives of businesses. However, note that for *state* government agencies, the term "stakeholder" may also refer to a representative of a *local* government agency.

PART I. WHAT IS HEALTH IN ALL POLICIES AND WHY DO WE NEED IT?

Health in All Policies: A Guide for State and Local Governments starts with background information on the concept of Health in All Policies in order to ground the reader in key concepts and definitions. Part I includes an overview of the social determinants of health and describes Health in All Policies as an approach to address these key drivers of health outcomes and health inequities. The authors discuss the connections between health, equity, and sustainability and describe the importance of addressing equity and sustainability in order to build healthy communities. Part I also includes an overview of the key principles of Health in All Policies, a description of a healthy community as a goal for Health in All Policies work, and an international history of Health in All Policies.



SECTION 1: Background

KEY POINTS

- Health in All Policies is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas.
- Health is influenced by the social, physical, and economic environments, collectively referred to as the "social determinants of health."
- Health in All Policies, at its core, is an approach to addressing the social determinants of health that are the key drivers of health outcomes and health inequities.
- Health in All Policies supports improved health outcomes and health equity through collaboration between public health practitioners and those nontraditional partners who have influence over the social determinants of health.
- Health in All Policies approaches include five key elements: promoting health and equity, supporting intersectoral collaboration, creating co-benefits for multiple partners, engaging stakeholders, and creating structural or process change.
- Health in All Policies encompasses a wide spectrum of activities and can be implemented in many different ways.
- Health in All Policies initiatives build on an international and historical body of collaborative work.



1.1 What is Health in All Policies?

Health in All Policies is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas. (See Appendix II for other definitions of Health in All Policies.) The goal of Health in All Policies is to ensure that all decision-makers are informed about the health, equity, and sustainability consequences of various policy options during the policy development process.[9] A Health in All Policies approach identifies the ways in which decisions in multiple sectors affect health, and how better health can support the achievement of goals from multiple sectors. It engages diverse governmental partners and stakeholders to work together to improve health and simultaneously advance other goals, such as promoting job creation and economic stability, transportation access and mobility, a strong agricultural system, environmental sustainability, and educational attainment.[10]

Health in All Policies is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas.

Health in All Policies builds on a long public health tradition of successful intersectoral collaboration, such as efforts to implement water fluoridation, reduce lead exposure, restrict tobacco use in workplaces and public spaces, improve sanitation and drinking water quality, reduce domestic violence and drunk driving, and require the use of seatbelts and child car seats.

Health in All Policies encompasses a wide spectrum of activities, with one-time collaborative efforts with a single partner at one end, and whole-of-government approaches involving on-going collaboration across many agencies at the other. While all parts of the spectrum can help further a Health in All Policies approach, Health in All Policies is most effective when it goes beyond one-time or one-issue collaborations. Ultimately the Health in All Policies approach seeks to institutionalize considerations of health, equity, and sustainability as a standard part of decision-making processes across a broad array of sectors.

> "I think it's clear that if we are going to be successful as a state in advancing improvements in individual health [and] in closing health disparities we need to be thinking across silos and across sectors."
>
> —Kimberly Belshé, *former Secretary, California Health and Human Services Agency, November 2010*

1.2 Why We Need Health in All Policies

Health in All Policies is a response to a variety of complex and often inextricably linked problems such as the chronic illness epidemic, growing inequality and health inequities, rising healthcare costs, an aging population, climate change and related threats to our natural resources, and the lack of efficient strategies for achieving governmental goals with shrinking resources. These "wicked problems"[11] or "social messes"[12] are extremely challenging. Addressing them requires innovative solutions, a new policy paradigm, and structures that break down the siloed nature of government to advance trans-disciplinary and intersectoral thinking.[13] Health in All Policies provides such an approach.

Governments, at all levels, are challenged by declining revenues and shrinking budgets while also facing increasingly complex problems. Collaboration across sectors—such as through a Health in All Policies approach—can promote efficiency by identifying issues being addressed by multiple agencies and fostering discussion of how agencies can share resources and reduce redundancies, thus potentially decreasing costs and improving performance and outcomes.

> "A Social Mess is a set of interrelated problems …resistant to analysis and, more importantly, to resolution…[It is characterized by] uncertainty and risk, complexity, systems interacting with other systems, competing points of view and values, different people knowing different parts of the problem (and possible solutions), and intra- and inter-organizational politics."
>
> —Robert Horn, *Strategy Kinetics*[14]

SOCIAL DETERMINANTS OF HEALTH AND EQUITY

At its core, Health in All Policies represents an approach to addressing the social determinants of health, which are the key drivers of health outcomes and health inequities. It is founded in the recognition that public health practitioners must work with partners in the many realms that influence the social determinants of health, which are largely outside the purview of public health agencies.

The Upstream Parable

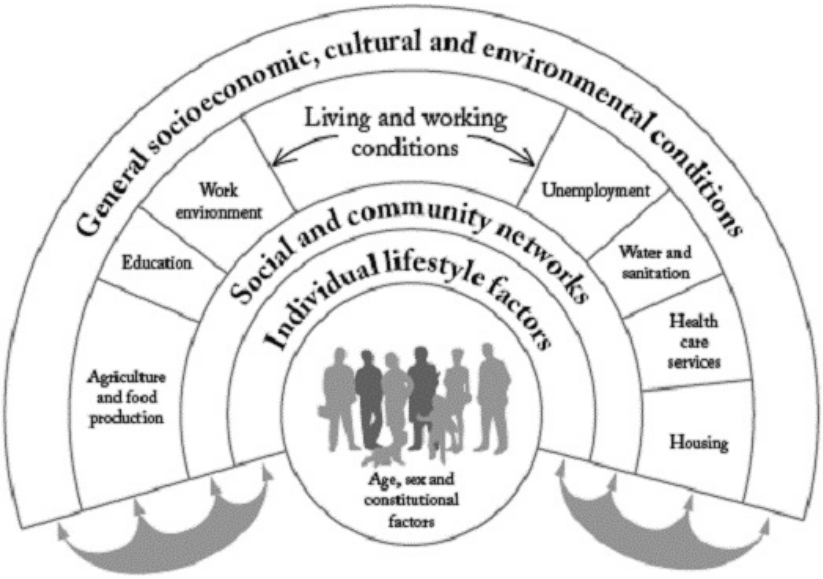
Irving Zola, in a widely cited article by John McKinlay, offered this metaphor for our current sickness-based health system and the need for upstream, preventative approaches for health: "Sometimes it feels like this. There I am standing by the shore of a swiftly flowing river and I hear the cry of a drowning man. So I jump into the river, put my arms around him, pull him to shore, and apply artificial respiration. Just when he begins to breathe, there is another cry for help. So I jump into the river, reach him, pull him to shore, apply artificial respiration, and then just as he begins to breathe, another cry for help. So back in the river again, reaching, pulling, applying, breathing, and then another yell. Again and again, without end, goes the sequence. You know, I am so busy jumping in, pulling them to shore, applying artificial respiration, that I have *no* time to see who the hell is upstream pushing them all in."[15]

Health is influenced by the interaction of many factors including:

- genetics, biology, individual behavior;
- access and barriers to health care; and
- social, economic, service, and physical (natural and built) environments.[16]

While clinical care is vitally important, only a small portion (15–20%) of overall health and longevity can be attributed to clinical care.[17] Social, physical, and economic environments and conditions, collectively referred to as the "social determinants of health," have a far greater impact on how long and how well people live than medical care.[18,19,20] The interaction between health, social factors, and environmental factors is complex. The "Policy Rainbow" below is one model that shows the layers of influence on an individual's potential for health. See the Annotated Resources (Appendix IV, page 140) for additional models that demonstrate the relationship between health and the built and social environment, such as the Spectrum of Prevention and the Health Impact Pyramid.

FIGURE 1. THE BROAD DETERMINANTS OF HEALTH
Dahlgren, G. and Whitehead, M. (1991). Policies and Strategies to Promote Social Equity in Health. Stockholm, Sweden: Institute for Futures Studies. Used with permission.



The social determinants of health are key drivers of health inequities, which are persistent in the United States.[21] Health inequities are differences in health "that are a result of systemic, avoidable and unjust social and economic policies and practices that create barriers to opportunity." These are distinct from health disparities, which are "differences in health status among distinct segments of the population including differences that occur by gender, race or ethnicity, education or income, disability, or living in various geographic localities."[22] For example, health disparities include the increased risk of sickle cell disease in African Americans or the increased risk of breast cancer in women, whereas health inequities include the increased rates of asthma hospitalization in children living near freeways or the lower life expectancies for African Americans living in low-income neighborhoods.

Several studies suggest that addressing social and economic inequalities like inadequate education, which contributes to inequitable mortality rates, would contribute substantially more to overall population health than the emergence of new medical advances.[23,24,25] Economic inequality is increasing in the United States, and is likely to lead to worsening health inequities.[26]

Economic well-being is one of the most critical determinants of health; living in poverty is associated with significantly worse health outcomes across all races and ethnicities and in every state and community.[27] Furthermore, unemployment is associated with poor physical and mental health outcomes.[28] A report from the Robert Wood Johnson Foundation states that:

> "The first wealth is health."
>
> —Ralph Waldo Emerson[30]

> The means by which poverty damages health over the life course are many, but key elements involve limits on opportunity and participation that come directly from inadequate financial resources, diminished early life environments and poor educational opportunities, physical environments that are dangerous and under-resourced, poor working conditions, absence of benefits, job insecurity, lack of health insurance and access to quality medical care, and acute and chronic stress.[29]

Education is another key determinant of health; education and health correspond closely and impact each other in both directions. People with higher levels of educational attainment consistently experience lower risks for a wide array of illnesses and increased life expectancy.[31] They also experience improved future economic well-being.[32] In turn, educational attainment itself is shaped by health. For example, the health of students significantly impacts school dropout rates,[33] attendance,[34] and academic performance.[35,36,37]

Structural racism contributes to persistent inequities. People of color have consistently lower incomes, less household wealth, and lower educational achievement levels than Whites. Children living in poverty are more likely to be Hispanic or African American.[38] Even at equivalent income levels, people of color in the United States consistently experience significantly higher rates of illness and injury than their White counterparts.[39]

The Gardener's Tale

The following parable, paraphrased here, illustrates how structural racism impacts outcomes and perpetuates inequities over time. Imagine a gardener who has two packets of seeds, one for red flowers and one for pink flowers, and two flower boxes, one with poor soil and one with rich soil. The gardener, who loves red flowers, plants the red flower seeds in the box with the rich, fertile soil, and plants seeds for pink flowers in the box with poor, rocky soil. The seeds in the rich soil grow into big and beautiful flowers; the pink seeds in the poor soil fare poorly, becoming straggly, anemic-looking plants. As the seeds self-sow in the boxes, the progeny of the red flowers in the rich soil continue to thrive, while the pink flowers in the poor soil struggle to survive. The gardener concludes, "I was right to prefer the red flowers."[40]

Neighborhood characteristics have significant impacts on health outcomes because they influence an individual's ability to adopt behaviors that promote health.[41] Efforts to change behaviors that impact health are most effective when they also address the environments in which people make their daily choices.[42] For example:

- People whose neighborhoods lack parks, green open spaces, or trees and whose neighborhoods have high crime rates, have less access to safe places to play or walk.[43]
- People in low-income neighborhoods often have less access to affordable, healthy food retail options, and have more access to cheap fast-food outlets.[44]
- Rates of violent crime and interpersonal violence are higher in neighborhoods with a high density of alcohol outlets.[45]

In almost all urban areas, serious health problems are highly concentrated in a fairly small number of distressed neighborhoods,[46] and the health problems of high-poverty neighborhoods remain substantially more serious than those of middle-class and affluent neighborhoods. People living in neighborhoods with high rates of poverty can have life expectancies up to 14 years shorter than those who live in neighborhoods with less poverty.[47]

These inequities, in part, reflect differences in characteristics between neighborhoods with high levels of poverty where many people of color live and those with less poverty where more white people reside. Many studies suggest that residents of low-income and minority neighborhoods are the most likely to lack access to supermarkets and healthful food, have fewer parks, and are more likely to be located near sources of air pollution.[48,49] Fast-food restaurants and foods with high caloric density and little nutritional value are also more available in lower-income and minority neighborhoods.[50] Liquor stores are disproportionately located in predominantly African American census tracts, even after controlling for census tract socioeconomic status.[51] Residents of rural areas are also more likely to lack access to supermarkets and healthful food.[52]

Furthermore, research shows that racial segregation itself negatively impacts health, regardless of individual income level.[53] For example, cities with the highest degrees of residential racial segregation also show the greatest gaps in African American and white infant mortality rates.[54] This is especially important because rates of residential segregation by race remain high[55] and rates of residential segregation by income are actually increasing across the United States.[56]

The Bay Area Regional Health Inequities Initiative, a collaboration of 11 local health departments in the San Francisco Bay Area, developed the following framework to illustrate how the social determinants of health are linked with poor health outcomes. This framework builds on the Dahlgreen and Whitehead model shown earlier (Figure 1, page 9), to convey how social inequities and institutional power can affect living conditions, risk behaviors, disease, injury, and ultimately mortality.

FIGURE 2. A PUBLIC HEALTH FRAMEWORK FOR REDUCING HEALTH INEQUITIES
Bay Area Regional Health Inequities Initiative. (2010, June). Used with permission.



While inequity hurts those at the bottom of the socioeconomic ladder, it is also associated with poorer health outcomes for all members of a community—not just those with fewer financial resources. Wilkinson and Pickett analyzed the relationship between income inequality and health outcomes, using data from industrialized nations and states in the United States, and found that higher overall inequality is consistently associated with worse health outcomes at all rungs of the socioeconomic ladder.[57]

HEALTH AND SUSTAINABILITY

Environmental sustainability is inextricably linked to health and equity,[58] and has an important place in Health in All Policies work. Global environmental challenges not only directly impact health (e.g., flooding and extreme heat events), but also threaten the supporting systems on which human life depends—air, food, shelter, and water. For example, the health effects of air pollution, crop loss, stratospheric ozone depletion, sea level rise, and collapse of fisheries all suggest that environmental sustainability must itself be a key health goal. Luckily, many strategies to address health and equity also address environmental challenges (more information about co-benefits is available in Section 4.2).

It is incumbent upon those engaged in Health in All Policies to incorporate sustainability into the work. In California, for example, the nexus between health, equity, and sustainability was embedded in the structural placement of the Health in All Policies Task Force within the Strategic Growth Council, given the Council's core function as a cabinet-level body created to ensure coordination across agencies on issues related to sustainability.[59] In other jurisdictions, Health in All Policies initiatives may need to intentionally consider sustainability throughout their work.

> "[E]cosystems are the planet's life-support systems—for the human species and all other forms of life… Nature's goods and services are the ultimate foundations of life and health, even though in modern societies this fundamental dependency may be indirect, displaced in space and time, and therefore poorly recognized.
>
> —World Health Organization, Millennium Ecosystem Assessment[65]

HEALTH AND THE ECONOMY

The population's health impacts, and is impacted by, the economy in the United States in multiple ways. The rising costs of health care—now roughly 18% of United States gross domestic product (GDP)[60]—are sapping the government's ability to invest in other critical areas like education, renewable energy, or deficit reduction. Of the $2 trillion spent on health care each year, 75% is attributed to chronic conditions,[61] and nearly 10% of all national medical costs are obesity-related.[62] Cardiovascular disease alone costs society nearly $400 billion each year,[63] and it is estimated that an excess of $180 billion is spent annually to treat uncomplicated diabetes and hypertension.[64]

Prevention of chronic illness alone could yield very significant savings. For example, the Trust for America's Health estimates that an investment of $10 per person per year in proven community-based programs to increase physical activity, improve nutrition, and prevent smoking and other tobacco use could save the country more than $16 billion annually within five years—a return of $5.60 for every $1 spent.[66] In California, a potential reduction of 1% in common chronic conditions among the 2.6 million current members of the California Public Employees Retirement System is projected to yield a savings of $3.6 million per year.[67] Good health allows increased workforce participation and productivity, while illness and injury negatively impact the productivity not only of the individual, but also of family members who provide care for their loved ones. Labor time lost due to health reasons represents $260 billion per year in lost economic output.[68] For example, full-time workers in the United States who are overweight or obese and have chronic health conditions miss an estimated 450 million additional days of work each year compared with healthy workers, resulting in an estimated annual cost of more than $153 billion in lost productivity.[69,70]

Furthermore, people across the political spectrum agree that spending money to improve the health of communities makes sense. Over 75% of voters in small, conservative counties in California "agree that public investments aimed at keeping people healthy, like building parks and promoting neighborhood safety, pay for themselves in the long run by preventing disease and reducing health care costs."[71]

OBESITY: AN EXAMPLE OF THE NEED FOR HEALTH IN ALL POLICIES

The causes of the obesity epidemic are complex, including the food, physical activity, social, and economic environments that shape individuals' opportunities to make healthy food and beverage choices and incorporate exercise into daily routines. More than one-third of adults and almost one-fifth of children in the United States are obese, and obesity rates have more than doubled for adults and tripled for children since 1980.[72] Obesity increases the risk of many health conditions including coronary heart disease, stroke, high blood pressure, Type 2 diabetes, some cancers, osteoarthritis, and infertility. It may also shorten population life expectancies for future generations.[73,74]

The increased prevalence of sedentary lifestyles, which contributes to rising obesity rates, is related to changes in patterns of land use and transportation, increased distances from homes to school and work, parental fears about children's safety, shifts in the nature of work, and cultural changes. Increased consumption of foods and beverages with high caloric density and little nutritional value is encouraged by the proliferation of time-saving, processed convenience foods, pressures on working parents, intensive marketing, and government subsidies for commodity products such as corn and soy.

Reducing the prevalence of obesity and chronic disease will require that public health practitioners address people's environments, which will in turn require working across multiple sectors. Transportation, planning, agriculture, labor, economic development, education, entertainment, and other partners will all need to be involved in order to advance a comprehensive approach to obesity and chronic disease prevention. It will also require exploring the links between these sectors and environmental sustainability, as well as addressing inequities in how communities are impacted.

1.3 What is a Healthy Community?

Because community and social factors drive health outcomes and health equity, it is important to ask, "What is a healthy community?" The framework below provides an answer to this question. The framework was developed by the California Health in All Policies Task Force, and was an important step in developing a shared vision for the group. The California Health in All Policies Task Force case study at the end of this guide gives more information about how the framework was developed as well as other details about implementation of Health in All Policies in California.

> "Health: a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity."
>
> —World Health Organization[75]

What is a Healthy Community?

A Healthy Community provides for the following through all stages of life:

MEETS BASIC NEEDS OF ALL

- Safe, sustainable, accessible, and affordable transportation options
- Affordable, accessible and nutritious foods, and safe drinkable water
- Affordable, high quality, socially integrated, and location-efficient housing
- Affordable, accessible and high quality health care
- Complete and livable communities including quality schools, parks and recreational facilities, child care, libraries, financial services and other daily needs
- Access to affordable and safe opportunities for physical activity
- Able to adapt to changing environments, resilient, and prepared for emergencies
- Opportunities for engagement with arts, music and culture

QUALITY AND SUSTAINABILITY OF ENVIRONMENT

- Clean air, soil and water, and environments free of excessive noise
- Tobacco- and smoke-free
- Green and open spaces, including healthy tree canopy and agricultural lands
- Minimized toxics, green house gas emissions, and waste
- Affordable and sustainable energy use
- Aesthetically pleasing

ADEQUATE LEVELS OF ECONOMIC AND SOCIAL DEVELOPMENT

- Living wage, safe and healthy job opportunities for all, and a thriving economy
- Support for healthy development of children and adolescents
- Opportunities for high quality and accessible education

HEALTH AND SOCIAL EQUITY

SOCIAL RELATIONSHIPS THAT ARE SUPPORTIVE AND RESPECTFUL

- Robust social and civic engagement
- Socially cohesive and supportive relationships, families, homes and neighborhoods
- Safe communities, free of crime and violence



California Health in All Policies Task Force. (2010, December 3). *Health in All Policies Task Force Report to the Strategic Growth Council.* Retrieved from: http://sgc.ca.gov/hiap/docs/publications/HiAP_Task_Force_Report.pdf Used with permission.

1.4 The Five Key Elements of Health in All Policies

There is no one "right" way to implement a Health in All Policies approach. While all Health in All Policies initiatives are based on the concept that population health and equity depend upon collaborative, intersectoral action, there is substantial variation in process, structure, scope, and participation in the initiatives. These variations depend upon many factors, including the needs of a particular community, available resources, and relationships with key partners.

Regardless of how a Health in All Policies initiative is structured, there is a wide range of activities that governments can use to promote consideration of health in decision-making. These activities can be seen as falling along a spectrum, ranging from one-time opportunities for stakeholder input to activities that fully embed health considerations into all aspects of government decision-making. Where an activity falls on this spectrum will depend on how much the activity incorporates the five key elements described below. Organizers of initiatives will choose activities depending on capacity, resources, and support from decision-makers, and they may engage in a variety of different activities at the same time or over time. These activities can include jointly sponsored conferences or trainings, providing input on documents or rules, joint research projects, sharing data or new data metrics, health impact assessments, the organization of interagency offices, collaborative decision-making, and many more.

Based on experiences in California, and through a review of Health in All Policies work around the nation and globe, five key elements of Health in All Policies have emerged as vital to the success of this work:

1. **Promote health, equity, and sustainability.** Health in All Policies promotes health, equity, and sustainability through two avenues: (1) incorporating health, equity, and sustainability into specific policies, programs, and processes, and (2) embedding health, equity, and sustainability considerations into government decision-making processes so that healthy public policy becomes the normal way of doing business. Promoting equity is an essential part of Health in All Policies, given the strong ties between inequity and poor health outcomes for all members of society.
2. **Support intersectoral collaboration.** Health in All Policies brings together partners from many sectors to recognize the links between health and other issue and policy areas, break down silos, and build new partnerships to promote health and equity and increase government efficiency. Agencies that are not typically considered as health agencies play a major role in shaping the economic, physical, social, and service environments in which people live, and therefore have an important role to play in promoting health and equity. A Health in All Policies approach focuses on deep and ongoing collaboration, rather than taking a superficial or one-off approach.

3. **Benefit multiple partners.** Health in All Policies is built upon the idea of "co-benefits" and "win-wins." Health in All Polices work should benefit multiple partners, simultaneously addressing the goals of public health agencies and other agencies to benefit more than one end (achieve co-benefits) and create efficiencies across agencies (find win-wins). This concept is essential for securing support from partners and can reduce redundancies and ensure more effective use of scarce government resources. Finding a balance between multiple goals will sometimes be difficult, and requires negotiation, patience, and learning about and valuing others' priorities.

4. **Engage stakeholders.** Health in All Policies engages a variety of stakeholders, such as community members, policy experts, advocates, members of the private sector, and funders. Robust stakeholder engagement is essential for ensuring that work is responsive to community needs and for garnering valuable information necessary to create meaningful and impactful change.

5. **Create structural or procedural change.** Over time, Health in All Policies creates permanent changes in how agencies relate to each other and how government decisions are made. This requires maintenance of both structures which can sustain intersectoral collaboration and mechanisms which can ensure a health and equity lens in decision-making processes across the whole of government. This can be thought of as "embedding" or "institutionalizing" Health in All Policies within existing or new structures and processes of government.

The State of South Australia, an international leader on this approach, has also developed ten principles for Health in All Policies, which can be viewed in Appendix III, on page 139.

1.5 A Brief History of Health in All Policies

While Health in All Policies has gained significant traction in the last few years, its origins go back 35 years to the World Health Organization Declaration of Alma-Ata in 1978. The timeline below shows the history of this innovative approach to intersectoral collaboration for health, including its global spread.

See the Annotated Resources (Appendix IV, page 140) for more details on the events below.



PART II. THE NUTS AND BOLTS OF HEALTH IN ALL POLICIES

While understanding the five key elements of Health in All Policies is essential for doing Health in All Policies work, there are many details involved in putting the approach into action. Part II of this guide discusses the "nuts and bolts" of Health in All Policies. As stated in Part I, there is no "right" way to do this work. All Health in All Policies initiatives will require that people across different sectors work together as a group, but the membership, level of formality, and activities of the group will vary. While the tips and guidance included in Part II draw heavily on the experiences of the California Health in All Policies Task Force, the authors provide numerous examples of efforts from other states in the United States, including local efforts by cities and counties, to illustrate key points. The authors also reference pertinent examples from Australia, Canada, and Thailand.



SECTION 2: Getting Started

KEY POINTS

- If you have a broad vision, windows of opportunity for Health in All Policies are everywhere.
- The activities in which governments already engage and the roles they take on can provide opportunities for Health in All Policies.
- Health in All Policies can be used across the whole of government and can also be applied to specific policies, programs, and strategies.



2.1 Finding Opportunities for Change

Any Health in All Policies initiative will require significant visioning, planning, and decision-making. Unless you have been explicitly mandated to start a Health in All Polices initiative, your initial step may be to find an opportunity to introduce a Health in All Policies approach, whether in the form of a willing partner from outside the public health field, a mobilization around a specific community need, or a great idea for how to embed health into a process or program in another agency not focused on public health. Even if you are directed by a piece of legislation, an executive order, or another mandate to carry out a Health in All Policies initiative, there will inevitably be room for a creative process to discover opportunities, invite partners, and select priorities while implementing this approach.

SHARE YOUR VISION

If you have a vision of healthy communities and value intersectoral collaboration, you will continually come across opportunities for positive change. It is important to talk about your vision in order to help others see the potential that could be achieved. Much of the work of Health in All Policies is about having an idea and sharing it. As people become more aware of the importance of this approach and of the opportunities that it provides to strengthen their own work, it will be easier to develop intersectoral partnerships to promote health.

WINDOWS OF OPPORTUNITY

At any given moment, most governments are discussing or implementing literally hundreds of issues, processes, or initiatives in all kinds of policy areas, many of which offer opportunities to promote health. These create windows of opportunity—or "policy windows"—that may only be open for a short time. For example, you may find policy windows at the beginning of a strategic planning process, when a key leader becomes interested in a topic, when an unexpected crisis or natural disaster hits, or when a community demands action on an issue. You rarely have control over the timing or content of policy windows, but if you look for them, they can provide you with opportunities to engage in intersectoral collaboration for health.[76] John Kingdon suggests that policy agendas are influenced by 1) what issues are considered "significant problems," 2) what solutions are considered sound at any given moment, 3) the electoral process, and 4) public opinion. Any of these can shift unexpectedly, opening an opportunity for a new collaborative approach, such as Health in All Policies.[77]

Three approaches: opportunistic, issue, and sector. The World Health Organization (WHO) describes three approaches to intersectoral action on health.[78] An "opportunistic approach" focuses on identifying issues, policies, or relationships that can potentially provide *early* success for all partners. An "issue approach" starts with identifying policies that have a major impact on specific public health priorities, such as violence prevention, hunger alleviation, or reduction of poverty. A "sector approach" focuses on one specific policy area that has a large health impact, such as transportation or agriculture. In fact, both the issue and sector approaches can be enhanced by an exploration of windows of opportunity.

An Opportunity to Think About Health

The Safe Routes to School National Partnership saw an opportunity to embed Health in All Policies into the Safe Routes to School Local Policy Guide that was already under development. "Using a Health in All Policies approach is a smart prevention strategy which enables policymakers to be leaders in building healthy communities, which leads to healthier, happier people."[79] The Safe Routes to School Local Policy Guide describes many ways that transportation policy and school policies can support health, physical activity, and safety.[80]

FOOD FOR THOUGHT.* Here are some questions you may ask yourself as you look for opportunities to apply Health in All Policies approaches:

- ☐ Are there any existing or newly forming interagency initiatives that have potential health implications?
- ☐ What single-agency initiatives would benefit from partnership with additional agencies?
- ☐ Is your agency, or is another agency, going through a strategic planning process?
- ☐ Is there a new or ongoing process where health metrics or data could be added?
- ☐ What partners have you worked with successfully in the past?
- ☐ Is there a particular health issue of significant concern to community groups? Are they asking for something to be done about it?

The following examples illustrate a variety of windows of opportunity that led to intersectoral, health-promoting projects:

- **Health care crisis.** In 2007 in Sonoma County, California, health system leaders convened a broad group of stakeholders (including hospital and clinic executives, leaders of nonprofit, labor, and business organizations, policymakers, and city council representatives) to discuss the possibility that a major hospital would leave the county. As conversations progressed, the group began to broaden its focus to address not just health care, but also community health. In the end, the hospital stayed open, and as a result of the process, the county developed a Health Action Council, with 10 goals and 22 measures that include educational attainment, economic security, access to healthy food and places to be active, and other health determinants. The Health Action Council has spawned several community-based initiatives, and is moving forward with a 2013–2016 action plan focusing on education, health systems, and income. The initiative is staffed by the Sonoma County Department of Health Services.[81]

*"Food for Thought" is an American idiom that describes intellectually stimulating concepts. In this guide *Food for Thought* sections are lists of critical thinking questions you may wish to consider as you apply a Health in All Policies approach.

- **Natural disaster response.** In 2008, after Hurricane Ike devastated the coastal island city of Galveston, Texas, the local government needed to decide how to rebuild. Local leaders saw an opportunity to provide health input into the planning process, and as a result, the University of Texas Medical Branch partnered with a spectrum of government agencies, engaged with community stakeholders, and used the San Francisco Department of Public Health's Healthy Development Measurement Tool to integrate health into new city plans, including the community's housing plan.[82] See the Annotated Resources for more information on the Sustainable Communities Index, which is an update of the Healthy Development Measurement Tool.

- **Strategic planning process.** South Australia's 2007 "Thinker in Residence," Professor Ilona Kickbusch, recommended that the state government use a Health in All Policies approach to improve health outcomes and achieve targets in the South Australia Strategic Plan.[83] A desktop analysis of the strategic plan documented potential health impacts of its targets. As part of the plan's implementation, agencies were encouraged to look at targets through a health lens, with agency executives accountable for overseeing Health in All Policies and reporting on the plan's progress.[84]

- **City zoning process.** In Baltimore, Maryland, the comprehensive revision of the city's zoning code provided an opportunity to discuss how zoning and the built environment impact residents' health. This discussion led to a 2010 health impact assessment of the first draft of the code. The health impact assessment recommended limiting the concentration of alcohol outlets and instituting land use and design elements to reduce crime (e.g., lighting standards), which is also important for promoting walkability. The subsequent drafts of the municipal zoning code have reflected the input received as a result of the health impact assessment.[85,86]

- **Outreach through existing public health programs.** Public health programs already provide important opportunities to link with other agencies to address the social determinants of health. For example, California's Contra Costa County Public Health Department launched a program to help Women, Infants, & Children (WIC) recipients understand the income tax process and apply for the Earned Income Tax Credit. Agency leaders understood that poverty is a major determinant of poor health, and that by helping support asset development and economic sustainability, the health department can advance the health of women and children in their community. So far, over 6,000 women have participated, and participants report feeling more confident about handling money and have an improved understanding of the impact of money on health.[87]

One possible launching point for interagency partnership is to start with a single agency whose work greatly impacts health, or where there is an opportunity for your public health agency to support an important priority of that agency. Agencies outside the public health field can often benefit from partnerships with public health departments by using health messaging to promote their work, and by building relationships with partners who can help them achieve their goals. For example, many parks and recreation departments use messaging about physical activity, benefits of green space, and other health benefits to promote use of their facilities and funding for their work.

GOVERNMENT MECHANISMS AS OPPORTUNITIES FOR CHANGE

Government agencies continuously engage in processes that offer opportunities to incorporate a health lens, foster new intersectional relationships, make recommendations for intersectoral action, or embark on a more structured Health in All Policies approach. For example, agencies develop reports, sponsor conferences and educational events, develop grant programs, write proposals to obtain new funding, engage in strategic planning and accreditation processes, respond to natural disasters, and in some cases develop and propose regulations and legislation. The table below describes government functions[88,89] and provides examples of how each of these may offer "windows of opportunity" for embarking on new partnerships to support specific healthy policies or programs, or for launching a Health in All Policies initiative.

GOVERNMENT MECHANISM	OPPORTUNITY	POSSIBLE ACTION
DATA	Government agencies collect, standardize, and disseminate information and data. Sharing data or standardizing data elements across agencies can ensure more effective collaboration.	• Improve data sharing and collaborate on data collection between schools and social service agencies to improve access to nutrition assistance programs. • Include indicators related to the social determinants of health (e.g., income and employment, housing, and transportation) in health department reports.
DIRECT SERVICE PROVISION	States, counties, and cities provide direct services to communities and individuals. Departments can expand or create new services, better customize services, link services, and reduce barriers to access.	• Include healthy homes assessments in weatherization programs. • Incorporate health screening into intake processes at youth detention facilities.
EDUCATION AND INFORMATION	Agencies educate and inform the population on topics relevant to individuals, organizations, communities, and businesses.	• Incorporate messages around the importance of physical activity in promotional materials for a park. • Require that nutrition information be either posted or appear on the food labels of all food sold on school grounds or at school-sponsored events.
EMPLOYER	Governments employ staff in offices, parks, schools, and throughout cities, counties, and states. Employee policies can encourage healthy behaviors and also set a positive example for private businesses.	• Provide transit subsidies to encourage employees to use public transportation. • Provide lactation accommodations, including specially designated rooms and refrigerators, to support breastfeeding.
FUNDING	Grants provide funds to support specific projects or activities. Subsidies are assistance (monetary or otherwise) that reduces the need for monetary expenditures. Grants and subsidies can be used to encourage health-promoting actions. This includes payment for health-promoting services (e.g., Medicaid or Medicare).	• Offer childcare subsidies to support workers with children. • Incorporate health and health equity criteria into requests for proposals from agencies outside the public health field.

GUIDANCE AND BEST PRACTICES	Guidelines can be used to encourage communities to implement best practices or proven methodologies.	• Incorporate strategies that promote community health into comprehensive land use and transportation plans or community climate action plans. • Share evidence to inform the adoption of evidence-based and evidence-informed strategies to address crime prevention.
PERMITTING AND LICENSING	Permits and licenses provided by government bodies authorize particular types of activities or development.[90] Zoning, for example, is used to divide land into areas for allowable uses.	• Streamline permitting processes for farmers' markets to provide healthy food in underserved residential neighborhoods. • In the housing element of a comprehensive plan, outline a method for encouraging housing development near public transit hubs.
PURCHASING: PROCUREMENT AND CONTRACTS	Agencies spend significant money purchasing goods like food, supplies, and equipment, and contracting for services like construction and janitorial services. Procurement and contracting policies can promote other desired outcomes such as economic resiliency, and are a way to model behavior for other agencies or private businesses.	• Establish procurement policies that require vending machines on agency property to provide a minimum number of healthy options. • Establish policies supporting contracting with veteran-, minority-, or women-owned businesses.
REGULATION	Agencies can add, abolish, or change regulations, close or open loopholes, improve enforcement, or change complaint mechanisms for the public. Regulation is often useful in situations where consumers lack essential information.	• Improve enforcement of smoking bans in multi-unit housing structures. • Develop a regulation to apply a health analysis to budgetary and legislative decisions.
RESEARCH AND EVALUATION	Agencies may initiate research, or partner on projects with universities, research institutions, and communities. Evaluation can promote best practices and support model programs.	• Conduct economic research on the expected return on investment in terms of health outcomes from specific policies or types of policies. • Research new fuel technologies to identify strategies to improve air quality.
LEGISLATION AND ORDINANCES	State legislation and local ordinances provide funding or authorize new programs, regulations, or restrictions. Government agencies vary in their legal ability to support the passage of legislation and ordinances.	• Amend a local ordinance to allow mobile produce vending in a residential area. • Pass legislation to support access to safe, clean, and affordable water.
TAXES AND FEES	Governments can add new taxes, change or abolish existing taxes, or change the tax base to finance needed services.	• Increase vehicle licensing fees to raise revenue for supporting transit projects. • Raise cigarette taxes and use the revenue to pay for health care services and discourage tobacco use.
TRAINING AND TECHNICAL ASSISTANCE	Agencies provide training and technical assistance to support local programs in working toward ongoing goals, and as programs and policies change. Both interagency and intra-agency training are essential to support collaboration.	• Educate non-health staff on how their work relates to health outcomes. • Provide technical assistance to regional transportation agencies on how to incorporate health considerations and outcomes into transportation modeling.

FOOD FOR THOUGHT. Below are a number of questions you may want to ask yourself as you begin to move forward with a particular policy, project, or strategy:

- ☐ Why is it important for health to become a part of the process or discussion, and how will you explain this to others?
- ☐ Who are the key leaders and how will you reach them?
  - *How do your interests align with their concerns and priorities?*
  - *Who is the best person to reach out to them?*
- ☐ What do you want others to do?
  - *Do you want others to invite health representatives to the table?*
  - *Do you want to establish a new group (e.g., a Health in All Policies workgroup or task force)?*
  - *Do you want others to incorporate health considerations into an existing government process, such as the development of data or metrics, legislative analysis, or the allocation of grants?*
- ☐ Are there human or financial resources that can help get work started or can help sustain a project?
- ☐ What information do you need?
  - *Do you need more information to forcefully articulate why intersectoral collaboration might be relevant to partners from outside the public health field?*
  - *Do you know your potential new partners' priorities, goals, and challenges?*
- ☐ Do you know who your stakeholders are and their views on the issue?

2.2 Exploring the Benefits of Collaboration

As you identify opportunities for Health in All Policies work, it may be helpful to explore an issue (within your own group or with your prospective partners) to see why collaboration may be beneficial. See Part III for a discussion of how California developed a Healthy Communities Framework, which is one method for building shared goals and identifying opportunities to integrate a Health in All Policies approach. Below are two other exercises for such exploration.

ROOT CAUSE MAPPING EXERCISE

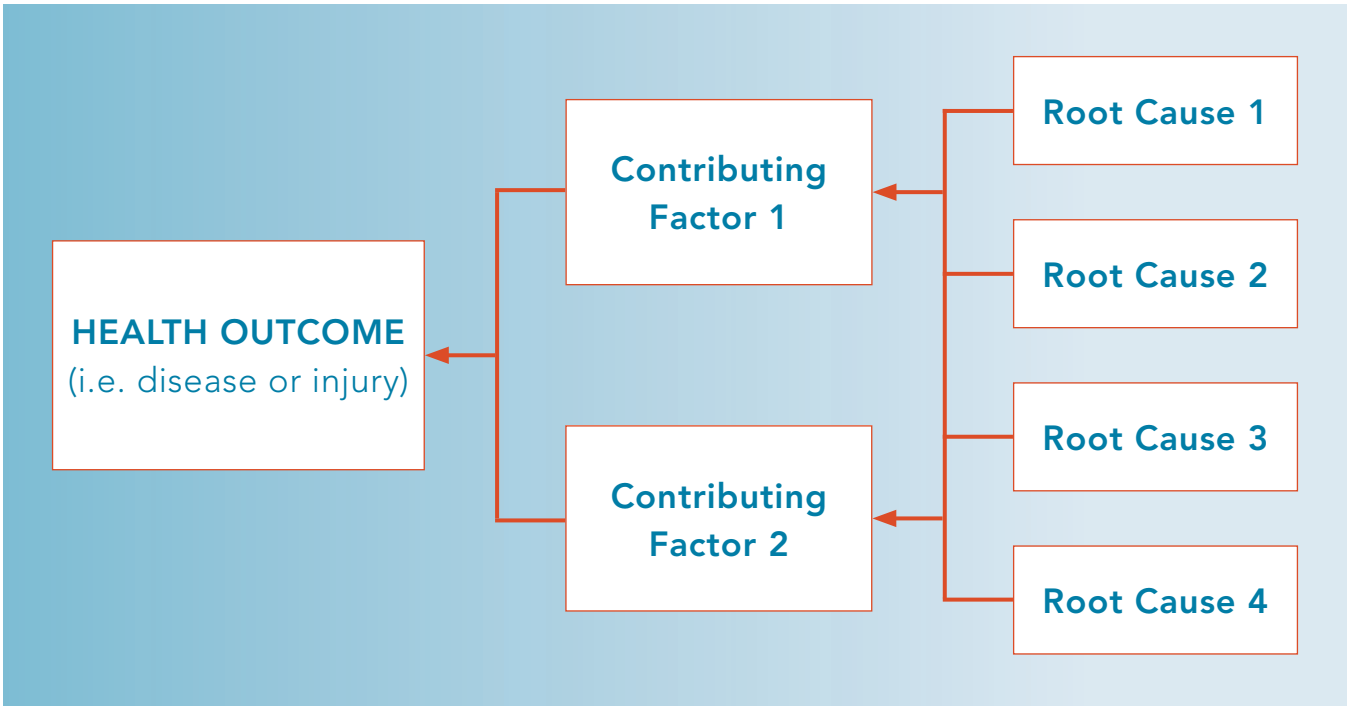
Root cause mapping is a structured process for identifying key factors contributing to community health problems, and can help you identify methods for correcting or eliminating these underlying factors and promoting improved outcomes. This method involves repeatedly asking "why?" to help people identify the "causes of causes," or the social determinants of the issues they seek to address. It can illustrate the many opportunities for change, and the overlapping roles that various sectors may play in contributing to healthy environments. This can be useful in the beginning of a collaborative process because it can help people see the mutual benefits that could arise from working together.

The following story about "Jason," a hypothetical child in a hospital, conveys the kind of causal chain that a root cause map would show:

- Why is Jason in the hospital? *Because he has a bad infection in his leg.*
- But why does he have an infection? *Because he has a cut on his leg and it got infected.*
- But why does he have a cut on his leg? *Because he was playing in the junkyard next to his apartment building and there was some sharp, jagged steel there that he fell on.*
- But why was he playing in a junkyard? *Because his neighborhood is kind of run down. A lot of kids play there and there is no one to supervise them.*
- But why does he live in that neighborhood? *Because his parents can't afford a nicer place to live.*
- But why can't his parents afford a nicer place to live? *Because his dad is unemployed and his mom is sick.*
- But why is his dad unemployed? *Because he doesn't have much education and he can't find a job.*
- But why ...?[91]

Drawing an initial root cause map may be a first step in a more comprehensive process that can include a structured assessment of which root causes appear frequently, which have a higher or lower impact, which agencies or stakeholders might address each identified cause, and which root causes seem feasible to address given resource and political constraints. Figure 3 below shows a basic root cause map model.

FIGURE 3. SIMPLE ROOT CAUSE MAP



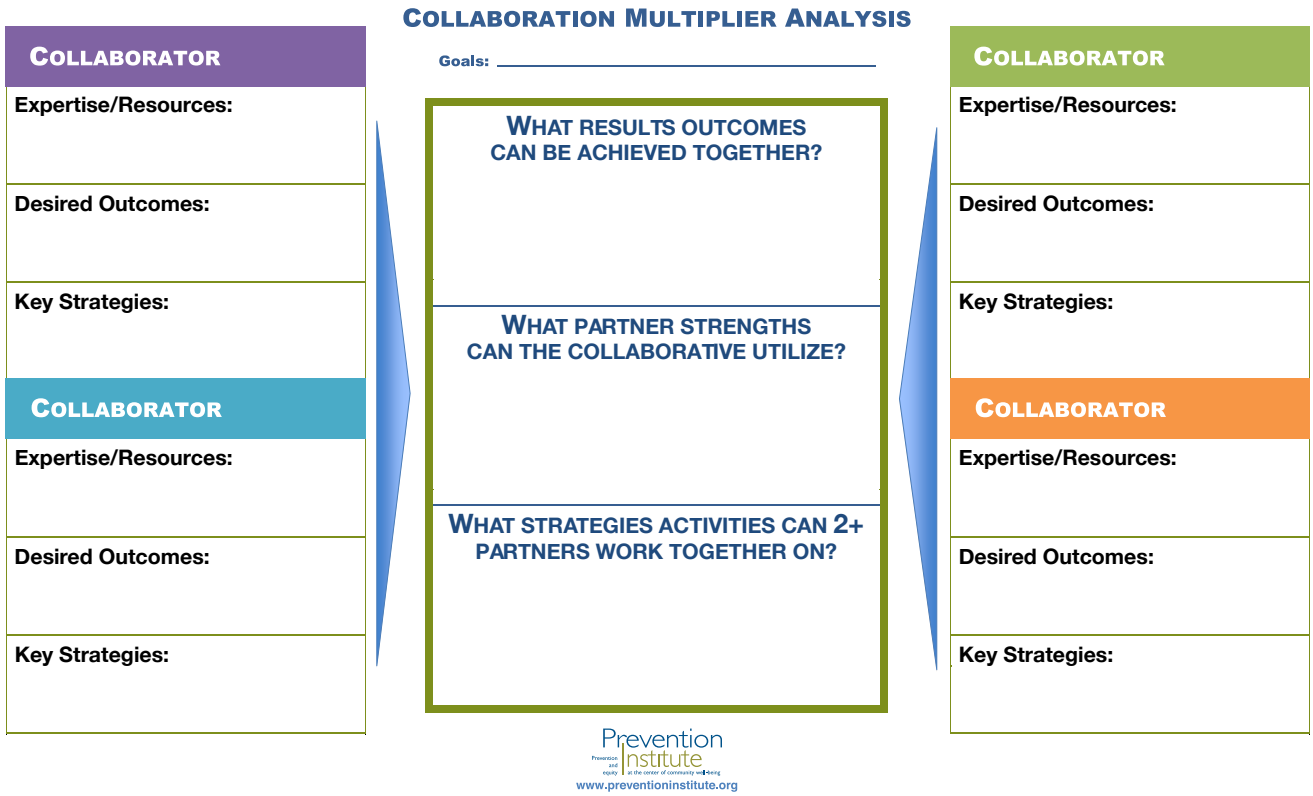
A more detailed example of a root cause map is included in Section 6.1.

COLLABORATION MULTIPLIER

The Collaboration Multiplier is an interactive framework created by the Prevention Institute to help build effective interdisciplinary collaboration between different groups and sectors. The tool can be used to help select partners, or can be used by those already working together to help identify missing partners, better clarify the goals of partners and the group, and leverage the expertise and resources at the table. This is based on the idea that each party in a partnership brings a unique perspective and potential contribution to the table, and that each partner's expertise and resources can be leveraged to help identify and accomplish a common goal. Phase I, Information Gathering, is an opportunity to determine the key sectors that play a role in a problem or solution. Phase II, or Multiplier Analysis, shown in Figure 4, can help partners analyze information they have collected in Phase I.

FIGURE 4. COLLABORATION MULTIPLIER

Prevention Institute. Collaboration Multiplier Analysis Worksheet. (2011, July). Used with permission.



SECTION 3: Partners and Roles

KEY POINTS

- Governmental partners are an essential part of Health in All Policies initiatives, and it is important to think strategically about which agencies to work with and who to include from those agencies.
- Health in All Policies initiatives depend on champions who use their relationships, visibility, and organizational power to enlist the support of other key players. These initiatives also depend on governmental leaders to guide the development of a shared vision, help build and negotiate consensus, identify opportunities and priorities, and build support among higher-level decision-makers.
- Collaborative processes cannot work in the long term without "backbone" staff to help plan, manage, and support the initiative.
- Stakeholders are those outside of government who are impacted by your work but are not already partners in your Health in All Policies government initiative. They can help ensure that your Health in All Policies work is responsive and accountable to community needs.
- Approaches to stakeholder engagement will vary based on the level of government involved, governmental resources and goals, and the initiative's timeline.



3.1 Governmental Partners, Facilitators, and Backbone Staff

By definition, a Health in All Policies approach involves a wide variety of people and organizations across government. Agency partners are absolutely essential to carrying out the work of Health in All Policies, as well as individual leaders in government who will spearhead the effort and lend vocal and visible support. Staffing is also critical and often referred to as the "backbone" team—people who help facilitate the core operations of a group. Section 3.1 focuses on government partners and discusses key roles necessary for carrying Health in All Policies work forward.

GOVERNMENT AGENCY PARTNERS: WHO SHOULD WE INCLUDE?

In many instances, a health department will initiate collaboration with others, or serve as a convener of an intersectoral work group. Whom you partner with will depend on your programmatic or policy focus (if you have one), how your Health in All Policies effort is defined, under what auspices and authority it is convened, available resources, and more. Keep an open mind about who should be involved, no matter what the issue—there may be important connections to health that have not yet occurred to you. While larger groups may require more work to manage, having more agencies at the table can allow for a more in-depth and nuanced understanding of complex issues, generate a fuller complement of policy alternatives, engage more sectors in discussions about health, and create momentum for Health in All Policies. For example, New York City's Obesity Task Force includes representatives from health and human services, parks, hospitals, city planning, human resources, food, housing, transportation, education, and environmental protection.[92] This allows for a very broad and inclusive approach to obesity prevention, and also creates a venue for discussion with many sectors about their role in health—even beyond obesity prevention.

Partners and Stakeholders

This guide uses the terms "partners" and "stakeholders" to describe the many individuals and organizations that participate in most Health in All Policies initiatives. "Partner" generally refers to a government agency or representative (or other organization that is part of a Health in All Policies group), while "stakeholder" generally refers to those outside of government, including members of local communities, representatives of community groups and nonprofit organizations, academics, and business sector representatives. As a reminder, for *state* government agencies, the term "stakeholder" may also refer to a *local* government agency.

Even if you take a single-sector approach, virtually every issue that you touch will provide an opportunity to branch out and bring in additional partners. For example, if you start by working with a city planning office on pedestrian safety, you may soon find yourself thinking about street lighting, shade trees, violence prevention, siting paths near housing and schools, and broader land use decisions. You may also choose to invite an agency to participate because of an individual leader there who is enthusiastic about Health in All Policies, even if you have not yet identified a clear policy link to that agency. Your job as a Health in All Policies practitioner is to think broadly and across sectors, make connections to policy areas that have a big impact on health even though they may not seem like obvious collaborators, and bring new partners to the table.

You should also consider specifically whom you wish to invite from each agency. Technical staff have more intimate knowledge of the specific programs and policies in their agency and may have ideas about where it may be feasible to incorporate a health lens or health-improving component; management staff have more breadth and greater access to executive-level decision-makers; and senior executives have more power and decision-making authority, and may have broader networks. A Health in All Policies approach benefits from having agency representatives who are able to speak for their organizations, make decisions, and bring ideas and strategies back to their colleagues—either based on their position, or because they are well-connected with agency decision-makers. This will allow them to both impact the agencies' programs and policies and to provide robust feedback to the Health in All policies process. In addition, collaboration takes time, so it is important to think about who will have sufficient time to participate.

If you represent a public health agency and are invited to join an intersectoral group convened by another agency it is important to be sensitive to the reasons the group was convened and the goals of the convening agency, even as you find opportunities to introduce the concept of Health in All Policies.



FOOD FOR THOUGHT. Below are some questions you may ask yourself as you consider which agencies to include:

- ☐ With what agencies do you have existing partnerships?
- ☐ Whose work has strong links to health outcomes?
- ☐ How receptive to working on health issues is a partner agency likely to be?
- ☐ Who has the authority to make the change you want to see?
- ☐ Are there other strategic reasons to include an agency?

Agencies each have their own culture, and this can impact membership and participation in your initiative. For example, some agencies delegate significant authority to their staff, and others keep much tighter controls. Some agencies oversee other agencies. It will be useful for you to understand lines of reporting and accountability, and know who is represented by the partners at your table and their scope of authority. The simplest way to understand these issues is to acknowledge when you don't know how another agency works and ask your initial contacts for information and guidance.

FOOD FOR THOUGHT. Below are some questions you may ask representatives of partner agencies as you think about reporting and authority:

- Are there others in their agency who should be included in meetings, or be briefed periodically? Or are there others who should be copied on emails and receive materials and notifications?
- How would they like you to communicate with their colleagues? Do they want to initiate introductions? If not, how do they prefer that you form independent relationships with others in their agency?
- What materials or information would help them keep their supervisors informed of activities?

You will inevitably lose and gain individual and agency partners on an ongoing basis because of administration changes, people leaving jobs, and identification of other agencies or sectors with potentially valuable information, viewpoints, or roles. Even with eighteen agencies and departments participating, the California Health in All Policies Task Force has reached out to more than ten additional agencies that are not formal members of the group. Adding new members or agencies to an existing group requires orientation to the group process, understanding of shared goals, and attentiveness to group dynamics. It also requires openness to new ideas and perspectives that could alter a prior consensus or provide the creative spark for progress in a sticky area.

HEALTH IN ALL POLICIES REQUIRES MANY ROLES

Some of the key roles that must be filled to facilitate a successful Health in All Policies approach are described in this section. Individuals or organizational representatives are likely to fill multiple roles, and roles will shift over time as the work evolves.

Champions and leaders. A *champion* is someone with key relationships, high visibility, or organizational influence (such as a county supervisor, mayor, governor, agency director, or well-known community leader), who uses their power to promote a Health in All Policies approach and enlist the support of other important players. Champions need not be involved in the day-to-day operations of the effort, but should be kept informed and engaged as advisors and navigators.

A *leader* guides the development of a shared vision, helps build and negotiate consensus, identifies opportunities and priorities, and builds support among higher-level decision-makers. Leaders require a combination of visionary ideas, authority, and pragmatic skills as well as an ability to manage risk. Unlike champions, leaders need to be involved in day-to-day operations. Health in All Policies requires three kinds of leadership:

- **Administrative leadership.** This includes an understanding of how partner agencies work, their particular sensitivities, how to build consensus, and planning tools;
- **Scientific leadership.** This includes an ability to make the case for addressing particular problems or issues and what policies are likely to have the best health outcomes; and
- **Political leadership.** This includes authority, credibility, and decision-making capacity.[93]

The importance of backbone staff. Collaboration requires significant time and resources, possibly beyond what your partner agencies will be able to contribute. To be successful, a collaborative process requires a supporting backbone team of staff, who may take on any or all of the following functions:

- Meeting facilitation and consensus building
- Technology and communications support
- Data collection and reporting
- Synthesizing research
- Drafting and management of documents
- Overseeing implementation of projects
- Seeking funding
- Organizing and summarizing expert and public input
- Building and maintaining relationships with stakeholders
- Handling logistical and administrative details[94]

> "The expectation that collaboration can occur without a supporting infrastructure is one of the most frequent reasons why it fails."
>
> —John Kania and Mark Kramer, *Stanford Social Innovation Review*[95]

Staffing for these critical functions can be provided by a single agency or shared by multiple agencies, and could include educators, data managers, research and policy analysts, administrative staff, project managers, experts, and others. While staffing can be provided by non-governmental organizations, the staff must have access to and work closely with the involved government agencies. In addition to a structured process and dedicated staff, Health in All Policies initiatives will benefit from having a backbone organization which can provide centralized infrastructure, adding consistent material and logistical support to coordination efforts. While it may be difficult to find funding for this infrastructure, it is essential to success.

Facilitation. All Health in All Policies groups bring together people with diverse perspectives, and depend upon strong facilitation that keeps discussions focused, inclusive, honest, and moving toward achievement of the group's objectives. A good facilitator can help the whole group generate ideas, identify areas of agreement and disagreement, and mediate conflicts. Facilitation skills are also important for individual meetings with agencies and stakeholders, small meetings with just a few partners, and public engagement opportunities. If the public health agency provides the facilitator, it is important for that person to convey a sense of neutrality and, when neutrality cannot be maintained, acknowledge biases or positions. In some settings it may be useful to bring in an outside facilitator—such as for a discussion on a particularly sensitive issue where all of the participating agencies have a strong opinion or stake, or for a meeting with stakeholders who have expressed distrust of the participating agencies or of government as a whole.

The following examples illustrate the many roles that different people play as champions, leaders, backbone staff, and facilitators in Health in All Policies initiatives:

- **Mayoral council.** The Healthy Chicago Interagency Implementation Council has been championed by the mayor, who conducted outreach to 15 city department heads for the first meeting, and has encouraged continued departmental participation since. It is facilitated and staffed by the Chicago Department of Public Health.[96]
- **City public/private partnership.** Galveston's Health in All Policies work was initiated by the University of Texas Medical Branch, which continues to staff the effort. The initiative has been championed by a politically influential community member who has brought funders, community groups, decision-makers, and university staff to the table.[97]
- **State level task force.** In California, the Health in All Policies Task Force was initially championed by the secretary of the California Health and Human Services Agency, who elicited the support of the governor and colleagues in his cabinet. The Task Force is facilitated by the California Department of Public Health and staffed by the Public Health Institute.
- **Federal council.** The National Prevention Council is chaired by the United States Surgeon General, and includes 17 federal departments, agencies, and offices represented by chief executives (secretaries or comparable). This scientific and technical support is coordinated and supported by a team at the Centers for Disease Control and Prevention with input from a Department of Health and Human Services intradepartmental working group.[98]

Don't forget about your public health colleagues. Staffing an intersectoral collaboration can become the assignment of a small group within a public health agency, and it is easy for that group to become the "voice" of public health. Public health, however, is a very broad field, with many areas of specialized expertise and skills. In addition, public health has a long history of intersectoral collaboration, and it is highly likely that your public health colleagues already have formal or informal relationships with other agencies.

If you work for a public health agency, make sure to ask your colleagues about their intersectoral relationships early in the Health in All Policies process, so that you 1) build on colleagues' existing work and benefit from their knowledge of partners' interests and concerns, 2) avoid confusing other agencies who may not understand why you are reaching out to them when they already work with someone in public health, and 3) ensure coordinated outreach to external agencies, eliminate duplication of projects, and identify areas of synergy.

Internal partnerships within your health agency can lead to shared funding across programs, additional staff time to support Health in All Policies projects, and contributions from public health experts on Health in All Policies projects that require specific technical expertise.

"The public health sector has a preponderant role to play with respect to building capacity among government actors so that they become accustomed to taking into consideration the health implications of their policies. To do so, the public health sector must develop and share knowledge on the links between sectoral policies and health determinants, but also develop its capacities in influencing the policy process and conducting intersectoral dialogues."

—Louise St-Pierre and François-Pierre Gauvin, *National Collaborating Centre for Healthy Public Policy, Quebec, Canada*[99]

3.2 Engaging Stakeholders

Soliciting input from stakeholders is a key strategy for ensuring that your Health in All Policies work is responsive and accountable to community needs. While there are many existing handbooks and other support materials to facilitate stakeholder and community engagement strategies, this section highlights information that is particularly relevant for engaging stakeholders in Health in All Policies efforts.

> "[At the California Health in All Policies Task Force Stakeholder Input Workshop] I finally felt like I had a voice in public policy and health. I really hope all of the suggestions…will change many of the policies already set. I enjoyed meeting leaders in other issue areas and hope there can be a unified voice."
>
> —Stakeholder Input Workshop Participant, *California Health in All Policies Task Force*

WHO ARE YOUR STAKEHOLDERS?

Stakeholders are those who are impacted by your work but are not already partners in your process, particularly those who are outside of government, or who represent more localized interests than your partners do. For local Health in All Policies efforts, stakeholders include residents and local organizations that are impacted by or have an interest in your work. For state-level efforts, local governments are important stakeholders with a very important perspective to share. In each of the sectors with which you are working, there are likely to be stakeholders in the categories below who have interests and information relevant to your efforts:

- **Policy and issue experts.** Experts in academia, non-governmental organizations, and the private sector can help identify emerging and innovative solutions, may be aware of others who are also working on the problem, are often familiar with prior efforts to address the issues you may be tackling, and can help research areas where new information is needed.
- **Community members and community-based/non-governmental organizations.** Community residents and community-based organizations can share important information about assets and needs in their communities, the history of prior efforts to address problems, resources and challenges that may impact the effectiveness of proposed strategies, and specific ideas for ways in which government agencies at all levels can support and facilitate community efforts to promote health.
- **Private sector.** Companies in the private sector may be able to contribute resources to your efforts, particularly in support of their own local communities. They also perform many of the same functions as government (e.g. procurers, employers, etc.) and may be willing to practice some of the principles of Health in All Policies.
- **Funders.** Funders are often engaged in public policy work, can help with outreach to their networks, and may be able to provide funds to support robust stakeholder engagement strategies.

WHY ENGAGE STAKEHOLDERS?

Stakeholders engagement in Health in All Policies initiatives can help you:

- Create better solutions by providing information about barriers and opportunities for health at the community level and insight into the ways in which government agencies and policies may impede or promote health;
- Foster better understanding of the roles of different government agencies at the local, regional, state, and federal levels, and the impacts of their policies and programs on community health and well-being;
- Catalyze community action by promoting community participation in government processes;
- Garner support for the concept of Health in All Policies and for more consideration of health concerns in the policies of other sectors;
- Facilitate development of intersectoral relationships among new partners;
- Bring new resources and skills to the table;
- Increase outreach to and information sharing with policymakers;
- Increase understanding of the social determinants of health within non-governmental sectors.

Remember that the stakeholders for a Health in All Policies initiative will include those whose interests are not explicitly health-focused—for example, housing advocates, local farmers, or community development experts.

WAYS TO ENGAGE STAKEHOLDERS

While the literature suggests that partnership and stakeholder engagement are key components of successful Health in All Policies efforts, the nature of that engagement varies widely.[100] Some Health in All Policies initiatives are formally composed solely of government agencies, such as the California Health in All Policies Task Force, the National Prevention, Health Promotion and Public Health Council (National Prevention Council), and the Executive Committee of the Cabinet in South Australia. Others include community stakeholders at the table, such as initiatives in Sonoma County, California and Galveston, Texas. Regardless of the formal makeup of a Health in All Policies group, all Health in All Policies initiatives of which the authors are aware have found ways to engage stakeholders. It is important to design a stakeholder engagement process that helps you get the information you need, secure buy-in, and build credibility in the community where you hope to improve health outcomes.

State and local governments sometimes have "sunshine laws" mandating that certain activities or meetings be open to the public. Formal meetings and hearings can be intimidating or inaccessible to the stakeholders you want to engage, so you may want to identify additional means to engage stakeholders in robust dialogue and collaborative problem-solving that go beyond the minimum legal requirements.

Agency perspectives on stakeholder engagement vary widely. Some may consider posting information on a website or sending a note to an e-mail listserv as adequate, while others routinely conduct public meetings and hearings. Some agencies are reluctant to engage with stakeholders because of the required time commitment, fear of being exposed to "government-bashing," or because previous engagement attempts have not produced practical solutions. Public health agencies tend to be more familiar with community engagement than some other agencies, and Health in All Policies may provide an opportunity to model effective and innovative stakeholder engagement strategies and help support government accountability to the public.

APPROACHES TO STAKEHOLDER ENGAGEMENT

Health in All Policies stakeholders can provide input in many different ways and the approach will vary depending upon the decisions you are trying to inform, the timing of the decisions, the availability of resources, and whether you are seeking one-time or ongoing input. Outreach is critical so that interested parties are aware of opportunities for input and engagement. It is important to work with colleagues and organizations in sectors outside the public health field to reach out to diverse stakeholders that address the broad array of issues your Health in All Policies collaboration may touch. Targeted outreach may be necessary to involve those who work with and represent vulnerable and disenfranchised populations, such as low-income residents and immigrants. In addition, it is essential to consider the particular perspectives, needs, and concerns of rural communities. Think about language accessibility and creative approaches such as social media or online tools. Think about how you can increase accessibility for youth, people with disabilities, seniors, and people in geographically distant areas.

Stakeholder engagement may include:

- One-on-one discussions
- Community workshops, meetings, forums, listening sessions, or focus groups
- Webinars with a discussion feature
- Teleconferences
- Formal or informal advisory groups
- Public input periods at government meetings or hearings
- Invitations for written input
- Social media or other uses of online communications

> "I was skeptical about the public workshops, because I thought they would just be opportunities for people to whine about the state. But to my surprise they turned out to be great. The staff and facilitator had an agenda that kept people focused on being constructive and positive. There was a great exchange of information, and a lot of terrific suggestions that came out of each of the workshops."
>
> —Member, *California Health in All Policies Task Force*

Local Governments as Key Stakeholders

Stakeholder engagement will look different for state and local governments. For example, a local government can have direct involvement with community residents whose lives and living environments are impacted by policy decisions; this is much more difficult for a state government. State agencies often seek input from representatives of communities, including state-level organizations that garner input from local organizations and local government. They also seek input from governmental and non-governmental organizations with their own local public input processes. If you are working at a state level, local agencies can have critical insight into the feasibility or challenges of various proposals, as they are often the ones implementing decisions made by your state-level partners. Local government representatives can help remind state-level partners of local needs and the diversity of their communities, and help identify specific ways in which state or federal policies and programs can support (or impede) local efforts to promote healthy communities.

The following examples illustrate a number of ways that Health in All Policies approaches have engaged stakeholders:

- **Engaging people "where they are."** The strategic planning process at the health department in Monterey County, California, included significant engagement with the community. The health department used this engagement process to help boost support for a Health in All Policies approach. Staff identified community groups of churchgoers, college students, elected officials, parent groups, and others, and arranged to meet with those groups during their regular meeting times. To ensure county-wide representation, staff also tried to meet with at least two groups in each county district. In all, 21 meetings were held over five months. To garner sufficient input, the health department took a flexible approach to the input process, arranging additional meetings when more information was needed. Meetings were arranged around stakeholders' holiday schedules and some were arranged to ensure contact with migrant workers. Each meeting was formatted for length and content to fit the needs and interests of the particular group attending. This process ultimately led to the Monterey County Board of Supervisors approving a strategic plan for the health department that includes Health in All Policies approaches.[101]

- **Online community engagement.** In 2011, the State of Queensland, Australia, launched the GetInvolved online community engagement toolkit, which is a suite of community consultation tools freely available to government agencies. The toolkit includes online forums, polls, surveys, and a "consultation dashboard" to help schedule and promote engagement opportunities. These tools can allow communities to discuss issues with government agencies in real time, provide a venue to which residents can subscribe to be kept informed on topics, and allow the government to poll community members to quickly assess their opinions.[102]

- **Tenant survey to support change.** Although a tobacco ban prohibited smoking in many public environments in Boston, there was no way of guaranteeing a smoke-free environment in multifamily housing units. The Boston Housing Authority (BHA), along with residents and advocates, were concerned about health impacts from second-hand smoke, and the BHA received continual requests from tenants wanting to move units in order to avoid smoke drifting in from neighbors' apartments. BHA conducted a community engagement process in order to address this problem in partnership with the Boston Public Health Commission, the Committee for Boston Public Housing, the City of Boston, and the nonprofit Health Resources in Action. BHA administered a tenant survey and found that 80-90% of the residents wanted a smoke-free environment, a finding which was instrumental in building a case for enacting BHA's 2011 Smoke-Free Public Housing policy.[103]

- **Visioning process.** In 2008 and 2009, the Atlanta Regional Commission (ARC) embarked on the Fifty Forward initiative, a community visioning process to plan for the next 50 years for Metro Atlanta. Through this effort, the ARC asked, "How might our economic future be impacted if we adopt a Health in All Policies approach?" and, "How would the look and functions of our communities change if we took a Health in All Policies approach to planning and development?" The ARC explored ideas to ensure livability, prosperity, and sustainability through neighborhood forums on topics such as energy, health, and transportation in neighborhood forums. By partnering with the Civic League for Regional Atlanta, a nonprofit organization whose mission is to empower and engage citizens, ARC was able to gather public input on a wide array of topics at the neighborhood level.[104]

"Community engagement looks different at the local and state levels. We wanted input about how state agencies could best help organizations at the local level create healthier community environments, so we invited local health departments, other local agencies, and many community-based organizations to our public workshops. But local Health in All Policies groups often need the kind of input that can be provided only by people who live in the community."

—Member, *California Health in All Policies Task Force*

Social Media

The internet provides avenues for stakeholder engagement such as allowing e-mailed comments to be submitted in real-time during webcast meetings. It is important to stay updated on emerging technologies and social media innovations that can provide opportunities to engage constituencies that cannot easily get to physical meetings, such as youth, people who are disabled or elderly, those in rural areas, and those facing transportation challenges.[105]

FOOD FOR THOUGHT. Constructive stakeholder engagement requires preparation. Below are some questions you may want to ask yourself as you consider your goals, structure, resources, and support network:

What do you want to achieve?

- ☐ What information are you seeking? Do you want to collect feedback on existing government programs, identify opportunities and barriers in the community to promote health or create healthy environments, or identify best or promising practices?
- ☐ What connections do you want to make or strengthen? Are you hoping to form partnerships to address specific issues, or to catalyze new collaborations or community action?
- ☐ Do your goals align with those of your community members (e.g. community empowerment, information sharing, or participation in a decision-making or problem-solving process)?

How can you ensure that the process is meaningful for your work and for your stakeholders?

- ☐ How will you use the information gathered?
  - *How will the information contribute to solutions or to knowledge gaps?*
  - *How will the information be passed on to your government partners and used to make decisions?*
- ☐ How will you provide optimal opportunities for stakeholder input?
  - *Will you pursue multiple avenues for input?*
- ☐ How will you ensure that stakeholders understand the value of their input, including how their input will affect your initiative's direction?
- ☐ If you are organizing a forum or workshop, does the agenda and time allotted allow space both to make sure participants understand the goals and context of the forum, and allow them to provide input?

Who can help you achieve your goals?

- ☐ Who can best provide the input and information you desire?
  - *How can you reach and engage the right people and organizations?*
  - *Are these people part of your current networks, or will they be new to your work?*
- ☐ Who will coordinate the process?
  - *For state agencies, is there a local or regional agency that is well-respected and trusted in the community that could serve as a host or convener?*
  - *What (if any) roles will your Health in All Policies partners have?*
- ☐ How can you encourage stakeholders to attend?
  - *What kinds of outreach will you do?*
  - *Will you need language translation or other services to ensure accessibility?*
  - *If you are holding an event or meeting, is the meeting space physically and geographically accessible?*
- ☐ If this is a live process, who will facilitate?
  - *Is the facilitator someone who participants are likely to trust?*
  - *Is the facilitator prepared to hear complaints about local and state government and skilled enough to redirect the discussion toward constructive recommendations?*

FRAMEWORKS FOR ENGAGEMENT

Two of the many different perspectives on the spectrum of community engagement and participation are illustrated below.

The Ladder of Community Participation. This conceptual framework (shown in Figure 5 below)[106,107,108] is often used by local health agencies to guide planning around stakeholder engagement. Because the Ladder of Community Participation describes a range of strategies, organized by degree of community and government involvement, decision-making, and control, it can catalyze discussions and decisions around strategies, roles, and responsibilities of all participants. The framework shows seven strategies arranged according to level of involvement and control by the health agency or community. At all levels of the ladder, communication between the health department and the community is critical in order to foster the trust and information-sharing necessary to develop solutions that address everyone's needs. Communities can use this framework to identify where their engagement efforts currently fall and develop goals for future input and engagement processes.

FIGURE 5. THE LADDER OF COMMUNITY PARTICIPATION
Morgan, M.A., & Lifshay, J. (2006, March). Community engagement in public health. Martinez, CA: Contra Costa Health Services, Public Health Division. Used with permission.



The Wheel of Participation. This framework was developed to support participatory community planning processes and allows practitioners to choose from a menu of approaches based upon the constraints and opportunities faced by their community.[109,110] The wheel (shown in Figure 6 below) is centered around four objectives—information, consultation, participation, and empowerment—which direct community partners and practitioners to relevant guidance and techniques. While the Wheel of Participation uses the term "council," it can be applied to any government agency.

FIGURE 6. WHEEL OF PARTICIPATION

© Haymarket Media Group. Davidson, S. (1998, April). Spinning the wheel of empowerment. Planning, 1262(3), 14-15. Used with permission.

EMPOWERMENT

ENTRUSTED CONTROL

Devolving substantial decision-making powers to communities, such as tenant management organizations. Example technique: application of participation techniques with political support to delegate power.

INDEPENDENT CONTROL

Council obliged to provide a service but chooses to do so by facilitating community groups and/or other agencies to provide that service on their behalf, such as the delivery of care service contracts by the voluntary care sector. Example technique: application of participation techniques with political support to delegate power.

DELGATED CONTROL

Delegating limited decision-making powers in a particular area or project, such as tenant management organizations and school boards. Example technique: application of participation techniques with political support to delegate power.

INFORMATION

MINIMAL COMMUNICATION

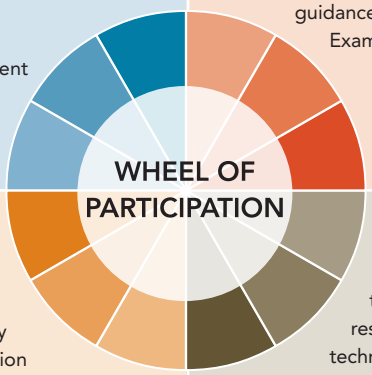
Council deciding on all matters itself, without community consultation (except when legally required to do so), such as via the minutes of committee meetings. Example technique: public notices.

LIMITED INFORMATION

Telling the public only what you want to tell them, not what the public wants to know. Example techiques: press releases, newsletters, and campaigns.

HIGH-QUALITY INFORMATION

Providing information the community wants and/or needs, such as discussion papers or exhibitions for development plans, or guidance notes for conservation area development. Example technique: leaflet.



LIMITED DECENTRALIZED DECISION-MAKING

Allowing communities to make their own decisions on some issues, such as management of community halls. Example techniques: application of participation techniques with political support to delegate power.

PARTNERSHIP

Solving problems in partnership with communities, such as a formal partnership. Example techniques: co-option, stakeholder groups and design game.

EFFECTIVE ADVISORY BODY

Inviting communities to draw up proposals for council consideration. Example techniques: citizens' juries, community councils.

PARTICIPATION

LIMITED CONSULTATION

Providing information in a limited manner with the onus often placed on the community to respond, such as posters and leaflets. Example techniques: public meetings and surveys.

CUSTOMER CARE

Having a customer-oriented service, such as introducing a customer care policy or providing a scheme for complaints or comments. Example techniques: comment cards, one-on-one interviews.

GENUINE CONSULTATION

The Council actively discussing issues with communities regarding what it is thinking of doing prior to taking action; for example, liaising with tenants' groups or customer satisfaction surveys. Example techniques: citizens' panels, district circles, focus groups, user panels, and stakeholder groups.

CONSULTATION

SECTION 4: Working Together Across Sectors

KEY POINTS

- Working together across sectors can take many forms, ranging from simply sharing information all the way to collaborating on new projects or adopting shared goals that are integrated throughout each other's work.
- Interagency collaboration requires strong relationships that are built on a foundation of trust, mutuality, and reciprocity.
- Interagency partnerships will benefit from reaching agreement about an overall approach to collaborative decision-making.



4.1 The Spectrum of Collaboration

Health in All Policies is rooted in the concept of partnership or collaboration. Working together with partners can take many forms ranging from simply sharing information all the way to co-creating new projects or adopting shared goals that are integrated throughout each other's work. Much has been written about organizational partnerships, using language such as information-sharing, consultation, cooperation, coordination, collaboration, and integration. Collaboration is one point on a continuum of joint working relationships (shown in Figure 7 below),[111] which can vary in power and communication structure, length of relationship, reward, risk, and intensity.

FIGURE 7. SPECTRUM OF COLLABORATION
Adapted from the Policy Consensus Initiative & National Policy Consensus Center.[112,113] Used with permission.



Health in All Policies initiatives benefit from activities on all levels of this spectrum. Even if true collaboration is not yet possible, sharing information, consulting, and engaging partners in problem solving can be important steps in building trust and working agreements that can ultimately support more in-depth partnership over time. Arthur Himmelman, one of the first people to describe how collaboration differs from other processes, said, "When organizations (or individuals) collaborate they share risks, responsibilities, and rewards, each of which contributes to enhancing each other's capacity to achieve a common purpose."[114]

"The physical and emotional health of an entire generation and the economic health and security of our nation is at stake. This isn't the kind of problem that can be solved overnight, but with everyone working together, it can be solved."

—Michelle Obama, *Let's Move Launch Announcement*[115]

Collective Impact

Collective Impact is one of several approaches to multi-sectoral collaboration and is gaining traction in the United States as a way to bring together governmental and non-governmental partners. It is defined as the "commitment of a group of important actors from different sectors to a common agenda for solving a specific social problem,"[116] and has much in common with Health in All Policies. The five conditions that make Collective Impact successful (and different from traditional collaboration) include having:

- A common agenda
- Shared measurement systems
- Mutually reinforcing activities
- Continuous communication
- Backbone support organizations

4.2 Building Intersectoral Relationships

Strong relationships are essential to the success of any Health in All Policies initiative. The Australian Research Alliance for Children and Youth identifies trust, reciprocity, and mutuality as the three essential elements of collaborative relationships.[117] This section discusses these three elements in detail, along with other tips based upon the experiences of the California Health in All Policies team.

FOCUS ON BUILDING TRUST

A Health in All Policies approach asks individuals and agencies to move out of their comfort zones and work with new partners in new ways, to speak openly about their concerns and aspirations, and to take risks. Collaboration can also raise concerns about "turf" or autonomy as agencies' work becomes intertwined, including loss of authority, resources, or ownership of an issue. Strategies include asking about and understanding these concerns, being explicit about leadership, giving credit freely to others, and sharing the limelight by giving others ample opportunity to be visible as leaders. Additionally, you should share information as widely as possible, refrain from pursuing hidden agendas, and be honest about both your own and your agency's opinions and goals. The tips listed here can help you establish, maintain, and deepen trust over time, including through potentially difficult processes.

Practice humility. When we acknowledge that we don't have all the answers and that our perspective is not always the right one, others feel more willing to speak up. Remember to be open to learning from everyone you speak with, recognize the expertise of other partners, and acknowledge differences of opinion. Listen, learn about, and demonstrate your interest in the goals, worries, frustrations, concerns, hopes, wishes, and motivations of the individuals and agencies with whom you are working. As the bumper sticker says, "Don't believe everything you think."

Respect confidentiality. While transparency and accountability are essential, partners may need opportunities to air their concerns in a confidential setting. This can foster greater openness, which can lead to new insights and better solutions. Having individual or sub-group meetings to discuss potential sensitivities with partners in advance of large group meetings can be invaluable in helping to move your process forward. Be aware of "sunshine laws" or other public meeting requirements to which your initiative may be subject.

Honor commitments. It is important to follow through on agreements you make or, if that becomes impossible, to let partners know how and why the plan has changed.

MODEL RECIPROCITY

Reciprocity represents a long-term, collaborative practice of helping each other generously and freely. This involves taking risks by committing time or other resources without an assurance that the return will be equal. Reciprocity requires shifting from a mindset of scarcity and competition for resources to a long-term, collaborative model of encouragement and support. When everyone puts effort into the process and gives a little for the overall group, each will get something back over time. A number of strategies to demonstrate reciprocity are described here.

Offer help. When opportunities arise to help your partners, make an offer. This may include sharing information, reviewing grants, serving on a committee, or even assigning your summer intern to one of your partners' projects. By taking the first step, you help create a culture of reciprocity, which will likely pay off in the long run with opportunities to gain support from your partners on higher-stakes issues.

Give credit. Sharing credit is generally easy and inexpensive, and can go a long way in supporting your partners' ongoing participation and good will. Health in All Policies can catalyze a new level of action or an innovative solution to a problem, but it may be based on the work of others who have been working on the problem for a long time. Therefore, giving credit to the others whose work provided a basis for your initiative's success is essential and if you don't know who they are, it is important to find out.

Assume good intentions. Given the siloed nature of most governments, you are likely to encounter miscommunications and misunderstandings as you broach areas in which you have limited knowledge. Chances are that if one of your partners says or does something that seems offensive, insensitive, or irrational, you are probably missing key information. If you can assume good intentions (i.e., that their intention are based on values you support), you can ask them to help you understand what they are thinking and why they are taking a particular approach. You will likely deepen your understanding of the issue, increase your ability to move collaborative solutions forward, and build trust and gain friends along the way.

PURSUE MUTUALITY

Mutuality is the idea that our goals are aligned across agencies and across policy areas. It represents a cultural shift from pursuing independent, siloed, topic-based interests to embracing shared beliefs and pursuing common goals. Because governments tend to be so siloed, Health in All Policies leaders and backbone staff can play an important role in modeling this kind of behavior. As people see the benefits of having a common vision and shared goals, they will likely embrace this idea more and more.

Discover shared values. Every person who comes to a Health in All Policies initiative brings personal and organizational values with them. Your group may have an easier time identifying shared goals if you have explicit conversations about values early in your process.

Identify win-wins and co-benefits. Intersectoral collaboration works best when partners from all sectors can see tangible gains for themselves. Whether explicitly or not, many of the people you approach to participate in a Health in All Policies effort are likely to ask themselves, "What's in it for me?" Identifying win-win opportunities can help establish buy-in, allows partners to leverage resources and increase efficiency by pursuing multiple goals through one effort, and is an essential strategy for building a mutual vision and shared goals.

EXAMPLES OF CO-BENEFITS & WIN-WIN STRATEGIES FOR HEALTH AND SUSTAINABILITY

CLIMATE CHANGE AND HEALTH. While climate change is the biggest global health threat of the 21st century, policymakers and the public are often unaware of the impacts of climate change on health.[118] Climate change has direct impacts on health—such as heat illness or injuries from flooding and other extreme weather events, and indirect—through impacts on our food, water and air quality, and security.[119,120,121] Many strategies to address climate change have important health co-benefits. For example, reducing greenhouse gas emissions from motor vehicles by driving less and walking and bicycling more can also yield huge health benefits through increased physical activity, which reduces cardiovascular disease, diabetes, osteoporosis, and other chronic illnesses.[122] Planting shade trees reduces urban heat islands,[123] and can also lower energy costs,[124] freeing up resources of low-income people for other basic needs.

COMMUNITY SAFETY. Violence or fear of violence can make people unwilling to take public transportation, less supportive of high-density living, or less likely to engage in community activities all of which can impact health and healthy behaviors.[125,126] As a result, reductions in violence and fear of violence can lead to reduced rates of injury and stress, as well as increased social and community cohesion and opportunities for physical activity. Increased community safety has potential co-benefits for several other agencies and community stakeholders, including:

- **Transportation.** Increased use of public and non-automobile modes of transportation and decreased traffic.
- **Air quality.** Reduction of automobile emissions through increased use of public transit, walking, and biking, and through greater willingness to live in dense, urban areas.
- **Law enforcement.** Reduced crime rates.
- **Businesses.** Increased foot traffic.
- **Parks and recreation agencies.** Greater use of parks for recreation.
- **Planners.** Planners may want to use design features that promote safety (such as lighting) in order to increase the appeal and usability of public space.
- **Schools.** Reduced rate of crime on campus and students' routes to and from school.
- **Housing agencies.** Reduced rate of crime in residential areas and greater willingness to live in mixed-income housing.

FARM-TO-FORK. "Farm-to-fork" policies and programs, which make it easier for people and institutions to purchase produce from local farmers, promote health by making it easier to access affordable and nutritious fresh foods. These policies and programs have co-benefits for several agencies and community stakeholders, including:

- **Economic development.** Farm-to-fork policies and programs can support the local agricultural and food economy.[127]
- **Agriculture.** Supporting local agriculture helps to preserve agricultural lands.
- **Environmental.** Agricultural lands may support habitat conservation and "ecosystem services," the ways that human communities benefit from nature, such as through clean water, timber, habitat for fisheries, and pollination of native and agricultural plants.[128]
- **Education.** Healthy eating is an essential component of supporting academic achievement.[129,130] An estimated 19%–50% of calorie intake by children occurs at school.[131]
- **Disaster preparedness.** Strong local food hubs can help communities be more resilient in the face of disasters that may cut them off from food distribution systems.

ADDITIONAL TIPS FOR HEALTH IN ALL POLICIES RELATIONSHIPS

Understand context. Pay attention to the political and organizational context in which your partners are working, including past interagency interactions, successes and failures, or other issues that may color perspectives on the current effort. For example, if an agency has been engaged in work on a controversial or sensitive topic and you see an opportunity for Health in All Policies in that area, make sure you understand their concerns and how you can get involved without inadvertently derailing the process or sacrificing one of your partners' goals.

Share information and ideas. Good health is a commonly held value that most people want to support. But regardless of how obvious the connections to health may seem to you, people working in other fields may know very little about the health impacts of their work. Therefore, part of your role is to help highlight opportunities for staff at partner agencies to incorporate a health perspective into their work by sharing data, pertinent scientific literature, and case studies from the field.

Be flexible. Health in All Policies requires tremendous flexibility, as it is a long-term strategy that takes place in an environment characterized by administration changes, staff turnover, continuously developing legislation, and funding that is often insecure or short-term. For example, legislation could mandate a change that your Health in All Policies group was already trying to achieve, which may shift the focus of your work from building agreement around what that change looks like to developing a plan for implementation. These changes also create relationship-building opportunities if you are ready to respond. For example, in cases where organizations have not worked well together, changes in administration or leadership can provide new partners for collaboration.

Make introductions. As you build intersectoral relationships, you may be surprised by how many people you know who don't know each other. You can play an important role by building bridges for others and introducing potential partners to each other.

Language matters. Every discipline, including public health, has its own jargon, language, and acronyms. A first step in building relationships is to make sure that people can understand each other. This can include avoiding abbreviations, being mindful of language that is hard to understand, and being aware of situations where differences in use of terms may cause disagreement or confusion.

Simple Words Can Have Many Meanings

Even common words or phrases can have different meanings for people working in different agencies. The common definition for the word "safety" is "freedom from danger, risk, or injury,"[132] but the meaning of the word may vary greatly depending upon who is speaking. For example, when using the word "safety":

- Criminal justice or police agency staff may be talking about freedom from crime and violence.
- Local environmental health staff may be considering whether food products are free from contamination.
- Transportation agency staff may be discussing protection from injury and death for drivers, bicyclists, pedestrians, and road maintenance workers.
- Forestry agency staff may be expressing concern about ensuring a defensible space around homes in areas facing wildfire risk, while urban fire department staff may be referring to building features such as fire alarm and sprinkler systems.
- Labor agency staff may be talking about workplace precautions to prevent injury and exposure to toxins.

These are all consistent with the dictionary definition of the word, but illustrate the need to ensure understanding among a diverse group of what is meant by even commonplace words.

Collaboration takes time. A solid collaborative effort takes a lot of time, particularly if you have many partners. It is important to allow sufficient time for relationship building, learning about your partners' goals, and developing agreements. It is helpful if you can be flexible and allow for delays when warranted, but also maintain momentum on slow-moving projects.

Get the most out of meetings. In collaborative processes such as Health in All Policies, meetings are often where relationships are built and decisions are made about goals and strategic directions. Whether a whole-group, small sub-group, or one-on-one meeting, make sure you use meeting time effectively to keep people coming back.

FOOD FOR THOUGHT. The following is a list of questions that can help you plan meetings with your Health in All Policies partners:

- ☐ Do you need to hold a large-group meeting, or can the work be accomplished through a smaller discussion or even by e-mail?
- ☐ Have you created opportunities for participants to get to know each other?
  - *Do you have name badges and/or tent cards? Have you prepared a participant roster?*
  - *Have you provided informal opportunities for networking (such as over a snack break)?*
- ☐ How will you encourage participant engagement and leadership?
  - *Are there opportunities for participants to develop agenda items, make presentations, and set goals for the group?*
  - *What will be the role of public health agency participants?*
  - *What can be done to make sure participants feel central to the initiative and not like advisors to the public health department?*
  - *Should you use a large-group brainstorm or small group discussions?*
- ☐ What will you do to prepare for the meeting?
  - *If you want a group to make a decision, have you spent time in advance defining the question and identifying and resolving potential disagreements?*
  - *When seeking input, have you identified the questions to ask, prepared any necessary informational materials, and developed an inclusive format to maximize participation?*
  - *Do you need additional facilitators or materials?*
  - *Have you notified participants of any advance preparation they should make?*
- ☐ Are you prepared to change an agenda or meeting format to better suit the needs of the group, to respond to an unexpected development, or to allow for discussion when conflicts arise?
- ☐ Have you allotted time to acknowledge accomplishments and early wins?
  - *Have you allotted time to give credit to others for their contributions and laud their leadership, innovation, and achievements?*

WHEN PARTNERS DISAGREE

The policymaking process, its multiple competing stakeholders, and the siloed structure of government can lead to tensions among its various agencies, and sometimes even to discordant policies. Conflict may actually increase as trust deepens and people feel more comfortable being honest with each other. Conflicts that arise in a Health in All Policies forum can reflect long-standing tensions between agencies, in some cases between two or more policies that are each explicitly health-promoting. Collaboration works best if disagreements and conflicts are acknowledged and addressed, even if they cannot be fully reconciled.

In any collaborative effort there will be times when people do not agree. In some cases, people's loyalty to their own agencies may appear to be in conflict with their loyalty to the Health in All Policies initiative. Even within these areas of conflict, there are often "zones of collaboration," or areas where people can work together toward a common vision. One goal of Health in All Policies is to extend these zones as broadly as possible.

Health in All Policies staff can help partners find common ground and mutually agreeable solutions by listening carefully to the concerns of all, encouraging respectful listening and dialogue, and pointing out areas of agreement or creative solutions. It is important to remember that actions taken with even the best collaborative intentions can result in stepping on someone else's toes. In navigating conflicts, you will need to rely and build upon the trust that you have already established.

However, all partners—including public health agencies—may at some point feel that they cannot agree to a proposed goal or action. Agreeing to respectfully disagree (and to continue dialogue) is an important strategy to prevent conflicts over specific issues from subverting the larger collaborative process.

The Groan Zone

"When people experience discomfort in the midst of a group decision-making process, they often take it as evidence that their group is dysfunctional… So let's be clear-headed about this: misunderstanding and miscommunication are normal, natural aspects of participatory decision-making. [They are] a direct, inevitable consequence of the diversity that exists in any group. Not only that, but the act of working through these misunderstandings is part of what must be done to lay the foundation for sustainable agreements… Groups that can tolerate [this stress] are far more likely to discover common ground. And common ground, in turn, is the precondition for insightful, innovative co-thinking."

—From the *Facilitator's Guide to Participatory Decision-Making*, by Sam Kaner with L. Lind, C. Toldi, S. Fisk, and D. Berger[133]

Harmonizing Policy Goals for Health: Healthy and Safe School Food

Some school districts and local health departments prohibit the on-campus consumption of produce grown in school gardens due to concerns about foodborne illness and liability. School personnel or volunteers may not be aware of the risks related to fertilizer or compost use, neighborhood animals, water or soil contamination, and practices to ensure sanitary produce conditions.[134] However, school gardens provide multidisciplinary learning opportunities for children, encourage them to eat fruits and vegetables, and provide opportunities for learning about nature and ecological processes.[135] Obesity and chronic disease prevention experts often believe that the risks of foodborne illness are small relative to the demonstrated harms of the obesity epidemic, and that effective strategies to increase fruit and vegetable consumption (like school gardens) should be widely adopted.

While these viewpoints may appear to be in conflict, school districts and local public and environmental health agencies are beginning to work together to develop processes that both assure food safety and allow students to enjoy produce they have grown.[136] This involves convening public health chronic disease prevention and food safety experts, education agencies, food and agriculture staff, and environmental health staff to consider ways to identify and share best practices that promote healthy and safe consumption of school garden produce. Health in All Policies can provide a venue for aligning goals in situations like this.

4.3 Decision-Making

Health in All Policies partners will need to make decisions together such as agreeing upon goals, selecting priorities, establishing commitments for specific action steps, or authorizing staff to carry out a project or make decisions on behalf of the group. Transparent decision-making can help build trust among partners, which is easier if groups agree upon their approach to decision-making at the start of their process. The approach to decision-making may change over time, as trust deepens and/or the nature of the work changes. By actively eliciting and discussing concerns in a safe environment before asking for a group decision you can help ensure more robust decisions that partners will feel they can abide by. To reach the best possible agreements, it is important that participants share their true preferences and perspectives, and not "go along to get along," as illustrated in the textbox about the "Abilene Paradox" (page 61). Many of the strategies discussed in the relationship-building part of this guide can help ensure that your Health in All Policies partners have access to safe spaces and opportunities for voicing honest opinions.

> "Diversity and independence are important because the best collective decisions are the product of disagreement and contest, not consensus or compromise."
>
> —James Surowiecki, *The Wisdom of Crowds*[137]

MAJORITY VOTING AND CONSENSUS

While majority voting and consensus are both common methods of group decision-making, consensus is more likely to support the kinds of collaborative work embodied by Health in All Policies because it provides an opportunity to uncover underlying concerns and build solutions that meet your partners' needs. Consensus decision-making requires that all group members either support or do not block a decision. It differs from majority voting, which generally requires that a majority (51%) or supermajority (a larger percentage, such as 66%) approve a decision. Some forms of consensus ask each partner to reveal the strength of their support for a given proposal, which can create opportunities to further strengthen the proposals through the decision-making process. The table below describes advantages and disadvantages of these two types of decision-making.

	MAJORITY VOTING	CONSENSUS
SUMMARY	Majority voting generally requires some threshold of support, such as more than half or two-thirds.	Consensus gives everyone the ability to block a decision. Requiring consensus can either mean that a decision requires unanimous support, or that nobody opposes it strongly.
ADVANTAGES	Majority voting is often considered easier, as fewer people need to agree in order to make a decision, which means that decisions can happen more quickly.	Consensus decisions require buy-in for an idea from the whole group, which can make it easier to implement. It also means that major concerns must be addressed before a proposal can move forward, which serves to strengthen proposals and leads to more meaningful decisions. Consensus works best with active participation from all parties, and can help ensure that all relevant interests are considered.
DISADVANTAGES	With voting, members of the group may be "overruled" on a given decision. It can be difficult to get a group to work together to implement a decision if not everybody is in agreement. Furthermore, if a decision is made quickly, there may not be sufficient discussion to elicit important concerns that could lead to a stronger proposal overall. Very important but minority positions or perspectives may be overlooked.	Consensus can take more time than majority voting (though it does not have to). It requires significant communication and negotiation, and can result in important initiatives being held up or blocked by one party. In addition, because the focus can shift toward appeasing concerns, a group can lose sight of its end goal and end up watering down a proposal so that while nobody minds it, nobody is enthused about it either.

The Abilene Paradox

This story, adapted from management expert Jerry B. Harvey's article *The Abilene Paradox: The Management of Agreement*,[138] demonstrates the pitfalls of group decision-making when people do not reveal their true preferences:

"On a hot afternoon visiting in Coleman, Texas, the family is comfortably playing dominoes on a porch, until the father-in-law suggests that they take a trip to Abilene (53 miles north) for dinner. The wife says, 'Sounds like a great idea.' The husband, despite having reservations because the drive is long and hot, thinks that his preferences must be out-of-step with the group and says, 'Sounds good to me. I just hope your mother wants to go.' The mother-in-law then says, 'Of course I want to go. I haven't been to Abilene in a long time.'

The drive *is* hot, dusty, and long. When they arrive at the cafeteria, the food is as bad as the drive. They arrive back home four hours later, exhausted.

One of them dishonestly says, 'It was a great trip, wasn't it?' The mother-in-law says that, actually, she would rather have stayed home, but went along since the other three were so enthusiastic. The husband says, 'I wasn't delighted to be doing what we were doing. I only went to satisfy the rest of you.' The wife says, 'I just went along to keep you happy. I would have had to be crazy to want to go out in the heat like that.' The father-in-law then says that he only suggested it because he thought the others might be bored.

The group sits back, perplexed that they together decided to take a trip which none of them wanted. They each would have preferred to sit comfortably, but did not admit to it when they still had time to enjoy the afternoon."[139]

SECTION 5: Structures to Support Health in All Policies

KEY POINTS

- While Health in All Policies can have formal or informal structures, in the long run the goal of embedding health in governmental decision-making is best supported by formal structures that are stable and foster long-term change.
- Health in All Policies initiatives require resources, and may necessitate thinking creatively about sources of support.



5.1 Embedding Health into Government Practices

While individual policy changes and projects can improve health outcomes and help build relationships with partners, a key element of Health in All Policies is creating structural or procedural changes that support the consideration of health and equity in decision-making processes across policy areas and over the long term. This is called "embedding" or "institutionalizing" Health in All Policies into the structures and processes of government. With this approach, rather than considering health and equity after decisions have been made, health considerations would be embedded into decision-making processes so that they are considered in the early stages of program development, planning, and policy making. This represents a radical shift in how government functions and requires collaboration across sectors. It is important for long-term and sustainable impact, because even in places with strong support for inclusion of health and equity, champions and leaders can leave, funding sources and policy priorities can shift, and circumstances can change.

> "To harness health and well-being, governments need institutionalized processes which value cross-sector problem solving and address power imbalances. This includes providing the leadership, mandate, incentives, budgetary commitment and sustainable mechanisms that support government agencies to work collaboratively on integrated solutions."
>
> —Adelaide Statement on Health in All Policies[140]

Institutionalization of Health in All Policies requires significant capacity building and a shift in mindset for many people in government. While money is typically the bottom line for most government decision-making processes, Health in All Policies adds health as a legitimate consideration for government agencies and decision-making bodies, including city councils, county boards of supervisors, and state legislatures. Considerations can include the financial costs and benefits of the health impacts of various decisions, distribution of health impacts across a population (equity), and long-term health impacts that could be significant, but may not be captured in short-term financial projections.

Partnership for Sustainable Communities

In 2009, the U.S. Department of Housing and Urban Development, the U.S. Department of Transportation, and the U.S. Environmental Protection Agency created the Partnership for Sustainable Communities. The Partnership incorporates livability principles into coordinated federal housing, transportation, water, and other infrastructure investments with a goal of prosperous neighborhoods and reduced pollution.[141]

This kind of analysis will require people across government to understand the relationship between policy-making and health. Achieving this may include capacity-building activities such as training agency, city council, or legislative staff on the health impacts of various policies and on the use of health analysis techniques, or seating health staff in the offices of other agencies or decision-making bodies.

While healthy decision-making can take place at many levels, ultimately, Health in All Policies is about creating permanent change in government decision-making processes so that over time accounting for health considerations becomes part of the normal way of doing business across sectors in your jurisdiction. Consider this hypothetical example related to healthy multi-unit housing, showing three potential levels of change that could come from a Health in All Policies approach:

- **Improving one project or program at a time.** Analyzing a proposed plan for a new apartment building to identify ways to make it healthier may improve conditions for the hundreds of people who live there and those who live nearby.
- **Changing policy.** Changing the current building code to require healthy design in the construction of all new multi-unit housing would impact even more people for generations to come.
- **Changing systems.** Incorporating a health lens into the process for changing the building code might have an even larger impact across a much broader range of decisions that include but go far beyond housing.

All of these levels of change can promote health and may require multiple partners to work together across sectors. The level of change you decide to try to enact will be based on consideration of many factors, including feasibility. In fact, a group may take on all three levels of change over time. Think about what you and your partners are able to change, and who you need to engage to make changes at a systems level.

Integrating Health into Regional Transportation Planning

In 2012, in response to an unprecedented level of interest from community stakeholders in the health outcomes of regional planning, the Southern California Association of Governments (SCAG) established a Public Health Subcommittee. As part of its implementation of the 2012-2035 Regional Transportation Plan, the subcommittee will provide a forum for public health issues affecting regional planning and will provide strategic and policy direction for SCAG on public health issues. If SCAG maintains the subcommittee on an ongoing basis and meaningfully includes health input from the subcommittee in SCAG policies and programs moving forward, this will be an excellent example of embedding health into decision-making processes outside the public health field.

FOOD FOR THOUGHT. Following are questions you may want to think about as you consider the institutionalization of Health in All Policies:

- ☐ Is there a sustainable budget allocated for staff for your initiative?
- ☐ How will you build staff capacity?
  - *Have staff coming from outside the public health field been trained in health and equity issues?*
  - *Have public health staff received training on relevant issues outside public health?*
  - *What opportunities exist for shared staffing?*
- ☐ What overall strategies, goals, and targets can be enhanced by the inclusion of health and equity (i.e., strategic plans)?
- ☐ What government planning processes are in place, and how might health and equity be incorporated into those moving forward?
- ☐ Can health and equity be incorporated into executive branch analysis of legislative proposals?
- ☐ Can funding streams be combined or aligned to promote multiple goals, including health and equity?
- ☐ Are there mechanisms for assessing or evaluating whether and how departments outside public health impact health and equity?
- ☐ Can health and equity be integrated into mandated requirements for guidelines, requests for proposals, and data sources?

Institutionalization of Health in All Policies is a long-term goal with many steps along the way. While you may find opportunities early on to embed health into decision-making processes, you are likely to find it easier to get started with programmatic or policy changes that are shorter-term or more limited in scope. These are important and often necessary steps for building awareness, understanding, and the relationships that are essential for building long-term, permanent, and transformative change.

5.2 Structure and Formality

Health in All Policies initiatives fall along a broad spectrum of structure and formality. As you build relationships with partners, the type of structure used will depend on the availability of staff resources to undertake and sustain the effort, current levels of involvement in collaborative and intersectoral work, the level of support and commitment by leadership (within public health and other agencies), and the scope of the effort. While informal approaches may be a good first step in embedding a culture of collaboration into government processes, in the long run the goal of transforming government by embedding health in governmental decision-making is best supported by stable formal structures, capable of withstanding changes in leadership and funding.

FORMAL APPROACH

Formalizing a partnership or collaborative group can lend authority and accountability to an effort, which in turn can help bring otherwise disinterested partners to the table, and can provide justification for spending time and resources on intersectoral collaboration. It can also provide direction and structure, and help ensure progress toward long-term commitments.[142]

Many types of intersectoral governance arrangements can support implementation of Health in All Policies, as McQueen and colleagues describe in their 2012 book, *Intersectoral Governance for Health in All Policies*.[143] While most of their examples reflect a European parliamentary structure, they can also be applied to governmental structures in the United States, such as legislative oversight committees, cabinet committees, city council committees, multi-agency working groups or task forces, and inter-departmental staff units. The authors discuss joint budgeting, in which agencies pool financial resources for a common goal, and delegated financing, in which a legislative body provides funds to a "semi-autonomous statutory body" specifically to finance intersectoral programs and initiatives.

Formalizing a process usually involves a written document—such as a law, executive order, strategic plan, resolution, interagency agreement, charter, or memorandum of understanding—that explicitly lays out goals, objectives, and deliverables for the group, and may identify key partners, leaders, or processes for decision-making. A written document can also lock in details such as the membership, a timeline, and a programmatic focus, which may be useful for securing commitments and aligning disparate partners around a particular goal. Formalizing structures through legislation or budgetary decisions may facilitate long-term monetary investments, but that is not always the case,[144] and even formal processes can result in an unfunded mandate.

Because it can be difficult to anticipate everything a group will want to address, authorizing documents should allow for flexibility. Documents that outline a formal structure can inadvertently limit options regarding adding new partners or addressing new programmatic areas not included in the original language. Again, there is no "right way" to approach the structure of your initiative, and Health in All Policies configurations vary significantly and can change over time.

Following are examples of different ways that Health in All Policies initiatives have been created to support a formal structure:

- **Presidential executive order.** The National Prevention Council was established by President Barack Obama through an executive order as part of the Affordable Care Act of 2010.[145] The executive order created the council, placed it within the U.S. Department of Health and Human Services, established the surgeon general as its chair, identified leaders of 12 agencies to serve on it, and authorized the chair to add members. It also created an Advisory Group, set out a purpose and duties (including research, stakeholder engagement, and the creation of a National Prevention Strategy), established reporting requirements, and established funding. The chair was given flexibility regarding membership, and there are now 17 agencies, departments, and offices represented on the council.
- **Legislation.** The Governor's Interagency Council on Health Disparities in Washington State, which embodies many of the principles of Health in All Policies, was established by the state legislature in 2006, and was assigned "the primary responsibility of creating an action plan for eliminating health disparities by race/ethnicity and gender."[146] The council is chaired by a representative of the governor's office and is staffed by the Washington State Board of Health.[147]
- **City, county, and school partnership.** The City of Richmond, California, is developing a strategy document to support Health in All Policies approaches through a partnership between the city manager's office (which coordinates input from city agencies), the county health agency, one of the two school districts in the county, a local university, and local community groups and residents. The partnership is also working on a Health in All Policies ordinance that, if passed by the city council, will institutionalize the goals and objectives in the Health in All Policies strategy document and assign responsibility for implementation, monitoring, and reporting.[148]
- **County ordinance.** In 2010, Ordinance 16948 established an Inter-Branch Team in King County, Washington, to implement the county's "fair and just principle" in the countywide strategic plan (intended to promote fairness and opportunity and eliminate inequities).[149] The Inter-Branch Team is made up of the directors (or their designees) of all county branches, departments, agencies, and offices. The Inter-Branch Team meets monthly, sits within the Office of the Executive, and develops tools, engages the public and communities, and creates trainings and work plans.[150]
- **Interagency memorandum of understanding.** The Executive Committee of South Australia's Cabinet Chief Executive Group is responsible for overseeing development, implementation, and evaluation of Health in All Policies. This group reports to the Executive Committee of Cabinet, which is chaired by the premier and includes the treasurer, three other ministers, and the chairs of the Economic Development Board and the Social Inclusion Board. The process is formalized through a memorandum of understanding between South Australia Health and the Department of the Premier and Cabinet, which describes their relationship, roles, and function in supporting the Executive Committee.[151]

- **Incorporating health into existing government processes.** The 2002 Québec Public Health Act (Section 54) specifies that the Minister of Health and Social Services should act as an advisor to the government on any public health issue and "shall be consulted during the development of measures provided for in Bills and Regulations that could have significant impact on population health."[152] As a result, a mechanism was developed for incorporating health impact assessments and other less formal methods into a process of inter-ministerial consultation that already exists within the provincial government's structure.

INFORMAL APPROACH

Agencies and organizations can convene informally to share information and pursue joint intersectoral projects to promote health and equity, and can develop their own guidelines and expectations. Groups created on an ad hoc basis to address a specific issue or concern may have the flexibility to be able to respond to shifting needs, interests, or opportunities. Partner agencies that are wary of making long-term commitments may feel more comfortable with an informal process, and an informal approach may be necessary when it is not possible to get the political support to create a formal group.

If a group depends upon voluntary participation by agencies, partners are likely to be strongly invested in the process. At the same time, if a group is perceived as voluntary, it may be difficult to secure participation from some key players, or to secure ongoing commitments over long periods of time. While individuals in partner agencies may be interested in participating, it could also be difficult for them to obtain permission from their agency without an authoritative directive or formal invitation.

The following are examples of different ways that Health in All Policies initiatives have been structured using an informal approach:

- **Supporting a common goal.** The health agency in Contra Costa County, California, partners with the local planning department and the fire marshal on issues related to road safety, fire safety, and "complete streets." While this group has not been formally codified, the partners have worked together for a number of years to promote walkability, fire safety, and other health goals, and have all identified ways in which their own departments will benefit.[153]

- **Responding to a natural disaster.** Galveston's Health in All Policies efforts emerged from discussions at the University of Texas Medical Branch to consider health and re-building after Hurricane Ike devastated the island in 2008. Staff bring in new partners as efforts change in response to community needs, and rely on community engagement to provide input for priority work areas and to encourage agencies to join and stay engaged in the partnership.[154]

- **Creating regulatory changes.** Staff in the California Department of Public Health initiated an informal multi-sector workgroup to consider how to reduce exposures to toxic chemical flame retardants in sofas, chairs, and infant products without compromising fire safety. Workgroup participants included the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation, the Office of the State Fire Marshal, the Office of Environmental Health Hazard Assessment, the Department of Toxic Substances Control, and the Department of Justice. That group's work led to health-promoting regulatory changes, and Governor Jerry Brown has made a firm public commitment to markedly reduce the use of chemical flame retardants.[155]

ACCOUNTABILITY AND OVERSIGHT

Whether a Health in All Policies group uses a formal or informal structure, accountability and placement are essential when working with multiple partners. Placing Health in All Policies outside of a health agency promotes a whole-of-government sensibility and can send the message from government leadership that "health is everybody's business." For example, South Australia's Health in All Policies initiative is overseen by a group of chief government executives. While the California Department of Public Health facilitates the California Health in All Policies Task Force, the Task Force operates under the auspices of, and reports to, the Strategic Growth Council, which is a cabinet-level body that provides a high level of visibility and authority. In Galveston, Texas, the local health department is engaged as a partner but the University of Texas plays the role of facilitator.

FOOD FOR THOUGHT. Following are questions you may want to think about as you consider accountability and oversight:

- To whom will the group, the facilitator, and the participating agencies be accountable, and how?
- How will your initiative be accountable to stakeholders?
- What are your reporting mechanisms and who is responsible for the reporting?
- How will you strike a balance between accountability to your government partners, stakeholders, funders, and others?

COLLABORATIVE LEADERSHIP AND STAFFING

While significant work may be delegated to a Health in All Policies backbone team, it will still need partners to play a major role in shaping and leading the initiative by sharing their expertise, explaining agency priorities, identifying contacts, providing information, reviewing documents, participating in meetings, making decisions, and implementing recommendations to advance the work. At the same time, as Health in All Policies initiatives move from relationship-building to implementing solutions, partner agencies may carry out some of the work on their own, separate from the Health in All Policies group. It can be exciting to see agencies outside the public health field absorb health-promoting practices into their own work, and you may struggle to let go of leadership or figure out how much you want public health to remain at the table.

Engaging partners from outside the public health field in leading Health in All Policies can build their capacity to do collaborative and health-promoting work. The more they are engaged in representing Health in All Policies, the more they will carry messages about the approach to their colleagues. Partner agencies will need authority to make decisions, and should receive credit for their leadership. Supporting partners to take leadership is a key to promoting health as a priority outside of the public health department. At the same time, even if your partners are ready to take significant leadership, the backbone team can still play an important role by making sure that the process continues to be collaborative, helping to facilitate continued connections between various agencies, and stepping in if difficulties arise.

Shared staffing can be a useful and innovative strategy to support collaborative efforts and increase intersectoral leadership. This can involve a position jointly funded by two different agencies or one agency funding a position that is housed at a different agency. For example, the County of San Diego Health and Human Services Agency partnered with the San Diego Association of Governments (SANDAG) to provide funding through their Communities Putting Prevention to Work grant to fund a land use and transportation planner with a background in public health. This position, housed at SANDAG, provides expertise on the public health impacts of land use and transportation planning and serves as a bridge between the public health and transportation agencies.[156]

5.3 Resources

Embedding the consideration of health in decision-making will require continued allocation of resources for collaboration and/or integration of health-promoting practices across government. Costs of Health in All Policies initiatives will vary substantially depending on their scope and longevity. This section describes some of the resource needs for Health in All Policies and some potential sources of support.

STAFFING NEEDS

As with many collaborative initiatives, staff will likely be your largest expense. Even a small collaborative effort involving a few agencies working on a discrete issue will likely require paid staff time. Important qualities to look for in staff include flexibility and innovation, as well as skills in meeting facilitation, consensus building, negotiation and mediation, research, and writing. It is not essential that backbone staff have expertise in all policy areas, but they should know how to reach out to partners and policy experts to bring in knowledge as needed. The role of backbone staff is discussed in detail in Section 3.1. It is also important to note the costs to partner agencies as they designate staff time to participate in meetings and implement the many projects that may grow out of your initiative.

ADDITIONAL EXPENSES

Additional expenses can include costs associated with meetings, printing, travel, and research (e.g., fees to access publications). You may also want to create subcontracts for policy expert consultation, facilitation, writing/editing, graphic design, and evaluation. Information about specific resources needed for community engagement are discussed in Section 3.2, and a description of the resources used to carry out the work of the California Health in All Policies Task Force is available in Part III.

POTENTIAL RESOURCES

To be successful with Health in All Policies approaches, you will need to be creative about identifying funding sources, including exploration of foundations, government grants, in-kind support from your own or other agencies. You may also benefit from hiring student interns who can support your work at a lower cost than other staff, while also giving you an opportunity to promote your approach to emerging leaders in public health or related fields. There may also be ways to embed health into existing processes that are already funded, or share the costs of hiring an intern, consultant, or staff member with a partner agency.

FOOD FOR THOUGHT. Below are some questions you may want to ask yourself as you think about potential resources:

- What funders are interested in Health in All Policies, transformative governance, intersectoral collaboration, healthy communities, or other related concepts, and might provide operational support?
- What funders are interested in policy areas that align with your interests (e.g., healthy eating or education), and might provide support for specific projects?
- If a funder is only interested in one aspect of your work, how will you address that one aspect sufficiently while maintaining focus on your core work and other priorities?
- Are partners in other governmental agencies or nonprofit organizations willing to assign staff or interns to work on implementing Health in All Policies projects?
  - *Are partner agencies willing to create new staff or intern positions to support a Health in All Policies project that relates to their agency?*
- Can you reduce costs by sharing resources or tools between partner agencies and organizations? (For example, if another organization is already conducting a survey of a group that you wish to learn about, perhaps you can combine efforts or simply add a few questions to the existing survey.)
- Can you combine resources and collaborate with other related initiatives on programs, trainings, stakeholder engagement, or other resource-intensive components of your work?
- Have you taken advantage of internships for undergraduate or graduate students?
  - *Have you looked for students who need to conduct a policy analysis, program plan, or evaluation plan as part of their coursework?*
  - *Have you considered reaching out to schools other than public health, such as city planning, public policy, or social work schools?*
  - *Do you have the staff capacity to support an intern?*

SECTION 6: Creating Healthy Public Policy

KEY POINTS

- Health in All Policies is an approach that allows government agencies to think explicitly about incorporating health into decision-making.
- Many factors, such as the context, authority, participation, resources, politics, community concerns, key leader interests, and any formal legislation or administrative action will play a role in determining the focus and scope of a Health in All Policies initiative.
- Several tools are useful in Health in All Policies initiatives, such as root cause analysis and using a health lens. Using a health lens is a systematic method of finding ways to improve health and embed health in decision-making. Health impact assessment is one method that uses a health lens.
- Evidence can be a powerful and important part of any Health in All Policies effort but can be complicated due to issues of scale, the need for data on indicators that are not monitored by public health agencies, the challenges of collaborative use of data, and the value of trying approaches that have not yet been tested.
- The health outcomes of Health in All Policies work are difficult to measure, making this work particularly challenging to evaluate. Process evaluation can be a useful way to improve the important collaborative aspects of Health in All Policies initiatives.



6.1 Choosing What to Work On and Identifying Potential Solutions

DETERMINING FOCUS

While the "all" in Health in All Policies suggests innumerable policy areas that impact the public's health, each Health in All Policies effort will need to focus on a manageable number of areas. While a Health in All Policies initiative may coalesce around one specific issue or opportunity, many groups will need to start by selecting projects to work on, or may broaden their scope over time. Factors such as context, authority, participation, resources, politics, community concerns, key leader interests, and any formal legislation or administrative action will play a role in determining the focus and scope of any Health in All Policies initiative. It is important to remember that regardless of the particular focus, a key goal of Health in All Policies is to embed health considerations into ongoing government processes and decision-making.

The following examples illustrate how groups organizing around a Health in All Policies approach have either selected a focus area or been assigned one:

- **Data and alignment with existing mission.** The Healthy Chicago Interagency Implementation Council advances efforts within 12 priority areas that were selected through an assessment of public health data and resources, and according to the health department's mission and core public health functions.[157]
- **Executive leadership direction.** The Director of the Hawaii Department of Public Health has identified eliminating health disparities as his primary goal. This gives staff leverage to think broadly about social justice issues, and staff are considering using a Health in All Policies approach to address health disparities and promote health equity moving forward.[158]
- **Governor's executive order.** The executive order establishing the California Health in All Policies Task Force includes an explicit mandate to identify policies and strategies that promote health while also advancing the environmental sustainability goals of the Strategic Growth Council, under whose auspices the Task Force sits.
- **Potential impact and general appeal.** Health in All Policies efforts in Kansas, coordinated by the Kansas Health Institute, initially focused on getting legislators to think about policies impacting the health of children as a way to have a significant and lasting impact on the larger population's health and garner broad support from partners.[159]
- **Legislation.** The legislation establishing the Washington State Governor's Interagency Council on Health Disparities dictates that the council's action plan must address a number of specific diseases, health issues, and behaviors. These include diabetes, infant mortality, HIV/AIDS, breast cancer, sudden infant death syndrome, mental health, and the immunization rates of children and senior citizens.[160]

- **Health policy agenda.** In June 2010, Baltimore's mayor established the Cross Agency Health Taskforce (CAHT) on the heels of releasing Healthy Baltimore 2015, the City Health Department's comprehensive health policy agenda. The agenda identified priority areas and indicators for action for the CAHT. It also highlighted opportunities to impact morbidity and mortality and improve the quality of life for city residents. The 21 city-agency CAHT reviewed the 10 priority areas of Healthy Baltimore 2015 and selected areas where they could strengthen existing efforts and where new efforts could be initiated.[161]

The following table describes some advantages and disadvantages of selecting a broad or narrow policy focus for a Health in All Policies initiative.

	BROAD POLICY FOCUS	NARROW POLICY FOCUS
ADVANTAGES	Looking at broad and/or multiple issues provides opportunities for creativity, allows for more partners, and can support flexibility in responding to new opportunities or emerging issues of concern. For example, Quebec,[162] South Australia,[163] and Thailand[164] all have very broad enabling language that fosters use of a health lens for virtually any issue. Some examples of broad focus issues include chronic disease or sustainability. Single issues can still be broad, and may involve many partners and many sectors. Chronic disease, for example, touches on transportation, parks, land use, food systems and agriculture, community safety, and more.	A narrow focus on one or a few issues can make it easier for participants to familiarize themselves with the issues and the policy, programmatic, and administrative responses at hand, which can in turn make it easier to identify solutions to pursue. Even a narrow focus can involve many partners, as participants begin to unravel the interconnections between policy areas. Some examples of narrower focus issues include Safe Routes to Schools or improved nutrition in school lunches.
DISADVANTAGES	A very broad focus may be difficult to implement, result in scattered efforts, or feel overwhelming, particularly if participants lack sufficient resources or group structure. For a focus of any breadth, it will be important to identify specific goals and benchmarks.	A very narrow focus may limit the parameters of discussion and action to the point that it becomes difficult for a group to pursue emerging opportunities that were not included in the group's initial mission. A narrow focus may also limit participation, because fewer partners will see a clear role for themselves or connection to their own work.

DEFINING THE PROBLEM AND LOOKING FOR SOLUTIONS

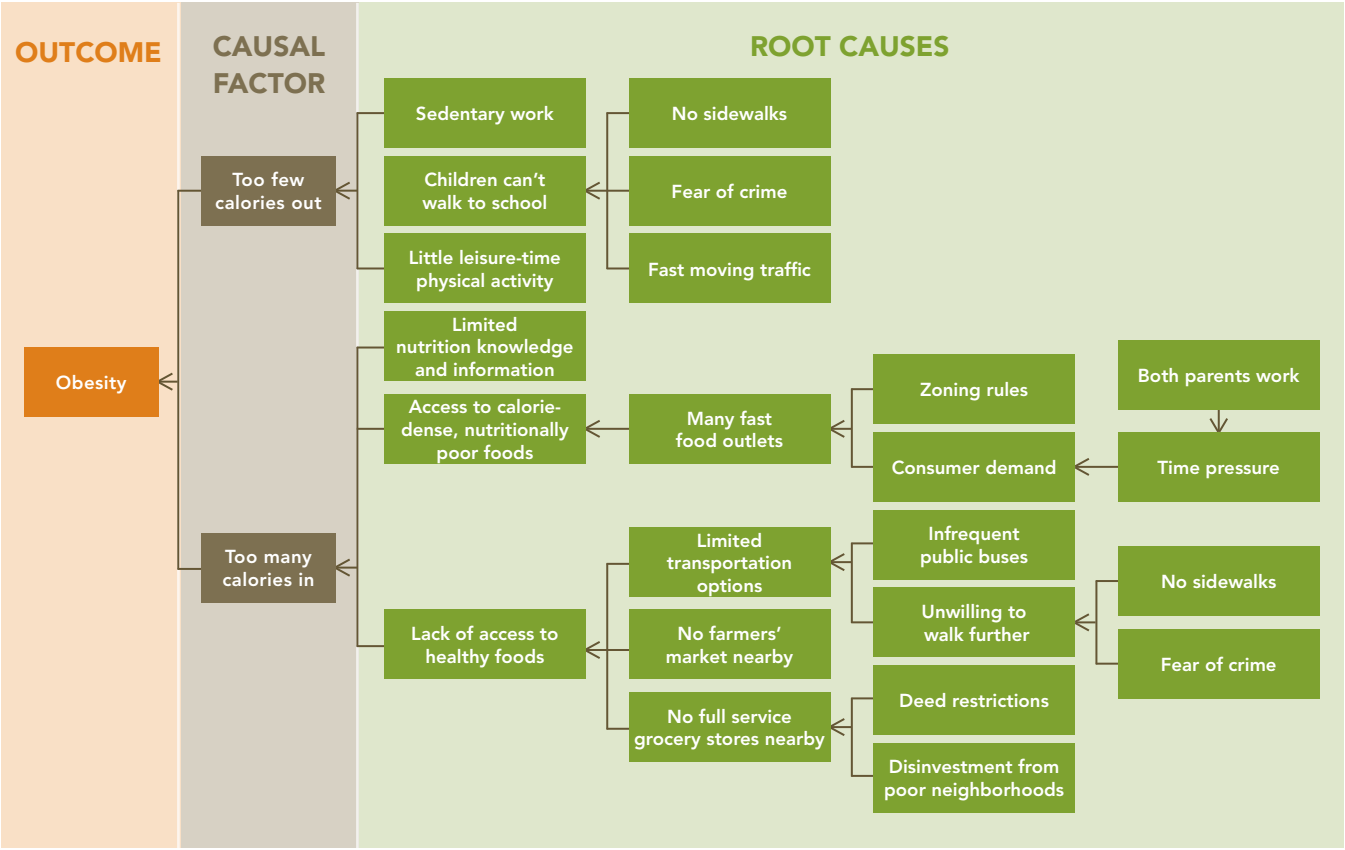
Problem analysis is an important step toward identifying potential solutions and can help a Health in All Policies group be prepared to seize emerging opportunities as they arise. It is also useful for identifying smaller steps that can help set the stage now for greater action at some later point. Strategic planning, program planning, and policy analysis all provide strategies for understanding a problem. In general, problem analysis is an iterative process that can involve literature review (both published and gray literature) and meeting with agencies, experts, and stakeholders.

Root cause mapping. Root cause mapping was described in Section 2.2 as an anaytical tool for understanding fundamental causes of community health problems. Root cause mapping can also be used to identify potential intervention points and possible partners.

The sample map below (Figure 8) shows causal factors of obesity, and specifically explores the causal chain for excess caloric intake and insufficient caloric expenditure. This is just one example of how one could complete a root cause map and is not intended to be an inclusive map of all of the root causes of obesity. For example, this diagram does not include root causes like stress, institutionalized racism, genetics and biological factors, healthcare, or the marketing environment.

Moving from left to right, the root cause map expands, showing opportunities to identify specific policy or programmatic changes that could address those causes. In a group exercise, people can identify agencies or organizations that have influence over these root causes and write them directly on the map.

FIGURE 8. ROOT CAUSE MAP



BUILDING ON EXISTING EFFORTS

Many agencies are already engaged in health-promoting work and it is important to recognize the potential for synergy with existing efforts. Helping agencies see that they are already involved in health-promoting work can illuminate opportunities to expand their role or deepen collaboration. For example, while creating its action plan to carry out the recommendations of the National Prevention Strategy, the National Prevention Council inventoried the activities that its member agencies were undertaking to promote health, highlighting areas where momentum for policy action already existed.[165] This kind of approach can help identify areas of opportunity, where a small boost of effort may have a strong impact.

ESTABLISHING PRIORITIES

Complex problems rarely have a "magic-bullet" solution, and Health in All Policies partners will likely need to choose from many possible ideas based on factors such as resources, decision-maker and community stakeholder support, or the ability to reach consensus among partners.

It is important for a group to agree in advance on what criteria will be used to select or justify a particular course of action, who will apply the criteria, and whether the criteria will be applied through a formal, defined process, or informally. Criteria should be based upon the goals of the collaborative as well as the interests of stakeholders. Possible criteria (organized alphabetically) for evaluating a proposed solution include:

- **Co-benefits & win-wins.** Does the proposed solution solve multiple problems at once, provide benefits to multiple partners, or help government achieve multiple policy goals?
- **Collaboration.** Does the proposed solution require or facilitate collaboration across agencies?
- **Cost.** What will it cost to implement the proposed solution?
    - What are government costs, private sector costs, short- and long-term costs, and both direct and indirect costs?
- **Effectiveness.** Is there evidence that the proposed solution is effective?

Effectiveness, Innovation, and Evidence-Informed Practices

Keep in mind that with complex problems such as chronic disease or climate change, there may not be hard evidence that a particular strategy will work, and many possible solutions may not have been evaluated. Therefore, you may want to look for evidence-informed solutions and emerging best practices rather than limiting policy ideas only to strategies that are supported by peer-reviewed literature. Using evidence-informed and emerging practices is common in an innovative field such as Health in All Policies.

- **Equity.** Will the proposed solution reduce inequities or change the distribution of burdens and benefits?
  - What will be the impact of this proposed solution on sub-groups of a population, on vulnerable or under-resourced groups and communities, and on specific geographic regions?
  - Will it shift burdens or benefits from one generation to another?
- **Feasibility.** In some ways, feasibility is a combination of many of these criteria. Often it is a proxy for resources, jurisdiction, and support from decision-makers. Essentially, is it possible to implement this proposed solution?
- **Jurisdiction.** Who has the authority to take action—including regulation, guidance, funding, and convening?
  - Does the proposed solution require action only at the state level, or is there also a role for local (or federal) jurisdictions?
- **Magnitude of health impact.** What is the likely impact of the proposed solution on the illness/injury, health risk, or behavior of interest and what is the likely magnitude of that impact?
  - Can the impact be quantified?
  - What is the evidence for the effectiveness of the proposed solution in addressing identified problems or improving outcomes?
  - Who will be affected by the proposed solution, and will different groups be affected differently?
- **Political will.** Is the proposed solution acceptable to or desired by the involved agencies, policy leaders, and the general public?
  - Are there leaders who are prepared to champion the proposal?
  - Are there powerful or influential people or groups who are likely to oppose the idea?
- **Specificity.** Is the proposed solution specific enough to allow implementation?
- **Systems change**. Will the proposed solution lead to the institutionalization of Health in All Policies efforts or embed health into decision-making?

BALANCING BIG GOALS AGAINST THE NEED FOR EARLY WINS

Early successes are essential for building morale, developing relationships and trust, creating momentum, and establishing a track record that will encourage future investments of time or other resources. It may be useful to identify some "low-hanging fruit" to get started, or identify small steps that move toward a longer-term or bigger goal. You may find it easier to take on bigger projects after your collaborative group has had some early wins and has had the opportunity to establish trust, working relationships, and social norms. But this doesn't mean that big wins should fall off your agenda. It is worth considering big goals even though the payoff may be several years—or even decades—in the future. You can also be opportunistic; when the right partners are aligned and working together, some big wins may in fact be easy.

Examples of "Low-Hanging Fruit" for Health in All Policies Initiatives

- Partner with another agency to convene a public input session on a cross-cutting topic.
- Host a meet-and-greet between partners that you think might have areas of alignment.
- Collaborate to disseminate an existing but underutilized guidance document that has strong implications for health.
- Organize a one-time workshop to educate partner agencies and their staff about the potential co-benefits of specific policies such as complete streets, school siting, or community greening.
- Convene multiple agencies around a topic to explore opportunities for collaboration, focusing on issues that are best addressed in a collaborative multi-sectoral way, such as infill development and healthy housing.
- Invite partner agencies to give input into documents or survey questions that can serve multiple goals.

CREATING DELIVERABLES

While the key elements of Health in All Policies include softer, less tangible outcomes such as improved collaboration across government agencies and increased efficiency in government operations, it is also important to produce concrete, tangible deliverables as vehicles to guide policy and document progress. Examples of such deliverables include:

- A comprehensive health strategy (e.g., the National Prevention Strategy)
- A set of recommendations that feeds into a specific process, such as strategic planning
- Action plans to carry out recommendations
- A policy paper that provides options for policymakers in a particular policy arena
- An action plan to address a specific problem (e.g., a chronic disease prevention plan)
- A health impact assessment (e.g., health impact assessment of efforts to reduce greenhouse gas emissions)
- Summit proceedings (e.g., summit on healthy and smart infill development)
- A resolution that indicates a commitment to include health and equity in government processes

OPPORTUNITIES AND CHALLENGES OF IMPLEMENTATION

A successful Health in All Policies initiative may generate new work as partners and stakeholders identify additional areas for collaborative action. It is important to acknowledge the limits of what backbone staff and other participants can realistically manage. Creating systems for accountability, reporting, and ongoing input into agenda-setting can allow the group to acknowledge accomplishments, track implementation, and make decisions that support a feasible and realistic agenda.

Another implementation challenge is that some actions may require several steps to implement, but it may be difficult to maintain momentum all the way through. For example, a group may successfully change state-level guidelines, but will miss a key opportunity for impact if the guidelines sit on a shelf without being disseminated, or without offering technical assistance and training that may be necessary for their implementation. Sometimes a small change that gets fully implemented may have greater impact than working towards a big change that gets derailed along the way.

As a group moves into an implementation stage, it can also be difficult to maintain the visionary work of developing new ideas and seizing new opportunities. Regardless of the specific projects underway, remember to keep in mind the key elements outlined in Section 1.4, and strike a balance between seeking progress on specific actions and creating shifts in how government functions, so that health is embedded in decision-making across policy areas and over the long term. Specific and early successes are important for proof of concept and to help the group stay motivated, but it is also important to continue building a vision for where the group is headed.

6.2 Looking through a Health and Equity Lens

Using a "health lens" is a systematic way of finding opportunities to improve health and equity and embed these principles in decision-making. This approach is at the very heart of Health in All Policies. Ideally one day a health lens will be incorporated across the whole of government to help ensure that key decisions with potentially significant impacts on population health and equity will be informed by information about those impacts.

Looking through a health lens simply means providing evidence that allows people to consider the positive and negative health and equity consequences of their decisions during the decision-making process. It can be carried out at a high level to identify broad connections with health, or can address the potential adverse or beneficial health consequences of a policy or program at a more detailed level. A health lens can be applied to any issue or sector and to programs, projects, and administrative or legislative policies.

In Washington State, the governor or any legislator can request that the Board of Health complete a Health Impact Review on the impacts of legislation on health disparities; between 2007 and 2013 seven such analyses—including four on education—were completed.[167]

Analysis using a health lens can take many forms and the approach will vary depending on the circumstances. Many agencies already have ongoing, required processes for analyzing different effects of projects and policies. For example, many cities and states require analysis of the short-term costs of all proposed legislation, and state and federal laws require an Environmental Impact Assessment (EIA) of development and infrastructure projects. These and other existing review processes can offer opportunities for applying a health lens. In fact, in some cases—such as the EIA process—consideration of health impacts is required (although health is generally considered narrowly in these assessments).[166] Also, impact on equity is not often considered in the EIA process. Regardless, working within existing review processes may be one effective strategy for broader application of a health lens.

In some cases, applying a health lens may provide a way to express and address core community concerns that may seem outside of the purview of any one agency. This process can serve as a tool to educate policymakers, which in turn can build support for institutionalizing the consideration of health and equity in decision-making.

HOW AND WHEN WILL THE INFORMATION BE USED?

Before you decide whether to employ a health and equity lens, be clear about your purpose, and consider how the lens will be employed and the findings will be used. For example:

- Will agencies be required to respond to findings, or are the findings purely informational?
- Will the findings be shared with the public?
- What is the best way to present findings to be the most useful to your partners and/or your other audiences?

The answers to these questions will likely depend on when and how you are applying a health lens and whether it is being incorporated into an existing, formal process or being done voluntarily as a supplementary effort.

The timing of applying a health lens in the design of projects, programs, and policies can be tricky. In general, the earlier in the process that you can identify relevant issues, the more likely it is that those issues can be taken into consideration, and the less likely that people will feel that the health issues are creating "re-work." Of course, sometimes the health and equity implications of a proposal may not be fully apparent at the outset, or opportunities for applying a health lens may not be apparent until later stages. You should also take into consideration the concerns that might arise among agencies going through a regulatory process when you are applying a health and equity lens as they may want to know how information generated by your analysis will be incorporated into their process. It is important to be sensitive to the concerns of agencies involved in a regulatory process when adding your own layer of analysis to help ease the way for efforts to incorporate a health and equity lens.

DOES HEALTH LENS ANALYSIS NEED TO BE FORMAL, STRUCTURED, AND RIGOROUS?

Applying a health and equity lens can take a wide variety of forms, including informal discussions between agencies, formal health agency input on the relationships between various policy areas and health, or a formal and structured review of relevant impacts. For example:

- Planning agency staff could informally consult public health agency staff to get input on a proposed project.
- A consumer protection agency could convene a group of experts to determine whether to embark on a regulatory process.
- Health agency staff could write a letter to another agency with recommendations based on their staff's expert opinions.
- Health agency staff could provide health-related data for incorporation into another agency's forecasting models.
- Stakeholders, health agencies, or agencies outside public health could initiate a formal and structured analysis.

The choice between more or less structured analyses rests in many cases on resources, including availability of staff with appropriate skills, or funding to obtain such staff. Even rapid, desktop health impact assessments (see discussion below), while considerably less resource-intensive than comprehensive health impact assessments, generally require more time and resources than a few informal meetings or a letter from one agency to another.

Also consider how open a partner agency is to a formal process. For example, the California Health in All Policies Task Force learned during early discussions that the term "health impact assessment" was disquieting for some agencies. While the concept of incorporating health into decision-making was well-received, the term health impact assessment was closely associated with environmental impact assessments, raising concerns such as delaying existing schedules, potential for misuse of the process (e.g., by stakeholders on either side using arguments about the methodology to forestall a particular decision), and added costs. Remember to be sensitive to and respectful of partners' fears or concerns, and to be mindful of the language used.

Applying a Health Lens to Land Use Planning in San Francisco

Community groups came to the San Francisco Public Health Department with concerns that displacement and the affordability of housing were not being addressed in the local land use planning process. The health department and community groups partnered to apply a health lens to the formal planning process in order to address this gap. As a result:

- A wide range of community stakeholders provided input on what they wanted the land use plans to accomplish.
- The health department assessed available data to compare that vision to existing conditions.
- Recommendations were developed for how to address the potential impacts of the planning process. This formal process also demonstrated clear community and scientific support for the recommendations, which led to the planning department incorporating them into its work.
- The health department successfully deepened relationships with other local agencies, establishing a commitment to intersectoral partnerships through their willingness to provide resources to support other agencies' goals.[168]

TWO STRUCTURED APPROACHES: HEALTH IMPACT ASSESSMENT AND HEALTH LENS ANALYSIS

Health impact assessment (HIA) and South Australia's Health Lens Analysis (HLA) are two different structured approaches for conducting a formal analysis of the health implications of proposed projects or policies.

A structured approach provides advantages, such as:

- Allowing transparency of process, methods, evidence, and assumptions
- Requiring definition of the scope and parameters of analysis
- Encouraging thoughtful and comprehensive assessment of a full range of health consequences
- Facilitating stakeholder participation

Health Impact Assessment. HIA is "a systematic process that uses an array of data sources and analytic methods and considers input from stakeholders to determine the potential effects of a proposed policy, plan, program, or project on the health of a population and the distribution of those effects within the population. An HIA provides recommendations on monitoring and managing those effects."[169] The goal of an HIA is to inform a decision-making process in an effort to minimize adverse health effects and optimize beneficial ones, paying particular attention to differential impacts on sub-populations.

The core stages of an HIA include:

1. **Screening.** Involves determining whether or not an HIA is warranted and would be useful in the decision-making process;
2. **Scoping.** Collaboratively determines which health impacts to evaluate, the methods for analysis, and the work plan for completing the assessment;
3. **Assessment.** Includes gathering data on existing conditions and predicting future health impacts using qualitative and quantitative research methods;
4. **Developing recommendations.** Makes evidence-based recommendations to reduce negative health outcomes while promoting positive health outcomes;
5. **Reporting.** Communicates findings; and
6. **Monitoring and evaluation.** Evaluates the impacts of the HIA on the decision and on process outcomes.[170]

HIAs have produced a spectrum of results, ranging from implementation of recommendations to improve health outcomes, to engaging community members more fully in the policy process, to strengthening relationships among government agencies. Particular strengths of HIAs are the inclusion of stakeholders throughout the process, the increased transparency associated with stakeholder engagement, a full description of methods and findings, and the explicit reliance on data and evidence to inform decisions to improve health.

Pioneered in the 1980's by the World Health Organization, HIA has since been embraced internationally, including through formal requirements. For example, the Thai constitution provides a right to request "that a court and an expert committee examine whether a HIA is required" for any project, and HIAs are required for major projects in designated potentially hazardous industries such as mining, steel mills, airports, and others.[171] In the United States, to date, only one state has adopted HIA requirements; in 2009, Massachusetts began to require HIAs for major transportation projects.[172]

As a voluntary practice, HIAs have gained currency rapidly across the United States and been used by local and state health agencies, community-based organizations, and nonprofit organizations. Following are a few examples:

- **Living wages, 2006.** San Francisco's Department of Public Health conducted an HIA to look at the health impacts of a proposed living wage ordinance.[173]
- **Energy assistance, 2007.** The Boston University Child HIA Working Group conducted an HIA in Massachusetts to assess the impacts of state funding for the federal Low Income Energy Assistance Program.[174]
- **Express bus route, 2011.** The Connecticut Association of Directors of Health and Southern Connecticut State University conducted a rapid HIA for a planned express bus route.[175]
- **Wind energy, 2012.** Oregon's Department of Public Health conducted an HIA examining a wind energy project.[176]

For more comprehensive information about HIAs conducted in the United States, visit the Health Impact Project at: http://www.healthimpactproject.org/.

South Australia's Health Lens Analysis Method. Health lens application is a core component of South Australia's Health in All Policies model. The South Australia Department of Health designed a formal Health Lens Analysis (HLA) process specifically to be applied very early in the process of developing policy ideas in areas with potentially large impact and of importance to the wider South Australia government.[177] The intent of the HLA process is to foster the analysis of possible alternatives when a policy is in draft form. While HLA uses similar methods to the HIA, its goal is to inform policy development at the conceptual phase.[178] In 2008, the Executive Committee of the South Australia Cabinet agreed to systematically apply a health lens across the targets identified in South Australia's Strategic Plan.

The HLA process involves five stages:[179]

1. **Engage.** Establish collaborative relationships with other sectors (including a joint work group), determine the agreed-to scope and policy focus, clarify issues, determine the analysis process, and establish evaluation criteria.
2. **Gather evidence.** Identify health impacts of the policy under review and evidence-based solutions through literature review, data collection, and qualitative research methods.
3. **Generate.** Reconcile perspectives, explore the implications of proposed recommendations, and produce recommendations in a report jointly authored by partner agencies.
4. **Navigate.** Shepherd the recommendations through the approval and decision-making process at the partner agencies and health department, including required presentations and briefings.
5. **Evaluate.** Review the process, impact, and outcomes to determine the efficacy of the HLA and report to central leadership.

HLA has been conducted in South Australia on diverse issues, including those listed below:

- **Water security, 2008.** As the first HLA, this effort was seen as a trial analysis. The project team identified the impacts associated with increasing the use of alternative water sources.[180]
- **Digital technology, 2009.** Explored digital technology access and use in low-income populations and identified solutions to increase internet access through mobile phones.[181]
- **Regional migrant settlement, 2010.** Described the impact of settlement experiences on migrant health, identified contributors to settlement experiences and outcomes, and established strategies for the positive settlement of migrants in the future.[182]
- **Transit-oriented development, 2011.** Examined the relationship between an array of urban factors impacting health, livability, and desirability of these environments. This process led to the development of a guide for planners, health professionals, designers, and engineers to support the development of livable transit-oriented developments.[183]

In these and other HLAs, a small team at the health agency undertakes the analysis in collaboration with other government agency staff and seeks to engage in the policy formation process as early as possible to ensure incorporation of health factors in the decision-making process.

KEY CONSIDERATIONS

Three common elements are recommended to all practitioners, regardless of approach:

1. Think about whether there is a good reason to do an analysis.
2. Gather available and pertinent evidence before commenting on a proposal in a different sector.
3. Be as comprehensive as possible in thinking through the potential health and equity impacts of a proposal and how they can be addressed.

FOOD FOR THOUGHT. Before you decide whether and how to proceed with a health lens, you may want to ask:

- ☐ Is there a law or mandate requiring a formal or structured analysis?
- ☐ Are resources (e.g., staff, funding, expertise) available to complete a structured analysis?
- ☐ What is the decision-making timeline?
- ☐ How much is known about the likely health impacts of a proposed policy and how convincing is the evidence?
- ☐ Is the decision likely to have very significant health consequences?
- ☐ Is an issue politically sensitive? How much scrutiny will your agency receive with regard to any comments it makes?
- ☐ Is the decision-making agency open to input on health and equity impacts, and in what form?
- ☐ Are stakeholders demanding formal analysis?
- ☐ Is the analysis likely to provide information that is not already available?
- ☐ Could analysis be incorporated into an existing, formal process?

Applying a Health Lens to Regional Transportation Planning

Shaped by extensive public input on the issue, in December 2010, the Nashville Area Metropolitan Planning Organization (MPO) adopted an Active Transportation Funding Policy in the 2035 Regional Transportation Plan (RTP). This policy targets at least 15% of Urban Surface Transportation Program funding toward active transportation projects. With the leadership of a full-time director of healthy communities devoted to bicycle, pedestrian, and health policy, the MPO has developed a systematic approach to rating transportation proposals, giving priority for active transport and projects that address transportation needs in high disparity areas. The MPO has utilized multiple data sources to identify and prioritize those communities in greatest need with the goal of increased physical activity and has identified health as a criterion for project selection. Including health organizations from the state and local level was identified in an evaluation of the process as a key to the success of the 2035 RTP.[184]

See the Annotated Resources for a list of tools that have been developed to support the application of a health lens. Some of these tools focus on equity, some on specific types of communities (i.e., rural or urban), and others on economic development.

6.3 Evidence and Data

Government is more effective and efficient when it focuses on those programs and strategies that work best and directs resources toward those places and populations in greatest need, or where intervention will be most impactful. Your partners outside the public health field likely rely upon evidence to make decisions about achieving their own goals, but may not have considered health or equity outcomes. One important role for public health practitioners in a Health in All Policies initiative is to provide evidence of the links between health, equity, and policy areas outside public health, and to identify intersectoral policy approaches that have been shown to work. For example, a map overlaying deaths from heat with a tree map can both show the importance of parks departments to improving morbidity and mortality and help the parks department and other partners working on urban greening make a stronger case for the importance of their programs.

Data versus Evidence

In the field of public health, *data* are simply "a collection of items of information" or the factual information, including measurements or statistics that are used as a basis for reasoning or calculation.[185] For public health interventions, *evidence* often refers to information on "the effectiveness of an intervention in achieving an outcome that will create lasting changes in the health of the population."[186] For example, schools often collect *data* on student fitness outcomes. Analyzing changes in that data after the introduction of a school-based physical activity program can provide *evidence* of program effectiveness.

It is important that practitioners of Health in All Policies provide evidence to meet external needs for justification and accountability, make data meaningful through easy-to-follow presentations, be honest about the limitations of existing data or evidence, and seek ways to build the body of knowledge about the effectiveness of Health in All Policies approaches. Health in All Policies initiatives do not necessarily require data collection or new analysis, as they can often rely upon pre-existing data. At the same time, innovation is a key feature of Health in All Policies, and this means being willing to try approaches that have not yet been tested, or for which very little evidence of promise currently exists.

The uses of evidence in Health in All Policies work are numerous, and include:

- **Helping ensure that health-promoting projects are as effective as possible.** This includes establishing priorities for action, targeting programs to meet specific needs, and determining allocation of resources.
- **As an educational and advocacy tool to support and justify a Health in All Policies approach.** This includes quantifying the need for policy change, conveying a message more effectively to policymakers and the public, and mobilizing community action to promote healthy communities.
- **Evaluation of Health in All Policies approaches, outcomes, and group processes.** This includes setting benchmarks and measuring progress.
- **As the focus of a Health in All Policies initiative to make policy or programmatic changes that improve data collection, sharing, or analysis.** This includes incorporating health indicators into existing data sets, and incorporating indicators of social determinants of health into existing health analyses.

USING EVIDENCE TO SELECT PROGRAMS OR PRACTICES

Government agencies are increasingly encouraged to adopt evidence-based policy-making—the use of scientifically rigorous evidence about "what works" in making decisions about government spending to improve health and social, environmental, and economic well-being.[187] The use of evidence in policy and decision-making can increase public accountability and ensure that desired outcomes are achieved by directing resources to programs that are proven to be effective and that do not have unintended consequences. The gold-standard for evidence is the randomized controlled trial, which is common in clinical medicine, but rare in the arena of social or economic programs because of both ethical and cost considerations.[188]

While governments should prioritize implementing policies and programs with "evidence of effectiveness in real-world environments, reasonable cost, and manuals or other materials available to guide implementation with a high level of fidelity," such programs are often not available or may not offer the best solution to the problem at hand.[189] Innovative efforts such as Health in All Policies require flexibility to encourage the exploration of emergent and creative solutions that lack rigorous evidence. These approaches are often referred to as "emerging" or "untested." They may be described as "evidence-informed" if they were developed based upon evidence (for example in a related field or in a different context), but have not been tested themselves. Even when evidence is available, it may not be applicable in every situation. It is important to consider the target population of your efforts, their self-defined needs, and the context in which evidence-based policies are implemented, so that issues such as cultural relevance and community interests are taken into consideration as evidence is weighed.

In cases of insufficient or limited evidence, when possible, it is important to gather data and evaluate your work, to contribute to the body of evidence. It is also important to be honest and transparent about what kind of evidence is being used to support a particular policy, including if there is little or no evidence because it is an innovative approach. The misuse and underuse of evidence are important to consider. Often policy decisions have more to do with synergy between multiple agency goals, feasibility, funding, and support of policymakers and the public than with scientific evidence, even though evidence may be available. This is a reality of working in a political context, but it is important for public health to continue to bring evidence to the table when possible.

Consider your audience. It is important to think about your audience, and what kind of evidence will resonate with them. In a Health in All Policies approach, your audience may care a lot about health, but may not be health experts. Chronic disease rates alone may not mean a whole lot to your audience, but they may be very interested in understanding the links between transportation or housing policies and health outcomes. Similarly, if you plan to highlight how a particular policy change could reduce obesity rates, it might be useful to also show how it could benefit both health and other kinds of goals, such as reducing food insecurity, strengthening rural economies, or reducing greenhouse gas emissions.

Given the complexity of the social determinants of health, it is important to present information in a way that allows people to intuitively grasp its meaning. When presenting statistics or other data, be aware that while some policymakers and stakeholders are very data savvy, others are put off by complex, number-laden graphs and charts. Color-coded maps can be particularly effective in showing differences in health outcomes and living conditions among neighborhoods or regions. Punctuating data with pictures and stories is an effective way of bringing them to life.

Your audience will also likely be concerned with your sources of evidence. For example, if you are presenting information on the links between health and a particular policy area to an agency with which you want to partner and you are aware that they are in conflict with an advocacy organization, you might not want to cite articles written by that advocacy organization.

Evidence to support the Health in All Policies approach. In addition to using evidence to select specific programs or practices, you may need to make a case for pursuing a Health in All Policies approach overall. Health in All Policies is a promising approach, backed by only a limited body of literature and evidence. While you may want to focus on the evidence behind the links between various policy areas and health, you should also gather data on the effectiveness of your initiatives to share with others considering adopting a Health in All Policies approach.

A HEALTH IN ALL POLICIES APPROACH TO DATA

Health in All Policies requires a new approach to data and information-gathering. For example, data on non-health outcomes are essential for measuring changes in the social determinants of health. While quantitative data are important for measuring needs and impacts, qualitative data also play an important role in Health in All Policies work. Furthermore, Health in All Policies provides new opportunities to collaborate around data collection and analysis, helping to break down silos between government agencies.

Data to Support Active Transportation

A 2009 *Lancet* article made important connections between greenhouse gases, (fossil fuel-based) transportation, and health. Woodcock et al. created a model of London that helps answer the question: "How big are the health benefits or harms of active transport or low carbon driving?" They showed that increasing use of active transport such as walking or bicycling could improve health outcomes while also achieving substantial reductions in carbon dioxide emissions.[190] The California Department of Public Health and San Francisco Bay Area transportation and air quality organizations teamed up with the original research team to apply the same model to the health and travel patterns of Bay Area residents.

The research team found that replacing up to 15% of car miles traveled with walking and bicycling would reduce the number of deaths and years of life lost due to heart disease, stroke, and diabetes by nearly 15% compared to business as usual, mostly from increased physical activity.[191] However, more pedestrians and bicyclists would be injured or killed in traffic collisions if current safety conditions were not improved. This model is an important way of providing data that can be used by regional transportation and planning organizations to help ensure that health is taken into consideration during decision-making. In fact, a number of California's metropolitan planning organizations are now considering how to use this model in mandatory plans for meeting greenhouse gas reduction targets.

Healthy Communities Indicators

The California Department of Public Health and the University of California, San Francisco, with funding from the California Strategic Growth Council are working together to create and disseminate indicators linked to the Healthy Communities Framework (available in Section 1.3). The goal of this project is to support public health and other agencies by providing data, a standardized set of statistical measures, and tools that can be used for planning and evaluation of policies, programs, and strategies to change the social determinants of health.

More information about the Healthy Communities Indicators is available at: http://www.cdph.ca.gov/programs/Pages/HealthyCommunityIndicators.aspx.

Importance of non-health data. Intermediate measures of the impact of Health in all Policies efforts often fall outside the purview of health departments. These include tree canopy assessments, sidewalk inventories, graduation rates, transportation access, and crime statistics. While these are measured by other agencies, the information gathered is incredibly important for public health practitioners. Therefore, there is a strong incentive for collaboration to develop partnerships around data gathering, sharing, and analysis.

The Healthy Minnesota Partnership (Partnership) is an example of how non-health data can support health-promoting work. The Partnership has served as a catalyst for Health in All Polices efforts in the state through an acknowledgment that no single agency or organization alone can improve health outcomes sufficiently. The Partnership brought together 34 community partners and the Minnesota Department of Health in 2012 to develop a statewide health improvement plan.[192] As a first step, the Partnership conducted an assessment using health data and developed indicators to identify populations experiencing the greatest health disparities and inequities in health, education, income, health care, and living environments. The role of the assessment is to expand the collective understanding of the Partnership around health and its relationship to community environments, and to serve as a framework to encourage efforts by members of the Partnership to create healthy environments and opportunities for health.

See below for more discussion about sharing data among partners.

Scale matters. While a lot of data are available about the entire population of the Unites States, including data comparing the populations of different states or counties, if you want to measure equity or the social determinants of health in a meaningful way it is important to gather and analyze data at a much smaller scale in order to determine whether there are differences within or across populations and places. This can involve measuring differences across very small geographic areas, such as neighborhoods or census tracts, or differences across subsets of populations, including by age, race, ethnicity, or income. Increasing the "granularity" of an analysis can reveal geographic pockets or populations experiencing inequities, such as higher burdens of disease.

For example, the ratio of park acreage per resident may seem adequate for a given county, but examining park acreage per city or neighborhood may highlight significant differences in access to parks. Likewise, Asian Pacific Islanders are believed by some to be in better health than other ethnic groups, while in fact, there are striking health disparities within subgroups of Asian Pacific Islanders, revealed when data are disaggregated.[193] Revealing hidden disparities between subgroups can help target resources to address the disparities more effectively. When finer-grained data are not available, it is important to communicate the limitations of large-scale data in understanding health inequities and work with other agencies toward collecting data at a sufficiently detailed scale to capture all population groups within a particular community.

FOOD FOR THOUGHT. Below are some questions you may want to ask yourself as you think about the scale of the data you are collecting or using:

- ☐ What is the question you are trying to answer? Will state-level or county-level data be sufficient? Is neighborhood or census tract-level data necessary?
- ☐ Are there subpopulations where inequities have existed in the past? Are there new population groups or existing groups that have not been accounted for? What data are necessary to tease out those inequities?
- ☐ How will you define "community" (i.e., ethnic group, census block, etc.)?
- ☐ How can community members help you interpret data?
- ☐ Are there other partners who have data at a finer geographic scale?

Health and Equity Metrics in Transportation

Metropolitan Planning Organizations (MPOs) are regional agencies, designated through the Federal Aid Highway Act of 1962, that are charged with coordinating and developing Regional Transportation Plans (RTP).[194] The RTP is a thirty-year long-range plan for a region's transportation system. Generally conducted every five years, these plans identify and analyze the transportation needs of regions and provide a framework for prioritizing projects. By developing, tracking, and providing data to support MPOs in measuring health and equity performance measures, public health can support regional agencies in advancing health goals while also supporting the development of a robust transportation system.

Including health and equity metrics in the RTP is one way to embed public health considerations in transportation planning. Public health's participation in RTP development can serve to enhance the consideration and tracking of chronic diseases such as heart disease, stroke, and diabetes, as well as traffic pollution impacts of various transportation scenarios. Health can also inform possible greenhouse gas mitigation strategies and offer guidance on funding priorities based upon the public health and health equity impacts. For example, health and equity indicators can build a case for enhanced support for bike, pedestrian, and transit projects; indicate that funding should be prioritized for safety improvements in communities with high crash rates; or, support improved accessibility in transit-dependent communities.

In California a statewide coalition of health experts, community advocates, and transportation planners came together to develop metrics that could elevate health and equity outcomes of RTPs to communicate to the MPOs.[195] For example, the coalition recommends that MPOs measure and stratify all indicators by race/ethnicity, income, geography (census block or tract level, neighborhood, or community of concern), age, and disability, and a number of additional metrics.[196]

Value of qualitative data. Qualitative data can add tremendous value to a Health in All Policies group, can help guide and support prioritization of issues in your work, and can provide justification for collaboration. Qualitative methods such as interviews, focus groups, and community conversations or forums can help you identify your partners' priorities, fill gaps in quantitative data, or provide a deeper understanding of an issue, particularly in informing the "why" behind the data. For example, your dataset might indicate lower graduation rates in a neighborhood; talking to community members may bring to light underlying problems such as housing insecurity or school discipline policies that might not be apparent in "hard" data. Interviews and surveys of partners and stakeholders can also guide process evaluation of an initiative, both helping you improve a Health in All Policies initiative and contributing to the body of evidence. Finally, qualitative data from stakeholder input can be essential in helping you work on those policies and strategies that are most important for the communities to which you are accountable. Regardless of who you engage, it is important to be clear with individuals beforehand about what you will do with the information collected (stakeholder engagement is discussed in detail in Section 3.2).

Following are examples of qualitative data collection to support Health in All Policies:

- California's Monterey County Health Department undertook a county-wide community engagement process which revealed major community needs that were not under the purview of the health department. In order to address these needs, the health department wrote Health in All Policies into its strategic plan, approved by the county board of supervisors in 2011. The health department is now working on developing a health element for the county's general plan.[197]
- A qualitative survey of students at a Los Angeles school revealed that parents and students were very concerned about truancy tickets being issued to students who were late to school because of insufficient transportation options.[198] The truancy tickets not only presented a financial burden to parents, but caused students to miss additional class time because of time spent addressing the citations. Community groups used this information to launch a collaborative effort between parents, students, the city, and the courts to find better solutions to truancy concerns.

Sharing data. Not only do data play an important role in providing *direction* to Health in All Policies initiatives, but the coordinated production, sharing, and analysis of data can also serve as a *goal* of Health in All Policies efforts. For example, data can be shared to improve services and government efficiency. In Florida, Pennsylvania, and Washington agencies are sharing data and aligning other processes in an effort to simplify processes for determining eligibility and enrollment in social and health services. Technological innovations and staff skill-building efforts "enable multiple workers to share and process information on a single case (rather than assigning each case primarily to a single case worker)" to improve access to a variety of programs such as the Supplemental Nutrition Assistance Program, Temporary Assistance for Needy Families, Medicaid, and the Children's Health Insurance Program.[199] Other uses of technology which facilitate data sharing include online applications, document imaging, electronic recordkeeping, enhanced record retrieval, and call centers.[200]

Collaborative data collection. Just as building healthy communities requires collaboration across sectors, so does collection of data related to healthy communities. Data are often collected in a siloed manner, with each state or local agency collecting data related to its own policy area (i.e., housing agencies collect housing data, while justice agencies collect data on crime). Because Health in All Policies requires data from multiple sectors, you may need to invest time and energy to access data collected by other agencies. Some states and local governments have established clearinghouses to make data more readily available to other agencies, but in other cases, your Health in All Policies group may want to spearhead the development of data access initiatives.

Data collection is resource intensive, so your partners may be interested in identifying ways to piggyback data collection efforts across agencies. Often agencies outside the public health field are interested in health data, especially if the data demonstrate the health benefits of their work. Increasingly, they are looking to public health agencies for input on how they can incorporate health into their indicators and data models. Incorporating health metrics into program and policy implementation, monitoring, and evaluation is one way to embed health and equity considerations into the work of sectors outside of public health.

There is a potential role for Health in All Policies whenever a survey is developed or updated, especially if that data might be used by others beyond the survey organizer. For example, in California, the Governor's Office of Planning and Research, a member of the Health in All Policies Task Force, conducts a yearly survey of local planning agencies and has offered to let other Task Force members suggest additional questions to gather data useful to Health in All Policies efforts.

Health in All Policies initiatives can help partners pursue joint purchasing of commercial data products, cross-training on specific agency data sources, or improved interagency access to data for analysis. It may be useful to scan the kinds of data that partners are collecting to look for areas of overlap, and to see if partners have ways of collecting data more efficiently and effectively. While intersectoral collaboration around data sharing can be a complex endeavor, it can also help reduce redundancy, save money, and increase effectiveness, especially in cases where multiple partners need the same information. For example, transportation agencies could consider broadening the scope of their data collection efforts to include assessment of transportation access to health clinics, parks, and other health-promoting sites.[201]

Data sharing can be difficult because of legal barriers, costs, and concerns about confidentiality. For example, federal and state laws and agency policies protecting the confidentiality of patients or clients can prevent data sharing. Partners may have legitimate fears about losing control of data subject to strict confidentiality and access laws. However, in some cases, barriers to data sharing are more organizational or cultural than legal, in which case Health in All Policies initiatives may provide a venue for progress.

Data sharing can also generate greater investment in particular data sources, which can help the data provider justify its efforts. For example, the California Department of Education administers the Fitnessgram,[202] an important source of information for the California Department of Public Health about physical activity and obesity in schoolchildren. When funding for Fitnessgram was threatened, public health leaders got involved in what was a successful multi-agency effort to save funding for the program.

6.4 Evaluating our Collaborative Efforts

Evaluation is an important component of any public health initiative because it can demonstrate the impacts and effectiveness of the program, promote continuous learning and improvement, help to guide program evolution, help determine effective allocation of scarce resources, and promote stakeholder engagement by seeking broad input. While evaluation of Health in All policies initiatives has been fairly limited to date, the authors suggest some ways to approach evaluating this work.

An effective evaluation of a Health in All Policies initiative will likely require participation by partners and stakeholders, and may consider a wide variety of impacts including improving health, embedding health considerations into government decision-making processes, and fostering more integrated, collaborative, and synergistic government.

PROCESS EVALUATION

Process evaluation can provide important information about the collaborative aspects of a Health in All Policies effort, the extent to which partners and stakeholders feel that the process meets their individual and organizational needs, and opportunities for improving the functioning of a group or process, including mid-course adjustments.

The following questions might be asked in a process evaluation:

- Did meetings meet the needs of participants?
- Did partners and stakeholders feel they had sufficient opportunity to participate? Did they feel their input was heard and incorporated?
- Did agency partners feel that their agency priorities and needs were taken into consideration?
- What value did agency partners see in participation?
- What components of the process were most or least useful?
- What external processes or events helped or hindered Health in All Policies efforts?
- What opportunities lie ahead?
- How can this effort be made more effective?
- Were deliverables produced on time?

Process evaluation can also be used to explore the success of applying a health or equity lens, in which case it will be useful to ask questions such as how the analysis worked, whether the health or equity analysis met the needs of all partners involved, and whether it supported the development of a collaborative climate.

California's Health in All Policies Task Force process evaluation is discussed in greater detail in Part III.

IMPACT EVALUATION

Health in All Policies initiatives ideally have multiple outcomes, ranging from creating a more collaborative and health-oriented organizational culture, to promoting healthy public policy and decision-making processes, to ultimately improving population health and equity. Impact evaluation will look at those policy and organizational outcomes that may have occurred as a result of a Health in All Policies approach or a specific policy. An impact evaluation can measure the changes that are likely to lead to health improvements and whether, and how well, a health or equity analysis worked. The evaluation could include looking for other evidence that health and equity considerations have been incorporated into policies or programs as a result of the analysis.

Questions that can help to assess outcomes related to *organizational and cultural change* include:

- Has participation led to increased trust among partner organizations and agencies?
- Has participation led to a perceived or measurable increase in collaboration across sectors?
- How do partner agencies see the relationship between health, equity, sustainability, and their own agency objectives?
- How have health experts been consulted on decisions made by non-health partners?
- What steps have partner agencies taken to impart health, equity, and sustainability knowledge to their staff?

The following questions can help to assess *policy outcomes, including structural changes to decision-making processes*:

- How have other agencies used a health or equity lens in their assessment of a particular project, program, or policy? What elements of this work have been collaborative across agencies?
- What progress has been made toward incorporating a health or equity lens into the decision-making process of sectors or partners outside the public health field, including agency partners, city councils, or legislatures?
- How have health, equity, and sustainability criteria been incorporated into funding or program evaluation criteria of partners outside public health?
- How have health, equity, and sustainability explicitly been incorporated into government guidance or policy documents?
- Have there been legislative actions to support use of a health and equity lens in decision-making?
- Have other organizations or groups developed new initiatives that build upon your Health in All Policies work?

The passage of Assembly Bill 441 (Monning) in the 2012 session of the California legislature provides one example of measurable progress toward incorporating a health lens into government guidance. In response to the California Health in All Policies Task Force's 2010 recommendations, community organizations began meeting with legislators to discuss the links between transportation, health, and equity. As a result, the California legislature voted to require that state-issued guidelines on regional transportation plans include "a summary of the policies, practices, or projects that have been employed by metropolitan planning organizations that promote health and health equity."[203]

HEALTH OUTCOME EVALUATION

Because Health in All Policies is a strategy for improving population health, it is important to use outcome evaluations to measure changes in health status that relate to policy changes and improve your initiatives accordingly. However, changes in population health status are difficult to measure, influenced by many factors that may be difficult to disentangle, and can take a long time to change. Because of these difficulties, it is important to identify intermediate health outcomes that can help demonstrate progress. Measuring changes in the social determinants of health can support collaborative work by showing improvements that are relevant to partners both inside and outside the public health field. Health outcome evaluation can also use proxy measures to indicate medium- to long-term change, such as whether partner agencies' policy priorities have shifted to consider health.[204,205]

For example, you may have evidence that violence and perceptions of violence contribute to rates of diabetes and other diseases by negatively impacting people's likelihood to get physical activity. But it would be difficult to measure the direct causal impact of a specific change in criminal justice policy on those disease rates. Instead, you could focus your evaluation efforts on intermediate outcomes such as changes in rates of violence or perceptions of violence. You could even take it one step further and look at the correlation between those changes and rates of physical activity, even if those changes are too new to be reflected in rates of chronic disease.

The following questions can be useful for evaluating changes in the social determinants of health:

- Have policy changes led to healthier communities?
  - Has there been an increase in access to safe, sustainable, and affordable transportation options? Nutritious food and safe water? Affordable, high quality, socially integrated, and location-efficient housing?
  - Is there greater access to affordable and safe opportunities for physical activity, and is there an increase in individuals using those opportunities?
  - Are there more opportunities for a living wage and safe and healthy jobs?
  - Have there been reductions in violence and crime rates?
  - Have educational outcomes improved?
- How has equity been impacted by policy changes?
  - Have inequities between sub-population groups widened or narrowed?
  - Have you addressed a structural issue that particularly impacts disadvantaged populations?

FOOD FOR THOUGHT. Here are some questions you may ask yourself in designing an evaluation for a Health in All Policies initiative:

- ☐ What are the questions of primary interest to you, your partners, and your stakeholders?
- ☐ What relevant quantitative and qualitative data are available and accessible?
  - *Are resources available for primary data collection, such as surveys, interviews, or focus groups?*
- ☐ Is there evaluation expertise on your team, or will outside expertise be required?
- ☐ What resources are available to you?
- ☐ How will evaluation findings be used and disseminated?

SECTION 7: Talking about Health in All Policies

KEY POINTS

- In order to set the stage for understanding why Health in All Policies is a valuable approach, it is important to establish an "environmental frame" that demonstrates that the places people live, work, and play affects their health and decisions.
- Commonly held values such as fairness, efficiency, opportunity, and collaboration can be good starting points for helping people connect to Health in All Policies.
- Messages can support individual policy changes, as well as the overall concept of embedding health into government processes and decision-making.



7.1 How Do We Talk about Health in All Policies?

FRAMING THE ENVIRONMENT

Health in All Policies is a label for a larger concept rooted in the fact that the environments in which people live, work, study, and play shape their health outcomes. This is the motivating rationale behind Health in All Policies: if environments matter for health, then our society, and the government agencies that serve it, should consider health outcomes in the decisions that shape those environments. This is called looking at health through an *environmental frame*.

However, in the United States, the default frame of individual will and responsibility often obscures the environmental frame.[206] Unprompted, most people here still hold individuals accountable for their own health outcomes, especially when those outcomes can be related to what are considered lifestyle choices, such as smoking, eating, and physical activity. While it is certainly true that the decisions we make as individuals do affect our health, it is also true that environments matter a lot: individual decisions are always made in the context of social and physical environments that can affect nearly every decision. To make the case for Health in All Policies most effectively, it is important to provide an alternative to the default frame.

The idea that contexts and environments affect individuals and their health should be communicated early and often, as it is generally not the first thing that comes to mind when people are asked what to do about poor health.[207] Many believe that the best ways to address poor health are through better access to healthcare and lifestyle choices; fewer focus on creating better environments. Since the default frame of personal responsibility needs no prompting—it is the first place people's thoughts take them—the environmental frame must be triggered by reminding people how our homes, schools, offices, neighborhoods, parks, and other settings affect our daily lives, including our health. Once that idea has been triggered, people can more easily understand the need to improve environments in order to improve health, and from there it is a simple step to understanding the value of a Health in All Policies approach.

Health in All Policies: What is in a Name?

Intersectoral collaboration to promote health is not new. At different times and places, this has been called "horizontal health governance,"[208] "joined-up government," a "whole-of-government" approach, "intersectoral action for health," and simply "healthy public policy."[209,210] Another phrase used is "Health Happens Here,"[211] and many organizations apply the term "place matters"[212,213] to their work. Regardless of the name of your initiative, it is important to keep in mind the five key elements of Health in All Policies (see Section 1.4).

BUILDING ON SHARED VALUES

People usually connect with issues through the emotion that is evoked with the expression of values; thus, including an expression of values is a critical piece of effective communication. While not everyone shares the same values, many people in the United States connect with commonly held values such as fairness, efficiency, opportunity, equality, and others.

A good starting point for communicating about Health in All Policies is to understand and be able to express the commonly held values that align with a Health in All Policies approach, such as opportunity and equality. Additionally, it can be useful to think about your personal and organizational values as they relate to the five key elements of Health in All Policies (see Section 1.4). For example, one of the key elements of Health in All Policies is that work benefits multiple partners, which is related to values of efficiency, collaboration, and fairness. When you craft messages about Health in All Policies, try to identify *shared* values that could attract your audience to the concept—whether that audience is partner agencies, public health colleagues, administrators, legislators, a key community group, or the public.

> "In using the term Health in All Policies we need to be mindful of the potential charge of health imperialism. Truth is, we know it's never going to be health in *all* policies, it's only ever going to be health in some policies. But if we partner with other sectors to facilitate change where we can—both where it is really important and where it's opportunistic—then we can create a snowball of change."
>
> —Kevin Buckett, *Director of Public Health, South Australian Department of Health and Ageing*[214]

Talking About Values

Public health practitioners are generally less comfortable talking about values than numbers, statistics, and research to get their point across. But values are what help people connect to and care about an issue. Talking about values doesn't have to be philosophical or complex—it's really as simple as asking (and answering) a basic question: "Why does it matter?"

For example, why does it matter that health inequities continue to persist? Why should we care that government agencies don't work together? Why does it matter if health is considered in decision-making? The answers to these questions will resonate more with your audience if you are able to articulate and connect with the values that resonate with them, such as fairness, efficiency, or justice.

BASIC MESSAGING

Defining the target audience for the message is an essential first step. Is this a general communication to introduce the concept of Health in All Policies to the public or policymakers? Or, is this a communication to advance a specific proposal to your partners? Will a particular issue or policy example make more sense to the audience than another? Once you decide with whom you want to communicate and what you want them to know, you can start thinking about the message itself.

Messages have "moving parts" depending on the outcome you seek, the audience, and who delivers the message. The only hard and fast rules for a message as a whole are:

1. **Make sure to trigger the environmental frame *first*.**
2. **State your values.**
3. **State the solution clearly, and be sure that the solution gets at least as much attention—or more—than the problem.**

These messaging rules apply to all audiences, but each distinct audience will dictate how you apply the rules. If your audience is other government agencies, you might emphasize that breaking down silos can yield greater *efficiency*. If the audience is community stakeholders, you might emphasize *equity* or *government accountability*. You don't need to state every value you hold or incorporate every aspect of your initiative into every communication. You know your audience best, so you should choose the appropriate emphasis for each message. But it is critical that all messages, while tailored to an audience or context, be true and consistent; one of the best ways to lose credibility is to say things to different audiences that are not consistent.

> "At the beginning of the Task Force meetings, it was very helpful to be asked to think about what the phrase 'healthy community' meant to me personally, because asking the question did make me think about the kinds of environments I want for my children so that it's easier for them to get in the habit of making healthy choices—I don't want them to be able to choose foods at school that I wouldn't offer them at home. It made me think about how it's not always just a matter of personal choice because I realize sometimes the choices just aren't there."
>
> —Member, *California Health in All Policies Task Force*

Your message will be communicated not only in the words you use and the images you bring to mind, but also in the messenger. The messenger can add nuance to a message by evoking ideas and values affiliated with that person's role or stature. People pay more attention to a message from a person they respect, which is why doctors are important messengers on health issues. Identify and cultivate relationships with others who can make the case for Health in All Policies from their own perspective, or who, by virtue of who they are or the role they play, can add meaning to the message that Health in All Policies is a valuable approach.

Spend Your Time Talking about Solutions

People are more inclined to act when they feel they can *do* something to solve a problem. But often public health professionals spend more time talking about the problem than the solution, leaving their audience feeling hopeless or overwhelmed. To more effectively inspire action we need to reverse that ratio and talk more about the solution than the problem. For example: "Increased access to healthy food will improve nutrition and contribute to reducing rates of childhood overweight and adult diabetes. Ensuring that everyone has access to healthy, affordable food can be complicated, but there are meaningful steps we can take right now. That's why we're asking [specific person/agency/organization] to support the Healthy Food Financing Initiative to increase access to healthy food in our neighborhood."

CONSTRUCTING MESSAGES TO SUPPORT HEALTH IN ALL POLICIES

Remember that in developing messages to support Health in All Policies, the first job is to trigger the environmental frame by showing that where people live, work, and play affects their health and decisions. Without this framing, the role of the environment will not be clear and it will be harder for people to see the value of Health in All Policies. This trigger is important whether we are communicating about the general concept of Health in All Policies or about a specific sector or policy.

This sample message is aimed at another agency, and combines an environmental trigger with the commonly held value of collaboration:

> *Families are healthier when they have safe, well-maintained sidewalks that make it easier to walk to school and work.*

After we've triggered the environment, we want to identify the outcomes we seek as clearly, briefly, and specifically as we can. It may make sense to incorporate a problem statement, but the object is to emphasize the outcomes and solutions over the problem.

> *Families are healthier when they have safe, well-maintained sidewalks that make it easier to walk to school and work, but fixing uneven and cracked sidewalks isn't something families do; it's what the city does for families. That's why we're asking the transportation department to put the Lincoln neighborhood at the top of its list, so parents there can be confident that it's safe for their kids to walk to school.*

As discussed earlier, Health in All Policies presents two kinds of solutions: 1) Solutions that result in a specific policy change, and 2) Solutions that change government structures and practices to embed health in decision-making. Below is the same example with the addition of a solution more oriented toward the overarching goal of breaking down silos and embedding health and collaboration into government structures.

> *Families are healthier when they have safe, well-maintained sidewalks that make it easier to walk to school and work. We need to fix the uneven and cracked sidewalks—or blocks with no sidewalks at all—in the Lincoln neighborhood so that parents feel like it's safe for their kids to walk to school. To do that, the transportation agency and the public health agency must work together to support each other's' goals and create safe routes to schools for all of our children.*

Or, taking the Health in All Policies solution one step further, we could add:

> *To do that, the transportation agency and the public health agency must work together to create the safest routes to schools for all of our children, and make sure that the process for identifying transportation funding priorities includes criteria that account for the health impacts of different funding decisions.*

Finally, link your solution to values. While we may choose solutions based on analysis and data, it is values that move people and help them connect to issues and ideas such as Health in All Policies. Values can appear anywhere in your message, as part of the environmental trigger, the problem, or the solution.

> *Families are healthier when they have safe, well-maintained sidewalks that make it easier to walk to school and work. We need to fix the uneven and cracked sidewalks—or blocks with no sidewalks at all—in the Lincoln neighborhood so that parents feel like it's safe for their kids to walk to school. To do that, the transportation and public health agencies must work together to create safe routes to schools for all of our children. Working together, the two agencies can take advantage of their collective experience and find the best solutions so that everyone in our community can be healthy.*

All of this can be summed up as an equation for communicating effectively about Health in All Policies:

> **ENVIRONMENTAL TRIGGER + SOLUTION + VALUES = HEALTH IN ALL POLICIES**

Below are some examples of how environmental triggers, solutions, and values might be expressed in messages to help people see why Health in All Policies is an effective and common-sense approach to creating healthy environments.

Following is an example that begins with an environmental trigger and uses the values of fairness, opportunity, and collaboration to promote the policy solution of more parks.

> *Well-maintained parks provide people with safe places to play and be active. It's not right that children in some neighborhoods have plenty of nice parks and playgrounds nearby, and others have none. That's why we are working with the Parks and Recreation Agency to make sure there are sufficient funds to build new parks and playgrounds so that all children in our community have the opportunity for safe play and physical activity.*

The environmental trigger is the statement that parks provide spaces for children to be active—the statement literally puts the environment in the frame. The value of fairness is embedded in the statement (i.e., that it's not right that children in different neighborhoods have different access to parks). The value of collaboration is implicit, because the speaker (perhaps from a public health agency) is working in collaboration with the parks and recreation agency. The solution is funding for parks in neighborhoods that lack them. Overall, the message highlights the importance of working across sectors to achieve a health goal, a core tenet of Health in All Policies.

> "By communicating the potential of global climate change to harm human health in communities across America, and by conveying the potential to improve human health through actions that limit climate change, we can enhance public understanding of the full scope of the problem, and help enable appropriate responses by individuals and communities."
>
> —Edward Maibach, Matthew Nisbet, and Melinda Weathers[215]

Next are two sets of examples of how we could use this messaging approach to create strong messages around the same problem, thinking about project, policy, and systems changes and using different values that inspire different audiences. The more specific you can be (for example, naming a neighborhood rather than saying "low-income communities"), the easier it will be for the audience to relate to what you are saying.

Message example 1. *Set-Up: Families are healthier when they have safe, well-maintained sidewalks that make it easier to walk to school and work. Unfortunately, the streets in the Elmwood neighborhood have uneven and cracked sidewalks or no sidewalks at all. This means some of our children have to walk in the street to get to school, and many parents think this is too dangerous...*

Program change. Environmental trigger + equity value (audience: community group or city council)

... All families deserve safe routes to get where they need to go, not just those who live in wealthier communities. That's why we need to work together with the Public Works Agency to make fixing the sidewalks in the Elmwood neighborhood a priority and make sure there's enough funding to do that.

Policy change. Environmental trigger + collaboration and cost-effectiveness values (audience: another agency)

… We're worried that we're starting to see health problems in kids from this neighborhood, which could bring about new costs. But we can't fix this problem working in isolation. We'd like to work with you to incorporate health into the criteria for selecting this year's transportation priority projects. Working together, we can find effective strategies to address multiple problems at the same time, which could save money for our community. If more people feel safe walking and biking, we'll have better health, which is also good for our economy.

Systems change. Environmental trigger + collaboration and efficiency values (audience: another agency)

…One problem is that health has been left out of the picture, creating high health costs and a lot of sick people. But we can't fix this problem without your help. We'd like to work together to make sure that health is part of the normal decision-making process for all future transportation policy. This will help ensure we have an even larger impact and reduce the need for additional work in the future.

Message example 2. *Set-Up: Government processes to support healthy eating and active living are inefficient and uncoordinated, resulting in missed opportunities, and even policies that are at odds with each other.*

Program change. Environmental trigger + equity and collaboration values (audience: other agencies and community-based organizations)

Individuals who have access to affordable and healthy food are more likely to have a nutritious diet, but it's harder for people in the Riverdale neighborhood to access healthy food because there is no full-service grocery store in their neighborhood. We believe that by working together to create an ad hoc committee with city agencies, local nonprofits, and members of the business sector we can bring a supermarket to the Riverdale neighborhood of our city.

Talking about Parks and Health

Parks and recreational spaces are important for health, because they offer places to play and be active, increase the aesthetic quality of neighborhoods, and can enhance social networks and support. Highlighting their health value can build public support for parks. The California Department of Parks and Recreation has partnered with the California Department of Public Health to launch a "parks prescriptions" program in which physicians write prescriptions to visit local parks, develop resources to promote healthy lunches for school field trips to parks, and promote efforts to offer healthy options at park food concessions.

Policy change. Environmental trigger + efficiency and government accountability values (audience: elected officials and city/county manager)

We are spending billions of dollars every year on healthcare for people with chronic illness when we could avoid many of these costs by making smarter investments in the first place. If we make sure our school lunches are healthier, and our sidewalks are better lit and safer for children to walk to school, we could save a lot of money in the long term. That's why we want to work with the managers of all of the city's agencies to make sure that funding decisions are made with the health of our children in mind.

Systems change. Environmental trigger + efficiency value (audience: other agencies)

Government agencies are continually being asked to do more, often with fewer staff and resources. If we could work together on a regular basis, we could eliminate redundancies, better meet our goals, and improve our ability to support communities. We know this isn't just an issue for public health and transportation, though. We need public works to help us look at street lighting, police to help parents feel that it's safe to walk to school, the school districts to provide healthy lunches, and planners to create walkable neighborhoods with inviting destinations. When you think about it, we need a formal Health in All Policies group that can meet regularly to help us figure out how all of our agencies can work together for better health.

SAMPLE ANSWERS TO COMMON QUESTIONS ABOUT HEALTH IN ALL POLICIES

There are sure to be hard questions about Health in All Policies from colleagues, partners, stakeholders, and policymakers. Below are a number of sample answers to questions using the formula of Environmental Frame + Solution + Values = Health in All Policies.

Question: How do we know that Health in All Policies works?

Answer: Public health professionals have known for a long time that we need to consider the environment and circumstances in which we live to help ensure optimal health (*environmental trigger*). Local, state, and national governments worldwide have been using a Health in All Policies approach (even before it had that name) in order to devise creative solutions to seemingly intractable health problems. Public health worked with public works agencies to build sewage and sanitation systems that reduced infectious disease and simultaneously reduced rodent populations and prevented flooding. Public health also worked with transportation agencies to introduce seat belts, safer road designs, and other innovations that together have led to major declines in rates of automobile crash deaths. Health in All Policies applies the lessons learned from those experiences to today's key health challenges (*solution*). (*Values: Efficiency, Government Responsibility*)

Question: We're all so stressed out and busy already—why should we in other agencies get involved in health when that's the job of the Public Health Agency?

Answer: Of course, the Public Health Agency has a big role to play. But we've known for a long time that community environments have a huge impact on health—even more than the effect of medical care (*environmental trigger*). In the Public Health Agency we don't have the expertise or authority to change those environments. We can only do this with your help. We all have a role to play in creating healthy environments to solve some of our most pressing health problems. If we work together, we can find solutions that will be win-wins and move us all toward shared goals. For example, we know that building bike and pedestrian infrastructure creates more jobs, decreases air pollution and greenhouse gas emissions, and increases physical activity which improves both health and academic performance for students. And we know that "farm-to-fork" activities help to protect agricultural lands, support local economies, and increase healthy eating. Leadership and innovation aren't always easy, but we owe it to the people we serve to work together to find the best ways to solve complex problems, and Health in All Policies is one strategy that will help us to do that (*solution*). (*Values: Collaboration, Efficiency, Government Responsibility*)

Question: Won't Health in All Policies be expensive? Why should other agencies spend their precious resources on issues outside their purview?

Answer: We can't afford *not* to use a Health in All Policies approach. These days, social and environmental problems are so complex that lasting solutions require everyone in government to work together. The consequences of city planning, sanitation, transportation, or food systems policies can include lifelong effects on the health of whole communities (*environmental trigger*). In part, siloed approaches got us into this problem in the first place, and the poorest communities have borne the brunt of this inefficient approach. We can do better. By investing the time and creativity now to consider how health will be impacted, we can prevent expensive problems from happening in the first place. It is not only in our best interest to consider how all policies affect health, but it is our job (*solution*). (*Values: Equity, Government Responsibility, Ingenuity or "Can-Do" Spirit*)

Question: Aren't these health problems really just the result of people making bad decisions?

Answer: People in the United States have always believed in the idea of opportunity, but some people don't have many opportunities for health. It makes sense that it's easier to exercise if you have a safe park or playground nearby, or nice, well-lit sidewalks to walk on. And we all know it's more tempting to buy a soda if you walk by lots of places that sell them cheaply on your way down the street (*environmental trigger*). Government does have a role in protecting and serving its people, especially when it's hard for people to do something by themselves. One way government can do that is by affording all people more opportunities for health, for example by building safe places to play, inviting in new food sources (like grocery stores and farmers' markets), or creating safer routes to work and school. Using a Health in All Policies approach gives all government agencies the opportunity to think big-picture about how their work will have lasting impacts, and to find the best possible solutions that serve everyone (*solution*). (*Values: Opportunity, Government Responsibility*)

CONSIDER THE WHOLE MESSAGE STRATEGY (MESSAGE, AUDIENCE, MESSENGER)

The way we talk about Health in All Policies is a critical part of our work. Health in All Policies is about changing the way government works so that health is taken into account in decisions that are made across government, with an eye toward creating healthy community environments that provide everyone with opportunities and resources for health. Because the default frame in our society is one of individualism, many people may challenge the idea that government should consider health across policy areas. To effectively communicate about Health in All Policies, it is important to consider your audience, trigger an environmental frame, use an appropriate messenger, provide a vivid description of the environment that contributes to poor health (and your vision for one that supports health), and state the values that motivate your effort to create change. Messages that incorporate each of these critical elements will be the most successful at gaining supporters and addressing other people's concerns.

PART III. CASE STUDY: CALIFORNIA HEALTH IN ALL POLICIES TASK FORCE

The following case study on the California Health in All Policies Task Force describes a formal Health in All Policies group that has been in existence for over three years. This is just one way of doing Health in All Policies work, and there are many other ways to use this approach, as described throughout this Guide.



SECTION 8: The California Story

KEY POINTS

- The California Health in All Policies Task Force came about because a number of California's leaders across multiple agencies had a common interest in climate change, health, and childhood obesity.
- A governor's executive order provided high-level support and accountability for Health in All Policies, created a structure, and provided a policy focus.
- The Task Force engages non-governmental stakeholders and representatives of local government through workshops, stakeholder and key informant meetings, and public comment and testimony.



8.1 The Creation of the California Health in All Policies Task Force

Several key factors set the stage for the creation of California's Health in All Policies Task Force, including the Governor's strong interests in health and the environment, increasingly upstream work on the part of the public health agency, and a funding opportunity that created a venue for engaging high-level leadership.

Former California Governor Arnold Schwarzenegger's long-standing interest in fitness and childhood obesity, as well as his commitment to addressing climate change and environmental sustainability, created a "window of opportunity" for pursuing innovative policies. During his administration, the California legislature passed a series of landmark climate laws, one of which required better coordination of land use and transportation planning (SB 375 Steinberg, 2008).[216,217] Also in 2008, legislation established the Strategic Growth Council (SGC) to support state agencies in coordinating their work on climate change and sustainability.[218] The members of the SGC are secretaries from the California Business, Consumer Services and Housing Agency, the California Transportation Agency, the California Health and Human Services Agency, the California Environmental Protection Agency, and the California Natural Resources Agency. The SGC also includes the director of the Governor's Office of Planning and Research and a public member appointed by the Governor.

At the same time, the chronic disease staff at the California Department of Public Health (CDPH) were increasingly aware that, along with obesity, climate change is one of this century's biggest threats to public health. While reviewing the literature regarding obesity and chronic disease prevention strategies, as well as strategies to reduce greenhouse gas emissions, health department staff were struck with the congruence of approaches, and learned of the Health in All Policies approach.

Over a period of several months, CDPH leadership discussed the connections between obesity prevention and greenhouse gas reduction with the secretary of the Health and Human Services Agency, which oversees CDPH, specifically with respect to a "window of opportunity" for CDPH to get involved in the implementation of the aforementioned SB 375 law. In 2009, CDPH incorporated a Health in All Policies proposal into their application for Communities Putting Prevention to Work funds through the American Recovery and Reinvestment Act. The proposal identified state efforts to coordinate sustainable community development as an opportunity for public health to shape policy regarding access to safe places for physical activity. In this application, CDPH proposed that the governor convene a task force on Health in All Policies. While this piece of the proposal was not funded, the internal approval and submission process for the grant afforded an opportunity for continued discussion about the Health in All Policies approach.

In February 2010, Governor Schwarzenegger held a "Summit on Health, Nutrition and Obesity: Actions for Healthy Living."[219] During a moderated discussion with former President Bill Clinton, he announced that he would pursue eight specific actions to support healthy living in California, one of which was to issue an executive order establishing a Health in All Policies Task Force. Executive Order S-04-10 placed the Task Force under the auspices of the SGC and identified CDPH as the facilitator.[220] The SGC was identified by the governor and members of his cabinet as a natural site for this undertaking because it already included many of the agencies and departments that impact health, and because the SGC is explicitly mandated to foster coordination and collaboration of state agencies in order to promote public health and safety among other things.

Executive Order S-04-10 called for the Task Force to:[221]

- Identify priority programs, policies, and strategies to improve the health of Californians while advancing the other goals of the SGC. The SGC's goals include improving air and water quality, protecting natural resources and agricultural lands, increasing the availability of affordable housing, improving infrastructure systems, promoting public health, planning sustainable communities, and meeting the state's climate change goals;
- Submit a report to the SGC recommending programs, policies, and strategies to improve the health of Californians while advancing the SGC's goals;
- Describe the benefits for health, climate change, equity, and economic well-being that may result if the recommendations are implemented;
- Review existing state efforts, consider best/promising practices used by other jurisdictions and agencies, identify barriers to and opportunities for interagency/intersectoral collaboration, and propose action plans;
- Convene regular public workshops to present its work plan; and
- Solicit input from stakeholders in developing its report.

"[The governor understood] that if we really care about improving the health status of the people of our state, we have to care about the health of our communities. That's why he has embraced a very broad community-based approach to prevention. [The] Health in All Policies Task Force reflects his recognition that if we're going to make success in improving health status broadly and particularly addressing health disparities and health inequities we have got to engage the community broadly: the transportation sector, agriculture, education, economic development. That's what the Health in All Policies Task Force is about. It's about working in a coordinated and coherent way to improve the communities in which people live, so that the choices people make are healthy choices."

—Kimberly Belshé, *former Secretary, California Health and Human Services Agency, November 2010*[222]

8.2 Task Force Membership

In March 2010, the SGC convened the Health in All Policies Task Force, designating 19 California state agencies, departments, and offices to participate:

- Air Resources Board
- Business, Transportation and Housing Agency
- Department of Community Services and Development
- Department of Education
- Department of Finance
- Department of Food and Agriculture
- Department of Forestry and Fire Protection
- Department of Housing and Community Development
- Department of Parks and Recreation
- Department of Social Services
- Department of Transportation
- Environmental Protection Agency
- Governor's Office of Gang and Youth Violence Policy
- Governor's Office of Planning and Research
- Health and Human Services Agency
- Labor and Workforce Development Agency
- Natural Resources Agency
- Office of the Attorney General
- Office of Traffic Safety

Each designated agency, department, and office was asked to identify a representative who was familiar with the breadth of their agency's activities, connected to staff with in-depth expertise, empowered to speak on their agency's behalf, and able to engage agency leadership in discussions and decisions about the Task Force's work. CDPH established a team of backbone staff to support the Task Force.

8.3 The Health in All Policies Task Force Process

BUILDING A SHARED VISION

Initial Task Force meetings in the spring and summer of 2010 focused on developing a common understanding of the problems at hand, identifying how each partner's work connects to public health issues, establishing a shared vision and aspirational goals for a healthy California, and exploring and developing expectations, commitments, and decision-making parameters. Five activities were particularly useful in this process:

DEVELOPMENT OF HEALTHY COMMUNITY FRAMEWORK

At the first meeting of the group in June 2010, Task Force members were asked: "When you hear the term 'healthy community,' and you think about the health of yourself and your family and kids, what comes to mind?" The responses demonstrated that the Task Force members intuitively understood that health happens in schools, neighborhoods, and workplaces, and that environments shape their own health behaviors. After several rounds of review and refinement, including discussion at the stakeholder input workshops (described below), the Task Force adopted the Healthy Communities Framework (available in Section 1.3). This framework was foundational to the Task Force's shared vision and created a map for Health in All Policies-related endeavors in California.

CREATION OF ASPIRATIONAL GOALS

Task Force members developed aspirational goals as a way of building a cohesive vision. At the first Task Force meeting, staff provided two sample goals to frame the discussion, and at subsequent meetings the group developed a total of six aspirational goals (available on page 118). Aligned with the Healthy Communities Framework, the aspirational goals focus on areas with a very clear nexus between the work of the SGC and the Task Force member agencies. The goals' simple language has made it easy for staff, other agencies, the public, and policymakers to understand and share a vision with the Task Force. Together, the Healthy Communities Framework and aspirational goals served as a good starting point for talking about the social determinants of health and the need for Health in All Policies.

ROOT CAUSE MAPPING EXERCISE

California Health in All Policies Task Force members used a root cause mapping exercise (see Sections 2.2 and 6.1 for a description and examples) to help elucidate the complexity of interrelated determinants of health and outline the need for Health in All Policies. The exercises focused on two problem statements: "Unable to walk, bike, or take public transit to school, work, play, or other essential destinations" and "Healthy and affordable food not available at school, work, or in neighborhood." The full Task Force reviewed and discussed each of the maps (drawn in real-time on large butcher paper in small groups), and then each participant noted places on the map where their agency might have a role. This process helped members visualize the complexity of the problems faced by California communities, and the necessity for and promise of intersectoral collaboration to achieve common goals.

THE CALIFORNIA HEALTH IN ALL POLICIES TASK FORCE'S ASPIRATIONAL GOALS[223]

- **Active Transportation.** All residents have the option to safely walk, bicycle, or take public transit to school, work, and essential destinations
- **Healthy Housing and Indoor Spaces.** All residents live in safe, healthy, and affordable housing
- **Parks, Urban Greening, and Places to be Active.** All residents have access to places to be active, including parks, green space, and healthy tree canopy
- **Community Safety through Violence Prevention.** All residents are able to live and be active in their communities without fear of violence or crime
- **Healthy Food.** All residents have access to healthy, affordable foods at school, at work, and in their neighborhoods
- **Healthy Public Policy.** California's decision-makers are informed about the health consequences of various policy options during the policy development process

DEVELOPING JOINT POLICY BRIEFS

California Health in All Policies Task Force staff and key policy experts worked with Task Force members to develop policy briefs that explored the links between health and the areas of responsibility of Task Force member agencies. This process helped staff and Task Force members better understand the relationships between health and other sectors, provided staff with an improved understanding of how the partner agencies see their own work, and helped staff to more fully appreciate the importance of partner agencies' work. Working on the briefs also provided many reminders about the importance of refraining from using public health jargon or framing every issue only from a health perspective. The briefs can be viewed in Appendix 4 of the *Health in All Policies Task Force Report to the Strategic Growth Council.*[224]

ENGAGING STAKEHOLDERS

In the first four months of the California Health in All Policies Task Force, staff held over 100 individual meetings with Task Force members and policy experts. These were essential for building relationships and gathering information that shaped recommendations. The stakeholder input workshops, described in more detail below, were also an essential part of developing a vision.

DEVELOPING RECOMMENDATIONS

The Executive Order required the Task Force to produce a report with recommended programs, policies, and strategies to improve the health of Californians while advancing the SGC's goals. The Task Force followed several steps to accomplish this deliverable.

GENERATING IDEAS

From August to October of 2010, the Task Force and staff collected over 1,200 ideas for government action to improve health. Ideas came from a variety of sources including Task Force agency members, public health practitioners, academic experts, nonprofit advocacy organizations, stakeholder input workshops (see below) and a review of published literature and compilations of recommendations such as the Institute of Medicine's report *Local Government Actions to Prevent Childhood Obesity*,[225] the Robert Wood Johnson Foundation's *Action Strategies Toolkit*,[226] the surgeon general's *Call to Action to Promote Healthy Homes*,[227] and *The Climate Gap: Inequalities in How Climate Change Hurts Americans and How to Close the Gap*.[228] Many of the ideas that were generated involved elevating projects or proposals that had been developed by community organizations, but would benefit from the endorsement and involvement of state-level agencies and leadership.

APPLYING CRITERIA

The Task Force developed criteria for the selection of recommendations, which were applied informally in November of 2010. Criteria included:

- Population health impact
- Co-benefits and nexus with other SGC objectives
- Evidence-informed
- Ability to foster collaboration among state agencies and stakeholders
- Equity impact
- Measurability
- Feasibility
- Ability to transform state government culture

A health lens was informally applied by a group of health experts from a wide variety of programs at CDPH who reviewed the recommendations and rated their potential impacts on health. Staff sorted the long list of policy ideas in several ways (e.g., by government function, sector impacted, and policy topic area) in order to cluster similar ideas and gather feedback from stakeholders. Sorting the ideas also helped the Task Force identify important health policy areas that did not initially appear on the list.

DECISION-MAKING

The Task Force explored the different types of decisions that the group would need to make, discussed various approaches including consensus decision-making and gradients of agreement, and set ground rules for making decisions as a group. Task Force members chose to use a consensus decision-making process, and agreed that Task Force members should speak up with concerns so that the group could reach the best possible decisions. During these conversations, members also discussed attendance and decided that if members send a designee in their place, they need to make sure that the designee has been briefed and can participate fully in the decision-making process.

The Task Force selected its initial set of recommendations in the fall of 2010. This involved several meetings of the whole group, meetings with individual members to discuss recommendations related to their agency, and collective editing of documents to ensure that every Task Force member (and their agency leadership) felt comfortable with the ideas and specific language of the recommendations. Any Task Force member could veto a recommendation if they did not feel comfortable with it, and many recommendations were left on the cutting room floor. Reaching consensus was time-consuming and required an iterative process of repeated review and revision. However, this process built cohesion in the Task Force and strengthened its recommendations—in terms of content, acceptability, and feasibility—in large part because the Task Force addressed the concerns of and built on ideas from staff at so many different agencies. The fact that the final recommendations were based on true consensus of all participating state agencies lends tremendous credibility to the Task Force's work.

WRITING THE REPORT

Drafting the 2010 report, *Health in All Policies Task Force Report to the Strategic Growth Council*, with the Task Force's recommendations proved to be a tremendous task. The report not only required a consensus process to craft exact wording of recommendations, but also included a rationale for Health in All Policies, and a discussion of the links between each recommendation, sustainability, and health. Getting all of the partner agencies to support and approve the report involved many rounds of meetings, emails, phone calls, and sometimes negotiation between multiple partner agencies that were not in agreement. However, the process was incredibly important in allowing participants to gain a better understanding of the issues and opportunities for collaborative action.

The Task Force approved 34 recommendations and presented them to the SGC in a December 2010 report.[229] The recommendations were clustered in six topic areas, listed below, which align with the Task Force's six aspirational goals:

1. **Active transportation**
2. **Housing and indoor spaces**
3. **Parks, urban greening, and places to be active**
4. **Community safety through violence prevention**
5. **Healthy food**
6. **Healthy public policy**

It is important to note that the Task Force's recommendations do not represent an overall health strategy for the state (such as the National Prevention Strategy[230] or the Healthy Chicago Priorities[231]); they are a set of policy suggestions that this group of agencies and departments felt were feasible, had co-benefits for multiple parties, and represented a consensus that was achievable at a particular moment in time. In addition, because of the connection to the SGC, all recommendations were required to align with California's sustainability goals. The recommendations set forth in December 2010 do not address a number of important health issues or determinants of health (e.g., lactation, drugs and alcohol, poverty, and economic development) that either lacked sufficiently direct environmental sustainability links or were not viewed as within the purview of Task Force members. These topics could still be addressed in the future.

PRIORITIZING RECOMMENDATIONS FOR ACTION

When the SGC approved the Health in All Policies recommendations in December 2010, it asked the Task Force to select a smaller set of initial priority recommendations and to develop implementation plans for each. The SGC requested that the Task Force focus on near-term feasibility, actions within the SGC's jurisdiction, and efforts that could have a significant impact. With input from a second series of stakeholder input workshops conducted around the state in the spring of 2011, the Task Force selected 11 priority recommendations spanning the six topic areas of the initial report. These were presented to the SGC in June 2011.

MOVING FROM IDEAS TO ACTION

In 2012, the Task Force moved to a new stage, turning its focus to implementation.

DEVELOPING IMPLEMENTATION PLANS

From July 2011 through May 2012, Task Force staff and agency members developed eight implementation plans for the 11 priority recommendations. This was done through large and small group in-person and phone meetings, and with significant input from experts and stakeholders. The implementation plans identify action steps, timelines, agencies responsible, and deliverables. In addition, the implementation plans each describe considerations related to four cross-cutting themes that emerged from the 2011 stakeholder engagement process: 1) interagency collaboration, 2) equity, 3) community engagement, and 4) data. To develop these implementation plans, Task Force members offered ideas, committed to specific action steps, and agreed to take on leadership roles in implementing specific recommendations. For example, the California Department of Forestry and Fire Prevention took the lead on the plan for urban greening.[232]

CARRYING OUT IMPLEMENTATION PLANS

As of spring 2013, the Task Force is carrying out all eight implementation plans. Backbone staff facilitate frequent interagency meetings to coordinate efforts, and Task Force members use the implementation plan action steps and timelines to track accountability. The Task Force is completing most of the actions without any additional funding, and with voluntarily support from existing staff within partner agencies. The Task Force staff has secured additional funding to support three implementation plans related to "farm-to-fork" policies, healthy and sustainable food procurement, and community safety through violence prevention.

HARMONIZING POLICY GOALS

An important ongoing role of the California Health in All Policies Task Force is to address areas in which there is a need to harmonize multiple important and health-related policy goals across agencies. The following example illustrates how multiple agencies, through the Task Force, have worked together to create alignment between important policy goals related to land use and health.

California has enacted laws promoting the integration of transportation, air quality, and land use planning to address climate change and other public policy objectives.[233,234,235] It is challenging to implement all of these goals simultaneously, particularly in areas where many sites that might be available for affordable housing are located near busy roadways. Also, several laws, executive orders, and guidance related to land use either require or encourage state and local agencies to pursue interrelated and health-promoting goals such as:

- Promote and prioritize infrastructure, infill, and transportation-oriented development;
- Support reduction of automobile travel and vehicle miles traveled (VMT) per capita, and promote active transportation infrastructure to increase walking and bicycling;
- Keep people and goods moving, which is good for health and the economy;
- Preserve environmental and agricultural resources including land and water, which are required to feed a growing population;
- Reduce greenhouse gas emissions, to reduce catastrophic climate change impacts;
- Assure housing needs are met for all income levels;
- Mitigate known significant environmental and health impacts of projects; and
- Improve regional air quality and reduce exposure to harmful air pollutants to reduce risks for cardiovascular and respiratory disease.

In response to this challenge, the Task Force convened a multi-agency Housing Siting and Air Quality Workgroup, which seeks to increase intersectoral understanding on the part of agencies and stakeholders about the interrelatedness of these issues, the need for harmonization, and strategies to support harmonization, such as better data or more research on effective methods to improve indoor air quality in polluted areas.

ENGAGING STAKEHOLDERS

The California Health in All Policies Task Force has employed a variety of methods for engaging stakeholders and gathering their input.

STAKEHOLDER INPUT WORKSHOPS

The Task Force partnered with local health departments to host eight stakeholder input workshops across California in two rounds, in 2010 and 2011. Invitations were disseminated through partners, including Task Force members, local health departments, and the informal stakeholder group described below, and the workshops attracted between 15 and 90 attendees each. Outreach targeted community-based and health organizations and the housing, food, transportation, and environmental groups and agencies with whom they work. A professional facilitator guided staff in designing agendas and facilitated the workshops in a way that fostered solution-oriented input.

The first round of workshops introduced the Health in All Policies Task Force and engaged attendees in the "What is a healthy community?" exercise that the Task Force used early in its own process. The facilitator briefed attendees on the role of state agencies as compared to local agencies, and participants were asked to discuss how state agencies contribute to or impede their ability to advance healthy communities and to provide recommendations for state agency action. The second round of workshops gathered input on prioritization of recommendations for near-term implementation, contributing to the 11 priority recommendations described above.

The stakeholder input workshops provided several benefits including increasing awareness of and support for the Health in All Policies approach and the Task Force itself. They also provided an opportunity for people working on many different issues to meet and talk with others in their own communities, and led to broader, ongoing engagement through written and in-person public comments at SGC public meetings.

STAKEHOLDER GROUP AND KEY INFORMANT MEETINGS

Health in All Policies staff meets periodically with an informal stakeholder group of leaders from health and policy nonprofit organizations that are interested in the Health in All Policies approach and that maintain on-going engagement with local stakeholder groups in their own work to advance healthy and equitable communities. Staff also consults with experts from local health departments, community organizations, advocacy groups, academics, and others engaged in Health in All Policies efforts in the United States and abroad in order to further the work of the Task Force.

PUBLIC COMMENT AND TESTIMONY

The Task Force provides periodic progress reports to the SGC. These presentations provide an opportunity to celebrate achievements and to engage SGC members in providing additional support and guidance when needed. The SGC is subject to California law that requires state boards and commissions to publicly announce their meetings and agendas and include opportunities for public testimony and comment.

STAFFING, FACILITATION, AND RESOURCES

Task Force members devote significant time to Task Force meetings, subgroup meetings, consultation with the Health in All Policies staff team, and review of all Task Force written materials. In addition, Task Force members facilitate meetings with other staff in their departments or agencies as well as with Health in All Policies stakeholders.

The Task Force is staffed and facilitated by CDPH in partnership with the Public Health Institute. The Health in All Policies backbone staff team serves as the hub linking many concurrent projects, ensuring that the broader effort maintains coordination and momentum. To accomplish this, they develop meeting agendas, facilitate meetings, collect and compile best practices and public comments, convene public workshops, review the policy and academic literature, propose strategies for approaching tasks, and provide support for the partners engaged in implementing Health in All Policies, with continual consultation and input from Task Force members and key staff from the SGC.

EXPENSES AND RESOURCES

It is difficult to quantify the resources and expenses of the California Health in All Policies Task Force because much of the work is provided in-kind by partner agencies. The California Health in All Policies Task Force's major expenses and resources are summarized below.

Expenses.

- **Health in All Policies Task Force staff.** The current staff includes one CDPH public health medical officer who dedicates part of her time to Health in All Policies, and core staff (4.5 FTE) who are employed by the Public Health Institute. Of these, one FTE was hired through grant funding to support implementation of a specific Task Force project (healthy food procurement), while the rest address all other aspects of the Task Force's work. In-kind contributions of staff time from Task Force member agencies and the SGC are significant and vary by agency and over time. A variety of other staff at CDPH support the work of the backbone team and of the Task Force by sharing their expertise and exploring ways to align their efforts with those of the Task Force.
- **Stakeholder input workshops.** Expenses have included a professional facilitator, facility rental, food, and travel.
- **Subcontracts.** The Task Force uses subcontracts to secure input from policy experts on specific topics. For example, grant funding is allowing the Task Force to subcontract with the Local Government Commission to develop guidance materials on violence prevention through changes in the built environment.
- **Interns.** The Task Force hires two to three student interns each year to foster professional development in Health in All Policies and to support Task Force work. In 2012, the Task Force placed a summer intern in a partner agency's office, and had that intern conduct projects that involved collaboration between the host department and CDPH.

Resources.

- **California Department of Public Health.** In addition to state staff time, CDPH underwrites a portion of operational costs for the Task Force backbone staff.
- **Grants.** Primary funding for Public Health Institute backbone staff and Task Force expenses comes from The California Endowment. The Kaiser Permanente Community Benefits Foundation has also funded one staff person to implement the Task Force recommendation on healthy food procurement.

PROCESS EVALUATION OF CALIFORNIA HEALTH IN ALL POLICIES TASK FORCE[236]

In 2012, the Public Health Institute, with funding from the American Public Health Association, hired the independent firm Harder + Company Community Research to conduct a process evaluation of the California Health in All Policies Task Force. The evaluation involved surveys and interviews of Task Force members and key stakeholders, and focused on relationships, meeting effectiveness, reasons for and barriers to continued engagement, and lessons learned about the process. Below are some highlights from the evaluation's findings.

Measuring Success

- The top three reported "elements of success" for the Task Force:
    1. **Politically and financially feasible and actionable recommendations**
    2. **Intersectoral participation**
    3. **Establishment of a high-level directive**
- Ninety percent of Task Force members indicated that the Health in All Policies collaborative process produced recommendations that will promote the goals of their own agency.
- Fifty-nine percent of Task Force members indicated that they now have greater trust in other state agencies as a result of participating in the California Health in All Policies Task Force.
- Fifty-four percent of Task Force members reported that they collaborate more with non-governmental organizations and community-based organizations as a result of the Health in All Policies process.
- Task Force members reported that the collaborative linkages and relationships established through the Health in All Policies process have fostered intersectoral collaboration on other issues, with Health in All Policies serving as a model for "effective and improved governance."
- Task Force members' motivation to stay involved was based upon the significant statewide impact and potential to improve the health of California's residents.

Learning Opportunities

- Although they were time consuming for staff, Task Force members overwhelmingly reported that one-on-one meetings with Health in All Policies staff were important for sustaining engagement, building an understanding of how agency work impacts health, and vetting ideas.
- Task Force members requested clarification of the expected time commitment and duration of participation, so that they could secure permission from their own agency leadership to engage in this work in an ongoing manner. This is especially important because there are no funds specifically to support the staff time contributed by participating agencies.

8.4 Challenges, Accomplishments, and Looking to the Future

CHALLENGES

Key challenges for California's Health in All Policies Task Force are described below.

- **Sustaining staff and other resources.** The California Health in All Policies Task Force continues to rely upon nonprofit organizations with external foundation funding to support the work of the Task Force. The California Health in All Policies Task Force does not have specific funding for the work of partner agencies, which makes it difficult to secure commitments to long-term, labor-intensive projects or processes. Each member carves out resources where they can, knowing that this work is an executive-level priority. As Health in All Policies is increasingly recognized as a successful approach for addressing complicated and interrelated issues, requests for technical assistance at the local and federal level have increased, and current resources are inadequate to meet the increasing need for this assistance.
- **No established roadmap.** Because California is the first state in the country to take this approach, there is no roadmap for how to do this kind of work, so each step is taken with heightened deliberation and scrutiny. While breaking ground is demanding, it has also made the work exciting and particularly meaningful as others look to California to share the lessons it has learned along the way.
- **Balancing implementation activities with a larger vision.** Task Force members face a continuous tension between implementing specific and feasible policy and program ideas and pursuing big picture goals such as integrating a health lens into decision-making throughout government. While it is important for any initiative to pursue both focused short-term activity and long-term planning, there is a risk that the resources required for implementation will make it difficult for the Task Force to stay focused on the big picture of embedding health and equity into decision-making processes across government.
- **Turnover in leadership and in partners.** Turnover among leaders and partners is a continual challenge for the Task Force. In 2011 a transition between gubernatorial administrations caused high turnover among agency partners. Health in All Policies Task Force staff dedicated significant time to orienting new partners and learning about their priorities—which did not always match those of their predecessors. In some cases, new agency staff were less receptive to Task Force involvement, and in other cases, new agency staff had greater enthusiasm and new ideas that needed to be incorporated into the ongoing work of the group.

- **Measuring incremental change.** The work of transforming government culture is tremendously important but can be undervalued, especially because it is difficult to measure and may take many years to achieve. Measuring the health outcomes of this work is difficult, especially because health is influenced by so many different factors. The Task Force has documented an increase in interagency trust and collaboration as a result of its work, and is achieving policy changes as well. Health and equity outcomes resulting from the Task Force's efforts are likely to take many years to become evident, and even then it may be difficult or impossible to trace them back to specific actions.

ACCOMPLISHMENTS

While its work has been challenging, the Task Force has had some notable successes, with more on the horizon. It has not only led to a cultural shift among state agencies, as described in the evaluation outcomes above, but has led to concrete changes in state policy and programs, and has spawned an awareness of and interest in intersectoral collaboration in local communities and among decision-makers and advocates across California. Many of California's successful Community Transformation Grant applications, such as San Francisco's, incorporated a Health in All Policies approach. Twelve smaller counties across California have also incorporated Health in All Policies approaches into their Community Transformation Grant work. Local jurisdictions around California are adopting formal Health in All Policies approaches, and many have expanded intersectoral collaboration as a part of their regular business practices.

California's legislature issued a joint resolution to express its support of the Health in All Policies concept and of the Health in All Policies Task Force. Issued in June 2012, Senate Concurrent Resolution 47 encourages:[237]

- Task Force members to provide leadership on implementing the recommendations put forth in the Health in All Policies Task Force Report;
- Interdepartmental collaboration with an emphasis on the complex environmental factors that contribute to poor health and inequities when developing policies in a wide variety of areas;
- Consideration of both short- and long-term health impacts, costs, and benefits, where appropriate, when weighing the merits of proposed legislation; and
- Public officials in all sectors and levels of government to recognize that health is influenced by policies related to air and water quality, natural resources and agricultural land, affordable housing, infrastructure systems, public health, sustainable communities, and climate change, and to consider health when formulating policy.

The Health in All Policies Task Force has been named as a key partner for a number of state-level initiatives. For example, California's December 2012 *Let's Get Healthy California Task Force Final Report*, which provides a 10-year plan to make Californians healthier, lists Health in All Policies as a strategy for promoting healthier communities.[238] In addition, the Health in All Policies Task Force has been embedded within the newly established Office of Health Equity at CDPH,[239] with the recognition that achieving greater health equity is inextricably tied to the work of Health in All Policies. The Health in All Policies backbone staff are now housed within the Office of Health Equity and will be involved in developing the new Office's strategic plan.

In carrying out its implementation plans, the Task Force has seen a number of early successes. With a few exceptions, most of the early gains listed here are "low-hanging fruit" that will serve as building blocks for deeper collaboration and development of more substantial wins moving forward.

- In August 2012, the California Department of Finance executed an Interagency Agreement between the California Department of Education, the California Department of Food and Agriculture, and CDPH to develop an interagency Office of Farm to Fork, drawing resources from all three agencies. This office will promote policies and strategies to improve access to healthy, affordable food.
- The Governor's Office of Planning and Research and CDPH have partnered to identify land use strategies to expand the availability of affordable, locally grown produce. The two agencies are now integrating this information into a range of other planning programs and guidance documents.
- The Task Force hosted an orientation workshop called *Complete Streets: Designing for Pedestrian and Bicycle Safety* for staff from nine different agencies, in order to provide an opportunity for a multi-sectoral dialogue among agencies with a stake in creating "complete streets."
- The California Department of Forestry and Fire Protection worked with the Governor's Office of Planning and Research to develop a webpage that provides information for local governments to use in planning for a healthy urban forest that optimizes benefits to the environment, public health, and the economy.
- Staff from the California Department of Education, the Governor's Office of Planning and Research, the SGC, and the Task Force met to explore the linkages between health, sustainability, and school infrastructure, and to explore opportunities to promote these multiple goals through the State's General Plan Guidelines and the section of the California Code of Regulations that relates to K–12 school facilities construction and rehabilitation.
- The SGC integrated language into their Sustainable Communities Planning Grants Program to encourage regional entities applying for funding to incorporate health into their planning and decision-making processes and to partner with local health agencies.
- The Healthy Community Framework has been incorporated into programs such as the 2010 California Regional Progress Report, which provides a framework for measuring sustainability using place-based and quality-of-life regional indicators.[240]
- The SGC has funded the development of a core set of indicators to measure and monitor each of the components of the Healthy Community Framework.
- The Southern California Association of Governments has created a public health committee to support its Regional Transportation Plan, and has invited Task Force staff to serve on that committee and help the region make links to health and equity as it develops policy proposals for the upcoming plan.

LOOKING TO THE FUTURE

While the California Health in All Policies Task Force is focused on implementing its 2010 recommendations, it continues to uncover new opportunities for growth. The SGC Strategic Plan 2012-2014 leaves open the possibility of the development of a new set of Health in All Policies Task Force recommendations, and the Task Force continues to meet quarterly, with smaller multi-agency work groups focused on specific projects as needed. As relationships and trust have deepened, and as new champions have emerged in partner agencies, some topics that did not move forward in 2010 have gained traction since. For example, a newly elected superintendent of education has prioritized health promotion in schools, which has opened the doors to not only promoting physical activity, healthy food, and drinking water, but has also launched an exploration of how schools can prioritize health and sustainability when making funding decisions about infrastructure projects.

One of the priority recommendations of the Task Force is to embed health not only in programs and policies, but in government processes, by laying out a broad, voluntary process for state agencies to promote health and equity through their guidance documents, technical assistance programs, and data collection processes. In addition, the passage of the California Senate Concurrent Resolution supporting Health in All Policies opens the door for further work with the legislature on the integration of health considerations into legislative processes. Both of these could pave the way for the Task Force to make significant strides in embedding health considerations into the way that business is conducted at the state level in California. Finally, the Health in All Policies approach has resonated around the state with many local health departments and community-based organizations. A growing number of local elected bodies are exploring ways to place health considerations more squarely into the center of the policy-making process, based on the value of having a more efficient government, which in turn yields a more equitable society and a healthier, more productive population.

CONCLUSION

The public health challenges of the 21st century are extremely complex, and solutions will require actions that go beyond the purview of public health, bringing together partners across policy areas and sectors. While public health has a long history of intersectoral collaboration, Health in All Policies is an emerging approach that aims to formalize the consideration of health in decision-making at all levels of government in order to promote healthy community environments and prevent adverse health impacts in the future.

Five key elements of Health in All Policies are vital to the success of this work:

1. **Promote health and equity** by incorporating health and equity into specific policies, programs, and processes, and by embedding health and equity considerations into government decision-making processes;
2. **Support intersectoral collaboration** by bringing together partners from many sectors to recognize the links between health and other issue and policy areas, break down silos, and build new partnerships to promote health and equity and increase government efficiency;
3. **Benefit multiple partners** and simultaneously address the policy and programmatic goals of both public health and other agencies;
4. **Engage stakeholders** beyond government partners, such as community members, policy experts, advocates, the private sector, and funders; and,
5. **Create structural or procedural change** in order to fundamentally change how government works by embedding health and equity into government decision-making processes at all levels.

Health in All Policies actions and groups can take many forms, but the ultimate goal of this approach is to fundamentally change government so that agencies are aligned around a common vision for a healthy and equitable society, and so that health is considered in decision-making across sectors and policy areas. With this vision in mind, opportunities to do this work can emerge nearly anywhere. Health in All Policies can be implemented through creation of a new structure or group, or can be applied to existing processes such as strategic planning and grant-making, or both. Many options exist for how to consider health in decision-making, from using formal health impact assessment tools to an informal application of a health lens. Partners, leaders, and focus areas will vary, depending upon political support, community needs, and resources.

By their very nature, Health in All Policies initiatives will give rise to tensions between agencies on specific issues, but these tensions may be managed through relationship-building and collaborative decision-making structures. Over time, Health in All Policies can help build interagency trust and promote deeper collaboration and robust stakeholder engagement on high-stakes issues, leading to more efficient and effective governance.

This is a particularly exciting moment in public health history in the United States, as more and more attention is focused on health equity and the underlying social determinants of health. The concept of Health in All Policies is taking hold across the nation, and is being practiced under many names. This approach will evolve as more states and local governments employ this approach. There is tremendous need right now for cities, counties, and states to share their stories and help build the body of knowledge and evidence supporting Health in All Policies work. In the meantime, the authors hope this guide will help support current and future endeavors to promote healthy communities across the country.

APPENDICES

I. Glossary

ACTIVE TRANSPORTATION. Walking, biking, wheeling, and taking public transit. Public transit is considered active transportation because it generally involves an active mode at the beginning or end of the trip.

BACKBONE ORGANIZATION. Described as part of the Collective Impact Model, "backbone" organizations provide supporting infrastructure for collaborative efforts through meeting facilitation, fundraising, data collection and reporting, administration, and communications support.[241]

BUILT ENVIRONMENT. Human-made (versus natural) resources and infrastructure, including homes, schools, workplaces, roads, parks, restaurants, and grocery stores, that form the physical setting for community activities.

CO-BENEFIT. A secondary benefit arising from implementation of a policy or program that has a different primary benefit as its purpose. Health co-benefits can result when non-health policies intentionally or unintentionally impact health outcomes. A Health in All Policies approach embraces integrating efforts to address different agency goals in order to achieve "win-win" or co-beneficial solutions. For example, policies to reduce greenhouse gases may have public health co-benefits through positive impacts on air pollution, active transportation, etc. (Also see **Win-Win**)

COLLABORATION. Two or more parties or organizations working together to pursue new approaches that achieve goals that satisfy all engaged parties. In general, collaboration involves more than just an intersection of common goals, but actually working together to identify shared objectives.

COMMUNITY ENGAGEMENT. Public participation that involves dynamic relationships and promotes a mutual exchange of information, ideas, and resources between community members and public agencies in a context of partnership and reciprocity. Community engagement can include varying degrees of involvement, decision-making, and control.

COMMUNITY GREENING. Planting and managing "green" infrastructure, including trees, gardens, parks, agricultural land, and other vegetation. This term is often used interchangeably with urban greening, but is inclusive of both urban and non-urban communities.

COMMUNITY SAFETY. Community safety encompasses both the perception of safety and the implementation of strategies that protect the population from crime, violence, and injury hazards or threats. Rates of crime, violence, and preventable injury are indicators of community safety.

COMPLETE STREETS. Streets that are planned, designed, operated, and maintained to provide safe travel and access for all users, including bicyclists, pedestrians, transit riders, and motorists of all ages and abilities appropriate to the function and context of the facility.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED). A method of deterring crime by creating physical environments that discourage criminal behavior and encourage healthier use of space.

DATA. The factual points of information (e.g., measurements or statistics) that are used as a basis for reasoning or calculation[242] or simply "a collection of items of information."[243] (Also see **Evidence**)

DISADVANTAGED POPULATIONS. Generally defined by economic parameters that demonstrate a low household income. More broadly, these populations result from social isolation and limited access to opportunities and resources. This cluster of factors makes it hard for members of these populations to achieve positive life outcomes. (Also see **Marginalized Groups**)

ECOSYSTEM SERVICES. The benefits to human communities from resources and processes supplied by the natural environment. Ecosystem services can be very difficult to monetize and so are often taken for granted. Examples include clean air, clean water, and wetlands that buffer coastal or riparian zones, provide habitat, and filter water flow.

EVIDENCE. Evidence can simply be "proof supporting a claim or belief."[244] For public health interventions, evidence often refers to information regarding "the effectiveness of an intervention in achieving an outcome that will create lasting changes in the health of the population."[245]

FARM-TO-FORK. A strategy to increase access to affordable healthy foods by supporting farms in production and delivery to local consumers (including individuals and organizations). This can include linking consumers directly to growers and establishing local or regional distribution systems.

GENERAL PLAN/COMPREHENSIVE PLAN. A long-term plan that includes a vision and policies for the physical development of a county or city.

GUIDANCE DOCUMENT. A written statement, often issued by a government agency, that contains instructions for meeting a set of expectations or interpreting laws or requirements.

HEALTH. The World Health Organization defines health as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity."[246] Health is a fundamental component of quality of life, and a healthy population is a critical building block for a sustainable and thriving economy.

HEALTH DISPARITIES. "Differences in health status among distinct segments of the population including differences that occur by gender, race or ethnicity, education or income, disability, or living in various geographic localities."[247] Health disparities may result from random variation, individual biology, economic, educational, and social opportunity, social and cultural beliefs, or access to health care. Health disparities are not necessarily unfair or inequitable and may be unavoidable if changing the health determinants is impossible or ethically unacceptable.

HEALTH EQUITY. A situation in which all people have the opportunity to achieve their full health potential, with no one at a disadvantage because of socially-determined circumstances.[248] Health equity is the absence of systematic and potentially changeable differences in health (or in major social determinants of health) between socially, economically, demographically, or geographically defined populations. Achieving health equity will involve focusing societal efforts on addressing avoidable inequalities by equalizing the conditions for health for all groups, with efforts specifically placed on improving conditions for those who have experienced socioeconomic disadvantage or historical injustices.

HEALTH IMPACT ASSESSMENT (HIA). The health impact assessment process is "a systematic process that uses an array of data sources and analytic methods, and considers input from stakeholders to determine the potential effects of a proposed policy, plan, program, or project on the health of a population and the distribution of those effects within the population. An HIA provides recommendations on monitoring and managing those effects."[249]

HEALTH IN ALL POLICIES (HIAP). A collaborative approach to improving health that incorporates health considerations into decision-making in all sectors and policy areas. A Health in All Policies approach convenes diverse partners to consider how their work influences health and how collaborative efforts can improve health while advancing other goals.

HEALTH INDICATOR. A measurable characteristic of an individual, population, or environment that can be used to describe its health status.

HEALTH INEQUITY. A subset of health disparities "that are a result of systemic, avoidable and unjust social and economic policies and practices that create barriers to opportunity."[250]

HEALTH LENS. A systematic way of finding opportunities to improve health and embed health in decision-making. Using a health lens can involve formal (e.g., health impact assessment, South Australia's Health Lens Analysis process) or informal methods.

HEALTH OUTCOME. A change in the health status of an individual, group, or population as the result of planned or unplanned interventions rather than simply change over time. This includes intended or unintended changes resulting from government policies.

HEALTH STATUS. The National Institutes of Health defines health status as "the degree to which a person is able to function physically, emotionally, socially, with or without aid from the health care system."[251]

HEALTHY COMMUNITY. A community that embodies economic, physical, social, and service environments that are known to promote health. The California Health in All Policies Task Force defines a Healthy Community as a community that provides for the basic needs of all, quality and sustainability of environment, adequate levels of economic and social development, health and social equity, and social relationships that are supportive and respectful.

HEALTHY PUBLIC POLICY. A policy or set of policies that is explicitly responsive to health needs. It may be designed specifically to promote health or, if not dealing directly with health, have an influence on the determinants of health and, in turn, positively impact health outcomes.

INFILL. Building on, developing, or redeveloping unused, vacant, and underutilized urban or largely developed areas.

INTERDEPENDENCE. A relationship between individuals, communities, or individuals and the communities in which they live, such that each is mutually reliant upon and responsible for the other. Local, state, national, and global public health initiatives and their societal and political contexts are interdependent. Interdependence between people is the essence of community.

INTERSECTORAL COLLABORATION. A recognized relationship—ranging from a formal agreement to an ad hoc group—between different sectors of society working together in a way that can improve outcomes more effectively, efficiently, or sustainably than when working independently from one another.

MARGINALIZED GROUPS. Groups of people who are generally not considered or included in important processes, and are often discriminated against, face greater inequalities, and are deprived of inclusion and access to resources due to factors beyond their control.

METROPOLITAN PLANNING ORGANIZATIONS (MPO). A federally defined regional council of governments within a metropolitan area that is authorized to develop a Metropolitan Transportation Plan/Regional Transportation Plan.

METROPOLITAN TRANSPORTATION PLAN (MTP)/ REGIONAL TRANSPORTATION PLAN (RTP). Metropolitan Planning Organizations (MPOs) are required by federal law to produce a MTP, also known as an RTP. The RTP is a process that MPOs embark on every four to five years to identify how a region will spend transportation revenue over the next 25 years.

MOBILITY. The ability of an individual to physically move freely and easily.

MONITORING. Performing routine measurements with the goal of detecting environmental, health, or other status changes.

POLICY. An agreement on issues, goals or a course of action by the people with power to carry it out and enforce it.[252,253]

PUBLIC POLICY. A course of action adopted and pursued by governments in response to a perceived problem. Laws, regulations, decisions, funding priorities, and other actions of government express public policy. Public policies are implemented and enforced by public agencies.

PROGRAM. An organized set of procedures, routines, or activities, usually to achieve a specific goal or policy objective.

ROOT CAUSE MAPPING. A structured process for identifying key factors contributing to community health problems in order to identify methods for correcting or eliminating these underlying factors and promoting improved outcomes. This can be useful for identifying leverage points and helping agencies outside the public health field discover links to health and each other's work.

SMART GROWTH. A theory of transportation and land use planning that concentrates growth, avoids sprawl, and promotes a mixture of land uses in order to serve a community's economic, health, environmental, and social needs.

SOCIAL DETERMINANTS OF HEALTH. The biological, behavioral, economic, physical, environmental, and political factors that shape the health of individuals, communities, and jurisdictions.

STAKEHOLDERS. The individuals, groups, or organizations with an interest in a project, policy, or program but who are not already partners in a process. This can include those with decision-making authority, funders, clients, the public, community-based organizations, advocacy groups, local agencies, academic experts, or public health practitioners. In many contexts this implies non-governmental parties; in state processes this can include local governments.

SUSTAINABILITY. Creating and maintaining conditions so that humans can fulfill social, economic, and other requirements of the present without compromising the ability of future generations to meet their own needs. This can be thought of in terms of environmental, economic, and social impacts, and encompasses the concept of stewardship and the responsible management of resources.

TRANSIT-ORIENTED DEVELOPMENT. Compact, mixed-use development (including housing, offices, retail, and other amenities) that supports active transportation and is located near public transportation facilities or corridors.

VULNERABILITY. The degree to which an individual or group of people are susceptible to harm. In public health, this term is commonly used in the fields of disaster response and climate change adaptation, but can also apply to the broader social determinants of health. Vulnerability of individuals and populations to injury or chronic disease can vary as a result of socioeconomic status, social cohesion, gender, health, age, and other factors. Differences in vulnerability can often be attributed to social or health inequities.

WHOLE-OF-GOVERNMENT. Includes public agencies "working across portfolio boundaries to achieve a shared goal and an integrated government response to particular issues."[254]

WIN-WIN. A solution that is satisfactory or guarantees a favorable outcome for all parties. This may be an outcome with one benefit for all parties, or may have multiple benefits. A Health in All Policies approach seeks to find win-win solutions. (Also see **Co-benefit**).

II. Definitions of Health in All Policies

"Health in All Policies is a collaborative approach that integrates and articulates health considerations into policy making across sectors, and at all levels, to improve the health of all communities and people."
- Association of State and Territorial Health Officers (ASTHO)[255]

"Health in All Policies is a collaborative approach to improving the health of all people by incorporating health considerations into decision-making across sectors and policy areas."
- California Health in All Policies Task Force

"Health in All Policies is the policy practice of including, integrating or internalizing health in other policies that shape or influence the [Social Determinants of Health (SDoH)]… Health in All Policies is a policy practice adopted by leaders and policymakers to integrate consideration of health, well-being and equity during the development, implementation and evaluation of policies."
- European Observatory on Health Systems and Policies[256]

"Health in All Policies is an innovative, systems change approach to the processes through which policies are created and implemented."
- National Association of County and City Health Officials (NACCHO)[257]

"Health in All Policies aims to improve the health of the population through increasing the positive impacts of policy initiatives across all sectors of government and at the same time contributing to the achievement of other sectors' core goals."
- South Australia[258]

III. South Australia's 10 Health in All Policies Principles[259]

A Health in All Policies approach reflects health as a shared goal across government. In particular it:

1. Recognizes the value of health for the wellbeing of all citizens and for the overall social and economic development of South Australia—health is a human right, a vital resource for everyday life and a key factor of sustainability.
2. Recognizes that health is an outcome of a wide range of factors—such as changes to the natural and built environments and to social and work environments—many of which lie outside the activities of the health sector and require a shared responsibility and an integrated and sustained policy response across government.
3. Acknowledges that all government policies can have positive or negative impacts on the determinants of health and such impacts are reflected both in the health status of the South Australian population today and in the health prospects of future generations.
4. Recognizes that the impacts of health determinants are not equally distributed among population groups in South Australia and aims at closing the health gap, in particular for the Aboriginal peoples.
5. Recognizes that health is central to achieving the objectives of South Australia's Strategic Plan (SASP)—it requires both the identification of potential health impacts and the recognition that good health can contribute to achieving SASP targets.
6. Acknowledges that efforts to improve the health of all South Australians will require sustainable mechanisms that support government agencies to work collaboratively to develop integrated solutions to both current and future policy challenges.
7. Acknowledges that many of the most pressing health problems of the population require long-term policy and budgetary commitment as well as innovative budgetary approaches.
8. Recognizes that indicators of success will be equally long-term and that regular monitoring and intermediate measures of progress will need to be established and reported back to South Australian citizens.
9. Recognizes the need to regularly consult with citizens to link policy changes with wider social and cultural changes around health and wellbeing.
10. Recognizes the potential of partnerships for policy implementation between government levels, science and academia, business, professional organizations and non-governmental organizations to bring about sustained change.

IV. Annotated References

Part I. What is Health in All Policies and Why Do We Need It?

SECTION 1: BACKGROUND

1.1 WHAT IS HEALTH IN ALL POLICIES?

Environmental HiAP Toolkit. *National Association of City & County Health Officials. Available at: http://www.naccho.org/toolbox/program.cfm?id=32&display_name=Environmental Health in All Policies (HiAP)*
This toolkit includes a searchable database of tools and resources on Health in All Policies and environmental health policy to help raise awareness and to educate local decision-makers.

Health in All Policies: Strategies to promote innovative leadership. *Association of State and Territorial Health Officials. (January 2013). Available at: http://www.astho.org/Programs/Prevention/Implementing-the-National-Prevention-Strategy/HiAP-Toolkit/*
This document provides a description of the National Prevention Strategy, key talking points to explain a Health in All Policies approach, characteristics of successful intersectoral collaboration, and case studies of states uses Health in All Policies approaches.

Implementing Health in All Policies, Adelaide 2010. *Kickbusch, I., & Buckett, K. (Eds). (2010). Rundle Mall, South Australia: Government of South Australia, Department of Health. Available at: http://www.who.int/sdhconference/resources/implementinghiapadel-sahealth-100622.pdf*
This document summarizes the establishment of Health in All Policies in South Australia, reviews other international Health in All Policies examples, discusses theoretical frameworks and methodological perspectives, and provides case studies describing how Health in All Policies has been utilized in projects throughout South Australia.

1.2 WHY WE NEED HEALTH IN ALL POLICIES

A framework for public health action: The health impact pyramid. *Friedan, T.R. (2010, April). American Journal of Public Health, 100(4), 590–595.*
This article uses a 5-tier pyramid to describe the range of intervention necessary for maximum public health benefit. This model shows that interventions focusing on the social determinants of health reach broader segments of society than clinical interventions.

America's tomorrow: Equity is the superior growth model. *Treuhaft, S., Blackwell, A.G., & Pastor, M. (2011). Oakland, CA: PolicyLink, University of Southern California's Program for Environmental and Regional Equity. Available at: http://www.policylink.org/atf/cf/%7B97c6d565-bb43-406d-a6d5-eca3bbf35af0%7D/SUMMIT_FRAMING_WEB_FINAL_20120127.PDF*
This report makes the case that achieving equity is of vital importance to the nation's economic recovery and economic future, and frames equity as the new economic growth model. The authors highlight the opportunity to leverage the United States' growing racial and ethnic diversity as a competitive asset in the face of current workforce challenges.

Closing the gap in a generation: Health equity through action on the social determinants of health (Final Report of the Commission on Social Determinants of Health). *Commission on Social Determinants of Health. (2008). Geneva: World Health Organization. Available at: http://whqlibdoc.who.int/publications/2008/9789241563703_eng.pdf*
This report calls for global action from the World Health Organization and all governments to close health inequity gaps in the timespan of a generation. The Commission sets forth three overarching recommendations and three principles of action to achieve this goal.

Overcoming obstacles to health. *Robert Wood Johnson Foundation, Commission to Build a Healthier America. (2008, February). Princeton, NJ. Available at: http://www.commissiononhealth.org/report.aspx?publication=26244*
This report provides data and discussion on social differences in health in the United States, including affected populations and associated costs. This report analyzes the role of social factors in the causal pathway of health disparities, emphasizes the transmission of health across generations, and provides guidance on finding solutions to reduce current health disparities.

Promoting health equity: A resource to help communities address social determinants of health. *Brennan Ramirez, L.K., Baker, E.A., & Metzler, M. (2008). Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention. Available at: http://www.cdc.gov/healthycommunitiesprogram/tools/pdf/SDOH-workbook.pdf*
This workbook provides nine case studies of communities working to achieve health equity, as well as step-by-step guidance for readers on how to start, evaluate, and maintain a social determinants of health inequities initiative.

Roots of health inequity: An online learning collaborative. *National Association of County and City Public Health Officials (NACCHO). (2012). Available at: http://www.rootsofhealthinequity.org*
This online course allows participants to explore how to address health inequities. Key topics include public health history, root causes of health inequities, principles of social justice, where to start working, and how framing works. Content allows for group-directed learning and includes interactive media, case studies, readings, and presentations.

The spectrum of prevention: Developing a comprehensive approach to injury prevention. *Cohen, L., & Swift, S. (1999). Injury Prevention, 5, 203–207.*
This article proposes a framework to support multi-faceted approaches to injury prevention that can help public health practitioners move beyond a focus on education interventions. The authors show the importance of working across a spectrum of prevention in order to meet public health prevention goals.

The spirit level: Why greater equality makes society stronger. *Wilkinson, R., & Pickett, K. (2009). New York, NY: Bloomsbury Press.*
This book argues that the income gap between a nation's richest and poorest is the strongest predictor of the functioning and health of a society. The authors prioritize the need for societies to achieve equality, and argue that both government redistribution of wealth and market forces can be effective in closing equality gaps.

Unnatural causes: Is inequality making us sick? *Adelman, L. (Creator and Executive Producer). (2008). California: California Newsreel. Available at: http://www.unnaturalcauses.org*
This four-hour, seven-part documentary series highlights the root causes of socioeconomic and racial inequities in health. A discussion guide contains pre- and post-viewing activities, comprehension and discussion questions, and suggested follow-up actions for participants.

Why place matters: Building a movement for healthy communities. *Bell, J., & Rubin, V. (2007). Oakland, CA: PolicyLink. Available at: http://www.policylink.org/atf/cf/%7B97c6d565-bb43-406d-a6d5-eca3bbf35af0%7D/WHYPLACEMATTERS_FINAL.PDF*
This report establishes a framework for understanding the relationship between community conditions (class, race, ethnicity, neighborhood segregation, and the economic, social, physical, and service environments) and health. It provides case studies of how communities have addressed health disparities and includes fourteen recommendations for moving forward.

1.3 WHAT IS A HEALTHY COMMUNITY?

Beyond health care: New directions to a healthier America. *Robert Wood Johnson Foundation, Commission to Build a Healthier America. (2009, April). Princeton, NJ. Available at: http://www.commissiononhealth.org/Report.aspx?Publication=64498*
This report sets forth ten recommendations for building healthier communities, including action steps that community groups, schools, employers, businesses, health care providers, philanthropic organizations, and government entities can take.

1.5 A BRIEF HISTORY OF HEALTH IN ALL POLICIES

The items in this section are listed in chronological order and correspond to the timeline on page 19.

Declaration of Alma-Ata. *World Health Organization. (1978, September 6-12). Adopted at the International Conference on Primary Health Care, Alma-Ata, USSR. Available at: http://www.who.int/publications/almaata_declaration_en.pdf*
The Declaration of Alma-Ata is frequently cited as the first acknowledgment of the importance of intersectoral action for health. The declaration states that both health services and efforts to engage other sectors in the social, economic, and political determinants of health are required to achieve significant health gains.

The Ottawa Charter for health promotion. *World Health Organization. (1986, November 21). Adopted at the First International Conference on Health Promotion, Ottawa, Canada. Available at: http://www.who.int/healthpromotion/conferences/previous/ottawa/en/*
This document introduced "healthy public policies" as a key area for health promotion, calling for other sectors to invest in health and directing policymakers in all sectors to consider the health and equity impacts of their decisions.

[Health policies towards the year 2000: National health plan]. Nasjonal helseplan. *Norway Ministry of Health and Care Services. (1987). Helsepolitikken mot år 2000. No 41, 1987/88. Oslo: Sosialdepartementet [in Norwegian]. (As cited in: St-Pierre, L. (2009).* ***Governance tools and framework for Health in All Policies.*** *National Collaborating Centre for Healthy Public Policy. Available at: http://rvz.net/uploads/docs/Achtergrondstudie_-_Governance_tools_and_framework.pdf*
This white paper issued by the Norwegian health services administration in 1987, as discussed in St-Pierre, recognizes the merit of including health in all public policies.

Adelaide recommendations on healthy public policy. *World Health Organization. (1988, April 5-9). Adopted at the Second International Conference on Health Promotion, Adelaide, South Australia. Available at: http://www.who.int/healthpromotion/conferences/previous/adelaide/en/index1.html*
This set of recommendations highlights the influence of non-health sectors' policies on health and calls for a political commitment to health by all sectors.

The New Zealand health strategy. *New Zealand Ministry of Health. (2000, December). Wellington, NZ: Ministry of Health. Available at: http://www.health.govt.nz/publication/new-zealand-health-strategy.*
New Zealand's National Health Strategy presents intersectoral action as an essential lever for improving health and reducing health inequalities, both across sectors and within local government and community groups. This document serves as a map for developing healthy public policies and action plans in a coordinated way.

Public Health Act, R.S.Q. 2001, c. S-2.2. *(Quebec, Canada). Available at: http://www.canlii.org/en/qc/laws/stat/rsq-c-s-2.2/latest/rsq-c-s-2.2.html*
Quebec's Public Health Act of 2001 requires that government departments and agencies in Quebec collaborate with the Department of Health and Social Services to ensure the measures they enforce have no harmful effects on population health.

Public Health Objective Bill (Government Bill 2002/03:35). *(Sweden) [in Swedish]. (As cited in: Hogstedt, C., Lundgren, B., Moberg, H., Pettersson, B., & Agren, G. (2004). The Swedish public health policy and the National Institute of Public Health. Scandinavian Journal of Public Health, Supplement, 64, 6–64.)*
With the aim of creating the societal conditions that guarantee an equal level of health for the entire population, the Swedish National Public Health Policy of 2003 declared a focus on the social determinants of health and intersectoral public health partnerships.

Health in All Policies: Prospects and potentials. *(2006). Stahl, T., Wismar, M., Ollila, E., Lahtinen, E., and Leppo, K., eds. Finland: Finnish Ministry of Social Affairs and Health. Available at:* http://www.euro.who.int/__data/assets/pdf_file/0003/109146/E89260.pdf
Recognizing increasing wealth inequality and the connections between health and economics, the 2006 Finnish Presidency of the European Union highlighted the social determinants of health as its priority and supported implementation of the Health in All Policies approach throughout the European Union.

South Australia's Strategic Plan…through a health lens. *(2007). Department of the Premier and Cabinet. Adelaide: Government of South Australia. Available at: http://www.health.gov.au/internet/nhhrc/publishing.nsf/Content/458/$FILE/458%20-%20O%20-%20SA%20Health%20-%20SASP%20...through%20a%20health%20lens.pdf*
The South Australian government engaged a wide spectrum of governmental partners to apply a health lens to the South Australia Strategic Plan. This paper examines the health outcomes of the six interrelated objectives of the Strategic Plan, highlighting the evidence-based linkages between health and policies in "non-health" sectors.

National Health Act, B.E. 2550. *(2007) (Thailand). Available at: http://en.nationalhealth.or.th/node/123*
The Thai National Health Act allows residents to require a health impact assessment (HIA) be conducted of any project that could seriously impact environmental quality, natural resources, or community health. Further, the Act allows community participation in the HIA process and mandates the development of HIA guidelines for the National Health Committee.

Partnership for Sustainable Communities*. Department of Housing and Urban Development, Department of Transportation, and Environmental Protection Agency. Available at:* http://www.sustainablecommunities.gov
The Partnership for Sustainable Communities is a collaborative effort of the U.S. Department of Housing and Urban Development, the U.S. Department of Transportation, and the U.S. Environmental Protection Agency to help incorporate six livability principles into federal housing, transportation, water, and other infrastructure investments. This website provides resources for local communities interested in creating prosperous neighborhoods that protect the environment.

Council conclusions on Health in All Policies (HiAP). *Council of the European Union. (2006, November 30-December 1). Adopted at the 2767th Employment, Social Policy, Health, & Consumer Affairs Council Meeting, Brussels. Available at: http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/lsa/91929.pdf*
This document invited the European Parliament to consider health impacts of decisions across all sectors.

National Prevention, Health Promotion, and Public Health Council. *U.S. Department of Health and Human Services, National Prevention Council. Office of the Surgeon General. Available at: http://www.surgeongeneral.gov/initiatives/prevention/about/index.html*
Created in 2010 by the Affordable Care Act, this intersectoral Council provides leadership at the federal level to advance prevention, wellness, and health promotion by coordinating all executive departments and agencies in the United States. In 2011, the National Prevention Strategy was released, followed by the National Prevention Plan in 2012.

Adelaide statement on Health in All Policies: Moving towards a shared governance for health and well-being: Report from the International Meeting on Health in All Policies, Adelaide 2010. *World Health Organization & Government of South Australia. (2010). Available at: http://www.who.int/social_determinants/hiap_statement_who_sa_final.pdf*

The Adelaide Statement provides an overview of the Health in All Policies approach, discusses the role of health in social, economic, and environmental development, and calls upon leaders from all levels of government to take action.

For the public's health: Revitalizing law and policy to meet new challenges. *Institute of Medicine, Committee on Public Health Strategies to Improve Health. (2012). Washington, DC: The National Academies Press. Available at: http://www.iom.edu/Reports/2011/For-the-Publics-Health-Revitalizing-Law-and-Policy-to-Meet-New-Challenges.aspx*

This report recommends that federal and state governments utilize a Health in All Policies approach to consider the health impacts of policy, legislation, and regulation implementation.

Rio political declaration on social determinants of health. *World Health Organization. (2011, October 19-21). Adopted at the World Conference on Social Determinants of Health, Rio de Janeiro, Brazil. Available at: http://www.who.int/sdhconference/declaration/Rio_political_declaration.pdf*

The World Health Organization's Rio Political Declaration on Social Determinants of Health affirmed Health in All Policies' legitimacy as an approach to increase both accountability among other sectors for health and guide the development of inclusive, productive, and equitable societies.

Part II. The Nuts and Bolts of Health in All Policies

SECTION 2: GETTING STARTED

2.1 FINDING OPPORTUNITIES FOR CHANGE

Intersectoral action on health: A path for policy-makers to implement effective and sustainable action on health. *World Health Organization, The WHO Centre for Health Development. (2011). Kobe, Japan. Available at: http://www.who.int/entity/kobe_centre/publications/ISA-booklet_WKC-AUG2011.pdf*
This document presents ten steps which policymakers can take to promote intersectoral health initiatives and includes several international examples of intersectoral action on health as well as a review of lessons learned in using this approach.

Partners for public health: Working with local, state, and federal agencies to create healthier communities. *Bay Area Regional Health Inequities Initiative, Public Health Law & Policy. Available at: http://www.barhii.org/resources/downloads/partners_for_public_health.pdf*
This guide provides information about the public agencies that make policy decisions and implement projects related to physical environments that affect health. It includes information on each agency's structure, decision-making process, and oversight and accountability at local, regional, state, and federal levels.

2.2 EXPLORING THE BENEFITS OF COLLABORATION

Collaboration Multiplier. *Prevention Institute. (2011, July). Oakland, CA. Available at: http://www.preventioninstitute.org/component/ jlibrary/article/download/id-686/127.html*
The Prevention Institute collaboration multiplier worksheets can be used to identify common goals within an intersectoral collaboration and see how each party's expertise and resources can be leveraged to achieve those goals.

SECTION 3: PARTNERS AND ROLES

3.1 GOVERNMENTAL PARTNERS, FACILITATORS, AND BACKBONE STAFF

Health in All Policies across jurisdictions: A snapshot from Sweden. *Pettersson, B. (2010, July). Public Health Bulletin South Australia. 7(2), 17-20. Available at: http://www.health.sa.gov.au/pehs/publications/publichealthbulletin-pehs-sahealth-1007.pdf*
This article discusses the "across-government" approach adopted by Sweden following the passage of a policy aimed at addressing the determinants of health. In addition to providing a case study of Sweden's experience, this article also discusses some of the key lessons learned from collaborating across government sectors to address social determinants of health.

3.2 ENGAGING STAKEHOLDERS

Community engagement in public health. *Morgan, M.A., & Lifshay, J. (2006, March). Martinez, CA: Contra Costa Health Services, Public Health Division. Available at: www.barhii.org/resources/downloads/community_engagement.pdf*
This brief article provides an introduction to the Contra Costa Health Services experience with community engagement and offers a framework for planning and implementing community engagement approaches.

Community organizing handbook. *Whitcher, J., Coyne, F., McCauley, S., & Rauenhorst, S. (2009-2010). Denver, CO: University of Denver, Center for Community Engagement & Service Learning. Available at: http://www.du.edu/ccesl/media/documents/community_handbook.pdf*
This handbook on community engagement provides a section on relationship-building that covers one-on-one relational interviews, self-interest assessment, and making contact with stakeholders.

International Association for Public Participation. *Available at: http://www.iap2.org*
International Association for Public Participation (IAP2) provides technical assistance to improve public participation within governments, institutions, and other entities that affect public interest in nations throughout the world.

Public Engagement Program. *Institute for Local Government. Available at: http://www.ca-ilg.org/public-engagement*
The Institute for Local Government offers resources for partnering with youth and immigrant populations, developing community leadership, and building sustained engagement at the local level.

SECTION 4: WORKING TOGETHER ACROSS SECTORS

4.1 THE SPECTRUM OF COLLABORATION

A Health in All Policies approach to large-scale redevelopment: The Fort McPherson BRAC case study. *Georgia State University, Georgia Health Policy Center. Atlanta, GA. Available at: http://aysps.gsu.edu/sites/default/files/documents/The_Fort_McPherson_BRAC_Case_Study.pdf*
As part of a case study on redevelopment at a former Army base, the Georgia Health Policy Center describes a spectrum within which Health in All Policies can occur.

A review of collaborative partnerships as a strategy for improving community health. *Roussos, S.T., & Fawcett, S.B. (2000). Annual Review of Public Health. 21: 369-402.*
This article defines "collaborative partnership" and reviews evidence for the effects of collaborative partnerships on community and systems change, community-wide behavior change, and population-level health outcomes. The article discusses conditions that affect effective collaboration and suggests research and practice recommendations for improving community health.

National Network for Collaboration Framework. *Bergstrom, A., Clark, R., Hogue, T., Iyechad, T., Miller, J., Mullen, S., & Perkins, D…Thurston, F. (1995). Collaboration framework: Addressing community capacity. Available at: http://www.uvm.edu/extension/community/nnco/collab/framework.html*
This document describes a framework for collaboration and clarifies process and contextual factors that can promote or inhibit effectiveness. The *Levels of Collaboration* scale, based on the work of other collaboration researchers, measures progress over five stages of collaboration: networking, cooperation/alliance, coordination/partnership, coalition, and collaboration.

Resources for Learning Circle Five. *National Resource Center for Permanency and Family Connections. Available at: http://www.hunter.cuny.edu/socwork/nrcfcpp/pass/learning-circles/five/LearningCircleFiveResources.pdf*
This short piece provides definitions, descriptions, and discussions of collaboration, and links to additional resources that support collaborative efforts.

Understanding the spectrum of collaborative governance practices. *Carlson, C. In A Practical Guide to Collaborative Governance (pp. 9-11). Policy Consensus Initiative & National Policy Consensus Center. Available at: http://www.policyconsensus.org/publications/practicalguide/collaborative_spectrum.pdf*
This publication is intended for government actors interested in collaborating with community members to improve policy and governance. The excerpt available on their website explores various levels of engagement with the community, and begins to outline the components of collaborative decision-making. The full guide provides instructions and tips on each phase of the collaboration process.

4.2 TIPS FOR BUILDING INTERSECTORAL RELATIONSHIPS

Collective Impact. *Kania, J., & Kramer M. (2011, Winter). Stanford Social Innovation Review. 9(1). Available at: http://www.ssireview.org/articles/entry/collective_impact, and* ***Channeling change: Making collective impact work.*** *Hanleybrown, F., Kania, J., & Kramer, M. (2011, January 26). Stanford Social Innovation Review Blog. Available at: http://www.ssireview.org/blog/entry/channeling_change_making_collective_impact_work*
The authors argue that large-scale social change requires the "collective impact" of a group of actors from different sectors, rather than the "isolated impact" of one organization. Both articles describe the conditions under which a collective impact initiative is most likely to thrive. The Hanleybrown et al. article focuses specifically on how to begin an initiative, sustain it, and create alignment.

The Community Tool Box. *University of Kansas, Work Group for Community Health and Development. (2012). Available at: http://ctb.ku.edu/*
This resource contains a broad range of information for building healthy communities, including information on developing group facilitation skills, problem solving, and securing financial resources.

4.3 DECISION-MAKING

Facilitator's guide to participatory decision-making (2nd ed.). *Kaner, S., Lind, L., Toldi, C., Fisk, S., & Berger, D. (2007). San Francisco, CA: Jossey-Bass.*
This book provides tools, training, and tips for group leaders on the dynamics and processes of group decision-making, group process skills, agenda design, and discussion techniques. It also provides guidance on how to convene multiple stakeholder teams.

SECTION 5: STRUCTURES TO SUPPORT HEALTH IN ALL POLICIES

5.1 EMBEDDING HEALTH INTO GOVERNMENT PRACTICES

Stepping it up: Moving the focus from health care in Canada to a healthier Canada. *Health Council of Canada. (2010). Toronto, ON. Available at: http://www.healthcouncilcanada.ca/rpt_det.php?id=162*
This report reviews federal and provincial government efforts in Canada to address the social determinants of health. It describes various strategies that have been used, discusses intersectoral approaches to improving health, and provides a summary of recommendations set forth by the Canadian Senate.

Health in All Policies: An EU literature review 2006-2011 and interview with key stakeholders. *Howard, R. & Gunther, S. (2012, May). Equity Action. Available at:http://www.equitychannel.net/uploads/HiAP%20%20Final%20Report%20May%202012.pdf*
This report identifies opportunities and barriers for implementation of Health in All Policies and identifies key themes and tips for improving future implementation.

5.2 STRUCTURE AND FORMALITY

Getting agencies to work together: The practice and theory of managerial craftsmanship. *Bardach, E. (1998). Washington, D.C.: Brookings Institution Press.*
Using diverse policy areas as examples, this book diagnoses difficulties of collaboration between government agencies, explains how they are sometimes overcome, and introduces ideas for public managers, advocates, and others interested in developing interagency collaborative networks.

Intersectoral governance for Health in All Policies. *(2012). McQueen, D. V., Wismar, M., Lin, V., Jones, C. M., & Davies, M. (Eds.). Copenhagen, Denmark: European Observatory on Health Systems and Policies, World Health Organization. Available at: http://www.euro.who.int/__data/assets/pdf_file/0005/171707/Intersectoral-governance-for-health-in-all-policies.pdf*
This book provides an overview of structures used internationally to support Health in All Policies, including case studies of Health in All Policies initiatives.

Moving forward to equity in health: Partnership and intersectoral action conference working document. *Solar, O., Valentine, N., Rice, M., & Albrecht, D. (2009). Presented at the 7th Global Conference on Health Promotion, Nairobi, Kenya: World Health Organization. Available at: http://www.gchp7.info/resources/downloads/t4.pdf*
This document establishes a political and technical basis for intersectoral action in global development strategies. It includes a discussion of the relationship between health and other sectors, the vision of health and society that supports health and health action, and the mechanisms for implementing intersectoral work at all government levels.

5.3 RESOURCES

Foundation Center. *Available at: http://foundationcenter.org*
The Foundation Center provides information on philanthropy through five regional library/learning centers and a network of more than 450 Cooperating Collections, where free local access to resources and trainings can be found. They provide training courses (both online and in the classroom), self-paced courses, tutorials, and webinars. They also maintain a database of grantmakers and their grants.

Grants.gov. *Available at: http://grants.gov/*
This is the main website to find and apply for federal grants. Those interested can subscribe to the site and receive daily notifications of new grant opportunities.

SECTION 6: CREATING HEALTHY PUBLIC POLICY

6.1 CHOOSING WHAT TO WORK ON AND IDENTIFYING POTENTIAL SOLUTIONS

A practical guide for policy analysis: The eightfold path to more effective problem solving (2nd ed.). *Bardach, E. (2000). Washington, DC: CQ Press.*
This book provides an overview of the steps involved in policy analysis, laying out Bardach's frequently-used "Eightfold Path." It also provides an overview of government responsibilities.

Action strategies toolkit: A guide for local and state leaders working to create healthy communities and prevent childhood obesity. *Robert Wood Johnson Foundation, Leadership for Healthy Communities. (2009). Princeton, NJ. Available at: www.rwjf.org/pr/product.jsp?id=42514*
This guide introduces evidence-based policy options in the areas of healthy eating, active living, and the built environment. It sets forth a series of recommendations under each topic area and identifies potential stakeholders, existing policies and programs, ways to get started, and helpful resources.

Beyond the USDA: How other government agencies can support a healthier, more sustainable food system. *Gosselin, M. (2010, February). Minneapolis, MN: Institute for Agriculture and Trade Policy. Available at: http://www.iatp.org/files/258_2_107172.pdf*
This report summarizes the various roles that key federal agencies—other than the U.S. Department of Agriculture—can play in America's food system. The report lists important grant programs, resources, and ideas for policy changes. The report also includes examples of specific issue areas and the entities that influence them.

Condensed list of collected recommendations: Health in All Policies Task Force report to the Strategic Growth Council, Appendix 3. *California's Health in All Policies Task Force. (2010, December 3). Available at: http://sgc.ca.gov/hiap/docs/publications/HiAP_Task_Force_Report.pdf*
In developing a final list of recommendations, the California Health in All Policies Task Force collected over 1,200 suggestions from Task Force members, stakeholder input workshops, public comment, key informant interviews, and documents submitted to the Task Force. This appendix to the Task Force's 2010 report contains a condensed list of approximately 600 recommendations sorted by topic area.

ENACT local policy database. *Prevention Institute, Strategic Alliance for Healthy Food and Activity Environments. Available at: http://eatbettermovemore.org/sa/policies*
This online database catalogs promising policies in nutrition and physical activity to provide examples of local policies that have been tried and adopted.

General plans and zoning: A toolkit for building healthy, vibrant communities. *Feldstein, L. M., ChangeLab Solutions. (2007). Sacramento, CA: California Department of Health Services. Available at: http://changelabsolutions.org/sites/default/files/documents/finalbook.pdf*
This toolkit is designed for public health professionals to provide a basic introduction to how land use decisions are made and the methods for influencing and participating in those decisions.

Getting to smart growth: 100 policies for implementation. *Smart Growth Network. (2005). Available at: http://www.smartgrowth.org/pdf/gettosg.pdf*
This report describes techniques that policymakers can use to put smart growth principles into practice. The report presents successful policies and guidelines in the United States, ranging from formal legislative or regulatory efforts to informal approaches, plans, and programs. Ten smart growth principles are described, and each principle is accompanied by a series of practice tips and specific policy examples.

Making connections: Developing a food system for a healthier New York State. *New York State Council on Food Policy. (2009, December). Available at: http://www.nyscfp.org/docs/NYS_CFP_Final_Report_2009.pdf*
This report provides a list of food system recommendations for New York State, in the areas of: maximizing participation in food and nutrition assistance programs, strengthening the connection between local food and consumers, supporting efficient and profitable food production and retail food infrastructure, increasing consumer awareness and knowledge about healthy eating, and improving consumer access to safe and nutritious food.

Nutrition and physical activity: A policy resource guide. *Lamson, E., & Colman, V. (2005, February). Olympia, WA: Washington State Department of Health, Office of Community Wellness and Prevention, Chronic Disease Prevention and Risk Reduction. Available at: http://www.doh.wa.gov/portals/1/Documents/Pubs/345-239-PolicyResourceGuide.pdf*
This comprehensive guide can help groups develop nutrition and physical activity policies at state, local, and private jurisdictions. Evidence of policy effectiveness is provided when possible.

The guide to community preventive services: What works to promote health. *Community Preventive Services Task Force. (2012). Available at: http://www.thecommunityguide.org*
This online tool contains systematic reviews of program and policy interventions that have been proven to be effective, including whether interventions are right for particular communities, possible related costs, and likely return on investment.

6.2 LOOKING THROUGH A HEALTH AND EQUITY LENS

A guide for health impact assessment. *Bhatia, R. (2010, October). California Department of Public Health. Available at: http://www.cdph.ca.gov/pubsforms/Guidelines/Documents/HIA%20Guide%20FINAL%2010-19-10.pdf*
This guide provides background on health impact assessment, outlines key steps, activities, and issues that may be faced, and identifies additional resources for health impact assessment.

A health impact assessment toolkit: A handbook to conducting HIA (3rd ed.). *Human Impact Partners. (2011, February). Oakland, CA. Available at: http://www.humanimpact.org/component/jdownloads/finish/11/81*
This toolkit provides hands-on tools for organizations interested in conducting a Health Impact Assessment (HIA). In addition to describing the steps of the actual HIA process, it provides guidance on how to decide whether an HIA is appropriate, how to determine the scope and management of a HIA, and how to collaborate with stakeholders during the process.

Health Economic Assessment Tools (HEAT) for walking and for cycling. *World Health Organization, Transport, Health and Environment Pan-European Programme. (2011). Available at: www.heatwalkingcycling.org*
This online tool allows users to estimate the economic savings from mortality reductions that result from regular walking or bicycling.

Health impact assessment: A tool for promoting health in all policies. *Gottlieb, L., Egerter, S., & Braveman, P. (2011, May). Princeton, NJ: Robert Wood Johnson Foundation. Available at: http://www.rwjf.org/content/dam/farm/reports/issue_briefs/2011/rwjf70449*
This document provides a brief overview of health impact assessment, with examples of how it has been used and how it can support Health in All Policies. It also provides brief examples of how health impact assessment has been used in the United States.

Minimum elements and practice standards for health impact assessment (Version 2). *North American HIA Practice Standards Working Group. (Bhatia, R., Branscomb, J., Farhang, L., Lee, M., Orenstein, M., & Richardson, M.). (2010, November). Oakland, CA. Available at: http://www.humanimpact.org/doc-lib/finish/11/9*
This reference document gives guidance on health impact assessment (HIA) from two angles: 1) standards on the "minimum elements" that an HIA must include and 2) practice standards that help to "best conduct" an HIA.

Racial equity impact assessment toolkit. *Keleher, T. (2009). Applied Research Center. Available at: http://www.arc.org/content/view/744/167/*
This toolkit discusses a method for identifying how racial and ethnic groups are likely to be differentially impacted by decisions or proposed policies, including questions that can be used to consider potential racial equity impacts of proposed actions.

Rapid Assessment Tool for small-area health needs. *Dunn, J. (2009). Toronto, Canada: Center for Research on Inner City Health, St. Joseph's Health Centre. Available at: http://www.stmichaelshospital.com/crich/reports/rapid-assessment-tool/*
This tool can be used for assessing small-area health status and health needs. Also available is a presentation that describes tool development and a case study of its use.

South Australia's Strategic Plan…through a health lens. *Government of South Australia, Department of the Premier and Cabinet. (2007). Presented at the Health in All Policies conference, Adelaide, South Australia. Available at: http://www.health.gov.au/internet/nhhrc/publishing.nsf/Content/458/$FILE/458%20-%20O%20-%20SA%20Health%20-%20SASP%20...through%20a%20health%20lens.pdf*
This document illustrates how a health lens was applied to a number of target areas in the South Australia Strategic Plan, including volunteering, broadband usage, and a sustainable water supply.

Urban Health Equity Assessment and Response Tool (Urban HEART). *World Health Organization, Centre for Health Development. (2010). Available at: http://www.who.int/kobe_centre/measuring/urbanheart/en/*
Urban HEART is a tool to help people and organizations identify and analyze health inequities, find the evidence to support particular interventions, and think about health in the policy-making process.

6.3 EVIDENCE AND DATA

County health rankings & roadmaps. *Robert Wood Johnson Foundation, University of Wisconsin Population Health Institute. Available at: http://www.countyhealthrankings.org*
This interactive website showcases rankings that assess the overall health of almost all counties in the United States. The rankings consider health behavior, clinical care, social and economic factors, and physical environment.

Sustainable Communities Index. *San Francisco Department of Public Health, Environmental Health Section's Program on Health, Equity, and Sustainability. (2012). Available at: http://www.sustainablesf.org*
The Sustainable Communities Index (formerly known as the Healthy Development Measurement Tool) is a set of indicators identified by the City of San Francisco as important components of a healthy city. The indicators span a variety of topics related to the physical, social, and economic environments of a city. The site provides a step-by-step guide to users on how the Index can be used to assess community health, gives guidance on potential policy initiatives to achieve objectives, and includes links to further resources on applying the Index.

The Campbell Collaboration. *Available at: www.campbellcollaboration.org*
The Campbell Collaboration specializes in producing systematic reviews of social interventions in crime and justice, education, international development, and social welfare, including both international and unpublished research. The Collaboration's Resource Center provides training materials and links to additional tools for practitioners searching for evidence-based interventions.

The Cochrane Collaboration. *Available at: www.cochrane.org*
The Cochrane Collaboration is dedicated to publishing systematic reviews of health care and health policy interventions. These reviews help health care providers and consumers identify effective, evidence-based ways to improve health, and span a broad range of interventions, including health education, policy initiatives, and community-based programs.

6.4 EVALUATING OUR COLLABORATIVE EFFORTS

Developing an effective evaluation plan. *(2011). Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health; Division of Nutrition, Physical Activity, and Obesity. Available at: http://www.cdc.gov/obesity/downloads/CDC-Evaluation-Workbook-508.pdf*

This workbook was designed to complement the CDC *Framework for Program Evaluation in Public Health*. It guides users through each step of creating an evaluation plan, with accompanying worksheets, exercises, and checklists.

Evaluating comprehensive community change: Report of the Annie E. Casey Foundation's March 1997 Research and Evaluation Conference. *Annie E. Casey Foundation. (1997). Available at: http://www.aecf.org/upload/PublicationFiles/community%20change.pdf*

With a focus on childhood outcomes, this document supports community-level change by addressing ways to improve evaluation of community-based initiatives, common challenges in data collection, and how to engage community stakeholders.

Evaluating health impact assessment: Learning from practice bulletin. *Taylor, L., Gowman, N., & Quigley, R. (2003). Yorkshire, UK: National Health Service, Health Development Agency. Available at: http://www.who.int/hia/evidence/en/practice.pdf*

This brief, part of a larger series on health impact assessment (HIA) presents case studies of HIA evaluation, discusses some of the major challenges to evaluating HIAs, distinguishes between process and impact evaluation of HIAs, and provides guidance on how to successfully execute an evaluation.

Framework for program evaluation in public health. *Centers for Disease Control and Prevention. (1999). Morbidity and Mortality Weekly Report, 48(RR-11). Available at: ftp://ftp.cdc.gov/pub/Publications/mmwr/rr/rr4811.pdf*

CDC's *Framework for Program Evaluation in Public Health* is a foundational guide to the essential components, methods, standards, and procedures involved in public health evaluation. It emphasises engaging stakeholders, integrating evaluation into program practice, and addressing complex public health concerns like chronic disease and health disparities.

Learning what works: Evaluating complex social interventions: Report on the symposium held on October 22, 1997. *The Brookings Institution Governmental Studies Program, and Harvard University Project on Effective Interventions. (1998). Available at: http://www.brookings.edu/~/media/research/files/articles/1998/3/01politics%20mann/learningwhatworks*

This report summarizes a discussion among experts about how to effectively evaluate interventions addressing complex issues like neighborhood poverty and teen pregnancy, including a discussion of major challenges and tensions in improving evaluation methods, reports on current practices, and potential next steps.

SECTION 7: TALKING ABOUT HEALTH IN ALL POLICIES

7.1 HOW DO WE TALK ABOUT HEALTH IN ALL POLICIES?

Media advocacy and public health: Power for prevention. *Wallack, L., Dorfman, L., Jernigan, D., & Themba, M. (1993). Newbury Park, CA: Sage Publications.*
This textbook places media advocacy in the context of public health by articulating fundamental tensions between strategies focused on individual behavior change and those addressing the environments in which health decisions are made. It describes strategies for agenda setting, framing, and media advocacy and is illustrated with a number of short case studies.

Meta messaging: Framing your case and reinforcing your allies. *Berkeley Media Studies Group and The Praxis Project. (2005, January). Available at: http://www.bmsg.org/sites/default/files/bmsg_report_meta_messaging.pdf*
This memo discusses "meta messaging," a concept that can help organizations working on a range of issues to construct messages that serve their own immediate strategic needs while also echoing one another's larger goals for social change.

Mobilizing public will for social change. *Salmon, C.T., Post, L.A., Christensen, R.E. (2003, June). Communications Consortium Media Center. Available at: http://www.ncdsv.org/images/MobilizingPublicWillSocialChange.pdf*
This paper describes campaigns to mobilize public will and introduces key theories, challenges, strategies, evaluation, and relevant case studies.

News for a change: An advocate's guide to working with the media. *Wallack, L., Woodruff, K., Dorfman, L., & Diaz, I. (1999). Thousand Oaks, CA: Sage Publications.*
Written for practitioners, this workbook describes essential skills for media advocacy, including how to integrate media advocacy into an overall strategy, capture journalists' attention, write letters to the editor and op-eds, and evaluate media advocacy. It incorporates worksheets and case studies for self-guided study or for working with groups.

Putting policy into health communication: The role of media advocacy. *Dorfman, L., & Wallack, L. (2001). In R.E. Rice & C.K. Atkin (Eds.), Public communication campaigns (4th ed.). (pp. 337-350). Thousand Oaks, CA: Sage Publications.*
In this book chapter, Dorfman and Wallack argue that traditional public health communications campaigns often focus on personal choice, ignoring the wide range of social and economic forces that influence health. Dorfman and Wallack find this strategy to be misdirected and they highlight how media advocacy campaigns can support policy change that can lead to broader public health outcomes at the population level.

What surrounds us shapes us: Making the case for environmental change. *Berkeley Media Studies Group. (2009, May). Available at: http://www.bmsg.org/pdfs/Talking_Upstream.pdf*
This framing brief can help organizations explain to the public how our surroundings—our neighborhoods, schools, and workplaces—influence our health, and why policies that improve those places make sense.

Part III. Case Study: California Health in All Policies Task Force

California Assembly Bill 1467 § 43. (2012, June 13). *Available at: http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1451-1500/ab_1467_bill_20120627_chaptered.pdf*
AB 1467 established the Office of Health Equity within the California Department of Public Health, and directed the Office of Health Equity to work in alignment with the Health in All Policies Task Force. Priorities outlined in the bill include developing a "comprehensive, cross-sectoral strategic plan to eliminate health and mental health disparities and inequities" and assisting state agencies to consider population health impacts in the development of policies.

California Executive Order S-04-10. (2010, February 23). *Available at: http://sgc.ca.gov/hiap/docs/about/Executive_Order_S-04-10.pdf*
This executive order, issued by former California Governor Arnold Schwarzenegger, established a Health in All Policies Task Force under the auspices of the Strategic Growth Council and identified the California Department of Public Health as the facilitator.

California Senate Bill 732. § 4. (2008, September 30). *Available at: http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_0701-0750/sb_732_bill_20080930_chaptered.pdf*
Senate Bill 732 added Chapter 13 (commencing with Section 75120) to Division 43 of the Public Resource Code to create the Strategic Growth Council. The Strategic Growth Council coordinates state programs that protect air, water, and natural resources; encourage sustainable land use planning; and support the California Global Warming Solutions Act of 2006.

California Senate Concurrent Resolution 47, ch. 56. Relative to Health in All Policies. (2012, June 21). *Available at: http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml;jsessionid=2f45db1d823e85da7ba0fa24f5a2?bill_id=201120120SCR47*
This bill established legislative support for the California Health in All Policies Task Force. The Resolution encourages Task Force member agencies to provide leadership on recommendations put forth by the Task Force, supports interagency collaboration, endorses the consideration of health impacts and costs of proposed legislation, and calls on leaders at all levels of government to consider health impacts in policy development.

Health in All Policies 2010 public workshops summary and participants. *California Health in All Policies Task Force. (2010). Available at: http://sgc.ca.gov/hiap/docs/input/HiAP_2010_Public_Workshops_Summary_and_Participants.pdf, and* ***Health in All Policies 2011 workshops summary and participants.*** *California Health in All Policies Task Force. (2011). Available at: http://sgc.ca.gov/hiap/docs/input/2011_Public_Workshop_Summary.pdf*
These summaries include information on workshop locations and dates, attendees, themes, regional differences, and prioritization of Health in All Policies recommendations.

Health in All Policies Task Force priorities for near-term implementation. *California Health in All Policies Task Force. (2011). Available at: http://sgc.ca.gov/meetings/20110601/june2011-hiappriorities.doc*
This document provides rationale for the prioritization of eleven recommendations for action, considerations for implementation, and potential agencies to work together on implementation.

Health in All Policies Task Force report to the Strategic Growth Council. *California Health in All Policies Task Force. (2010, December 3). Available at: http://sgc.ca.gov/hiap/docs/publications/HiAP_Task_Force_Report.pdf*
This report outlines 34 recommendations for "improving the efficiency, cost-effectiveness, and collaborative nature of State government, while promoting both health and other goals of the SGC." An Executive Summary of this Report is also available: *http://sgc.ca.gov/hiap/docs/publications/HiAP_Task_Force_Executive_Summary.pdf*.

Implementation plans. *California Health in All Policies Task Force. (2012). Available at: http://sgc.ca.gov/hiap/publications.html*
Eight implementation plans have been developed by the California Health in All Policies Task Force, and new plans will continue to be posted at this site as they are developed and endorsed by the Strategic Growth Council.

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RESOLUTION NO._____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING A HEALTH IN ALL POLICIES (HiAP) APPROACH THAT WILL INCORPORATE HEALTH CONSIDERATIONS INTO DECISION – MAKING ACROSS ALL DEPARTMENTS AND POLICY AREAS WITH THE CITY OF WATSONVILLE

WHEREAS, the health and well-being of the residents of the City of Watsonville are critical for a prosperous and sustainable Watsonville; and

WHEREAS, there is growing awareness that health and well-being are influenced by the interaction of many factors and not simply by genetics, individual behavior, or access to medical care. It is now widely accepted that conditions in the environment in which people are born, live, learn, work, play, and age, known as the social determinants of health, have the greatest influence on health and well-being outcomes across populations; and

WHEREAS, the social determinants of health and well-being affect chronic disease rates, mental illness, as well as injuries caused by accidents and violence. They also influence the adoption of healthy and sustainable lifestyles by making it difficult for individuals to choose behaviors that either promote or diminish health, well-being and environmental sustainability; and

WHEREAS, policies implemented by the City of Watsonville outside of the traditional health sector significantly affect the social determinants of health, including policies related to homelessness, food access, housing, transportation, public safety, education, sustainability, climate change, parks, air and water quality, criminal justice, and economic development; and

WHEREAS, interagency collaboration can lead to improved decision-making and outcomes and greater efficiencies in service delivery; and

WHEREAS, addressing the social determinants of health can lead to reduced health care costs; and

WHEREAS, recognizing the presence of disparities in the community and the opportunity to intervene on health and well-being outcomes, the City has developed policies addressing health, equity, and sustainability broadly throughout the City's General Plan; and

WHEREAS, in a historic decision, the 2019-2020 California state budget established three Health in all Policies positions at the cabinet-level California Strategic Growth Council in order to promote healthy communities, racial equity, and environmental sustainability across state government and within Strategic Growth Council's own programs, and this resolution is designed to be consistent with the California's Health in All Policies Plan; and

WHEREAS, by adopting a "Health in All Policies" approach, the City of Watsonville recognizes that all of the City of Watsonville Government has a role to play in improving health and well-being outcomes and reducing inequities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the City Council hereby adopts a Health in All Policies approach which aims to include health considerations in policy making across all departments and policy areas within the City of Watsonville that influence health, such as homelessness, food

access, housing, transportation, climate change, criminal justice, public safety, and education.

2. That the City Council hereby directs staff to develop an implementation plan to train all policy makers and staff to improve the well-being of our community.

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REVISED

RESOLUTION NO._____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING A HEALTH IN ALL POLICIES (HiAP) APPROACH THAT WILL INCORPORATE HEALTH CONSIDERATIONS INTO DECISION – MAKING ACROSS ALL DEPARTMENTS AND POLICY AREAS WITH THE CITY OF WATSONVILLE

WHEREAS, the health and well-being of the residents of the City of Watsonville are critical for a prosperous and sustainable Watsonville; and

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WHEREAS, the social determinants of health and well-being affect chronic disease rates, mental illness, as well as injuries caused by accidents and violence. They also influence the adoption of healthy and sustainable lifestyles by making it difficult for individuals to choose behaviors that either promote or diminish health, well-being and environmental sustainability; and

WHEREAS, policies implemented by the City of Watsonville outside of the traditional health sector significantly affect the social determinants of health, including policies related to homelessness, childhood poverty, food access, housing, transportation, public safety, education, sustainability, climate change, parks, air and water quality, criminal justice, and economic development; and

WHEREAS, interagency collaboration can lead to improved decision-making and outcomes and greater efficiencies in service delivery; and

WHEREAS, addressing the social determinants of health can lead to reduced health care costs; and

WHEREAS, recognizing the presence of disparities in the community and the opportunity to intervene on health and well-being outcomes, the City has developed policies addressing health, equity, and sustainability broadly throughout the City's General Plan; and

WHEREAS, in a historic decision, the 2019-2020 California state budget established three Health in all Policies positions at the cabinet-level California Strategic Growth Council in order to promote healthy communities, racial equity, and environmental sustainability across state government and within Strategic Growth Council's own programs, and this resolution is designed to be consistent with the California's Health in All Policies Plan; and

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2. That the City Council hereby directs staff to develop an implementation plan to train all policy makers and staff to improve the well-being of our community.

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Tonight’s meeting

1 message

Kathleen Kilpatrick < [redacted] Tue, Feb 25, 2020 at 2:45 PM
To: citycouncil@cityofwatsonville.org, cityclerk@cityofwatsonville.org

I have reviewed tonight’s agenda, am doubly sorry that I am unable to attend. I see that Health in All Policies and Vision Zero are both up for review and possible approval. As a professional and advocate who has worked for years to improve community health, I support both policy frameworks. If either or both are approved, allowing those two additional drive-through on Main would be an obvious contradiction. I trust that, as individuals and as a council, you will see that logic and do the right thing.

Sent from my iPad

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPOINTING MEMBERS TO COMMITTEES FOR THE CALENDAR YEAR 2020

Rescinds Resolution No. 4-20 (CM)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

That members of the City Council of the City of Watsonville are hereby appointed to the following committees for the calendar year 2020:

COMMITTEE	MEMBER	ALTERNATE
Area Agency on Aging of Santa Cruz and San Benito Counties Advisory Council	Lowell Hurst	Ari Parker
Arts Council of Santa Cruz County	Aurelio Gonzalez	Trina Coffman-Gomez
Association of Monterey Bay Area Governments	Felipe Hernandez	Trina Coffman-Gomez
Community Action Board of Santa Cruz County, Inc.	Aurelio Gonzalez	Lowell Hurst Trina Coffman-Gomez
Criminal Justice Council of Santa Cruz County Joint Powers Authority Board of Directors	Rebecca J. Garcia Matt Huffaker	Francisco Estrada
Library Financing Authority	Felipe Hernandez	Trina Coffman-Gomez
Monterey Bay Community Power Joint Powers Authority Policy Board of Directors	Trina Coffman-Gomez	Felipe Hernandez
Pajaro Valley Arts Council	Trina Coffman-Gomez	
Pájaro Valley Health Trust	Trina Coffman-Gomez	Rebecca J Garcia
Pájaro Valley Prevention and Student Assistance Program-Board of Directors	Francisco Estrada	Ari Parker

COMMITTEE	**MEMBER**	**ALTERNATE**
Santa Cruz County Regional Transportation Commission	Trina Coffman-Gomez	Lowell Hurst
Solid Waste Local Task Force	Mike Rivera	Christian Di Renzo Lowell Hurst Steve Palmisano
Transportation Agency of Monterey County (TAMC)	Trina Coffman-Gomez (exofficio member)	Aurelio Gonzalez (exofficio member)
Zone 7 Board of Directors County of Santa Cruz Flood Control and Water Conservation District	Dr. Nancy A. Bilicich	Ari Parker

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ORDINANCE NO. _____ (CM)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE RESCINDING CHAPTER 22 (TAXICABS) OF TITLE 5 (PUBLIC WELFARE, MORALS, AND CONDUCT) OF THE WATSONVILLE MUNICIPAL CODE AND ADDING A NEW CHAPTER 22 ENTITLED *TAXICABS*

Rescinds Ordinance No's 572 (NCS), 254-71 (CM), 324-74 (CM), 370-75 (CM), 424-78 (CM), and 1117-01 (CM)

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NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. ENACTMENT.

Title 5 (Public Welfare, Morals, and Conduct) of the Watsonville Municipal Code is hereby amended by rescinding Chapter 22 (Taxicabs) and adding a new Chapter 22 entitled Taxicabs to read in words and figures as follows:

CHAPTER 22 TAXICABS

PART 1 GENERAL

SEC. 5-22.11 PURPOSE AND INTENT.

This chapter is to further the public convenience and necessity of transportation services by taxicabs in order to serve promptly, adequately and efficiently the needs and convenience of the general public.

SEC. 5-22.12 DEFINITIONS.

For purposes of this chapter, certain words and phrases are defined and shall be construed as set forth herein unless it is apparent from the context that a different meaning is intended.

(a) "Chief of Police" shall mean the Chief of the Watsonville Police Department, or their duly authorized agents and representatives.

(b) "Council" shall mean the Watsonville City Council.

(c) For Hire. A vehicle is "for-hire" if any fare, fee, charge or other consideration is payable for the transportation service of the vehicle, whether paid or not.

(d) “Operator” shall mean the human being or legal entity registered with the Department of Motor Vehicles of the State of California (“DMV”) as the owner of a vehicle or vehicles for hire, or who has a legal right to possession of such vehicle pursuant to a lease or rental agreement. The act or omission of any operator’s officer, agent, employee or independent contractor, or of any driver whose services are engaged by any of the above, is for all purposes the act or omission of the operator of the for-hire transportation services regulated by this chapter.

(g) “Taxicab” shall mean a passenger vehicle, designed for carrying not more than eight persons, excluding the driver, used to transport persons for hire on public streets; the compensation for which is determined by a taximeter or flat rate which determines a charge for distance traveled and/or time expended.

(h) “Substantially located” shall mean in reference to a city or county that the taxicab company meets any of the following:

(1) Has its primary business address within that city’s or county’s jurisdiction.

(2) The total number of prearranged and non-prearranged trips that originate within that city’s or county’s jurisdiction account for the largest share of the taxicab company’s total number of trips over the previous calendar year, as determined annually.

(3) A taxicab company that starts taxi operations after January 1, 2019, in reference to a city or county in which that company had not operated before January 1, 2019, the following:

(i) In the first year of its operation, the jurisdiction where that taxicab company has its primary business address.

(ii) After the first year of operation, it meets either of the tests described in (1) or (2).

(i) "Taximeter" is any instrument or device approved for use under the applicable laws of the State, which mechanically or electronically calculates the charge for the use of a taxicab. The taximeter registers such charge by means of figures, including dollars and cents, calculated by an initial charge and thereafter a charge for distance traveled and/or waiting time.

PART 2: PERMITS

SEC. 5-22.21 PERMIT REQUIREMENTS.

(a) No operator substantially located in the City shall operate or permit the operation of a taxicab in Watsonville without having first obtained an operator's permit from the Chief of Police and a City business license (pursuant to Chapter 4 of Title 3).

(b) An operator substantially located outside the City shall obtain prior approval of the Chief of Police to use the taxicab stands and pick up street hails within the City.

(c) An operator substantially located and permitted by another city or by the county may operate in the City on a prearranged basis only. That operator may pick up trips originating through an online enabled application, phone dispatch, or internet web site. That operator may not use the taxi stand or pick-up street hails within the City without prior authorization of the Chief of Police.

(d) An applicant for a operator's permit shall be the registered owner of at least one taxicab at the time of filing the application pursuant to 5-22.24; and must continue to own and maintain at least one taxicab and one permitted driver.

(e) It shall be unlawful to operate a taxicab without a valid operator's permit issued by each city or county in which an operator is substantially located. The minimum fine for operating without a permit from the city or county in which a taxicab company is substantially located shall be five thousand dollars ($5,000).

SEC. 5-22.22 OPERATOR'S PERMIT DENIALS.

The Chief of Police shall deny the granting of an operator's permit if it shall appear to their satisfaction that the applicant proposes to operate vehicles which are inadequate or unsafe, or that the applicant has plead guilty or been convicted of a felony or of any narcotic law or of any penal law involving moral turpitude, or in case the applicant has not complied with all the terms and conditions of this chapter. The Chief of Police may further deny the granting of any operator's permit if it appears to their satisfaction that the applicant is not a financially responsible person, or any reasonable cause which within their sound discretion, renders the proposed operation undesirable to health, safety, or welfare of the people of the City of Watsonville.

SEC. 5-22.23 QUOTA ON OPERATOR'S PERMITS.

No more than one (1) non-wheelchair accessible taxicab for each two thousand seven hundred (2,700) residents (or major fraction thereof) of the City of Watsonville as reflected by the last United States Census, shall be permitted to operate in the City.

SEC. 5-22.24 APPLICATION.

Every applicant for a operator's permit shall execute and file with the Police Department a verified application, upon forms provided by the City, containing the following information:

(a) The applicant's name, home address, and business address;

(b) Sufficient information to demonstrate that the operator is substantially located within the City. This shall include, as a minimum, the business address and the trip data demonstrating that the total number of prearranged and non-prearranged trips that originate within the City's jurisdiction account for the largest share of the operator's total number of trips over the previous calendar year.

(c) The applicant's trade name and distinguishing vehicle markings, color or colors if any;

(d) The applicant's past taxicab service experience;

(e) Whether any license, permit or certificate issued to the applicant has been denied, revoked or suspended by any public entity. The circumstances of said denial, revocation or suspension shall be fully explained;

(f) Whether the applicant has been convicted of a crime within five years before the date of the application, including the nature of the crimes;

(g) The number of vehicles proposed to be used as taxicabs; and

(h) Such further information as the Police Chief may reasonably require in order to comply with the provisions of this chapter.

SEC. 5-22.25 APPLICATION: BUSINESS LICENSE REQUIRED.

Any person desiring to obtain an operator's license to be substantially located within the City, shall apply to the Chief of Police. Each application shall be accompanied by a policy of liability insurance, shall be in writing, and shall set forth a description of

each motor vehicle which the applicant proposes to use, giving the name of the vehicle manufacturer, VIN, and the State license number.

SEC. 5-22.26 APPLICATION RENEWAL.

The renewal of a operator's permit shall be made annually to the Police Department. The renewal procedure shall be limited to the review and updating of the operator's permit application information including trip data from the previous year. If there are substantial changes in the operator's application information, the Police Chief may require that the owner submit a new application for review and approval.

PART 3: INSURANCE

SEC. 5-22.31 INSURANCE REQUIRED.

It shall be unlawful for any owner or operator to drive or operate any taxicab, or cause the same to be driven or operated, in the City, and no permit for the operation thereof shall be granted unless there is on file with the City Clerk, and in full force and effect at all times while such taxicab is being operated, a policy of insurance, approved by the City Risk Manager, with a company authorized to do business in the State insuring the operator and any owner of any taxicab (giving the VIN and State license number) against loss by reason of injury or damage which to persons or property from the negligent operation or defective construction of such taxicabs or from violations of the provisions of this chapter or the laws of the State.

SEC. 5-22.32 INSURANCE MINIMUM REQUIREMENTS.

The liability and property damage insurance required within the City of the owner or operator of a taxicab shall be the minimum of that amount set by the City Risk Manager. Such policy of insurance shall guarantee the payment to any and all persons

suffering injury or damage to persons or property in such amount, as set by the Citry Risk Manager, as may be agreed upon by the parties by way of settlement or as awarded in any final judgment rendered in any court against the operator, owner or driver, or any or all, within the limits required by the City.

SEC. 5-22.33 INSURANCE: CANCELLATION.

If such policy of insurance is canceled, or the authority of such company to do business in the State shall be revoked or cancelled, the City Risk Manager may require such operator, owner or driver to replace such policy with another policy satisfactory to the City Risk Manager and, in default thereof, may revoke the operator's permit.

No such policy of insurance shall be canceled by the company issuing the same except upon five (5) days' notice to the City, and the policy of insurance shall contain a provision to that effect.

SEC. 5-22.34 FARES AND TAXIMETERS.

(a) Operators may set their rates and fares and use flat rate pricing in an amount established by resolution of the City Council from time to time. However, no person shall operate a taxicab unless the schedule of rates and fares for the use of the taxicab is posted in a conspicuous place inside the taxicab.

(b) An operator may use any type of taximeter, device or technology approved by the Division of Measurement Standards to calculate fares, including the use of Global Positioning System metering, provided that the device or technology complies with Section 12500.5 of the California Business and Professions Code and with all regulations promulgated pursuant to Section 12107 of the Business and Professions Code.

(c) A copy of such rate schedule shall be filed in the offices of the City Clerk and Chief of Police.

(d) It shall be unlawful for any person to refuse to pay the lawful fare as posted.

(e) All disputes as to fare shall be forthwith determined by the officer in charge of the police station, and, if his decision is in favor of the passenger, the driver shall convey him to the police station and back to his original destination without charge.

SEC. 5-22.35 SOLICITING PASSENGERS: MISREPRESENTATION.

It shall be unlawful for any person soliciting patronage for any public passenger vehicle for hire to represent by word, sign, hatband, insignia, or badge, or by their manner or style of dress, that the vehicle for which they are soliciting such patronage is a vehicle owned or operated by a person other than the one who actually owns and operates such vehicle.

PART 4: VEHICLES

SEC. 5-22.41 SAFETY INSPECTION.

(a) All operators shall maintain motor vehicles used in taxicab transportation services in a safe operating condition, and in compliance with the California Vehicle Code, subject to annual inspection at the Police Department and at a facility that is certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair. The inspection shall be completed before renewal of the operator's permit. If the taxicab successfully completes the safety inspection, a taxicab safety permit sticker shall be issued and shall be displayed in the taxicab rear window.

(b) All operators shall provide a safety inspection report, pursuant to subdivision (a), to the Chief of Police at the time of operator permit renewal.

(c) The registered owner of a taxicab, who is aware of or should have been aware of any unsafe condition of the taxicab, shall not allow the taxicab to be used until necessary repairs are made.

SEC. 5-22.42 SANITATION OF VEHICLES.

Every taxicab shall be maintained at all times in a clean and sanitary condition. No driver of any taxicab shall accept, take into the taxicab, or transport any greater number of passengers than the rated seating capacity of the motor vehicle.

SEC. 5-22.43 SUBSTITUTION OF VEHICLES.

Any operator with a license for the operation of a taxicab may substitute another motor vehicle for that for which the permit was granted but, before doing so, shall obtain and file with the City Clerk the consent of the insurer on the policy of insurance for such substitution.

SEC. 5-22.44 VEHICLES TO BE NUMBERED.

The operator's permit to engage in the business of operating a vehicle for hire shall designate a separate number to be placed upon each vehicle to be operated by the permittee.

SEC. 5-22.45 VEHICLES OBSTRUCTING STREET TRAFFIC.

It shall be unlawful for any driver operating a taxicab to obstruct a street or other traffic in the course of receiving or discharging passengers.

PART 5: DRIVERS

SEC. 5-22.51 TAXICAB DRIVER'S PERMIT

No person may drive a taxicab in Watsonville without a taxicab drivers permit

SEC. 5-22.52 TAXICAB DRIVERS: CONTROLLED SUBSTANCES AND ALCOHOL.

(a) No operator's permits or taxicab driver's permits shall be issued or renewed unless the holder at the time of permit issuance or renewal files with the Police Department a certification that the holder maintains a mandatory controlled substance and alcohol testing certification program conforming to 49 CFR Part 40 (Section 40.1 et seq.) and Part 382 (Section 382.101 et seq.) and California Government Code Section 53075.5 for all drivers of vehicles operated under the certificate.

(b) No operator's permit or taxicab driver's permit shall be issued or renewed unless the holder at the time of the permit issuance or renewal files with the Police Department a certification that each driver of vehicles operated under the certificate has tested negatively for controlled substances and alcohol under a mandatory controlled substance and alcohol testing certification program conforming to Parts 40 and 382 of Title 49 of the Code of Federal Regulations and California Government Code Section 53075.5.

(c) A driver who receives a positive test result during a pre-employment drug screening procedure may not resubmit an application for a taxicab driver's permit for a period of five years.

(d) If a taxicab driver tests positive during a random drug screening process, the taxicab driver's permit will be suspended pursuant to 5-22.64, Emergency Suspension, until the driver has successfully completed all the requirements

placed on him/her by the Substance Abuse Professional (SAP). If this same taxicab driver tests positive again during a random drug screening process, their taxicab driver's permit will be revoked for a period of not less than five years.

SEC. 5-22.53 TAXICAB DRIVERS: PERMIT APPLICATION.

(a) No person shall operate any taxicab in the City unless the person has a valid driver's permit to do so as hereinafter provided.

(b) A taxicab driver substantially located and permitted by another city within the county or by the county may operate in the City on a prearranged basis only. That driver may pick up trips originating through online enabled application, phone dispatch, or Internet Web site. That driver may not use a taxi stand or pick-up street hails without authorization of the Chief of Police.

(c) Application for a taxicab driver's permit shall be made in writing to the Chief of Police setting forth the following information:

(1) The applicant's name;

(2) The applicant's age;

(3) The applicant's residence address;

(4) The applicant's past experience with regard to taxicab service;

(5) The names and addresses of the applicant's employers during the preceding three years;

(6) Such additional information as the Chief of Police may require.

SEC. 5-22.54 TAXICAB DRIVERS: PERMIT FEE AND ANNUAL RENEWAL FEE.

(a) A Taxicab Drivers Permit fee shall be in an amount established by resolution of the City Council from time to time, and shall be charged and collected by the Chief of Police for the issuance of each driver's permit.

(b) The renewal of a taxicab drivers permit shall be made annually to the Police Department and will be subject to a fee in an amount established by resolution of the City Council from time to time.

SEC. 5-22.55 TAXICAB DRIVERS: PERMIT NONTRANSFERABLE.

No driver's permit shall be transferable in any event.

PART 6: ENFORCEMENT

SEC. 5-22.61 SUSPENSION OR REVOCATION OF OPERATOR'S PERMIT.

The Chief of Police, or the Council on appeal, shall have the power to suspend or revoke a taxicab permit issued under this chapter, on any of the grounds stated in this chapter or on any of the following grounds:

(a) The violation by the owner of any of the terms, conditions or requirements of the operator's permit or of this chapter.

(b) Any act or omission of the owner of any fact or condition which, if it existed at the time the application for a operator's permit was filed, would have warranted the denial of the application.

(c) Cancellation or suspension of any insurance policy or coverage required of the owner.

(d) Failure of the owner to pay any judgment against the owner for personal injury or death, or property damage arising out of the conduct of business under the

operator's permit issued pursuant to this chapter, within thirty (30) days after the judgment has become final.

(e) Voluntary written request by the owner to suspend the operator's permit for a definite period of time.

(f) Failure of the owner to pay when due any applicable taxes imposed by the City.

(g) Any activity that impairs the safety of passengers.

SEC. 5-22.62 SUSPENSION OR REVOCATION OF TAXICAB DRIVER'S PERMIT.

The Chief of Police, or the Council on appeal, shall have the power to suspend or revoke a taxicab driver's permit issued under this chapter, on any of the grounds stated in this chapter or on any of the following grounds:

(a) Suspension, revocation or expiration of the driver's privilege granted by the Department of Motor Vehicles of the State to operate a motor vehicle on the public highways of the State.

(b) The violation by the driver of any of the terms, conditions or requirements of the taxicab driver's permit or of this chapter.

(c) Any act or omission of the driver or any fact or condition which, if it existed at the time the application for a taxicab driver's permit was filed, would have warranted the denial of the application.

(d) Failure of the driver to pay any judgment against the driver for personal injury or death, or property damage arising out of the driver's operation of a public transportation vehicle, within thirty (30) days after the judgment has become final.

(e) The driver consumed drugs or alcohol or is under the influence of drugs or alcohol while on duty or is convicted of a crime relating to drugs or alcohol.

(f) Failure of the driver to pay when due any applicable taxes imposed by the City.

SEC. 5-22.63 NOTICE AND HEARING FOR SUSPENSION OR REVOCATION.

Revocations or suspensions shall be administered as follows:

(a) A operator's permit or a taxicab driver's permit issued pursuant to this chapter shall be revoked or suspended only after the owner or driver has been given reasonable notice and opportunity to be heard.

(b) Whenever the Chief of Police has reasonable cause to believe that grounds for the suspension or revocation of a permit exists, he/she shall give the holder of the operator's permit or taxicab permit written notice stating the alleged grounds for the suspension or revocation and the effective date of the suspension or revocation. This notice will be by certified mail, return receipt requested, sent to the address shown on the last application or renewal, or by personal service. The decision of the Chief of Police to revoke or suspend an operator's permit or taxicab driver's permit may be appealed to the Council. The notice shall provide the permit holder with information on the appeal process.

(c) The license holder must submit a request for an appeal hearing to the Council within ten (10) days receipt of written notice.

(d) Upon receipt of a request for an appeal hearing, the Council shall conduct a hearing within forty-five (45) days of the request. The Council shall notify the permit holder in writing of the date, time, and place of the hearing. The hearing shall not be less than ten (10) days after the service of the notice of hearing by postage of the notice by certified mail, return receipt requested, or by personal service.

(e) The suspension or revocation shall be stayed pending the outcome of the appeal hearing.

(f) At the hearing, both the holder of the operator's permit or taxicab driver's permit and the Chief of Police shall have the right to appear and be represented by counsel and to present evidence and arguments which are relevant to the grounds for the appeal, as stated in the written grounds for the appeal hearing. Within ten (10) working days of the conclusion of the hearing, the Council shall issue a written decision which states whether the decision of the Chief of Police is upheld, modified, or reversed; the length of any suspension, and the effective date of the suspension or revocation. The decision of the Council shall be served on the holder of the permit by certified mail, return receipt requested, or by personal service.

(g) The decision of the Council shall be final.

(h) Upon a written decision of the Council which suspends or revokes an operator's permit or taxicab driver's permit, the holder of the operator's permit or taxicab driver's permit shall surrender the permit to the Chief of Police immediately after service of the notice of the decision.

SEC. 5-22.64 EMERGENCY SUSPENSION.

(a) The Chief of Police may issue an order suspending a operator's permit or a taxicab driver's permit for a period not exceeding ten (10) days without having conducted a hearing therefor, if the Chief determines that the continued use of the permit will cause immediate hazard to the public safety, health or welfare.

(b) Within ten (10) days of the effective date of the order, the Chief of Police shall hold a hearing for the owner or driver to show cause why the permit should not be suspended or revoked.

(c) The order issued by the Chief of Police under subsection (a) of this section shall also contain a notice of the hearing setting forth the date, time and place of the hearing.

SEC. 5-22.65 NOTICE OF VIOLATION AND HEARING.

Any person found to be operating a taxicab in the City in violation of the ordinance shall be issued a notice of violation by the Police Department, in person or by mail.

(a) The violator shall schedule a hearing by mail, phone or in person with the Police Department within twenty (20) days of receipt of the notice of violation.

(b) The Police Department shall conduct a hearing before issuing a citation to the violator or imposing a penalty. The hearing official may conduct the hearing informally, both as to rules of procedure and admission of evidence, in any manner which will provide a fair hearing.

(c) If the violator waives their right to a hearing in writing, fails to schedule a hearing with the Police Department in the permitted time, or fails to appear at the scheduled hearing, the Police Department shall affirm the violation and issue a citation.

(d) The hearing official shall set forth their decision to affirm or cancel the notice of violation in writing. If the notice of violation is affirmed, a citation shall be issued imposing a penalty not to exceed five thousand dollars ($5,000.00). The hearing official shall consider the following factors when determining the penalty amount:

(1) Whether the violator has previously violated the license or driver's permit requirements or other provisions of this chapter;

(2) Whether the violator concealed or attempted to conceal their noncompliance with the license or driver's permit requirements; and

(3) Such additional factors as the hearing official may deem appropriate.

(e) This section shall supersede any penalty provisions set forth by any ordinance or resolution of the City.

SEC. 5-22.66 COMPLAINTS.

In the consideration of applications for a driver's and/or owner's license, and in the cancellation thereof by the Chief of Police and/or the Council, the Chief of Police and/or the Council may take into consideration the number of complaints which may have been made against any driver and/or owner for overcharging or exceeding the schedule of rates listed in such public motor vehicle and with the City Clerk and Chief of Police, and for other causes.

SECTION 2. PUBLICATION.

This ordinance shall be published in the Watsonville Register-Pajaronian in compliance with the provisions of the Charter of the City of Watsonville.

SECTION 3. EFFECTIVE DATE.

This ordinance shall be in force and take effect thirty (30) days after its final adoption.

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ORDINANCE NO. 1401-20 (CM)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE RESCINDING CHAPTER 22 (TAXICABS) OF TITLE 5 (PUBLIC WELFARE, MORALS, AND CONDUCT) OF THE WATSONVILLE MUNICIPAL CODE AND ADDING A NEW CHAPTER 22 ENTITLED *TAXICABS*

Rescinds Ordinance No's 572 (NCS), 254-71 (CM), 324-74 (CM), 370-75 (CM), 424-78 (CM), and 1117-01 (CM)

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NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. ENACTMENT.

Title 5 (Public Welfare, Morals, and Conduct) of the Watsonville Municipal Code is hereby amended by rescinding Chapter 22 (Taxicabs) and adding a new Chapter 22 entitled Taxicabs to read in words and figures as follows:

CHAPTER 22 TAXICABS

ARTICLE 1 GENERAL

Sec. 5-22.11 Purpose and Intent.

This chapter is to further the public convenience and necessity of transportation services by taxicabs in order to serve promptly, adequately and efficiently the needs and convenience of the general public.

Sec. 5-22.12 Definitions.

For purposes of this chapter, certain words and phrases are defined and shall be construed as set forth herein unless it is apparent from the context that a different meaning is intended.

(a) "Chief of Police" shall mean the Chief of the Watsonville Police Department, or their duly authorized agents and representatives.

(b) "Council" shall mean the Watsonville City Council.

(c) For Hire. A vehicle is “for-hire” if any fare, fee, charge or other consideration is payable for the transportation service of the vehicle, whether paid or not.

(d) “Operator” shall mean the human being or legal entity registered with the Department of Motor Vehicles of the State of California (“DMV”) as the owner of a vehicle or vehicles for hire, or who has a legal right to possession of such vehicle pursuant to a lease or rental agreement. The act or omission of any operator’s officer, agent, employee or independent contractor, or of any driver whose services are engaged by any of the above, is for all purposes the act or omission of the operator of the for-hire transportation services regulated by this chapter.

(e) “Taxicab” shall mean a passenger vehicle, designed for carrying not more than eight persons, excluding the driver, used to transport persons for hire on public streets; the compensation for which is determined by a taximeter or flat rate which determines a charge for distance traveled and/or time expended.

(f) “Substantially located” shall mean in reference to a city or county that the taxicab company meets any of the following:

(1) Has its primary business address within that city’s or county’s jurisdiction.

(2) The total number of prearranged and non-prearranged trips that originate within that city’s or county’s jurisdiction account for the largest share of the taxicab company’s total number of trips over the previous calendar year, as determined annually.

(3) A taxicab company that starts taxi operations after January 1, 2019, in reference to a city or county in which that company had not operated before January 1, 2019, the following:

(i) In the first year of its operation, the jurisdiction where that taxicab company has its primary business address.

(ii) After the first year of operation, it meets either of the tests described in (1) or (2).

(g) "Taximeter" is any instrument or device approved for use under the applicable laws of the State, which mechanically or electronically calculates the charge for the use of a taxicab. The taximeter registers such charge by means of figures, including dollars and cents, calculated by an initial charge and thereafter a charge for distance traveled and/or waiting time.

ARTICLE 2: PERMITS

Sec. 5-22.21 Permit Requirements.

(a) No operator substantially located in the City shall operate or permit the operation of a taxicab in Watsonville without having first obtained an operator's permit from the Chief of Police and a City business license (pursuant to Chapter 4 of Title 3).

(b) An operator substantially located outside the City shall obtain prior approval of the Chief of Police to use the taxicab stands and pick up street hails within the City.

(c) An operator substantially located and permitted by another city or by the county may operate in the City on a prearranged basis only. That operator may pick up trips originating through an online enabled application, phone dispatch, or internet web

site. That operator may not use the taxi stand or pick-up street hails within the City without prior authorization of the Chief of Police.

(d) An applicant for a operator's permit shall be the registered owner of at least one taxicab at the time of filing the application pursuant to 5-22.24; and must continue to own and maintain at least one taxicab and one permitted driver.

(e) It shall be unlawful to operate a taxicab without a valid operator's permit issued by each city or county in which an operator is substantially located. The minimum fine for operating without a permit from the city or county in which a taxicab company is substantially located shall be five thousand dollars ($5,000).

Sec. 5-22.22 Operator's Permit Denials.

The Chief of Police shall deny the granting of an operator's permit if it shall appear to their satisfaction that the applicant proposes to operate vehicles which are inadequate or unsafe, or that the applicant has plead guilty or been convicted of a felony or of any narcotic law or of any penal law involving moral turpitude, or in case the applicant has not complied with all the terms and conditions of this chapter. The Chief of Police may further deny the granting of any operator's permit if it appears to their satisfaction that the applicant is not a financially responsible person, or any reasonable cause which within their sound discretion, renders the proposed operation undesirable to health, safety, or welfare of the people of the City of Watsonville.

Sec. 5-22.23 Quota on Operator's Permits.

No more than one (1) non-wheelchair accessible taxicab for each two thousand seven hundred (2,700) residents (or major fraction thereof) of the City of Watsonville as reflected by the last United States Census, shall be permitted to operate in the City.

Sec. 5-22.24 Application.

Every applicant for an operator's permit shall execute and file with the Police Department a verified application, upon forms provided by the City, containing the following information:

(a) The applicant's name, home address, and business address;

(b) Sufficient information to demonstrate that the operator is substantially located within the City. This shall include, as a minimum, the business address and the trip data demonstrating that the total number of prearranged and non-prearranged trips that originate within the City's jurisdiction account for the largest share of the operator's total number of trips over the previous calendar year.

(c) The applicant's trade name and distinguishing vehicle markings, color or colors if any;

(d) The applicant's past taxicab service experience;

(e) Whether any license, permit or certificate issued to the applicant has been denied, revoked or suspended by any public entity. The circumstances of said denial, revocation or suspension shall be fully explained;

(f) Whether the applicant has been convicted of a crime within five years before the date of the application, including the nature of the crimes;

(g) The number of vehicles proposed to be used as taxicabs; and

(h) Such further information as the Police Chief may reasonably require in order to comply with the provisions of this chapter.

Sec. 5-22.25 Application: Business License Required.

Any person desiring to obtain an operator's permit to be substantially located within the City, shall apply to the Chief of Police. Each application shall be accompanied by an active City business license, pursuant to § 3-4.05 of this code, and a policy of liability insurance, which shall be in writing, and shall set forth a description of each motor vehicle which the applicant proposes to use, giving the name of the vehicle manufacturer, VIN, and the State license number.

Sec. 5-22.26 Application Renewal.

The renewal of an operator's permit shall be made annually to the Police Department. The renewal procedure shall be limited to the review and updating of the operator's permit application information including trip data from the previous year. If there are substantial changes in the operator's application information, the Police Chief may require that the owner submit a new application for review and approval.

ARTICLE 3: INSURANCE

Sec. 5-22.31 Insurance Required.

It shall be unlawful for any owner or operator to drive or operate any taxicab, or cause the same to be driven or operated, in the City, and no permit for the operation thereof shall be granted unless there is on file with the City Clerk, and in full force and effect at all times while such taxicab is being operated, a policy of insurance, approved by the City Risk Manager, with a company authorized to do business in the State insuring the operator and any owner of any taxicab (giving the VIN and State license number) against loss by reason of injury or damage to persons or property from the

negligent operation or defective construction of such taxicabs or from violations of the provisions of this chapter or the laws of the State.

Sec. 5-22.32 Insurance Minimum Requirements.

The liability and property damage insurance required within the City of the owner or operator of a taxicab shall be the minimum of that amount set by the City Risk Manager. Such policy of insurance shall guarantee the payment to any and all persons suffering injury or damage to persons or property in such amount, as set by the Citry Risk Manager, as may be agreed upon by the parties by way of settlement or as awarded in any final judgment rendered in any court against the operator, owner or driver, or any or all, within the limits required by the City.

Sec. 5-22.33 Insurance: Cancellation.

If such policy of insurance is canceled, or the authority of such company to do business in the State shall be revoked or cancelled, the City Risk Manager may require such operator, owner or driver to replace such policy with another policy satisfactory to the City Risk Manager and, in default thereof, may revoke the operator's permit.

No such policy of insurance shall be canceled by the company issuing the same except upon five (5) days' notice to the City, and the policy of insurance shall contain a provision to that effect.

ARTICLE 4: VEHICLES

Sec. 5-22.41 Safety Inspection.

(a) All operators shall maintain motor vehicles used in taxicab transportation services in a safe operating condition, and in compliance with the California Vehicle Code, subject to annual inspection at the Police Department and at a facility that is

certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair. The inspection shall be completed before renewal of the operator's permit. If the taxicab successfully completes the safety inspection, a taxicab safety permit sticker shall be issued and shall be displayed in the taxicab rear window.

(b) All operators shall provide a safety inspection report, pursuant to subdivision (a), to the Chief of Police at the time of operator permit renewal.

(c) The registered owner of a taxicab, who is aware of or should have been aware of any unsafe condition of the taxicab, shall not allow the taxicab to be used until necessary repairs are made.

Sec. 5-22.42 Sanitation of Vehicles.

Every taxicab shall be maintained at all times in a clean and sanitary condition. No driver of any taxicab shall accept, take into the taxicab, or transport any greater number of passengers than the rated seating capacity of the motor vehicle.

Sec. 5-22.43 Substitution of Vehicles.

Any operator with a license for the operation of a taxicab may substitute another motor vehicle for that for which the permit was granted but, before doing so, shall obtain and file with the City Clerk the consent of the insurer on the policy of insurance for such substitution.

Sec. 5-22.44 Vehicles to be Numbered.

The operator's permit to engage in the business of operating a vehicle for hire shall designate a separate number to be placed upon each vehicle to be operated by the permittee.

Sec. 5-22.45 Vehicles Obstructing Street Traffic.

It shall be unlawful for any driver operating a taxicab to obstruct a street or other traffic in the course of receiving or discharging passengers.

ARTICLE 5: DRIVERS

Sec. 5-22.51 Taxicab Driver's Permit

No person may drive a taxicab in Watsonville without a taxicab drivers permit

Sec. 5-22.52 Taxicab Drivers: Controlled Substances and Alcohol.

(a) No operator's permits or taxicab driver's permits shall be issued or renewed unless the holder at the time of permit issuance or renewal files with the Police Department a certification that the holder maintains a mandatory controlled substance and alcohol testing certification program conforming to 49 CFR Part 40 (Section 40.1 et seq.) and Part 382 (Section 382.101 et seq.) and California Government Code Section 53075.5 for all drivers of vehicles operated under the certificate.

(b) No operator's permit or taxicab driver's permit shall be issued or renewed unless the holder at the time of the permit issuance or renewal files with the Police Department a certification that each driver of vehicles operated under the certificate has tested negatively for controlled substances and alcohol under a mandatory controlled substance and alcohol testing certification program conforming to Parts 40 and 382 of Title 49 of the Code of Federal Regulations and California Government Code Section 53075.5.

(c) A driver who receives a positive test result during a pre-employment drug screening procedure may not resubmit an application for a taxicab driver's permit for a period of five years.

(d) If a taxicab driver tests positive during a random drug screening process, the taxicab driver's permit will be suspended pursuant to 5-22.64, Emergency Suspension, until the driver has successfully completed all the requirements placed on him/her by the Substance Abuse Professional (SAP). If this same taxicab driver tests positive again during a random drug screening process, their taxicab driver's permit will be revoked for a period of not less than five years.

Sec. 5-22.53 Taxicab Drivers: Permit Application.

(a) No person shall operate any taxicab in the City unless the person has a valid driver's permit to do so as hereinafter provided.

(b) A taxicab driver substantially located and permitted by another city within the county or by the county may operate in the City on a prearranged basis only. That driver may pick up trips originating through online enabled application, phone dispatch, or Internet Web site. That driver may not use a taxi stand or pick-up street hails without authorization of the Chief of Police.

(c) Application for a taxicab driver's permit shall be made in writing to the Chief of Police setting forth the following information:

(1) The applicant's name;

(2) The applicant's age;

(3) The applicant's residence address;

(4) The applicant's past experience with regard to taxicab service;

(5) The names and addresses of the applicant's employers during the preceding three years;

(6) Such additional information as the Chief of Police may require.

Sec. 5-22.54 Taxicab Drivers: Permit Fee and Annual Renewal Fee.

(a) A Taxicab Drivers Permit fee shall be in an amount established by resolution of the City Council from time to time, and shall be charged and collected by the Chief of Police for the issuance of each driver's permit.

(b) The renewal of a taxicab drivers permit shall be made annually to the Police Department and will be subject to a fee in an amount established by resolution of the City Council from time to time.

Sec. 5-22.55 Taxicab Drivers: Permit Nontransferable.

No driver's permit shall be transferable in any event.

Sec. 5-22.56 Fares and Taximeters.

(a) Operators may set their rates and fares and use flat rate pricing in an amount established by resolution of the City Council from time to time. However, no person shall operate a taxicab unless the schedule of rates and fares for the use of the taxicab is posted in a conspicuous place inside the taxicab.

(b) An operator may use any type of taximeter, device or technology approved by the Division of Measurement Standards to calculate fares, including the use of Global Positioning System metering, provided that the device or technology complies with Section 12500.5 of the California Business and Professions Code and with all regulations promulgated pursuant to Section 12107 of the Business and Professions Code.

(c) A copy of such rate schedule shall be filed in the offices of the City Clerk and Chief of Police.

(d) It shall be unlawful for any person to refuse to pay the lawful fare as posted.

(e) All disputes as to fare shall be forthwith determined by the officer in charge of the police station, and, if his decision is in favor of the passenger, the driver shall convey him to the police station and back to his original destination without charge.

Sec. 5-22.57 Soliciting Passengers: Misrepresentation.

It shall be unlawful for any person soliciting patronage for any public passenger vehicle for hire to represent by word, sign, hatband, insignia, or badge, or by their manner or style of dress, that the vehicle for which they are soliciting such patronage is a vehicle owned or operated by a person other than the one who actually owns and operates such vehicle.

ARTICLE 6: ENFORCEMENT

Sec. 5-22.61 Suspension or Revocation of Operator's Permit.

The Chief of Police, or the Council on appeal, shall have the power to suspend or revoke a taxicab permit issued under this chapter, on any of the grounds stated in this chapter or on any of the following grounds:

(a) The violation by the owner of any of the terms, conditions or requirements of the operator's permit or of this chapter.

(b) Any act or omission of the owner of any fact or condition which, if it existed at the time the application for a operator's permit was filed, would have warranted the denial of the application.

(c) Cancellation or suspension of any insurance policy or coverage required of the owner.

(d) Failure of the owner to pay any judgment against the owner for personal injury or death, or property damage arising out of the conduct of business under the operator's permit issued pursuant to this chapter, within thirty (30) days after the judgment has become final.

(e) Voluntary written request by the owner to suspend the operator's permit for a definite period of time.

(f) Failure of the owner to pay when due any applicable taxes imposed by the City.

(g) Any activity that impairs the safety of passengers.

Sec. 5-22.62 Suspension or Revocation of Taxicab Driver's Permit.

The Chief of Police, or the Council on appeal, shall have the power to suspend or revoke a taxicab driver's permit issued under this chapter, on any of the grounds stated in this chapter or on any of the following grounds:

(a) Suspension, revocation or expiration of the driver's privilege granted by the Department of Motor Vehicles of the State to operate a motor vehicle on the public highways of the State.

(b) The violation by the driver of any of the terms, conditions or requirements of the taxicab driver's permit or of this chapter.

(c) Any act or omission of the driver or any fact or condition which, if it existed at the time the application for a taxicab driver's permit was filed, would have warranted the denial of the application.

(d) Failure of the driver to pay any judgment against the driver for personal injury or death, or property damage arising out of the driver's operation of a public transportation vehicle, within thirty (30) days after the judgment has become final.

(e) The driver consumed drugs or alcohol or is under the influence of drugs or alcohol while on duty or is convicted of a crime relating to drugs or alcohol.

(f) Failure of the driver to pay when due any applicable taxes imposed by the City.

Sec. 5-22.63 Notice and Hearing for Suspension or Revocation.

Revocations or suspensions shall be administered as follows:

(a) A operator's permit or a taxicab driver's permit issued pursuant to this chapter shall be revoked or suspended only after the owner or driver has been given reasonable notice and opportunity to be heard.

(b) Whenever the Chief of Police has reasonable cause to believe that grounds for the suspension or revocation of a permit exists, he/she shall give the holder of the operator's permit or taxicab permit written notice stating the alleged grounds for the suspension or revocation and the effective date of the suspension or revocation. This notice will be by certified mail, return receipt requested, sent to the address shown on the last application or renewal, or by personal service. The decision of the Chief of Police to revoke or suspend an operator's permit or taxicab driver's permit may be appealed to the Council. The notice shall provide the permit holder with information on the appeal process.

(c) The license holder must submit a request for an appeal hearing to the Council within ten (10) days receipt of written notice.

(d) Upon receipt of a request for an appeal hearing, the Council shall conduct a hearing within forty-five (45) days of the request. The Council shall notify the permit holder in writing of the date, time, and place of the hearing. The hearing shall not be

less than ten (10) days after the service of the notice of hearing by postage of the notice by certified mail, return receipt requested, or by personal service.

(e) The suspension or revocation shall be stayed pending the outcome of the appeal hearing.

(f) At the hearing, both the holder of the operator's permit or taxicab driver's permit and the Chief of Police shall have the right to appear and be represented by counsel and to present evidence and arguments which are relevant to the grounds for the appeal, as stated in the written grounds for the appeal hearing. Within ten (10) working days of the conclusion of the hearing, the Council shall issue a written decision which states whether the decision of the Chief of Police is upheld, modified, or reversed; the length of any suspension, and the effective date of the suspension or revocation. The decision of the Council shall be served on the holder of the permit by certified mail, return receipt requested, or by personal service.

(g) The decision of the Council shall be final.

(h) Upon a written decision of the Council which suspends or revokes an operator's permit or taxicab driver's permit, the holder of the operator's permit or taxicab driver's permit shall surrender the permit to the Chief of Police immediately after service of the notice of the decision.

Sec. 5-22.64 Emergency Suspension.

(a) The Chief of Police may issue an order suspending a operator's permit or a taxicab driver's permit for a period not exceeding ten (10) days without having conducted a hearing therefor, if the Chief determines that the continued use of the permit will cause immediate hazard to the public safety, health or welfare.

(b) Within ten (10) days of the effective date of the order, the Chief of Police shall hold a hearing for the owner or driver to show cause why the permit should not be suspended or revoked.

(c) The order issued by the Chief of Police under subsection (a) of this section shall also contain a notice of the hearing setting forth the date, time and place of the hearing.

Sec. 5-22.65 Notice of Violation and Hearing.

Any person found to be operating a taxicab in the City in violation of the ordinance shall be issued a notice of violation by the Police Department, in person or by mail.

(a) The violator shall schedule a hearing by mail, phone or in person with the Police Department within twenty (20) days of receipt of the notice of violation.

(b) The Police Department shall conduct a hearing before issuing a citation to the violator or imposing a penalty. The hearing official may conduct the hearing informally, both as to rules of procedure and admission of evidence, in any manner which will provide a fair hearing.

(c) If the violator waives their right to a hearing in writing, fails to schedule a hearing with the Police Department in the permitted time, or fails to appear at the scheduled hearing, the Police Department shall affirm the violation and issue a citation.

(d) The hearing official shall set forth their decision to affirm or cancel the notice of violation in writing. If the notice of violation is affirmed, a citation shall be issued imposing a penalty not to exceed five thousand dollars ($5,000.00). The hearing official shall consider the following factors when determining the penalty amount:

(1) Whether the violator has previously violated the license or driver's permit requirements or other provisions of this chapter;

(2) Whether the violator concealed or attempted to conceal their noncompliance with the license or driver's permit requirements; and

(3) Such additional factors as the hearing official may deem appropriate.

(e) This section shall supersede any penalty provisions set forth by any ordinance or resolution of the City.

Sec. 5-22.66 Complaints.

In the consideration of applications for a driver's and/or owner's license, and in the cancellation thereof by the Chief of Police and/or the Council, the Chief of Police and/or the Council may take into consideration the number of complaints which may have been made against any driver and/or owner for overcharging or exceeding the schedule of rates listed in such public motor vehicle and with the City Clerk and Chief of Police, and for other causes.

SECTION 2. PUBLICATION.

This ordinance shall be published in the Watsonville Register-Pajaronian in compliance with the provisions of the Charter of the City of Watsonville.

SECTION 3. EFFECTIVE DATE.

This ordinance shall be in force and take effect thirty (30) days after its final adoption.

****

The foregoing ordinance was introduced at regular City Council meeting of the City of Watsonville, held on the **11th** day of **February**, **2020**, by Member **Hernandez**, who moved its adoption, which motion being duly seconded by Member **Gonzalez**, was upon roll call carried and ordered printed and published by the following vote:

AYES:	COUNCIL MEMBERS:	**Estrada, Gonzalez, Hernandez, Hurst, Parker, García**
NOES:	COUNCIL MEMBERS:	**None**
ABSENT:	COUNCIL MEMBERS:	**Coffman-Gomez**

Rebecca J. García, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE NO. **1401-20** (CM)

The foregoing ordinance, having been printed and published as required by the Charter of the City of Watsonville, and coming on for final consideration at the regular meeting of the Council of the City of Watsonville, held on the **25th** day of **February**, **2020**, by Member **Gonzalez**, who moved its adoption, which motion being duly seconded by Mayor Pro Tempore **Coffman-Gomez**, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES:	COUNCIL MEMBERS:	**Coffman-Gomez, Gonzalez, Hurst, Parker, García**
NOES:	COUNCIL MEMBERS:	**None**
ABSENT:	COUNCIL MEMBERS:	**Estrada, Hernandez**

Rebecca J. García, Mayor

ATTEST:

City Clerk

March 3, 2020
Date

EFFECTIVE DATE:

March 26, 2020

****

CERTIFICATION

STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

I, Beatriz Vázquez Flores, City Clerk of the City of Watsonville, in the County of Santa Cruz, State of California, hereby certify that the attached Ordinance No. 1401-20 (CM) is a true and correct copy of the original of said ordinance as it appears upon the official records of said City of Watsonville.

Beatriz Vázquez Flores, City Clerk

Date 3/3/20

City of Watsonville
Public Works & Utilities Department

M E M O R A N D U M

DATE: **February 10, 2020**

TO: **Matthew D. Huffaker, City Manager**

FROM: **Steve Palmisano, Director of Public Works & Utilities**
Maria Esther Rodriguez, Assistant Director
Murray A. Fontes, Principal Engineer

SUBJECT: **Vision Zero Action Plan 2020**

AGENDA ITEM: **February 25, 2020** **City Council**

RECOMMENDATION:
Staff recommends that the City Council by resolution approve the Vision Zero Action Plan 2020.

DISCUSSION:
Vision Zero is a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy and equitable mobility for all. At its 01/16/18 meeting, Council approved Resolution No. 7-18 (CM) adopting Vision Zero in the City of Watsonville and calling for creation of an Action Plan that included the following:

- Creation of a Vision Zero Task Force with representatives of City Departments and other agencies;
- Focus on changing behavior through policies and strategies;
- Use data to analyze safety issues and to prioritize resources and evaluate City efforts;
- Improve safety for road users through policies, systems and infrastructure improvements;
- Ensure that plan development promotes equity, community engagement and transparency.

Watsonville was the first city in Santa Cruz County to adopt Vision Zero.

On 07/09/19, Council received a Draft Action Plan prepared by members of the City Manager's Office, the Watsonville Police Department, the Watsonville Public Works & Utilities Department, the Santa Cruz County Health Services Agency and the South County Bicycle and Pedestrian Safety Work Group. Council directed staff to finalize the Draft Action Plan and continue implementation of ongoing safety initiatives including focused traffic enforcement, infrastructure improvements, creation of a public safety campaign and education programming.

The final City of Watsonville Vision Zero Action Plan 2020 defines Vision Zero and how it will be applied in Watsonville. The Plan focuses on changing behaviors through policies and strategies guided by the six E's: Encouragement, Education, Enforcement, Evaluation, Engineering and Equity.

The Plan was developed with guidance from the South County Bicycle and Pedestrian Work Group, which acted as a Vision Zero Task Force and included representatives of the following public agencies and non-profit organizations:

- Bike Santa Cruz County, Ecology Action
- Pajaro Valley Unified School District
- Santa Cruz County Health Services Agency
- Santa Cruz County Regional Transportation Commission
- State Department of Transportation (Caltrans) District 5
- United Way Jovenes SANOS
- Watsonville City Manager's Office
- Watsonville Police Department
- Watsonville Public Works and Utilities Department.

The Group developed a Mission Statement, Goals, Objectives and Core.

A number of projects, programs and policies, referred to as Action Items in the Plan, were developed to bring about Vision Zero. These Items were identified by the Public input through surveys conducted online and through booths at seven community events including Day of the Child, Cinco de Mayo, Bike to Work Day and Open Street Watsonville. They were also identified through analysis of existing collision data.

Six Action Items were identified as Priority Projects and will be the primary focus for the coming year. Each of these projects addresses one of the six E's. These include the following:

1. Create Vision Zero Task Force (Encouragement)
2. Develop safety education campaign (Education)
3. Develop and implement Pedestrian Safety Zones as previously directed by Council (Enforcement)
4. Identify and secure consistent funding (Engineering)
5. Implement data analysis (Evaluation)
6. Continue Neighborhood Traffic Plan and traffic calming programs (Equity)

The Vision Zero Task Force will seek ways to implement the plan during the year, then return to Council annually with a summary of the past year's activities and an update to the Action Plan. In this manner, the Action Plan will serve as a living document that can be updated as needed.

Staff recommends that Council approve Vision Zero Action Plan 2020, direct staff to move forward with implementation and return after a year to report its status.

STRATEGIC PLAN:
Approval of Vision Zero Action Plan 2020 will address the Strategic Plan goal of enhancing Public Safety (#6).

FINANCIAL IMPACT:
Approval of Vision Zero Action Plan 2020 will use existing budgeted resources and will not require additional funding.

ALTERNATIVES:
None

ATTACHMENTS:
None.

cc: City Attorney

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING THE CITY OF WATSONVILLE SAFE STREETS SAVE LIVES VISION ZERO ACTION PLAN 2020

WHEREAS, on or about January 16, 2018, the City Council adopted Resolution No. 7-18 (CM) adopting Vision Zero in the City of Watsonville and calling for a creation of an Action Plan; and

WHEREAS, Vison Zero is a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, and equitable mobility for all; and

WHEREAS, on or about July 9, 2019, the City Council received a Draft Action Plan and directed City staff to finalize the Action Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the City of Watsonville Safe Streets Saves Lives Vision Zero Action Plan 2020, be, and is hereby accepted and approved, a copy of which is attached hereto and incorporated herein by this reference.

2. That City staff is hereby directed to move forward with implementation of the Vision Zero Action Plan 2020 and provide Council with annual updates.

****

City of Watsonville
Safe Streets Save Lives
VISION ZERO ACTION PLAN 2020



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WHY VISION ZERO?

> The City of Watsonville ranks number one for injuries and fatalities among pedestrians under the age of 15 years old and the 4th worst for pedestrians overall when compared to 105 California cities of similar size.

Vision Zero is a world-wide strategy to eliminate all traffic fatalities and severe injuries to ensure safe, healthy, equitable mobility for all. It was first implemented in Sweden in the 1990s and takes a systems approach to achieve safe, healthy, and equitable mobility. Vision Zero starts with the ethical belief that everyone has the right to move safely in their communities. In order to achieve a safe transportation system, it requires that everyone consider the system in its entirety. Safe transportation systems and related policies should be designed to ensure that those inevitable mistakes do not result in severe injuries or fatalities.

In January 2018, the Watsonville City Council adopted a resolution that outlines how the City can draw upon existing resources to successfully implement Vision Zero. The City of Watsonville ranks number one for injuries and fatalities among pedestrians under the age of 15 years old and the 4th worst for pedestrians overall when compared to 105 California cities of similar size.

There are two factors that are 3 times more likely to cause crashes in Watsonville than any other factor: unsafe speeds *(which accounts for 26.4% of all crashes)* and right of way violations *(29.5% of all crashes)*.[2] Thirty percent of fatal and serious injury crashes occur on 2 miles (2.2%) of city streets.[2] Moreover, these city streets are in low-income neighborhoods.[2] An additional 25% of fatal and serious injury crashes occur on 1.9 miles of the State highways within city limits.[2]

Vision Zero holds that traffic deaths and severe injuries are preventable through a close examination of the shortcomings of existing transportation systems and user behavior. Through the collaboration of a multidisciplinary team and changes in roadway design, speed management, technology, and policies, meaningful behavior change can occur. However, as all humans are fallible, collisions will happen. To achieve the shared goal of zero fatalities and severe injuries, the responsibility of ensuring a safer transportation system therefore lies upon the multidisciplinary team and not only on the individual road user.

The City of Watsonville's "Safe Streets Save Lives - Vision Zero Action Plan" acknowledges that traffic deaths and severe injuries are preventable. The goal is to eliminate both in a set time frame with clear, measurable, and timely strategies. The plan will use a multidisciplinary approach and bring together diverse and necessary stakeholders to address this complex problem and achieve Vision Zero by 2030.

> Vision Zero holds that traffic deaths and severe injuries are preventable through a close examination of the shortcomings of existing transportation systems and user behavior.



[1] https://visionzeronetwork.org/about/what-is-vision-zero/
[2] Report by the Community Traffic Safety Coalition and with funding from CA OTS (2014) and the Santa Cruz County RTC. www.sctrafficsafety.org/VisionZero Updated 1/10/18.

MISSION STATEMENT

MISSION STATEMENT To reduce traffic related deaths and severe injuries through community collaboration, data analysis, policies, systems, and infrastructure.

GOAL To eliminate traffic fatalities and serious injuries on City streets by 2030.

OBJECTIVES

1. ***Focus on changing behavior through policies and strategies*** guided by the six E's: Encouragement, Education, Enforcement, Evaluation, Engineering, and Equity.

2. ***Gather, analyze, utilize and share reliable data*** to understand traffic safety issues, to prioritize resources based on evidence of the greatest need and impact, and to track and evaluate the success of these efforts.

3. ***Prioritize the development of safe roadways*** and the highest level of safety for all road users through new policies, systems and infrastructure improvements for pedestrians, bicyclists and motorists.

4. ***Create an Action Plan*** in a manner that promotes equity, community engagement and transparency by presenting it to Council for acceptance and approval and providing Council with regular updates on its development and implementation.

PARTNERS

Improving safety requires collaboration and engagement by all stakeholders. The Vision Zero Action Plan shall be developed in a collaborative manner by a Vision Zero Task Force and with input from the community. The following agencies/organizations/departments are involved in Vision Zero in addition to interested members of the community. Many are also representatives in the South County Bike and Pedestrian Work Group (SCBPWG). The SCBPWG is a workgroup of the Community Traffic Safety Coalition (CTSC) which is staffed by the County of Santa Cruz Health Services Agency. Those involved with the SCBPWG are indicated with an asterisk.

Bike Santa Cruz County*

Community Members*

Ecology Action*

Pajaro Valley Unified School District

Santa Cruz County Health Services Agency*

Santa Cruz County Regional Transportation Commission*

State Department of Transportation (Caltrans) District 5

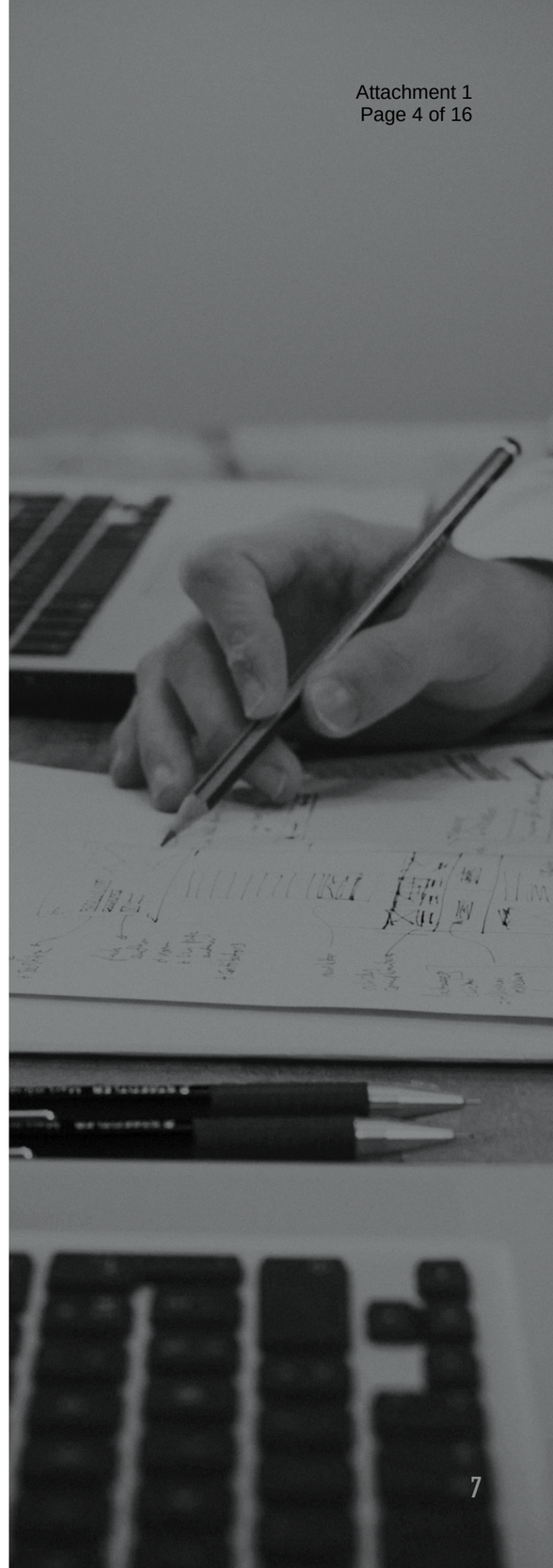
United Way Jóvenes SANOS*

Watsonville City Manager's Office*

Watsonville Police Department*

Watsonville Public Works & Utilities Department*

* Partners involved with the SCBPWG



CITY OF WATSONVILLE VISION ZERO CORE PRINCIPLES

1. Traffic deaths and severe injuries are acknowledged to be preventable.
2. Safety of human life is our highest priority, and all are responsible.
3. The transportation system should account for human error and plan to minimize the severity of repercussions.
4. Actions towards Vision Zero will be data-driven based on available crash data and will include on-going evaluation measuring performance objectives.
5. Speed is a fundamental predictor of crash survival and severity

ACTION ITEMS KEY

6 E's	Encouragement, Education, Enforcement, Evaluation, Engineering, and Equity
CDD	Community Development Department
COW	City of Watsonville- all departments
DPW	City of Watsonville Public Works & Utilities Department
HSA	Santa Cruz County Health Services Agency
PTSAP	City of Watsonville Pedestrian and Traffic Safety Action Plan (January 2019)
SafeTREC	UC Berkeley Safe Transportation Research and Education Center (SafeTREC) and CalWalks' report for Watsonville titled "Recommendations to Improve Pedestrian and Bicycle Safety" (October 2018)
SCBPWG	South County Bicycle & Pedestrian Work Group
Resolution	City of Watsonville Vision Zero Resolution (January 2018)
WCM	City of Watsonville City Manager's Office
WPD	City of Watsonville Police Department
WTC	City of Watsonville Traffic Committee (Public Works & Police Department)
VZTF	Vision Zero Task Force (to be formed)
Short-Term	Within a year
Mid-Term	1-3 years
Long-Term	4 or more years

ACTION ITEMS

	Action Item	6 E's	Source	Responsible Partner/s	Timeline
1	Create a Traffic Safety/Vision Zero Task Force as described in Partner section above.	ALL	Resolution, PTSAP, SCBPWG	ALL	Short-Term
2	Apply for Bicycle Friendly Community award at the silver level and a Walk Friendly Community award	Encouragement	SCBPWG	SCBPWG	To be Identified
3	Develop a comprehensive pedestrian, bicyclist and driver public safety education campaign, such as Street Smarts, that includes targeted messages.	Education Equity	PTSAP, SCBPWG, SafeTREC	SCBPWG, WCM, DPW, WPD	Short-Term On-Going
4	Continue work in school communities through the Safe Routes to School (SRTS) programs: a. Promote walking, biking, and traffic safety education. b. Provide safety equipment, such as bicycle helmets. c. Expand high school and middle school active transportation programming	Education	SCBPWG & SafeTREC	SCBPWG, DPW, WPD	Short-Term On-Going
5	Identify most at-risk populations for targeted messages	Education Evaluation Encouragement Equity	SCBPWG	SCBPWG, DPW, WPD	Short-Term On-Going
6	Work with State legislators to implement legislation to support Vision Zero, such as: a. Lower speed limits b. Allow speed cameras c. Increase distracted driving penalties d. Direct staff to work with state legislatures to pursue legislation to allow City to reduce traffic speeds along high-risk corridors	Education Engineering Enforcement	PTSAP & SCBPWG	ALL	Long-Term
7	Develop, adopt, and incorporate Complete Streets Policy into projects	Education	SCBPWG	ALL	On-Going
8	Coordinate Vision Zero efforts with existing and future City planning documents & policies, including Complete Street Plans for downtown and schools and Freedom Blvd plan line	Engineering Equity	SCBPWG	SCBPWG, DPW, CDD	Mid-Term
9	Target high risk populations, such as pedestrians under 15 years of age and children not properly restrained in vehicles	Education Equity	SCBPWG	SCBPWG, WPD	Short-Term

	Action Item	6 E's	Source	Responsible Partner/s	Timeline
10	Develop and implement on Pedestrian Safety Zones on Main St, Freedom Blvd, and Airport Blvd and other high collision corridors as identified	Enforcement	PTSAP	DPW, WPD	Short-Term
11	Focus enforcement efforts on impaired and distracted driving, including DUI Saturation and checkpoints	Enforcement Education	PTSAP	WPD	Short-Term Mid-term
12	Continue to identify most dangerous behaviors for motorists, pedestrians, and bicyclists and conduct neighborhood traffic safety education	Enforcement Education	PTSAP & SCBPWG	HSA, DPW, WPD, WTC	On-Going
13	Continue and expand social media efforts by Police Department on: a. Adding Public Information Officer b. Develop website c. Develop new apps d. Provide social media posts	Enforcement Education	PTSAP	WPD	ON-Going
14	Continue and expand community outreach efforts by Police Department on: a. Bike Smart/Walk Smart b. Community events c. Community awareness presentations d. Bike helmet distribution program	Enforcement	PTSAP & SCBPWG	WPD	Mid-Term
15	Develop a zero-tolerance approach for speeding along areas designated as Pedestrian Safety Zones	Enforcement	PTSAP	WPD	Short-Term
16	Develop a Zero-Tolerance approach for speeding along areas designated as Pedestrian Zafety Zones	Enforcement	DPW	WPD, DPW	On-Going
17	Implement data analysis: a. Establish regular data analysis and measurable metrics b. Refine analysis to include collision type, street type, movements preceding collision c. Use "predictive analytics" to identify trends and predict collisions where similar conditions exist d. Use metrics to track and measure progress in all focus areas	Evaluation	SCBPWG	WPD, DPW	Mid-Term

	Action Item	6 E's	Source	Responsible Partner/s	Timeline
18	Establish regular data review: a. Monitor data to evaluate success of programs and projects b. Monitor data to identify priority corridors, select future programs and projects c. Monitor to identify demographic inequities	Evaluation Equity	SCBPWG	WPD, DPW	Mid-Term
19	Gather, analyze, utilize and share reliable data to understand traffic safety issues, to prioritize resources based on evidence of the greatest need and impact, and to track and evaluate the success of these efforts	Evaluation	Resolution	SCBPWG, VZTF	Mid-Term
20	Inventory existing facilities: Sidewalk, street lighting, bike facility, ped feedback at signals, bike detection, etc.	Engineering	SCBPWG	DPW	Mid-Term
21	Coordinate projects to maximize benefits: a. Add facilities when restriping after resurfacing or after utility projects b. State and local projects c. Identify locations for low-cost, temporary solutions d. Citywide restriping and signage programs	Engineering	SCBPWG	DPW	Mid-Term
22	Identify and secure consistent funding: a. Use Measure D and SB 1 funding b. Secure competitive grants through ATP program	Engineering Equity	SCBPWG	DPW	Mid-Term
23	Continue Neighborhood Traffic Plan & traffic calming programs: a. Conduct a road study before setting speed limit b. Install 3-foot law and Bikes May Use Full Lane road signs	Engineering Enforcement Evaluation Equity	SCBPWG	DPW	Short-Term On-Going
24	Continue developing trail network, establish maintenance program and funding source for priority trails	Engineering Evaluarion Equity	SCBPWG	DPW	Mid-Term
25	Capital improvements program: a. Lincoln Street Safety Improvements b. City Signal Upgrades c. Hwy 1/Harkins Slough Rd d. Lee Rd Trail	Engineering	SCBPWG	DPW	Short-Term On-Going

	Action Item	6 E's	Source	Responsible Partner/s	Timelinew
26	Prioritize the development of safe roadways and the highest level of safety for all road users through new policies, systems, and infrastructure improvements for pedestrians, bicyclists, and motorists	Engineering Equity	Resolution	DPW	On-Going
27	Explore new approaches to infrastructure enhancements, including speed cameras, sidewalk decals, and pedestrian crosswalk flags	Engineering	PTSAP	DPW, WPD	Short-Term On-Going
28	Conduct bicycle and pedestrian assessments on major arterials and determine potential solutions to make walking and biking along routes, such as Freedom Blvd, safer for residents	Engineering Equity	SafeTREC	DPW	Long-Term On-Going
29	Promote safety and accessibility for vulnerable road users with the following: a. ADA sidewalk accessibility and pedestrian sidewalk facilities improvements (such as sidewalk gap closures, curb extensions, improved curb ramps, better driveway visibility, and improved locations of items such as utility posts and boxes) b. Bicycle facilities and infrastructure improvements such as increased signage, sharrow improvements, repainted bike lanes, and road repair c. Improved safe infrastructure for pedestrians, including repainted crosswalks, added signage, advanced yield markings, and curb ramps	Engineering Equity	SafeTREC	DPW	Long-Term On-Going
30	Collaborate on a countywide comprehensive traffic safety media campaign, with customized messages for Watsonville, including: Developing Public Service Announcements for radio to inform residents how to travel safely, including how to share road space safely, and to communicate any upcoming infrastructural changes along key corridors	Engineering Equity	SafeTREC	DPW	Short-Term
31	Plan for cost-effective paint and signage improvements that could be integrated into the next pavement maintenance project for identified corridors	Engineering Equity	SafeTREC	DPW	Mid-Term

	Action Item	6 E's	Source	Responsible Partner/s	Timelinew
32	Implement a pop-up/temporary demonstration projects, such as a protected bike lane, to expose residents to what a reconfigured street could look like	Engineering Education Equity	SafeTREC	DPW/SCBPWG	Short-Term
33	Assess the following recommendations for the Freedom Blvd corridor: a. Build underground utilities along the corridor b. Establish shared paths where the right-of-way may be constricted that provide combined sidewalks and protected bicycle facilities c. Expand the right-of-way to allow for wider sidewalks and protected bike lanes as a part of a road diet	Engineering Equity	SafeTREC	DPW	Long-Term
34	Create a traffic violence crisis response program, including supports for families who have lost loved ones	Equity	SCBPW	SCBPWG	On-Going
35	Identify most at-risk populations for targeted messages, keeping in mind that the most vulnerable are usually low-income and communities of color	Equity	SCBPW	SCBPWG	Mid-Term
36	Provide regular updates and communication with City Council and community and regular updates to Council for acceptance, approval, development process, and implementation	Equity	Resolution	ALL	Short-Term Ongoing
37	Establish a City Bicyclist and Pedestrian Advisory Committee	Equity	SafeTREC	ALL	Mid-Term

PRIORITY PROJECTS FOR 2019 - 2020

	Action Item	6 E's	Source	Responsible Partner/s	Timelinew
1	Create a Traffic Safety/Vision Zero Task Force as described in Partner section above.	Encouragement	Resolution, PTSAP, SCBPWG	ALL	Short-Term
2	Develop a comprehensive pedestrian, bicyclist and driver public safety education campaign, such as Street Smarts, that includes targeted messages. Collaborate on a countywide comprehensive traffic safety media campaign, with customized messages for Watsonville, including: Developing Public Service Announcements for radio to inform residents how to travel safely, including how to share road space safely, and to communicate any upcoming infrastructural changes along key corridors	Education	PTSAP, SCBPWG, SafeTREC	SCBPWG, WCM, DPW, WPD	Short Term On-Going Short-Term
3	Develop and implement Pedestrian Safety Zones on Main St, Freedom Blvd, and Airport Blvd and other high collision corridors as identified	Enforcement	PTSAP	DPW, WPD	Short-Term On-Going
4	Identify and secure consistent funding: a. Use Measure D and SB 1 funding b. Secure competitive grants through ATP program	Engineering	SCBPWG	WPD, DPW	Mid-Term On-Going
5	Implement data analysis: a. Establish regular data analysis and measurable metrics b. Refine analysis to include collision type, street type, movements preceding collision c. Use "predictive analytics" to identify trends and predict collisions where similar conditions exist d. Use metrics to track and measure progress in all focus areas	Evaluation	SCBPWG	WPD, DPW	Mid-Term
6	Continue Neighborhood Traffic Plan & traffic calming programs: a. Conduct a road study before setting speed limit b. Install 3-foot law and Bikes May Use Full Lane road signs	Equity	SCBPWG	DPW	Short-Term On-Going

APPENDIX I OUTREACH & FINDINGS

The City of Watsonville conducted outreach on Vision Zero through a survey. Between April 2018 and June 2018, 241 surveys were collected at 7 community events. The community events included Day of the Child *(4/22/18)*, Pajaro Valley Business Expo *(4/26/19)*, Cinco de Mayo *(5/6/18)*, City Staff Surveys *(5/8/18)*, Bike to Work Day *(5/10/18)*, Open Streets Watsonville *(6/3/18)*, and Family Fun Fest *(6/9/18)*. Respondents were asked in English or Spanish the following open-ended questions:

1. What unsafe behaviors by pedestrians, bike riders, and drivers have you observed in Watsonville?
2. What do you think could be done to change these unsafe behaviors?
3. What changes can you commit to doing to improve traffic issues?
4. In the City of Watsonville, where do you feel unsafe walking? Why?
5. In the City of Watsonville, where do you feel unsafe biking? Why?
6. In the City of Watsonville, where do you feel unsafe driving? Why?



The respondents indicated that the most unsafe motorist behaviors observed were: failing to stop for pedestrians at marked crosswalks or at stop signs and lights *(74 responses)*, distracted driving *(49 responses)*, speeding *(46 responses)*, and illegal or dangerous driving behaviors *(26 responses)*. The most unsafe pedestrian and bicyclist behaviors included: pedestrians "jaywalking" or not using sidewalks and marked crosswalks *(52 responses)*, distracted or inattentive walking and biking *(44 responses)*, cyclists failing to follow the rules of the road *(24 responses)*, and cyclist failing to use the appropriate safety equipment *(15 responses)*. Twenty-eight respondents indicated unsafe traffic behaviors related to issues with infrastructure and 13 respondents indicated safety concerns and issues with street harassment.

The top road safety tips identified included infrastructure *(77 responses)*, education *(70 responses)*, and enforcement *(63 responses)*. The infrastructure responses *(77 responses)* included street crossing safety measures *(34 responses)*, bike lanes, sidewalks, and trails *(22 responses)*, and speed and traffic control measures *(21 responses)*.
Lastly, personal behavior changes identified included: driving safely/following traffic laws *(55 responses)*, avoiding distracted driving *(49 responses)*, using marked crosswalks/crossing the street safely *(35 responses)*, following speed limits *(28 responses)*, respecting pedestrians *(22 responses)*, paying attention while walking *(15 responses)*, using active transportation *(11 responses)*, advocating for safety *(8 responses)*, and using bike safety *(7 responses)*.

The survey also asked about locations in Watsonville where respondents felt unsafe. These locations are divided by mode of transportation and can be found in TABLE A: Where Respondents Felt Unsafe Walking, Biking, and Driving.

TABLE A: WHERE RESPONDENTS FELT UNSAFE WALKING, BIKING AND DRIVING

Location	Walk	Bike	Drive	Total
Main St.	40	17	15	72
Freedom Blvd.	22	25	19	66
Everywhere	7	24	10	41
West/East Lake Ave	16	10	10	36
Green Valley Rd.	17	8	6	31
Beach St	13	3	10	26
Riverside Dr.	14	4	6	24
Airport Blvd	10	3	9	22
Schools	13	1	7	21
Rodriguez St.	14	1	3	18
Slough Trails/Ramsay Park/Harkins Slough Rd.	11	4	2	17
Pajaro River Bridge/Porter St. Area	7	4	2	17
Walker St.	7	0	2	9
Clifford Dr.	4	0	3	7
Subtotal	195	104	104	403
Miscellaneous Locations	19	8	15	42
Total	214	112	119	445

APPENDIX II COLLISION DATA & ANALYSIS

The City of Watsonville hired Traffic Engineer Jeff Waller to assist with the analysis of 7 years of existing crash data collected through the Statewide Integrated Traffic Records Systems (SWITRS) from 2011-2017. Jeff Waller Consulting completed bicycle, pedestrian, and vehicle collision summaries. The analysis indicated peak hours and days of the week when injuries or fatal collisions were most prevalent and at which intersections these injuries or collisions predominantly occurred. Time of day most collisions occurred was between 3:00 pm and 5:59 pm at the following intersections where the highest number of collisions occurred: Airport/ Freedom, Freedom/Green Valley, and Green Valley/Main. Please see tables below .

Injury/Fatal Collisions by Day of Week and Time of Day:

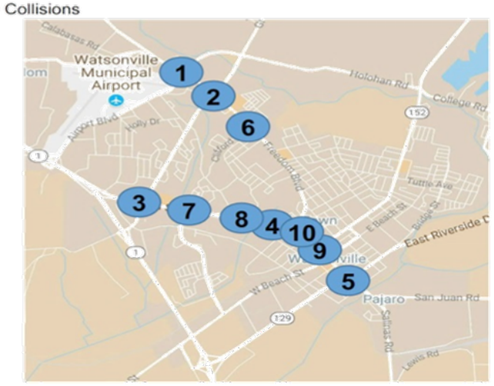
Time of Day	Total Injury/Fatal Collisions by Day Of Week							Total
Unknown	0	0	0	0	0	0	0	0
9:00 - 11:59 PM	5	6	6	4	10	14	18	63
6:00 - 8:59 PM	26	37	19	20	20	26	22	170
3:00 - 5:59 PM	48	46	38	48	46	16	23	265
12:00 - 2:59 PM	36	26	34	34	37	32	23	222
9:00 - 11:59 AM	28	20	21	17	24	19	11	140
6:00 - 8:59 AM	19	33	31	35	21	11	10	160
3:00 - 5:59 AM	3	3	5	3	3	1	2	20
12:00 - 2:59 AM	3	1	0	2	3	5	7	21
Day of Week:	1 - Mon	2 - Tues	3 - Wed	4 - Thurs	5 - Fri	6 - Sat	7 - Sun	1061
Total:	168	172	154	163	164	124	116	Total

Range:

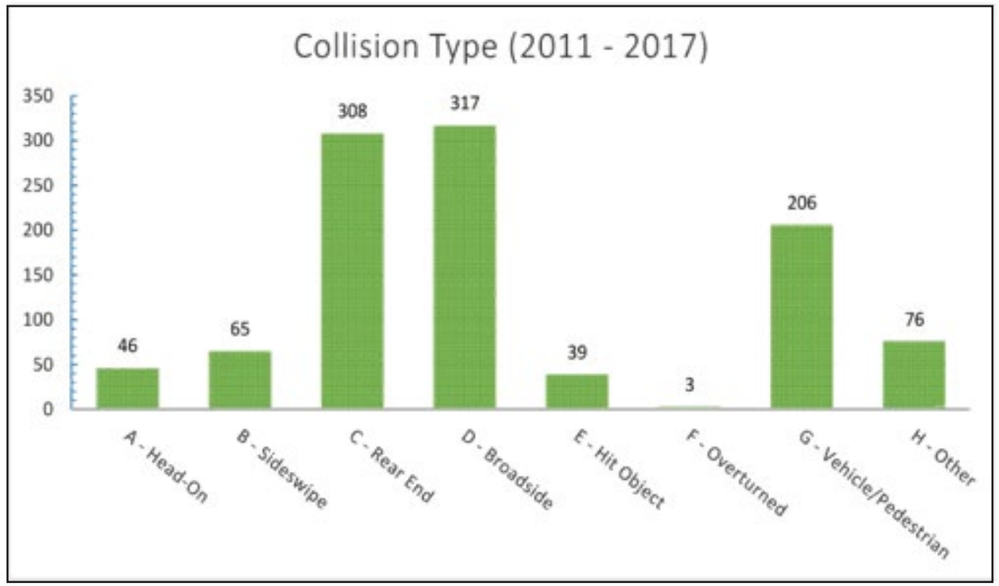
Low: 0
High: 50

Intersections - Top 10 Most Collisions:

Intersection Name	Total Injury/Fatal Collisions
1. AIRPORT BL & FREEDOM BL	173
2. FREEDOM BL & GREEN VALLEY RD	147
3. GREEN VALLEY RD & MAIN ST	118
4. MAIN ST & RODRIGUEZ ST	85
5. MAIN ST & RIVERSIDE DR	67
6. CLIFFORD AV & FREEDOM BL	58
7. MAIN ST & OHLONE PKWY	54
8. AUTO CENTER DR & MAIN ST	48
9. LAKE AV & MAIN ST	44
10. 5TH ST & MAIN ST	40



The graph below incorporates combined data from collisions involving injuries (of all types) and fatalities among bicyclitsts, pedestrians, and vehicles from 2011-2017. There were 1061 collisions (injury or fatal). Types of injury and fatality collisions included: head on, sideswipe, rear end, broadside, hit object, overturned, vehicle/pedestrian, and other. There were 130 total bicyle collisions, 209 total pedestrian collisions, and 725 total vehicle collisions between 2011-2017.[4]

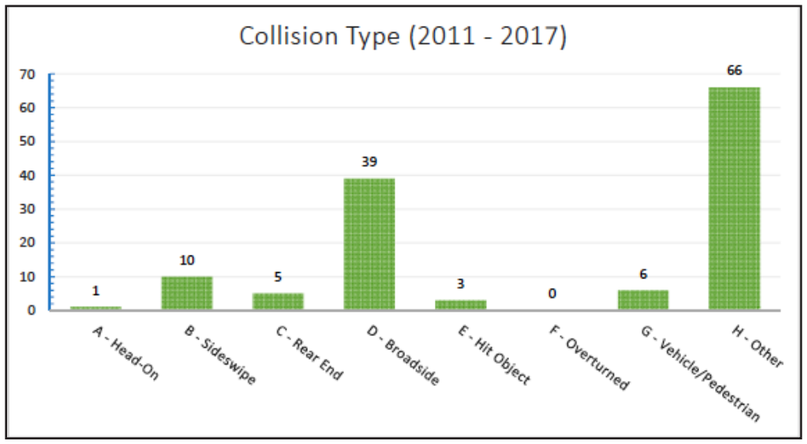


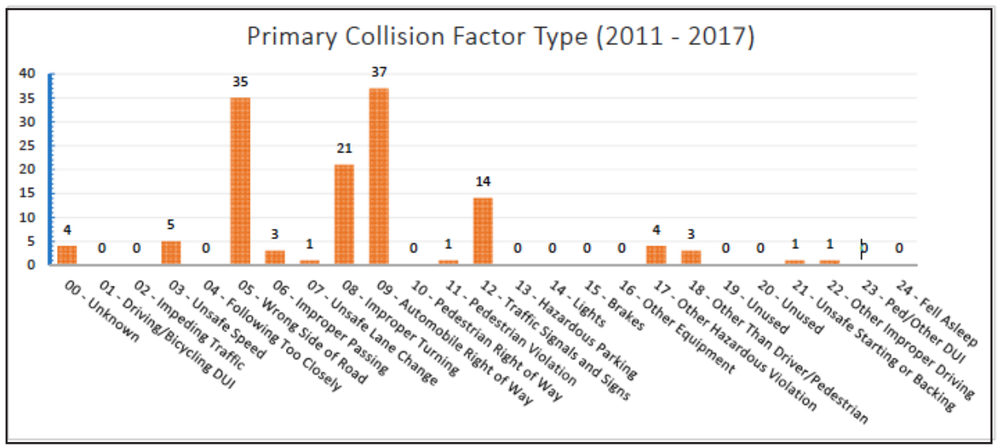


Jeff Waller Consulting Company compiled data below showing 130 total bicyclists collisions, including ***4 fatalities*** and ***126 injuries*** between 2011-2017.

COLLISION SUMMARY

Bicyclist Collisions from 2011 - 2017

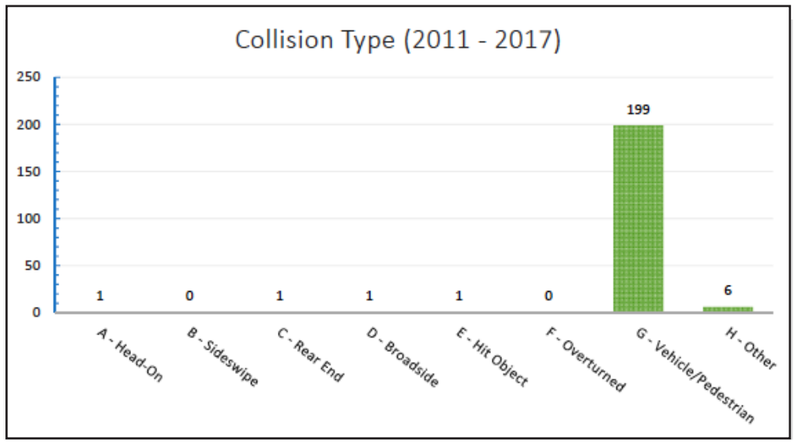


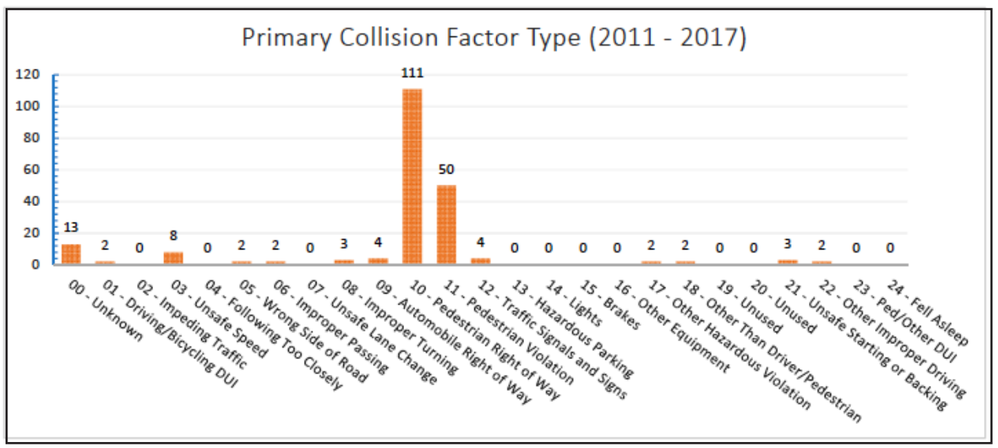


Jeff Waller Consulting Company compiled data below showing 209 total pedestrian collisions, including ***6 fatalities*** and ***203 injuries*** between 2011-2017.

COLLISION SUMMARY

Pedestrian Collisions from 2011 - 2017

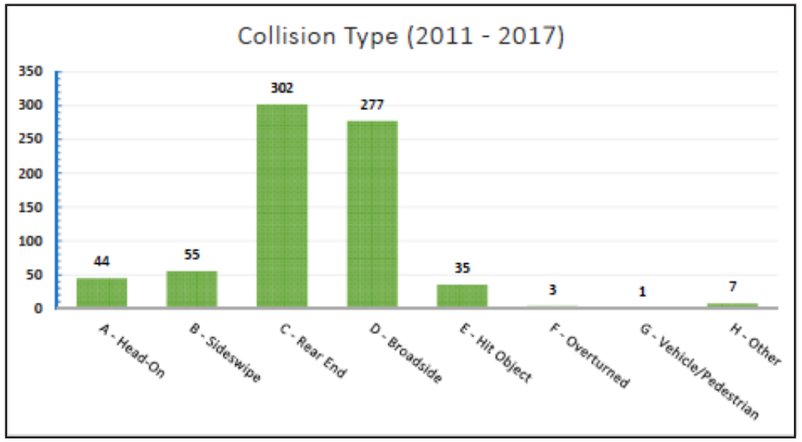


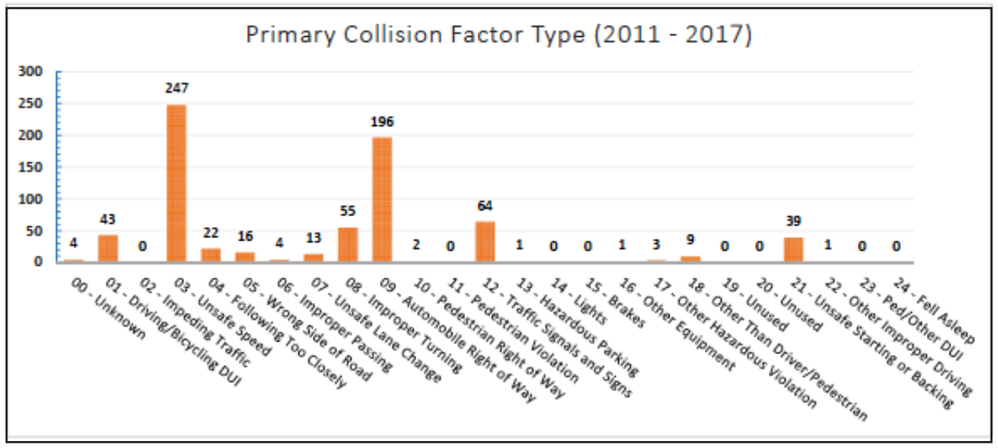


Jeff Waller Consulting Company compiled data below showing ***725 total vehicle collisions***, including ***4 fatalities*** and ***721 injuries*** between 2011-2017.

COLLISION SUMMARY

Vehicle Only Collisions from 2011 - 2017

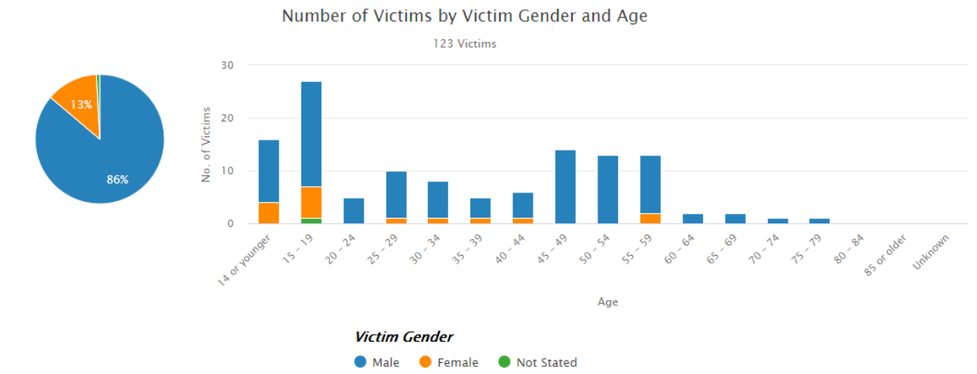




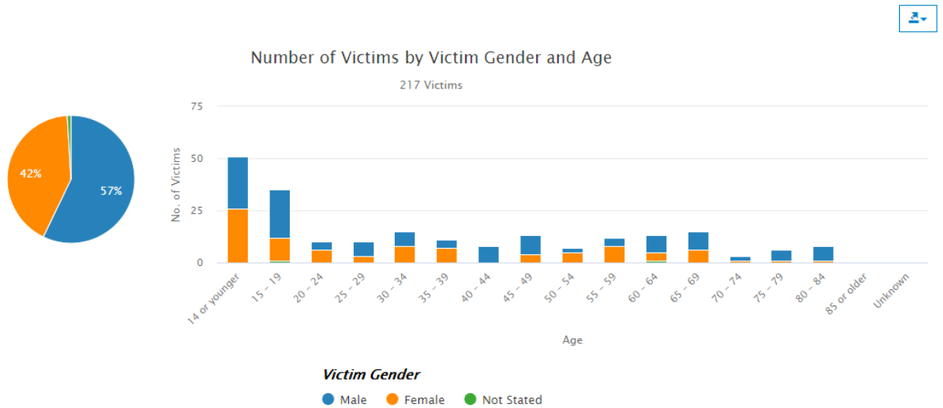
NUMBER OF VICTIMS BY GENDER & AGE

2011 - 2017, Watsonville

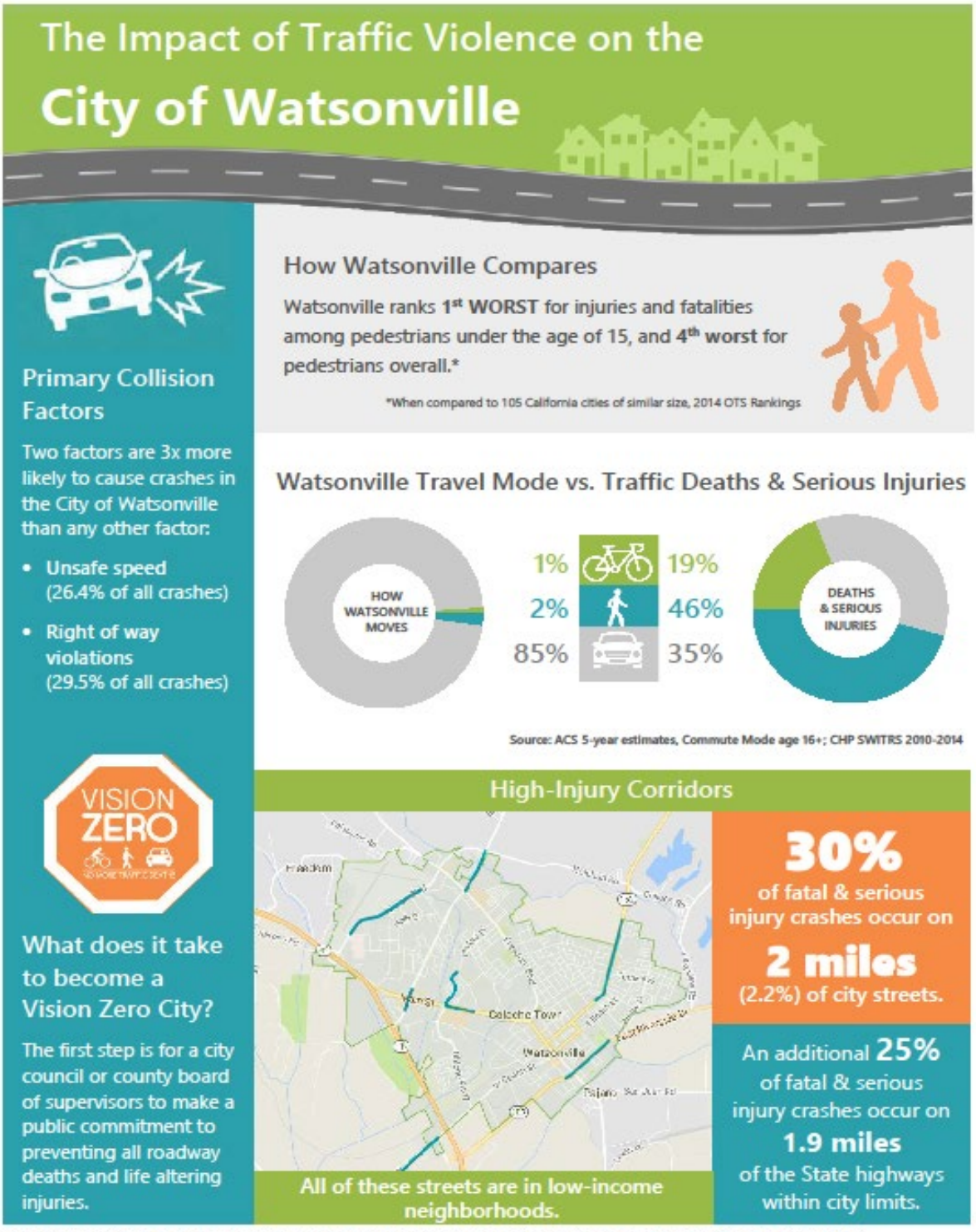
Bike Collisions:



Pedestrian Collisions:



APPENDIX III THE IMPACT OF TRAFFIC VIOLENCE ON THE CITY OF WATSONVILLE





Tonight’s meeting

1 message

Kathleen Kilpatrick Tue, Feb 25, 2020 at 2:45 PM
To: citycouncil@cityofwatsonville.org, cityclerk@cityofwatsonville.org

I have reviewed tonight’s agenda, am doubly sorry that I am unable to attend. I see that Health in All Policies and Vision Zero are both up for review and possible approval. As a professional and advocate who has worked for years to improve community health, I support both policy frameworks. If either or both are approved, allowing those two additional drive-through on Main would be an obvious contradiction. I trust that, as individuals and as a council, you will see that logic and do the right thing.

Sent from my iPad

City of Watsonville

Safe Streets Save Lives

VISION ZERO ACTION PLAN 2020



Why Vision Zero

Watsonville ranks among the highest in the State for injuries and fatalities among pedestrians under the age of 15 and for pedestrians of all ages when compared to 105 California cities of similar size



Goal

To eliminate traffic fatalities and serious injuries on City street by 2030



VISION ZERO

NO MORE TRAFFIC DEATHS

Partners

- Bike Santa Cruz County
- Community Members
- Ecology Action
- Pajaro Valley Unified School District
- Santa Cruz County Health Services Agency
- Santa Cruz County Regional Transportation Commission
- State Department of Transportation
- United Way Jovenes SANOS
- Watsonville City Managers Office
- Watsonville Police Department
- Watsonville Public Works & Utilities Department

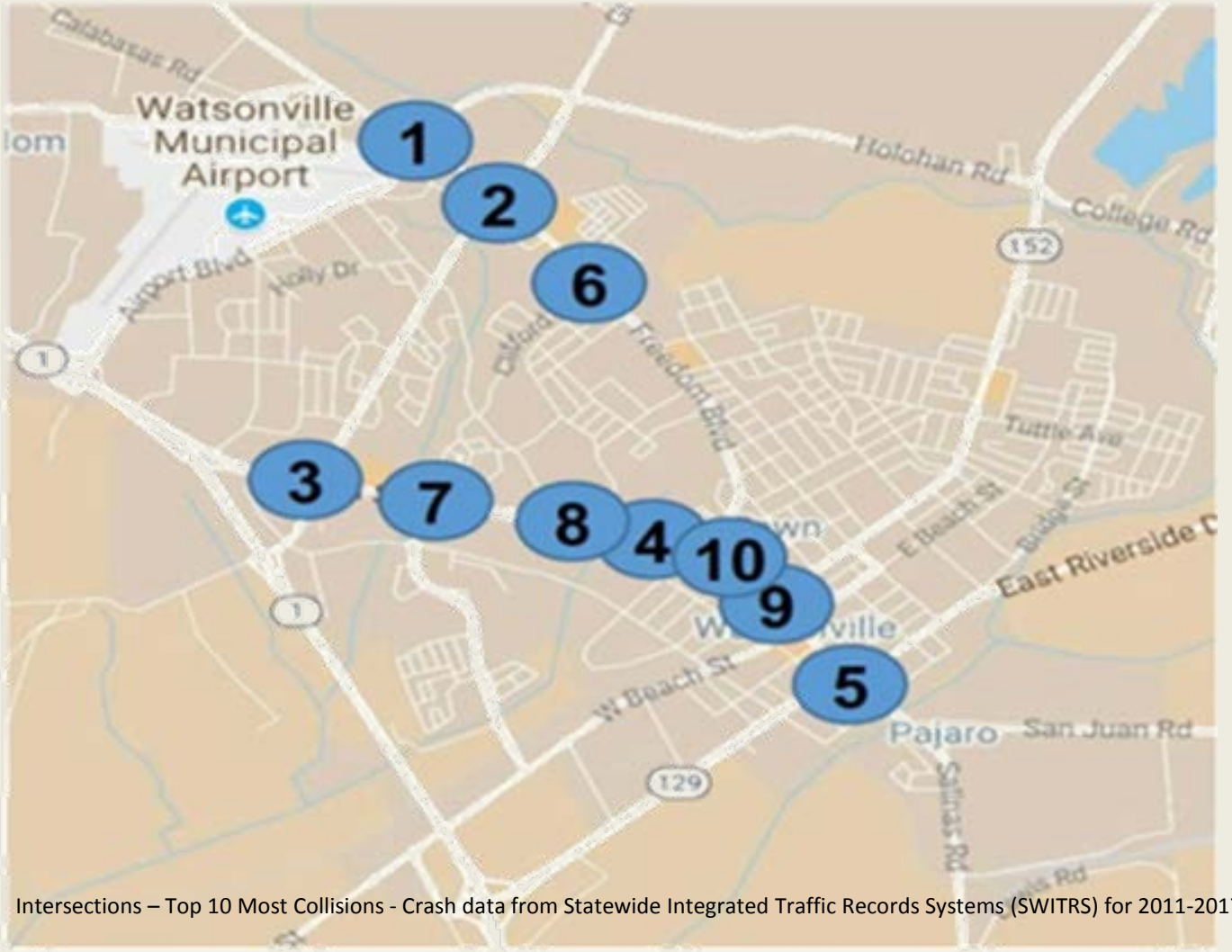
Outreach & Findings

Respondents identified the following:

- Unsafe behaviors – Motorists failing to stop for pedestrians, distracted driving & jaywalking
- Safety tips – Upgrade infrastructure with improved street crossing safety measures
- Personal behavior changes – Follow traffic laws & avoid distracted driving



Collision Data & Analysis



Intersections – Top 10 Most Collisions - Crash data from Statewide Integrated Traffic Records Systems (SWITRS) for 2011-2017

Action Items

Six E's of the National Safe Routes to School Partnership

- Encouragement
- Education
- Enforcement
- Evaluation
- Engineering
- Equity



Task Force

Create a Traffic Safety/Vision Zero Task Force





If interested, contact Lauren Freeman of the Santa Cruz Health Services Agency at 831-454-5048 and www.santacruzhelath.org

Safety Education Program



Develop Citywide Safety Education Campaign and collaborate countywide on media campaign

Pedestrian Safety Zones

Develop and implement Pedestrian Safety Zones





Funding Sources

Identify and secure consistent funding





Data Analysis

Analyze data to identify trends, predict collisions and measure progress in focus areas

Injury/Fatal Collisions by Day of Week and Time of Day:

Time of Day	Total Injury/Fatal Collisions by Day Of Week							Total
Unknown	0	0	0	0	0	0	0	0
9:00 - 11:59 PM	5	6	6	4	10	14	18	63
6:00 - 8:59 PM	26	37	19	20	20	26	22	170
3:00 - 5:59 PM	48	46	38	48	46	16	23	265
12:00 - 2:59 PM	36	26	34	34	37	32	23	222
9:00 - 11:59 AM	28	20	21	17	24	19	11	140
6:00 - 8:59 AM	19	33	31	35	21	11	10	160
3:00 - 5:59 AM	3	3	5	3	3	1	2	20
12:00 - 2:59 AM	3	1	0	2	3	5	7	21
Day of Week:	1 - Mon	2 - Tues	3 - Wed	4 - Thurs	5 - Fri	6 - Sat	7 - Sun	1061
Total:	168	172	154	163	164	124	116	Total

Range:

Low: 0

High: 50



Crash data from Statewide Integrated Traffic Records Systems (SWITRS) for 2011-2017

Neighborhood Traffic Plans

Continue Neighborhood Traffic Plans and traffic calming programs





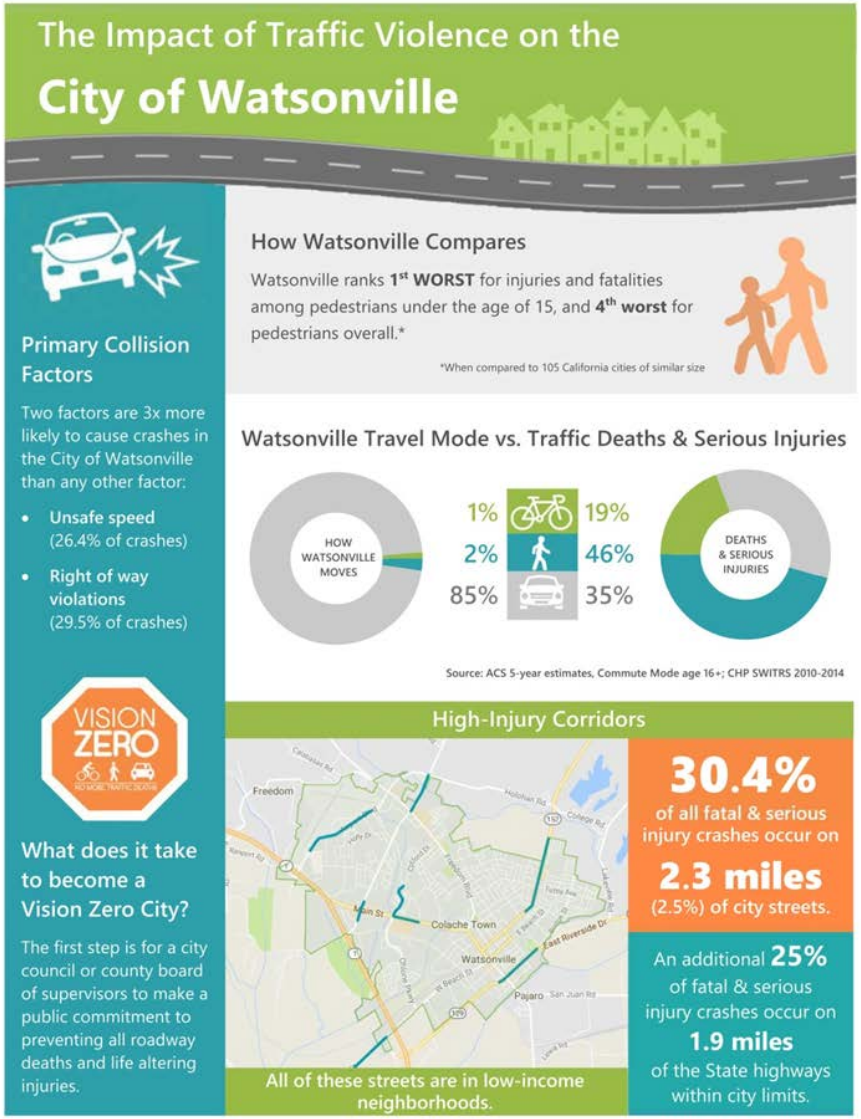
Next Steps

- Implement Action Items
- Update Action Plan as needed
- Provide annual update to Council



Staff Recommendation

Approve the Vision Zero Action Plan 2020



SAFETY IS **EVERYONE'S** RESPONSIBILITY



"What can I commit to doing to increase my own safety, the safety of my family, and the safety of those around me?"







CITY COUNCIL
CITY OF WATSONVILLE
CLOSED SESSION AGENDA
AND STATEMENT FOR MAYOR PRIOR TO CLOSED SESSION
(Government Code §§ 54954.2 and 54957.7)

5:30 P.M.

City Council Chambers
275 Main Street, 4th Floor

__X__Regular ____ Adjourned ____Special Meeting of ____February 25, 2020____
[Date]

The City Council of the City of Watsonville will recess to Closed Session to discuss the matters that follow:

A. PERSONNEL MATTERS
(Government Code Section 54957)

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

   Title: City Attorney

B. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6)

1. Agency negotiator: Mayor's Ad Hoc Committee
   (To be determined)

   Unrepresented employee: City Attorney

Dated: Wednesday, February 19, 2020

Prepared by: _____
Alan J. Smith, City Attorney

City of Watsonville
Community Development Department

M E M O R A N D U M

DATE: **February 19, 2020**

TO: **Matthew D. Huffaker, City Manager**

FROM: **Suzi Merriam, Community Development Director**
Justin Meek, AICP, Principal Planner

SUBJECT: **Public Hearing to consider an Appeal of December 3, 2019 Planning Commission denial of Application No. PP2018-248 for a Special Use Permit with Design Review and Environmental Review to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street (APNs 018-261-14 & -29)**

AGENDA ITEM: **February 25, 2020** **City Council**

On December 3, 2019, the Planning Commission considered the following resolutions:

1. Resolution of the Planning Commission of the City of Watsonville, California, adopting the Mitigated Negative Declaration (PP2018-248) for the commercial redevelopment project, consisting of the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29); and
2. Resolution of the Planning Commission of the City of Watsonville, California, approving a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29).

The motion to adopt the resolutions failed by a vote of 0-5-2. No subsequent motion(s) to approve, modify or deny the project were made.

On December 13, 2019, the applicant filed an appeal in writing with the City Clerk, and requests that the Council overturn the Planning Commission's action, thereby adopting (1) a Resolution adopting the Mitigated Negative Declaration and (2) a Resolution approving a Special Use Permit with Design Review and Environmental Review.

DISCUSSION

The proposed project would redevelop a 3.05± acre site with the three commercial buildings and include two drive-through facilities. The site is designated General Commercial on the

General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) Zoning District. The site is bounded by Main Street (SR 152) along its northern boundary, with several commercial establishments located across Main street to the north; Watsonville Slough to the east and south; and Ramsay Park to the west. The site was previously developed with three one-story commercial buildings and one storage structure, and surface parking. The buildings were recently demolished and previously used as three auto service shops, a grocery store, and a restaurant.

Staff recommended the Planning Commission approve the project and provided evidence in support of making the required findings set forth in WMC Sections 14-12.513 and 14-12.403.

The Planning Commission considered all written and verbal evidence regarding this application at a public hearing and discussed their concerns about the project. Attachment 1 is a copy of the minutes for the hearing, and Attachment 2 is the agenda packet. A letter was received in support of the project after the Planning Commission hearing (Attachment 3).

Appellant

The Pelosi Law Group on behalf of the applicant has submitted an appeal letter and a supplement. The first dated December 13, 2019, provides the reasons why the applicant believes the Planning Commission's decision to be in error (Attachment 4). The second dated January 17, 2019, provides additional evidence in support of finding that the Planning Commission's action was incorrect (Attachment 5). Based on the information provided, the applicant requests that the Council overrule the Planning Commission.

Standard of Review on Appeal

The Council must adjudicate (i.e., judge) whether the Planning Commission's adjudicative decision denying the application was correct.

Whether a particular decision is adjudicative or legislative determines the requirements to support the decision. Legislative decisions involve the adoption of broad policies applicable to many situations (for example, general plan or zoning amendments). Legislative decisions generally require few, if any, findings.

Adjudicative (or "quasi-judicial") decisions, on the other hand like the decision tonight, are not policy decisions. Adjudicative, also known as quasi-judicial decisions apply already adopted standards to individual cases, such as a variance or conditional use permit application. Adjudicative/quasi-judicial decisions are based on evidence and must always be supported by findings.[1]

The decision before the Planning Commission—a Special Use Permit with Design Review—was an adjudicative decision applying the applicant's facts to the City's and required findings, either for denial, or as recommended by staff, for approval and be supported by substantial evidence. *Toigo v Town of Ross* (1998) 70 Cal App 4th 309.

[1] Quasi-judicial decisions require the decision-making body to take evidence and use its judgment to make factual as well as legal determinations about whether a particular property or project meets the standards established by the land use ordinance.

Upon appeal, the City Council must consider whether the action taken by the Planning Commission was erroneous and may sustain, modify or overrule the Planning Commission's action. In order for the Planning Commission's decision to be overturned, the Council must find that the Planning Commission's decision was erroneous and inconsistent with the intent of the Zoning District regulations that regulate the proposed action. WMC § 14-10.1106.

Should the Council affirm the Planning Commission, and the appellant disagree, the appellant would need to file a lawsuit to overturn the Council's decision. A reviewing court would consider whether the adjudicative/quasi-judicial decision by the Planning Commission and Council were supported by adequate findings. Courts scrutinize adjudicative/quasi-judicial decisions closely. An action may be overturned if the City (1) exceeded its authority, (2) failed to provide a fair hearing, or (3) or made a decision not supported by "substantial evidence" (also called "a prejudicial abuse of discretion").

The substantial evidence standard is used in weighing evidence of what happened at the Council and the Planning Commission meetings, Courts go beyond whether a decision was "reasonable" (the legislative standard). Courts examine adjudicative/quasi-judicial decisions such as the Planning Commission's here to see if the decision is supported by substantial evidence. Denied applicants usually argue there is not enough evidence to support the decision. Cities argue there was substantial evidence to support the decision. The court's review and decision must be based on (1) the written words in the staff report and findings, (2) the statements and letters at the hearing, and (3) the words of the Planning Commission or Council.

Summary

The proposed Special Use Permit with Design Review and Environmental Review (PP2018-248) would allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street (APNs 018-261-14 & -29).

The applicant requests the City Council overrule the Planning Commission's action and adopt (1) a Resolution adopting the Mitigated Negative Declaration and (2) a Resolution approving the project entitlements, subject to findings and conditions.

ALTERNATIVES

The City Council may sustain, modify or overrule the action of the Planning Commission. In order for an official action to be overturned by an Appeal the City Council must find that the action taken by the Planning Commission was taken erroneously and was inconsistent with the intent of the Zoning District regulations that regulate the proposed action. WMC § 14-10.1106

ATTACHMENTS

1. December 3, 2019 Planning Commission public hearing minutes
2. July 2, 2019 Planning Commission meeting packet (i.e., staff report, resolutions, findings, and conditions of approval)
3. Public Comment (Osanna Bertsch, December 23, 2019)
4. Appeal Letter (dated December 13, 2019)

5. Appeal Letter Supplement (dated January 17, 2020)

Electronic copies of the nine attachments to the staff report for the December 3, 2019 Planning Commission meeting along with the Initial Study and response to comments memorandum for the 975-1075 Main Street Project (SCN 2019109021) are available on the City's website at https://www.cityofwatsonville.org/DocumentCenter/Index/157 under "Projects/975-1075 Main St - Redevelopment Project/2019-12-03 Planning Commission meeting/Attachments."

cc: City Attorney

M I N U T E S

REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE

COUNCIL CHAMBERS 275 MAIN STREET, 4th FLOOR, WATSONVILLE, CALIFORNIA

December 3, 2019 6:04 PM

In accordance with City policy, all Planning Commission meetings are recorded on audio and video in their entirety, and are available for review in the Community Development Department (CDD). These minutes are a brief summary of action taken.

1. ROLL CALL

Chair Jenni Veitch-Olson, Vice-Chair Matthew H. Jones, and Commissioners Anna Kammer, Jenna Rodriguez, and Jenny T. Sarmiento were present. Commissioners Ed Acosta and Phillip F. Tavarez were absent.

Staff members present were City Attorney Alan Smith, Community Development Director Suzi Merriam, Principal Planner Justin Meek, Assistant Police Chief Thomas Sims, Recording Secretary Deborah Muniz, Administrative Assistant II Maria Elena Ortiz, and City Interpreter Carlos Landaverry.

2. PLEDGE OF ALLEGIANCE

Chair Veitch-Olson led the Pledge of Allegiance.

3. PRESENTATIONS & ORAL COMMUNICATIONS

Drew Rogers, Watsonville resident, inquired about adding bicycle parking at the City Plaza.

4. REPORTS TO PLANNING COMMISSION

A. OVERVIEW OF HOTEL PROJECT AT 1 WESTERN DRIVE (PP2015 & PP2017-335)

1) Project History and Status

Principal Planner Justin Meek gave a brief presentation regarding the approved hotel project at 1 Western Drive.

2) Public Comment

None

3) Planning Commission Questions

Commissioner Jones thanked staff for the information regarding this project, as it answered questions raised at the November meeting.

5. CONSENT AGENDA

A. MOTION APPROVING MINUTES FOR NOVEMBER 5, 2019 MEETING

MOTION: It was moved by Chair Veitch-Olson, seconded by Commissioner Kammer, and carried by the following vote to approve the Consent Agenda:

AYES:	COMMISSIONERS:	Kammer, Rodriguez, Sarmiento, Jones, Veitch-Olson
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	Acosta, Tavarez

6. PUBLIC HEARING

A. AN APPLICATION FOR A SPECIAL USE PERMIT WITH DESIGN REVIEW AND ENVIRONMENTAL REVIEW (PP2018-248) TO ALLOW THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE-FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES LOCATED AT 975-1075 MAIN STREET (APN 018-261-14 & 018-261-29), FILED BY ROD FERMIN WITH BOOS DEVELOPMENT GROUP, INC., APPLICANT, ON BEHALF OF 975 MAIN STREET ASSOCIATES LLC, PROPERTY OWNER

1) Staff Report

Staff Report was given by Principal Planner Justin Meek. Environmental Study overview was given by Steve Noack, Principal, Placeworks Inc.

2) Planning Commission Clarifying & Technical Questions

None

3) Applicant Presentation

Robert Karn, Robert A. Karn & Associates, Inc., spoke on behalf of the applicant, Boos Development Group, Inc.

4) Planning Commission Clarifying & Technical Questions

In answering Commissioner Jones' question regarding the study on the number of daily trips at the intersection of Main Street and Auto Center Drive, Principal Noack stated that it was analyzed, and that he would get back to him later in the meeting with more information.

In answering Commissioner Jones inquiry regarding the addition of a housing component to the project, Mr. Karn stated that to his knowledge, because the project is located in the Thoroughfare Commercial Zoning District, residential housing is not permitted.

In answering Commissioner Sarmiento's inquiry regarding zoning, Director Merriam clarified that the Thoroughfare Commercial zone is principally permitted for commercial uses; therefore, any multi-family residential housing would require a Special Use Permit, which the applicant is not seeking at the moment.

Commissioner Sarmiento expressed concern about the addition of another drive-thru facility in the area, especially when a Starbucks drive-thru was recently approved down the street.

Director Merriam acknowledged Commissioner Sarmiento's concerns, and explained that staff has not been given further direction by City Council regarding drive-thrus; although it is something they can look into in the near future.

Mr. Karn added that their tenants require the drive-thru component to be successful and that the project itself is in accordance with the General Plan and zoning guidelines set forth by the City.

Principal Planner Meek answered Commissioner Kammer's questions in regards to the zoning designation surrounding the property, the project's potential to deter homeless encampments, pedestrian entrances, and pedestrian and bicycle circulation within the project.

Commissioner Kammer asked if the applicant would consider making modifications to the layout of the project, such as moving the bicycle rack area closer to the entrance of the property, as opposed to the back.

Mr. Karn stated they could do that.

In answering Commissioner Kammer's inquiry regarding the drive-thru component, Mr. Karn talked about their business model and the desire to attract well-known tenants, who require the drive-thru component to cater to its customers.

Both Principal Planner Meek and Mr. Karn answered questions from Commissioner Jones regarding the pedestrian paths and signals.

Commissioner Kammer encouraged the applicant to work with Caltrans to install a pedestrian signal button with leading pedestrian phase, over the driveway that crosses Auto Center Drive to make it safer for pedestrians.

Mr. Karn stated that they will add that to their list.

Both Principal Noack and Mr. Karn answered Commissioner Jones' earlier inquiry, and found that based on the traffic study there would be a net decrease of daily trips at the intersection of Auto Center Drive and Main Street.

In answering Chair Veitch-Olson's question regarding the addition of EV charging stations, Principal Planner Meek stated that they currently not reflected in the plans, but in order to meet building code requirements, parking spaces will be designated at the building permit stage.

Commissioner Rodriguez expressed concern regarding potential vehicle congestion spilling onto Main Street, at the points of ingress and egress.

Mr. Karn acknowledged Commissioner Rodriguez' concerns, but mentioned that the traffic study was reviewed and approved by Caltrans, therefore will not be making any modifications to the ingress or egress points of the property.

Commissioner Sarmiento echoed Commissioner Rodriguez' concerns and would like the area to be looked at to make modifications and make it safer for pedestrians.

5) Public Hearing

Chair Veitch-Olson opened the public hearing.

Mayor Pre-Tempore Rebecca Garcia expressed support for the redevelopment of the property, but spoke against the project due to the drive-thru component and environmental impact created by emissions from idle vehicles. She expressed her desire for less drive-thrus and asks that when voting, the Planning Commission take the residents' health into account.

Gina Cole, 756 Hill Avenue, spoke against the project and listed her reasons for doing so.

Nancy Faulstich, 114 Lapis Drive, Regeneración Pajaro Valley Climate Action Director, spoke in opposition to the project due to it being very "car dependent."

Drew Rogers, 42 Constanzo Street, also spoke in opposition to the project, primarily due to the addition of more drive-throughs, and suggested modifications to the project by adding parklets, grassy areas for children to play, and ample bicycle parking.

Mike Gonzalez, 511 Brewington Avenue, raised concern about the hazardous traffic congestion that could accumulate from the drive-thru closest to Main Street.

Hearing no further comment, Chair Veitch-Olson closed the public hearing.

6) Appropriate Motion(s)

Prior to the motion, City Attorney Smith reminded the Planning Commission that their decision-making should be based on whether the project has satisfied the conditions set forth by the City Council and current Municipal and Zoning Codes.

MAIN MOTION: It was moved by Commissioner Rodriguez, seconded by Commissioner Kammer to deny the following resolutions:

a) RESOLUTION NO. ___-19 (PC):
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION (PP2018-248) FOR THE COMMERCIAL REDEVELOPMENT PROJECT, CONSISTING OF THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE-FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975-1075 MAIN STREET, WATSONVILLE, CALIFORNIA (APNS 018-261-14 & -29)

b) RESOLUTION NO. ___-19 (PC):
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT WITH DESIGN REVIEW AND ENVIRONMENTAL REVIEW (PP2018-248) TO ALLOW THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975-1075 MAIN STREET, WATSONVILLE, CALIFORNIA (APNS 018-261-14 & -29)

7) Deliberation

Commissioner Kammer reiterated her stance on the project based on the public's comments and discussion with the Commission as she feels the project is very car-centric.

Commissioner Jones thanked the developer for his project, but expressed his desire to see more innovative ideas with projects that could contribute to both economic development and housing.

Principal Planner Meek addressed Chair Veitch-Olson's inquiry regarding the areas on Main Street that are permitted for housing.

In answering Commissioner Jones' question regarding the addition of a housing component to the proposed project, Principal Planner Meek stated

that a use permit would be required, as multi-family housing in that zoning district is not principally permitted.
Community Development Merriam added that a commercial/housing mixed- use would not be allowed under the current General Plan designation, as it would be too dense for this area.

City Attorney Smith and Director Merriam answered Commissioner Jones' question regarding the process for amending the General Plan.

Commissioner Sarmiento recommended that they move forward with the project, with the exception of the drive-thru component, and have City Council address that topic.

Director Merriam answered Commissioner Jones' inquiry regarding the process for making amendments to the General Plan regarding zoning.

8) Chair Calls for a Vote on Motion(s)

MAIN MOTION: The above motion carried by the following vote:

AYES:	COMMISSIONERS:	None
NOES:	COMMISSIONERS:	Kammer, Rodriguez, Sarmiento, Jones, Veitch-Olson
ABSENT:	COMMISSIONERS:	Acosta, Tavarez

7. REPORT OF THE SECRETARY

Following the vote from the Planning Commission, Director Merriam announced that the decision is appealable to the City Council.

Director Merriam welcomed Administrative Assistant, Elena Ortiz, back from her leave.

Additionally, she announced that the Cannabis Ordinance item will be presented at the January Planning Commission Meeting.

8. ADJOURNMENT

Chair Veitch-Olson adjourned the meeting at 7:43 PM. The next Planning Commission meeting is scheduled for Tuesday, January 14, 2019, at 6:00 PM in the City Council Chambers.

Suzi Merriam, Secretary
Planning Commission

Jenni Veitch-Olson, Chair
Planning Commission

City of Watsonville
M E M O R A N D U M

DATE: November 20, 2019

TO: Planning Commission

FROM: Suzi Merriam, Community Development Director
Justin Meek, AICP, Principal Planner

SUBJECT: Public Hearing to consider adoption of a Mitigated Negative Declaration and approval of a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street (APNs 018-261-14 & -29).

AGENDA ITEM: December 3, 2019 **Planning Commission**

RECOMMENDATION:
Staff recommends that the Planning Commission (a) adopt a Resolution adopting a Mitigated Negative Declaration and (b) adopt a Resolution approving a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street (APNs 018-261-14 & -29).

The recommendations are based on the attached findings and conditions of approval.

BASIC PROJECT DATA

APPLICATION NO.: PP2018-248 **APN:** 018-261-14 & -29
LOCATION: 975-1075 Main Street (SR 152)
LOT SIZE: 3.05± acre

PROJECT DESCRIPTION: The project proposes to construct three one-story commercial buildings totaling 20,000± square feet on a 3.05± acre site, with two drive-through facilities and six outside seating areas. Overall development includes installing new onsite circulation and parking lot, stormwater facilities, landscaping, bicycle racks, and trash enclosures. Development of the project also involves demolishing existing impervious surfaces, such as building foundations and surface parking areas, and replacing the existing 8-foot wide asphalt trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on

either side. Project entitlements consist of a Special Use Permit with Design Review and Environmental Review.

GENERAL PLAN: General Commercial and Environmental Management
ZONING: CT (Thoroughfare Commercial) and EM-OS (Environmental Management-Open Space)

SURROUNDING GENERAL PLAN/ZONING: General Commercial in the CT Zoning District (north) and Environmental Management in the EM-OS Zoning District (east, south and west)

EXISTING USE: Commercial (former market, restaurant, and auto services)
PROPOSED USE: Commercial (retail, restaurant, and restaurant with drive-through lane)
SURROUNDING USES: Various commercial uses across Main Street; riparian habitat in Watsonville Slough

FLOOD ZONE: The southern portion of the site is within the 100-year floodplain with a base flood elevation of 26 feet (FEMA Flood Map Panel 0392E, Map No. 06087C0392E, revised May 16, 2012)

CEQA REVIEW: An Initial Study/Mitigated Negative Declaration has been prepared for this project, in accordance with the provisions of the California Environmental Quality Act (CEQA).

APPLICANT: Rod Fermin, Boos Development Group, Inc., 701 N. Parkcenter Drive, Suite 200, Santa Ana, CA 92702
PROPERTY OWNER: 975 Main Street Associates LLC, 400 Beach St, Santa Cruz, CA 95060

BACKGROUND

On September 27, 2018, Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner, applied for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the redevelopment of the subject site. Boos Development Group, Inc., has similar active projects in numerous states across the United States.[1] "975 Main Street Associates, LLC" is a limited liability company owned by the Santa Cruz Seaside Company.

The site was previously developed with buildings that supported commercial land uses, including a restaurant, market and auto service shops. Figure 1 shows photographs of these buildings and their former tenants. Staff observed evidence of vandalism and people residing in vacant buildings during a site visit (Attachment 5).

In May 2019, Code Enforcement staff contacted the Santa Cruz Seaside Company because of life and safety concerns resulting from homeless encampments within vacant buildings.

[1] Boos Development, Active Projects, https://www.boosdevelopment.com/activedevelopments (visited October 28, 2019)

On May 24, 2019, the Building Division issued Demolition Permit DM2019-26 to allow the removal of existing buildings onsite, in response to the Code Enforcement inquiry.

The site is currently vacant. Figures 1a and 1b provide photographs of the site just prior to demolition of former buildings.



FIGURE 1a View of vacant buildings prior to demolition
Source: Google Street View (Image capture, June 2019)



FIGURE 1b View of vacant buildings prior to demolition
Source: Google Street View (Image capture, June 2019)

STANDARD OF REVIEW

Whether a particular decision is adjudicative or legislative affects the requirements for findings to support the decision. Legislative decisions involve the adoption of broad policies applicable to many situations (for example, general plan amendments and zoning decisions).

Adjudicative (or "quasi-judicial") decisions, on the other hand, apply already adopted policies or standards to individual cases, such as a variance or conditional use permit application.

Adjudicative/quasi-judicial decisions are based on evidence and must always be supported by findings.[2] Legislative decisions, however, need not be accompanied by findings unless a State law or City ordinance requires them.

The decision before the Planning Commission—a Special Use Permit with Design Review—is an adjudicative/quasi-judicial decision and requires findings, either for denial, or as recommended, for approval that is supported by substantial evidence. *Toigo v Town of Ross* (1998) 70 Cal App 4th 309

If challenged, a reviewing court will consider whether the decision(s) considered the applicable policies and the extent to which the proposed project conforms with those policies and whether the City made appropriate findings.

PROCESS

Special Use Permit

Pursuant to Sections 14-16.1203(b) and 14-41.101 of the Watsonville Municipal Code (WMC), eating and drinking places with drive-through facilities (DLU 581) are allowed conditionally in the CT Zoning District with issuance of a Special Use Permit. The Planning Commission is authorized to issue Special Use Permits in accordance with the procedures set forth in WMC Sections 14-12.509 through 14-12.513. The purpose of the Special Use Permit is to ensure the proper integration of uses which, because of their special nature, may be suitable only in certain locations or zoning districts or only provided that such uses are arranged or designed in a particular manner. WMC § 14-12.500. This special review shall be for the purpose of determining that the proposed use is, and will continue to be, compatible with surrounding, existing, or planned uses; and for the further purpose of establishing such special conditions as may be necessary to ensure the harmonious integration and compatibility of uses in the neighborhood and with the surrounding area. WMC § 14-12.501.

Design Review

All new construction, exterior remodeling, additions, or changes in use requiring additional parking, which involve structures used for multi-family residential, commercial, industrial or public purpose are subject to Design Review. WMC § 14-12.400. No Building Permit shall be issued for a development subject to Design Review until a Design Review Permit has been approved in accordance with WMC Chapter 14-12 and conditions of approval have been met.

When considering applications for Design Review, the Planning Commission shall evaluate the impact of the Design Review on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the development and make the findings set forth in WMC Section 14-12.403. The findings for a Design Review Permit are substantially

[2] Quasi-judicial decisions require the decision-making body to take evidence and use its judgment to make factual as well as legal determinations about whether a particular property or project meets the standards established by the land use ordinance.

similar to those required for Special Use Permits, except for the finding set forth in WMC Section 14-12.403(e), which requires that additional design elements be addressed.

Environmental Review

The California Environmental Quality Act requires local and state governments to consider the potential environmental effects of a project before making a decision on it. CEQA's purpose is to disclose the potential impacts of a project and suggest methods to minimize those impacts so that decision-makers will have full information upon which to base their decision. Below is a summary of key provisions for the consideration and adoption of a negative declaration or mitigated negative for a project.

1. **Consideration prior to approval.** Prior to approving a project, the decision-making body shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process.

2. **Standard.** The decision-making body can adopt the negative declaration or mitigated negative declaration only if it finds there is no substantial evidence that the project will have a significant effect on the environment.

3. **The Record.** The lead agency is to specify the location of the documents and materials constituting the record.

4. **Mitigation Monitoring and Reporting.** When adopting a mitigated negative declaration, the lead agency must also adopt a program for reporting or monitoring the changes it has required or made conditional on approval.

DISCUSSION

Existing Site

The 3.05± acre project site includes the properties located at 975 to 1075 Main Street. Situated along the south side of Main Street, the site is halfway between Main Street's intersections with SR 1 and SR 129. As shown on Figure 2, the site is bounded by Main Street along its northern boundary, with several commercial establishments located across Main street to the north; Watsonville Slough[3] to the east and south; and Ramsay Park[4] to the west.

[3] Watsonville Slough is the main drainage channel for the city, draining into the greater Watsonville State Wildlife Area. The Watsonville Slough originates beyond Main Street to the north (in Watsonville) and connects to the Pajaro River near the beach at Monterey Bay. The portion of the Watsonville Slough in the vicinity of the project site contains a seasonal floodplain, detention basin, and intermittent creek. The segment of the creek in the vicinity of the site is generally dry during the months of May through December and has seasonal flow during the months of March and April.

[4] Ramsay Park consists of the Ramsay Park Family Center, Soccer Central Indoor Sports Complex, and the City of Watsonville Nature Center.



FIGURE 2 Aerial view of the project site and surrounding Area
Source: Pictometry, 2016

The site was previously developed with three one-story commercial buildings and one storage structure, along with surface parking. The buildings were recently demolished and previously contained three auto service shops, a grocery store, and a restaurant.

According to the County Assessor's Office records, structures were first built on the site in 1945. An aerial photograph dated from 1949 confirms the presence of two structures onsite (Attachment 4). Historically, the site had been occupied with truck stops, truck/bus facilities, auto repair shops, and a gasoline service station. The former gas service station, for instance, closed in 1976. According to the Phase I Environmental Site Assessment (ESA) prepared by Roux Associates for the site, none of the historic facilities or uses have open investigations or any known contamination issues.[5]

[5] The purpose of a Phase I ESA is to identify and report "recognized environmental conditions" (RECs). A Phase I ESA is prepared in compliance with the scope and limitations of the American Society for Testing Materials (ASTM) *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM E1527-13). ASTM E1527-13 defines a REC as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions."

The site topography is predominantly flat with elevations ranging from 25 to 30 feet above mean sea level (AMSL), sloping generally from the northwest corner towards the southeast corner (Attachment 3). Steeper terrain exists along the southern, eastern and western edges of the site, with slopes ranging from 8 to 40 degrees. According to the Geotechnical Engineering Investigation prepared by Krazen & Associates for the site, loose surface soils and fill material overlay Holocene alluvial fan deposits and Quaternary river terrace deposits.

The site contains several mature palm trees and ornamental landscaping throughout the site and along Main Street. None of these trees have been designated by the City for the purpose of preservation or protection, pursuant to Chapter 7-13 of the Watsonville Municipal Code (WMC). Riparian woodland borders the site to the south, east and west.

Proposed Project

The proposed project would redevelop the site with three one-story buildings and two associated drive-through facilities, surface parking, and landscaping. The proposed buildings are located on the northern portion of the site, with parking and trash enclosures located on the southern portion of the site. Outdoor seating would be provided in the front or on the sides of the three commercial buildings and building entry points face the interior of the project site.

Building 1 would be adjacent to Main Street on the northwest portion of the project site near Ramsay Park (Attachment 2, Site Plan, sheet A-010). Building 1 is 2,800± square feet in size. The roof is 20 feet in height. The building includes parapet walls reaching 24 to 28 feet, which are intended to screen rooftop equipment and created a varied roof plane (Attachment 2, Elevations, sheet A-201). This building would provide space for one fast-casual restaurant tenant, with a drive-through located on the northwest side of the building, and include outdoor seating for customers.

Building 2 would be located in the north-central portion of the project site, adjacent to Main Street and between the two existing driveways (Attachment 2, Site Plan, sheet A-010). Building 2 consists of a 9,600-square-foot building with fast-casual restaurant and retail tenant spaces. As with Building 1, Building 2 has a roof 20 feet in height with parapet walls reaching 23 to 27.5 feet in height. In addition, Building 2 would have a tower element with an average roof height of 35 feet[6] (Attachment 2, Elevations, sheet A-202).

Building 3 would be located in the northeastern portion of the project site, adjacent to Main Street and the Watsonville Slough (Attachment 2, Site Plan, sheet A-010). Building 3 is 7,600± square feet and has a 20-foot tall roof. As with the other two buildings, Building 3 includes parapet walls reaching 22 to 27.5 feet in height and a tower element 30 feet tall at its highest point (Attachment 2, Elevations, sheet A-203). This building would provide space for restaurant and retail tenants. Building 3 would also include a drive-through that wraps around the eastern side of the building. This tenant space would serve the largest tenant space and is anticipated to be a coffee shop.

[6] The building height is measured from the ground level to the average height of the highest gable of a pitched roof. WMC § 14-18.154

Altogether, the three buildings total 20,000± square feet. According to the project applicant, the project would generate approximately 35 jobs.

Direct access to the project site would occur from existing driveways located along Main Street. The project would replace the existing 8-foot wide asphalt multi-use trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on either side. In addition, the project includes minor changes to signal phasing and lane striping for the Main Street/Auto Center Drive intersection.

General Plan

The majority of the project site is designated General Commercial on the General Plan Land Use Diagram. General categories of allowed uses for General Commercial designated land include:

- retail sales;
- personal, professional, financial, business and medical offices and services;
- entertainment;
- lodging; and
- restaurants and automobile sales intended to serve the needs of the community and the surrounding region.

A small portion of the project site along its southeastern edge, where the terrain slopes steeply towards Watsonville Slough, is designated Environmental Management. This area has been set aside for the protection and preservation of natural resources, such as wetlands, sloughs, and wildlife habitat. No development is proposed within this area.

General Plan Consistency

The proposed project is consistent with the following General Plan goals, policies and implementation measures concerning commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection.

- ***Goal 4.3 Commercial Land Use*** *– Revitalize the central business district and provide adequate neighborhood commercial services.*

- ***Goal 4.7 Land Use Suitability*** *– Ensure that the orderly development of land for the needs of the existing and projected population within in the City limit and Sphere of Influence is based on the land's overall suitability, including: the accessibility of existing and proposed public facilities, services, and utilities, physical and financial constraints; and/or growth inducing impacts.*

- ***Policy 4.C Commercial Development*** *– The City shall plan for revitalization of the central business district along with the distribution of convenient neighborhood commercial centers.*

- ***Policy 4.G Land Use Suitability*** *– The City shall encourage the development of urban uses on those lands best suited for urban uses and discourage it on lands unsuited for urban uses.*

The proposed project would construct three buildings for fast-causal restaurants and retail shops on land designated for commercial uses. These businesses would complement existing commercial development across the street and provide a convenient location for residents to patronize. The site abuts existing utilities that can be extended to serve the project. The project is not anticipated to induce population growth, as it does not include residential development or involve any extension of roadways or other public infrastructure. In addition, the project would not be a regionally significant employer and future employees of the fast-casual restaurants and retail shops are anticipated to come from within Watsonville and nearby communities.

- ***Goal 5.1 Visual Resources*** *– Preserve and enhance the built and natural visual resources within Watsonville.*

- ***Goal 5.2 Community Appearance*** *– Blend new development and recognized values of community appearance and scenic qualities, and ensure that new development enhances, rather than detracts from its surroundings.*

- ***Goal 5.6 Urban Design*** *– Achieve high standards of street, site and building design that are both efficient, and aesthetically pleasing.*

- ***Policy 5.A Project Design Review*** *– The preservation of visual resources shall be accomplished through the design review process.*

- ***Policy 5.B Design Consistency*** *– The City shall review new development proposals to encourage high standards of urban design and to ensure that elements of architectural design and site orientation do not degrade or conflict with the appearance of existing structures.*

The proposed project would redevelop an existing commercial property with three new commercial buildings and new landscaping that would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade. As discussed further below, the project is consistent with all development regulations for the CT Zoning District. As conditioned, the project is also consistent with regulations concerning the design and location of drive-through facilities.

- ***Goal 9.5 Water Quality*** *– Ensure that surface and groundwater resources are protected.*

- ***Policy 9.D Water Quality*** *– The City shall provide for the protection of water quality to meet all beneficial uses, including domestic, agricultural, industrial, recreational, and ecological uses.*

- ***Goal 9.8 Wildlife Habitat*** *– Preserve and protect the remaining areas of wildlife habitat for their scenic and scientific value.*

- ***Policy 9.F Wildlife Habitat Protection*** *– The City shall designate for open space and environmental management those areas rich in wildlife species and fragile in ecological makeup. These habitat zones shall be made part of the greenbelt where appropriate.*

- ***Implementation Measure 9.F.1 Habitat Protection*** *– Impacts to important wildlife habitat areas shall be identified as part of the City's development review and environmental review processes, and appropriate mitigations shall be considered. Mitigation measures to be considered include: designation of sensitive areas as open space, restriction of new development on lands that provide important wildlife habitat, setback requirements, habitat conservation plans, and habitat mitigation banking. Lands within the urban limit line that provide important wildlife habitat include, but are not limited to the following: (a) riparian corridors; (b) fresh water marshes and sloughs; and (c) woodlands and steep slopes.*

The proposed project does not encroach on land designated Environmental Management. Pursuant to WMC Section 6-3-535, the project is required to comply with the City's post-construction stormwater requirements, which are intended to minimize stormwater pollution and thereby protect receiving waterbodies, such as rivers, creeks and wetlands (see pages 19-21 for a detailed discussion on drainage). New development would maintain a setback of 30 feet or more from riparian habitat. In some locations along the eastern and western edge of the site, this 30-foot setback is not achieved; however this is only in areas that are already developed with existing structures, curb and gutter, or parking lot pavement (see pages 16-17 for a detailed discussion on riparian setbacks).

In summary, the proposed project, with implementation of conditions of approval, would be generally consistent with policies in the General Plan. Because general plans often contain numerous policies emphasizing differing legislative goals, a development project may be consistent with a general plan, taken as a whole, even if the project appears to be inconsistent with some of its policies. Based on a review of the General Plan's goals and policies, the proposed project is in harmony with the overall intent of the City's General Plan goals and policies, including those pertaining to commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection. It is within the Planning Commission's purview to decide if the proposed project is consistent or inconsistent with any applicable City goals or policies. Based on the analysis presented above, however, the project meets the intent of the City's General Plan goals and policies.

Zoning

The Zoning Ordinance implements the General Plan, regulates the future growth of the City, and promotes orderly community development.[7] It includes the Zoning Map, which sets forth

[7] The General Plan and Zoning are not the same. A general plan is a set of long-term goals and policies that a community uses to guide development decisions. Although the plan establishes standards for the location and density of land uses, it does not directly regulate land use. Zoning, on the other hand, is regulatory. Under the

the designations, locations and boundaries of zoning districts. The purpose of the CT Zoning District is to provide for retail, commercial, service, amusement, and transient-residential uses which are appropriate to thoroughfare location and dependent upon thoroughfare travel; to be located only in the immediate vicinity of major streets and arterials or on the service drives thereof; and to provide convenient vehicular access and parking for the public.

The proposed project is consistent with the list of allowable uses for and general purpose of the CT Zoning District, in that the project would provide three buildings for establishing commercial uses along an existing major arterial. In addition, the proposed drive-through facilities are permitted conditionally with issuance of a Special Use Permit.

Conformity with District Regulations

The proposed project is consistent with all development regulations for the CT Zoning District.

Development Intensity (Floor Area Ratio). The intensity of use of land for commercial development is described as a floor area ratio (FAR).[8] For land with a General Commercial designation, and where building heights are permitted up to 35 feet or three stories, the maximum FAR is 0.45.

The proposed project is consistent with the maximum FAR allowed for general commercial development, in that the FAR for the proposed buildings on the subject site is 0.15.[9]

Maximum Building Height and Number of Stories. The maximum building height and number of stories permitted within the CT Zoning District is 35 feet and three stories, respectively. WMC § 14-16.1204(c).

The proposed project is consistent with these requirements, in that the project involves the construction of single-story buildings with a roof 20 feet in height and parapet walls and tower elements that do not exceed 35 feet in height (Attachment 2, Elevations, sheets A-201 through A-203).

Setbacks. The minimum front yard setback requirement for buildings within the CT Zoning District is 15 feet. There are no required side or rear yard setbacks, unless when the property abuts directly a residential zoning district. WMC § 14-16.1204(b).

The proposed project is consistent with these requirements, in that the proposed buildings are set back 17 feet or more from the front property line (Attachment 2, Site Plan, sheet A-010).

Conformity with Drive-Through Facility Restrictions

WMC Chapter 14-41 sets forth regulations concerning the design and location of drive-through facilities in the City (Attachment 6). Drive-through facilities are permitted in commercial zones with issuance of a Special Use Permit, provided that the project can meet certain conditions.

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zoning ordinance, development must comply with specific, enforceable standards such as minimum lot size, maximum building height, minimum building setback, and a list of allowable uses.

[8] FAR is defined as the total floor area of a building (or buildings) on a lot divided by the total area of the lot.

[9] FAR calculation: building floor area ÷ site area = 20,000 sf ÷ 133,069 sf = 0.15.

Drive-throughs cannot be located within 150 feet of a residential parcel or 300 feet of a designated “gateway” intersection. For all other signalized intersections in commercial zones, no more than one drive-through may be within 200 feet of the nearest portion of the intersection. The project site is not next to one of the “gateway” intersections listed in WMC Section 14-41.100(a)(3), and only one of the two proposed drive-through facilities is within 200 feet of the signalized intersection of Main Street and Auto Center Drive.

Drive-through facilities must also be designed and situated consistent with design standards listed in WMC Section 14-41.102, including the following:

- Onsite pedestrian walkways shall not intersect the drive-through vehicle lanes, except where visibility is clear, and the pedestrian walkway is emphasizes by enriched paving and striping;
- Drive-through lanes include a minimum 14 foot width on curves and a minimum 11 foot width on straight sections;
- Drive-through lanes provide sufficient vehicle stacking area behind the menu board to accommodate a minimum of four cars;
- No drive-through lanes shall exit directly onto a public right-of-way;
- Landscaping shall screen drive-through and drive-in lanes from the public right-of-way and shall minimize the visual impact of the menu board and directional signs;
- Drive-through lanes shall be set back from the face of the curb of any street frontage a minimum of 20 feet; and
- Only one menu board may be permitted and shall be a maximum of 30 square feet in the area of the sign face, with a maximum height of seven feet and shall face away from the street.

As conditioned, the proposed project meets all design standards. The drive-through lanes for Buildings 1 and 3 are set back approximately 60 feet from Main Street and would be screened by proposed landscaping. The proposed drive-through lane widths on straight sections and curves exceed the minimum dimensions of 11 and 14 feet, respectively. The drive-through lane for Building 1 provides sufficient room to stack five vehicles behind the menu board, and six vehicles for Building 3. As only one menu board with an area of up to 30 square feet is permitted per drive-through facility, the proposed 6'H x 5'W menu boards shown on the Site Plan for each drive-through facility would be allowed; however, the “pre-menu board” shown next to Building 3 exceeds the one menu board limit. A Condition of Approval requires the removal of the “pre-menu board” from the Site Plan.

Access/Circulation

The project site is located along Main Street (SR 152), which is a fully improved public right-of-way that is designated as a major arterial in the City’s General Plan and is intended to handle large volumes of traffic. Existing vehicle access to the project site is provided from two driveways, one of which is at the intersection of Main Street and Auto Center Drive. The second driveway is located approximately 250 feet west of this intersection.

All necessary access improvements have been installed previously, and no roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following changes to signal phasing and lane striping at the

Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

Bicycle access would continue to be provided to the project site from the existing Class II bike lane on Main Street and the existing 8-foot wide multi-use trail paralleling Main Street in front of the site.

Pedestrian access would also continue to be provided from the multi-use trail along Main Street, and entrances to the site are proposed from three locations. One pedestrian entrance would be located on the northwest portion of the site, and two pedestrian entrances would be located near the signalized intersection of Main Street and Auto Center Drive. The project would install enhanced colored concrete pedestrian paths across each of the project site driveways to provide greater visibility for drivers to see pedestrians crossing the project driveways along Main Street. The project also includes the installation of an internal sidewalk and crosswalk system within the project site leading to each of the three buildings.

Proposed on-site vehicle circulation consists of two-lane aisles that provide access to each building, parking areas, and drive-through lanes. The drive aisles have been designed to be accessible for emergency and waste management vehicles.

The entrance to the proposed drive-through lane associated with Building 1 is located in the northwest corner of the project site, and exits along the western edge of the project site, just south of Building 1. The entrance to the drive-through associated with Building 3 is located just south of Building 3 along the eastern border of the project site, and exits near the driveway to the signalized intersection of Main Street and Auto Center Drive.

Parking Requirements

The proposed project would construct three buildings totaling 20,000± square feet for fast-causal restaurants and retail shops. The Site Plan (Attachment 2, sheet A-010) shows the layout of the proposed parking stalls for use by patrons of the multiple tenant spaces on the project site. In total, 143 spaces would be provided, consisting of 118 standard stalls, 19 compact stalls, and 6 accessible stalls. These parking spaces are intended to meet the parking demand for a future mix of fast-casual restaurants and retail shops within the proposed buildings.

The proportion of one use compared to the other may vary, depending on market conditions. As the City's parking requirements for restaurant[10] and retail[11] uses differ, Tables 1 and 2

[10] Eating and drinking places: 1 space for each 100 square feet. WMC § 14-17.801(i)

[11] Retail stores: 0 to 3,000 square feet floor area, 5 spaces; 3,000 to 5,000 square feet floor area, 5 spaces, plus 1 space for each 500 square feet floor area in excess of 3,000 square feet; in excess of 5,000 square feet floor area, 10 spaces, plus 1 space for each 250 square feet floor area in excess of 5,000 square feet. WMC § 14-17.801(j)

provide two scenarios with a different proportion of tenant spaces for restaurant and retail uses. Both scenarios include two drive-through facilities for restaurant use totaling 5,100± square feet.[12] The main difference in determining a lower or higher parking requirement is based on the proportion of the remaining tenant spaces used for retail or additional restaurants. As shown in Table 1, a scenario involving three 1,200± square-foot tenant spaces used as retail shops, with the remaining seven tenant spaces totaling 11,300± square feet devoted to fast-casual restaurant businesses, results in a parking requirement of 134 spaces; whereas a scenario with seven 1,200± square-foot retail spaces and only three remaining tenant spaces used as restaurants results in lower parking requirement of 102 spaces. The project provides a greater number of parking spaces than the City's parking requirement under both tenancy scenarios.

TABLE 1 Greater Proportion of Restaurants (Higher Parking Requirement)

Use	Floor Area (gross)	Floor Area (85%)[1]	Drive-Thru Adjustment[2]	Required Spaces
Retail	3,600 sf	3,060 sf	n/a	5
Restaurant w/o drive-thru	11,300 sf	9,605 sf	n/a	96
Restaurant w/ drive-thru	5,100 sf	4,335 sf	-11	33
Total	**20,000 sf**	**17,000 sf**		**134**

TABLE 2 Greater Proportion of Retail Shops (Lower Parking Requirement)

Use	Floor Area (gross)	Floor Area (85%)[1]	Drive-Thru Adjustment[2]	Required Spaces
Retail	8,400 sf	7,140 sf	n/a	14
Restaurant w/o drive-thru	6,500 sf	5,525 sf	n/a	55
Restaurant w/ drive-thru	5,100 sf	4,335 sf	-11	33
Total	**20,000 sf**	**17,000 sf**		**102**

Notes:

1. Eighty-five (85) percent of the gross floor area is used for the purpose of determining the number of required parking spaces. WMC § 14-17.108(b)
2. Up to 25 percent of required parking is accounted for in stacking lanes, in accordance with Resolution No. 329-80.

Bicycle Parking

The proposed project provides three bike racks, one next to each building. As shown on Figure 3, bike racks are proposed in prominent locations as follows:

- Near the south side of Building 1, in line with the pedestrian crossing to Building 2;
- Next to the west side of Building 2 and outside seating; and
- Near the northwest corner of Building 3 next to outside seating and a pedestrian path leading to the multi-use trail along Main Street.

[12] This figures represents the floor area of Building 1 (2,800± square feet) and the 2,300± square-foot endcap space in Building 3.

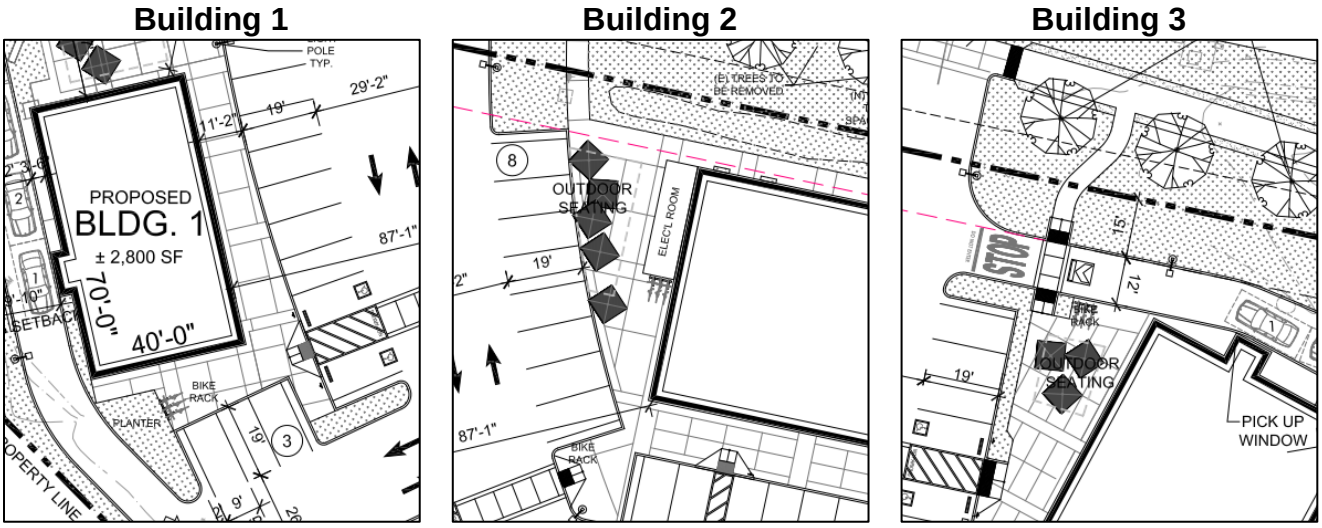


FIGURE 3 Proposed bike rack locations
Source: Site Plan, McKently Malak Architects, sheet A-010 (11.19.2019)

In accordance with WMC Section 14-17.113, the bike racks shall be securely fastened to the ground to resist theft and be capable of supporting bicycles of various sizes in a vertical position.

Architectural Design

The project involves redeveloping the site and constructing three new commercial buildings. Attachment 2 provides building elevations along with proposed colors and materials.

The overall building design has a modern appearance. As shown on the proposed Elevations, every façade is well composed, articulated and consistent on each façade. The proposed building design consists of varied wall planes along the front, side and rear elevations as well as a variety of colors and finish materials. The building form does not include long, unbroken wall planes, which are articulated with metal canopies over doors and windows, wall recesses, and wall pop outs. Varying roof heights from parapet walls of different heights and tower elements create visual interest. Buildings materials are primarily stucco, punctuated by recessed wall planes made of fiber cement board to provide a smooth lap siding appearance and tile along the base of the buildings.

Although the buildings primarily face the interior parking lot, the buildings include the same architectural elements on all sides and endcap spaces include windows and seating areas facing the street to create visual interest and make for an inviting appearance. The back of Building 2 facing Main Street also includes landscape wall panels to soften the appearance of the building from the public right-of-way.

Landscaping

The project involves removing existing landscaping and replacing it with new landscape areas throughout the site. In addition, the project also involves removing existing streets within Caltrans right-of-way along Main Street, which are in poor condition, and replacing them with the same tree species—'forest green' oak trees (aka Hungarian oaks)—recently planted by the

City near Ramsey Park. These replacement trees would be located in front of the proposed buildings and serve as street trees along the multi-use trail in Caltrans right-of-way.

The preliminary Landscape Plan (Attachment 2, sheet PL1) shows the location of new landscape plantings. The project would provide landscaping in a manner which frames the three commercial buildings, including next to the new outside seating areas and drive-through lanes. The project would add landscaping throughout the parking lot, along the perimeter, and within bioswales. Proposed plantings include 17 new 'forest green' oak trees (*Quercus frainetto 'Schmidt'*), seven new live oak trees (*Quercus agrifolia*), nine new Chinese evergreen elm trees (*Ulmus parvifolia "Drake"*), nine new frontier elm trees (*Umus x "Frontier"*), eight new Chinese fringe trees (*Chionanthus retusus*), 11 new red crape myrtle trees (*Lagerstroemia "Tusscarora"*), and a mix of shrubs and groundcovers.

Watsonville Wetlands Watch, in a comment letter to the City, raised concerns that certain plant species in the bioswales along the perimeter of the site could become invasive plant species and provided a list of suitable replacements. A condition of approval requires the applicant to revise the final Landscape Plan to replace butterflyweed (*Asclepias tuberosa*) with a suitable replacement species, such as common rush (*Juncus patens*), soft rush (*Juncus effuses*), valley sedge (*Carex barbarae*), foothill sedge (*Carex tumulicola*) or Douglas' sagewort (*Artemisia douglasiana*).

The Landscape Plan indicates that irrigation will be provided using an automatic, low volume, in-line drip system. A condition of approval requires the landscaping and irrigation design comply with the California Model Water Efficient Landscape Ordinance, in accordance with WMC Section 6-3.801.

Riparian Buffer

The project does not involve direct disturbance of adjacent riparian habitat in the Watsonville Slough floodplain and new development on undisturbed land would maintain a setback of 30 feet or more from riparian habitat. This buffer distance is based on the high water mark of standing water in the Watsonville Slough (i.e., 11 feet AMSL), in accordance with the definition provided for a "riparian corridor" in WMC Section 7-6.152(c).[13] In some locations along the eastern and western edge of the site, this 30-foot setback is not achieved; however this is only in areas that are already developed with existing structures, curb and gutter, or parking lot pavement. In those locations, proposed site improvements would extend no closer to riparian habitat than existing improvements. As discussed in the Initial Study prepared for the project, the portion of the project site proposed for redevelopment has already been modified by past commercial activities, and the proposed project would not further disturb wildlife acclimated to human activity in this area or result in new substantial interference with the movement of native

[13] A "riparian corridor" is defined to mean those areas which fall into one of the following three categories: (a) An area extending fifty (50') feet, measured horizontally, from each side of a perennial stream. Distance shall be measured from the top of the existing bankfull flowline; (b) An area extending thirty (30') feet, measured horizontally, from each side of an intermittent stream. Distance shall be measured from the top of the existing bankfull flowline; or (c) An area extending 30 feet from the high water mark of a marsh or a natural body of standing water. WMC § 7-6.152

resident or migratory wildlife. In addition, the project would avoid direct disturbance of riparian habitat from grading and construction activities.

Off-site Homeless Encampments

Homeless encampments currently exist off-site in the adjacent Watsonville Slough floodplain. These encampments diminish the area's habitat value for wildlife, due to the intensity of human activity, accumulated trash and human waste, and damage to native willows and other riparian vegetation. Once the project is constructed and occupied by future restaurant and retail businesses, homeless individuals may choose to move away to an area where they would not be observed, thereby curtailing these encampments and potentially improving existing conditions.

Lighting/Visual Impact

Nighttime illumination has the potential to change ambient lighting conditions and create a visual nuisance or hazard. The impact of nighttime lighting depends upon the type of use affected, the proximity to the affected use, the intensity of specific lighting, and the background or ambient level of the combined nighttime lighting. Nighttime ambient light levels may vary considerably depending upon the age, condition, and abundance of point-of-light sources present in a particular view. The use of exterior lighting for security and aesthetic illumination of architectural features may contribute substantially to ambient nighttime lighting conditions.

Spillover of light onto adjacent properties ("light trespass") has the potential to interfere with certain activities including vision, sleep, privacy and general enjoyment of the natural nighttime condition. Light sensitive uses include residential, some commercial and institutional uses and natural areas. Changes in nighttime lighting may significantly impact sensitive land uses if a proposed project increases ambient lighting conditions beyond its property line and project lighting routinely spills over into adjacent light-sensitive land use areas.

The project would provide lighting on the buildings and in the parking lot. Proposed building lighting consists of decorative wall-mounted light fixtures and wall sconces over service doors (Attachment 2, Elevations, sheets A-201, A-203 and A-203). As shown on the Site Plan (Attachment 2, sheet A-010) and Photometric Plan (Attachment 2, sheet E-1.0), 27 downcast pole-mounted Versalux LED lighting fixtures by U.S. Architectural Lighting are proposed in the parking lot and along drive aisles.

The photometric analysis provides the anticipated exterior light intensity (Attachment 2, sheet E-1,0). As shown on this plan, the proposed lighting would provide an average illumination of 3.1 footcandles (fc) with higher intensities directly below the fixtures. The light schedule assumes an even distribution in all directions (Type V Sq.). Figure 4 provides a graphical illustration of this and other distribution pattern options.

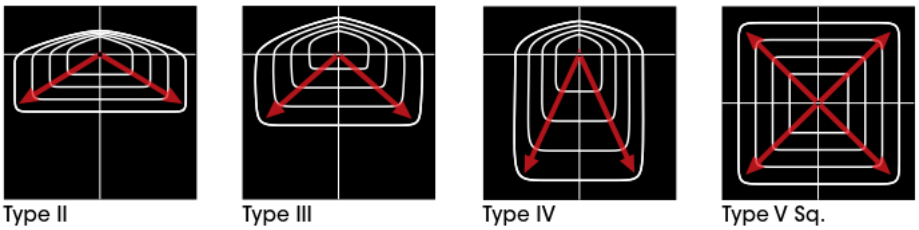


FIGURE 4 Light distribution options
Source: U.S. Architectural Lighting, Versalux LED Brochure, VLED Optics

The proposed lighting provides adequate light to illuminate the site, consistent with lighting for commercial buildings in an urban setting. The parking lot lighting is sufficient for creating a fairly even distribution of light at moderate to low levels of intensity. However, new lighting could disrupt wildlife in nearby riparian woodlands, including their use of these areas for nesting and roosting. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a *less-than-significant* level. This mitigation measure requires appropriate controls to be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of Watsonville Slough. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

Trash Enclosure

Three trash enclosures are proposed within the parking area on the southern portion of the site. Proposed materials consist of metal gates and concrete block walls with a smooth stucco finish, painted the same “Colonnade grey” color as the proposed buildings (Attachment 2, Trash Enclosure Plan & Elevations, sheet A-300). Public Works and Utilities, Solid Waste Division staff have reviewed the plans for the enclosures and confirmed that they meet the City’s standards, including the requirement for a floor drain and solid roof cover (City of Watsonville Public Improvement Standard No. S-602). As shown on the preliminary Landscape Plan (Attachment 2, sheet PL1), new landscaping would also help screen the enclosure from view and prevent graffiti.

Because of the close proximity of nearby riparian habitat, unless these enclosures are carefully maintained, they could attract nuisance pest species such as Norway rat, raccoon, and opossum that could become dependent on this possible food source, disrupting natural behaviors and creating nuisance conditions. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a *less-than-significant* level. In accordance with this mitigation measure, a condition of approval requires the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

Signs

The proposed Elevations (Attachment 2, sheets A-201, A-202 and A-203) show the conceptual locations of new signs. A condition of approval requires the applicant to obtain a separate

Sign Permit. Proposed signage total aggregate area must conform to sign area limitations set forth in WMC Section 8-6.120.

Drainage

In 2014, the City adopted post-construction stormwater management requirements (PCRs) for applicable new development and redevelopment construction projects (Ordinance No. 1299-14; Resolution No. 4-14). WMC § 6-3.535. The primary objective of the PCRs is to ensure the reduction of pollutant discharges to the maximum extent possible and prevent stormwater runoff from causing or contributing to a violation of water quality standards. The PCRs categorize projects into four primary tiers based mainly on the net increase in impervious surfaces that would result from a project (i.e., the amount of new and replaced impervious surfaces). Each PCR tier is linked to increasingly stringent performance requirements for stormwater management and treatment. Each PCR tier is subject to the performance requirements of that tier, plus the performance requirements of the lower tiers, as applicable.

The proposed project is a PCR tier 4 type project, as it would create and/or replace more than 22,500 square feet of impervious surfaces to the project site, and therefore is subject to compliance with the performance requirements of PCR tier 1, 2, 3 and 4. Table 3 provides a summary of these PCR tiers and their associated performance requirements for stormwater management and treatment.

TABLE 3 Summary of City of Watsonville Post-Construction Requirements

PCR Tier	Requirements
Tier 1	**Performance Requirement 1 – Site Design & Runoff Reduction**
Projects that create or replace 2,500 sq. ft. or more of impervious surface, including detached single-family home projects.	Implement site design and runoff reduction measures: • Limit disturbance of creeks and natural drainage features. • Minimize compaction of highly permeable soils. • Limit clearing and grading of native vegetation to the minimum area necessary. • Minimize impervious surfaces. • Minimize runoff by incorporating permeable surfaces and directing runoff toward permeable areas or to rain barrels for reuse.
Tier 2	**Performance Requirement 2 – Water Quality Treatment**
Projects, except detached single-family homes, with 5,000 sq. ft. or more of net impervious surface*. (Detached single-family home projects with 15,000 sq. ft. or more of net impervious surface*.)	Tier 1 performance requirements, plus: • Treat stormwater runoff using one or more onsite systems, including low impact development treatment systems, biofiltration treatment systems, and non-retention based treatment systems. • Project applicant must submit a Stormwater Control Plan to the City that sufficiently demonstrates that the project design meets performance requires of PCR Tier 2.

PCR Tier	Requirements
Tier 3	**Performance Requirement 3 – Runoff Retention**
Projects, except detached single-family homes, that create or replace 15,000 sq. ft. or more of impervious surface. (Detached single-family home projects with 15,000 sq. ft. or more of net impervious surface*.)	Tier 2 performance requirements, plus: • Use low impact development standards to prevent offsite discharge of runoff from events up to the 95th percentile rainfall event. • Where technical infeasibility prevents full onsite retention requirements, retention-based stormwater control measures shall be provided for no less than 10 percent of the project's impervious surface area. • Project applicant must submit a Stormwater Control Plan to the City that sufficiently demonstrates that the project design meets performance requires of PCR Tier 3.
Tier 4	**Performance Requirement 4 – Peak Management**
Projects that create and/or replace 22,500 sq. ft. or more of impervious surface in Watershed Management Zone 1.	Tier 3 performance requirements, plus: • Control peak flows to not exceed pre-project flows for the 2-year through 10-year storm event. • Project applicant must submit a Stormwater Control Plan to the City that sufficiently demonstrates that the project design meets performance requires of PCR Tier 4. • Submit an Operations and Maintenance Plan for structural stormwater control measures to the City of Watsonville for review and approval prior to final construction sign-off.

* Net impervious area equals new and replaced impervious area minus the total pre-project-to-post-project reduction in impervious area.
Source: Ordinance No. 1299-14 (CM).

The project plans include a preliminary Grading, Drainage and Utility Plan and preliminary Stormwater Control Plan (Attachment 2, sheets C1 and C2) and Stormwater Control Plan (SWCP) document prepared by RAK Civil Engineers. Engineering staff has reviewed the project's proposed drainage plans and found them to be consistent with performance requirements of PCR tier 1, 2, 3, and 4.

The existing site has a high percentage of impervious area. Presently, any runoff to the street is uncontrolled and untreated. As discussed on page 3 of the SWCP, the project presents an opportunity to increase pervious areas through adding landscaped areas and installing treatment BMPs throughout the site. The proposed drainage features would allow runoff to be captured and treated within bioretention areas.

Below is a detailed description of the proposed drainage features design:

- The site is divided into three drainage management areas (DMAs) to handle runoff from storm events up to the 95th percentile rainfall event[14];

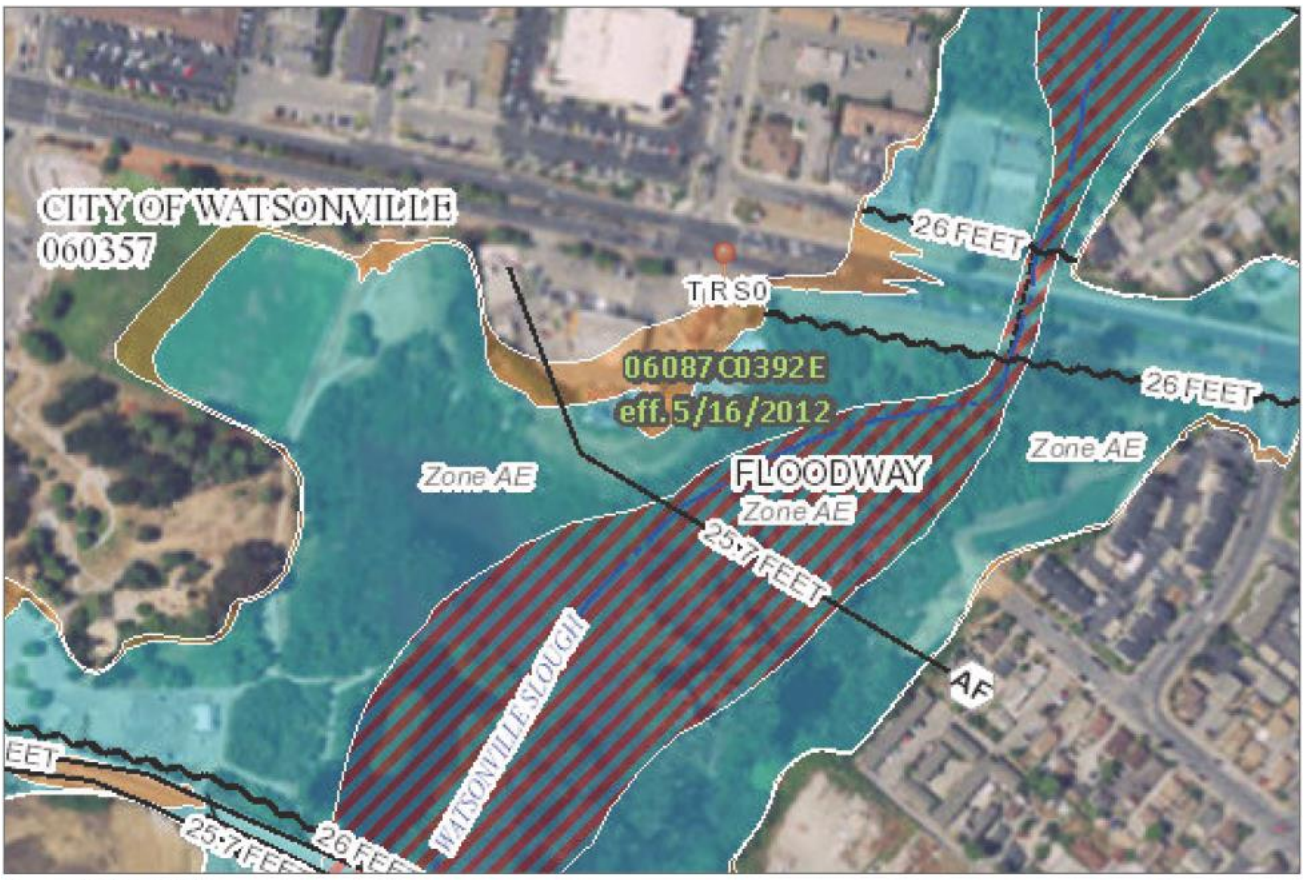
[14] The 95th percentile rainfall event represents a precipitation amount which 95 percent of all rainfall events for the period of record do not exceed. In more technical terms, the 95th percentile rainfall event is defined as the measured precipitation depth accumulated over a 24-hour period for the period of record that ranks as the 95th

- Runoff from impervious (roof, parking, hardscape) areas would be routed to a bioretention basin within each DMA;
- These areas have been designed to adhere to the site topography and allow for easy maintenance throughout the life of the project;
- Each bioretention basin is sized to treat the associated drainage area;
- All runoff is expected to infiltrate into the ground;
- Subdrains and overflow drainage structures are included as a precautionary measure; and
- Peak flow during large rain events, such as the 10-year storm, would drain via the overflow drainage structures to an existing private 12' storm drain line that discharges to an existing off-site outfall.

Flood Hazard Prevention

A portion of the project site is in a Federal Emergency Management Agency (FEMA) flood zone. As shown on Figure 4, while the northern portion of the project site is not in an area prone to flooding, the southern portion is within FEMA Zone AE. Zone AE represents the 100-year floodplain with an established base flood elevation of approximately 26 feet AMSL. As such, the project must minimize potential flood damage by elevating the proposed buildings. In compliance with the City's provisions for flood hazard reduction, codified in WMC Section 9-2.500, the finished floor elevations of 29.20 feet AMSL, 28.95 feet AMSL and 28.00 feet AMSL for Buildings 1 through 3, respectively, would provide more than a one-foot freeboard above the base flood elevation (Attachment 2, sheet C1).

percentile rainfall depth based on the range of all daily event occurrences during this period. The period of record is typically 20 years or more.



Source: FEMA, 2018.

FIGURE 5 FEMA flood zone map
Source: 975-1075 Main Street Initial Study, Figure 4-3

Environmental Review

An Initial Study has been prepared for the project in accordance with the provisions of CEQA. The Initial Study addresses the potential physical environmental effects of the project for each of the environmental topics outlines in Appendix G of the CEQA Guidelines. Impacts to biological resources, cultural and tribal resources, geology and soils, and transportation were

found to be potentially significant but mitigable to less than significant. Impacts to other resource areas and environmental topics were found to be less than significant without mitigation.

The Initial Study was made available for public review and comment from October 8, 2019, to November 7, 2019. Hardcopies of the Initial Study were available for public review at the Community Development Department and Watsonville Public Library.

Table 4 provides a list of the federal, state, regional and/or local agencies along with private organizations and individuals that commented on the Initial Study.

TABLE 4 List of Commenters

Commenter	Agency/Group/Organization
Federal Agencies	
None	
State Agencies	
Scott Morgan, Director	State Clearinghouse
Chris Bjornstad, Associate Transportation Planner	California Department of Transportation
Regional and Local Agencies	
None	
Private Groups and Organizations	
Jonathan Pilch, Executive Director	Watsonville Wetlands Watch
Nancy Faulstich, Project Director	Regeneración | Pájaro Valley Climate Action
Drew Rogers	Private citizen

No significant impacts were identified in the comments. Many of the comments address the design of the proposed project and are incorporated by reference for consideration by the Planning Commission. All responses to comments are included as Attachment 8.

A Resolution for consideration by the Planning Commission to adopt the Mitigated Negative Declaration includes required findings, in accordance with Public Resources Code section 21080(c) and CEQA Guidelines section 15074. The findings adopt feasible mitigation measures to reduce the identified significant environmental impacts of the project. A Mitigation Monitoring and Reporting Program (MMRP) for the project would be adopted as part of this action. The purpose of the MMRP is to ensure the mitigation measures adopted in the findings for the project are implemented, in accordance with CEQA requirements. All identified mitigation measures are incorporated as conditions of approval.

CONCLUSION

The proposed Special Use Permit with Design Review and Environmental Review (PP2018-248) would allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075

Main Street (APNs 018-261-14 & -29). The project is consistent with the General Plan and Zoning Ordinance, in that restaurants and retail sales are an allowed use for land designated General Commercial and the proposed drive-through facilities are a type of commercial use conditionally permitted in the CT Zoning District. The proposed project would complement existing commercial uses along Main Street (SR 152), and the project design is consistent with the City's design standards for a project with drive-through facilities. An Initial Study has been prepared for the project in accordance with the provisions of CEQA, which provides substantial evidence that the project would not have a significant effect on the environment. Therefore, staff recommends that the Planning Commission adopt the Mitigated Negative Declaration and approve the project entitlements, subject to findings and conditions.

ATTACHMENTS

1. Site and Vicinity Map
2. Plan Set
3. Utility and Topographic Survey (April 2016)
4. Historical Aerial Photographs (1937, 1949, 1974, 1993, and 2016)
5. Site Visit Photographs (May 16, 2019)
6. Drive-Through Facility Restrictions (WMC Chapter 14-41)
7. U.S. Architectural Lighting, Versalux LED Brochure
8. Responses to Comments Memorandum (November 19, 2019)
9. Public Comment to Project (November 21, 2019)

An electronic copies of the above attachments along with the Initial Study, including the response to comments memorandum, for the 975-1075 Main Street Project (SCN 2019109021) is available on the City's website at: https://www.cityofwatsonville.org/DocumentCenter/Index/157

RESOLUTION NO. _____ - 19 (PC)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION (PP2018-248) FOR THE COMMERCIAL REDEVELOPMENT PROJECT, CONSISTING OF THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975-1075 MAIN STREET, WATSONVILLE, CALIFORNIA (APNS 018-261-14 & -29)

Project: 975-1075 Main Street Project
APN: 018-261-14 & -29

WHEREAS, on September 27, 2018, an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California, was filed by Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner; and

WHEREAS, the California Environmental Quality Act (Public Resources Code section 21000, *et seq*., and the California Environmental Quality Act Guidelines, 14 California Code of Regulations section 15000, *et seq*., collectively, "CEQA") requires a lead agency to prepare a Mitigated Negative Declaration for projects that could have a significant impact on the environment without mitigation; and

WHEREAS, an Initial Study was prepared for the proposed project (dated October 8, 2019) in accordance with Section 15063 of the CEQA Guidelines. The Initial Study addresses the potential physical environmental effects of the proposed project for each of the environmental topics outlined in Appendix G of the CEQA Guidelines. Impacts to biological resources, cultural and tribal resources, geology and soils, and transportation were found to be potentially significant but mitigable to less than

significant. Impacts to other resource areas and environmental topics were found to be less than significant without mitigation; and

WHEREAS, on October 8, 2019, City staff filed a Notice of Intent and copies of the proposed Mitigated Negative Declaration ("MND") with the State Clearinghouse, and thereby initiated the 30-day public review period for the document, which closed at 5:00 p.m. on Thursday, November 7, 2019. Notice was also given to local and regional agencies by mail and to neighboring property owners and interested parties as part of public hearing notices; and

WHEREAS, copies of the Initial Study were made available for public review at the Community Development Department and Watsonville Public Library; and

WHEREAS, notice of time and place of the hearing to consider a Special Use Permit with Design Review and Environmental Review (PP2018-248) was given at the time and in the manner prescribed by the Zoning Ordinance of the City of Watsonville. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision; and

WHEREAS, the Planning Commission has considered all written and verbal evidence regarding this application at the public hearing and has made Findings, attached hereto and marked as Exhibit "A," in support of the MND (PP2018-248) for the project to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29).

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Watsonville, California, as follows:

The Planning Commission, in the exercise of its independent judgment as the decision-making body of the City of Watsonville for the project, makes and adopts the following Findings in compliance with the requirements of CEQA:

1. The City, in its capacity as Lead Agency, has prepared an Initial Study and MND for the project. The purpose of the Initial Study is to determine whether the project could have a potentially significant effect on the environment and to identify and impose appropriate project mitigation measures to avoid such impacts or reduce them to a less-than significant level;
2. The Initial Study and MND reflects the City of Watsonville's independent judgment and analysis;
3. The MND was prepared in accordance with all legal requirements, including all public notice and comment period requirements, set forth in CEQA;
4. The Initial Study examined all relevant environmental issues associated with the project, and is a complete and adequate environmental document under the requirements of CEQA. Specifically, the Planning Commission supports the conclusions of the Initial Study and the mitigation measures proposed for the MND, as both documents as supported by substantial evidence;
5. There is not substantial evidence in the record that the project, as mitigated, will have a significant effect on the environment for areas analyzed in the Initial Study, including biological resources, cultural and tribal resources, geology and soils, and transportation. As discussed in the Initial Study analysis, mitigation measures have been identified that,

when implemented, will avoid or reduce each of these impacts to less-than-significant levels; and

6. Unless specifically stated to the contrary in these Findings, it is the City's intent to adopt all mitigation measures recommended by the Mitigated Negative Declaration that are applicable to the project. If a measure has, through error, been omitted from the Conditions of Approval or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Conditions of Approval repeating or rewording mitigation measures recommended in the MND are intended to be substantially similar to the mitigation measures recommended in the MND and are found to be equally effective in avoiding or lessening the identified environmental impact.

I HEREBY CERTIFY that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Watsonville, California, held on the 3rd day of December, 2019, by Commissioner_____, who moved its adoption, which motion being duly seconded by Commissioner_____, was upon roll call, carried and the resolution adopted by the following vote:

Ayes: Commissioners:
Noes: Commissioners:
Absent: Commissioners:

_____ _____

Suzi Merriam, Secretary
Planning Commission

Jenny Veitch-Olson, Chairperson
Planning Commission

CITY OF WATSONVILLE
PLANNING COMMISSION

EXHIBIT "A"

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: December 3, 2019

CEQA FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

I. INTRODUCTION TO CEQA FINDINGS

These Findings of Fact are made pursuant to the California Environmental Quality Act (Pub. Res. Code §21000 et seq., CEQA) and the CEQA Guidelines (Cal. Code Regs. title 14, §15000 et seq.) by the City of Watsonville (City), as the lead agency for the 975-1075 Main Street Project (or the project). These Findings of Fact pertain to the Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2019109021) prepared for the project.

A. Project Location

The 3.05± acre project site includes the properties located at 975 to 1075 Main Street. Situated along the south side of Main Street, the site is halfway between Main Street's intersections with SR 1 and SR 129. The site is bounded by Main Street along its northern boundary, with several commercial establishments located across Main street to the north; Watsonville Slough to the east and south; and Ramsay Park to the west.

B. Project Description Summary

The proposed project would redevelop the site with three one-story buildings and two associated drive-through facilities, surface parking, and landscaping. The proposed buildings are located on the northern portion of the site, with parking and trash enclosures located on the southern portion of the site. Outdoor seating would be provided in the front or on the sides of the three commercial buildings and building entry points face the interior of the project site.

Direct access to the project site would occur from existing driveways located on the northern edge of the project site along Main Street. The project would replace the existing 8-foot wide asphalt multi-use trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on either side. In addition, the project includes minor changes to signal phasing and lane striping for the Main Street/Auto Center Drive intersection.

C. Procedural Compliance with CEQA

The City of Watsonville retained a consultant to assist with the preparation of the environmental documents. The City of Watsonville, acting as lead agency, has directed, reviewed and edited as necessary all material prepared by the consultant, and such material reflects the City of Watsonville's independent judgment.

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Initial Study.

On October 8, 2019, the City of Watsonville circulated a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration. The Initial Study and proposed Mitigated Negative Declaration was available for a 30-day review period, which closed at 5:00 p.m. on Thursday, November 7, 2019. The NOI was distributed to the State Clearinghouse, public agencies, the County Clerk, neighboring property owners, and organizations and individuals considered likely to be interested in the project and its potential impacts. The NOI and Initial Study were posted electronically on the City's website, and a paper copies were available for public review at the Community Development Department and Watsonville Public Library.

The City of Watsonville received five comment letters on the Initial Study, consisting of two letters from public agencies and three letters from private individuals or local organizations.

The City of Watsonville Planning Commission held a public meeting on December 3, 2019, to consider adoption of the Mitigated Negative Declaration and approval of the planning entitlements for the project.

D. Incorporation of Initial Study by Reference

The Initial Study is hereby incorporated by reference into these Findings of Fact. The Initial Study consists of: (1) the Initial Study volume, including a memorandum containing Response to Comments; and (2) all appendices to the Initial Study; a list of persons, organizations and public agencies commenting of the Initial Study; and the City's responses to environmental issued raised in comments.

E. Requirements for CEQA Findings

Pursuant to Public Resources Code section 21080(c) and CEQA Guidelines section 15074, prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

The City of Watsonville Planning Commission has made specific written findings regarding each significant impact associated with the project. Those findings are presented below, along with a presentation of facts in support of the Findings of Fact. The City of Watsonville Planning Commission certifies these Findings of Fact are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings of Fact, concerning the environmental issues identified and discussed. These Findings of Fact are based on evidence contained in the totality of the

administrative record before the Planning Commission, including but not limited to the Initial Study supporting evidence cited herein.

II. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which the City of Watsonville's Findings of Fact are based are located at 250 Main Street, Watsonville, California. The custodian of these documents is Justin Meek, AICP, Principal Planner. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and 14 Cal. Code Regs. § 15074(c).

For purposes of CEQA and these Findings of Fact, the Record of Proceedings for the project consists of the following documents, at a minimum:

- The Notice of Intent (NOI) to adopt a Mitigated Negative Declaration and all other public notices issued by the City of Watsonville and in conjunction with the project.
- The Initial Study, including appendices and technical studies included or referenced in the Initial Study, including the Mitigation Monitoring and Reporting Program (MMRP) for the project.
- All comments submitted by agencies or members of the public during the public comment period on the Initial Study.
- All comments and correspondence submitted to the City of Watsonville with respect to the project.
- All Findings and resolutions adopted by the City of Watsonville decision makers in connection with the project and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by PlaceWorks, consultant to the City of Watsonville.
- All reports, memoranda, documentation, data output files relating to the land use and transportation modeling for the project.
- All documents and information submitted to the City of Watsonville by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the project, up through the date the City of Watsonville Planning Commission approved the project planning entitlements.
- Matters of common knowledge to the City of Watsonville, including, but not limited to federal, State, and local laws and regulations.
- Any documents expressly cited in these Findings of Fact, in addition to those cited above.

III. FINDINGS FOR IMPACTS IDENTIFIED AS POTENTIALLY SIGNIFICANT BUT MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City of Watsonville Planning Commission hereby finds that the following mitigation measures identified in the Initial Study which will avoid or substantially lessen the following environmental impacts reducing them to a less than significant level, have been required in or incorporated into the project. These findings are based on the discussion of impacts in the detailed impact analyses in Section 4 of the Initial Study, as well as relevant responses to comments. ***The findings below are for impacts where implementation of the project may result in the following significant***

environmental impacts that will be reduced to less than significant levels following mitigation:

A. Biological Resources

1. **Impact BIO-1a:** Proposed development could potentially result in an inadvertent take of individual California red-legged frog or western pond turtle in the remote instance that individuals were to disperse onto the site during construction unless adequate controls and preconstruction surveys are not implemented.

a. Mitigation

BIO-1a: Ensure Avoidance of California Red-legged Frog and Western Pond Turtle. The following measures shall be implemented to ensure avoidance of individual California red-legged frog (CRLF) and western pond turtle (WPT) in the remote instance individuals were to disperse onto the site in the future in advance of or during construction.

- *Pre-construction survey:* Pre-construction surveys for CRLF shall be conducted prior to initiation of project activities (including fence installation) and within 48 hours of the start of ground disturbance activities following completion of exclusion fence installation. Surveys are to be conducted by qualified biologists with experience surveying for CRLF. If project activities are stopped for greater than 14 days, a follow-up pre-construction survey may be required within 48 hours prior to reinitiating project activities.

- *Worker Training:* All workers shall be trained by a qualified biologist to understand the remote potential for occurrence of CRLF and WPT, need to avoid any potential inadvertent take, and process to follow if a frog or turtle is encountered. If a frog is encountered in the construction zone, all work must stop and the qualified biologist must determine whether it is CRLF before work proceeds. If a CRLF is encountered in the work zone, no work can proceed until the USFWS and CDFW have been consulted and an appropriate avoidance and mitigation program developed.

  If WPT is encountered within the work zone, the individual shall be relocated to the closest suitable natural habitat by the qualified biologist or designated foreman trained by the qualified biologist.

- *Wildlife exclusion fence:* Wildlife exclusion fencing shall be installed prior to the start of construction and maintained until construction of the proposed project is complete. All work installing exclusion fencing shall be conducted under the supervision of a qualified wildlife biologist with experience in surveying for CRLF and WPT. Exclusion fencing shall, at a minimum, run along the edge of grading along the southeastern, southern and southwestern project boundaries where the site borders riparian habitat. The exclusion fencing shall be inspected on a daily basis by a designated foreman trained by the qualified biologist, and

repaired immediately if any openings are detected to prevent opportunities for CRLF and WPT to enter the site. Per CRLF standards, fencing must be at least 42 inches in height (at least 36 inches above ground and buried at least 6 inches below the ground) and stakes must be place on the inside of the project (side on which work will take place).

Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibians do not get trapped. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used.

- *Earth-disturbing activities only during dry weather:* No earth disturbing activities shall take place during rain events when there is potential for accumulation greater than 0.25-inch in a 24-hour period. In addition, no earth disturbing activities shall occur for 48 hours following rain events in which 0.25-inch of rain accumulation within 24 hours.

b. Findings and Rationale – With the incorporation of Mitigation Measure BIO-1a, potential impacts to California red-legged frog (CRLF) and western pond turtle (WPT) would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-22 through 4-23 of the Initial Study.

2. **Impact BIO-1b:** Construction of the proposed project could result in inadvertent loss of bird nests in active use, which would conflict with the federal Migratory Bird Treaty Act and California Fish and Game Code if adequate controls and preconstruction surveys are not implemented.

a. Mitigation

BIO-1b: Ensure Avoidance of Bird Nests in Active Use. Tree removal, landscape grubbing, and building pad and retaining wall demolition shall be performed in compliance with the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code to avoid loss of nests in active use. This shall be accomplished by scheduling tree removal and landscape grubbing outside of the bird nesting season (which occurs from February 1 to August 31) to avoid possible impacts on nesting birds if new nests are established in the future. Alternatively, if demolition, tree removal and landscape grubbing cannot be scheduled during the non-nesting season (September 1 to January 31), a pre-construction nesting survey shall be conducted. The pre-construction nesting survey shall include the following:

- A qualified biologist shall conduct a pre-construction nesting bird (both passerine and raptor) survey within seven calendar days prior to tree removal, landscape grubbing, and/or demolition.

- If no nesting birds or active nests are observed, no further action is required and tree removal, landscape grubbing, and demolition shall occur within seven calendar days of the survey.

- Another nest survey shall be conducted if more than seven calendar days elapse between the initial nest search and the beginning of tree removal, landscape grubbing, and demolition.

- If any active nests are encountered, the Biologist shall determine an appropriate disturbance-free buffer zone to be established around the nest location(s) until the young have fledged. Buffer zones vary depending on the species (i.e., typically 50 to 100 feet for passerines and 300 feet for raptors) and other factors such as ongoing disturbance in the vicinity of the nest location. If necessary, the dimensions of the buffer zone shall be determined in consultation with the CDFW.

- Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which no construction-related equipment or operations shall be permitted. Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone.

- No restrictions on grading or construction activities outside the prescribed buffer zone are required once the zone has been identified and delineated in the field and workers have been properly trained to avoid the buffer zone area.

- Construction activities shall be restricted from the buffer zone until the Biologist has determined that young birds have fledged and the buffer zone is no longer needed.

- A survey report of findings verifying that any young have fledged shall be submitted by the Biologist for review and approval by the City prior to initiation of any tree removal, landscape grubbing, demolition, and other construction activities within the buffer zone. Following written approval by the City, tree removal, and construction within the nest-buffer zone may proceed.

b. Findings and Rationale – With the incorporation of Mitigation Measure BIO-1b, potential impacts to bird nests in active use would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-22 through 4-24 of the Initial Study.

3. **Impact BIO-2:** Proposed development could introduce additional night-time lighting into the adjacent riparian habitat of the Watsonville Slough floodplain, and trash stored on the site could create nuisance conditions and attract pest

species unless appropriate avoidance measures were implemented as part of future uses.

a. Mitigation

BIO-2: Appropriate controls shall be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of the Watsonville Slough floodplain. These shall include controls on all exterior lighting to ensure that is be directed downward and screened to minimize spill-over off the site and developing a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

b. Findings and Rationale – With the incorporation of Mitigation Measure BIO-2, potential impacts to riparian habitat would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-25 through 4-26 of the Initial Study.

B. Cultural Resources

4. **Impact CULT-1:** Project-related ground-disturbing activities could affect subsurface prehistoric archaeological resources that may be present.

a. Mitigation

CULT-1: If any prehistoric or historic subsurface cultural resources, including tribal cultural resources, are discovered during ground-disturbing (including grading, demolition and/or construction) activities:

- All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5.

- If any find is determined to be significant, representatives from the City of Watsonville Building Department and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation.

- All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

- In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations.

- If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented.

- Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

b. Findings and Rationale – With the incorporation of Mitigation Measure CULT-1, potential impacts from ground-disturbing activities to subsurface prehistoric archaeological resources would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-28 through 4-29 of the Initial Study.

C. Geology and Soils

5. **Impact GEO-1:** Without proper site preparation and building design, project development could result in hazards associated with ground stability.

a. Mitigation

GEO-1: Project construction shall adhere to the recommendations of the October 9, 2018 Krazan & Associates Geotechnical Engineering Investigation for the Proposed Commercial Development on Main Street at Auto Centre Drive, which provides recommendations for excavation under and near building areas, fill removal and recompaction, engineered fill preparation, soil moisture content, and other construction details relevant to building design and site stability. As recommended in the Geotechnical Engineering Investigation, a licensed geotechnical engineer, or his/her representative, shall be present during all site clearing and grading operations to observe earthwork construction, and the consulting engineer's recommendations shall be followed.

b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-1, potential impacts associated with ground stability would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-38 through 4-40 of the Initial Study.

6. **Impact GEO-2:** Without proper site preparation and building design, project development could result in hazards associated with liquefaction and ground movement.

a. Mitigation

GEO-2: Implement Mitigation Measure GEO-1.

b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-2, potential impacts associated with liquefaction and ground movement would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-38 through 4-41 of the Initial Study.

7. **Impact GEO-3:** Without proper site preparation and building design, project development could result in hazards associated with expansive soils.

a. Mitigation

GEO-3: Implement Mitigation Measure GEO-1.

b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-3, potential impacts associated with expansive soils would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-38 through 4-42 of the Initial Study.

8. **Impact GEO-4:** Project-related ground-disturbing activities could affect subsurface paleontological resources that may be present.

a. Mitigation

GEO-4: The construction contractor shall incorporate the following in all grading, demolition, and construction plans:

- In the event that fossils or fossil-bearing deposits are discovered during grading, demolition, or building, excavations within 50 feet of the find shall be temporarily halted or diverted.

- The contractor shall notify the City of Watsonville Building Department and a City-approved qualified paleontologist to examine the discovery.

- The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5.

- The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.

- If the project applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important.

The excavation plan shall be submitted to the City for review and approval prior to implementation.

b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-4, potential impacts from ground-disturbing activities to subsurface paleontological resources would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-42 through 4-43 of the Initial Study.

D. Transportation

9. **Impact TR-1:** With the project, during the PM peak hour period, the Main Street/Green Valley Drive intersection would operate at an unacceptable level that exceeds the 0.1 second per vehicle (spv) threshold. During the AM and PM peak hour periods, the Main Street/Ohlone Parkway – Clifford Drive intersection would operate at unacceptable levels that exceed the 0.1 spv threshold.

a. Mitigation

TR-1: The signal system along Main Street should be retimed to reach acceptable levels of service. The following changes should be considered:

- During the AM peak hour, the signal system along Main Street should be modified to a 110-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive with a half cycle at the Watsonville Square intersection. The segment from Pennsylvania Drive to Freedom Boulevard should be modified to a 116-second cycle with a half cycle at Rodriguez Street.

- During the PM peak hour, the signal system along Main Street should be modified from the current 135-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120-second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- An eastbound to southbound right turn overlap should be installed at the Main Street/Ohlone Parkway – Clifford Drive intersection. This is consistent with the Sunshine Vista Phased Development Project FEIR, May 2018.

b. Findings and Rationale – With the incorporation of Mitigation Measure TR-1, potential impacts to the Main Street/Green Valley Drive and Main Street/Ohlone Parkway – Clifford Drive intersections would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-86 through 4-89 of the Initial Study.

10. **Impact TR-2:** With the project, during the PM peak hour period, the Main Street/Green Valley Drive intersection would operate at an unacceptable level that exceeds the 0.1 spv threshold.

    a. Mitigation

    TR-2: The project applicant shall obtain an encroachment permit from Caltrans to implement the following changes to the signal operations and lane configuration at the Main Street/Green Valley Drive:

    - During the PM peak hour, the signal system along Main Street should be modified from the current 135 second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120 second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

    - The intersection of Main Street/Green Valley Drive approaches should be reconfigured as follows:
        - Northbound approach: two left turn lanes, one through lane, and one right turn lane.
        - Southbound approach: one left turn lane, one through lane, and one right turn lane.

    - Modify the signal phasing for the eastbound and westbound approaches on Green Valley Road from split phase to protected left turns. The intersection is part of a coordinated system along Main Street and the corridor should be retimed to a 110 second cycle as a result of the geometry modifications.

    b. Findings and Rationale – With the incorporation of Mitigation Measure TR-2, potential impacts to the Main Street/Green Valley Drive intersection would be reduced to a less than significant level.

    c. Supportive Evidence – Please refer to pages 4-86 through 4-91 of the Initial Study.

E. Tribal Cultural Resources

11. **Impact TCR-1:** Project-related ground-disturbing activities could affect subsurface tribal cultural resources that may be present.

    a. Mitigation

    TCR-1: Implement Mitigation Measure CULT-1.

    b. Findings and Rationale – With the incorporation of Mitigation Measure CULT-1, potential impacts from ground-disturbing activities to subsurface tribal cultural resources would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-28 through 4-29 and 4-98 of the Initial Study.

IV. FINDINGS ON RESPONSES TO COMMENTS ON THE INITIAL STUDY

A memorandum dated November 19, 2019, includes the comments received on the Initial Study and responses to those comments. The focus of the responses to comments is to address whether (a) a new, avoidable significant effect on the environment was identified in a comment letter and mitigation measures or project revisions must be added in order to reduce the effect to insignificance and/or (b) a comment letter raised a significant environmental issue which cannot be mitigated or avoided.

The City of Watsonville Planning Commission finds that responses to comments made on the Initial Study merely clarify, amplify or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines §15073.5(c).

V. MITIGATION MONITORING AND REPORTING PROGRAM

The City of Watsonville Planning Commission finds that a Mitigation Monitoring and Reporting Program (MMRP) for the project has been prepared and has been adopted concurrently with these Findings of Fact (Public Resources Code, § 21081.6(a)(1)). The MMRP for the project has been prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Section 15073 of the CEQA Guidelines.

The purpose of the MMRP is to ensure the adopted mitigation measures adopted in the Findings of Fact for the project are implemented, in accordance with CEQA requirements. The Findings of Fact adopt feasible mitigation measures to reduce the significant environmental impacts of the project. The mitigation measures adopted in the project Findings of Fact are listed in Section III of these Findings of Fact.

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
BIOLOGICAL RESOURCES					
BIO-1a: Ensure Avoidance of California Red-legged Frog and Western Pond Turtle. The following measures shall be implemented to ensure avoidance of individual California red-legged frog (CRLF) and western pond turtle (WPT) in the remote instance individuals were to disperse onto the site in the future in advance of or during construction: ▪ *Pre-construction survey*: Pre-construction surveys for CRLF shall be conducted prior to initiation of project activities (including fence installation) and within 48 hours of the start of ground disturbance activities following completion of exclusion fence installation. Surveys are to be conducted by qualified biologists with experience surveying for CRLF. If project activities are stopped for greater than 14 days, a follow-up pre-construction survey may be required within 48 hours prior to reinitiating project activities. ▪ *Worker Training:* All workers shall be trained by a qualified biologist to understand the remote potential for occurrence of CRLF and WPT, need to avoid any potential inadvertent take, and process to follow if a frog or turtle is encountered. If a frog is encountered in the construction zone, all work must stop and the qualified biologist must determine whether it is CRLF before work proceeds. If a CRLF is encountered in the work zone, no work can proceed until the USFWS and CDFW have been consulted and an appropriate avoidance and mitigation program developed. If WPT is encountered within the work zone, the individual shall be relocated to the closest suitable natural habitat by the qualified biologist or designated foreman trained by the qualified biologist. ▪ *Wildlife exclusion fence*: Wildlife exclusion fencing shall be installed prior to the start of construction and maintained until construction of the proposed project is complete. All work installing exclusion fencing shall be conducted under the supervision of a qualified wildlife biologist with experience in surveying for CRLF and WPT. Exclusion fencing shall, at a minimum, run along the edge of grading along the southeastern, southern and southwestern project boundaries where the site borders riparian habitat. The exclusion fencing shall be inspected on a daily basis by a designated foreman trained by the qualified biologist, and repaired immediately if any openings are detected to prevent opportunities for CRLF and WPT to enter the site. Per CRLF standards, fencing must be at least 42 inches in height (at least 36 inches above ground and buried at least 6 inches below the ground) and stakes must be place on the inside of the project (side on which work will take place).	Project Applicant	Prior to and during construction	City of Watsonville Planning Division	Confirm fencing, training, biological monitoring, and erosion control measures; review surveys	Ongoing

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibians do not get trapped. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used. ▪ *Earth-disturbing activities only during dry weather*: No earth disturbing activities shall take place during rain events when there is potential for accumulation greater than 0.25-inch in a 24-hour period. In addition, no earth disturbing activities shall occur for 48 hours following rain events in which 0.25-inch of rain accumulation within 24 hours.					
BIO-1b: **Ensure Avoidance of Bird Nests in Active Use.** Tree removal, landscape grubbing, and building pad and retaining wall demolition shall be performed in compliance with the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code to avoid loss of nests in active use. This shall be accomplished by scheduling tree removal and landscape grubbing outside of the bird nesting season (which occurs from February 1 to August 31) to avoid possible impacts on nesting birds if new nests are established in the future. Alternatively, if demolition, tree removal and landscape grubbing cannot be scheduled during the non-nesting season (September 1 to January 31), a pre-construction nesting survey shall be conducted. The pre-construction nesting survey shall include the following: ▪ A qualified biologist shall conduct a pre-construction nesting bird (both passerine and raptor) survey within seven calendar days prior to tree removal, landscape grubbing, and/or demolition. ▪ If no nesting birds or active nests are observed, no further action is required and tree removal, landscape grubbing, and demolition shall occur within seven calendar days of the survey. ▪ Another nest survey shall be conducted if more than seven calendar days elapse between the initial nest search and the beginning of tree removal, landscape grubbing, and demolition. ▪ If any active nests are encountered, the Biologist shall determine an appropriate disturbance-free buffer zone to be established around the nest location(s) until the young have fledged. Buffer zones vary depending on the species (i.e., typically 50 to 100 feet for passerines and 300 feet for raptors) and other factors such as ongoing disturbance in the vicinity of the nest location. If necessary, the dimensions of the buffer zone shall be determined in consultation with the CDFW. ▪ Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which	Project Applicant	Prior to construction	City of Watsonville Planning Division	Review survey, confirm buffer zones (if required)	Once for survey/ Ongoing if nesting birds identified and until they have left the nest

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
no construction-related equipment or operations shall be permitted. Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone. ▪ No restrictions on grading or construction activities outside the prescribed buffer zone are required once the zone has been identified and delineated in the field and workers have been properly trained to avoid the buffer zone area. ▪ Construction activities shall be restricted from the buffer zone until the Biologist has determined that young birds have fledged and the buffer zone is no longer needed. ▪ A survey report of findings verifying that any young have fledged shall be submitted by the Biologist for review and approval by the City prior to initiation of any tree removal, landscape grubbing, demolition, and other construction activities within the buffer zone. Following written approval by the City, tree removal, and construction within the nest-buffer zone may proceed.					
BIO-2: Appropriate controls shall be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of the Watsonville Slough floodplain. These shall include controls on all exterior lighting to ensure that is be directed downward and screened to minimize spill-over off the site and developing a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.	Project Applicant	During construction	City of Watsonville Planning Division	Confirm lighting installation	During regularly scheduled site inspections
CULTURAL RESOURCES					
CULT-1: If any prehistoric or historic subsurface cultural resources, including tribal cultural resources, are discovered during ground-disturbing (including grading, demolition and/or construction) activities: ▪ All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. ▪ If any find is determined to be significant, representatives from the City of Watsonville Building Department and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. ▪ All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.	Project Applicant	During construction	Consulting archaeologist and City of Watsonville Public Works Department	Review and confirm recommendations	As needed if resources are unearthed

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
▪ In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations. ▪ If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented. ▪ Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.					
GEOLOGY AND SOILS					
GEO-1: Project construction shall adhere to the recommendations of the October 9, 2018 Krazan & Associates *Geotechnical Engineering Investigation for the Proposed Commercial Development on Main Street at Auto Centre Drive*, which provides recommendations for excavation under and near building areas, fill removal and recompaction, engineered fill preparation, soil moisture content, and other construction details relevant to building design and site stability. As recommended in the Geotechnical Engineering Investigation, a licensed geotechnical engineer, or his/her representative, shall be present during all site clearing and grading operations to observe earthwork construction, and the consulting engineer's recommendations shall be followed.	Project Applicant	Prior to issuance of grading and construction permits	City of Watsonville Planning Division	Review grading and construction plans	Once
GEO-2: Implement Mitigation Measure GEO-1.			*See Mitigation Measure GEO-1.*		
GEO-3: Implement Mitigation Measure GEO-1.			*See Mitigation Measure GEO-1.*		
GEO-4: The construction contractor shall incorporate the following in all grading, demolition, and construction plans: ▪ In the event that fossils or fossil-bearing deposits are discovered during grading, demolition, or building, excavations within 50 feet of the find shall be temporarily halted or diverted. ▪ The contractor shall notify the City of Watsonville Building Department and a City-approved qualified paleontologist to examine the discovery. ▪ The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. ▪ The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.	Project Applicant	During construction	Consulting archaeologist and City of Watsonville Public Works Department	Review and confirm recommendations	As needed if resources are unearthed

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
▪ If the project applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The excavation plan shall be submitted to the City for review and approval prior to implementation.					
TRANSPORTATION					
TR-1: The signal system along Main Street should be retimed to reach acceptable levels of service. The following changes should be considered: ▪ During the AM peak hour, the signal system along Main Street should be modified to a 110-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive with a half cycle at the Watsonville Square intersection. The segment from Pennsylvania Drive to Freedom Boulevard should be modified to a 116-second cycle with a half cycle at Rodriguez Street ▪ During the PM peak hour, the signal system along Main Street should be modified from the current 135-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120-second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network. ▪ An eastbound to southbound right turn overlap should be installed at the Main Street/Ohlone Parkway – Clifford Drive intersection. This is consistent with the Sunshine Vista Phased Development Project FEIR, May 2018.	Caltrans; City of Watsonville Public Works & Utilities	Prior to issuance of occupancy permit	Caltrans; City of Watsonville Public Works & Utilities	Confirm retiming completed	Once
TR-2: The project applicant shall obtain an encroachment permit from Caltrans to implement the following changes to the signal operations and lane configuration at the Main Street/Green Valley Drive: ▪ During the PM peak hour, the signal system along Main Street should be modified from the current 135 second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120 second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network. ▪ The intersection of Main Street/Green Valley Drive approaches should be reconfigured as follows: • Northbound approach: two left turn lanes, one through lane, and one right turn lane. • Southbound approach: one left turn lane, one through lane, and one right turn lane. ▪ Modify the signal phasing for the eastbound and westbound approaches on Green Valley Road from split phase to protected left turns. The intersection is	Project Applicant	Prior to issuance of occupancy permit	Caltrans; City of Watsonville Public Works & Utilities	Implement changes to Main Street/ Green Valley Drive intersection signal operations and lane configuration	Once

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
part of a coordinated system along Main Street and the corridor should be retimed to a 110 second cycle as a result of the geometry modifications.					
TRIBAL CULTURAL RESOURCES					
TCR-1: Implement Mitigation Measure CULT-1.			*See Mitigation Measure CULT-1*		

RESOLUTION NO. _____ - 19 (PC)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT WITH DESIGN REVIEW AND ENVIRONMENTAL REVIEW (PP2018-248) TO ALLOW THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975-1075 MAIN STREET, WATSONVILLE, CALIFORNIA (APNS 018-261-14 & -29)

Project: 975-1075 Main Street Project
APN: 018-261-14 & -29

WHEREAS, on September 27, 2018, an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California, was filed by Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner; and

WHEREAS, the project site is designated General Commercial and Environmental Management on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) and Environmental Management Open Space (EM-OS) Zoning District; and

WHEREAS, pursuant to Sections 14-16.1203(b) and 14-41.101 of the Watsonville Municipal Code (WMC), eating and drinking places with drive-through facilities (DLU 581) are allowed conditionally in the CT Zoning District with issuance of a Special Use Permit; and

WHEREAS, pursuant to WMC Section 14-12.400, development subject to Design Review include all new construction, exterior remodeling, additions, or changes

in use requiring additional parking, which involves structures used for multi-family residential, commercial, industrial or public purpose; and

WHEREAS, an Initial Study/Mitigated Negative Declaration has been prepared for the project and adopted by the Planning Commission, in accordance with the provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, notice of time and place of the hearing to consider Special Use Permit with Design Review and Environmental Review (PP2018-248) was given at the time and in the manner prescribed by the Zoning Ordinance of the City of Watsonville. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision; and

WHEREAS, the Planning Commission has considered all written and verbal evidence regarding this application at the public hearing and has made Findings, attached hereto and marked as Exhibit “A,” in support of the Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville (APNs 018-261-14 & -29).

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Watsonville, California, as follows:

Good cause appearing, therefore, the Planning Commission of the City of Watsonville does hereby recommend the City Council grant approval of Special Use Permit with Design Review and Environmental Review (PP2018-248), attached hereto and marked as Exhibit “C,” subject to the Conditions attached hereto and marked as Exhibit “B,” to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site.

I HEREBY CERTIFY that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Watsonville, California, held on the 3rd day of December, 2019, by Commissioner_____, who moved its adoption, which motion being duly seconded by Commissioner_____, was upon roll call, carried and the resolution adopted by the following vote:

Ayes: Commissioners:

Noes: Commissioners:

Absent: Commissioners:

_____
Suzi Merriam, Secretary
Planning Commission

_____
Jenny Veitch-Olson, Chairperson
Planning Commission

CITY OF WATSONVILLE
PLANNING COMMISSION

EXHIBIT A

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: December 3, 2019

SPECIAL USE PERMIT FINDINGS (WMC § 14-12.513)

The proposed restaurant and retail uses are permitted by right. The purpose of the Special Use Permit is to allow the establishment of two drive-through facilities onsite, pursuant to WMC Sections 14-16.1203(b) and 14-41.101.

1. The proposed use at the specified location is consistent with the policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations.

Supportive Evidence

The majority of the project site is designated General Commercial on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) Zoning District. The purpose of the General Commercial designation is to allow various types of commercial uses, including restaurants and retail sales that serve the needs of the community and the surrounding region.

A small portion of the project site along its southeastern edge, where the terrain slopes steeply towards Watsonville Slough, is designated Environmental Management and is within the Environmental Management Open Space (EM-OS) Zoning District. This area has been set aside for the protection and preservation of natural resources, such as wetlands, sloughs, and wildlife habitat. No development is proposed within this area.

The proposed project is consistent with the following General Plan goals, policies, and implementation measures concerning commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection:

- **Goal 4.3 Commercial Land Use** – Revitalize the central business district and provide adequate neighborhood commercial services.

- **Goal 4.7 Land Use Suitability** – Ensure that the orderly development of land for the needs of the existing and projected population within in the City limit and Sphere of Influence is based on the land's overall suitability, including: the accessibility of existing and proposed public facilities, services, and utilities, physical and financial constraints; and/or growth inducing impacts.

- **Policy 4.C Commercial Development** – The City shall plan for revitalization of the central business district along with the distribution of convenient neighborhood commercial centers.

- **Policy 4.G Land Use Suitability** – The City shall encourage the development of urban uses on those lands best suited for urban uses and discourage it on lands unsuited for urban uses.

- **Goal 5.1 Visual Resources** – Preserve and enhance the built and natural visual resources within Watsonville.

- **Goal 5.2 Community Appearance** – Blend new development and recognized values of community appearance and scenic qualities, and ensure that new development enhances, rather than detracts from its surroundings.

- **Goal 5.6 Urban Design** – Achieve high standards of street, site and building design that are both efficient, and aesthetically pleasing.

- **Policy 5.A Project Design Review** – The preservation of visual resources shall be accomplished through the design review process.

- **Policy 5.B Design Consistency** – The City shall review new development proposals to encourage high standards of urban design and to ensure that elements of architectural design and site orientation do not degrade or conflict with the appearance of existing structures.

- **Goal 9.5 Water Quality** – Ensure that surface and groundwater resources are protected.

- **Policy 9.D Water Quality** – The City shall provide for the protection of water quality to meet all beneficial uses, including domestic, agricultural, industrial, recreational, and ecological uses.

- **Goal 9.8 Wildlife Habitat** – Preserve and protect the remaining areas of wildlife habitat for their scenic and scientific value.

- **Policy 9.F Wildlife Habitat Protection** – The City shall designate for open space and environmental management those areas rich in wildlife species and fragile in ecological makeup. These habitat zones shall be made part of the greenbelt where appropriate.

- **Implementation Measure 9.F.1 Habitat Protection** – Impacts to important wildlife habitat areas shall be identified as part of the City's development review and environmental review processes, and appropriate mitigations shall be considered. Mitigation measures to be considered include: designation of sensitive areas as open space, restriction of new development on lands that provide important wildlife habitat, setback requirements, habitat conservation plans, and habitat mitigation banking. Lands within the urban limit line that provide important wildlife habitat include, but are not limited to the following: (a) riparian corridors; (b) fresh water marshes and sloughs; and (c) woodlands and steep slopes.

The proposed project would construct three buildings for fast-causal restaurants and retail shops on land designated for commercial uses. These businesses would complement existing commercial development across the street and provide a convenient location for residents to patronize. The site abuts existing utilities that can be extended to serve the project. The project is not anticipated to induce population growth, as it does not include residential development or involve any extension of roadways or other public infrastructure. In addition, the project would not be a regionally significant employer and future employees of the fast-casual restaurants and retail shops are anticipated to come from within Watsonville and nearby communities.

The redevelopment of an existing commercial property with three new commercial buildings and new landscaping would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

The proposed project would not have a negative impact on surface water resources and wildlife habitat. Pursuant to WMC Section 6-3-535, the project is required to comply with the City's post-construction stormwater requirements, which are intended to minimize stormwater pollution and thereby protect receiving waterbodies, such as rivers, creeks and wetlands. The project does not encroach on land designated Environmental Management and, thereby, would avoid direct disturbance of riparian habitat from grading and construction activities. New development would also maintain a setback of 30 feet or more from riparian habitat. In some locations along the eastern and western edge of the site, this 30-foot setback is not achieved; however this is only in areas that are already developed with existing structures, curb and gutter, or parking lot pavement. In those locations, proposed site improvements would extend no closer to riparian habitat than existing improvements. As discussed in the Initial Study prepared for the project, the portion of the project site proposed for redevelopment has already been modified by past commercial activities, and the proposed project would not further disturb wildlife acclimated to human activity in this area or result in new substantial interference with the movement of native resident or migratory wildlife.

The proposed project is consistent with the list of allowable uses for and general purpose of the CT Zoning District, in that the project would provide three buildings for establishing commercial uses along an existing major arterial. In addition, the proposed drive-through facilities are permitted conditionally with issuance of a Special Use Permit. The project is consistent with all development regulations for the CT Zoning District. As conditioned, the project is also consistent with regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

2. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.

Supportive Evidence

The proposed project would redevelop an existing commercial property with three new commercial buildings and new landscaping that would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

As conditioned, the project is consistent with all regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

Nighttime illumination has the potential to change ambient lighting conditions and create a visual nuisance. The proposed lighting provides adequate light to illuminate the site, consistent with lighting for commercial buildings in an urban setting. The parking lot lighting is sufficient for creating a fairly even distribution of light at moderate to low levels of intensity. However, new lighting could disrupt wildlife in nearby riparian woodlands, including their use of these areas for nesting and roosting. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. This mitigation measure requires appropriate controls to be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of Watsonville Slough. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

The proposed trash enclosures could attract nuisance pest species because of the close proximity of nearby riparian habitat. Unless these enclosures are carefully maintained, they could attract Norway rat, raccoon, opossum and other nuisance pest species that could become dependent on this possible food source, disrupting natural behaviors and creating nuisance conditions. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. In accordance with this mitigation measure, a condition of approval requires the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

3. The proposed use will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use. The project site is located along Main Street (SR 152), which is a fully improved public right-of-way that is designated as a major arterial in the City's General Plan and is intended to handle large volumes of traffic.

4. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.

Supportive Evidence

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

5. The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use and would avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough.

The proposed drive-through facility design is consistent with the City's requirements, including that landscaping shall screen drive-through lanes from the public right-of-way and shall minimize the visual impact of the menu board and directional signs.

The project would not create a visual impact on wildlife in nearby riparian woodlands. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat.

Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

In addition, the project's trash enclosures would not attract nuisance pest species, such as Norway rat, raccoon, and opossum, with implementation of the condition of approval requiring regular monitoring of said enclosures to ensure they are routinely cleaned and secured at night.

6. The proposed special use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed special use and uses within the applicable base zoning district.

Supportive Evidence

WMC Chapter 14-41 sets forth regulations concerning the design and location of drive-through facilities in the City. Drive-through facilities are permitted in commercial zones with issuance of a Special Use Permit, provided that the project can meet certain conditions. Drive-throughs cannot be located within 150 feet of a residential parcel or 300 feet of a designated "gateway" intersection. For all other signalized intersections in commercial zones, no more than one drive-through may be within 200 feet of the nearest portion of the intersection. The project site is not next to one of the "gateway" intersections listed in WMC Section 14-41.100(a)(3), and only one of the two proposed drive-through facilities is within 200 feet of the signalized intersection of Main Street and Auto Center Drive.

Drive-through facilities must also be designed and situated consistent with design standards listed in WMC Section 14-41.102. As conditioned, the proposed project meets all design standards. The drive-through lanes for Buildings 1 and 3 are set back approximately 60 feet from Main Street and would be screened by proposed landscaping. The proposed drive-through lane widths on straight sections and curves exceed the minimum dimensions of 11 and 14 feet, respectively. The drive-through lane for Building 1 provides sufficient room to stack five vehicles behind the menu board, and six vehicles for Building 3. As only one menu board with an area of up to 30 square feet is permitted per drive-through facility, the proposed 6'H x 5'W menu boards shown on the Site Plan for each drive-through facility would be allowed; however, the "pre-menu board" shown next to Building 3 exceeds the one menu board limit. A Condition of Approval requires the removal of the "pre-menu board" from the Site Plan.

7. The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use and would avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough. The proposed uses would complement existing commercial development along Main Street (SR 152) and the project design would enhance the appearance of the

site. Therefore, the project would not materially damage or prejudice other property in the vicinity.

In addition, the project site is within a developed area that is currently served by municipal services, including water, sewer, police and fire, and therefore would not cause a serious public health or safety problem to future patrons of the restaurant and retails businesses onsite.

DESIGN REVIEW FINDINGS (WMC § 14-12.403)

1. The proposed development is consistent with the goals and policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations.

Supportive Evidence

The majority of the project site is designated General Commercial on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) Zoning District. The purpose of the General Commercial designation is to allow various types of commercial uses, including restaurants and retail sales that serve the needs of the community and the surrounding region.

A small portion of the project site along its southeastern edge, where the terrain slopes steeply towards Watsonville Slough, is designated Environmental Management and is within the Environmental Management Open Space (EM-OS) Zoning District. This area has been set aside for the protection and preservation of natural resources, such as wetlands, sloughs, and wildlife habitat. No development is proposed within this area.

The proposed project is consistent with the following General Plan goals, policies, and implementation measures concerning commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection:

- **Goal 4.3 Commercial Land Use** – Revitalize the central business district and provide adequate neighborhood commercial services.

- **Goal 4.7 Land Use Suitability** – Ensure that the orderly development of land for the needs of the existing and projected population within in the City limit and Sphere of Influence is based on the land's overall suitability, including: the accessibility of existing and proposed public facilities, services, and utilities, physical and financial constraints; and/or growth inducing impacts.

- **Policy 4.C Commercial Development** – The City shall plan for revitalization of the central business district along with the distribution of convenient neighborhood commercial centers.

- **Policy 4.G Land Use Suitability** – The City shall encourage the development of urban uses on those lands best suited for urban uses and discourage it on lands unsuited for urban uses.

- **Goal 5.1 Visual Resources** – Preserve and enhance the built and natural visual resources within Watsonville.

- **Goal 5.2 Community Appearance** – Blend new development and recognized values of community appearance and scenic qualities, and ensure that new development enhances, rather than detracts from its surroundings.

- **Goal 5.6 Urban Design** – Achieve high standards of street, site and building design that are both efficient, and aesthetically pleasing.

- **Policy 5.A Project Design Review** – The preservation of visual resources shall be accomplished through the design review process.

- **Policy 5.B Design Consistency** – The City shall review new development proposals to encourage high standards of urban design and to ensure that elements of architectural design and site orientation do not degrade or conflict with the appearance of existing structures.

- **Goal 9.5 Water Quality** – Ensure that surface and groundwater resources are protected.

- **Policy 9.D Water Quality** – The City shall provide for the protection of water quality to meet all beneficial uses, including domestic, agricultural, industrial, recreational, and ecological uses.

- **Goal 9.8 Wildlife Habitat** – Preserve and protect the remaining areas of wildlife habitat for their scenic and scientific value.

- **Policy 9.F Wildlife Habitat Protection** – The City shall designate for open space and environmental management those areas rich in wildlife species and fragile in ecological makeup. These habitat zones shall be made part of the greenbelt where appropriate.

- **Implementation Measure 9.F.1 Habitat Protection** – Impacts to important wildlife habitat areas shall be identified as part of the City's development review and environmental review processes, and appropriate mitigations shall be considered. Mitigation measures to be considered include: designation of sensitive areas as open space, restriction of new development on lands that provide important wildlife habitat, setback requirements, habitat conservation plans, and habitat mitigation banking. Lands within the urban limit line that provide important wildlife habitat include, but are not limited to the following: (a) riparian corridors; (b) fresh water marshes and sloughs; and (c) woodlands and steep slopes.

The proposed project would construct three buildings for fast-causal restaurants and retail shops on land designated for commercial uses. These businesses would complement existing commercial development across the street and provide a convenient location for residents to patronize. The site abuts existing utilities that can be extended to serve the project. The project is not anticipated to

induce population growth, as it does not include residential development or involve any extension of roadways or other public infrastructure. In addition, the project would not be a regionally significant employer and future employees of the fast-casual restaurants and retail shops are anticipated to come from within Watsonville and nearby communities.

The redevelopment of an existing commercial property with three new commercial buildings and new landscaping would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

The proposed project would not have a negative impact on surface water resources and wildlife habitat. Pursuant to WMC Section 6-3-535, the project is required to comply with the City's post-construction stormwater requirements, which are intended to minimize stormwater pollution and thereby protect receiving waterbodies, such as rivers, creeks and wetlands. The project does not encroach on land designated Environmental Management and, thereby, would avoid direct disturbance of riparian habitat from grading and construction activities. New development would also maintain a setback of 30 feet or more from riparian habitat. In some locations along the eastern and western edge of the site, this 30-foot setback is not achieved; however this is only in areas that are already developed with existing structures, curb and gutter, or parking lot pavement. In those locations, proposed site improvements would extend no closer to riparian habitat than existing improvements. As discussed in the Initial Study prepared for the project, the portion of the project site proposed for redevelopment has already been modified by past commercial activities, and the proposed project would not further disturb wildlife acclimated to human activity in this area or result in new substantial interference with the movement of native resident or migratory wildlife.

The proposed project is consistent with the list of allowable uses for and general purpose of the CT Zoning District, in that the project would provide three buildings for establishing commercial uses along an existing major arterial. In addition, the proposed drive-through facilities are permitted conditionally with issuance of a Special Use Permit. The project is consistent with all development regulations for the CT Zoning District. As conditioned, the project is also consistent with regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

2. The proposed development is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.

Supportive Evidence

The proposed project would redevelop an existing commercial property with three new commercial buildings and new landscaping that would improve the

appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

As conditioned, the project is consistent with all regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

Nighttime illumination has the potential to change ambient lighting conditions and create a visual nuisance. The proposed lighting provides adequate light to illuminate the site, consistent with lighting for commercial buildings in an urban setting. The parking lot lighting is sufficient for creating a fairly even distribution of light at moderate to low levels of intensity. However, new lighting could disrupt wildlife in nearby riparian woodlands, including their use of these areas for nesting and roosting. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. This mitigation measure requires appropriate controls to be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of Watsonville Slough. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

The proposed trash enclosures could attract nuisance pest species because of the close proximity of nearby riparian habitat. Unless these enclosures are carefully maintained, they could attract Norway rat, raccoon, opossum and other nuisance pest species that could become dependent on this possible food source, disrupting natural behaviors and creating nuisance conditions. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. In accordance with this mitigation measure, a condition of approval requires the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

3. The proposed development will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use. The project site is located along Main Street (SR 152), which is a fully improved public right-of-way that is designated as a major arterial in the City's General Plan and is intended to handle large volumes of traffic.

4. The proposed development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.

Supportive Evidence

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

5. The proposed development incorporates features to minimize adverse effects including visual impacts of the proposed development on adjacent properties:

a) Harmony and proportion of the overall design and the appropriate use of materials;

b) The suitability of the architectural style for the project; provided, however, it is not the intent of this section to establish any particular architectural style;

c) The sitting of the structure on the property, as compared to the sitting of other structures in the immediate neighborhood;

d) The size, location, design, color, number, and lighting; and

e) The bulk, height, and color of the project structure as compared to the bulk, height, and color of other structures in the immediate neighborhood.

Supportive Evidence

The project involves redeveloping an existing commercial property and constructing three new buildings for establishing fast-casual restaurant and retail use. The project would also avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough.

The overall building design has a modern appearance. As shown on the proposed Elevations, every façade is well composed, articulated and consistent on each façade. The proposed building design consists of varied wall planes along the front, side and rear elevations as well as a variety of colors and finish materials. The building form does not include long, unbroken wall planes, which are articulated with metal canopies over doors and windows, wall recesses, and wall pop outs. Varying roof heights from parapet walls of different heights and tower elements create visual interest. Buildings materials are primarily stucco, punctuated by recessed wall planes made of fiber cement board to provide a smooth lap siding appearance and tile along the base of the buildings.

Although the building primarily face the interior parking lot, the buildings include the same architectural elements on all sides and endcap spaces include windows and seating areas facing the street to create visual interest and make for an inviting appearance. The back of Building 2 facing Main Street also includes landscape wall panels to soften the appearance of the building from the public right-of-way.

The proposed drive-through facility design is consistent with the City's requirements, including that landscaping shall screen drive-through lanes from the public right-of-way and shall minimize the visual impact of the menu board and directional signs.

The project would not create a visual impact on wildlife in nearby riparian woodlands. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

In addition, the project's trash enclosures would not attract nuisance pest species, such as Norway rat, raccoon, and opossum, with implementation of the condition of approval requiring regular monitoring of said enclosures to ensure they are routinely cleaned and secured at night.

6. The proposed development complies with all additional standards imposed on it by the particular provisions of this chapter, any City of Watsonville architectural guidelines, development and public improvement standards, and all other requirements of this title applicable to the proposed development.

Supportive Evidence

WMC Chapter 14-41 sets forth regulations concerning the design and location of drive-through facilities in the City. Drive-through facilities are permitted in commercial zones with issuance of a Special Use Permit, provided that the project can meet certain conditions. Drive-throughs cannot be located within 150 feet of a residential parcel or 300 feet of a designated "gateway" intersection.

For all other signalized intersections in commercial zones, no more than one drive-through may be within 200 feet of the nearest portion of the intersection. The project site is not next to one of the "gateway" intersections listed in WMC Section 14-41.100(a)(3), and only one of the two proposed drive-through facilities is within 200 feet of the signalized intersection of Main Street and Auto Center Drive.

Drive-through facilities must also be designed and situated consistent with design standards listed in WMC Section 14-41.102. As conditioned, the proposed project meets all design standards. The drive-through lanes for Buildings 1 and 3 are set back approximately 60 feet from Main Street and would be screened by proposed landscaping. The proposed drive-through lane widths on straight sections and curves exceed the minimum dimensions of 11 and 14 feet, respectively. The drive-through lane for Building 1 provides sufficient room to stack five vehicles behind the menu board, and six vehicles for Building 3. As only one menu board with an area of up to 30 square feet is permitted per drive-through facility, the proposed 6'H x 5'W menu boards shown on the Site Plan for each drive-through facility would be allowed; however, the "pre-menu board" shown next to Building 3 exceeds the one menu board limit. A Condition of Approval requires the removal of the "pre-menu board" from the Site Plan.

7. The proposed development will not be materially detrimental to the public health, safety, convenience and welfare or result in material damage or prejudice to other property in the vicinity.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use and would avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough. The proposed uses would complement existing commercial development along Main Street (SR 152) and the project design would enhance the appearance of the site. Therefore, the project would not materially damage or prejudice other property in the vicinity.

CITY OF WATSONVILLE
PLANNING COMMISSION

EXHIBIT B

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: December 3, 2019

SPECIAL USE PERMIT WITH DESIGN REVIEW
CONDITIONS OF APPROVAL

General Conditions:

1. **Approval.** This approval applies to the Plan Set identified as "Retail Development" located at 975-1075 Main Street, Watsonville, CA 95076, dated and received by the Community Development Department on November 19, 2019, and filed by Rod Fermin with Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner. (CDD-P)

2. **Conditional Approval Timeframe.** This Special Use Permit with Design Review (PP2018-248) shall be null and void if not acted upon within **24 months** from the effective date of the approval thereof. Time extensions may be considered upon receipt of written request submitted no less than forty-five (45) days prior to expiration and in accordance with the provisions of Section 14-10.1201 of the Watsonville Municipal Code (WMC). (CDD-P)

3. **Modifications.** Modifications to the project or conditions imposed may be considered in accordance with WMC Sections 14-12.1000 and 14-10.1305. All revisions shall be submitted prior to field changes and are to be clouded on the plans. (CDD-P)

4. **Substantial Compliance.** Project development shall be accomplished in substantial accordance with the approved Plan Set. Any required revisions to the Plan Set shall be completed to the satisfaction of the Community Development Director or designee. (CDD-P)

5. **Grounds for Review.** The project shall be in compliance with the conditions of approval, all local codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Special Use Permit or Design Review Permit, pursuant to Part 13 of WMC Chapter 14-10, or other code enforcement actions, pursuant to WMC Chapter 14-14. (CDD-P)

6. **Appeal Period/Effective Date.** This Special Use Permit with Design Review shall not be effective until **14 days** after approval by the decision-making body or following final action on any appeal. (CDD-P)

7. **Necessary Revisions.** The applicant shall make and note all revisions necessary to comply with all conditions of approval. The applicant shall certify in

writing below the list(s) of conditions that the building plans comply with the conditions of approval. (CDD-P)

8. **Conditions of Approval.** A copy of the final conditions of approval must be printed on the first or second sheet of plans submitted for future permits. ***Plans without the conditions of approval printed directly on the first or second page will not be accepted at the plan check phase.*** (CDD-P)

9. **Required Statement.** The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement, which will become conditions of the building permit:

> "I understand that the subject permit involves construction of a building (project) with an approved Special Use Permit with Design Review. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final."
>
> _____
> Signature of Building Contractor Date

Building and Fire-related Conditions:

10. **Required Permits.** The applicant shall obtain all required building permits (Building, Electrical, Plumbing, Mechanical, Grading, etc.) for this project. (CDD-B-E)

11. **Building Code.** Project construction shall comply with the California Building Code as adopted by the City. (CDD-B)

13. **Fire Code.** Project construction shall comply with California Fire Code as adopted by the City. (WFD)

14. **Energy Efficiency.** The project design shall conform with energy conservation measures articulated in Title 24 of the California Administrative Code and will address measures to reduce energy consumption such as low-flow shower heads, flow restrictors for toilets, low consumption lighting fixtures, and insulation and shall use drought tolerant landscaping. (CDD-B)

12. **Floodplain Development Permit.** The applicant shall obtain a Floodplain Development Permit prior to issuance of a building permit, in accordance with WMC Section 9-2.400. (CDD-E, PW)

Prior to or concurrent with the issuance of a Building Permit, the following requirements shall be met:

13. **Colors & Materials.** Plans submitted for building permit shall indicate that all final colors and materials shall be consistent with the colors and materials approved by this permit. (CDD-P)

14. **Landscaping & Irrigation Plan.** The applicant shall submit three copies of the final Landscaping and Irrigation Plan for review and approval by the Community Development Director prior to issuance of a building permit. The Landscaping Plan shall provide drought-tolerant plants suitable for the Central Coast region. The Irrigation Plan shall provide an automatic water system (*e.g.,* drip system) to irrigate all landscape areas. (CDD-B-E-P)

    a. LANDSCAPING – The Landscape Plan shall indicate the types, quantities, locations and sizes of all plant material, including any existing major vegetation designated to remain and method of protecting planting areas from vehicular traffic. The Landscape Plan shall be drawn to scale, and plant types shall be clearly located and labeled. The plant list shall give the botanical name, common name, gallon sizes to be planted, and quantity of each planting. A minimum of 25 percent of all shrub material shall have a minimum 5-gallon container size. (CDD-E-P)

    b. IRRIGATION SYSTEM – Automatic, low-flow irrigation system(s) shall be installed in all landscaped areas. Irrigation shall be programmed for night or early morning hours in order to minimize evaporation. (CDD-P)

    c. WATER CONSERVATION – The project shall utilize water conservation, water recycling, and xeriscaping to the maximum extent possible. Irrigation systems shall be designed and maintained to avoid run-off, over-spray, or other similar conditions where water flows to waste. (CDD-B-E-P)

    d. NEW TREES – As proposed in the preliminary landscape plans, the project shall provide a minimum of **61 trees**. (CDD-P)

    e. LANDSCAPE & IRRIGATION INSTALLATION – All landscaping and irrigation shall be approved and installed prior to occupancy of the project. (CDD-P)

    f. WATER EFFICIENT LANDSCAPE ORDINANCE – The applicant shall submit a landscape documentation package and demonstrate compliance with the California Model Water Efficient Landscape Ordinance, pursuant to WMC Section 6-3.801. (CDD-P-E)

15. **Landscape Plan Revisions.** The applicant shall revise the Landscape Plan (sheet PL1) to:

a. Replace butterflyweed (*Asclepias tuberosa*) within any and all bioswales with a suitable, non-invasive, plant species, such as common rush (*Juncus patens*), soft rush (*Juncus effuses*), valley sedge (*Carex barbarae*), foothill sedge (*Carex tumulicola*) and Douglas' sagewort (*Artemisia douglasiana*). (CDD-P)

16. **Site Plan Revisions.** The applicant revise the Site Plan to remove any "pre-menu board" signs. The Site Plan may have only one 6'H x 5'W menu board for each drive-through facility. (CDD-P)

17. **Lighting.** Plans submitted for building permit issuance shall show the locations and details of any exterior lighting fixtures. All lighting shall be downward facing and/or shielded and shall not spillover onto adjacent property, public roadways, and/or riparian habitat. (CDD-P)

18. **Photometric Plan.** The applicant shall revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. (CDD-P)

19. **Trash Enclosure.** The trash enclosure shall conform with City of Watsonville Public Improvement Standard No. S-602, and is subject to review and approval by the Community Development Department. (CDD-P-E, PW)

20. **Street Frontage Improvements.** The applicant replace all existing street improvements (i.e., driveways and curb & gutters) along the project street frontage to City standards. (CDD-E)

21. **Caltrans Encroachment Permit.** The applicant shall obtain an encroachment permit from Caltrans for making frontage improvements within Caltrans right-of-way. As shown on the Site Plan (sheet A-010), proposed improvements include removing existing trees, planting new trees spaced 25 to 30 feet apart, modifying the existing driveway approaches with an enhanced colored concrete pedestrian path, replacing the existing 8-foot wide asphalt trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on either side, and landscaping unpaved areas with the same plant palette for the project site. (CDD-E, Caltrans)

22. **Mechanical Equipment Screening.** All new mechanical equipment and appurtenances, including gas and water meters, electrical boxes, roof vents, air conditioners, antennas, etc. visible from the public way and from adjacent properties, shall be screened with material compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator. (CDD-P)

23. **Post Construction Stormwater Ordinance.** The project is subject to the WMC Section 6-3.535 (Post Construction Requirements). The applicant shall prepare a stormwater control plan (SWCP) that demonstrates compliance with the

ordinance to the satisfaction of the City Engineer, prior to issuance of a building permit. (CDD-E)

24. **Address Assignment.** Prior to building permit issuance, complete and submit an application for address assignment. (CDD-E)

25. **Ensure Avoidance of California Red-legged Frog and Western Pond Turtle (Mitigation Measure BIO-1a).** The following measures shall be implemented to ensure avoidance of individual California red-legged frog (CRLF) and western pond turtle (WPT) in the remote instance individuals were to disperse onto the site in the future in advance of or during construction.

- *Pre-construction survey:* Pre-construction surveys for CRLF shall be conducted prior to initiation of project activities (including fence installation) and within 48 hours of the start of ground disturbance activities following completion of exclusion fence installation. Surveys are to be conducted by qualified biologists with experience surveying for CRLF. If project activities are stopped for greater than 14 days, a follow-up pre-construction survey may be required within 48 hours prior to reinitiating project activities.

- *Worker Training:* All workers shall be trained by a qualified biologist to understand the remote potential for occurrence of CRLF and WPT, need to avoid any potential inadvertent take, and process to follow if a frog or turtle is encountered. If a frog is encountered in the construction zone, all work must stop and the qualified biologist must determine whether it is CRLF before work proceeds. If a CRLF is encountered in the work zone, no work can proceed until the USFWS and CDFW have been consulted and an appropriate avoidance and mitigation program developed.

  If WPT is encountered within the work zone, the individual shall be relocated to the closest suitable natural habitat by the qualified biologist or designated foreman trained by the qualified biologist.

- *Wildlife exclusion fence:* Wildlife exclusion fencing shall be installed prior to the start of construction and maintained until construction of the proposed project is complete. All work installing exclusion fencing shall be conducted under the supervision of a qualified wildlife biologist with experience in surveying for CRLF and WPT. Exclusion fencing shall, at a minimum, run along the edge of grading along the southeastern, southern and southwestern project boundaries where the site borders riparian habitat. The exclusion fencing shall be inspected on a daily basis by a designated foreman trained by the qualified biologist, and repaired immediately if any openings are detected to prevent opportunities for CRLF and WPT to enter the site. Per CRLF standards, fencing must be at least 42 inches in height (at least 36 inches above ground and buried at least 6 inches below the ground) and stakes must be place on the inside of the project (side on which work will take place).

  Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibians do not get trapped. Plastic mono-

filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used.

- *Earth-disturbing activities only during dry weather:* No earth disturbing activities shall take place during rain events when there is potential for accumulation greater than 0.25-inch in a 24-hour period. In addition, no earth disturbing activities shall occur for 48 hours following rain events in which 0.25-inch of rain accumulation within 24 hours. (CDD-P-B, PW)

26. **Ensure Avoidance of Bird Nests in Active Use (Mitigation Measure BIO-1b).** Tree removal, landscape grubbing, and building pad and retaining wall demolition shall be performed in compliance with the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code to avoid loss of nests in active use. This shall be accomplished by scheduling tree removal and landscape grubbing outside of the bird nesting season (which occurs from February 1 to August 31) to avoid possible impacts on nesting birds if new nests are established in the future. Alternatively, if demolition, tree removal and landscape grubbing cannot be scheduled during the non-nesting season (September 1 to January 31), a pre-construction nesting survey shall be conducted. The pre-construction nesting survey shall include the following:

- A qualified biologist shall conduct a pre-construction nesting bird (both passerine and raptor) survey within seven calendar days prior to tree removal, landscape grubbing, and/or demolition.

- If no nesting birds or active nests are observed, no further action is required and tree removal, landscape grubbing, and demolition shall occur within seven calendar days of the survey.

- Another nest survey shall be conducted if more than seven calendar days elapse between the initial nest search and the beginning of tree removal, landscape grubbing, and demolition.

- If any active nests are encountered, the Biologist shall determine an appropriate disturbance-free buffer zone to be established around the nest location(s) until the young have fledged. Buffer zones vary depending on the species (i.e., typically 50 to 100 feet for passerines and 300 feet for raptors) and other factors such as ongoing disturbance in the vicinity of the nest location. If necessary, the dimensions of the buffer zone shall be determined in consultation with the CDFW.

- Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which no construction-related equipment or operations shall be permitted. Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone.

- No restrictions on grading or construction activities outside the prescribed buffer zone are required once the zone has been identified and delineated in the field and workers have been properly trained to avoid the buffer zone area.

- Construction activities shall be restricted from the buffer zone until the Biologist has determined that young birds have fledged and the buffer zone is no longer needed.

- A survey report of findings verifying that any young have fledged shall be submitted by the Biologist for review and approval by the City prior to initiation of any tree removal, landscape grubbing, demolition, and other construction activities within the buffer zone. Following written approval by the City, tree removal, and construction within the nest-buffer zone may proceed. (CDD-P-B, PW)

27. **Prevent Nuisance Conditions (Mitigation Measure BIO-2).** Appropriate controls shall be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of the Watsonville Slough floodplain. These shall include controls on all exterior lighting to ensure that is be directed downward and screened to minimize spill-over off the site and developing a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night. (CDD-P)

28. **Unanticipated Discovery of Prehistoric or Historic Cultural Resources (Mitigation Measure CULT-1 and TCR-1).** If any prehistoric or historic subsurface cultural resources, including tribal cultural resources, are discovered during ground-disturbing (including grading, demolition and/or construction) activities:

- All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5.

- If any find is determined to be significant, representatives from the City of Watsonville Building Department and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation.

- All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

- In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations.

- If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented.

- Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

29. **Adhere to Geotechnical Recommendations (Mitigation Measure GEO-1, -2 and -3).** Project construction shall adhere to the recommendations of the October 9, 2018 Krazan & Associates Geotechnical Engineering Investigation for the Proposed Commercial Development on Main Street at Auto Centre Drive, which provides recommendations for excavation under and near building areas, fill removal and recompaction, engineered fill preparation, soil moisture content, and other construction details relevant to building design and site stability. As recommended in the Geotechnical Engineering Investigation, a licensed geotechnical engineer, or his/her representative, shall be present during all site clearing and grading operations to observe earthwork construction, and the consulting engineer's recommendations shall be followed.

30. **Unanticipated Discovery of Paleontological Resources (Mitigation Measure GEO-4).** The construction contractor shall incorporate the following in all grading, demolition, and construction plans:

- In the event that fossils or fossil-bearing deposits are discovered during grading, demolition, or building, excavations within 50 feet of the find shall be temporarily halted or diverted.

- The contractor shall notify the City of Watsonville Building Department and a City-approved qualified paleontologist to examine the discovery.

- The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5.

- The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.

- If the project applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The excavation plan shall be submitted to the City for review and approval prior to implementation.

31. **Intersection Operational Changes to Address Existing + Project Conditions (Mitigation Measure TR-1).** The signal system along Main Street should be retimed to reach acceptable levels of service. The following changes should be considered:

- During the AM peak hour, the signal system along Main Street should be modified to a 110-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive with a half cycle at the Watsonville Square intersection. The segment from Pennsylvania Drive to Freedom Boulevard should be modified to a 116-second cycle with a half cycle at Rodriguez Street.

- During the PM peak hour, the signal system along Main Street should be modified from the current 135-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120-second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- An eastbound to southbound right turn overlap should be installed at the Main Street/Ohlone Parkway – Clifford Drive intersection. This is consistent with the Sunshine Vista Phased Development Project FEIR, May 2018.

32. **Intersection Operational Changes to Address Cumulative + Project Conditions (Mitigation Measure TR-2).** The project applicant shall obtain an encroachment permit from Caltrans to implement the following changes to the signal operations and lane configuration at the Main Street/Green Valley Drive:

- During the PM peak hour, the signal system along Main Street should be modified from the current 135 second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120 second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- The intersection of Main Street/Green Valley Drive approaches should be reconfigured as follows:
    - Northbound approach: two left turn lanes, one through lane, and one right turn lane.
    - Southbound approach: one left turn lane, one through lane, and one right turn lane.

- Modify the signal phasing for the eastbound and westbound approaches on Green Valley Road from split phase to protected left turns. The intersection is part of a coordinated system along Main Street and the corridor should be retimed to a 110 second cycle as a result of the geometry modifications.

Prior to permit issuance, the following conditions shall be addressed:

33. **Preconstruction Meeting.** Prior to issuance of a building permit or the commencement of any site work, the project applicant and the general contractor shall attend a pre-construction meeting with the Building Official and City staff to discuss the project conditions of approval, working hours, site maintenance and other construction matters. The general contractor shall acknowledge that he/she has read and understands the project conditions of approval, particularly those pertaining to construction practices and site safety, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction. (CDD-P-B-E)

34. **MMRP Implementation.** The applicant shall prepare a list identifying the individuals responsible for implementing the Mitigation Monitoring and Reporting

Program. The applicant shall provide upon request by the City a compliance log demonstrating all Mitigation Measures have been implemented. (CDD-P)

35. **Solid Waste Service Plan.** Solid waste generated during the construction shall be serviced by the City of Watsonville Solid Waste Division. Applicant shall submit a Solid Waste Service Plan on the City form for review and approval. (CDD-E)

During construction, the following conditions shall be adhered to:

36. **Superintendent.** Applicant shall have onsite at all times, a superintendent that shall act as the applicant's representative and as a point of contact for the City's Public Works Inspector. The superintendent shall be authorized by the Owner to direct the work of all contractors doing work on public and private improvements. (CDD-E, PW)

37. **Best Management Practices (BMPs).** Provide BMPs during construction to prevent sediment, debris and contaminants from draining offsite. BMPs shall comply with the City of Watsonville Erosion Control Standards and the Erosion and Sediment Control Field Manual by the California Regional Water Quality Control Board, San Francisco Region, latest edition. All erosion control shall be installed prior to October 15 and be maintained in place until April 15. Provide a note on the improvement plans stating that construction should take place between April 15 and October 15. The applicant shall ensure that all contractors are aware of all erosion control standards and BMPs. (CDD-E)

38. **Solid Waste Disposal.** All solid waste generated inside City limits must be hauled from the site of generation by the City of Watsonville Solid Waste Division, pursuant to Chapter 3 (City Utilities) of Title 6 (Sanitation and Health) of the Watsonville Municipal Code. This includes all wastes generated at construction sites, excavation projects, land clearing, demolition, earthwork projects, remodels, grading, and tenant improvement projects as well as ongoing business/residential use on the premises. Applicant shall comply with all applicable requirements for removal and disposal of hazardous materials. (PW)

39. **Work Hours.** No work for which a building permit is required shall be performed within the hours of 7 p.m. to 7 a.m., Monday through Friday, nor prior to 8 a.m. or after 5 p.m. on Saturday. No Work shall occur on Sundays or holidays. A sign shall be posted at a conspicuous location near the main entry to the site, prominently displaying these hour restrictions and identifying the phone # of the Job superintendent. (CDD-B)

40. **Dust Control.** To minimize dust/grading impacts during construction the applicant shall:
    a. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day to minimize dust.
    b. Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.

c. Sweep the adjacent street frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
d. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off-site.
e. The City shall have the authority to stop all grading operations, if in opinion of City staff, inadequate dust control or excessive wind conditions contribute to fugitive dust emissions. (CDD-E)

41. **Unanticipated Discovery of Contaminated Soils.** In the unlikely event that contaminated soils are discovered during the earth-moving activities, all development activities shall cease immediately and remain stopped until an assessment has been completed by a geotechnical firm approved by the City. If remediation is necessary, the applicant shall enter into a Remedial Action Agreement with the Santa Cruz County Environmental Health Service Agency. (CDD-P-E)

Construction notes to be included with the Improvement Plans:

42. **Damaged Public Facilities.** Existing public facilities damaged during the course of construction or in an existing state of disrepair shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (CDD-E)

43. **Inspection Notice.** Contractor shall provide a minimum of 48 hours notice in advance of any required inspection. Any temporary suspension of work or returning to work for any reason shall be cause for the developer or contractor to telephone the Public Works Inspector at 831-768-3100. (CDD-E)

44. **Underground Utilities.** Prior to excavation, contractor shall locate all existing underground utilities. Call Underground Service Alert (U.S.A.) at 1-800-642-2444 to have utilities located and marked in the field. (CDD-E)

Prior to Final Inspection or Certificate of Occupancy, the following conditions shall be met:

45. **Statements of Compliance.** All project designer professionals who prepared plans for the project (*e.g.*, civil, structural, and geotechnical engineers) shall provide statements of compliance attesting that they have reviewed the completed project and that it was constructed in conformance with their recommendations and plans. Where special inspections and testing were involved, the letters of compliance shall be accompanied by inspection logs, testing and analysis that support the engineer's conclusions. (CDD-B-E)

46. **Landscaping Installation.** All landscaping and irrigation shall be installed and approved by Community Development Department staff. (CDD-P-E)

47. **Trash Removal.** All trash and construction debris shall be removed from the site. (CDD-B, PW)

Ongoing Conditions:

48. **Post Construction Stormwater Ordinance – Inspection, Maintenance and Annual Reporting.** Applicant shall perform inspections, maintenance to the post-construction stormwater management facilities and report to the City each year on these activities. (CDD-E, PW)

49. **Solid Waste Service.** All trash, recycling and greenwaste materials generated onsite shall be disposed of at a City-approved landfill or recycling center. The applicant shall contact the Solid Waste Division of the City Public Works Department to coordinate disposal of all trash, recycling and greenwaste materials. (PW)

50. **Trash Enclosure Maintenance.** Trash and recycling enclosure shall be maintained to the satisfaction of Watsonville Municipal Services. (PW)

51. **Lighting and Landscape Maintenance.** Lighting, landscaping and all other site improvements shall be maintained in perpetuity. Landscaping shall be maintained in good growing condition by a professional landscape maintenance company; and such maintenance shall include, where appropriate, weeding, mowing, pruning, cleaning, fertilizing and regular watering. All dead, dying and diseased vegetation shall be immediately replaced in kind. (CDD-P)

52. **Ongoing Maintenance.** Common (patio) areas, landscaping, street trees, driveways, parking spaces, walks, fences and walls shall be maintained on an ongoing basis by the property owner(s) for the entire development area. (CDD-P)

53. **Mitigate Potential Attractive Pest Nuisance.** To ensure trash enclosures do not attract nuisance pest species, such as Norway rat, raccoon, and opossum, the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

Future Sign Permit:

54. **Sign Permit.** Any new or proposed changes in the exterior signage for the premises shall require Sign and Building Permits through the Community Development Department. (CDD-P-B)

Indemnity Provision:

55. **Indemnity Provision.** The applicant shall sign a defense and indemnity contract agreeing to defend, indemnify, and hold harmless the City of Watsonville, its elected and appointed officials, officers, employees, and agents arising out Special Use Permit with Design Review and Environmental Review (PP2018-248), including but not limited to any approval or condition of approval of the City of Watsonville Planning Commission or City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning this permit and the applicant and City shall cooperate fully in the defense of the matter. The City reserves the right to select counsel in the defense of the matter. (CA)

Key to Department Responsibility

CDD-B – Community Development Department (Building)
CDD-P – Community Development Department (Planning)
CDD-E – Community Development Department (Engineering)
PW – Public Works Department
WFD – Watsonville Fire Department
CA – City Attorney

CITY OF WATSONVILLE
PLANNING COMMISSION

EXHIBIT C

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: December 3, 2019

Applicant:	Rod Fermin, Boos Development Group, Inc.
Property Owner:	975 Main Street Associates LLC
Address:	400 Beach Street, Santa Cruz, CA 95060
Project:	Special Use Permit with Design Review and Environmental Review
Location:	975-1075 Main Street, Watsonville, CA 95076
Purpose:	Allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities

A Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29), was reviewed by the Planning Commission at a public hearing on December 3, 2019, and was conditionally approved by adoption of Planning Commission Resolution No._____(PC) together with findings and conditions of approval attached hereto and made a part of this permit.

CITY OF WATSONVILLE
Planning Commission

_____
Suzi Merriam
Community Development Director

Received
Watsonville
City Clerk

JAN 3'20 PM12:23

December 23, 2019

Dear Watsonville City Council;

I am writing about the December 3, 2019 6pm Planning Commission Meeting for the Special Use Permit with Design Review and environmental review. I believe that this construction will provide a solution to the current blight that plot has been for our community. I further believe that the construction will provide access to businesses that provide valuable resources to our residents.

I know that Santa Cruz County has had reservations about drive-throughs, yet I cannot stop thinking about my friends and family that have small children, making day-to-day errands difficult. I am confident that we can find a solution that will allow for the clean-up and development of this area.

Please reconsider this project, keeping in mind all of your residents.

Kindest Regards;



Osanna Bertsch

C.C. Council ✓

PELOSI LAW GROUP

Miriam Montesinos
415-735-0482
miriam@pelosilawgroup.com

December 13, 2019

Mayor Francisco Estrada
and Members of the City Council
275 Main St., Suite 400 (4th Floor)
Watsonville, CA 95076

Re: Appeal of December 3, 2019 Planning Commission Action Regarding 975-1075 Main Street (Agenda Item 6.A; PP2018-248)

Dear Mayor Estrada and Councilmembers:

We are submitting this letter on behalf of our client, 975 Main Street Associates, LLC, to appeal the Planning Commission's action on December 3, 2019 regarding an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling approximately 20,000 square feet and including two drive-through facilities ("Project") located at 975-1075 Main Street ("Project Site"). As you are aware, at that hearing, the Planning Commission failed to pass a motion to accept staff's recommendation to (a) adopt a Resolution adopting a Mitigated Negative Declaration, and (b) adopt a Resolution approving a Special use Permit with Design Review and Environmental Review.

We consider the Planning Commission's decision to be in error on the following specific grounds:

1. The Planning Commission's action was erroneous because it did not present any evidence in support of its action to not adopt staff's recommendation and approve the two resolutions before it.
   - Presumably, the Planning Commission determined that the Project is inconsistent with the General Plan. However, the Planning Commission did not present any evidence of how the Project is inconsistent. On the other hand, the record includes significant discussion regarding the Project's consistency with numerous General Plan goals and policies.
   - The Planning Commission's decision on the Special Use Permit with Design Review was an adjudicative/quasi-judicial decision that required findings, either for denial or approval (as recommended by staff), which findings must be supported by substantial evidence, yet the Planning Commission provided no findings in support of a denial.

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2. The Planning Commission's action was inconsistent with the applicable land use regulations because the proposed uses, including drive-throughs, are consistent with the City's land use regulations.
   - The Project is consistent with the General Plan's General Commercial land use designation since allowed uses under that designation include retail and restaurants. In addition, the allowed floor-area-ratio ("FAR") for that designation is 0.45 and the Project is proposing a 0.15 FAR.
   - The Project complies with the CT (Thoroughfare Commercial) Zoning, the purpose of which is to provide for retail and commercial uses (among others) that are appropriate to a thoroughfare location and dependent upon thoroughfare travel. Retail uses are principally permitted uses and drive-throughs require a Special Use Permit, which the Project is requesting.
   - The Project complies with all of the design standards in the City's Drive-Through Ordinance.
3. The Planning Commission's preference for a mixed-use residential development is not feasible because mixed-use projects are not allowed under the current General Plan. In addition, the applicable 0.45 FAR would be too restrictive to allow a project sufficiently large enough to make the development economically feasible. Finally, the City's vision for this area has not included either housing or high-intensity development.
4. There is no evidence to support concerns regarding alleged Project impacts.
   - The Project will not have significant impacts due to traffic, including at the Main Street and Auto Center Drive intersection. While some additional delays will occur, the intersection will continue to operate at acceptable levels. In addition, queues resulting from the Project, such as due to the drive-throughs, will be accommodated either in the drive-through lanes or the parking area, and will not spill onto Main Street.
   - The Project will not create any significant safety impacts for pedestrians. It is providing colored concrete pedestrian paths across each of the Project driveways. In addition, the signal modifications that will be implemented will include pedestrian signals and pedestrian activation (i.e., buttons pushed by pedestrians) at the Main Street and Auto Center Drive intersection. During discussions with Caltrans regarding signal modifications at this intersection, we will address the possibility of using leading pedestrian indication ("LPI"), which is at Caltrans' discretion.
   - The Project will not create any significant safety impacts for bicyclists. The multi-use paths provided by the Project will also be available to bicyclists as well as pedestrians, ensuring bicyclists also have a safe path of travel onto and throughout the Project site. Also, the walk-activation signal buttons for pedestrians at the Main Street intersection could also be used by bicyclists.

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- The Project will not result in any significant climate change impacts, including due to carbon dioxide and carbon monoxide. The amount of greenhouse gas emissions generated by the Project, which include carbon dioxide, will be less than that generated by the prior uses on the site. With respect to carbon monoxide, the main impact would be if the Project resulted in "hotspots" (i.e., pockets of carbon monoxide), which will not be the case since the Project will generate far fewer vehicle trips than are required for a hotspot to occur.

For all these reasons, we respectfully request that the City Council overturn the Planning Commission's action on the Project.

Sincerely,



Miriam Montesinos

PELOSI LAW GROUP

Miriam Montesinos
415-735-0482
miriam@pelosilawgroup.com

January 17, 2019

VIA EMAIL

Watsonville City Council
275 Main St., Suite 400 (4th Floor)
Watsonville, CA 95076

Re: 975 Main Street – Supplement to Appeal from Planning Commission's Decision

Dear Councilmembers:

We are submitting this letter on behalf of our client, 975 Main Street Associates, LLC, to supplement our appeal letter submitted on December 16, 2019.

As stated in our December 16th appeal letter, the action taken by the Planning Commission was erroneous and was inconsistent with the intent of the zoning district regulations that regulate the proposed action. The following provides additional substantial evidence in support of a finding that the Planning Commission's action was inappropriate.

Based upon all the information provided, we respectfully request that the City Council overrule the action of the Planning Commission.

A. The Planning Commission's Action Was Erroneous Because It Did Not Present Any Evidence in Support of Its Action

When acting on a project in an adjudicatory/quasi-judicial role, the decisionmaking body must present information in support of its action. Here, during deliberations on whether to approve a motion to adopt staff's recommendations, Planning Commissioners expressed their views on issues such as whether they want to see any more drive-throughs developed in the City (despite the Zoning Code currently allowing them), if the Project Site presents an opportunity for a mixed-use development (even though not it is not an allowed use), and how the Project could create carbon dioxide impacts (although the data shows otherwise), among others. At no point during the deliberations did a Planning Commissioner present any evidence in support of his or her personal views. Such lack of evidence in support of the Planning Commission's action to reject staff's recommendation, which was founded up a significant amount of substantial evidence, resulted in the action being erroneous.

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1. The Planning Commission Did Not Present Any Evidence that the Project is Inconsistent with the General Plan

As noted in the Staff Report for the Planning Commission hearing, it is within the Planning Commission's purview to decide if a project is consistent or inconsistent with any applicable General Plan goals or policies.

Presumably, the Planning Commission felt the Project was inconsistent with the General Plan given its decision to not adopt staff's recommendation. We cannot know this for sure, however, because during the hearing, the Planning Commission did not have any discussion regarding whether it agreed with staff's determination that the Project is consistent with General Plan goals and policies. In fact, the Planning Commission failed to present *any* evidence supporting the conclusion that the Project is inconsistent with applicable goals or policies.

The Staff Report, however, presents three pages of evidence regarding the Project's consistency with numerous General Plan goals, policies and implementation measures concerning commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection (see pages 8-10). In addition, the Resolution approving the Special Use Permit with Design Review and Environmental Review sets for the supporting evidence regarding the Project's consistency with General Plan goals, policies and implementation measures under Special Use Permit Finding Number 1 and Design Review Finding Number 1.

The Planning Commission's failure to present any evidence as to why the Project is inconsistent with the General Plan, particularly given all the evidence to the contrary, resulted in its action being taken in error.

2. The Planning Commission Failed to Present the Information Required to Deny the Special Use Permit

As explained in the Staff Report for the Planning Commission hearing, the Planning Commission's decision on the Special Use Permit with Design Review was an adjudicative/quasi-judicial decision that required findings, either for denial or approval (as recommended by staff), which findings must be supported by substantial evidence.

Moreover, pursuant to Watsonville Zoning Code Section 14-12.510[1], an application for a Special Use Permit shall be denied as being incompatible with existing uses or uses permitted by right in the district if the appropriateness of the use cannot be assured at the location.

Here, no evidence was presented by the Planning Commission in support of a finding that the proposed commercial use, with drive-throughs, cannot be assured at the location. Rather, the only evidence in the record related to the appropriateness of the use is in support of the proposed use being compatible at this location.

The Planning Commission's failure to present any findings as to why the Special Use Permit should not be granted resulted in its action being taken in error.

[1] Unless otherwise noted, all future statutory references are to the Watsonville Zoning Code.

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B. The Planning Commission's Action Was Inconsistent with the Applicable Land Use Regulations Because the Proposed Uses, Including Drive-Throughs, are Consistent with the City's Land Use Regulations

The City's vision for Main Street is that it be predominantly commercial, particularly in the vicinity of the Project Site. A main reason for this commercial dominance is that Main Street is a major arterial so it provides easy access to the commercial uses. This vision is laid out in the City's General Plan and implemented in the City's Zoning Code. The Project proposes fast casual restaurant and retail uses that are consistent with this vision: the proposed uses complement other commercial uses along Main Street and are in a convenient location for patrons along a major arterial.

As detailed below, substantial evidence exists in the record that the Project is consistent with the applicable land use regulations, including the General Plan, Zoning Code, and Drive-Through Ordinance. Conversely, absolutely no evidence was presented by the Planning Commission regarding how the proposed uses, including the drive-throughs, are inconsistent with the land use regulations. While some of the Planning Commissioners expressed a desire to not see any additional drive-throughs developed in the City, unless and until the applicable land use regulations are changed to reflect such a prohibition, the Planning Commission is bound to abide by the existing regulations in place.

1. The Project is Consistent with the General Plan's General Commercial Land Use Designation

The Watsonville 2005 General Plan[2] designates majority of the Project Site as General Commercial. Under this designation, general categories of allowed uses include: retail sales; personal, professional, financial, business and medical offices and services; entertainment; lodging; restaurants and automobile sales intended to serve the needs of the community and the surrounding region. Residential uses are not allowed.

Intensities in the General Commercial designation shall not exceed a Floor Area Ratio ("FAR") of 0.45, except where building heights are permitted to exceed three stories, i.e., 35 feet. The Project Site is not in an area where building heights are permitted to exceed three stories[3] and, therefore, is limited to a 0.45 FAR.

The Project proposes retail sales and restaurant uses, which are listed as allowed uses in the General Commercial designation. It proposes a FAR of 0.15, which is well within the allowed 0.45 FAR. As such, the Project fully complies with the General Plan's General Commercial land use designation.

Moreover, as detailed in the Staff Report for the Planning Commission hearing (see pages 8-10), the Project is consistent with numerous General Plan goals, policies, and

[2] The *Watsonville 2005 General Plan* was adopted by City Council in 1990. The *Draft Watsonville Vista 2030 General Plan* is the subject of ongoing litigation and has not replaced this document.
[3] The height limit for the CT zoning district in which the Project Site is located is a maximum of 35 feet or three stories.

implementation measures concerning commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection.

2. The Project Complies with the CT (Thoroughfare Commercial) Zoning

The purpose of the Thoroughfare Commercial District is to provide for retail, commercial, service, amusement, and transient-residential uses which are appropriate to thoroughfare location and dependent upon thoroughfare travel; to be located only in the immediate vicinity of major streets and arterials or on the service drives thereof; and to provide convenient vehicular access and parking for the public.

Because the focus is on providing uses dependent upon thoroughfare travel, "auto centric" uses, which the Planning Commission seemed to have an issue with at this location, are in fact exactly the type of use that is appropriate for this zone. The purpose of the CT District is *not* to provide for uses that are focused on being bicycle and pedestrian friendly since those types of uses are not dependent upon thoroughfare travel.

Principal permitted uses in the CT zoning district include general merchandise, retail (among other retail uses) and restaurants without beer and wine sales. Eating places offering drive-through facilities require a Special Use Permit. As previously noted, the Project is requesting a Special Use Permit for two drive-through facilities.

In addition to the list of allowable uses, the CT zoning district includes specific, enforceable development standards such as minimum lot size, maximum building height, minimum building setback. As detailed in the Staff Report for the Planning Commission hearing (see pages 10-11), the Project is consistent with all development regulations for the CT zoning district**.**

3. The Project Complies with the City's Adopted Drive-Through Ordinance

In 2000, at the request of several City Council members, Planning staff prepared an ordinance that addressed drive-through facilities and fast food restaurants. The impetus for the ordinance was concerns from Councilmembers that drive-through uses were creating a variety of potential traffic safety conflicts on arterial streets, as well as noise, odor and aesthetic conflicts with nearby residential properties. A draft ordinance was presented to the Planning Commission at two public hearings, during which several of the Planning Commissioners expressed concerns that the ordinance could discourage prospective fast food businesses from requesting permits. At the second hearing, the Planning Commission recommended by a 4-0 vote that the City Council not pursue the ordinance. Despite the Planning Commission's recommendation, the City Council moved forward with adopting the drive-through regulations set forth in Chapter 14-41 of the Zoning Code. The regulations do not prohibit drive-through facilities but require limitations to specific commercial zoning districts. Further, the ordinance was drafted with the intent to develop location and design criteria that the City could use to help design drive-through facilities that are more compatible with surrounding uses. Based upon those regulations, drive-through facilities are permitted in the CT zone pursuant to a Special Use Permit, provided the facilities meet specified design standards.

As is well documented in the Staff Report for the Planning Commission hearing (see pages 11-12), the Project, as conditioned, meets all of the design standards for drive-throughs set forth in Chapter 14-41.

While drive-throughs may be a concern to some residents and some of the Planning Commissioners may feel that the City should start looking at prohibiting drive-throughs, the City Council has not provided staff with direction to commence those efforts. As a result, at this time, projects that comply with all the applicable drive-through standards should be approved.

C. The Planning Commission's Preference for a Mixed-Use Residential Development Is Not Feasible Given the Applicable Land Use Controls

The Project Site has been developed with commercial uses since the site was first developed in 1945. Uses have included truck stops, truck/bus facilities, auto repair shops, a gasoline service station, and more recently a restaurant, market and auto service shops. The historical commercial nature of the Project Site is not surprising. As discussed above, the City's vision for this part of Main Street is for it to be developed with commercial uses.

Because of the City's current housing crisis, some of the Planning Commissioners expressed a desire to see the Project Site developed with a mixed-use residential project. While we appreciate the City's need to provide more housing, this location is not one which the City has contemplated for housing – as noted above, residential uses are not allowed in the General Plan's General Commercial land use designation. As a result, development of a mixed-use project that included residential uses would require a General Plan amendment.

Based upon our review of the Watsonville 2005 General Plan, none of the land use categories appear to contemplate this type of mixed-use development. Consequently, the General Plan's text would need to be amended either to include mixed-use developments as an allowed use in an existing land use designation or to create a new land use designation for mixed-use developments.

Further, even if the designation allowed for mixed-use development, the allowed FAR is 0.45, which would only allow a development of approximately 59,876 square feet. The number of housing units that could be accommodated within that square footage, particularly if commercial is also to be provided as part of a mixed-use development, would be minimal, which would not make such a development economically feasible. To make any mixed-use project feasible, the General Plan would need to be amended to increase the FAR.

Amending the General Plan to change the types of uses allowed in land use designations and applicable FARs is a large-scale effort that should be undertaken as part of the City's General Plan update process. The Project should not be held "hostage" while the City decides whether or not to undertake such an effort.

Finally, it cannot go unmentioned that the Project Site is not in an area in which the City has envisioned more intense development, as it has in the Downtown area, for example. The focus has continuously been to provide for commercial uses appropriate along a major commercial thoroughfare.

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D. There is No Evidence to Support Concerns Regarding Alleged Project Impacts

During the Planning Commission hearing, concerns were raised by members of the public as well as by some Planning Commissioners that the Project would have significant traffic impacts, impacts on the safety of pedestrians and bicyclists, and impacts on climate change, particularly from carbon dioxide. Although these concerns were raised, no information in support of the concerns was presented, presumably because none exists since there is ample substantial evidence in the record showing that Project will not create any significant impacts in those areas, as explained below.

1. The Project Will Not Have Any Significant Traffic Impacts that Cannot be Mitigated

The Project retains the existing vehicle access to the Project Site, with the main access provided at the intersection of Main Street and Auto Center Drive. As part of the Mitigated Negative Declaration ("MND") prepared for the project pursuant to the California Environmental Quality Act ("CEQA"), a Traffic Impact Analysis ("TIA") was prepared to identify intersections that may be impacted by development of the Project, including the Main Street/Auto Center Drive intersection. The TIA calculated the traffic generated by the Project and then analyzed impacts to the intersections' level of service as well as impacts due to queuing at signalized intersections. It should be noted that based on the TIA, the Project would generate 2,986 average daily trips on a weekday, which is approximately 224 fewer trips than the previous land uses.

For the intersection analysis, the TIA analyzed seven intersections within the vicinity of the Project Site, all along Main Street. For Existing Plus Project conditions, the TIA identified significant impacts at two intersections: Main Street/Green Valley Drive (PM peak only) and Main Street/Ohlone Parkway – Clifford Drive (AM and PM peak). Both these intersections would operate at acceptable levels with implementation of new timing plans required under Mitigation Measure TR-1. For Cumulative Plus Project conditions, the TIA identified significant impacts at the Main Street/Green Valley Drive intersection (PM peak only); however, with implementation of Mitigation Measure TR-2, the intersection would operate at acceptable levels.

The TIA also calculated the level of service at the Main Street/Auto Center Drive intersection to determine if the intersection would continue to operate at an acceptable level. Admittedly, the Project will cause delays at the intersection. Under Existing plus Project conditions, the project will cause a delay of 18.8 seconds (LOS B) during the A.M. peak hour, an increase of 4.6 seconds. During the P.M. peak hour, the project is expected to cause a delay of 21.8 seconds (LOS C) at the intersection, an increase of 3.6 seconds. During the weekday noon peak hour, the intersection delay will increase to 27.6 seconds (LOS C), an increase of 11.6 seconds from the 'No Project' condition. Under Cumulative plus Project conditions, the project will cause a delay of 20.2 seconds (LOS C) during the A.M. peak hour, an increase of 4.4 seconds. During the P.M. peak hour, the project is expected to cause a delay of 24.6 seconds (LOS C) at the intersection, a decrease of 7.5 seconds; this decrease is a result of signal coordination along the Main Street corridor. During the weekday noon peak hour, the intersection delay will increase to 27.3 seconds (LOS C), an increase of 9.1 seconds from the 'No Project' condition. Despite these delays, the intersection will continue to operate at acceptable levels.

With respect to queuing, the TIA identified the lengths of the left turn peak period queues and compared them to available storage to determine if there would be spillover from turn lanes that could affect adjoining travel or extend through adjacent intersections. The Project would increase queues on the northbound left turn lane at the Main Street/Freedom Boulevard intersection; however, the increase would be small (one car) and only in the PM peak hour under both Existing Plus Project. Under Cumulative Plus Project, the queue increase is 44 feet, which is closer to two cars (assuming one vehicle space is 25 feet). The Project would also increase the eastbound left turn lane queue at the Main Street/Green Valley Drive intersection during the PM peak hour under Cumulative Plus Project, but only by one foot so in practice there would be no increase to the queue.

The TIA also addressed whether queues at the drive-through lanes at Buildings 1 and 3 would be adequate. As explained in the MND, Building 1 is currently contemplated to be occupied by Chipotle. Based upon a site study of similar drive-through facilities, the MND concluded that the drive-through lane should be adequate for a Chipotle since the drive-through lane is for order pick-up only, and recommended that a queue study be conducted if the drive-through lane is modified to allow ordering in order to confirm that the proposed nine length queue would be adequate. With respect to Building 3, the MND concluded that queues that spill back beyond the drive-through entrance would queue within the Project Site, in the parking aisles away from Main Street. Therefore, queues originating with the Project Site would not create any impacts on Main Street.

2. The Project Will Not Create Any Significant Safety Impacts for Pedestrians

The Project is expected to increase the number of pedestrians using existing sidewalks and crosswalks. As the MND notes, the existing overall network of sidewalks and crosswalks near the Project Site has adequate connectivity and provides pedestrians with safe routes to transit services and other points of interest in the vicinity of the Project Site. Nonetheless, to further ensure the safety of pedestrians, the Project will install enhanced colored concrete pedestrian paths across each of the Project Site driveways, which will provide greater visibility for drives to see pedestrians crossing the driveways. The Project also includes the installation of a colored concrete internal sidewalk and crosswalk system within the Project Site leading to each of the three buildings in order to ensure pedestrian safety while pedestrians are on the Project Site. In addition, the signal modifications that will be implemented at the Main Street/Auto Center Drive intersection will reduce conflicts for pedestrians crossing Main Street. Pedestrian signals and pedestrian activation will be implemented as part of these modifications. In addition, we are committed to working with Caltrans to determine if it is possible to install a limit line and a leading pedestrian signal for the Main Street crossing since that is within Caltrans' discretion.

No substantial evidence has been presented, either by the Planning Commission or the public, to support the conclusion that the Project will create a safety impact for pedestrians.

3. The Project Will Not Create Any Significant Safety Impacts for Bicyclists

The MND explains that access to the Project Site will remain similar to existing conditions; therefore, the Project would not eliminate or impede the existing bicycle facilities. In fact, the Project would support the use of bicycling by providing adequate bicycle facilities for guests

and employees. Nonetheless, we are willing to widen the multi-use paths from Main Street onto the site from 6 feet to 8 feet to make it consistent with the width of the multi-use path along Main Street in order to better accommodate pedestrians and bicyclists. More importantly, within the Main Street/Auto Center intersection, we are willing to install 8' wide green striping adjacent to both existing and proposed north-south crosswalks across Main Street to facilitate bicycle traffic to and from the project site. We are also willint to install green bicycle markings along Main Street at the project driveway and Auto Center Drive to identify bicycle traffic locations for right turning vehicles. These marking will require Caltrans approval.

All this information supports a finding that the Project will not result in safety impacts for bicyclists. On the other hand, as with pedestrians, no substantial evidence has been presented, either by the Planning Commission or the public, to support the conclusion that the Project will create a safety impact for bicyclists.

4. The Project Will Not Result in Any Significant Climate Change Impacts

The MND analyzed whether the Project would result in any significant impacts due to greenhouse gases, which include carbon dioxide (CO_2). The analysis acknowledges that the Project by itself does not generate enough GHG emissions to influence global climate change. Consequently, the analysis focused on the Project's contribution to the cumulative environmental impact associated with climate change. With respect to impacts during operations, such as from vehicles using the drive-throughs (the main concern raised during the hearing), the analysis concluded that because the Project would result in less square footage and 224 fewer trips than the prior uses, and would be constructed in accordance with the latest building code, it would not generate an increase in greenhouse gas emissions from the prior land uses on the site.

As part of the greenhouse gas analysis, the MND also considered whether the Project would be consistent with the City's Climate Action Plan ("CAP") adopted in February 2015. Because the Project would be required to pay Carbon Impact Fees that fund measures identified in the City's CAP, the MND conclude that the Project would not conflict with the goals of the CAP.

The MND also analyzed whether the Project could create pockets of carbon monoxide (CO) from areas of vehicle congestion. These pockets, called "hotspots," are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. As noted in the MND, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour in order to generate a significant CO impact. The traffic generated by the Project would be substantially below this number of vehicles (164 AM peak hour trips, 186 PM peak hour trips, 373 noon peak hour trips during the weekday). As a result, the Project would not generate a CO hotspot, and no substantial evidence to the contrary has been presented.

It should also be noted that the Chipotle drive-through has less impacts than the typical drive-through since orders are not taken at the window – rather, customers call in advance, drive up and pick up their orders. As a result, there is minimal idling of vehicles.

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In conclusion, the Project complies with all applicable land use regulations, including the General Plan's goals and policies, the Zoning Code, and the City's Drive-Through Ordinance.

PELOSI LAW GROUP

Staff has done extensive work on the Project, including retaining an expert environmental consultant to conduct a thorough analysis of the Project's potential environmental impacts, which was published in an MND. Staff's extensive work is documented in the Staff Report for the Planning Commission hearing, as well as the two resolutions that were presented to the Planning Commission. These documents provide extensive substantial evidence to support approval of the Project as being consistent with applicable land use regulations. Despite this evidence, however, the Planning Commission decided not to adopt staff's recommendation and instead take an action that resulted in denial of the Project, which action was not based upon any substantial evidence or supported by necessary findings. Consequently, the Planning Commission's action was erroneous.

It cannot be overlooked that the Planning Commission's action, if upheld, not only will result in the Project Site remaining vacant and underutilized, but more importantly, it will deprive the City and its residents of a development that will create employment opportunities by generating approximately 35 jobs. As noted in the General Plan, "[j]ob opportunity will help the unemployed, underemployed, and people joining the labor force to become economically self sufficient, and is the major element necessary to solve the City's affordable housing problems."[4] In addition, the jobs provided by the Project "will minimize the need for residents to commute elsewhere to work, thereby reducing the length of auto trips and air pollution attributable to commuting."[5] Moreover, "[l]ocal jobs held by a local work force will strengthen the local economy which, in turn, generates tax dollars which can be spent on maintaining and improving the quality of life in Watsonville."[6] In short, the Project will provide jobs to the local community that will bring many benefits.

For all these reasons, we respectfully request that the City Council overturn the Planning Commission's decision and approve the Project.

Sincerely,

Miriam Montesinos

[4] Watsonville 2005 General Plan, p. 7.
[5] *Id.*
[6] *Id.*

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE OVERTURNING THE DECEMBER 3, 2019, PLANNING COMMISSION ACTION AND THEREBY ADOPTING THE MITIGATED NEGATIVE DECLARATION (PP2018-248) FOR THE COMMERCIAL REDEVELOPMENT PROJECT, CONSISTING OF THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975 – 1075 MAIN STREET, WATSONVILLE, CALIFORNIA (APNS 018-261-14 & - 29)

WHEREAS, on September 27, 2018, an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California, was filed by Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner; and

WHEREAS, the California Environmental Quality Act (Public Resources Code section 21000, *et seq*., and the California Environmental Quality Act Guidelines, 14 California Code of Regulations section 15000, *et seq*., collectively, "CEQA") requires a lead agency to prepare a Mitigated Negative Declaration for projects that could have a significant impact on the environment without mitigation; and

WHEREAS, an Initial Study was prepared for the proposed project (dated October 8, 2019) in accordance with Section 15063 of the CEQA Guidelines. The Initial Study addresses the potential physical environmental effects of the proposed project for each of the environmental topics outlined in Appendix G of the CEQA Guidelines. Impacts to biological resources, cultural and tribal resources, geology and soils, and transportation were found to be potentially significant but mitigable to less than

significant. Impacts to other resource areas and environmental topics were found to be less than significant without mitigation; and

WHEREAS, on October 8, 2019, City staff filed a Notice of Intent and copies of the proposed Mitigated Negative Declaration ("MND") with the State Clearinghouse, and thereby initiated the 30-day public review period for the document, which closed at 5:00 p.m. on Thursday, November 7, 2019. Notice was also given to local and regional agencies by mail and to neighboring property owners and interested parties as part of public hearing notices; and

WHEREAS, copies of the Initial Study were made available for public review at the Community Development Department and Watsonville Public Library; and

WHEREAS, on December 3, 2019, the Planning Commission conducted a public hearing, considered evidence both oral and documentary introduced and received, and made a motion to adopt the following: (1) Resolution of the Planning Commission of the City of Watsonville, California, adopting the Mitigated Negative Declaration (PP2018-248) for the commercial redevelopment project, consisting of the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29); and (2) Resolution of the Planning Commission of the City of Watsonville, California, approving a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29). The motion failed by a vote of 0-5. No subsequent motion(s)

to approve, modify or deny the project were advanced by the Planning Commission; and

WHEREAS, on December 13, 2019, the applicant filed an appeal in writing with the City Clerk, and requests that the City Council overturn the Planning Commission's action, thereby adopting (1) a Resolution adopting the Mitigated Negative Declaration and (2) a Resolution approving a Special Use Permit with Design Review and Environmental Review; and

WHEREAS, the Pelosi Law Group on behalf of the applicant has submitted two letters. The first dated December 13, 2019, provides the reasons why the applicant believes the Planning Commission's decision to be in error. The second dated January 17, 2019, provides additional evidence in support of finding that the Planning Commission's action was incorrect. Based on the information provided, the applicant respectfully requests that the City Council overrule the action of the Planning Commission; and

WHEREAS, upon appeal, the City Council considers whether the action taken by the Planning Commission was erroneously taken and may sustain, modify or overrule the action. In order for an official action to be overturned by an appeal, the City Council must find that the action taken by the Planning Commission was taken erroneously and was inconsistent with the intent of the Zoning District regulations that regulate the proposed action; and

WHEREAS, notice of time and place of the hearing to consider an appeal of the December 3, 2019 Planning Commission action regarding the application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) was given at

the time and in the manner prescribed by the Zoning Ordinance (Section 14-10.900) of the Watsonville Municipal Code. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision; and

WHEREAS, the City Council, in the exercise of its independent judgment as the decision-making body of the City of Watsonville for the project, makes and adopts the following Findings in compliance with the requirements of CEQA:

1. The City, in its capacity as Lead Agency, has prepared an Initial Study and MND for the project. The purpose of the Initial Study is to determine whether the project could have a potentially significant effect on the environment and to identify and impose appropriate project mitigation measures to avoid such impacts or reduce them to a less-than significant level;
2. The Initial Study and MND reflects the City of Watsonville's independent judgment and analysis;
3. The MND was prepared in accordance with all legal requirements, including all public notice and comment period requirements, set forth in CEQA;
4. The Initial Study examined all relevant environmental issues associated with the project, and is a complete and adequate environmental document under the requirements of CEQA. Specifically, the City Council supports the conclusions of the Initial Study and the mitigation measures proposed for the MND, as both documents as supported by substantial evidence;

5. There is not substantial evidence in the record that the project, as mitigated, will have a significant effect on the environment for areas analyzed in the Initial Study, including biological resources, cultural and tribal resources, geology and soils, and transportation. As discussed in the Initial Study analysis, mitigation measures have been identified that, when implemented, will avoid or reduce each of these impacts to less-than-significant levels; and

6. Unless specifically stated to the contrary in these Findings, it is the City's intent to adopt all mitigation measures recommended by the Mitigated Negative Declaration that are applicable to the project. If a measure has, through error, been omitted from the Conditions of Approval or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Conditions of Approval repeating or rewording mitigation measures recommended in the MND are intended to be substantially similar to the mitigation measures recommended in the MND and are found to be equally effective in avoiding or lessening the identified environmental impact.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

That the City Council has considered all written and verbal evidence regarding this appeal at the public hearing and finds that the December 3, 2019, Planning

Commission action was taken erroneously and overturns the denial of an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248). In doing so, the City Council has made Findings, attached hereto and marked as Exhibit "A," in support of the Mitigated Negative Declaration (PP2018-248) for the project to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29).

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CITY OF WATSONVILLE
CITY COUNCIL

EXHIBIT "A"

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: February 25, 2020

CEQA FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

I. INTRODUCTION TO CEQA FINDINGS

These Findings of Fact are made pursuant to the California Environmental Quality Act (Pub. Res. Code §21000 et seq., CEQA) and the CEQA Guidelines (Cal. Code Regs. title 14, §15000 et seq.) by the City of Watsonville (City), as the lead agency for the 975-1075 Main Street Project (or the project). These Findings of Fact pertain to the Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2019109021) prepared for the project.

A. Project Location

The 3.05± acre project site includes the properties located at 975 to 1075 Main Street. Situated along the south side of Main Street, the site is halfway between Main Street's intersections with SR 1 and SR 129. The site is bounded by Main Street along its northern boundary, with several commercial establishments located across Main street to the north; Watsonville Slough to the east and south; and Ramsay Park to the west.

B. Project Description Summary

The proposed project would redevelop the site with three one-story buildings and two associated drive-through facilities, surface parking, and landscaping. The proposed buildings are located on the northern portion of the site, with parking and trash enclosures located on the southern portion of the site. Outdoor seating would be provided in the front or on the sides of the three commercial buildings and building entry points face the interior of the project site.

Direct access to the project site would occur from existing driveways located on the northern edge of the project site along Main Street. The project would replace the existing 8-foot wide asphalt multi-use trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on either side. In addition, the project includes minor changes to signal phasing and lane striping for the Main Street/Auto Center Drive intersection.

C. Procedural Compliance with CEQA

The City of Watsonville retained a consultant to assist with the preparation of the environmental documents. The City of Watsonville, acting as lead agency, has directed, reviewed and edited as necessary all material prepared by the consultant, and such material reflects the City of Watsonville's independent judgment.

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Initial Study.

On October 8, 2019, the City of Watsonville circulated a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration. The Initial Study and proposed Mitigated Negative Declaration was available for a 30-day review period, which closed at 5:00 p.m. on Thursday, November 7, 2019. The NOI was distributed to the State Clearinghouse, public agencies, the County Clerk, neighboring property owners, and organizations and individuals considered likely to be interested in the project and its potential impacts. The NOI and Initial Study were posted electronically on the City's website, and a paper copies were available for public review at the Community Development Department and Watsonville Public Library.

The City of Watsonville received five comment letters on the Initial Study, consisting of two letters from public agencies and three letters from private individuals or local organizations.

The City of Watsonville Planning Commission held a public meeting on December 3, 2019, to consider adoption of the Mitigated Negative Declaration and approval of the planning entitlements for the project. The Planning Commission failed to adopt a Resolution adopting the Mitigated Negative Declaration for the project.

The City of Watsonville City Council held a public meeting on February 25, 2020, to consider an appeal and overturn the December 2, 2019 Planning Commission action and thereby adopt a Resolution adopting the Mitigated Negative Declaration for the project.

D. Incorporation of Initial Study by Reference

The Initial Study is hereby incorporated by reference into these Findings of Fact. The Initial Study consists of: (1) the Initial Study volume, including a memorandum containing Response to Comments; and (2) all appendices to the Initial Study; a list of persons, organizations and public agencies commenting of the Initial Study; and the City's responses to environmental issued raised in comments.

E. Requirements for CEQA Findings

Pursuant to Public Resources Code section 21080(c) and CEQA Guidelines section 15074, prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

The City of Watsonville City Council has made specific written findings regarding each significant impact associated with the project. Those findings are presented below, along with a presentation of facts in support of the Findings of Fact. The City of Watsonville City Council certifies these Findings of Fact are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings of Fact, concerning the environmental issues identified and discussed. These Findings of Fact are based on evidence contained in the totality of the administrative record before the City Council, including but not limited to the Initial Study supporting evidence cited herein.

II. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which the City of Watsonville's Findings of Fact are based are located at 250 Main Street, Watsonville, California. The custodian of these documents is Justin Meek, AICP, Principal Planner. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and 14 Cal. Code Regs. § 15074(c).

For purposes of CEQA and these Findings of Fact, the Record of Proceedings for the project consists of the following documents, at a minimum:

- The Notice of Intent (NOI) to adopt a Mitigated Negative Declaration and all other public notices issued by the City of Watsonville and in conjunction with the project.
- The Initial Study, including appendices and technical studies included or referenced in the Initial Study, including the Mitigation Monitoring and Reporting Program (MMRP) for the project.
- All comments submitted by agencies or members of the public during the public comment period on the Initial Study.
- All comments and correspondence submitted to the City of Watsonville with respect to the project.
- All Findings and resolutions adopted by the City of Watsonville decision makers in connection with the project and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by PlaceWorks, consultant to the City of Watsonville.
- All reports, memoranda, documentation, data output files relating to the land use and transportation modeling for the project.
- All documents and information submitted to the City of Watsonville by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the project, up through the date the City of Watsonville City Council approved the project planning entitlements.
- Matters of common knowledge to the City of Watsonville, including, but not limited to federal, State, and local laws and regulations.
- Any documents expressly cited in these Findings of Fact, in addition to those cited above.

III. FINDINGS FOR IMPACTS IDENTIFIED AS POTENTIALLY SIGNIFICANT BUT MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City of Watsonville City Council hereby finds that the following mitigation measures identified in the Initial Study which will avoid or substantially lessen the following environmental impacts reducing them to a less than significant level, have been required in or incorporated into the project. These findings are based on the discussion of impacts in the detailed impact analyses in Section 4 of the Initial Study, as well as relevant responses to comments. ***The findings below are for impacts where implementation of the project may result in the following significant environmental impacts that will be reduced to less than significant levels following mitigation:***

A. Biological Resources

1. **Impact BIO-1a:** Proposed development could potentially result in an inadvertent take of individual California red-legged frog or western pond turtle in the remote instance that individuals were to disperse onto the site during construction unless adequate controls and preconstruction surveys are not implemented.

a. Mitigation

BIO-1a: Ensure Avoidance of California Red-legged Frog and Western Pond Turtle. The following measures shall be implemented to ensure avoidance of individual California red-legged frog (CRLF) and western pond turtle (WPT) in the remote instance individuals were to disperse onto the site in the future in advance of or during construction.

- *Pre-construction survey:* Pre-construction surveys for CRLF shall be conducted prior to initiation of project activities (including fence installation) and within 48 hours of the start of ground disturbance activities following completion of exclusion fence installation. Surveys are to be conducted by qualified biologists with experience surveying for CRLF. If project activities are stopped for greater than 14 days, a follow-up pre-construction survey may be required within 48 hours prior to reinitiating project activities.

- *Worker Training:* All workers shall be trained by a qualified biologist to understand the remote potential for occurrence of CRLF and WPT, need to avoid any potential inadvertent take, and process to follow if a frog or turtle is encountered. If a frog is encountered in the construction zone, all work must stop and the qualified biologist must determine whether it is CRLF before work proceeds. If a CRLF is encountered in the work zone, no work can proceed until the USFWS and CDFW have been consulted and an appropriate avoidance and mitigation program developed.

  If WPT is encountered within the work zone, the individual shall be relocated to the closest suitable natural habitat by the qualified biologist or designated foreman trained by the qualified biologist.

- *Wildlife exclusion fence:* Wildlife exclusion fencing shall be installed prior to the start of construction and maintained until construction of the

proposed project is complete. All work installing exclusion fencing shall be conducted under the supervision of a qualified wildlife biologist with experience in surveying for CRLF and WPT. Exclusion fencing shall, at a minimum, run along the edge of grading along the southeastern, southern and southwestern project boundaries where the site borders riparian habitat. The exclusion fencing shall be inspected on a daily basis by a designated foreman trained by the qualified biologist, and repaired immediately if any openings are detected to prevent opportunities for CRLF and WPT to enter the site. Per CRLF standards, fencing must be at least 42 inches in height (at least 36 inches above ground and buried at least 6 inches below the ground) and stakes must be place on the inside of the project (side on which work will take place).

Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibians do not get trapped. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used.

- *Earth-disturbing activities only during dry weather:* No earth disturbing activities shall take place during rain events when there is potential for accumulation greater than 0.25-inch in a 24-hour period. In addition, no earth disturbing activities shall occur for 48 hours following rain events in which 0.25-inch of rain accumulation within 24 hours.

b. Findings and Rationale – With the incorporation of Mitigation Measure BIO-1a, potential impacts to California red-legged frog (CRLF) and western pond turtle (WPT) would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-22 through 4-23 of the Initial Study.

2. **Impact BIO-1b:** Construction of the proposed project could result in inadvertent loss of bird nests in active use, which would conflict with the federal Migratory Bird Treaty Act and California Fish and Game Code if adequate controls and preconstruction surveys are not implemented.

a. Mitigation

BIO-1b: Ensure Avoidance of Bird Nests in Active Use. Tree removal, landscape grubbing, and building pad and retaining wall demolition shall be performed in compliance with the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code to avoid loss of nests in active use. This shall be accomplished by scheduling tree removal and landscape grubbing outside of the bird nesting season (which occurs from February 1 to August 31) to avoid possible impacts on nesting birds if new nests are established in the future. Alternatively, if demolition, tree removal and landscape grubbing cannot be scheduled during the non-nesting season (September 1 to January 31), a pre-construction

nesting survey shall be conducted. The pre-construction nesting survey shall include the following:

- A qualified biologist shall conduct a pre-construction nesting bird (both passerine and raptor) survey within seven calendar days prior to tree removal, landscape grubbing, and/or demolition.

- If no nesting birds or active nests are observed, no further action is required and tree removal, landscape grubbing, and demolition shall occur within seven calendar days of the survey.

- Another nest survey shall be conducted if more than seven calendar days elapse between the initial nest search and the beginning of tree removal, landscape grubbing, and demolition.

- If any active nests are encountered, the Biologist shall determine an appropriate disturbance-free buffer zone to be established around the nest location(s) until the young have fledged. Buffer zones vary depending on the species (i.e., typically 50 to 100 feet for passerines and 300 feet for raptors) and other factors such as ongoing disturbance in the vicinity of the nest location. If necessary, the dimensions of the buffer zone shall be determined in consultation with the CDFW.

- Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which no construction-related equipment or operations shall be permitted. Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone.

- No restrictions on grading or construction activities outside the prescribed buffer zone are required once the zone has been identified and delineated in the field and workers have been properly trained to avoid the buffer zone area.

- Construction activities shall be restricted from the buffer zone until the Biologist has determined that young birds have fledged and the buffer zone is no longer needed.

- A survey report of findings verifying that any young have fledged shall be submitted by the Biologist for review and approval by the City prior to initiation of any tree removal, landscape grubbing, demolition, and other construction activities within the buffer zone. Following written approval by the City, tree removal, and construction within the nest-buffer zone may proceed.

b. Findings and Rationale – With the incorporation of Mitigation Measure BIO-1b, potential impacts to bird nests in active use would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-22 through 4-24 of the Initial Study.

3. **Impact BIO-2:** Proposed development could introduce additional night-time lighting into the adjacent riparian habitat of the Watsonville Slough floodplain, and trash stored on the site could create nuisance conditions and attract pest species unless appropriate avoidance measures were implemented as part of future uses.

a. Mitigation

BIO-2: Appropriate controls shall be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of the Watsonville Slough floodplain. These shall include controls on all exterior lighting to ensure that is be directed downward and screened to minimize spill-over off the site and developing a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

b. Findings and Rationale – With the incorporation of Mitigation Measure BIO-2, potential impacts to riparian habitat would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-25 through 4-26 of the Initial Study.

B. Cultural Resources

4. **Impact CULT-1:** Project-related ground-disturbing activities could affect subsurface prehistoric archaeological resources that may be present.

a. Mitigation

CULT-1: If any prehistoric or historic subsurface cultural resources, including tribal cultural resources, are discovered during ground-disturbing (including grading, demolition and/or construction) activities:

- All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5.

- If any find is determined to be significant, representatives from the City of Watsonville Building Department and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation.

- All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

- In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations.

- If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented.

- Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

b. Findings and Rationale – With the incorporation of Mitigation Measure CULT-1, potential impacts from ground-disturbing activities to subsurface prehistoric archaeological resources would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-28 through 4-29 of the Initial Study.

C. Geology and Soils

5. **Impact GEO-1:** Without proper site preparation and building design, project development could result in hazards associated with ground stability.

a. Mitigation

GEO-1: Project construction shall adhere to the recommendations of the October 9, 2018 Krazan & Associates Geotechnical Engineering Investigation for the Proposed Commercial Development on Main Street at Auto Centre Drive, which provides recommendations for excavation under and near building areas, fill removal and recompaction, engineered fill preparation, soil moisture content, and other construction details relevant to building design and site stability. As recommended in the Geotechnical Engineering Investigation, a licensed geotechnical engineer, or his/her representative, shall be present during all site clearing and grading operations to observe earthwork construction, and the consulting engineer's recommendations shall be followed.

b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-1, potential impacts associated with ground stability would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-38 through 4-40 of the Initial Study.

6. **Impact GEO-2:** Without proper site preparation and building design, project development could result in hazards associated with liquefaction and ground movement.

   a. Mitigation

   GEO-2: Implement Mitigation Measure GEO-1.

   b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-2, potential impacts associated with liquefaction and ground movement would be reduced to a less than significant level.

   c. Supportive Evidence – Please refer to pages 4-38 through 4-41 of the Initial Study.

7. **Impact GEO-3:** Without proper site preparation and building design, project development could result in hazards associated with expansive soils.

   a. Mitigation

   GEO-3: Implement Mitigation Measure GEO-1.

   b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-3, potential impacts associated with expansive soils would be reduced to a less than significant level.

   c. Supportive Evidence – Please refer to pages 4-38 through 4-42 of the Initial Study.

8. **Impact GEO-4:** Project-related ground-disturbing activities could affect subsurface paleontological resources that may be present.

   a. Mitigation

   GEO-4: The construction contractor shall incorporate the following in all grading, demolition, and construction plans:

   - In the event that fossils or fossil-bearing deposits are discovered during grading, demolition, or building, excavations within 50 feet of the find shall be temporarily halted or diverted.

   - The contractor shall notify the City of Watsonville Building Department and a City-approved qualified paleontologist to examine the discovery.

   - The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5.

- The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.

- If the project applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The excavation plan shall be submitted to the City for review and approval prior to implementation.

b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-4, potential impacts from ground-disturbing activities to subsurface paleontological resources would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-42 through 4-43 of the Initial Study.

D. Transportation

9. **Impact TR-1:** With the project, during the PM peak hour period, the Main Street/Green Valley Drive intersection would operate at an unacceptable level that exceeds the 0.1 second per vehicle (spv) threshold. During the AM and PM peak hour periods, the Main Street/Ohlone Parkway – Clifford Drive intersection would operate at unacceptable levels that exceed the 0.1 spv threshold.

a. Mitigation

TR-1: The signal system along Main Street should be retimed to reach acceptable levels of service. The following changes should be considered:

- During the AM peak hour, the signal system along Main Street should be modified to a 110-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive with a half cycle at the Watsonville Square intersection. The segment from Pennsylvania Drive to Freedom Boulevard should be modified to a 116-second cycle with a half cycle at Rodriguez Street.

- During the PM peak hour, the signal system along Main Street should be modified from the current 135-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120-second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- An eastbound to southbound right turn overlap should be installed at the Main Street/Ohlone Parkway – Clifford Drive intersection. This is consistent with the Sunshine Vista Phased Development Project FEIR, May 2018.

b. Findings and Rationale – With the incorporation of Mitigation Measure TR-1, potential impacts to the Main Street/Green Valley Drive and Main

Street/Ohlone Parkway – Clifford Drive intersections would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-86 through 4-89 of the Initial Study.

10. **Impact TR-2:** With the project, during the PM peak hour period, the Main Street/Green Valley Drive intersection would operate at an unacceptable level that exceeds the 0.1 spv threshold.

a. Mitigation

TR-2: The project applicant shall obtain an encroachment permit from Caltrans to implement the following changes to the signal operations and lane configuration at the Main Street/Green Valley Drive:

- During the PM peak hour, the signal system along Main Street should be modified from the current 135 second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120 second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- The intersection of Main Street/Green Valley Drive approaches should be reconfigured as follows:
  - Northbound approach: two left turn lanes, one through lane, and one right turn lane.
  - Southbound approach: one left turn lane, one through lane, and one right turn lane.

- Modify the signal phasing for the eastbound and westbound approaches on Green Valley Road from split phase to protected left turns. The intersection is part of a coordinated system along Main Street and the corridor should be retimed to a 110 second cycle as a result of the geometry modifications.

b. Findings and Rationale – With the incorporation of Mitigation Measure TR-2, potential impacts to the Main Street/Green Valley Drive intersection would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-86 through 4-91 of the Initial Study.

E. Tribal Cultural Resources

11. **Impact TCR-1:** Project-related ground-disturbing activities could affect subsurface tribal cultural resources that may be present.

a. Mitigation

TCR-1: Implement Mitigation Measure CULT-1.

b. Findings and Rationale – With the incorporation of Mitigation Measure CULT-1, potential impacts from ground-disturbing activities to subsurface tribal cultural resources would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-28 through 4-29 and 4-98 of the Initial Study.

IV. FINDINGS ON RESPONSES TO COMMENTS ON THE INITIAL STUDY

A memorandum dated November 19, 2019, includes the comments received on the Initial Study and responses to those comments. The focus of the responses to comments is to address whether (a) a new, avoidable significant effect on the environment was identified in a comment letter and mitigation measures or project revisions must be added in order to reduce the effect to insignificance and/or (b) a comment letter raised a significant environmental issue which cannot be mitigated or avoided.

The City of Watsonville City Council finds that responses to comments made on the Initial Study merely clarify, amplify or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines §15073.5(c).

V. MITIGATION MONITORING AND REPORTING PROGRAM

The City of Watsonville City Council finds that a Mitigation Monitoring and Reporting Program (MMRP) for the project has been prepared and has been adopted concurrently with these Findings of Fact (Public Resources Code, § 21081.6(a)(1)). The MMRP for the project has been prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Section 15073 of the CEQA Guidelines.

The purpose of the MMRP is to ensure the adopted mitigation measures adopted in the Findings of Fact for the project are implemented, in accordance with CEQA requirements. The Findings of Fact adopt feasible mitigation measures to reduce the significant environmental impacts of the project. The mitigation measures adopted in the project Findings of Fact are listed in Section III of these Findings of Fact.

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
BIOLOGICAL RESOURCES					
BIO-1a: Ensure Avoidance of California Red-legged Frog and Western Pond Turtle. The following measures shall be implemented to ensure avoidance of individual California red-legged frog (CRLF) and western pond turtle (WPT) in the remote instance individuals were to disperse onto the site in the future in advance of or during construction: ▪ *Pre-construction survey*: Pre-construction surveys for CRLF shall be conducted prior to initiation of project activities (including fence installation) and within 48 hours of the start of ground disturbance activities following completion of exclusion fence installation. Surveys are to be conducted by qualified biologists with experience surveying for CRLF. If project activities are stopped for greater than 14 days, a follow-up pre-construction survey may be required within 48 hours prior to reinitiating project activities. ▪ *Worker Training:* All workers shall be trained by a qualified biologist to understand the remote potential for occurrence of CRLF and WPT, need to avoid any potential inadvertent take, and process to follow if a frog or turtle is encountered. If a frog is encountered in the construction zone, all work must stop and the qualified biologist must determine whether it is CRLF before work proceeds. If a CRLF is encountered in the work zone, no work can proceed until the USFWS and CDFW have been consulted and an appropriate avoidance and mitigation program developed. If WPT is encountered within the work zone, the individual shall be relocated to the closest suitable natural habitat by the qualified biologist or designated foreman trained by the qualified biologist. ▪ *Wildlife exclusion fence*: Wildlife exclusion fencing shall be installed prior to the start of construction and maintained until construction of the proposed project is complete. All work installing exclusion fencing shall be conducted under the supervision of a qualified wildlife biologist with experience in surveying for CRLF and WPT. Exclusion fencing shall, at a minimum, run along the edge of grading along the southeastern, southern and southwestern project boundaries where the site borders riparian habitat. The exclusion fencing shall be inspected on a daily basis by a designated foreman trained by the qualified biologist, and repaired immediately if any openings are detected to prevent opportunities for CRLF and WPT to enter the site. Per CRLF standards, fencing must be at least 42 inches in height (at least 36 inches above ground and buried at least 6 inches below the ground) and stakes must be place on the inside of the project (side on which work will take place).	Project Applicant	Prior to and during construction	City of Watsonville Planning Division	Confirm fencing, training, biological monitoring, and erosion control measures; review surveys	Ongoing

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibians do not get trapped. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used. ▪ *Earth-disturbing activities only during dry weather*: No earth disturbing activities shall take place during rain events when there is potential for accumulation greater than 0.25-inch in a 24-hour period. In addition, no earth disturbing activities shall occur for 48 hours following rain events in which 0.25-inch of rain accumulation within 24 hours.					
BIO-1b: **Ensure Avoidance of Bird Nests in Active Use.** Tree removal, landscape grubbing, and building pad and retaining wall demolition shall be performed in compliance with the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code to avoid loss of nests in active use. This shall be accomplished by scheduling tree removal and landscape grubbing outside of the bird nesting season (which occurs from February 1 to August 31) to avoid possible impacts on nesting birds if new nests are established in the future. Alternatively, if demolition, tree removal and landscape grubbing cannot be scheduled during the non-nesting season (September 1 to January 31), a pre-construction nesting survey shall be conducted. The pre-construction nesting survey shall include the following: ▪ A qualified biologist shall conduct a pre-construction nesting bird (both passerine and raptor) survey within seven calendar days prior to tree removal, landscape grubbing, and/or demolition. ▪ If no nesting birds or active nests are observed, no further action is required and tree removal, landscape grubbing, and demolition shall occur within seven calendar days of the survey. ▪ Another nest survey shall be conducted if more than seven calendar days elapse between the initial nest search and the beginning of tree removal, landscape grubbing, and demolition. ▪ If any active nests are encountered, the Biologist shall determine an appropriate disturbance-free buffer zone to be established around the nest location(s) until the young have fledged. Buffer zones vary depending on the species (i.e., typically 50 to 100 feet for passerines and 300 feet for raptors) and other factors such as ongoing disturbance in the vicinity of the nest location. If necessary, the dimensions of the buffer zone shall be determined in consultation with the CDFW. ▪ Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which	Project Applicant	Prior to construction	City of Watsonville Planning Division	Review survey, confirm buffer zones (if required)	Once for survey/ Ongoing if nesting birds identified and until they have left the nest

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
no construction-related equipment or operations shall be permitted. Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone. ▪ No restrictions on grading or construction activities outside the prescribed buffer zone are required once the zone has been identified and delineated in the field and workers have been properly trained to avoid the buffer zone area. ▪ Construction activities shall be restricted from the buffer zone until the Biologist has determined that young birds have fledged and the buffer zone is no longer needed. ▪ A survey report of findings verifying that any young have fledged shall be submitted by the Biologist for review and approval by the City prior to initiation of any tree removal, landscape grubbing, demolition, and other construction activities within the buffer zone. Following written approval by the City, tree removal, and construction within the nest-buffer zone may proceed.					
BIO-2: Appropriate controls shall be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of the Watsonville Slough floodplain. These shall include controls on all exterior lighting to ensure that is be directed downward and screened to minimize spill-over off the site and developing a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.	Project Applicant	During construction	City of Watsonville Planning Division	Confirm lighting installation	During regularly scheduled site inspections
CULTURAL RESOURCES					
CULT-1: If any prehistoric or historic subsurface cultural resources, including tribal cultural resources, are discovered during ground-disturbing (including grading, demolition and/or construction) activities: ▪ All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. ▪ If any find is determined to be significant, representatives from the City of Watsonville Building Department and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. ▪ All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.	Project Applicant	During construction	Consulting archaeologist and City of Watsonville Public Works Department	Review and confirm recommendations	As needed if resources are unearthed

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
▪ In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations. ▪ If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented. ▪ Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.					
GEOLOGY AND SOILS					
GEO-1: Project construction shall adhere to the recommendations of the October 9, 2018 Krazan & Associates *Geotechnical Engineering Investigation for the Proposed Commercial Development on Main Street at Auto Centre Drive*, which provides recommendations for excavation under and near building areas, fill removal and recompaction, engineered fill preparation, soil moisture content, and other construction details relevant to building design and site stability. As recommended in the Geotechnical Engineering Investigation, a licensed geotechnical engineer, or his/her representative, shall be present during all site clearing and grading operations to observe earthwork construction, and the consulting engineer's recommendations shall be followed.	Project Applicant	Prior to issuance of grading and construction permits	City of Watsonville Planning Division	Review grading and construction plans	Once
GEO-2: Implement Mitigation Measure GEO-1.			*See Mitigation Measure GEO-1.*		
GEO-3: Implement Mitigation Measure GEO-1.			*See Mitigation Measure GEO-1.*		
GEO-4: The construction contractor shall incorporate the following in all grading, demolition, and construction plans: ▪ In the event that fossils or fossil-bearing deposits are discovered during grading, demolition, or building, excavations within 50 feet of the find shall be temporarily halted or diverted. ▪ The contractor shall notify the City of Watsonville Building Department and a City-approved qualified paleontologist to examine the discovery. ▪ The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. ▪ The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.	Project Applicant	During construction	Consulting archaeologist and City of Watsonville Public Works Department	Review and confirm recommendations	As needed if resources are unearthed

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
▪ If the project applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The excavation plan shall be submitted to the City for review and approval prior to implementation.					
TRANSPORTATION					
TR-1: The signal system along Main Street should be retimed to reach acceptable levels of service. The following changes should be considered: ▪ During the AM peak hour, the signal system along Main Street should be modified to a 110-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive with a half cycle at the Watsonville Square intersection. The segment from Pennsylvania Drive to Freedom Boulevard should be modified to a 116-second cycle with a half cycle at Rodriguez Street ▪ During the PM peak hour, the signal system along Main Street should be modified from the current 135-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120-second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network. ▪ An eastbound to southbound right turn overlap should be installed at the Main Street/Ohlone Parkway – Clifford Drive intersection. This is consistent with the Sunshine Vista Phased Development Project FEIR, May 2018.	Caltrans; City of Watsonville Public Works & Utilities	Prior to issuance of occupancy permit	Caltrans; City of Watsonville Public Works & Utilities	Confirm retiming completed	Once
TR-2: The project applicant shall obtain an encroachment permit from Caltrans to implement the following changes to the signal operations and lane configuration at the Main Street/Green Valley Drive: ▪ During the PM peak hour, the signal system along Main Street should be modified from the current 135 second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120 second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network. ▪ The intersection of Main Street/Green Valley Drive approaches should be reconfigured as follows: • Northbound approach: two left turn lanes, one through lane, and one right turn lane. • Southbound approach: one left turn lane, one through lane, and one right turn lane. ▪ Modify the signal phasing for the eastbound and westbound approaches on Green Valley Road from split phase to protected left turns. The intersection is	Project Applicant	Prior to issuance of occupancy permit	Caltrans; City of Watsonville Public Works & Utilities	Implement changes to Main Street/ Green Valley Drive intersection signal operations and lane configuration	Once

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
part of a coordinated system along Main Street and the corridor should be retimed to a 110 second cycle as a result of the geometry modifications.					
TRIBAL CULTURAL RESOURCES					
TCR-1: Implement Mitigation Measure CULT-1.			*See Mitigation Measure CULT-1*		

REVISED

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE OVERTURNING THE DECEMBER 3, 2019, PLANNING COMMISSION ACTION AND THEREBY ADOPTING THE MITIGATED NEGATIVE DECLARATION (PP2018-248) FOR THE COMMERCIAL REDEVELOPMENT PROJECT, CONSISTING OF THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975 – 1075 MAIN STREET, WATSONVILLE, CALIFORNIA (APNS 018-261-14 & - 29); AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PROJECT, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, on September 27, 2018, an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California, was filed by Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner; and

WHEREAS, the California Environmental Quality Act (Public Resources Code section 21000, *et seq*., and the California Environmental Quality Act Guidelines, 14 California Code of Regulations section 15000, *et seq*., collectively, "CEQA") requires a lead agency to prepare a Mitigated Negative Declaration for projects that could have a significant impact on the environment without mitigation; and

WHEREAS, an Initial Study was prepared for the proposed project (dated October 8, 2019) in accordance with Section 15063 of the CEQA Guidelines. The Initial Study addresses the potential physical environmental effects of the proposed project for each of the environmental topics outlined in Appendix G of the CEQA Guidelines.

Impacts to biological resources, cultural and tribal resources, geology and soils, and transportation were found to be potentially significant but mitigable to less than significant. Impacts to other resource areas and environmental topics were found to be less than significant without mitigation; and

WHEREAS, on October 8, 2019, City staff filed a Notice of Intent and copies of the proposed Mitigated Negative Declaration ("MND") with the State Clearinghouse, and thereby initiated the 30-day public review period for the document, which closed at 5:00 p.m. on Thursday, November 7, 2019. Notice was also given to local and regional agencies by mail and to neighboring property owners and interested parties as part of public hearing notices; and

WHEREAS, copies of the Initial Study were made available for public review at the Community Development Department and Watsonville Public Library; and

WHEREAS, on December 3, 2019, the Planning Commission conducted a public hearing, considered evidence both oral and documentary introduced and received, and made a motion to adopt the following: (1) Resolution of the Planning Commission of the City of Watsonville, California, adopting the Mitigated Negative Declaration (PP2018-248) for the commercial redevelopment project, consisting of the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29); and (2) Resolution of the Planning Commission of the City of Watsonville, California, approving a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through

facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29). The motion failed by a vote of 0-5. No subsequent motion(s) to approve, modify or deny the project were advanced by the Planning Commission; and

WHEREAS, on December 13, 2019, the applicant filed an appeal in writing with the City Clerk, and requests that the City Council overturn the Planning Commission's action, thereby adopting (1) a Resolution adopting the Mitigated Negative Declaration and (2) a Resolution approving a Special Use Permit with Design Review and Environmental Review; and

WHEREAS, the Pelosi Law Group on behalf of the applicant has submitted two letters. The first dated December 13, 2019, provides the reasons why the applicant believes the Planning Commission's decision to be in error. The second dated January 17, 2019, provides additional evidence in support of finding that the Planning Commission's action was incorrect. Based on the information provided, the applicant respectfully requests that the City Council overrule the action of the Planning Commission; and

WHEREAS, upon appeal, the City Council considers whether the action taken by the Planning Commission was erroneously taken and may sustain, modify or overrule the action. In order for an official action to be overturned by an appeal, the City Council must find that the action taken by the Planning Commission was taken erroneously and was inconsistent with the intent of the Zoning District regulations that regulate the proposed action; and

WHEREAS, notice of time and place of the hearing to consider an appeal of the December 3, 2019 Planning Commission action regarding the application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) was given at the time and in the manner prescribed by the Zoning Ordinance (Section 14-10.900) of the Watsonville Municipal Code. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision; and

WHEREAS, the City Council, in the exercise of its independent judgment as the decision-making body of the City of Watsonville for the project, makes and adopts the following Findings in compliance with the requirements of CEQA:

1. The City, in its capacity as Lead Agency, has prepared an Initial Study and MND for the project. The purpose of the Initial Study is to determine whether the project could have a potentially significant effect on the environment and to identify and impose appropriate project mitigation measures to avoid such impacts or reduce them to a less-than significant level;
2. The Initial Study and MND reflects the City of Watsonville's independent judgment and analysis;
3. The MND was prepared in accordance with all legal requirements, including all public notice and comment period requirements, set forth in CEQA;
4. The Initial Study examined all relevant environmental issues associated with the project, and is a complete and adequate environmental document under the requirements of CEQA. Specifically, the City Council supports

the conclusions of the Initial Study and the mitigation measures proposed for the MND, as both documents as supported by substantial evidence;

5. There is not substantial evidence in the record that the project, as mitigated, will have a significant effect on the environment for areas analyzed in the Initial Study, including biological resources, cultural and tribal resources, geology and soils, and transportation. As discussed in the Initial Study analysis, mitigation measures have been identified that, when implemented, will avoid or reduce each of these impacts to less-than-significant levels; and

6. Unless specifically stated to the contrary in these Findings, it is the City's intent to adopt all mitigation measures recommended by the Mitigated Negative Declaration that are applicable to the project. If a measure has, through error, been omitted from the Conditions of Approval or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Conditions of Approval repeating or rewording mitigation measures recommended in the MND are intended to be substantially similar to the mitigation measures recommended in the MND and are found to be equally effective in avoiding or lessening the identified environmental impact.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

That the City Council has considered all written and verbal evidence regarding this appeal at the public hearing and finds that the December 3, 2019, Planning Commission action was taken erroneously and overturns the denial of an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248). In doing so, the City Council has made Findings and adopted concurrently with these Findings a Mitigation Monitoring and Reporting Program, attached hereto and marked as Exhibit "A," in support of the Mitigated Negative Declaration (PP2018-248) for the project to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29).

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CITY OF WATSONVILLE
CITY COUNCIL

EXHIBIT "A"

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: February 25, 2020

CEQA FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM

I. INTRODUCTION TO CEQA FINDINGS

These Findings of Fact are made pursuant to the California Environmental Quality Act (Pub. Res. Code §21000 et seq., CEQA) and the CEQA Guidelines (Cal. Code Regs. title 14, §15000 et seq.) by the City of Watsonville (City), as the lead agency for the 975-1075 Main Street Project (or the project). These Findings of Fact pertain to the Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2019109021) prepared for the project.

A. Project Location

The 3.05± acre project site includes the properties located at 975 to 1075 Main Street. Situated along the south side of Main Street, the site is halfway between Main Street's intersections with SR 1 and SR 129. The site is bounded by Main Street along its northern boundary, with several commercial establishments located across Main street to the north; Watsonville Slough to the east and south; and Ramsay Park to the west.

B. Project Description Summary

The proposed project would redevelop the site with three one-story buildings and two associated drive-through facilities, surface parking, and landscaping. The proposed buildings are located on the northern portion of the site, with parking and trash enclosures located on the southern portion of the site. Outdoor seating would be provided in the front or on the sides of the three commercial buildings and building entry points face the interior of the project site.

Direct access to the project site would occur from existing driveways located on the northern edge of the project site along Main Street. The project would replace the existing 8-foot wide asphalt multi-use trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on either side. In addition, the project includes minor changes to signal phasing and lane striping for the Main Street/Auto Center Drive intersection.

C. Procedural Compliance with CEQA

The City of Watsonville retained a consultant to assist with the preparation of the environmental documents. The City of Watsonville, acting as lead agency, has directed, reviewed and edited as necessary all material prepared by the consultant, and such material reflects the City of Watsonville's independent judgment.

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Initial Study.

On October 8, 2019, the City of Watsonville circulated a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration. The Initial Study and proposed Mitigated Negative Declaration was available for a 30-day review period, which closed at 5:00 p.m. on Thursday, November 7, 2019. The NOI was distributed to the State Clearinghouse, public agencies, the County Clerk, neighboring property owners, and organizations and individuals considered likely to be interested in the project and its potential impacts. The NOI and Initial Study were posted electronically on the City's website, and a paper copies were available for public review at the Community Development Department and Watsonville Public Library.

The City of Watsonville received five comment letters on the Initial Study, consisting of two letters from public agencies and three letters from private individuals or local organizations.

The City of Watsonville Planning Commission held a public meeting on December 3, 2019, to consider adoption of the Mitigated Negative Declaration and approval of the planning entitlements for the project. The Planning Commission failed to adopt a Resolution adopting the Mitigated Negative Declaration for the project.

The City of Watsonville City Council held a public meeting on February 25, 2020, to consider an appeal and overturn the December 2, 2019 Planning Commission action and thereby adopt a Resolution adopting the Mitigated Negative Declaration for the project.

D. Incorporation of Initial Study by Reference

The Initial Study is hereby incorporated by reference into these Findings of Fact. The Initial Study consists of: (1) the Initial Study volume, including a memorandum containing Response to Comments; and (2) all appendices to the Initial Study; a list of persons, organizations and public agencies commenting of the Initial Study; and the City's responses to environmental issued raised in comments.

E. Requirements for CEQA Findings

Pursuant to Public Resources Code section 21080(c) and CEQA Guidelines section 15074, prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

The City of Watsonville City Council has made specific written findings regarding each significant impact associated with the project. Those findings are presented below, along with a presentation of facts in support of the Findings of Fact. The City of Watsonville City Council certifies these Findings of Fact are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings of Fact, concerning the environmental issues identified and discussed. These Findings of Fact are based on evidence contained in the totality of the administrative record before the City Council, including but not limited to the Initial Study supporting evidence cited herein.

II. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which the City of Watsonville's Findings of Fact are based are located at 250 Main Street, Watsonville, California. The custodian of these documents is Justin Meek, AICP, Principal Planner. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and 14 Cal. Code Regs. § 15074(c).

For purposes of CEQA and these Findings of Fact, the Record of Proceedings for the project consists of the following documents, at a minimum:

- The Notice of Intent (NOI) to adopt a Mitigated Negative Declaration and all other public notices issued by the City of Watsonville and in conjunction with the project.
- The Initial Study, including appendices and technical studies included or referenced in the Initial Study, including the Mitigation Monitoring and Reporting Program (MMRP) for the project.
- All comments submitted by agencies or members of the public during the public comment period on the Initial Study.
- All comments and correspondence submitted to the City of Watsonville with respect to the project.
- All Findings and resolutions adopted by the City of Watsonville decision makers in connection with the project and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by PlaceWorks, consultant to the City of Watsonville.
- All reports, memoranda, documentation, data output files relating to the land use and transportation modeling for the project.
- All documents and information submitted to the City of Watsonville by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the project, up through the date the City of Watsonville City Council approved the project planning entitlements.
- Matters of common knowledge to the City of Watsonville, including, but not limited to federal, State, and local laws and regulations.
- Any documents expressly cited in these Findings of Fact, in addition to those cited above.

III. FINDINGS FOR IMPACTS IDENTIFIED AS POTENTIALLY SIGNIFICANT BUT MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City of Watsonville City Council hereby finds that the following mitigation measures identified in the Initial Study which will avoid or substantially lessen the following environmental impacts reducing them to a less than significant level, have been required in or incorporated into the project. These findings are based on the discussion of impacts in the detailed impact analyses in Section 4 of the Initial Study, as well as relevant responses to comments. ***The findings below are for impacts where implementation of the project may result in the following significant environmental impacts that will be reduced to less than significant levels following mitigation:***

A. Biological Resources

1. **Impact BIO-1a:** Proposed development could potentially result in an inadvertent take of individual California red-legged frog or western pond turtle in the remote instance that individuals were to disperse onto the site during construction unless adequate controls and preconstruction surveys are not implemented.

a. Mitigation

BIO-1a: Ensure Avoidance of California Red-legged Frog and Western Pond Turtle. The following measures shall be implemented to ensure avoidance of individual California red-legged frog (CRLF) and western pond turtle (WPT) in the remote instance individuals were to disperse onto the site in the future in advance of or during construction.

- *Pre-construction survey:* Pre-construction surveys for CRLF shall be conducted prior to initiation of project activities (including fence installation) and within 48 hours of the start of ground disturbance activities following completion of exclusion fence installation. Surveys are to be conducted by qualified biologists with experience surveying for CRLF. If project activities are stopped for greater than 14 days, a follow-up pre-construction survey may be required within 48 hours prior to reinitiating project activities.

- *Worker Training:* All workers shall be trained by a qualified biologist to understand the remote potential for occurrence of CRLF and WPT, need to avoid any potential inadvertent take, and process to follow if a frog or turtle is encountered. If a frog is encountered in the construction zone, all work must stop and the qualified biologist must determine whether it is CRLF before work proceeds. If a CRLF is encountered in the work zone, no work can proceed until the USFWS and CDFW have been consulted and an appropriate avoidance and mitigation program developed.

  If WPT is encountered within the work zone, the individual shall be relocated to the closest suitable natural habitat by the qualified biologist or designated foreman trained by the qualified biologist.

- *Wildlife exclusion fence:* Wildlife exclusion fencing shall be installed prior to the start of construction and maintained until construction of the

proposed project is complete. All work installing exclusion fencing shall be conducted under the supervision of a qualified wildlife biologist with experience in surveying for CRLF and WPT. Exclusion fencing shall, at a minimum, run along the edge of grading along the southeastern, southern and southwestern project boundaries where the site borders riparian habitat. The exclusion fencing shall be inspected on a daily basis by a designated foreman trained by the qualified biologist, and repaired immediately if any openings are detected to prevent opportunities for CRLF and WPT to enter the site. Per CRLF standards, fencing must be at least 42 inches in height (at least 36 inches above ground and buried at least 6 inches below the ground) and stakes must be place on the inside of the project (side on which work will take place).

Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibians do not get trapped. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used.

- *Earth-disturbing activities only during dry weather:* No earth disturbing activities shall take place during rain events when there is potential for accumulation greater than 0.25-inch in a 24-hour period. In addition, no earth disturbing activities shall occur for 48 hours following rain events in which 0.25-inch of rain accumulation within 24 hours.

b. Findings and Rationale – With the incorporation of Mitigation Measure BIO-1a, potential impacts to California red-legged frog (CRLF) and western pond turtle (WPT) would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-22 through 4-23 of the Initial Study.

2. **Impact BIO-1b:** Construction of the proposed project could result in inadvertent loss of bird nests in active use, which would conflict with the federal Migratory Bird Treaty Act and California Fish and Game Code if adequate controls and preconstruction surveys are not implemented.

a. Mitigation

BIO-1b: Ensure Avoidance of Bird Nests in Active Use. Tree removal, landscape grubbing, and building pad and retaining wall demolition shall be performed in compliance with the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code to avoid loss of nests in active use. This shall be accomplished by scheduling tree removal and landscape grubbing outside of the bird nesting season (which occurs from February 1 to August 31) to avoid possible impacts on nesting birds if new nests are established in the future. Alternatively, if demolition, tree removal and landscape grubbing cannot be scheduled during the non-nesting season (September 1 to January 31), a pre-construction

nesting survey shall be conducted. The pre-construction nesting survey shall include the following:

- A qualified biologist shall conduct a pre-construction nesting bird (both passerine and raptor) survey within seven calendar days prior to tree removal, landscape grubbing, and/or demolition.

- If no nesting birds or active nests are observed, no further action is required and tree removal, landscape grubbing, and demolition shall occur within seven calendar days of the survey.

- Another nest survey shall be conducted if more than seven calendar days elapse between the initial nest search and the beginning of tree removal, landscape grubbing, and demolition.

- If any active nests are encountered, the Biologist shall determine an appropriate disturbance-free buffer zone to be established around the nest location(s) until the young have fledged. Buffer zones vary depending on the species (i.e., typically 50 to 100 feet for passerines and 300 feet for raptors) and other factors such as ongoing disturbance in the vicinity of the nest location. If necessary, the dimensions of the buffer zone shall be determined in consultation with the CDFW.

- Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which no construction-related equipment or operations shall be permitted. Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone.

- No restrictions on grading or construction activities outside the prescribed buffer zone are required once the zone has been identified and delineated in the field and workers have been properly trained to avoid the buffer zone area.

- Construction activities shall be restricted from the buffer zone until the Biologist has determined that young birds have fledged and the buffer zone is no longer needed.

- A survey report of findings verifying that any young have fledged shall be submitted by the Biologist for review and approval by the City prior to initiation of any tree removal, landscape grubbing, demolition, and other construction activities within the buffer zone. Following written approval by the City, tree removal, and construction within the nest-buffer zone may proceed.

b. Findings and Rationale – With the incorporation of Mitigation Measure BIO-1b, potential impacts to bird nests in active use would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-22 through 4-24 of the Initial Study.

3. **Impact BIO-2:** Proposed development could introduce additional night-time lighting into the adjacent riparian habitat of the Watsonville Slough floodplain, and trash stored on the site could create nuisance conditions and attract pest species unless appropriate avoidance measures were implemented as part of future uses.

a. Mitigation

BIO-2: Appropriate controls shall be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of the Watsonville Slough floodplain. These shall include controls on all exterior lighting to ensure that is be directed downward and screened to minimize spill-over off the site and developing a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

b. Findings and Rationale – With the incorporation of Mitigation Measure BIO-2, potential impacts to riparian habitat would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-25 through 4-26 of the Initial Study.

B. Cultural Resources

4. **Impact CULT-1:** Project-related ground-disturbing activities could affect subsurface prehistoric archaeological resources that may be present.

a. Mitigation

CULT-1: If any prehistoric or historic subsurface cultural resources, including tribal cultural resources, are discovered during ground-disturbing (including grading, demolition and/or construction) activities:

- All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5.

- If any find is determined to be significant, representatives from the City of Watsonville Building Department and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation.

- All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

- In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations.

- If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented.

- Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

b. Findings and Rationale – With the incorporation of Mitigation Measure CULT-1, potential impacts from ground-disturbing activities to subsurface prehistoric archaeological resources would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-28 through 4-29 of the Initial Study.

C. Geology and Soils

5. **Impact GEO-1:** Without proper site preparation and building design, project development could result in hazards associated with ground stability.

a. Mitigation

GEO-1: Project construction shall adhere to the recommendations of the October 9, 2018 Krazan & Associates Geotechnical Engineering Investigation for the Proposed Commercial Development on Main Street at Auto Centre Drive, which provides recommendations for excavation under and near building areas, fill removal and recompaction, engineered fill preparation, soil moisture content, and other construction details relevant to building design and site stability. As recommended in the Geotechnical Engineering Investigation, a licensed geotechnical engineer, or his/her representative, shall be present during all site clearing and grading operations to observe earthwork construction, and the consulting engineer's recommendations shall be followed.

b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-1, potential impacts associated with ground stability would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-38 through 4-40 of the Initial Study.

6. **Impact GEO-2:** Without proper site preparation and building design, project development could result in hazards associated with liquefaction and ground movement.

   a. Mitigation

   GEO-2: Implement Mitigation Measure GEO-1.

   b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-2, potential impacts associated with liquefaction and ground movement would be reduced to a less than significant level.

   c. Supportive Evidence – Please refer to pages 4-38 through 4-41 of the Initial Study.

7. **Impact GEO-3:** Without proper site preparation and building design, project development could result in hazards associated with expansive soils.

   a. Mitigation

   GEO-3: Implement Mitigation Measure GEO-1.

   b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-3, potential impacts associated with expansive soils would be reduced to a less than significant level.

   c. Supportive Evidence – Please refer to pages 4-38 through 4-42 of the Initial Study.

8. **Impact GEO-4:** Project-related ground-disturbing activities could affect subsurface paleontological resources that may be present.

   a. Mitigation

   GEO-4: The construction contractor shall incorporate the following in all grading, demolition, and construction plans:

   - In the event that fossils or fossil-bearing deposits are discovered during grading, demolition, or building, excavations within 50 feet of the find shall be temporarily halted or diverted.

   - The contractor shall notify the City of Watsonville Building Department and a City-approved qualified paleontologist to examine the discovery.

   - The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5.

- The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.

- If the project applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The excavation plan shall be submitted to the City for review and approval prior to implementation.

b. Findings and Rationale – With the incorporation of Mitigation Measure GEO-4, potential impacts from ground-disturbing activities to subsurface paleontological resources would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-42 through 4-43 of the Initial Study.

D. Transportation

9. **Impact TR-1:** With the project, during the PM peak hour period, the Main Street/Green Valley Drive intersection would operate at an unacceptable level that exceeds the 0.1 second per vehicle (spv) threshold. During the AM and PM peak hour periods, the Main Street/Ohlone Parkway – Clifford Drive intersection would operate at unacceptable levels that exceed the 0.1 spv threshold.

a. Mitigation

TR-1: The signal system along Main Street should be retimed to reach acceptable levels of service. The following changes should be considered:

- During the AM peak hour, the signal system along Main Street should be modified to a 110-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive with a half cycle at the Watsonville Square intersection. The segment from Pennsylvania Drive to Freedom Boulevard should be modified to a 116-second cycle with a half cycle at Rodriguez Street.

- During the PM peak hour, the signal system along Main Street should be modified from the current 135-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120-second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- An eastbound to southbound right turn overlap should be installed at the Main Street/Ohlone Parkway – Clifford Drive intersection. This is consistent with the Sunshine Vista Phased Development Project FEIR, May 2018.

b. Findings and Rationale – With the incorporation of Mitigation Measure TR-1, potential impacts to the Main Street/Green Valley Drive and Main

Street/Ohlone Parkway – Clifford Drive intersections would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-86 through 4-89 of the Initial Study.

10. **Impact TR-2:** With the project, during the PM peak hour period, the Main Street/Green Valley Drive intersection would operate at an unacceptable level that exceeds the 0.1 spv threshold.

a. Mitigation

TR-2: The project applicant shall obtain an encroachment permit from Caltrans to implement the following changes to the signal operations and lane configuration at the Main Street/Green Valley Drive:

- During the PM peak hour, the signal system along Main Street should be modified from the current 135 second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120 second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- The intersection of Main Street/Green Valley Drive approaches should be reconfigured as follows:
  - Northbound approach: two left turn lanes, one through lane, and one right turn lane.
  - Southbound approach: one left turn lane, one through lane, and one right turn lane.

- Modify the signal phasing for the eastbound and westbound approaches on Green Valley Road from split phase to protected left turns. The intersection is part of a coordinated system along Main Street and the corridor should be retimed to a 110 second cycle as a result of the geometry modifications.

b. Findings and Rationale – With the incorporation of Mitigation Measure TR-2, potential impacts to the Main Street/Green Valley Drive intersection would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-86 through 4-91 of the Initial Study.

E. Tribal Cultural Resources

11. **Impact TCR-1:** Project-related ground-disturbing activities could affect subsurface tribal cultural resources that may be present.

a. Mitigation

TCR-1: Implement Mitigation Measure CULT-1.

b. Findings and Rationale – With the incorporation of Mitigation Measure CULT-1, potential impacts from ground-disturbing activities to subsurface tribal cultural resources would be reduced to a less than significant level.

c. Supportive Evidence – Please refer to pages 4-28 through 4-29 and 4-98 of the Initial Study.

IV. FINDINGS ON RESPONSES TO COMMENTS ON THE INITIAL STUDY

A memorandum dated November 19, 2019, includes the comments received on the Initial Study and responses to those comments. The focus of the responses to comments is to address whether (a) a new, avoidable significant effect on the environment was identified in a comment letter and mitigation measures or project revisions must be added in order to reduce the effect to insignificance and/or (b) a comment letter raised a significant environmental issue which cannot be mitigated or avoided.

The City of Watsonville City Council finds that responses to comments made on the Initial Study merely clarify, amplify or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines §15073.5(c).

V. MITIGATION MONITORING AND REPORTING PROGRAM

The City of Watsonville City Council finds that a Mitigation Monitoring and Reporting Program (MMRP) for the project has been prepared and has been adopted concurrently with these Findings of Fact (Public Resources Code, § 21081.6(a)(1)). The MMRP for the project has been prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Section 15073 of the CEQA Guidelines.

The purpose of the MMRP is to ensure the adopted mitigation measures adopted in the Findings of Fact for the project are implemented, in accordance with CEQA requirements. The Findings of Fact adopt feasible mitigation measures to reduce the significant environmental impacts of the project. The mitigation measures adopted in the project Findings of Fact are listed in Section III of these Findings of Fact.

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
BIOLOGICAL RESOURCES					
BIO-1a: Ensure Avoidance of California Red-legged Frog and Western Pond Turtle. The following measures shall be implemented to ensure avoidance of individual California red-legged frog (CRLF) and western pond turtle (WPT) in the remote instance individuals were to disperse onto the site in the future in advance of or during construction: ▪ *Pre-construction survey*: Pre-construction surveys for CRLF shall be conducted prior to initiation of project activities (including fence installation) and within 48 hours of the start of ground disturbance activities following completion of exclusion fence installation. Surveys are to be conducted by qualified biologists with experience surveying for CRLF. If project activities are stopped for greater than 14 days, a follow-up pre-construction survey may be required within 48 hours prior to reinitiating project activities. ▪ *Worker Training:* All workers shall be trained by a qualified biologist to understand the remote potential for occurrence of CRLF and WPT, need to avoid any potential inadvertent take, and process to follow if a frog or turtle is encountered. If a frog is encountered in the construction zone, all work must stop and the qualified biologist must determine whether it is CRLF before work proceeds. If a CRLF is encountered in the work zone, no work can proceed until the USFWS and CDFW have been consulted and an appropriate avoidance and mitigation program developed. If WPT is encountered within the work zone, the individual shall be relocated to the closest suitable natural habitat by the qualified biologist or designated foreman trained by the qualified biologist. ▪ *Wildlife exclusion fence*: Wildlife exclusion fencing shall be installed prior to the start of construction and maintained until construction of the proposed project is complete. All work installing exclusion fencing shall be conducted under the supervision of a qualified wildlife biologist with experience in surveying for CRLF and WPT. Exclusion fencing shall, at a minimum, run along the edge of grading along the southeastern, southern and southwestern project boundaries where the site borders riparian habitat. The exclusion fencing shall be inspected on a daily basis by a designated foreman trained by the qualified biologist, and repaired immediately if any openings are detected to prevent opportunities for CRLF and WPT to enter the site. Per CRLF standards, fencing must be at least 42 inches in height (at least 36 inches above ground and buried at least 6 inches below the ground) and stakes must be place on the inside of the project (side on which work will take place).	Project Applicant	Prior to and during construction	City of Watsonville Planning Division	Confirm fencing, training, biological monitoring, and erosion control measures; review surveys	Ongoing

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibians do not get trapped. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used. ▪ *Earth-disturbing activities only during dry weather*: No earth disturbing activities shall take place during rain events when there is potential for accumulation greater than 0.25-inch in a 24-hour period. In addition, no earth disturbing activities shall occur for 48 hours following rain events in which 0.25-inch of rain accumulation within 24 hours.					
BIO-1b: **Ensure Avoidance of Bird Nests in Active Use.** Tree removal, landscape grubbing, and building pad and retaining wall demolition shall be performed in compliance with the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code to avoid loss of nests in active use. This shall be accomplished by scheduling tree removal and landscape grubbing outside of the bird nesting season (which occurs from February 1 to August 31) to avoid possible impacts on nesting birds if new nests are established in the future. Alternatively, if demolition, tree removal and landscape grubbing cannot be scheduled during the non-nesting season (September 1 to January 31), a pre-construction nesting survey shall be conducted. The pre-construction nesting survey shall include the following: ▪ A qualified biologist shall conduct a pre-construction nesting bird (both passerine and raptor) survey within seven calendar days prior to tree removal, landscape grubbing, and/or demolition. ▪ If no nesting birds or active nests are observed, no further action is required and tree removal, landscape grubbing, and demolition shall occur within seven calendar days of the survey. ▪ Another nest survey shall be conducted if more than seven calendar days elapse between the initial nest search and the beginning of tree removal, landscape grubbing, and demolition. ▪ If any active nests are encountered, the Biologist shall determine an appropriate disturbance-free buffer zone to be established around the nest location(s) until the young have fledged. Buffer zones vary depending on the species (i.e., typically 50 to 100 feet for passerines and 300 feet for raptors) and other factors such as ongoing disturbance in the vicinity of the nest location. If necessary, the dimensions of the buffer zone shall be determined in consultation with the CDFW. ▪ Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which	Project Applicant	Prior to construction	City of Watsonville Planning Division	Review survey, confirm buffer zones (if required)	Once for survey/ Ongoing if nesting birds identified and until they have left the nest

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
no construction-related equipment or operations shall be permitted. Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone. ▪ No restrictions on grading or construction activities outside the prescribed buffer zone are required once the zone has been identified and delineated in the field and workers have been properly trained to avoid the buffer zone area. ▪ Construction activities shall be restricted from the buffer zone until the Biologist has determined that young birds have fledged and the buffer zone is no longer needed. ▪ A survey report of findings verifying that any young have fledged shall be submitted by the Biologist for review and approval by the City prior to initiation of any tree removal, landscape grubbing, demolition, and other construction activities within the buffer zone. Following written approval by the City, tree removal, and construction within the nest-buffer zone may proceed.					
BIO-2: Appropriate controls shall be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of the Watsonville Slough floodplain. These shall include controls on all exterior lighting to ensure that is be directed downward and screened to minimize spill-over off the site and developing a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.	Project Applicant	During construction	City of Watsonville Planning Division	Confirm lighting installation	During regularly scheduled site inspections
CULTURAL RESOURCES					
CULT-1: If any prehistoric or historic subsurface cultural resources, including tribal cultural resources, are discovered during ground-disturbing (including grading, demolition and/or construction) activities: ▪ All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. ▪ If any find is determined to be significant, representatives from the City of Watsonville Building Department and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. ▪ All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.	Project Applicant	During construction	Consulting archaeologist and City of Watsonville Public Works Department	Review and confirm recommendations	As needed if resources are unearthed

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
▪ In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations. ▪ If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented. ▪ Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.					
GEOLOGY AND SOILS					
GEO-1: Project construction shall adhere to the recommendations of the October 9, 2018 Krazan & Associates *Geotechnical Engineering Investigation for the Proposed Commercial Development on Main Street at Auto Centre Drive*, which provides recommendations for excavation under and near building areas, fill removal and recompaction, engineered fill preparation, soil moisture content, and other construction details relevant to building design and site stability. As recommended in the Geotechnical Engineering Investigation, a licensed geotechnical engineer, or his/her representative, shall be present during all site clearing and grading operations to observe earthwork construction, and the consulting engineer's recommendations shall be followed.	Project Applicant	Prior to issuance of grading and construction permits	City of Watsonville Planning Division	Review grading and construction plans	Once
GEO-2: Implement Mitigation Measure GEO-1.			*See Mitigation Measure GEO-1.*		
GEO-3: Implement Mitigation Measure GEO-1.			*See Mitigation Measure GEO-1.*		
GEO-4: The construction contractor shall incorporate the following in all grading, demolition, and construction plans: ▪ In the event that fossils or fossil-bearing deposits are discovered during grading, demolition, or building, excavations within 50 feet of the find shall be temporarily halted or diverted. ▪ The contractor shall notify the City of Watsonville Building Department and a City-approved qualified paleontologist to examine the discovery. ▪ The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. ▪ The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.	Project Applicant	During construction	Consulting archaeologist and City of Watsonville Public Works Department	Review and confirm recommendations	As needed if resources are unearthed

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
▪ If the project applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The excavation plan shall be submitted to the City for review and approval prior to implementation.					
TRANSPORTATION					
TR-1: The signal system along Main Street should be retimed to reach acceptable levels of service. The following changes should be considered: ▪ During the AM peak hour, the signal system along Main Street should be modified to a 110-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive with a half cycle at the Watsonville Square intersection. The segment from Pennsylvania Drive to Freedom Boulevard should be modified to a 116-second cycle with a half cycle at Rodriguez Street ▪ During the PM peak hour, the signal system along Main Street should be modified from the current 135-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120-second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network. ▪ An eastbound to southbound right turn overlap should be installed at the Main Street/Ohlone Parkway – Clifford Drive intersection. This is consistent with the Sunshine Vista Phased Development Project FEIR, May 2018.	Caltrans; City of Watsonville Public Works & Utilities	Prior to issuance of occupancy permit	Caltrans; City of Watsonville Public Works & Utilities	Confirm retiming completed	Once
TR-2: The project applicant shall obtain an encroachment permit from Caltrans to implement the following changes to the signal operations and lane configuration at the Main Street/Green Valley Drive: ▪ During the PM peak hour, the signal system along Main Street should be modified from the current 135 second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120 second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network. ▪ The intersection of Main Street/Green Valley Drive approaches should be reconfigured as follows: • Northbound approach: two left turn lanes, one through lane, and one right turn lane. • Southbound approach: one left turn lane, one through lane, and one right turn lane. ▪ Modify the signal phasing for the eastbound and westbound approaches on Green Valley Road from split phase to protected left turns. The intersection is	Project Applicant	Prior to issuance of occupancy permit	Caltrans; City of Watsonville Public Works & Utilities	Implement changes to Main Street/ Green Valley Drive intersection signal operations and lane configuration	Once

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
part of a coordinated system along Main Street and the corridor should be retimed to a 110 second cycle as a result of the geometry modifications.					
TRIBAL CULTURAL RESOURCES					
TCR-1: Implement Mitigation Measure CULT-1.			*See Mitigation Measure CULT-1*		

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE OVERTURNING THE DECEMBER 3, 2019, PLANNING COMMISSION ACTION AND THEREBY APPROVING A SPECIAL USE PERMIT WITH DESIGN REVIEW AND ENVIRONMENTAL REVIEW (PP2018-248) TO ALLOW THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975-1075 MAIN STREET, WATSONVILLE, CALIFORNIA (APNS 018-261-14 & -29)

WHEREAS, on September 27, 2018, an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California, was filed by Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner; and

WHEREAS, the project site is designated General Commercial and Environmental Management on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) and Environmental Management Open Space (EM-OS) Zoning District; and

WHEREAS, pursuant to Sections 14-16.1203(b) and 14-41.101 of the Watsonville Municipal Code (WMC), eating and drinking places with drive-through facilities (DLU 581) are allowed conditionally in the CT Zoning District with issuance of a Special Use Permit; and

WHEREAS, pursuant to WMC Section 14-12.400, development subject to Design Review include all new construction, exterior remodeling, additions, or changes

in use requiring additional parking, which involves structures used for multi-family residential, commercial, industrial or public purpose; and

WHEREAS, an Initial Study/Mitigated Negative Declaration has been prepared for the project and adopted by the City Council, in accordance with the provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, on December 3, 2019, the Planning Commission conducted a public hearing, considered evidence both oral and documentary introduced and received, and made a motion to adopt the following: (1) Resolution of the Planning Commission of the City of Watsonville, California, adopting the Mitigated Negative Declaration (PP2018-248) for the commercial redevelopment project, consisting of the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29); and (2) Resolution of the Planning Commission of the City of Watsonville, California, approving a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29). The motion failed by a vote of 0-5. No subsequent motion(s) to approve, modify or deny the project were advanced by the Planning Commission; and

WHEREAS, on December 13, 2019, the applicant filed an appeal in writing with the City Clerk, and requests that the City Council overturn the Planning Commission's action, thereby adopting (1) a Resolution adopting the Mitigated Negative Declaration

and (2) a Resolution approving a Special Use Permit with Design Review and Environmental Review; and

WHEREAS, the Pelosi Law Group on behalf of the applicant has submitted two letters. The first dated December 13, 2019, provides the reasons why the applicant believes the Planning Commission's decision to be in error. The second dated January 17, 2019, provides additional evidence in support of finding that the Planning Commission's action was incorrect. Based on the information provided, the applicant respectfully requests that the City Council overrule the action of the Planning Commission; and

WHEREAS, upon appeal, the City Council considers whether the action taken by the Planning Commission was erroneously taken and may sustain, modify or overrule the action. In order for an official action to be overturned by an appeal, the City Council must find that the action taken by the Planning Commission was taken erroneously and was inconsistent with the intent of the Zoning District regulations that regulate the proposed action; and

WHEREAS, notice of time and place of the hearing to consider an appeal of the December 3, 2019 Planning Commission action regarding the application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) was given at the time and in the manner prescribed by the Zoning Ordinance (Section 14-10.900) of the Watsonville Municipal Code. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the City Council has considered all written and verbal evidence regarding this appeal at the public hearing and finds that the December 3, 2019, Planning Commission action was taken erroneously and overturns the denial of an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248). In so doing, the City Council has made Findings, attached hereto and marked as Exhibit "A," in support of the Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville (APNs 018-261-14 & -29).

2. That the City Council of the City of Watsonville does hereby grant approval of Special Use Permit with Design Review and Environmental Review (PP2018-248), attached hereto and marked as Exhibit "C," subject to the Conditions attached hereto and marked as Exhibit "B," to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site.

****

CITY OF WATSONVILLE
CITY COUNCIL

EXHIBIT "A"

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: February 25, 2020

SPECIAL USE PERMIT FINDINGS (WMC § 14-12.513)

The proposed restaurant and retail uses are permitted by right. The purpose of the Special Use Permit is to allow the establishment of two drive-through facilities onsite, pursuant to WMC Sections 14-16.1203(b) and 14-41.101.

1. The proposed use at the specified location is consistent with the policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations.

Supportive Evidence

The majority of the project site is designated General Commercial on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) Zoning District. The purpose of the General Commercial designation is to allow various types of commercial uses, including restaurants and retail sales that serve the needs of the community and the surrounding region.

A small portion of the project site along its southeastern edge, where the terrain slopes steeply towards Watsonville Slough, is designated Environmental Management and is within the Environmental Management Open Space (EM-OS) Zoning District. This area has been set aside for the protection and preservation of natural resources, such as wetlands, sloughs, and wildlife habitat. No development is proposed within this area.

The proposed project is consistent with the following General Plan goals, policies, and implementation measures concerning commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection:

- **Goal 4.3 Commercial Land Use** – Revitalize the central business district and provide adequate neighborhood commercial services.

- **Goal 4.7 Land Use Suitability** – Ensure that the orderly development of land for the needs of the existing and projected population within in the City limit and Sphere of Influence is based on the land's overall suitability, including: the accessibility of existing and proposed public facilities, services, and utilities, physical and financial constraints; and/or growth inducing impacts.

- **Policy 4.C Commercial Development** – The City shall plan for revitalization of the central business district along with the distribution of convenient neighborhood commercial centers.

- **Policy 4.G Land Use Suitability** – The City shall encourage the development of urban uses on those lands best suited for urban uses and discourage it on lands unsuited for urban uses.

- **Goal 5.1 Visual Resources** – Preserve and enhance the built and natural visual resources within Watsonville.

- **Goal 5.2 Community Appearance** – Blend new development and recognized values of community appearance and scenic qualities, and ensure that new development enhances, rather than detracts from its surroundings.

- **Goal 5.6 Urban Design** – Achieve high standards of street, site and building design that are both efficient, and aesthetically pleasing.

- **Policy 5.A Project Design Review** – The preservation of visual resources shall be accomplished through the design review process.

- **Policy 5.B Design Consistency** – The City shall review new development proposals to encourage high standards of urban design and to ensure that elements of architectural design and site orientation do not degrade or conflict with the appearance of existing structures.

- **Goal 9.5 Water Quality** – Ensure that surface and groundwater resources are protected.

- **Policy 9.D Water Quality** – The City shall provide for the protection of water quality to meet all beneficial uses, including domestic, agricultural, industrial, recreational, and ecological uses.

- **Goal 9.8 Wildlife Habitat** – Preserve and protect the remaining areas of wildlife habitat for their scenic and scientific value.

- **Policy 9.F Wildlife Habitat Protection** – The City shall designate for open space and environmental management those areas rich in wildlife species and fragile in ecological makeup. These habitat zones shall be made part of the greenbelt where appropriate.

- **Implementation Measure 9.F.1 Habitat Protection** – Impacts to important wildlife habitat areas shall be identified as part of the City's development review and environmental review processes, and appropriate mitigations shall be considered. Mitigation measures to be considered include: designation of sensitive areas as open space, restriction of new development on lands that provide important wildlife habitat, setback requirements, habitat conservation plans, and habitat mitigation banking. Lands within the urban limit line that provide important wildlife habitat

include, but are not limited to the following: (a) riparian corridors; (b) fresh water marshes and sloughs; and (c) woodlands and steep slopes.

The proposed project would construct three buildings for fast-causal restaurants and retail shops on land designated for commercial uses. These businesses would complement existing commercial development across the street and provide a convenient location for residents to patronize. The site abuts existing utilities that can be extended to serve the project. The project is not anticipated to induce population growth, as it does not include residential development or involve any extension of roadways or other public infrastructure. In addition, the project would not be a regionally significant employer and future employees of the fast-casual restaurants and retail shops are anticipated to come from within Watsonville and nearby communities.

The redevelopment of an existing commercial property with three new commercial buildings and new landscaping would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

The proposed project would not have a negative impact on surface water resources and wildlife habitat. Pursuant to WMC Section 6-3-535, the project is required to comply with the City's post-construction stormwater requirements, which are intended to minimize stormwater pollution and thereby protect receiving waterbodies, such as rivers, creeks and wetlands. The project does not encroach on land designated Environmental Management and, thereby, would avoid direct disturbance of riparian habitat from grading and construction activities. New development would also maintain a setback of 30 feet or more from riparian habitat. In some locations along the eastern and western edge of the site, this 30-foot setback is not achieved; however this is only in areas that are already developed with existing structures, curb and gutter, or parking lot pavement. In those locations, proposed site improvements would extend no closer to riparian habitat than existing improvements. As discussed in the Initial Study prepared for the project, the portion of the project site proposed for redevelopment has already been modified by past commercial activities, and the proposed project would not further disturb wildlife acclimated to human activity in this area or result in new substantial interference with the movement of native resident or migratory wildlife.

The proposed project is consistent with the list of allowable uses for and general purpose of the CT Zoning District, in that the project would provide three buildings for establishing commercial uses along an existing major arterial. In addition, the proposed drive-through facilities are permitted conditionally with issuance of a Special Use Permit. The project is consistent with all development regulations for the CT Zoning District. As conditioned, the project is also consistent with regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

2. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-

way to mitigate development related adverse impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.

Supportive Evidence

The proposed project would redevelop an existing commercial property with three new commercial buildings and new landscaping that would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

As conditioned, the project is consistent with all regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

Nighttime illumination has the potential to change ambient lighting conditions and create a visual nuisance. The proposed lighting provides adequate light to illuminate the site, consistent with lighting for commercial buildings in an urban setting. The parking lot lighting is sufficient for creating a fairly even distribution of light at moderate to low levels of intensity. However, new lighting could disrupt wildlife in nearby riparian woodlands, including their use of these areas for nesting and roosting. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. This mitigation measure requires appropriate controls to be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of Watsonville Slough. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

The proposed trash enclosures could attract nuisance pest species because of the close proximity of nearby riparian habitat. Unless these enclosures are carefully maintained, they could attract Norway rat, raccoon, opossum and other nuisance pest species that could become dependent on this possible food source, disrupting natural behaviors and creating nuisance conditions. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. In accordance with this

mitigation measure, a condition of approval requires the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

3. The proposed use will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use. The project site is located along Main Street (SR 152), which is a fully improved public right-of-way that is designated as a major arterial in the City's General Plan and is intended to handle large volumes of traffic.

4. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.

Supportive Evidence

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

5. The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use and would avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough.

The proposed drive-through facility design is consistent with the City's requirements, including that landscaping shall screen drive-through lanes from the public right-of-way and shall minimize the visual impact of the menu board and directional signs.

The project would not create a visual impact on wildlife in nearby riparian woodlands. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all

directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

In addition, the project's trash enclosures would not attract nuisance pest species, such as Norway rat, raccoon, and opossum, with implementation of the condition of approval requiring regular monitoring of said enclosures to ensure they are routinely cleaned and secured at night.

6. The proposed special use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed special use and uses within the applicable base zoning district.

Supportive Evidence

WMC Chapter 14-41 sets forth regulations concerning the design and location of drive-through facilities in the City. Drive-through facilities are permitted in commercial zones with issuance of a Special Use Permit, provided that the project can meet certain conditions. Drive-throughs cannot be located within 150 feet of a residential parcel or 300 feet of a designated "gateway" intersection. For all other signalized intersections in commercial zones, no more than one drive-through may be within 200 feet of the nearest portion of the intersection. The project site is not next to one of the "gateway" intersections listed in WMC Section 14-41.100(a)(3), and only one of the two proposed drive-through facilities is within 200 feet of the signalized intersection of Main Street and Auto Center Drive.

Drive-through facilities must also be designed and situated consistent with design standards listed in WMC Section 14-41.102. As conditioned, the proposed project meets all design standards. The drive-through lanes for Buildings 1 and 3 are set back approximately 60 feet from Main Street and would be screened by proposed landscaping. The proposed drive-through lane widths on straight sections and curves exceed the minimum dimensions of 11 and 14 feet, respectively. The drive-through lane for Building 1 provides sufficient room to stack five vehicles behind the menu board, and six vehicles for Building 3. As only one menu board with an area of up to 30 square feet is permitted per drive-through facility, the proposed 6'H x 5'W menu boards shown on the Site Plan for each drive-through facility would be allowed; however, the "pre-menu board" shown next to Building 3 exceeds the one menu board limit. A Condition of Approval requires the removal of the "pre-menu board" from the Site Plan.

7. The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use and would avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough. The

proposed uses would complement existing commercial development along Main Street (SR 152) and the project design would enhance the appearance of the site. Therefore, the project would not materially damage or prejudice other property in the vicinity.

In addition, the project site is within a developed area that is currently served by municipal services, including water, sewer, police and fire, and therefore would not cause a serious public health or safety problem to future patrons of the restaurant and retails businesses onsite.

DESIGN REVIEW FINDINGS (WMC § 14-12.403)

1. The proposed development is consistent with the goals and policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations.

Supportive Evidence

The majority of the project site is designated General Commercial on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) Zoning District. The purpose of the General Commercial designation is to allow various types of commercial uses, including restaurants and retail sales that serve the needs of the community and the surrounding region.

A small portion of the project site along its southeastern edge, where the terrain slopes steeply towards Watsonville Slough, is designated Environmental Management and is within the Environmental Management Open Space (EM-OS) Zoning District. This area has been set aside for the protection and preservation of natural resources, such as wetlands, sloughs, and wildlife habitat. No development is proposed within this area.

The proposed project is consistent with the following General Plan goals, policies, and implementation measures concerning commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection:

- **Goal 4.3 Commercial Land Use** – Revitalize the central business district and provide adequate neighborhood commercial services.

- **Goal 4.7 Land Use Suitability** – Ensure that the orderly development of land for the needs of the existing and projected population within in the City limit and Sphere of Influence is based on the land's overall suitability, including: the accessibility of existing and proposed public facilities, services, and utilities, physical and financial constraints; and/or growth inducing impacts.

- **Policy 4.C Commercial Development** – The City shall plan for revitalization of the central business district along with the distribution of convenient neighborhood commercial centers.

- **Policy 4.G Land Use Suitability** – The City shall encourage the development of urban uses on those lands best suited for urban uses and discourage it on lands unsuited for urban uses.

- **Goal 5.1 Visual Resources** – Preserve and enhance the built and natural visual resources within Watsonville.

- **Goal 5.2 Community Appearance** – Blend new development and recognized values of community appearance and scenic qualities, and ensure that new development enhances, rather than detracts from its surroundings.

- **Goal 5.6 Urban Design** – Achieve high standards of street, site and building design that are both efficient, and aesthetically pleasing.

- **Policy 5.A Project Design Review** – The preservation of visual resources shall be accomplished through the design review process.

- **Policy 5.B Design Consistency** – The City shall review new development proposals to encourage high standards of urban design and to ensure that elements of architectural design and site orientation do not degrade or conflict with the appearance of existing structures.

- **Goal 9.5 Water Quality** – Ensure that surface and groundwater resources are protected.

- **Policy 9.D Water Quality** – The City shall provide for the protection of water quality to meet all beneficial uses, including domestic, agricultural, industrial, recreational, and ecological uses.

- **Goal 9.8 Wildlife Habitat** – Preserve and protect the remaining areas of wildlife habitat for their scenic and scientific value.

- **Policy 9.F Wildlife Habitat Protection** – The City shall designate for open space and environmental management those areas rich in wildlife species and fragile in ecological makeup. These habitat zones shall be made part of the greenbelt where appropriate.

- **Implementation Measure 9.F.1 Habitat Protection** – Impacts to important wildlife habitat areas shall be identified as part of the City's development review and environmental review processes, and appropriate mitigations shall be considered. Mitigation measures to be considered include: designation of sensitive areas as open space, restriction of new development on lands that provide important wildlife habitat, setback requirements, habitat conservation plans, and habitat mitigation banking. Lands within the urban limit line that provide important wildlife habitat include, but are not limited to the following: (a) riparian corridors; (b) fresh water marshes and sloughs; and (c) woodlands and steep slopes.

The proposed project would construct three buildings for fast-causal restaurants and retail shops on land designated for commercial uses. These businesses would complement existing commercial development across the street and provide a convenient location for residents to patronize. The site abuts existing utilities that can be extended to serve the project. The project is not anticipated to induce population growth, as it does not include residential development or involve any extension of roadways or other public infrastructure. In addition, the project would not be a regionally significant employer and future employees of the fast-casual restaurants and retail shops are anticipated to come from within Watsonville and nearby communities.

The redevelopment of an existing commercial property with three new commercial buildings and new landscaping would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

The proposed project would not have a negative impact on surface water resources and wildlife habitat. Pursuant to WMC Section 6-3-535, the project is required to comply with the City's post-construction stormwater requirements, which are intended to minimize stormwater pollution and thereby protect receiving waterbodies, such as rivers, creeks and wetlands. The project does not encroach on land designated Environmental Management and, thereby, would avoid direct disturbance of riparian habitat from grading and construction activities. New development would also maintain a setback of 30 feet or more from riparian habitat. In some locations along the eastern and western edge of the site, this 30-foot setback is not achieved; however this is only in areas that are already developed with existing structures, curb and gutter, or parking lot pavement. In those locations, proposed site improvements would extend no closer to riparian habitat than existing improvements. As discussed in the Initial Study prepared for the project, the portion of the project site proposed for redevelopment has already been modified by past commercial activities, and the proposed project would not further disturb wildlife acclimated to human activity in this area or result in new substantial interference with the movement of native resident or migratory wildlife.

The proposed project is consistent with the list of allowable uses for and general purpose of the CT Zoning District, in that the project would provide three buildings for establishing commercial uses along an existing major arterial. In addition, the proposed drive-through facilities are permitted conditionally with issuance of a Special Use Permit. The project is consistent with all development regulations for the CT Zoning District. As conditioned, the project is also consistent with regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

2. The proposed development is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.

Supportive Evidence

The proposed project would redevelop an existing commercial property with three new commercial buildings and new landscaping that would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

As conditioned, the project is consistent with all regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

Nighttime illumination has the potential to change ambient lighting conditions and create a visual nuisance. The proposed lighting provides adequate light to illuminate the site, consistent with lighting for commercial buildings in an urban setting. The parking lot lighting is sufficient for creating a fairly even distribution of light at moderate to low levels of intensity. However, new lighting could disrupt wildlife in nearby riparian woodlands, including their use of these areas for nesting and roosting. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. This mitigation measure requires appropriate controls to be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of Watsonville Slough. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

The proposed trash enclosures could attract nuisance pest species because of the close proximity of nearby riparian habitat. Unless these enclosures are carefully maintained, they could attract Norway rat, raccoon, opossum and other nuisance pest species that could become dependent on this possible food source, disrupting natural behaviors and creating nuisance conditions. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. In accordance with this mitigation measure, a condition of approval requires the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

3. The proposed development will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use. The project site is located along Main Street (SR 152), which is a fully improved public right-of-way that is designated as a major arterial in the City's General Plan and is intended to handle large volumes of traffic.

4. The proposed development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.

Supportive Evidence

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

5. The proposed development incorporates features to minimize adverse effects including visual impacts of the proposed development on adjacent properties:

a) Harmony and proportion of the overall design and the appropriate use of materials;

b) The suitability of the architectural style for the project; provided, however, it is not the intent of this section to establish any particular architectural style;

c) The sitting of the structure on the property, as compared to the sitting of other structures in the immediate neighborhood;

d) The size, location, design, color, number, and lighting; and

e) The bulk, height, and color of the project structure as compared to the bulk, height, and color of other structures in the immediate neighborhood.

Supportive Evidence

The project involves redeveloping an existing commercial property and constructing three new buildings for establishing fast-casual restaurant and retail use. The project would also avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough.

The overall building design has a modern appearance. As shown on the proposed Elevations, every façade is well composed, articulated and consistent on each façade. The proposed building design consists of varied wall planes along the front, side and rear elevations as well as a variety of colors and finish materials. The building form does not include long, unbroken wall planes, which are articulated with metal canopies over doors and windows, wall recesses, and wall pop outs. Varying roof heights from parapet walls of different heights and tower elements create visual interest. Buildings materials are primarily stucco, punctuated by recessed wall planes made of fiber cement board to provide a smooth lap siding appearance and tile along the base of the buildings.

Although the building primarily face the interior parking lot, the buildings include the same architectural elements on all sides and endcap spaces include windows and seating areas facing the street to create visual interest and make for an inviting appearance. The back of Building 2 facing Main Street also includes landscape wall panels to soften the appearance of the building from the public right-of-way.

The proposed drive-through facility design is consistent with the City's requirements, including that landscaping shall screen drive-through lanes from the public right-of-way and shall minimize the visual impact of the menu board and directional signs.

The project would not create a visual impact on wildlife in nearby riparian woodlands. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

In addition, the project's trash enclosures would not attract nuisance pest species, such as Norway rat, raccoon, and opossum, with implementation of the condition of approval requiring regular monitoring of said enclosures to ensure they are routinely cleaned and secured at night.

6. The proposed development complies with all additional standards imposed on it by the particular provisions of this chapter, any City of Watsonville architectural guidelines, development and public improvement standards, and all other requirements of this title applicable to the proposed development.

Supportive Evidence

WMC Chapter 14-41 sets forth regulations concerning the design and location of drive-through facilities in the City. Drive-through facilities are permitted in commercial zones with issuance of a Special Use Permit, provided that the project can meet certain conditions. Drive-throughs cannot be located within 150 feet of a residential parcel or 300 feet of a designated "gateway" intersection. For all other signalized intersections in commercial zones, no more than one drive-through may be within 200 feet of the nearest portion of the intersection. The project site is not next to one of the "gateway" intersections listed in WMC Section 14-41.100(a)(3), and only one of the two proposed drive-through facilities is within 200 feet of the signalized intersection of Main Street and Auto Center Drive.

Drive-through facilities must also be designed and situated consistent with design standards listed in WMC Section 14-41.102. As conditioned, the proposed project meets all design standards. The drive-through lanes for Buildings 1 and 3 are set back approximately 60 feet from Main Street and would be screened by proposed landscaping. The proposed drive-through lane widths on straight sections and curves exceed the minimum dimensions of 11 and 14 feet, respectively. The drive-through lane for Building 1 provides sufficient room to stack five vehicles behind the menu board, and six vehicles for Building 3. As only one menu board with an area of up to 30 square feet is permitted per drive-through facility, the proposed 6'H x 5'W menu boards shown on the Site Plan for each drive-through facility would be allowed; however, the "pre-menu board" shown next to Building 3 exceeds the one menu board limit. A Condition of Approval requires the removal of the "pre-menu board" from the Site Plan.

7. The proposed development will not be materially detrimental to the public health, safety, convenience and welfare or result in material damage or prejudice to other property in the vicinity.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use and would avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough. The proposed uses would complement existing commercial development along Main Street (SR 152) and the project design would enhance the appearance of the site. Therefore, the project would not materially damage or prejudice other property in the vicinity.

CITY OF WATSONVILLE
CITY COUNCIL

EXHIBIT "B"

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: February 25, 2020

SPECIAL USE PERMIT WITH DESIGN REVIEW
CONDITIONS OF APPROVAL

General Conditions:

1. **Approval.** This approval applies to the Plan Set identified as "Retail Development" located at 975-1075 Main Street, Watsonville, CA 95076, dated and received by the Community Development Department on November 19, 2019, and filed by Rod Fermin with Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner. (CDD-P)

2. **Conditional Approval Timeframe.** This Special Use Permit with Design Review (PP2018-248) shall be null and void if not acted upon within **24 months** from the effective date of the approval thereof. Time extensions may be considered upon receipt of written request submitted no less than forty-five (45) days prior to expiration and in accordance with the provisions of Section 14-10.1201 of the Watsonville Municipal Code (WMC). (CDD-P)

3. **Modifications.** Modifications to the project or conditions imposed may be considered in accordance with WMC Sections 14-12.1000 and 14-10.1305. All revisions shall be submitted prior to field changes and are to be clouded on the plans. (CDD-P)

4. **Substantial Compliance.** Project development shall be accomplished in substantial accordance with the approved Plan Set. Any required revisions to the Plan Set shall be completed to the satisfaction of the Community Development Director or designee. (CDD-P)

5. **Grounds for Review.** The project shall be in compliance with the conditions of approval, all local codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Special Use Permit or Design Review Permit, pursuant to Part 13 of WMC Chapter 14-10, or other code enforcement actions, pursuant to WMC Chapter 14-14. (CDD-P)

6. **Appeal Period/Effective Date.** This Special Use Permit with Design Review shall not be effective until **14 days** after approval by the decision-making body or following final action on any appeal. (CDD-P)

7. **Necessary Revisions.** The applicant shall make and note all revisions necessary to comply with all conditions of approval. The applicant shall certify in

writing below the list(s) of conditions that the building plans comply with the conditions of approval. (CDD-P)

8. **Conditions of Approval.** A copy of the final conditions of approval must be printed on the first or second sheet of plans submitted for future permits. ***Plans without the conditions of approval printed directly on the first or second page will not be accepted at the plan check phase.*** (CDD-P)

9. **Required Statement.** The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement, which will become conditions of the building permit:

> "I understand that the subject permit involves construction of a building (project) with an approved Special Use Permit with Design Review. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final."
>
> _____
> Signature of Building Contractor Date

Building and Fire-related Conditions:

10. **Required Permits.** The applicant shall obtain all required building permits (Building, Electrical, Plumbing, Mechanical, Grading, etc.) for this project. (CDD-B-E)

11. **Building Code.** Project construction shall comply with the California Building Code as adopted by the City. (CDD-B)

13. **Fire Code.** Project construction shall comply with California Fire Code as adopted by the City. (WFD)

14. **Energy Efficiency.** The project design shall conform with energy conservation measures articulated in Title 24 of the California Administrative Code and will address measures to reduce energy consumption such as low-flow shower heads, flow restrictors for toilets, low consumption lighting fixtures, and insulation and shall use drought tolerant landscaping. (CDD-B)

12. **Floodplain Development Permit.** The applicant shall obtain a Floodplain Development Permit prior to issuance of a building permit, in accordance with WMC Section 9-2.400. (CDD-E, PW)

Prior to or concurrent with the issuance of a Building Permit, the following requirements shall be met:

13. **Colors & Materials.** Plans submitted for building permit shall indicate that all final colors and materials shall be consistent with the colors and materials approved by this permit. (CDD-P)

14. **Landscaping & Irrigation Plan.** The applicant shall submit three copies of the final Landscaping and Irrigation Plan for review and approval by the Community Development Director prior to issuance of a building permit. The Landscaping Plan shall provide drought-tolerant plants suitable for the Central Coast region. The Irrigation Plan shall provide an automatic water system (*e.g.,* drip system) to irrigate all landscape areas. (CDD-B-E-P)

    a. LANDSCAPING – The Landscape Plan shall indicate the types, quantities, locations and sizes of all plant material, including any existing major vegetation designated to remain and method of protecting planting areas from vehicular traffic. The Landscape Plan shall be drawn to scale, and plant types shall be clearly located and labeled. The plant list shall give the botanical name, common name, gallon sizes to be planted, and quantity of each planting. A minimum of 25 percent of all shrub material shall have a minimum 5-gallon container size. (CDD-E-P)

    b. IRRIGATION SYSTEM – Automatic, low-flow irrigation system(s) shall be installed in all landscaped areas. Irrigation shall be programmed for night or early morning hours in order to minimize evaporation. (CDD-P)

    c. WATER CONSERVATION – The project shall utilize water conservation, water recycling, and xeriscaping to the maximum extent possible. Irrigation systems shall be designed and maintained to avoid run-off, over-spray, or other similar conditions where water flows to waste. (CDD-B-E-P)

    d. NEW TREES – As proposed in the preliminary landscape plans, the project shall provide a minimum of **61 trees**. (CDD-P)

    e. LANDSCAPE & IRRIGATION INSTALLATION – All landscaping and irrigation shall be approved and installed prior to occupancy of the project. (CDD-P)

    f. WATER EFFICIENT LANDSCAPE ORDINANCE – The applicant shall submit a landscape documentation package and demonstrate compliance with the California Model Water Efficient Landscape Ordinance, pursuant to WMC Section 6-3.801. (CDD-P-E)

15. **Landscape Plan Revisions.** The applicant shall revise the Landscape Plan (sheet PL1) to:

a. Replace butterflyweed (*Asclepias tuberosa*) within any and all bioswales with a suitable, non-invasive, plant species, such as common rush (*Juncus patens*), soft rush (*Juncus effuses*), valley sedge (*Carex barbarae*), foothill sedge (*Carex tumulicola*) and Douglas' sagewort (*Artemisia douglasiana*). (CDD-P)

16. **Site Plan Revisions.** The applicant revise the Site Plan to:
a) Rremove any "pre-menu board" signs. The Site Plan may have only one 6'H x 5'W menu board for each drive-through facility;
b) Widen all walks entering the site to 8 feet to match the width of the existing City pedestrian/bicycle path along Main Street; and
c) Move the bike racks from the rear of Building 1 to a location adjacent to the front door and the outside seating area. (CDD-P)

17. **Lighting.** Plans submitted for building permit issuance shall show the locations and details of any exterior lighting fixtures. All lighting shall be downward facing and/or shielded and shall not spillover onto adjacent property, public roadways, and/or riparian habitat. (CDD-P)

18. **Photometric Plan.** The applicant shall revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. (CDD-P)

19. **Trash Enclosure.** The trash enclosure shall conform with City of Watsonville Public Improvement Standard No. S-602, and is subject to review and approval by the Community Development Department. (CDD-P-E, PW)

20. **Street Frontage Improvements.** The applicant—replace all existing street improvements (i.e., driveways and curb & gutters) along the project street frontage to City standards. (CDD-E)

21. **Caltrans Encroachment Permit.** The applicant shall obtain an encroachment permit from Caltrans for making frontage improvements within Caltrans right-of-way. As shown on the Site Plan (sheet A-010), proposed improvements include removing existing trees, planting new trees spaced 25 to 30 feet apart, modifying the existing driveway approaches with an enhanced colored concrete pedestrian path, replacing the existing 8-foot wide asphalt trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on either side, and landscaping unpaved areas with the same plant palette for the project site. In addition, the applicant as part of this permit shall request that Caltrans improve pedestrian safety by programming a pedestrian phase for the traffic signal at the intersection of Main Street (SR 152) and Auto Center Drive. (CDD-E, Caltrans)

22. **Mechanical Equipment Screening.** All new mechanical equipment and appurtenances, including gas and water meters, electrical boxes, roof vents, air conditioners, antennas, etc. visible from the public way and from adjacent properties, shall be screened with material compatible with the materials of the

building and shall be subject to the approval of the Zoning Administrator. (CDD-P)

23. **Post Construction Stormwater Ordinance.** The project is subject to the WMC Section 6-3.535 (Post Construction Requirements). The applicant shall prepare a stormwater control plan (SWCP) that demonstrates compliance with the ordinance to the satisfaction of the City Engineer, prior to issuance of a building permit. (CDD-E)

24. **Address Assignment.** Prior to building permit issuance, complete and submit an application for address assignment. (CDD-E)

25. **Ensure Avoidance of California Red-legged Frog and Western Pond Turtle (Mitigation Measure BIO-1a).** The following measures shall be implemented to ensure avoidance of individual California red-legged frog (CRLF) and western pond turtle (WPT) in the remote instance individuals were to disperse onto the site in the future in advance of or during construction.

- *Pre-construction survey:* Pre-construction surveys for CRLF shall be conducted prior to initiation of project activities (including fence installation) and within 48 hours of the start of ground disturbance activities following completion of exclusion fence installation. Surveys are to be conducted by qualified biologists with experience surveying for CRLF. If project activities are stopped for greater than 14 days, a follow-up pre-construction survey may be required within 48 hours prior to reinitiating project activities.

- *Worker Training:* All workers shall be trained by a qualified biologist to understand the remote potential for occurrence of CRLF and WPT, need to avoid any potential inadvertent take, and process to follow if a frog or turtle is encountered. If a frog is encountered in the construction zone, all work must stop and the qualified biologist must determine whether it is CRLF before work proceeds. If a CRLF is encountered in the work zone, no work can proceed until the USFWS and CDFW have been consulted and an appropriate avoidance and mitigation program developed.

  If WPT is encountered within the work zone, the individual shall be relocated to the closest suitable natural habitat by the qualified biologist or designated foreman trained by the qualified biologist.

- *Wildlife exclusion fence:* Wildlife exclusion fencing shall be installed prior to the start of construction and maintained until construction of the proposed project is complete. All work installing exclusion fencing shall be conducted under the supervision of a qualified wildlife biologist with experience in surveying for CRLF and WPT. Exclusion fencing shall, at a minimum, run along the edge of grading along the southeastern, southern and southwestern project boundaries where the site borders riparian habitat. The exclusion fencing shall be inspected on a daily basis by a designated foreman trained by the qualified biologist, and repaired immediately if any openings are detected to prevent opportunities for CRLF and WPT to enter the site. Per CRLF standards, fencing must be at least 42 inches in height (at least 36

inches above ground and buried at least 6 inches below the ground) and stakes must be place on the inside of the project (side on which work will take place).

Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibians do not get trapped. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used.

- *Earth-disturbing activities only during dry weather:* No earth disturbing activities shall take place during rain events when there is potential for accumulation greater than 0.25-inch in a 24-hour period. In addition, no earth disturbing activities shall occur for 48 hours following rain events in which 0.25-inch of rain accumulation within 24 hours. (CDD-P-B, PW)

26. **Ensure Avoidance of Bird Nests in Active Use (Mitigation Measure BIO-1b).** Tree removal, landscape grubbing, and building pad and retaining wall demolition shall be performed in compliance with the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code to avoid loss of nests in active use. This shall be accomplished by scheduling tree removal and landscape grubbing outside of the bird nesting season (which occurs from February 1 to August 31) to avoid possible impacts on nesting birds if new nests are established in the future. Alternatively, if demolition, tree removal and landscape grubbing cannot be scheduled during the non-nesting season (September 1 to January 31), a pre-construction nesting survey shall be conducted. The pre-construction nesting survey shall include the following:

- A qualified biologist shall conduct a pre-construction nesting bird (both passerine and raptor) survey within seven calendar days prior to tree removal, landscape grubbing, and/or demolition.

- If no nesting birds or active nests are observed, no further action is required and tree removal, landscape grubbing, and demolition shall occur within seven calendar days of the survey.

- Another nest survey shall be conducted if more than seven calendar days elapse between the initial nest search and the beginning of tree removal, landscape grubbing, and demolition.

- If any active nests are encountered, the Biologist shall determine an appropriate disturbance-free buffer zone to be established around the nest location(s) until the young have fledged. Buffer zones vary depending on the species (i.e., typically 50 to 100 feet for passerines and 300 feet for raptors) and other factors such as ongoing disturbance in the vicinity of the nest location. If necessary, the dimensions of the buffer zone shall be determined in consultation with the CDFW.

- Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which no construction-related equipment or operations shall be permitted.

Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone.

- No restrictions on grading or construction activities outside the prescribed buffer zone are required once the zone has been identified and delineated in the field and workers have been properly trained to avoid the buffer zone area.

- Construction activities shall be restricted from the buffer zone until the Biologist has determined that young birds have fledged and the buffer zone is no longer needed.

- A survey report of findings verifying that any young have fledged shall be submitted by the Biologist for review and approval by the City prior to initiation of any tree removal, landscape grubbing, demolition, and other construction activities within the buffer zone. Following written approval by the City, tree removal, and construction within the nest-buffer zone may proceed. (CDD-P-B, PW)

27. **Prevent Nuisance Conditions (Mitigation Measure BIO-2).** Appropriate controls shall be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of the Watsonville Slough floodplain. These shall include controls on all exterior lighting to ensure that is be directed downward and screened to minimize spill-over off the site and developing a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night. (CDD-P)

28. **Unanticipated Discovery of Prehistoric or Historic Cultural Resources (Mitigation Measure CULT-1 and TCR-1).** If any prehistoric or historic subsurface cultural resources, including tribal cultural resources, are discovered during ground-disturbing (including grading, demolition and/or construction) activities:

- All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5.

- If any find is determined to be significant, representatives from the City of Watsonville Building Department and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation.

- All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

- In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is

necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations.

- If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented.

- Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

29. **Adhere to Geotechnical Recommendations (Mitigation Measure GEO-1, -2 and -3).** Project construction shall adhere to the recommendations of the October 9, 2018 Krazan & Associates Geotechnical Engineering Investigation for the Proposed Commercial Development on Main Street at Auto Centre Drive, which provides recommendations for excavation under and near building areas, fill removal and recompaction, engineered fill preparation, soil moisture content, and other construction details relevant to building design and site stability. As recommended in the Geotechnical Engineering Investigation, a licensed geotechnical engineer, or his/her representative, shall be present during all site clearing and grading operations to observe earthwork construction, and the consulting engineer's recommendations shall be followed.

30. **Unanticipated Discovery of Paleontological Resources (Mitigation Measure GEO-4).** The construction contractor shall incorporate the following in all grading, demolition, and construction plans:

- In the event that fossils or fossil-bearing deposits are discovered during grading, demolition, or building, excavations within 50 feet of the find shall be temporarily halted or diverted.

- The contractor shall notify the City of Watsonville Building Department and a City-approved qualified paleontologist to examine the discovery.

- The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5.

- The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.

- If the project applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The excavation plan shall be submitted to the City for review and approval prior to implementation.

31. **Intersection Operational Changes to Address Existing + Project Conditions (Mitigation Measure TR-1).** The signal system along Main Street should be

retimed to reach acceptable levels of service. The following changes should be considered:

- During the AM peak hour, the signal system along Main Street should be modified to a 110-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive with a half cycle at the Watsonville Square intersection. The segment from Pennsylvania Drive to Freedom Boulevard should be modified to a 116-second cycle with a half cycle at Rodriguez Street.

- During the PM peak hour, the signal system along Main Street should be modified from the current 135-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120-second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- An eastbound to southbound right turn overlap should be installed at the Main Street/Ohlone Parkway – Clifford Drive intersection. This is consistent with the Sunshine Vista Phased Development Project FEIR, May 2018.

32. **Intersection Operational Changes to Address Cumulative + Project Conditions (Mitigation Measure TR-2).** The project applicant shall obtain an encroachment permit from Caltrans to implement the following changes to the signal operations and lane configuration at the Main Street/Green Valley Drive:

- During the PM peak hour, the signal system along Main Street should be modified from the current 135 second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120 second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- The intersection of Main Street/Green Valley Drive approaches should be reconfigured as follows:
    - Northbound approach: two left turn lanes, one through lane, and one right turn lane.
    - Southbound approach: one left turn lane, one through lane, and one right turn lane.

- Modify the signal phasing for the eastbound and westbound approaches on Green Valley Road from split phase to protected left turns. The intersection is part of a coordinated system along Main Street and the corridor should be retimed to a 110 second cycle as a result of the geometry modifications.

Prior to permit issuance, the following conditions shall be addressed:

33. **Preconstruction Meeting.** Prior to issuance of a building permit or the commencement of any site work, the project applicant and the general contractor shall attend a pre-construction meeting with the Building Official and City staff to discuss the project conditions of approval, working hours, site maintenance and other construction matters. The general contractor shall acknowledge that

he/she has read and understands the project conditions of approval, particularly those pertaining to construction practices and site safety, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction. (CDD-P-B-E)

34. **MMRP Implementation.** The applicant shall prepare a list identifying the individuals responsible for implementing the Mitigation Monitoring and Reporting Program. The applicant shall provide upon request by the City a compliance log demonstrating all Mitigation Measures have been implemented. (CDD-P)

35. **Solid Waste Service Plan.** Solid waste generated during the construction shall be serviced by the City of Watsonville Solid Waste Division. Applicant shall submit a Solid Waste Service Plan on the City form for review and approval. (CDD-E)

During construction, the following conditions shall be adhered to:

36. **Superintendent.** Applicant shall have onsite at all times, a superintendent that shall act as the applicant's representative and as a point of contact for the City's Public Works Inspector. The superintendent shall be authorized by the Owner to direct the work of all contractors doing work on public and private improvements. (CDD-E, PW)

37. **Best Management Practices (BMPs).** Provide BMPs during construction to prevent sediment, debris and contaminants from draining offsite. BMPs shall comply with the City of Watsonville Erosion Control Standards and the Erosion and Sediment Control Field Manual by the California Regional Water Quality Control Board, San Francisco Region, latest edition. All erosion control shall be installed prior to October 15 and be maintained in place until April 15. Provide a note on the improvement plans stating that construction should take place between April 15 and October 15. The applicant shall ensure that all contractors are aware of all erosion control standards and BMPs. (CDD-E)

38. **Solid Waste Disposal.** All solid waste generated inside City limits must be hauled from the site of generation by the City of Watsonville Solid Waste Division, pursuant to Chapter 3 (City Utilities) of Title 6 (Sanitation and Health) of the Watsonville Municipal Code. This includes all wastes generated at construction sites, excavation projects, land clearing, demolition, earthwork projects, remodels, grading, and tenant improvement projects as well as ongoing business/residential use on the premises. Applicant shall comply with all applicable requirements for removal and disposal of hazardous materials. (PW)

39. **Work Hours.** No work for which a building permit is required shall be performed within the hours of 7 p.m. to 7 a.m., Monday through Friday, nor prior to 8 a.m. or after 5 p.m. on Saturday. No Work shall occur on Sundays or holidays. A sign shall be posted at a conspicuous location near the main entry to the site, prominently displaying these hour restrictions and identifying the phone # of the Job superintendent. (CDD-B)

40. **Dust Control.** To minimize dust/grading impacts during construction the applicant shall:
    a. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day to minimize dust.
    b. Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.
    c. Sweep the adjacent street frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
    d. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off-site.
    e. The City shall have the authority to stop all grading operations, if in opinion of City staff, inadequate dust control or excessive wind conditions contribute to fugitive dust emissions. (CDD-E)

41. **Unanticipated Discovery of Contaminated Soils.** In the unlikely event that contaminated soils are discovered during the earth-moving activities, all development activities shall cease immediately and remain stopped until an assessment has been completed by a geotechnical firm approved by the City. If remediation is necessary, the applicant shall enter into a Remedial Action Agreement with the Santa Cruz County Environmental Health Service Agency. (CDD-P-E)

Construction notes to be included with the Improvement Plans:

42. **Damaged Public Facilities.** Existing public facilities damaged during the course of construction or in an existing state of disrepair shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (CDD-E)

43. **Inspection Notice.** Contractor shall provide a minimum of 48 hours notice in advance of any required inspection. Any temporary suspension of work or returning to work for any reason shall be cause for the developer or contractor to telephone the Public Works Inspector at 831-768-3100. (CDD-E)

44. **Underground Utilities.** Prior to excavation, contractor shall locate all existing underground utilities. Call Underground Service Alert (U.S.A.) at 1-800-642-2444 to have utilities located and marked in the field. (CDD-E)

Prior to Final Inspection or Certificate of Occupancy, the following conditions shall be met:

45. **Statements of Compliance.** All project designer professionals who prepared plans for the project (*e.g.*, civil, structural, and geotechnical engineers) shall provide statements of compliance attesting that they have reviewed the completed project and that it was constructed in conformance with their recommendations and plans. Where special inspections and testing were involved, the letters of compliance shall be accompanied by inspection logs, testing and analysis that support the engineer's conclusions. (CDD-B-E)

46. **Landscaping Installation.** All landscaping and irrigation shall be installed and approved by Community Development Department staff. (CDD-P-E)

47. **Trash Removal.** All trash and construction debris shall be removed from the site. (CDD-B, PW)

Ongoing Conditions:

48. **Post Construction Stormwater Ordinance – Inspection, Maintenance and Annual Reporting.** Applicant shall perform inspections, maintenance to the post-construction stormwater management facilities and report to the City each year on these activities. (CDD-E, PW)

49. **Solid Waste Service.** All trash, recycling and greenwaste materials generated onsite shall be disposed of at a City-approved landfill or recycling center. The applicant shall contact the Solid Waste Division of the City Public Works Department to coordinate disposal of all trash, recycling and greenwaste materials. (PW)

50. **Trash Enclosure Maintenance.** Trash and recycling enclosure shall be maintained to the satisfaction of Watsonville Municipal Services. (PW)

51. **Lighting and Landscape Maintenance.** Lighting, landscaping and all other site improvements shall be maintained in perpetuity. Landscaping shall be maintained in good growing condition by a professional landscape maintenance company; and such maintenance shall include, where appropriate, weeding, mowing, pruning, cleaning, fertilizing and regular watering. All dead, dying and diseased vegetation shall be immediately replaced in kind. (CDD-P)

52. **Ongoing Maintenance.** Common (patio) areas, landscaping, street trees, driveways, parking spaces, walks, fences and walls shall be maintained on an ongoing basis by the property owner(s) for the entire development area. (CDD-P)

53. **Mitigate Potential Attractive Pest Nuisance.** To ensure trash enclosures do not attract nuisance pest species, such as Norway rat, raccoon, and opossum, the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

Future Sign Permit:

54. **Sign Permit.** Any new or proposed changes in the exterior signage for the premises shall require Sign and Building Permits through the Community Development Department. (CDD-P-B)

Indemnity Provision:

55. **Indemnity Provision.** The applicant shall sign a defense and indemnity contract agreeing to defend, indemnify, and hold harmless the City of Watsonville, its elected and appointed officials, officers, employees, and agents arising out

Special Use Permit with Design Review and Environmental Review (PP2018-248), including but not limited to any approval or condition of approval of the City of Watsonville Planning Commission or City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning this permit and the applicant and City shall cooperate fully in the defense of the matter. The City reserves the right to select counsel in the defense of the matter. (CA)

Key to Department Responsibility

CDD-B – Community Development Department (Building)
CDD-P – Community Development Department (Planning)
CDD-E – Community Development Department (Engineering)
PW – Public Works Department
WFD – Watsonville Fire Department
CA – City Attorney

CITY OF WATSONVILLE
CITY COUNCIL

EXHIBIT "C"

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: February 25, 2020

Applicant:	Rod Fermin, Boos Development Group, Inc.
Property Owner:	975 Main Street Associates LLC
Address:	400 Beach Street, Santa Cruz, CA 95060
Project:	Special Use Permit with Design Review and Environmental Review
Location:	975-1075 Main Street, Watsonville, CA 95076
Purpose:	Allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities

A Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29), was reviewed by the Planning Commission at a public hearing on December 3, 2019, was reviewed by the City Council, upon appeal, at a public hearing on February 25, 2020, and was conditionally approved by adoption of City Council Resolution No._____(CM) together with findings and conditions of approval attached hereto and made a part of this permit.

CITY OF WATSONVILLE
City Council

_____
Suzi Merriam
Community Development Director

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE OVERTURNING THE DECEMBER 3, 2019, PLANNING COMMISSION ACTION AND THEREBY APPROVING A SPECIAL USE PERMIT WITH DESIGN REVIEW AND ENVIRONMENTAL REVIEW (PP2018-248) TO ALLOW THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975-1075 MAIN STREET, WATSONVILLE, CALIFORNIA (APNS 018-261-14 & -29)

WHEREAS, on September 27, 2018, an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California, was filed by Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner; and

WHEREAS, the project site is designated General Commercial and Environmental Management on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) and Environmental Management Open Space (EM-OS) Zoning District; and

WHEREAS, pursuant to Sections 14-16.1203(b) and 14-41.101 of the Watsonville Municipal Code (WMC), eating and drinking places with drive-through facilities (DLU 581) are allowed conditionally in the CT Zoning District with issuance of a Special Use Permit; and

WHEREAS, pursuant to WMC Section 14-12.400, development subject to Design Review include all new construction, exterior remodeling, additions, or changes

in use requiring additional parking, which involves structures used for multi-family residential, commercial, industrial or public purpose; and

WHEREAS, an Initial Study/Mitigated Negative Declaration has been prepared for the project and adopted by the City Council, in accordance with the provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, on December 3, 2019, the Planning Commission conducted a public hearing, considered evidence both oral and documentary introduced and received, and made a motion to adopt the following: (1) Resolution of the Planning Commission of the City of Watsonville, California, adopting the Mitigated Negative Declaration (PP2018-248) for the commercial redevelopment project, consisting of the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29); and (2) Resolution of the Planning Commission of the City of Watsonville, California, approving a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29). The motion failed by a vote of 0-5. No subsequent motion(s) to approve, modify or deny the project were advanced by the Planning Commission; and

WHEREAS, on December 13, 2019, the applicant filed an appeal in writing with the City Clerk, and requests that the City Council overturn the Planning Commission's action, thereby adopting (1) a Resolution adopting the Mitigated Negative Declaration

and (2) a Resolution approving a Special Use Permit with Design Review and Environmental Review; and

WHEREAS, the Pelosi Law Group on behalf of the applicant has submitted two letters. The first dated December 13, 2019, provides the reasons why the applicant believes the Planning Commission's decision to be in error. The second dated January 17, 2019, provides additional evidence in support of finding that the Planning Commission's action was incorrect. Based on the information provided, the applicant respectfully requests that the City Council overrule the action of the Planning Commission; and

WHEREAS, upon appeal, the City Council considers whether the action taken by the Planning Commission was erroneously taken and may sustain, modify or overrule the action. In order for an official action to be overturned by an appeal, the City Council must find that the action taken by the Planning Commission was taken erroneously and was inconsistent with the intent of the Zoning District regulations that regulate the proposed action; and

WHEREAS, notice of time and place of the hearing to consider an appeal of the December 3, 2019 Planning Commission action regarding the application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) was given at the time and in the manner prescribed by the Zoning Ordinance (Section 14-10.900) of the Watsonville Municipal Code. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. That the City Council has considered all written and verbal evidence regarding this appeal at the public hearing and finds that the December 3, 2019, Planning Commission action was taken erroneously and overturns the denial of an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248). In so doing, the City Council has made Findings, attached hereto and marked as Exhibit "A," in support of the Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville (APNs 018-261-14 & -29).

2. That the City Council of the City of Watsonville does hereby grant approval of Special Use Permit with Design Review and Environmental Review (PP2018-248), attached hereto and marked as Exhibit "C," subject to the Conditions attached hereto and marked as Exhibit "B," to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site.

****

CITY OF WATSONVILLE
CITY COUNCIL

EXHIBIT "A"

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: February 25, 2020

SPECIAL USE PERMIT FINDINGS (WMC § 14-12.513)

The proposed restaurant and retail uses are permitted by right. The purpose of the Special Use Permit is to allow the establishment of two drive-through facilities onsite, pursuant to WMC Sections 14-16.1203(b) and 14-41.101.

1. The proposed use at the specified location is consistent with the policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations.

Supportive Evidence

The majority of the project site is designated General Commercial on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) Zoning District. The purpose of the General Commercial designation is to allow various types of commercial uses, including restaurants and retail sales that serve the needs of the community and the surrounding region.

A small portion of the project site along its southeastern edge, where the terrain slopes steeply towards Watsonville Slough, is designated Environmental Management and is within the Environmental Management Open Space (EM-OS) Zoning District. This area has been set aside for the protection and preservation of natural resources, such as wetlands, sloughs, and wildlife habitat. No development is proposed within this area.

The proposed project is consistent with the following General Plan goals, policies, and implementation measures concerning commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection:

- **Goal 4.3 Commercial Land Use** – Revitalize the central business district and provide adequate neighborhood commercial services.

- **Goal 4.7 Land Use Suitability** – Ensure that the orderly development of land for the needs of the existing and projected population within in the City limit and Sphere of Influence is based on the land's overall suitability, including: the accessibility of existing and proposed public facilities, services, and utilities, physical and financial constraints; and/or growth inducing impacts.

- **Policy 4.C Commercial Development** – The City shall plan for revitalization of the central business district along with the distribution of convenient neighborhood commercial centers.

- **Policy 4.G Land Use Suitability** – The City shall encourage the development of urban uses on those lands best suited for urban uses and discourage it on lands unsuited for urban uses.

- **Goal 5.1 Visual Resources** – Preserve and enhance the built and natural visual resources within Watsonville.

- **Goal 5.2 Community Appearance** – Blend new development and recognized values of community appearance and scenic qualities, and ensure that new development enhances, rather than detracts from its surroundings.

- **Goal 5.6 Urban Design** – Achieve high standards of street, site and building design that are both efficient, and aesthetically pleasing.

- **Policy 5.A Project Design Review** – The preservation of visual resources shall be accomplished through the design review process.

- **Policy 5.B Design Consistency** – The City shall review new development proposals to encourage high standards of urban design and to ensure that elements of architectural design and site orientation do not degrade or conflict with the appearance of existing structures.

- **Goal 9.5 Water Quality** – Ensure that surface and groundwater resources are protected.

- **Policy 9.D Water Quality** – The City shall provide for the protection of water quality to meet all beneficial uses, including domestic, agricultural, industrial, recreational, and ecological uses.

- **Goal 9.8 Wildlife Habitat** – Preserve and protect the remaining areas of wildlife habitat for their scenic and scientific value.

- **Policy 9.F Wildlife Habitat Protection** – The City shall designate for open space and environmental management those areas rich in wildlife species and fragile in ecological makeup. These habitat zones shall be made part of the greenbelt where appropriate.

- **Implementation Measure 9.F.1 Habitat Protection** – Impacts to important wildlife habitat areas shall be identified as part of the City's development review and environmental review processes, and appropriate mitigations shall be considered. Mitigation measures to be considered include: designation of sensitive areas as open space, restriction of new development on lands that provide important wildlife habitat, setback requirements, habitat conservation plans, and habitat mitigation banking. Lands within the urban limit line that provide important wildlife habitat

include, but are not limited to the following: (a) riparian corridors; (b) fresh water marshes and sloughs; and (c) woodlands and steep slopes.

The proposed project would construct three buildings for fast-causal restaurants and retail shops on land designated for commercial uses. These businesses would complement existing commercial development across the street and provide a convenient location for residents to patronize. The site abuts existing utilities that can be extended to serve the project. The project is not anticipated to induce population growth, as it does not include residential development or involve any extension of roadways or other public infrastructure. In addition, the project would not be a regionally significant employer and future employees of the fast-casual restaurants and retail shops are anticipated to come from within Watsonville and nearby communities.

The redevelopment of an existing commercial property with three new commercial buildings and new landscaping would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

The proposed project would not have a negative impact on surface water resources and wildlife habitat. Pursuant to WMC Section 6-3-535, the project is required to comply with the City's post-construction stormwater requirements, which are intended to minimize stormwater pollution and thereby protect receiving waterbodies, such as rivers, creeks and wetlands. The project does not encroach on land designated Environmental Management and, thereby, would avoid direct disturbance of riparian habitat from grading and construction activities. New development would also maintain a setback of 30 feet or more from riparian habitat. In some locations along the eastern and western edge of the site, this 30-foot setback is not achieved; however this is only in areas that are already developed with existing structures, curb and gutter, or parking lot pavement. In those locations, proposed site improvements would extend no closer to riparian habitat than existing improvements. As discussed in the Initial Study prepared for the project, the portion of the project site proposed for redevelopment has already been modified by past commercial activities, and the proposed project would not further disturb wildlife acclimated to human activity in this area or result in new substantial interference with the movement of native resident or migratory wildlife.

The proposed project is consistent with the list of allowable uses for and general purpose of the CT Zoning District, in that the project would provide three buildings for establishing commercial uses along an existing major arterial. In addition, the proposed drive-through facilities are permitted conditionally with issuance of a Special Use Permit. The project is consistent with all development regulations for the CT Zoning District. As conditioned, the project is also consistent with regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

2. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-

way to mitigate development related adverse impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.

Supportive Evidence

The proposed project would redevelop an existing commercial property with three new commercial buildings and new landscaping that would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

As conditioned, the project is consistent with all regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

Nighttime illumination has the potential to change ambient lighting conditions and create a visual nuisance. The proposed lighting provides adequate light to illuminate the site, consistent with lighting for commercial buildings in an urban setting. The parking lot lighting is sufficient for creating a fairly even distribution of light at moderate to low levels of intensity. However, new lighting could disrupt wildlife in nearby riparian woodlands, including their use of these areas for nesting and roosting. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. This mitigation measure requires appropriate controls to be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of Watsonville Slough. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

The proposed trash enclosures could attract nuisance pest species because of the close proximity of nearby riparian habitat. Unless these enclosures are carefully maintained, they could attract Norway rat, raccoon, opossum and other nuisance pest species that could become dependent on this possible food source, disrupting natural behaviors and creating nuisance conditions. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. In accordance with this

mitigation measure, a condition of approval requires the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

3. The proposed use will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use. The project site is located along Main Street (SR 152), which is a fully improved public right-of-way that is designated as a major arterial in the City's General Plan and is intended to handle large volumes of traffic.

4. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.

Supportive Evidence

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

5. The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use and would avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough.

The proposed drive-through facility design is consistent with the City's requirements, including that landscaping shall screen drive-through lanes from the public right-of-way and shall minimize the visual impact of the menu board and directional signs.

The project would not create a visual impact on wildlife in nearby riparian woodlands. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all

directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

In addition, the project's trash enclosures would not attract nuisance pest species, such as Norway rat, raccoon, and opossum, with implementation of the condition of approval requiring regular monitoring of said enclosures to ensure they are routinely cleaned and secured at night.

6. The proposed special use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed special use and uses within the applicable base zoning district.

Supportive Evidence

WMC Chapter 14-41 sets forth regulations concerning the design and location of drive-through facilities in the City. Drive-through facilities are permitted in commercial zones with issuance of a Special Use Permit, provided that the project can meet certain conditions. Drive-throughs cannot be located within 150 feet of a residential parcel or 300 feet of a designated "gateway" intersection. For all other signalized intersections in commercial zones, no more than one drive-through may be within 200 feet of the nearest portion of the intersection. The project site is not next to one of the "gateway" intersections listed in WMC Section 14-41.100(a)(3), and only one of the two proposed drive-through facilities is within 200 feet of the signalized intersection of Main Street and Auto Center Drive.

Drive-through facilities must also be designed and situated consistent with design standards listed in WMC Section 14-41.102. As conditioned, the proposed project meets all design standards. The drive-through lanes for Buildings 1 and 3 are set back approximately 60 feet from Main Street and would be screened by proposed landscaping. The proposed drive-through lane widths on straight sections and curves exceed the minimum dimensions of 11 and 14 feet, respectively. The drive-through lane for Building 1 provides sufficient room to stack five vehicles behind the menu board, and six vehicles for Building 3. As only one menu board with an area of up to 30 square feet is permitted per drive-through facility, the proposed 6'H x 5'W menu boards shown on the Site Plan for each drive-through facility would be allowed; however, the "pre-menu board" shown next to Building 3 exceeds the one menu board limit. A Condition of Approval requires the removal of the "pre-menu board" from the Site Plan.

7. The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use and would avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough. The

proposed uses would complement existing commercial development along Main Street (SR 152) and the project design would enhance the appearance of the site. Therefore, the project would not materially damage or prejudice other property in the vicinity.

In addition, the project site is within a developed area that is currently served by municipal services, including water, sewer, police and fire, and therefore would not cause a serious public health or safety problem to future patrons of the restaurant and retails businesses onsite.

DESIGN REVIEW FINDINGS (WMC § 14-12.403)

1. The proposed development is consistent with the goals and policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations.

Supportive Evidence

The majority of the project site is designated General Commercial on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) Zoning District. The purpose of the General Commercial designation is to allow various types of commercial uses, including restaurants and retail sales that serve the needs of the community and the surrounding region.

A small portion of the project site along its southeastern edge, where the terrain slopes steeply towards Watsonville Slough, is designated Environmental Management and is within the Environmental Management Open Space (EM-OS) Zoning District. This area has been set aside for the protection and preservation of natural resources, such as wetlands, sloughs, and wildlife habitat. No development is proposed within this area.

The proposed project is consistent with the following General Plan goals, policies, and implementation measures concerning commercial land uses, land use compatibility, design, site improvement, and wildlife habitat protection:

- **Goal 4.3 Commercial Land Use** – Revitalize the central business district and provide adequate neighborhood commercial services.

- **Goal 4.7 Land Use Suitability** – Ensure that the orderly development of land for the needs of the existing and projected population within in the City limit and Sphere of Influence is based on the land's overall suitability, including: the accessibility of existing and proposed public facilities, services, and utilities, physical and financial constraints; and/or growth inducing impacts.

- **Policy 4.C Commercial Development** – The City shall plan for revitalization of the central business district along with the distribution of convenient neighborhood commercial centers.

- **Policy 4.G Land Use Suitability** – The City shall encourage the development of urban uses on those lands best suited for urban uses and discourage it on lands unsuited for urban uses.

- **Goal 5.1 Visual Resources** – Preserve and enhance the built and natural visual resources within Watsonville.

- **Goal 5.2 Community Appearance** – Blend new development and recognized values of community appearance and scenic qualities, and ensure that new development enhances, rather than detracts from its surroundings.

- **Goal 5.6 Urban Design** – Achieve high standards of street, site and building design that are both efficient, and aesthetically pleasing.

- **Policy 5.A Project Design Review** – The preservation of visual resources shall be accomplished through the design review process.

- **Policy 5.B Design Consistency** – The City shall review new development proposals to encourage high standards of urban design and to ensure that elements of architectural design and site orientation do not degrade or conflict with the appearance of existing structures.

- **Goal 9.5 Water Quality** – Ensure that surface and groundwater resources are protected.

- **Policy 9.D Water Quality** – The City shall provide for the protection of water quality to meet all beneficial uses, including domestic, agricultural, industrial, recreational, and ecological uses.

- **Goal 9.8 Wildlife Habitat** – Preserve and protect the remaining areas of wildlife habitat for their scenic and scientific value.

- **Policy 9.F Wildlife Habitat Protection** – The City shall designate for open space and environmental management those areas rich in wildlife species and fragile in ecological makeup. These habitat zones shall be made part of the greenbelt where appropriate.

- **Implementation Measure 9.F.1 Habitat Protection** – Impacts to important wildlife habitat areas shall be identified as part of the City's development review and environmental review processes, and appropriate mitigations shall be considered. Mitigation measures to be considered include: designation of sensitive areas as open space, restriction of new development on lands that provide important wildlife habitat, setback requirements, habitat conservation plans, and habitat mitigation banking. Lands within the urban limit line that provide important wildlife habitat include, but are not limited to the following: (a) riparian corridors; (b) fresh water marshes and sloughs; and (c) woodlands and steep slopes.

The proposed project would construct three buildings for fast-causal restaurants and retail shops on land designated for commercial uses. These businesses would complement existing commercial development across the street and provide a convenient location for residents to patronize. The site abuts existing utilities that can be extended to serve the project. The project is not anticipated to induce population growth, as it does not include residential development or involve any extension of roadways or other public infrastructure. In addition, the project would not be a regionally significant employer and future employees of the fast-casual restaurants and retail shops are anticipated to come from within Watsonville and nearby communities.

The redevelopment of an existing commercial property with three new commercial buildings and new landscaping would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

The proposed project would not have a negative impact on surface water resources and wildlife habitat. Pursuant to WMC Section 6-3-535, the project is required to comply with the City's post-construction stormwater requirements, which are intended to minimize stormwater pollution and thereby protect receiving waterbodies, such as rivers, creeks and wetlands. The project does not encroach on land designated Environmental Management and, thereby, would avoid direct disturbance of riparian habitat from grading and construction activities. New development would also maintain a setback of 30 feet or more from riparian habitat. In some locations along the eastern and western edge of the site, this 30-foot setback is not achieved; however this is only in areas that are already developed with existing structures, curb and gutter, or parking lot pavement. In those locations, proposed site improvements would extend no closer to riparian habitat than existing improvements. As discussed in the Initial Study prepared for the project, the portion of the project site proposed for redevelopment has already been modified by past commercial activities, and the proposed project would not further disturb wildlife acclimated to human activity in this area or result in new substantial interference with the movement of native resident or migratory wildlife.

The proposed project is consistent with the list of allowable uses for and general purpose of the CT Zoning District, in that the project would provide three buildings for establishing commercial uses along an existing major arterial. In addition, the proposed drive-through facilities are permitted conditionally with issuance of a Special Use Permit. The project is consistent with all development regulations for the CT Zoning District. As conditioned, the project is also consistent with regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

2. The proposed development is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.

Supportive Evidence

The proposed project would redevelop an existing commercial property with three new commercial buildings and new landscaping that would improve the appearance of the site. The proposed building design has a modern appearance that is well composed, articulated and consistent on each façade.

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

As conditioned, the project is consistent with all regulations concerning the design and location of drive-through facilities set forth in WMC Chapter 14-41.

Nighttime illumination has the potential to change ambient lighting conditions and create a visual nuisance. The proposed lighting provides adequate light to illuminate the site, consistent with lighting for commercial buildings in an urban setting. The parking lot lighting is sufficient for creating a fairly even distribution of light at moderate to low levels of intensity. However, new lighting could disrupt wildlife in nearby riparian woodlands, including their use of these areas for nesting and roosting. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. This mitigation measure requires appropriate controls to be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of Watsonville Slough. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

The proposed trash enclosures could attract nuisance pest species because of the close proximity of nearby riparian habitat. Unless these enclosures are carefully maintained, they could attract Norway rat, raccoon, opossum and other nuisance pest species that could become dependent on this possible food source, disrupting natural behaviors and creating nuisance conditions. The Initial Study prepared for the project includes Mitigation Measure BIO-2 to reduce potential impacts to a less-than-significant level. In accordance with this mitigation measure, a condition of approval requires the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

3. The proposed development will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use. The project site is located along Main Street (SR 152), which is a fully improved public right-of-way that is designated as a major arterial in the City's General Plan and is intended to handle large volumes of traffic.

4. The proposed development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.

Supportive Evidence

Direct access to the project site would occur from existing driveways located along Main Street (SR 152). All necessary access improvements have been installed previously, and no major roadway improvements, traffic control devices or access restrictions to control or divert traffic flow is needed. The project includes the following minor changes to signal phasing and lane striping at the Main Street/Auto Center Drive/project intersection, which would be completed according to Caltrans design requirements:

- Modify the traffic signal to include protected left turn movements along Auto Center Drive and the project access; and
- Modify the southbound Auto Center Drive striping to include a left turn lane and a through-right lane.

5. The proposed development incorporates features to minimize adverse effects including visual impacts of the proposed development on adjacent properties:

a) Harmony and proportion of the overall design and the appropriate use of materials;

b) The suitability of the architectural style for the project; provided, however, it is not the intent of this section to establish any particular architectural style;

c) The sitting of the structure on the property, as compared to the sitting of other structures in the immediate neighborhood;

d) The size, location, design, color, number, and lighting; and

e) The bulk, height, and color of the project structure as compared to the bulk, height, and color of other structures in the immediate neighborhood.

Supportive Evidence

The project involves redeveloping an existing commercial property and constructing three new buildings for establishing fast-casual restaurant and retail use. The project would also avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough.

The overall building design has a modern appearance. As shown on the proposed Elevations, every façade is well composed, articulated and consistent on each façade. The proposed building design consists of varied wall planes along the front, side and rear elevations as well as a variety of colors and finish materials. The building form does not include long, unbroken wall planes, which are articulated with metal canopies over doors and windows, wall recesses, and wall pop outs. Varying roof heights from parapet walls of different heights and tower elements create visual interest. Buildings materials are primarily stucco, punctuated by recessed wall planes made of fiber cement board to provide a smooth lap siding appearance and tile along the base of the buildings.

Although the building primarily face the interior parking lot, the buildings include the same architectural elements on all sides and endcap spaces include windows and seating areas facing the street to create visual interest and make for an inviting appearance. The back of Building 2 facing Main Street also includes landscape wall panels to soften the appearance of the building from the public right-of-way.

The proposed drive-through facility design is consistent with the City's requirements, including that landscaping shall screen drive-through lanes from the public right-of-way and shall minimize the visual impact of the menu board and directional signs.

The project would not create a visual impact on wildlife in nearby riparian woodlands. A condition of approval requires the applicant to revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. Therefore, as conditioned, the project would not create a new source of potential light spillover or glare nuisance.

In addition, the project's trash enclosures would not attract nuisance pest species, such as Norway rat, raccoon, and opossum, with implementation of the condition of approval requiring regular monitoring of said enclosures to ensure they are routinely cleaned and secured at night.

6. The proposed development complies with all additional standards imposed on it by the particular provisions of this chapter, any City of Watsonville architectural guidelines, development and public improvement standards, and all other requirements of this title applicable to the proposed development.

Supportive Evidence

WMC Chapter 14-41 sets forth regulations concerning the design and location of drive-through facilities in the City. Drive-through facilities are permitted in commercial zones with issuance of a Special Use Permit, provided that the project can meet certain conditions. Drive-throughs cannot be located within 150 feet of a residential parcel or 300 feet of a designated "gateway" intersection. For all other signalized intersections in commercial zones, no more than one drive-through may be within 200 feet of the nearest portion of the intersection. The project site is not next to one of the "gateway" intersections listed in WMC Section 14-41.100(a)(3), and only one of the two proposed drive-through facilities is within 200 feet of the signalized intersection of Main Street and Auto Center Drive.

Drive-through facilities must also be designed and situated consistent with design standards listed in WMC Section 14-41.102. As conditioned, the proposed project meets all design standards. The drive-through lanes for Buildings 1 and 3 are set back approximately 60 feet from Main Street and would be screened by proposed landscaping. The proposed drive-through lane widths on straight sections and curves exceed the minimum dimensions of 11 and 14 feet, respectively. The drive-through lane for Building 1 provides sufficient room to stack five vehicles behind the menu board, and six vehicles for Building 3. As only one menu board with an area of up to 30 square feet is permitted per drive-through facility, the proposed 6'H x 5'W menu boards shown on the Site Plan for each drive-through facility would be allowed; however, the "pre-menu board" shown next to Building 3 exceeds the one menu board limit. A Condition of Approval requires the removal of the "pre-menu board" from the Site Plan.

7. The proposed development will not be materially detrimental to the public health, safety, convenience and welfare or result in material damage or prejudice to other property in the vicinity.

Supportive Evidence

The project involves redeveloping an existing commercial property designated for commercial use and would avoid areas set aside for the protection and preservation of natural resources, such as the nearby Watsonville Slough. The proposed uses would complement existing commercial development along Main Street (SR 152) and the project design would enhance the appearance of the site. Therefore, the project would not materially damage or prejudice other property in the vicinity.

CITY OF WATSONVILLE
CITY COUNCIL

EXHIBIT "B"

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: February 25, 2020

SPECIAL USE PERMIT WITH DESIGN REVIEW
CONDITIONS OF APPROVAL

General Conditions:

1. **Approval.** This approval applies to the Plan Set identified as "Retail Development" located at 975-1075 Main Street, Watsonville, CA 95076, dated and received by the Community Development Department on November 19, 2019, and filed by Rod Fermin with Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner. (CDD-P)

2. **Conditional Approval Timeframe.** This Special Use Permit with Design Review (PP2018-248) shall be null and void if not acted upon within **24 months** from the effective date of the approval thereof. Time extensions may be considered upon receipt of written request submitted no less than forty-five (45) days prior to expiration and in accordance with the provisions of Section 14-10.1201 of the Watsonville Municipal Code (WMC). (CDD-P)

3. **Modifications.** Modifications to the project or conditions imposed may be considered in accordance with WMC Sections 14-12.1000 and 14-10.1305. All revisions shall be submitted prior to field changes and are to be clouded on the plans. (CDD-P)

4. **Substantial Compliance.** Project development shall be accomplished in substantial accordance with the approved Plan Set. Any required revisions to the Plan Set shall be completed to the satisfaction of the Community Development Director or designee. (CDD-P)

5. **Grounds for Review.** The project shall be in compliance with the conditions of approval, all local codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Special Use Permit or Design Review Permit, pursuant to Part 13 of WMC Chapter 14-10, or other code enforcement actions, pursuant to WMC Chapter 14-14. (CDD-P)

6. **Appeal Period/Effective Date.** This Special Use Permit with Design Review shall not be effective until **14 days** after approval by the decision-making body or following final action on any appeal. (CDD-P)

7. **Necessary Revisions.** The applicant shall make and note all revisions necessary to comply with all conditions of approval. The applicant shall certify in

writing below the list(s) of conditions that the building plans comply with the conditions of approval. (CDD-P)

8. **Conditions of Approval.** A copy of the final conditions of approval must be printed on the first or second sheet of plans submitted for future permits. ***Plans without the conditions of approval printed directly on the first or second page will not be accepted at the plan check phase.*** (CDD-P)

9. **Required Statement.** The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement, which will become conditions of the building permit:

> "I understand that the subject permit involves construction of a building (project) with an approved Special Use Permit with Design Review. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final."
>
> _____
> Signature of Building Contractor Date

Building and Fire-related Conditions:

10. **Required Permits.** The applicant shall obtain all required building permits (Building, Electrical, Plumbing, Mechanical, Grading, etc.) for this project. (CDD-B-E)

11. **Building Code.** Project construction shall comply with the California Building Code as adopted by the City. (CDD-B)

13. **Fire Code.** Project construction shall comply with California Fire Code as adopted by the City. (WFD)

14. **Energy Efficiency.** The project design shall conform with energy conservation measures articulated in Title 24 of the California Administrative Code and will address measures to reduce energy consumption such as low-flow shower heads, flow restrictors for toilets, low consumption lighting fixtures, and insulation and shall use drought tolerant landscaping. (CDD-B)

12. **Floodplain Development Permit.** The applicant shall obtain a Floodplain Development Permit prior to issuance of a building permit, in accordance with WMC Section 9-2.400. (CDD-E, PW)

Prior to or concurrent with the issuance of a Building Permit, the following requirements shall be met:

13. **Colors & Materials.** Plans submitted for building permit shall indicate that all final colors and materials shall be consistent with the colors and materials approved by this permit. (CDD-P)

14. **Landscaping & Irrigation Plan.** The applicant shall submit three copies of the final Landscaping and Irrigation Plan for review and approval by the Community Development Director prior to issuance of a building permit. The Landscaping Plan shall provide drought-tolerant plants suitable for the Central Coast region. The Irrigation Plan shall provide an automatic water system (*e.g.,* drip system) to irrigate all landscape areas. (CDD-B-E-P)

    a. LANDSCAPING – The Landscape Plan shall indicate the types, quantities, locations and sizes of all plant material, including any existing major vegetation designated to remain and method of protecting planting areas from vehicular traffic. The Landscape Plan shall be drawn to scale, and plant types shall be clearly located and labeled. The plant list shall give the botanical name, common name, gallon sizes to be planted, and quantity of each planting. A minimum of 25 percent of all shrub material shall have a minimum 5-gallon container size. (CDD-E-P)

    b. IRRIGATION SYSTEM – Automatic, low-flow irrigation system(s) shall be installed in all landscaped areas. Irrigation shall be programmed for night or early morning hours in order to minimize evaporation. (CDD-P)

    c. WATER CONSERVATION – The project shall utilize water conservation, water recycling, and xeriscaping to the maximum extent possible. Irrigation systems shall be designed and maintained to avoid run-off, over-spray, or other similar conditions where water flows to waste. (CDD-B-E-P)

    d. NEW TREES – As proposed in the preliminary landscape plans, the project shall provide a minimum of **61 trees**. (CDD-P)

    e. LANDSCAPE & IRRIGATION INSTALLATION – All landscaping and irrigation shall be approved and installed prior to occupancy of the project. (CDD-P)

    f. WATER EFFICIENT LANDSCAPE ORDINANCE – The applicant shall submit a landscape documentation package and demonstrate compliance with the California Model Water Efficient Landscape Ordinance, pursuant to WMC Section 6-3.801. (CDD-P-E)

15. **Landscape Plan Revisions.** The applicant shall revise the Landscape Plan (sheet PL1) to:

a. Replace butterflyweed (*Asclepias tuberosa*) within any and all bioswales with a suitable, non-invasive, plant species, such as common rush (*Juncus patens*), soft rush (*Juncus effuses*), valley sedge (*Carex barbarae*), foothill sedge (*Carex tumulicola*) and Douglas' sagewort (*Artemisia douglasiana*). (CDD-P)

16. **Site Plan Revisions.** The applicant revise the Site Plan to:
a) Rremove any "pre-menu board" signs. The Site Plan may have only one 6'H x 5'W menu board for each drive-through facility;
b) Widen all walks entering the site to 8 feet to match the width of the existing City pedestrian/bicycle path along Main Street; and
c) Move the bike racks from the rear of Building 1 to a location adjacent to the front door and the outside seating area. (CDD-P)

17. **Lighting.** Plans submitted for building permit issuance shall show the locations and details of any exterior lighting fixtures. All lighting shall be downward facing and/or shielded and shall not spillover onto adjacent property, public roadways, and/or riparian habitat. (CDD-P)

18. **Photometric Plan.** The applicant shall revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat. (CDD-P)

19. **Trash Enclosure.** The trash enclosure shall conform with City of Watsonville Public Improvement Standard No. S-602, and is subject to review and approval by the Community Development Department. (CDD-P-E, PW)

20. **Street Frontage Improvements.** The applicant—replace all existing street improvements (i.e., driveways and curb & gutters) along the project street frontage to City standards. (CDD-E)

21. **Caltrans Encroachment Permit.** The applicant shall obtain an encroachment permit from Caltrans for making frontage improvements within Caltrans right-of-way. As shown on the Site Plan (sheet A-010), proposed improvements include removing existing trees, planting new trees spaced 25 to 30 feet apart, modifying the existing driveway approaches with an enhanced colored concrete pedestrian path, replacing the existing 8-foot wide asphalt trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on either side, and landscaping unpaved areas with the same plant palette for the project site. In addition, the applicant as part of this permit shall request that Caltrans improve pedestrian safety by programming a pedestrian phase for the traffic signal at the intersection of Main Street (SR 152) and Auto Center Drive. (CDD-E, Caltrans)

22. **Mechanical Equipment Screening.** All new mechanical equipment and appurtenances, including gas and water meters, electrical boxes, roof vents, air conditioners, antennas, etc. visible from the public way and from adjacent properties, shall be screened with material compatible with the materials of the

building and shall be subject to the approval of the Zoning Administrator. (CDD-P)

23. **Post Construction Stormwater Ordinance.** The project is subject to the WMC Section 6-3.535 (Post Construction Requirements). The applicant shall prepare a stormwater control plan (SWCP) that demonstrates compliance with the ordinance to the satisfaction of the City Engineer, prior to issuance of a building permit. (CDD-E)

24. **Address Assignment.** Prior to building permit issuance, complete and submit an application for address assignment. (CDD-E)

25. **Ensure Avoidance of California Red-legged Frog and Western Pond Turtle (Mitigation Measure BIO-1a).** The following measures shall be implemented to ensure avoidance of individual California red-legged frog (CRLF) and western pond turtle (WPT) in the remote instance individuals were to disperse onto the site in the future in advance of or during construction.

- *Pre-construction survey:* Pre-construction surveys for CRLF shall be conducted prior to initiation of project activities (including fence installation) and within 48 hours of the start of ground disturbance activities following completion of exclusion fence installation. Surveys are to be conducted by qualified biologists with experience surveying for CRLF. If project activities are stopped for greater than 14 days, a follow-up pre-construction survey may be required within 48 hours prior to reinitiating project activities.

- *Worker Training:* All workers shall be trained by a qualified biologist to understand the remote potential for occurrence of CRLF and WPT, need to avoid any potential inadvertent take, and process to follow if a frog or turtle is encountered. If a frog is encountered in the construction zone, all work must stop and the qualified biologist must determine whether it is CRLF before work proceeds. If a CRLF is encountered in the work zone, no work can proceed until the USFWS and CDFW have been consulted and an appropriate avoidance and mitigation program developed.

  If WPT is encountered within the work zone, the individual shall be relocated to the closest suitable natural habitat by the qualified biologist or designated foreman trained by the qualified biologist.

- *Wildlife exclusion fence:* Wildlife exclusion fencing shall be installed prior to the start of construction and maintained until construction of the proposed project is complete. All work installing exclusion fencing shall be conducted under the supervision of a qualified wildlife biologist with experience in surveying for CRLF and WPT. Exclusion fencing shall, at a minimum, run along the edge of grading along the southeastern, southern and southwestern project boundaries where the site borders riparian habitat. The exclusion fencing shall be inspected on a daily basis by a designated foreman trained by the qualified biologist, and repaired immediately if any openings are detected to prevent opportunities for CRLF and WPT to enter the site. Per CRLF standards, fencing must be at least 42 inches in height (at least 36

inches above ground and buried at least 6 inches below the ground) and stakes must be place on the inside of the project (side on which work will take place).

Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibians do not get trapped. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used.

- *Earth-disturbing activities only during dry weather:* No earth disturbing activities shall take place during rain events when there is potential for accumulation greater than 0.25-inch in a 24-hour period. In addition, no earth disturbing activities shall occur for 48 hours following rain events in which 0.25-inch of rain accumulation within 24 hours. (CDD-P-B, PW)

26. **Ensure Avoidance of Bird Nests in Active Use (Mitigation Measure BIO-1b).** Tree removal, landscape grubbing, and building pad and retaining wall demolition shall be performed in compliance with the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code to avoid loss of nests in active use. This shall be accomplished by scheduling tree removal and landscape grubbing outside of the bird nesting season (which occurs from February 1 to August 31) to avoid possible impacts on nesting birds if new nests are established in the future. Alternatively, if demolition, tree removal and landscape grubbing cannot be scheduled during the non-nesting season (September 1 to January 31), a pre-construction nesting survey shall be conducted. The pre-construction nesting survey shall include the following:

- A qualified biologist shall conduct a pre-construction nesting bird (both passerine and raptor) survey within seven calendar days prior to tree removal, landscape grubbing, and/or demolition.

- If no nesting birds or active nests are observed, no further action is required and tree removal, landscape grubbing, and demolition shall occur within seven calendar days of the survey.

- Another nest survey shall be conducted if more than seven calendar days elapse between the initial nest search and the beginning of tree removal, landscape grubbing, and demolition.

- If any active nests are encountered, the Biologist shall determine an appropriate disturbance-free buffer zone to be established around the nest location(s) until the young have fledged. Buffer zones vary depending on the species (i.e., typically 50 to 100 feet for passerines and 300 feet for raptors) and other factors such as ongoing disturbance in the vicinity of the nest location. If necessary, the dimensions of the buffer zone shall be determined in consultation with the CDFW.

- Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which no construction-related equipment or operations shall be permitted.

Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone.

- No restrictions on grading or construction activities outside the prescribed buffer zone are required once the zone has been identified and delineated in the field and workers have been properly trained to avoid the buffer zone area.

- Construction activities shall be restricted from the buffer zone until the Biologist has determined that young birds have fledged and the buffer zone is no longer needed.

- A survey report of findings verifying that any young have fledged shall be submitted by the Biologist for review and approval by the City prior to initiation of any tree removal, landscape grubbing, demolition, and other construction activities within the buffer zone. Following written approval by the City, tree removal, and construction within the nest-buffer zone may proceed. (CDD-P-B, PW)

27. **Prevent Nuisance Conditions (Mitigation Measure BIO-2).** Appropriate controls shall be incorporated into the project to prevent nuisance conditions in the adjacent riparian habitat of the Watsonville Slough floodplain. These shall include controls on all exterior lighting to ensure that is be directed downward and screened to minimize spill-over off the site and developing a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night. (CDD-P)

28. **Unanticipated Discovery of Prehistoric or Historic Cultural Resources (Mitigation Measure CULT-1 and TCR-1).** If any prehistoric or historic subsurface cultural resources, including tribal cultural resources, are discovered during ground-disturbing (including grading, demolition and/or construction) activities:

- All work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5.

- If any find is determined to be significant, representatives from the City of Watsonville Building Department and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation.

- All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

- In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is

necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations.

- If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be implemented.

- Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

29. **Adhere to Geotechnical Recommendations (Mitigation Measure GEO-1, -2 and -3).** Project construction shall adhere to the recommendations of the October 9, 2018 Krazan & Associates Geotechnical Engineering Investigation for the Proposed Commercial Development on Main Street at Auto Centre Drive, which provides recommendations for excavation under and near building areas, fill removal and recompaction, engineered fill preparation, soil moisture content, and other construction details relevant to building design and site stability. As recommended in the Geotechnical Engineering Investigation, a licensed geotechnical engineer, or his/her representative, shall be present during all site clearing and grading operations to observe earthwork construction, and the consulting engineer's recommendations shall be followed.

30. **Unanticipated Discovery of Paleontological Resources (Mitigation Measure GEO-4).** The construction contractor shall incorporate the following in all grading, demolition, and construction plans:

- In the event that fossils or fossil-bearing deposits are discovered during grading, demolition, or building, excavations within 50 feet of the find shall be temporarily halted or diverted.

- The contractor shall notify the City of Watsonville Building Department and a City-approved qualified paleontologist to examine the discovery.

- The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5.

- The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.

- If the project applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The excavation plan shall be submitted to the City for review and approval prior to implementation.

31. **Intersection Operational Changes to Address Existing + Project Conditions (Mitigation Measure TR-1).** The signal system along Main Street should be

retimed to reach acceptable levels of service. The following changes should be considered:

- During the AM peak hour, the signal system along Main Street should be modified to a 110-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive with a half cycle at the Watsonville Square intersection. The segment from Pennsylvania Drive to Freedom Boulevard should be modified to a 116-second cycle with a half cycle at Rodriguez Street.

- During the PM peak hour, the signal system along Main Street should be modified from the current 135-second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120-second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- An eastbound to southbound right turn overlap should be installed at the Main Street/Ohlone Parkway – Clifford Drive intersection. This is consistent with the Sunshine Vista Phased Development Project FEIR, May 2018.

32. **Intersection Operational Changes to Address Cumulative + Project Conditions (Mitigation Measure TR-2).** The project applicant shall obtain an encroachment permit from Caltrans to implement the following changes to the signal operations and lane configuration at the Main Street/Green Valley Drive:

- During the PM peak hour, the signal system along Main Street should be modified from the current 135 second cycle between Green Valley Road and Ohlone Parkway – Clifford Drive and 120 second cycle from Pennsylvania Drive to Freedom Boulevard. The proposed signal cycle length would be 116 seconds for the entire network.

- The intersection of Main Street/Green Valley Drive approaches should be reconfigured as follows:
    - Northbound approach: two left turn lanes, one through lane, and one right turn lane.
    - Southbound approach: one left turn lane, one through lane, and one right turn lane.

- Modify the signal phasing for the eastbound and westbound approaches on Green Valley Road from split phase to protected left turns. The intersection is part of a coordinated system along Main Street and the corridor should be retimed to a 110 second cycle as a result of the geometry modifications.

Prior to permit issuance, the following conditions shall be addressed:

33. **Preconstruction Meeting.** Prior to issuance of a building permit or the commencement of any site work, the project applicant and the general contractor shall attend a pre-construction meeting with the Building Official and City staff to discuss the project conditions of approval, working hours, site maintenance and other construction matters. The general contractor shall acknowledge that

he/she has read and understands the project conditions of approval, particularly those pertaining to construction practices and site safety, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction. (CDD-P-B-E)

34. **MMRP Implementation.** The applicant shall prepare a list identifying the individuals responsible for implementing the Mitigation Monitoring and Reporting Program. The applicant shall provide upon request by the City a compliance log demonstrating all Mitigation Measures have been implemented. (CDD-P)

35. **Solid Waste Service Plan.** Solid waste generated during the construction shall be serviced by the City of Watsonville Solid Waste Division. Applicant shall submit a Solid Waste Service Plan on the City form for review and approval. (CDD-E)

During construction, the following conditions shall be adhered to:

36. **Superintendent.** Applicant shall have onsite at all times, a superintendent that shall act as the applicant's representative and as a point of contact for the City's Public Works Inspector. The superintendent shall be authorized by the Owner to direct the work of all contractors doing work on public and private improvements. (CDD-E, PW)

37. **Best Management Practices (BMPs).** Provide BMPs during construction to prevent sediment, debris and contaminants from draining offsite. BMPs shall comply with the City of Watsonville Erosion Control Standards and the Erosion and Sediment Control Field Manual by the California Regional Water Quality Control Board, San Francisco Region, latest edition. All erosion control shall be installed prior to October 15 and be maintained in place until April 15. Provide a note on the improvement plans stating that construction should take place between April 15 and October 15. The applicant shall ensure that all contractors are aware of all erosion control standards and BMPs. (CDD-E)

38. **Solid Waste Disposal.** All solid waste generated inside City limits must be hauled from the site of generation by the City of Watsonville Solid Waste Division, pursuant to Chapter 3 (City Utilities) of Title 6 (Sanitation and Health) of the Watsonville Municipal Code. This includes all wastes generated at construction sites, excavation projects, land clearing, demolition, earthwork projects, remodels, grading, and tenant improvement projects as well as ongoing business/residential use on the premises. Applicant shall comply with all applicable requirements for removal and disposal of hazardous materials. (PW)

39. **Work Hours.** No work for which a building permit is required shall be performed within the hours of 7 p.m. to 7 a.m., Monday through Friday, nor prior to 8 a.m. or after 5 p.m. on Saturday. No Work shall occur on Sundays or holidays. A sign shall be posted at a conspicuous location near the main entry to the site, prominently displaying these hour restrictions and identifying the phone # of the Job superintendent. (CDD-B)

40. **Dust Control.** To minimize dust/grading impacts during construction the applicant shall:
    a. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day to minimize dust.
    b. Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.
    c. Sweep the adjacent street frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
    d. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off-site.
    e. The City shall have the authority to stop all grading operations, if in opinion of City staff, inadequate dust control or excessive wind conditions contribute to fugitive dust emissions. (CDD-E)

41. **Unanticipated Discovery of Contaminated Soils.** In the unlikely event that contaminated soils are discovered during the earth-moving activities, all development activities shall cease immediately and remain stopped until an assessment has been completed by a geotechnical firm approved by the City. If remediation is necessary, the applicant shall enter into a Remedial Action Agreement with the Santa Cruz County Environmental Health Service Agency. (CDD-P-E)

Construction notes to be included with the Improvement Plans:

42. **Damaged Public Facilities.** Existing public facilities damaged during the course of construction or in an existing state of disrepair shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (CDD-E)

43. **Inspection Notice.** Contractor shall provide a minimum of 48 hours notice in advance of any required inspection. Any temporary suspension of work or returning to work for any reason shall be cause for the developer or contractor to telephone the Public Works Inspector at 831-768-3100. (CDD-E)

44. **Underground Utilities.** Prior to excavation, contractor shall locate all existing underground utilities. Call Underground Service Alert (U.S.A.) at 1-800-642-2444 to have utilities located and marked in the field. (CDD-E)

Prior to Final Inspection or Certificate of Occupancy, the following conditions shall be met:

45. **Statements of Compliance.** All project designer professionals who prepared plans for the project (*e.g.*, civil, structural, and geotechnical engineers) shall provide statements of compliance attesting that they have reviewed the completed project and that it was constructed in conformance with their recommendations and plans. Where special inspections and testing were involved, the letters of compliance shall be accompanied by inspection logs, testing and analysis that support the engineer's conclusions. (CDD-B-E)

46. **Landscaping Installation.** All landscaping and irrigation shall be installed and approved by Community Development Department staff. (CDD-P-E)

47. **Trash Removal.** All trash and construction debris shall be removed from the site. (CDD-B, PW)

Ongoing Conditions:

48. **Post Construction Stormwater Ordinance – Inspection, Maintenance and Annual Reporting.** Applicant shall perform inspections, maintenance to the post-construction stormwater management facilities and report to the City each year on these activities. (CDD-E, PW)

49. **Solid Waste Service.** All trash, recycling and greenwaste materials generated onsite shall be disposed of at a City-approved landfill or recycling center. The applicant shall contact the Solid Waste Division of the City Public Works Department to coordinate disposal of all trash, recycling and greenwaste materials. (PW)

50. **Trash Enclosure Maintenance.** Trash and recycling enclosure shall be maintained to the satisfaction of Watsonville Municipal Services. (PW)

51. **Lighting and Landscape Maintenance.** Lighting, landscaping and all other site improvements shall be maintained in perpetuity. Landscaping shall be maintained in good growing condition by a professional landscape maintenance company; and such maintenance shall include, where appropriate, weeding, mowing, pruning, cleaning, fertilizing and regular watering. All dead, dying and diseased vegetation shall be immediately replaced in kind. (CDD-P)

52. **Ongoing Maintenance.** Common (patio) areas, landscaping, street trees, driveways, parking spaces, walks, fences and walls shall be maintained on an ongoing basis by the property owner(s) for the entire development area. (CDD-P)

53. **Mitigate Potential Attractive Pest Nuisance.** To ensure trash enclosures do not attract nuisance pest species, such as Norway rat, raccoon, and opossum, the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night.

Future Sign Permit:

54. **Sign Permit.** Any new or proposed changes in the exterior signage for the premises shall require Sign and Building Permits through the Community Development Department. (CDD-P-B)

Indemnity Provision:

55. **Indemnity Provision.** The applicant shall sign a defense and indemnity contract agreeing to defend, indemnify, and hold harmless the City of Watsonville, its elected and appointed officials, officers, employees, and agents arising out

Special Use Permit with Design Review and Environmental Review (PP2018-248), including but not limited to any approval or condition of approval of the City of Watsonville Planning Commission or City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning this permit and the applicant and City shall cooperate fully in the defense of the matter. The City reserves the right to select counsel in the defense of the matter. (CA)

Key to Department Responsibility

CDD-B – Community Development Department (Building)
CDD-P – Community Development Department (Planning)
CDD-E – Community Development Department (Engineering)
PW – Public Works Department
WFD – Watsonville Fire Department
CA – City Attorney

CITY OF WATSONVILLE
CITY COUNCIL

EXHIBIT "C"

Application No: PP2018-248
APNs: 018-261-14 & -29
Applicant: Boos Development
Hearing Date: February 25, 2020

Applicant:	Rod Fermin, Boos Development Group, Inc.
Property Owner:	975 Main Street Associates LLC
Address:	400 Beach Street, Santa Cruz, CA 95060
Project:	Special Use Permit with Design Review and Environmental Review
Location:	975-1075 Main Street, Watsonville, CA 95076
Purpose:	Allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities

A Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California (APNs 018-261-14 & -29), was reviewed by the Planning Commission at a public hearing on December 3, 2019, was reviewed by the City Council, upon appeal, at a public hearing on February 25, 2020, and was conditionally approved by adoption of City Council Resolution No._____(CM) together with findings and conditions of approval attached hereto and made a part of this permit.

CITY OF WATSONVILLE
City Council

_____
Suzi Merriam
Community Development Director

From: **steve trujillo** <c[redacted]
Date: Fri, Feb 21, 2020 at 10:39 AM
Subject: check out the story about our slough trails in today's Pajaronian by Todd Guild
To: mayor@cityofwatsonville.org <mayor@cityofwatsonville.org>, citycouncil@cityofwatsonville.org <citycouncil@cityofwatsonville.org>, citymanager@cityofwatsonville.org <citymanager@cityofwatsonville.org>, Tony Nunez [redacted]

the headline calls it a "county gem". the trails back up to the property at auto center drive and Main st. only a fool would not recognize the pristeen value of this trail system and insist that drive through restaurants on this site would benefit the great herons and other bird life that benefit from it. this is the PAJARO VALLEY, not the DRIVE THROUGH VALLEY. let us make it convenient for the birds, like the great heron , to fly and land in our trail system to GET FOOD without being gassed by CO2. but i guess because they cant vote, they dont count to SOME of you.
They count to me. and we dont need an in and out burger place. we need to preserve the in and out food supply for our birdlife. WITHOUT THE NOISE AND CO2 OF ENDLESS IDLING CARS.
the fact that some of cant see that makes me wonder about financial rewards from the junk food drive though developers to elected officials, hypothetically speaking , of course.

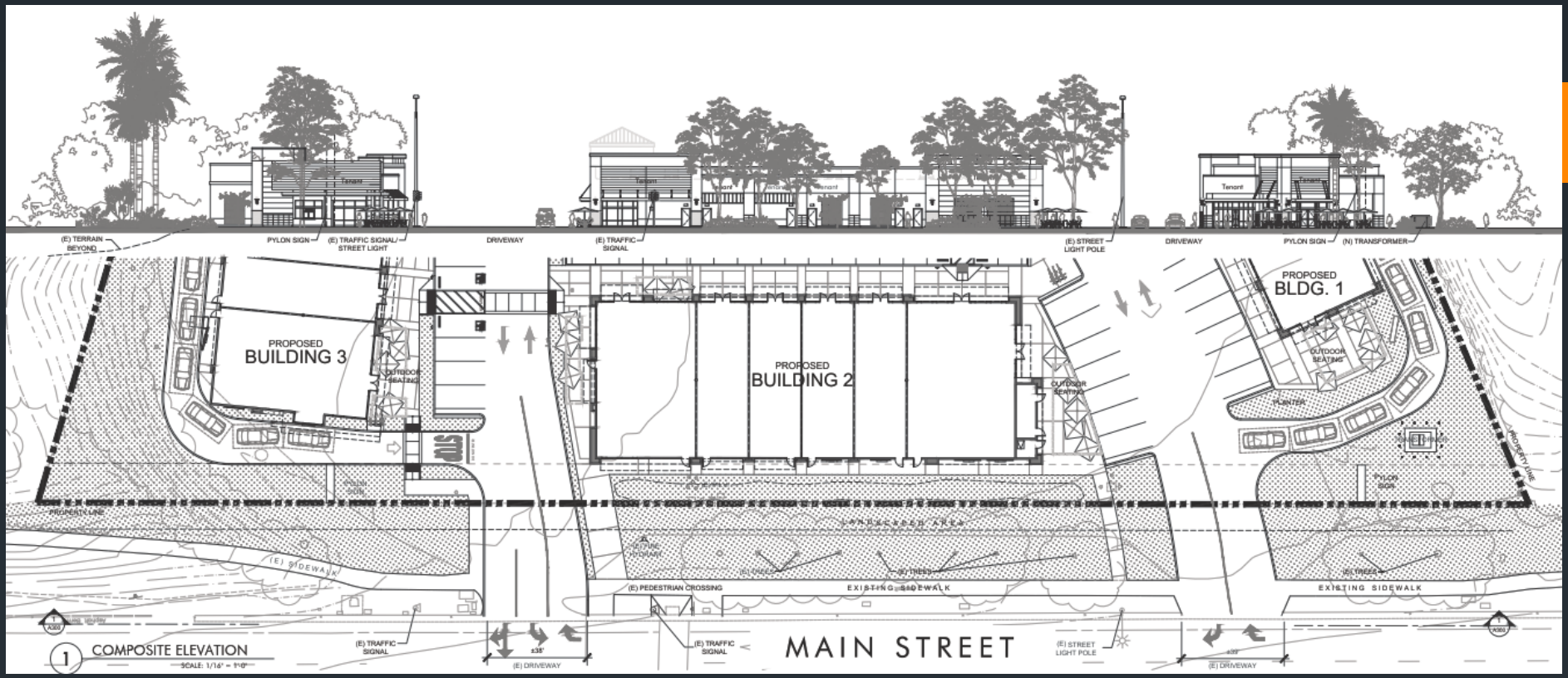
steve Trujillo

No drive-through on Main

Kathleen Kilpatrick Tue, Feb 25, 2020 at 2:29 PM
To: lowell.hurst@cityofwatsonville.org, cityclerk@cityofwatsonville.org

I just heard the council will be discussing the two proposed drive- through on Main, across from the Grocery Outlet et al. I was under the impression this plan had already been voted down. As a resident with concerns about both community and environmental health, I strongly opposed this proposal. To list a few of the many reasons:
Watsonville already has too many fast food restaurants. No matter what kind of food is sold, it is likely to be high in calories, fat, and sodium.
Packaging is often discarded on the street, could further pollute the nearby wetlands, and adds to the city's overall waste management problems.
Cars idling while waiting, or making extra trip to purchase and deliver food increase carbon fuel consumption and emissions.
Watsonville also has a high pedestrian fatality rate, at least two of which occurred close to that site. The concentration of homeless and mentally ill people in that vicinity increases the potential traffic hazards.
A location like that, with waving palms and a view of greenery would be better utilized as an addition to city park land, or for small-scale local businesses like those forced out when Kaiser took over the nearby mall. Even a sit-down restaurant where people could socialize and enjoy the view would be better than a drive-through.
Due to a schedule conflict, I am unable to attend tonight's meeting. I hope you have the opportunity to read and consider my concerns before making a decision.
Thanks! Kathleen Kilpatrick

Sent from my iPad



975-1075 Main Street

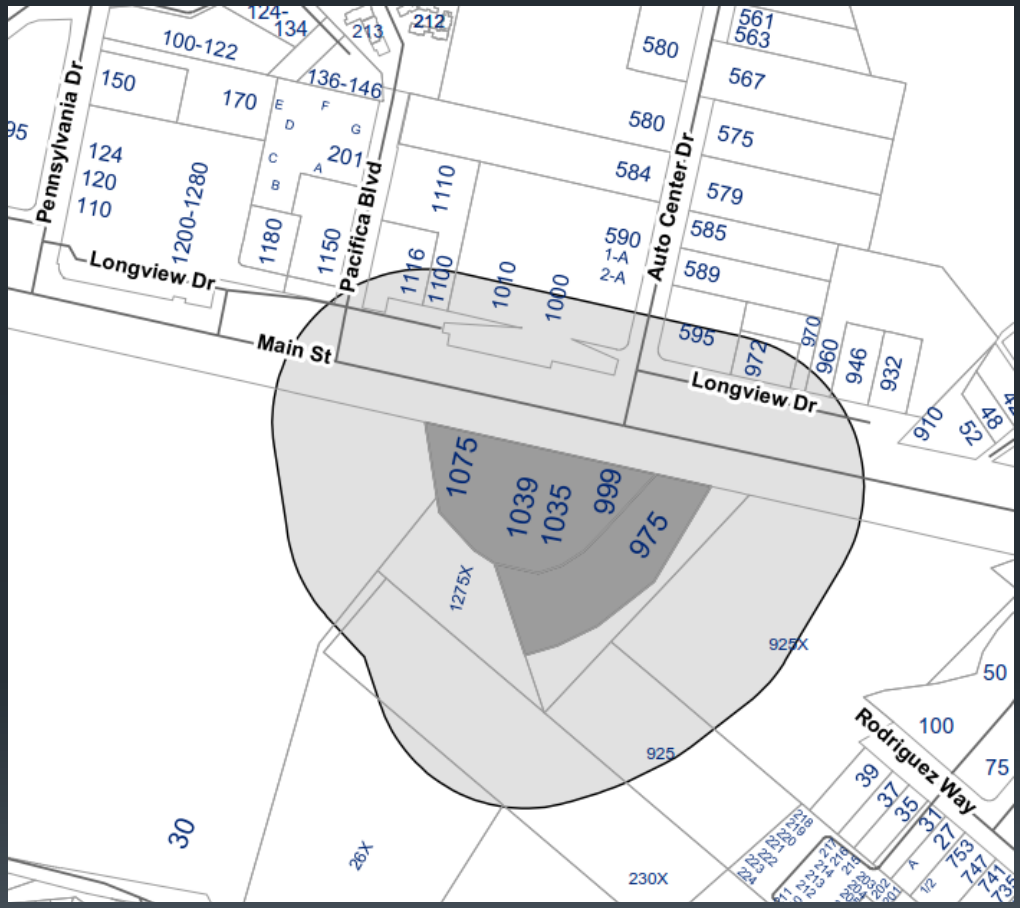
Appeal of Planning Commission Decision

Three commercial buildings & two drive-through facilities

City Council | February 25, 2020

Overview

- Project background
- Recommendation
- Issues discussed
- PC action
- Appeal
- New conditions
- Revised motion



- Not “de novo” review
  - Hearing limited to the Appeal


999-1075 Main St
(APN 018-261-14)
975 Main St
(APN 018-261-29)
General Plan: GC (General Commercial)
Zoning: CT (Thoroughfare Commercial)

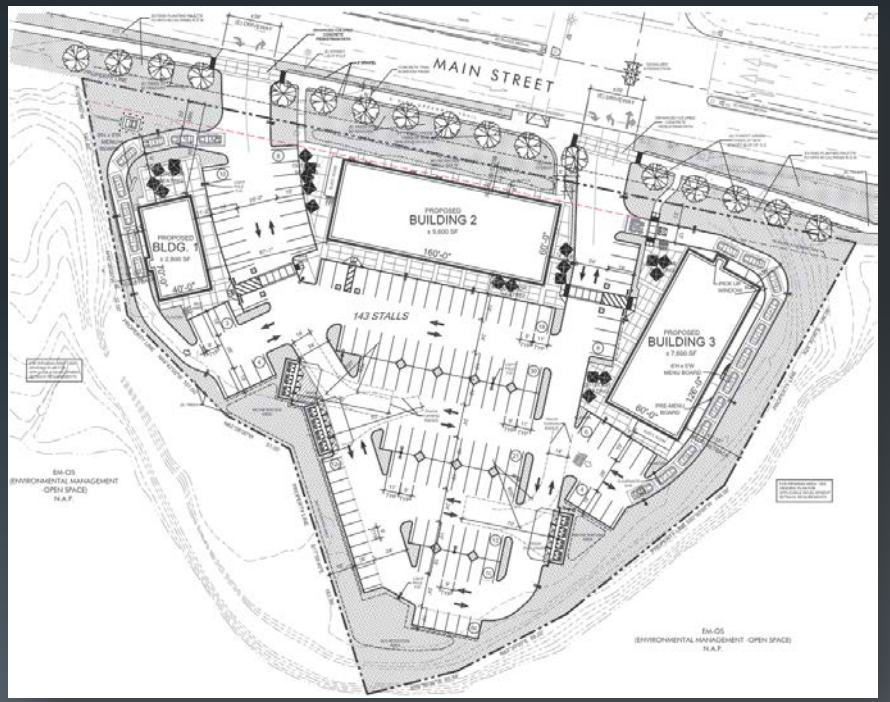
CT Zoning

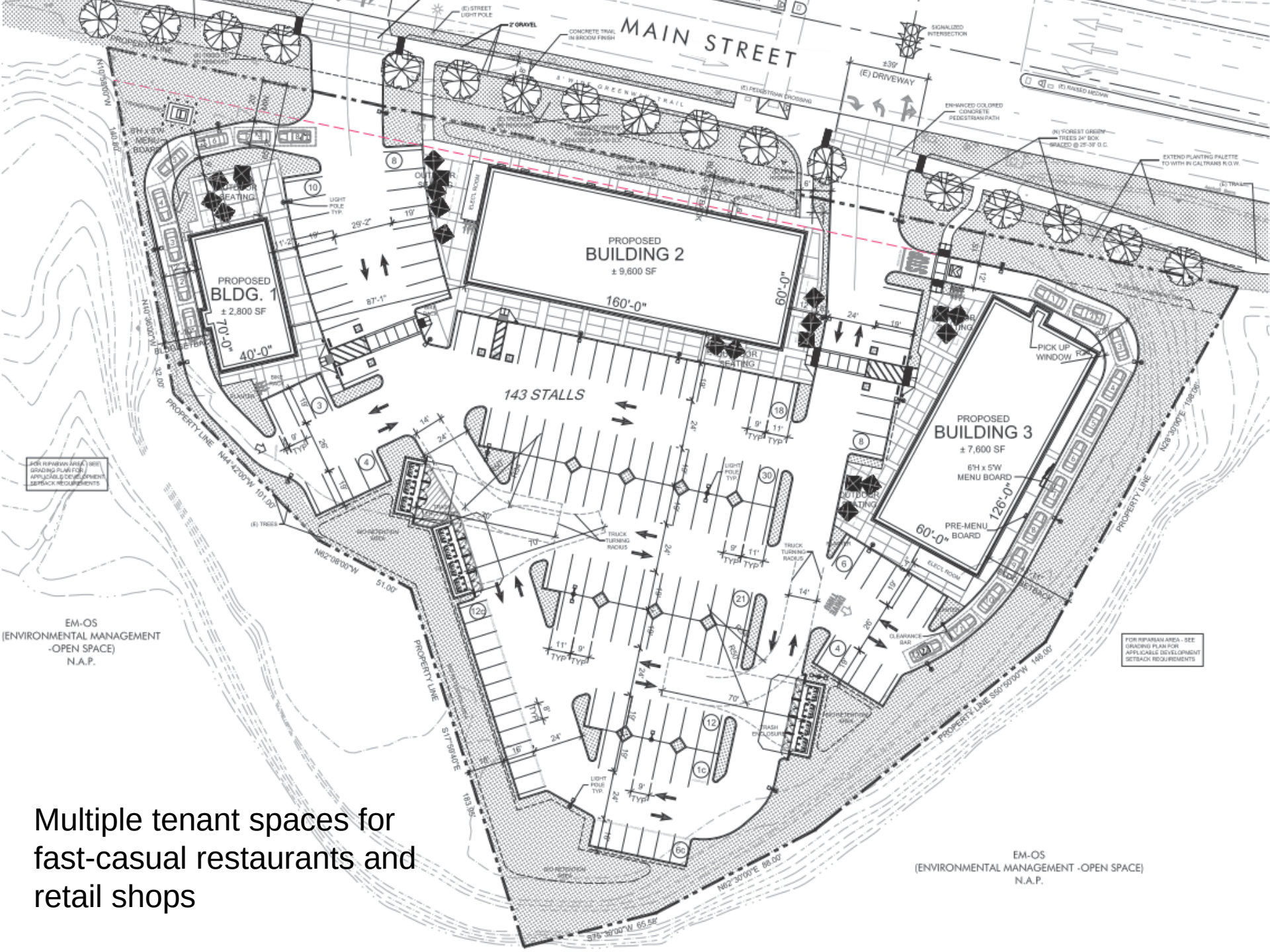
- Purpose
  - Provide for **retail**, **commercial**, **service**, amusement, and transient-residential uses which are appropriate to thoroughfare location and **dependent upon thoroughfare travel**;
  - Be located only in the immediate vicinity of **major streets** and arterials or on the service drives thereof; and
  - Provide **convenient vehicular access** and parking for the public

- Conditionally permitted
  - Eating places w/ drive-through facilities

Background & Project Description

- Requested entitlements
  - Special Use Permit w/ Design and Environmental Review
- Proposed project
  - 3 buildings (20,000± sf)
  - 2 drive-thrus
  - Outside seating
  - Bicycle racks
  - New landscaping
  - New trash enclosures





Multiple tenant spaces for fast-casual restaurants and retail shops



Staff Recommendation

- That the Planning Commission adopt separate Resolutions:
  1. Adopting a Mitigated Negative Declaration (MND) and
  2. Approving Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street (APNs 018-261-14 & -29)



SUP/DR Findings

- Findings in support of granting the requested Special Use Permit with Design Review based on **substantial evidence**

Issues Discussed

- Housing
- Permitted uses in the CT zone
- Traffic volumes, congestion and safety
- Pedestrian and bicyclist safety
- GHG emissions in drive-through lanes

Planning Commission Actions

- Planning Commission considered
  - Resolution to adopt MND
  - Resolution to approve SUP/DR

- Motion to adopt failed by a vote of 0-5-2
- No subsequent motion(s) to approve, modify or deny

Appeal

- Reasons for error

Attachment 4

PELOSI LAW GROUP

Miriam Montesinos
415-735-0482
miriam@pelosilawgroup.com

December 13, 2019

Mayor Francisco Estrada
and Members of the City Council
275 Main St., Suite 400 (4th Floor)
Watsonville, CA 95076

Re: Appeal of December 3, 2019 Planning Commission Action Regarding 975-1075 Main Street (Agenda Item 6.A; PP2018-248)

Dear Mayor Estrada and Councilmembers:

We are submitting this letter on behalf of our client, 975 Main Street Associates, LLC, to appeal the Planning Commission's action on December 3, 2019 regarding an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling approximately 20,000 square feet and including two drive-through facilities ("Project") located at 975-1075 Main Street ("Project Site"). As you are aware, at that hearing, the Planning Commission failed to pass a motion to accept staff's recommendation to (a) adopt a Resolution adopting a Mitigated Negative Declaration, and (b) adopt a Resolution approving a Special use Permit with Design Review and Environmental Review.

We consider the Planning Commission's decision to be in error on the following specific grounds:

1. The Planning Commission's action was erroneous because it did not present any evidence in support of its action to not adopt staff's recommendation and approve the two resolutions before it.
   - Presumably, the Planning Commission determined that the Project is inconsistent with the General Plan. However, the Planning Commission did not present any evidence of how the Project is inconsistent. On the other hand, the record includes significant discussion regarding the Project's consistency with numerous General Plan goals and policies.
   - The Planning Commission's decision on the Special Use Permit with Design Review was an adjudicative/quasi-judicial decision that required findings, either for denial or approval (as recommended by staff), which findings must be supported by substantial evidence, yet the Planning Commission provided no findings in support of a denial.

Appeal

- Additional evidence

Attachment 5

PLG PELOSI LAW GROUP

Miriam Montesinos
415-735-0482
miriam@pelosilawgroup.com

January 17, 2019

VIA EMAIL

Watsonville City Council
275 Main St., Suite 400 (4th Floor)
Watsonville, CA 95076

Re: 975 Main Street – Supplement to Appeal from Planning Commission's Decision

Dear Councilmembers:

We are submitting this letter on behalf of our client, 975 Main Street Associates, LLC, to supplement our appeal letter submitted on December 16, 2019.

As stated in our December 16th appeal letter, the action taken by the Planning Commission was erroneous and was inconsistent with the intent of the zoning district regulations that regulate the proposed action. The following provides additional substantial evidence in support of a finding that the Planning Commission's action was inappropriate.

Based upon all the information provided, we respectfully request that the City Council overrule the action of the Planning Commission.

A. The Planning Commission's Action Was Erroneous Because It Did Not Present Any Evidence in Support of Its Action

When acting on a project in an adjudicatory/quasi-judicial role, the decisionmaking body must present information in support of its action. Here, during deliberations on whether to approve a motion to adopt staff's recommendations, Planning Commissioners expressed their views on issues such as whether they want to see any more drive-throughs developed in the City (despite the Zoning Code currently allowing them), if the Project Site presents an opportunity for a mixed-use development (even though not it is not an allowed use), and how the Project could create carbon dioxide impacts (although the data shows otherwise), among others. At no point during the deliberations did a Planning Commissioner present any evidence in support of his or her personal views. Such lack of evidence in support of the Planning Commission's action to reject staff's recommendation, which was founded up a significant amount of substantial evidence, resulted in the action being erroneous.

Standards of Review

- Applying adopted policies and development regulations
- Council to judge whether PC’s decision was erroneous
- Council may sustain, modify or overrule PC’s action
- Substantial evidence test

Applicant's Request

- Overrule PC's action and adopt:
  1. Resolution adopting MND
  2. Resolution approving SUP/DR

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE OVERTURNING THE DECEMBER 3, 2019, PLANNING COMMISSION ACTION AND THEREBY APPROVING A SPECIAL USE PERMIT WITH DESIGN REVIEW AND ENVIRONMENTAL REVIEW (PP2018-248) TO ALLOW THE CONSTRUCTION OF THREE ONE-STORY COMMERCIAL BUILDINGS TOTALING 20,000± SQUARE FEET AND INCLUDING TWO DRIVE-THROUGH FACILITIES ON A 3.05± ACRE SITE LOCATED AT 975-1075 MAIN STREET, WATSONVILLE, CALIFORNIA (APNS 018-261-14 & -29)

WHEREAS, on September 27, 2018, an application for a Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street, Watsonville, California, was filed by Boos Development Group, Inc., applicant, on behalf of 975 Main Street Associates LLC, property owner; and

WHEREAS, the project site is designated General Commercial and Environmental Management on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) and Environmental Management Open Space (EM-OS) Zoning District; and

WHEREAS, pursuant to Sections 14-16.1203(b) and 14-41.101 of the Watsonville Municipal Code (WMC), eating and drinking places with drive-through facilities (DLU 581) are allowed conditionally in the CT Zoning District with issuance of a Special Use Permit; and

WHEREAS, pursuant to WMC Section 14-12.400, development subject to Design Review include all new construction, exterior remodeling, additions, or changes

MND Resolution

- Revise agenda language to reference MMRP
  - Resolution overturning the December 3, 2019 Planning Commission action and thereby adopting the Mitigated Negative Declaration (PP2018-248) for the commercial redevelopment project, consisting of the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street; *and adopting a Mitigation Monitoring and Reporting Program for the project, in accordance with the California Environmental Quality Act*

Applicant's Proposed Revisions

- **Create bicycle friendly access**
  - by widening the 3 sidewalks that enter the site to 8 feet to match the width of the existing City pedestrian/ bicycle path along Main Street
- **Create a better bicycle interface with Building 1**
  - by relocating the bike racks from the rear of the building to be adjacent to the front door and the outside seating area
- **Improve pedestrian safety**
  - by working with **Caltrans** to create a pedestrian delay at the crosswalk at the Main Street and Auto Center Drive traffic signal

New Conditions of Approval

- The applicant shall revise the Site Plan to widen all **walks** entering the site to **8 feet** to match the width of the existing City pedestrian/bicycle path along Main Street

- The applicant shall revise the Site Plan to **move** the **bike racks** from the rear of Building 1 to a location adjacent to the front door and the outside seating area

- The applicant shall request that Caltrans improve pedestrian safety by programming a **pedestrian phase** for the traffic signal at the intersection of Main Street (SR 152) and Auto Center Dr

Amend Condition #16

- **Site Plan Revisions.** The applicant revise the Site Plan to remove any “pre-menu board” signs. The Site Plan may have only one 6'H x 5'W menu board for each drive-through facility. (CDD-P)

Amend Condition #16

- **Site Plan Revisions.** The applicant revise the Site Plan to:
  a) Remove any “pre-menu board” signs. The Site Plan may have only one 6'H x 5'W menu board for each drive-through facility;
  b) Widen all walks entering the site to 8 feet to match the width of the existing City pedestrian/bicycle path along Main Street; and
  c) Move the bike racks from the rear of Building 1 to a location adjacent to the front door and the outside seating area (CDD-P)

Amend Condition #21

- **Caltrans Encroachment Permit.** The applicant shall obtain an encroachment permit from Caltrans for making frontage improvements within Caltrans right-of-way. As shown on the Site Plan (sheet A-010), proposed improvements include removing existing trees, planting new trees spaced 25 to 30 feet apart, modifying the existing driveway approaches with an enhanced colored concrete pedestrian path, replacing the existing 8-foot wide asphalt trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on either side, and landscaping unpaved areas with the same plant palette for the project site. (CDD-E, Caltrans)

Amend Condition #21

- **Caltrans Encroachment Permit.** The applicant shall obtain an encroachment permit from Caltrans for making frontage improvements within Caltrans right-of-way. As shown on the Site Plan (sheet A-010), proposed improvements include removing existing trees, planting new trees spaced 25 to 30 feet apart, modifying the existing driveway approaches with an enhanced colored concrete pedestrian path, replacing the existing 8-foot wide asphalt trail parallel to Main Street with an 8-foot wide concrete trail and 2-foot gravel shoulder on either side, and landscaping unpaved areas with the same plant palette for the project site. In addition, the applicant as part of this permit shall request that Caltrans improve pedestrian safety by programming a pedestrian phase for the traffic signal at the intersection of Main Street (SR 152) and Auto Center Drive (CDD-E, Caltrans)

Revised Motion

- Switch the order
- Revise MND Resolution title to include language adopting MMRP
- Include by reference new Conditions of Approval for SUP/DR Resolution

1st Resolution

- Resolution overturning the December 3, 2019 Planning Commission action and thereby adopting the **Mitigated Negative Declaration** (PP2018-248) for the commercial redevelopment project, consisting of the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street; and adopting a Mitigation Monitoring and Reporting Program for the project, in accordance with the California Environmental Quality Act

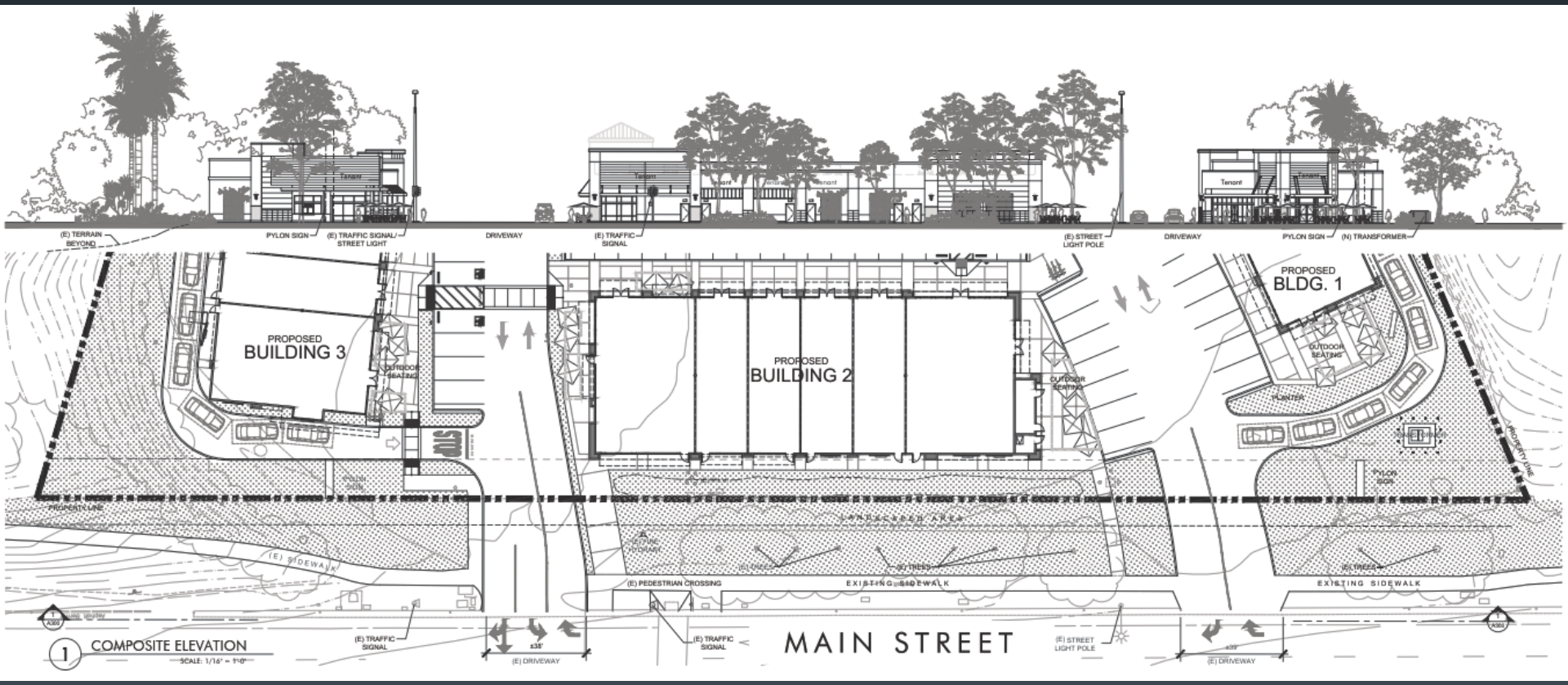
2nd Resolution

- Resolution overturning the December 3, 2019 Planning Commission action and thereby approving a **Special Use Permit with Design Review and Environmental Review** (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street
- And amend Exhibit B to this Resolution to include the three new conditions

Revised Motion

1. Adopt Resolution adopting MND
   - Revise MND Resolution title to include language adopting MMRP

2. Adopt Resolution approving project entitlements
   - Include by reference new Conditions of Approval for SUP/DR Resolution



Composite
ELEVATION


MAIN STREET HIGHWAY 152
TYPICAL BIOSWALE PLANTINGS
CAL TRANS ROW PLANTED WITH LOW DENSITY MASSINGS OF DROUGHT TOLERANT GROUND COVERS AND ACCENTS.
PROPOSED BUILDING
PROPOSED BUILDING
PROPOSED BUILDING
TYPICAL BIOSWALE PLANTINGS
AREA USED FOR SHADE CALCULATIONS
BUILDING'S PLANTERS, MODERATE DENSITY PLANTINGS, MODERATE WATER USE.
PARKING LOT PLANTERS, SHADE TREES WITH LOW GROUND COVERS AND MULCH
TYPICAL BIOSWALE PLANTINGS
PERIMETER PLANTERS WITH LOW DENSITY, DROUGHT TOLERANT SHRUBS AND GROUND COVERS.
MAXIMUM APPLIED WATER ALLOWA
MAWA = (ETo) (0.62) (LA) (0.62)
ETo
480,410 GAL/YEAR = 37.7
ESTIMATED TOTAL WATER USE

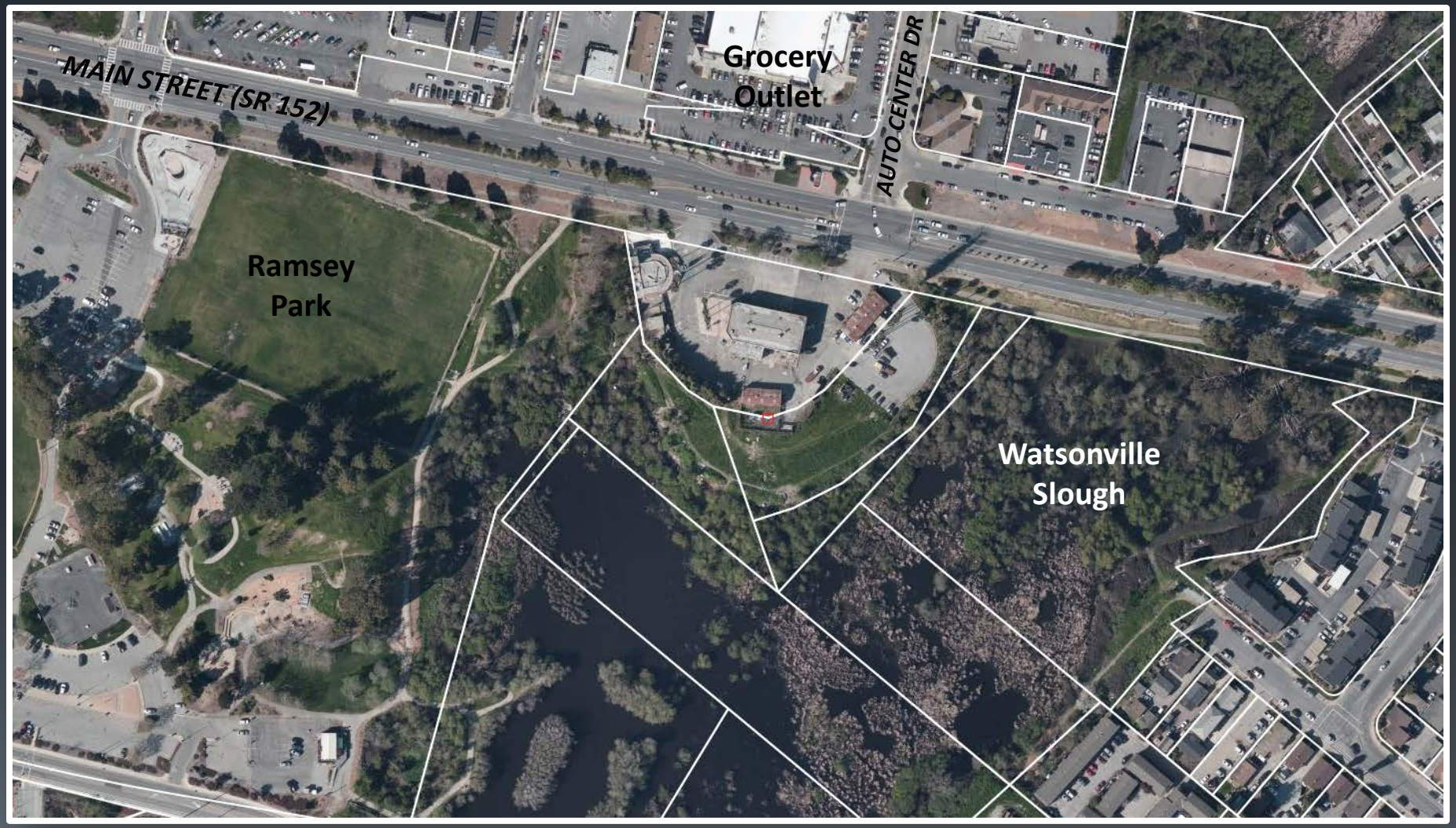


Existing Site

- **Project site:** 3.05± acres
- **Current use:** vacant
- **Former use:** commercial (market, restaurant, and auto services)
- Located off Main Street (SR 152) at Auto Center Drive






MAIN STREET (SR 152)
Grocery Outlet
AUTO CENTER DR
Ramsey Park
Watsonville Slough

Procedure

- **Special Use Permit** to allow an eating and drinking place with drive-through facilities (DLU 581), pursuant to WMC §§ 14-12.1203(b) and 14-41.101

- **Design Review** for all new construction, exterior remodeling, additions, or changes in use requiring additional parking, pursuant to WMC § 14-10.1000

- **Environmental Review** pursuant to CEQA

Discussion

- Compatible use
- Conformity w/ District Requirements and City Standards
- Design
- Access/Circulation/Transportation
- Landscaping
- Riparian buffer
- Lighting
- Trash enclosures
- Drainage
- Flood hazard prevention

Compatible Use

- Proposed uses: fast-casual restaurants and retail shops
- Complement other commercial uses along Main Street
- Convenient location for patrons along major arterial
- New modern buildings
- Site abuts existing utilities
- Maintain 30-foot buffer from riparian habitat*
- No development proposed in Environmental Management area

** Applies to new development on undisturbed land*

Project Consistency

- Conforms with CT Zoning District development regulations
  - Building height < 35 feet
  - Set back > 15 feet





Project Consistency

- Conforms with drive-through facility restrictions
  - Only one drive-through facility w/in 200 feet of intersection
  - Drive-through lane width > 14 feet on curves
  - Drive-through lane width > 11 feet on straight sections
  - Drive-through lane setback > 20 feet from public R/W
  - Stacking > 4 cars
  - Internal circulation exit (not public R/W)
  - Landscaping screens drive-through lane & menu board

Project Consistency

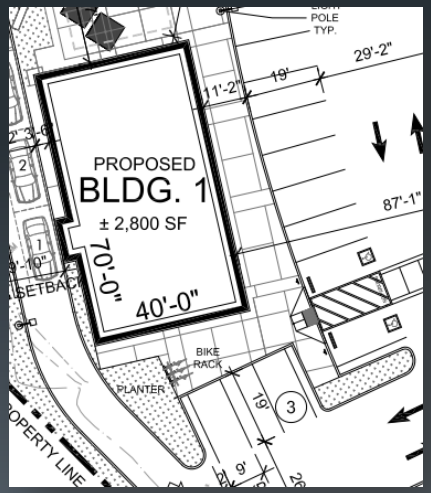
- Conforms with City standards
  - Provided parking > required parking
  - Provided: 143
  - Required: 134*

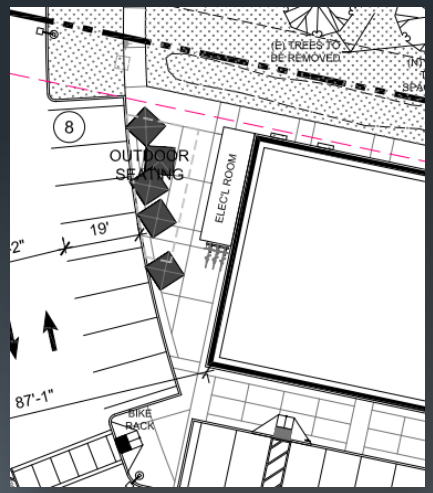
** Based on the following proportion of retail and restaurant uses:*

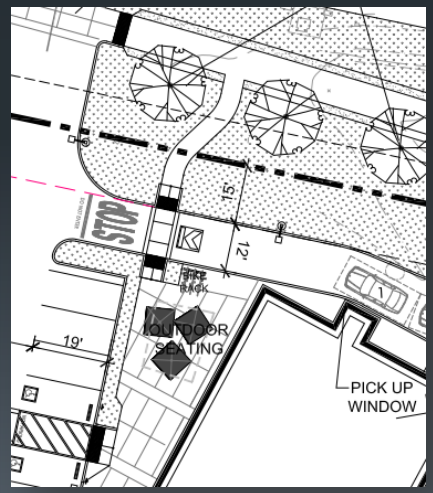
- *2 restaurants (w/ drive-through facilities): 5,100 sf*
- *7 restaurants (w/o drive-through facilities): 11,300 sf*
- *3 retail shops: 3,600 sf*

Bicycle Parking

- 3 bike racks proposed in prominent
- Located next to each building







Architectural Design

- Modern appearance
- Well composed, articulated and consistent façades



Architectural Design

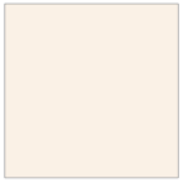
- Visual interest
  - Varied wall planes
  - Variety of colors and finish materials
  - Varying roof heights and tower elements
  - Same architectural elements on all sides
  - Back of house softened by landscape wall panels



Building Materials

- Primarily stucco
- Punctuated by recessed walls
- Fiber cement board provides smooth lap siding appearance
- Tile at base





A PAINT: SW 7104 COTTON WHITE
BY: SHERWIN WILLIAMS



B PAINT: SW 7641 COLONNADE GRAY
BY: SHERWIN WILLIAMS



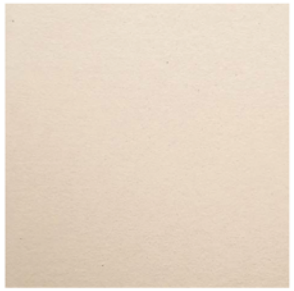
C PAINT: SW 6121 WHOLE WHEAT
BY: SHERWIN WILLIAMS



D PAINT: SW 2849 WESTCHESTER GRAY
BY: SHERWIN WILLIAMS



E PAINT: SW 6886 INVIGORATE
BY: SHERWIN WILLIAMS



1 STUCCO
FINISH: SMOOTH STEEL TROWEL
BY: HIGHLAND STUCCO

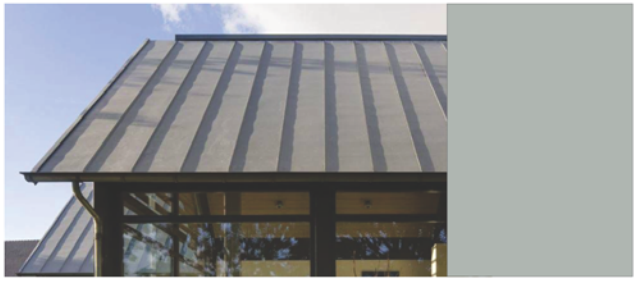


2 STOREFRONT SYSTEM
COLOR: CLAUDIA ALUMINUM
BY: ARCADIA ALUMINUM





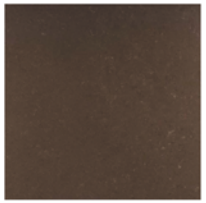
5 FIBER CEMENT BOARD
MODEL: HARDIE PANEL SMOOTH LAP SIDING
FINISH: SMOOTH
BY: JAMES HARDIE



6 METAL ROOF
MODEL: PC SYSTEM BATTEN SEAM
COLOR: DOVE GREY
BY: ATAS



7 TILE BASE
MODEL: UNITY-MODERN LINEAR
COLOR: UNPOLISHED 'GRIGIO'
GROUT: MAPEI 'MOON WHITE' 103
BY: DALTILE



8 TILE BASE
MODEL: UNITY - 12"x24"
COLOR: 'COFFEE'
GROUT: MAPEI 'BLACK' 120
BY: DALTILE



9 METAL CANOPY
FINISH: PAINTED STEEL
BY: GENERAL CONTRACTOR



10 DECORATIVE LIGHT FIXTURE
MODEL: ECLIPSE MINI EC 603
COLOR: MATTE SILVER
BY: LUMINIS



11 WALL SCONCE (SERVICE DOORS)
MODEL: LASER SERIES - LED LAS5562
COLOR: BLACK
BY: US ARCHITECTURAL LIGHTING



12 GREENSCREEN
BY: GENERAL CONTRACTOR



13 CONCRETE PAVING
FINISH: MEDIUM BROOM, SAW CUT
COLOR: 'SPANISH GOLD' 5084
BY: DAVIS COLORS



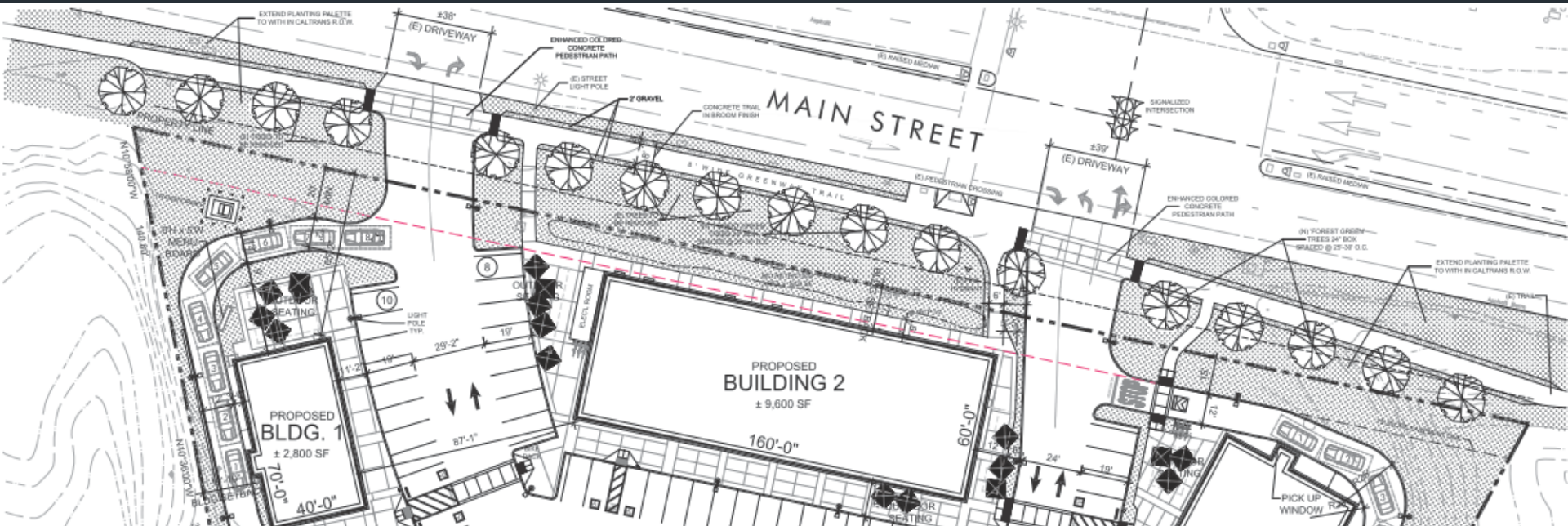
14 TRASH RECEPTACLES
TYPE: SDC-36
COLOR: BLACK
BY: VICTOR STANLEY



15 BIKE RACKS
MODEL: BRWS-101
COLOR: BLACK
BY: VICTOR STANLEY

Access/Circulation

- Existing access from Main Street (SR 152)
- Minor changes to signal phasing & lane striping proposed



Access/Circulation

- Proposed changes
  - Modify the **traffic signal** to include **protected left turn** movements along Auto Center Drive and the project access
  - Modify the southbound Auto Center Drive **striping** to include a **left turn lane and a through-right lane**

- All improvements would meet Caltrans design requirements

Transportation

- Mitigation Measures TR-1 & -2 would improve traffic operations
  - Retime signal system along Main Street
    - Between Green Valley Rd and Ohlone Pkwy/Clifford Dr
    - Between Pennsylvania Dr and Freedom Blvd
- Signal timing is a technique traffic engineers use
  - Requires Caltrans implementation
  - No physical changes needed

Existing Traffic

Location	AM Peak Hour		PM Peak Hour		Noon Peak Hour	
	LOS	Average Delay	LOS	Average Delay	LOS	Average Delay
1. Main St / Green Valley Rd	D	39.0	**D**	50.4	C	28.8
2. Main St / Watsonville Square Shopping Center	A	7.9	B	14.7	B	14.9
3. Main St / Ohlone Parkway – Clifford Dr	D	36.0	**D**	54.1	**D**	35.9
4. Main St / Pennsylvania Dr	B	13.4	B	18.6	B	13.9
5. Main St / Auto Center Dr – East Project Access	B	14.2	B	18.2	B	16.0

*For intersections already operating at unacceptable LOS D, E, or F, a significant impact would occur if the project would cause overall delay to increase by at least **0.1 second***

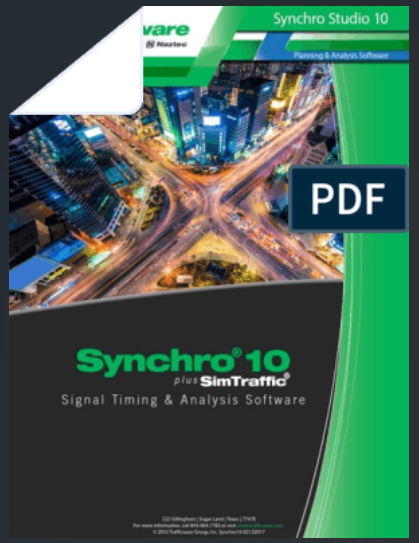
Existing + Project Conditions

Intersection	Peak Hour[a]	Existing Without Project		Existing Plus Project	
		Delay	LOS	Delay	LOS
1. Main St / Green Valley Rd	AM	39.0	**D**	38.8	**D**
	PM	50.4	**D**	**52.8**	**D**
	Noon	28.8	C	29.8	C
3. Main St / Ohlone Parkway – Clifford Dr	AM	36.0	**D**	**39.1**	**D**
	PM	54.1	**D**	**55.0**	**E**
	Noon	35.9	**D**	34.5	C

*Bold red indicates that the project would cause the overall delay to increase by at least **0.1 second***

Proposed Mitigation

- Re-time signal system along Main St (SR 152)
  - Signal timing optimized using Synchro / SimTraffic
- Adjust signal cycles
  - Objective: reduce overall delay



Intersection	**Existing** (seconds)	**Proposed** (seconds)
Green Valley Rd to Ohlone Pkwy – Clifford Dr	135	116
Pennsylvania Dr to Freedom Blvd	120	116

Proposed Mitigation

- With implementation of new signal timing
  - All intersections will operate better than pre-project conditions

Intersection	Peak Hour[a]	Existing Without Project		Existing Plus Project	
		Delay	LOS	Delay	LOS
1. Main St / Green Valley Rd	AM	39.0	**D**	33.7	**D**
	PM	50.4	**D**	**46.8**	**D**
	Noon	28.8	C	29.8	C
3. Main St / Ohlone Parkway – Clifford Dr	AM	36.0	**D**	**35.7**	**D**
	PM	54.1	**D**	**46.8**	**D**
	Noon	35.9	**D**	34.5	C

TABLE 4-9 LEVEL OF SERVICE DEFINITIONS

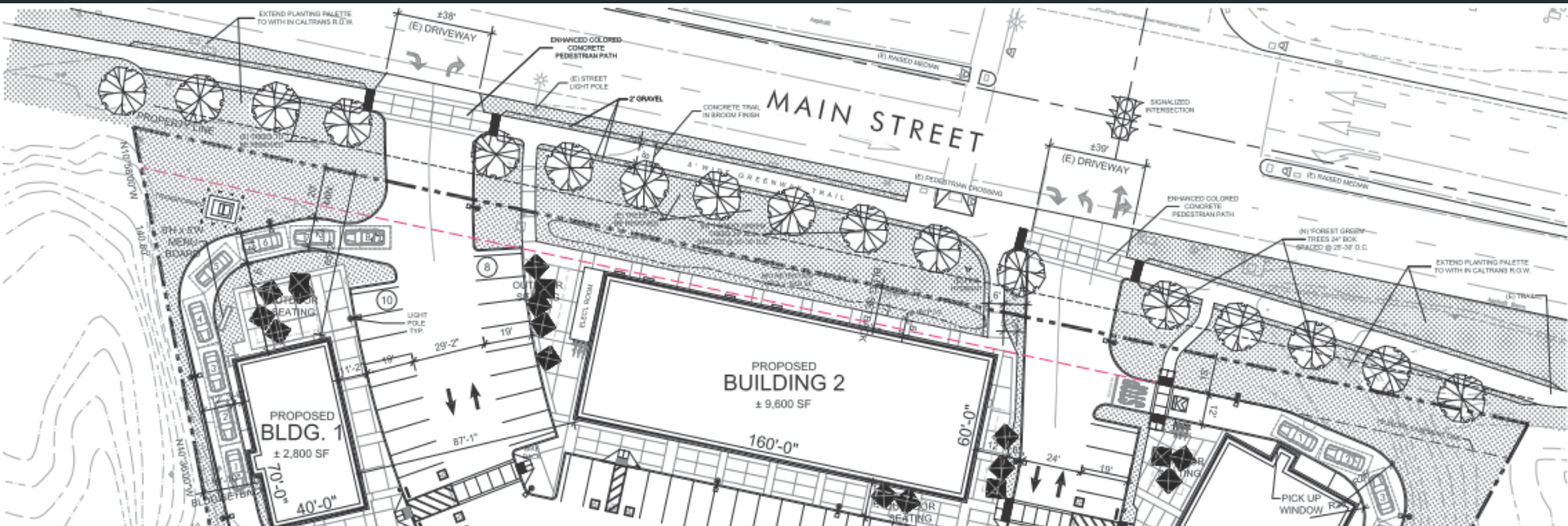
Level of Service	Signalized Intersection	Unsignalized Intersection	Roadway (Daily)
"A"	Uncongested operations, all queues clear in a single-signal cycle. Delay ≤ 10.0 sec	Little or no delay. Delay ≤ 10 spv	Completely free flow.
"B"	Uncongested operations, all queues clear in a single cycle. Delay > 10.0 sec and ≤ 20.0 sec	Short traffic delays. Delay > 10 spv and ≤ 15 spv	Free flow, presence of other vehicles noticeable.
"C"	Light congestion, occasional backups on critical approaches. Delay > 20.0 sec and ≤ 35.0 sec	Average traffic delays. Delay > 15 spv and ≤ 25 spv	Ability to maneuver and select operating speed affected.
"D"	Significant congestion of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. Delay > 35.0 sec and ≤ 55.0 sec	Long traffic delays. Delay > 25 spv and ≤ 35 spv	Unstable flow, speeds and ability to maneuver restricted.
"E"	Severe congestion with some long standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). Delay > 55.0 sec and ≤ 80.0 sec	Very long traffic delays, failure, extreme congestion. Delay > 35 spv and ≤ 50 spv	At or near capacity, flow quite unstable.
"F"	Total breakdown, stop-and-go operation. Delay > 80.0 sec	Intersection blocked by external causes. Delay > 50 spv	Forced flow, breakdown.

Note: sec = seconds; spv = seconds per vehicle

Source: KD Anderson & Associates, Inc., 2019, Transportation Impact Analysis, August.

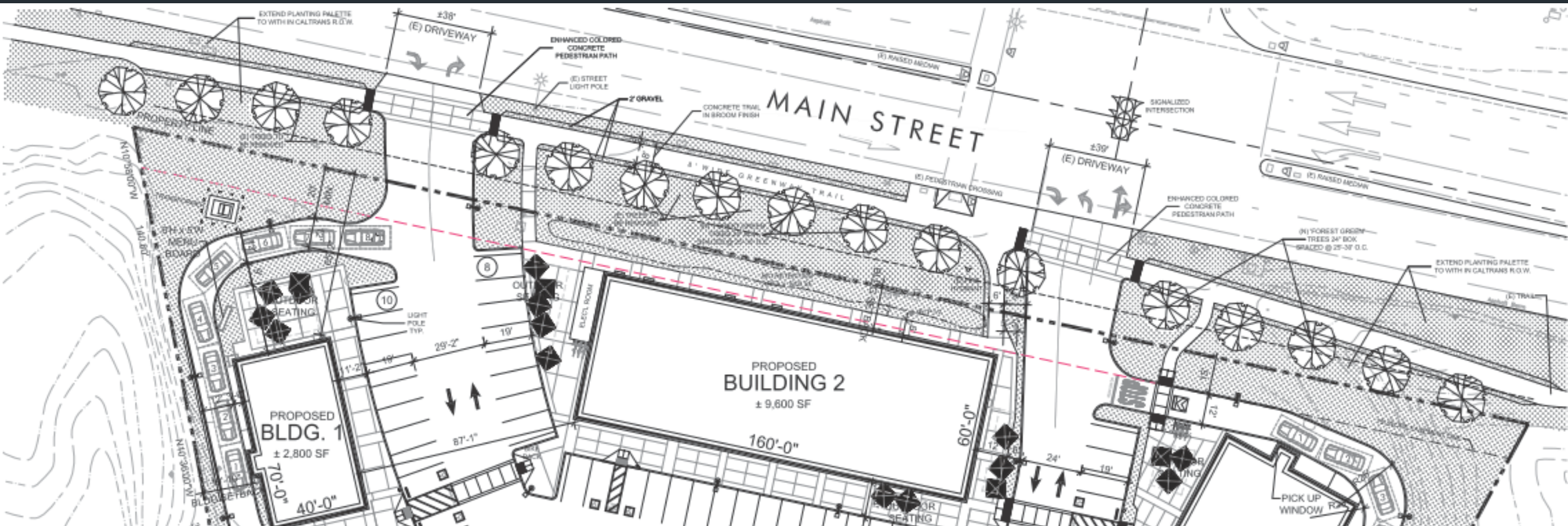
Pedestrian Access

- Enhance existing multi-use trail
- Provide colored concrete paths across driveways and into site



Bicycle Access

- Existing Class II bike lane
- Enhanced Class I multi-use trail




CA-152

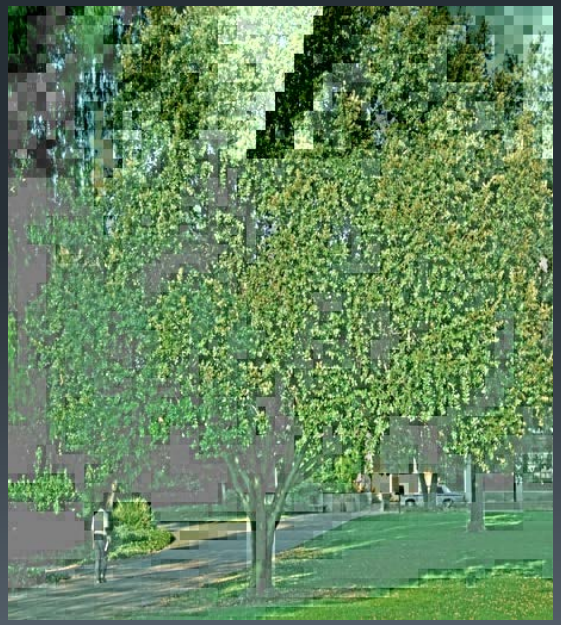
Landscaping

- Remove existing landscaping & replace w/ new landscaping
- Provide 61 new trees
  - 17 new street trees (w/in Caltrans R/W)
  - 7 new live oaks (*Quercus agrifolia*)
  - 37 ornamental trees (*e.g.,* red crape myrtle)
- Screen drive-through lanes
- Frame buildings and site perimeter
- Shade parking lot


8' CONCRETE GREENWAY TRAIL
2' GRAVEL BORDER
SHADE TOTAL: 12,080 SQFT.
PARKING LOT AREA: 21,372 SQFT.
PERCENTAGE COVERAGE: 56 %
MAIN STREET HIGHWAY 152
TYPICAL BIOSWALE PLANTINGS
CAL TRANS ROW PLANTED WITH LOW DENSITY MASSINGS OF DROUGHT TOLERANT GROUND COVERS AND ACCENTS.
PROPOSED BUILDING
PROPOSED BUILDING
PROPOSED BUILDING
WALE PLANTINGS
OR SHADE CALCULATIONS
BUILDING'S PLANTERS, MODERATE DENSITY PLANTINGS, MODERATE WATER USE.
PARKING LOT PLANTERS, SHADE TREES WITH LOW GROUND COVERS AND MULCH
TYPICAL BIOSWALE PLANTINGS
PERIMETER PLANTERS WITH LOW DENSITY, DROUGHT TOLERANT SHRUBS AND GROUND COVERS.
MAXIMUM APPLIED WATER
MAWA = (ETo) (0.45) (LA) (0.62)
480,470 GAL/YEAR =
ESTIMATED TOTAL WATER
EWU = (ETo) (PF) (HA) (0.62)/ IE
24" BOX 17 QUERCUS FRAINETTO 'SCHMIDT' FOREST GREEN OAK
15 GAL. 7 QUERCUS AGRIFOLIA LIVE OAK
15 GAL. 9 ULMUS PARVIFOLIA 'DRAKE' CHINESE EVERGREEN ELM
15 GAL. 11 LAGERSTROEMIA 'TUSCARORA' RED CRAPE MYRTLE
15 GAL. 9 ULMUS X 'FRONTIER' FRONTIER ELM
15 GAL. 7 CHIONANTHUS RETUSUS CHINESE FRINGE TREE

Proposed Trees

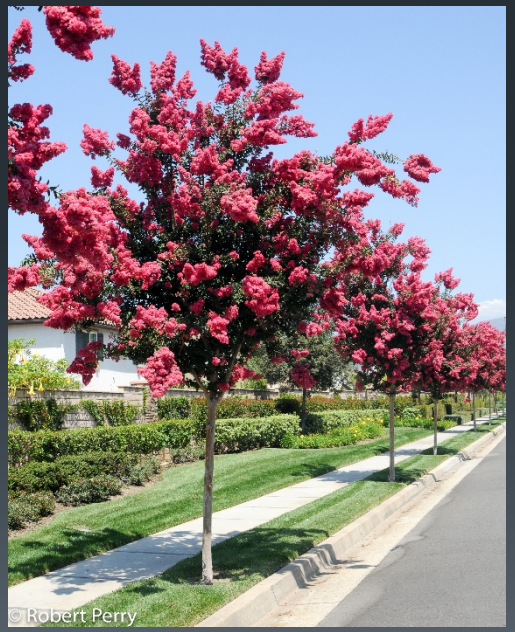
Live oak
(*Quercus agrifolia*)



‘Forest green’ oak
(*Quercus frainetto “Schmidt”)*



Red crape myrtle
(*Lagerstroemia “Tusscarora”*)



Proposed Trees

Chinese evergreen elm

(*Ulmus parvifolia “Drake”)*



Frontier elm

(*Umus x “Frontier”)*





SHRUBS

SIZE	BOTANICAL NAME	COMMON NAME
5 GAL.	OLEA 'LITTLE OLLIE'	DWARF OLIVE
5 GAL.	LAGERSTROEMIA 'PETITE EMBERS'	DWARF RED CRAPE MYRTLE
5 GAL.	NERIUM OLEANDER 'PETITE RED'	DWARF RED OLEANDER
5 GAL.	ESCALLONIA 'TERRI'	COMPACT ESCALLONIA
5 GAL.	SALVIA MICROPHYLLA 'HOT LIPS'	RED SAGE
1 GAL.	TULBAGHIA VIOLACEA	SOCIETY GARLIC
1 GAL.	LANTANA 'WHITE'	LANTANA
1 GAL.	ZAUSCHNERIA CALIFORNIA	CALIFORNIA FUCHSIA
1 GAL.	SESLERIA AUTUMNALIS	AUTUMN MOOR GRASS
1 GAL.	MUHLENBERGIA RIGENS	DEER GRASS
1 GAL.	PENNISETUM ALOPECUROIDES 'HAMELN'	DWARF FOUNTAIN GRASS
1 GAL.	DIETES BICOLOR	AFRICAN IRIS

GROUND COVERS

1 GAL.	TEUCRIUM LUCIDRYS	PROSTRATE GERMANDER
1 GAL.	NEPETA X FAASSENII	CATMINT
1 GAL.	ERIGERON KARVINSKIANUS	MEXICAN DAISY
1 GAL.	BACHARRIS PILULARIS 'TWIN PEAKS'	COYOTE BRUSH
1 GAL.	OENOTHERA SPECIOSA	MEXICAN EVENING PRIMROSE

BIOSWALES

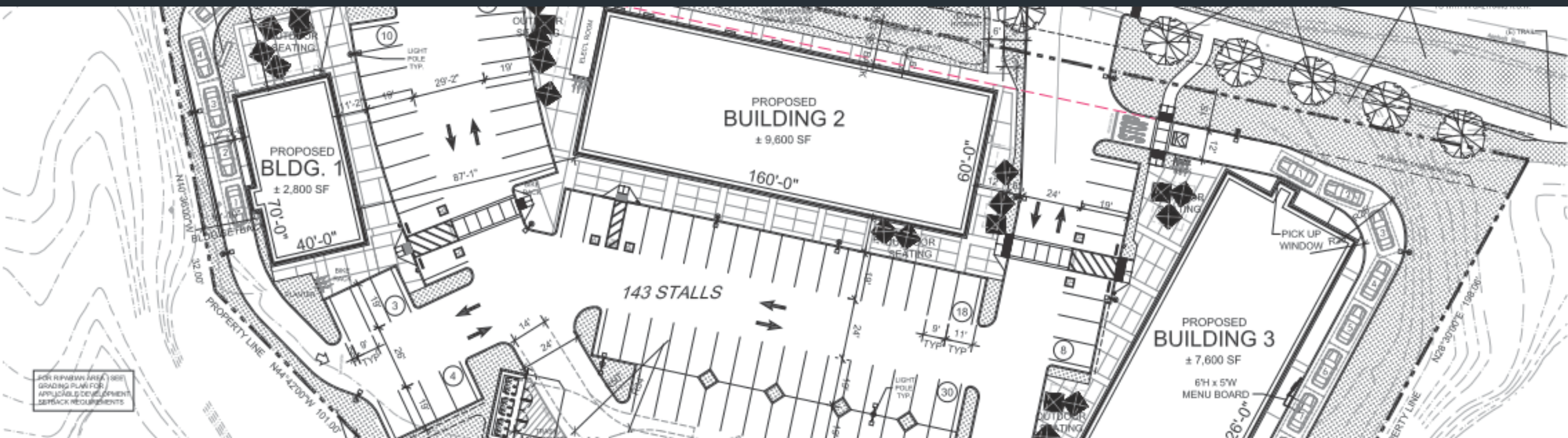
1 GAL.	SESLERIA AUTUMNALIS	AUTUMN MOOR GRASS
1 GAL.	CAREX DIVULSA	BERKELEY SEDGE
1 GAL.	JUNCUS PATENS	RUSH
1 GAL.	ASCLEPIAS TUBEROSA	BUTTERFLY WEED

Condition #15

- Replace potential invasive species
  - Replace butterflyweed (*Asclepias tuberosa*) within any and all bioswales with a suitable, non-invasive, plant species, such as:
    - common rush (*Juncus patens*)
    - soft rush (*Juncus effuses*)
    - valley sedge (*Carex barbarae*)
    - foothill sedge (*Carex tumulicola*)
    - Douglas' sagewort (*Artemisia douglasiana*)
- Condition based Watsonville Wetlands Watch comment letter

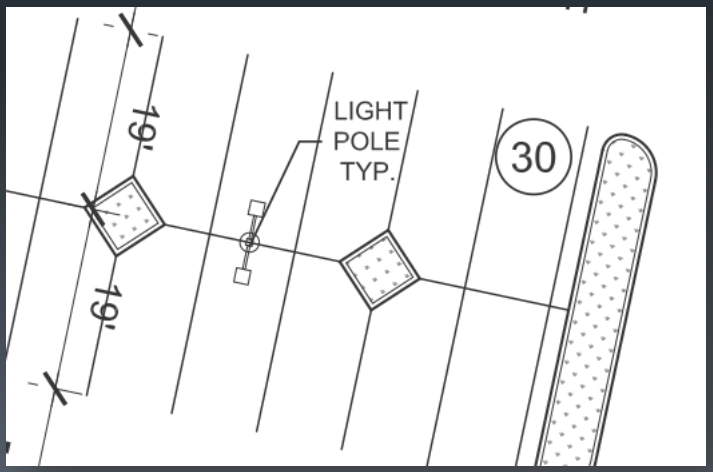
Riparian Buffer

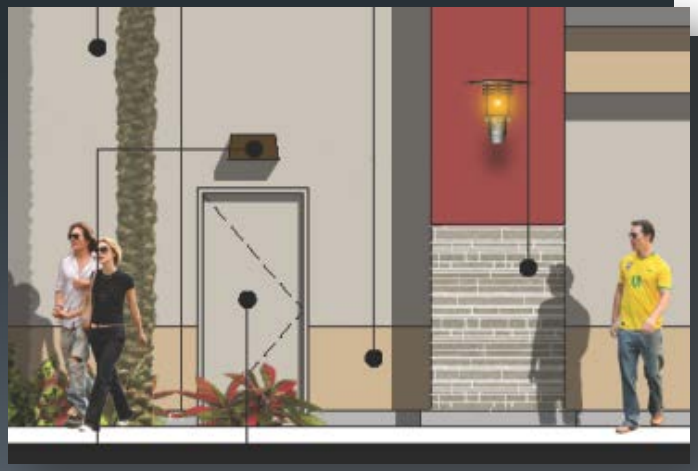
- No direct impact to riparian habitat
- Maintain 30-foot buffer
  - Except along eastern and western edge
  - Replace areas of existing development



Lighting

- Proposed lighting
  - Decorative wall-mounted light fixtures on buildings
  - Pole-mounted light fixtures in parking lot



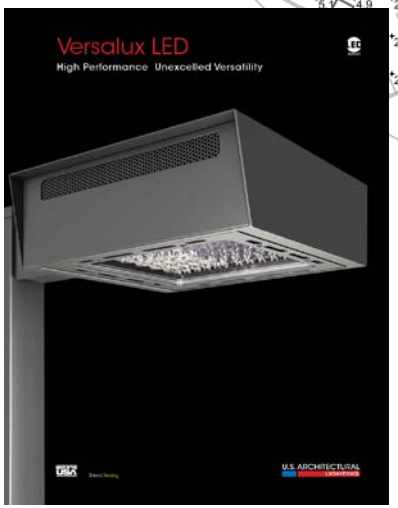




(10) DECORATIVE LIGHT FIXTURE
MODEL: ECLIPSE MINI EC 603
COLOR: MATTE SILVER
BY: LUMINIS



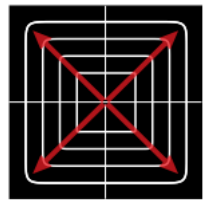
(11) WALL SCONCE (SERVICE DOORS)
MODEL: LASER SERIES - LED LAS5562
COLOR: BLACK
BY: US ARCHITECTURAL LIGHTING



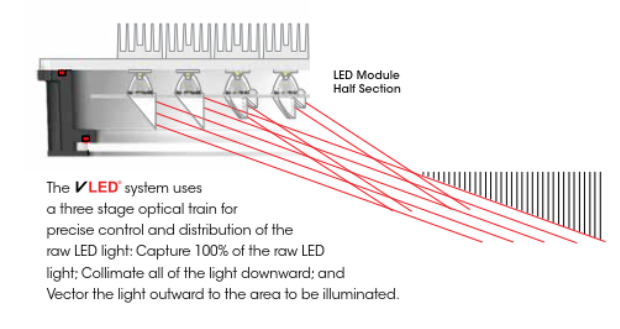
Schedule

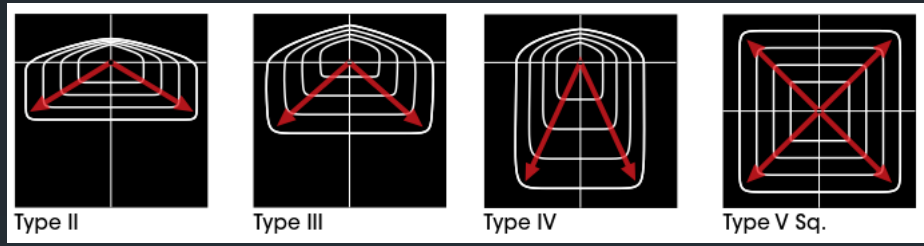
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
□	F	27	U.S. ARCHITECTURAL LIGHTING	VRS-VLED-VSQ-120LED--525mA-NW	CAST METAL HOUSING, 1 LED MODULE CONSISTING OF: 120 LEDS, VERTICAL BASE-UP POSITION, 1 CLEAR PLASTIC OPTIC BELOW EACH LED, CLEAR FLAT GLASS LENS.		120	VRS-VLED-VSQ-120VLED-525mA-NW.ies	156	0.81	191.5

Light distribution pattern



Type V Sq.

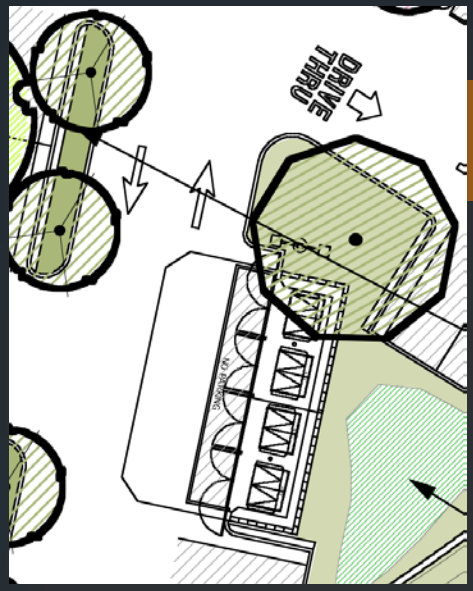




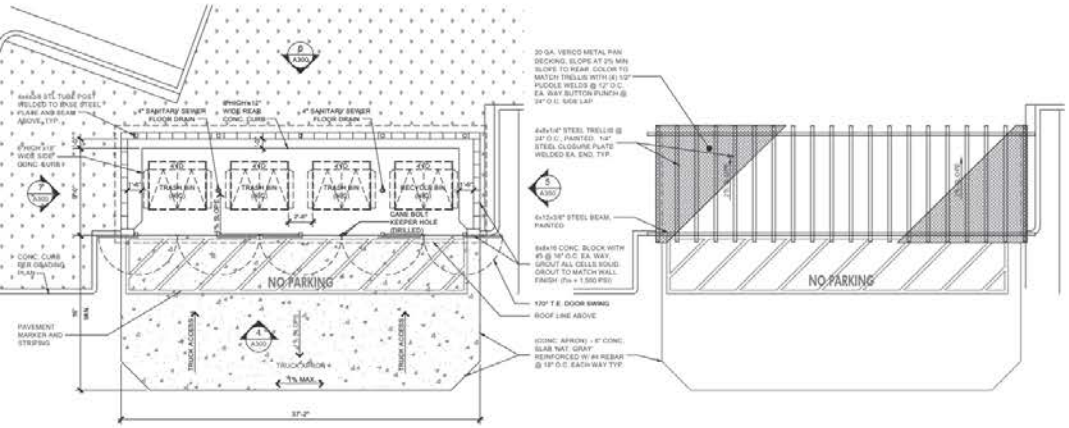
Lighting

- Mitigation Measure BIO-2
  - Incorporate appropriate controls to prevent nuisance to riparian habitat
- Condition #18
  - The applicant shall revise the Photometric Plan such that pole-mounted fixtures near the perimeter of the site have their light distribution pattern adjusted from an even distribution in all directions (Type V Sq.) to one the directs light only into the project site (Types II, III, or IV) and thereby avoid spillover offsite into adjacent riparian habitat
- As conditioned, project would not create a new source of potential light spillover or glare nuisance

Trash Enclosure

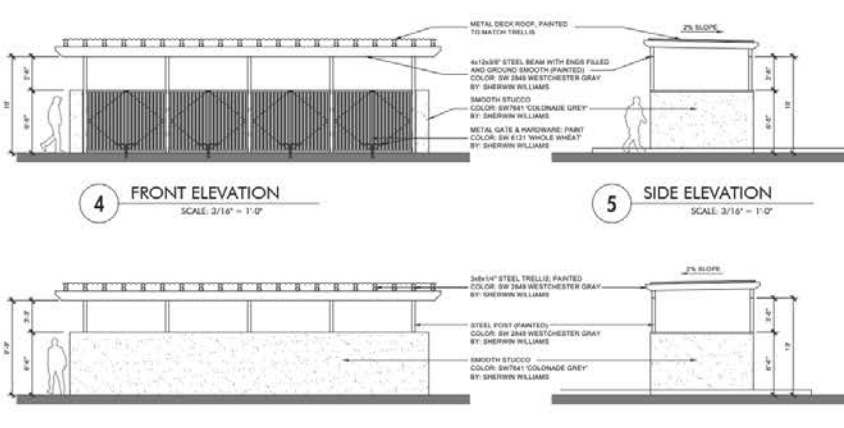


- 3 enclosures
- Same colors and materials as proposed buildings
- Appearance softened w/ landscaping
- Meets city standards



2 TRASH ENCLOSURE - PLAN
SCALE: 3/16" = 1'-0"

3 ROOF PLAN
SCALE: 3/16" = 1'-0"



4 FRONT ELEVATION
SCALE: 3/16" = 1'-0"

5 SIDE ELEVATION
SCALE: 3/16" = 1'-0"

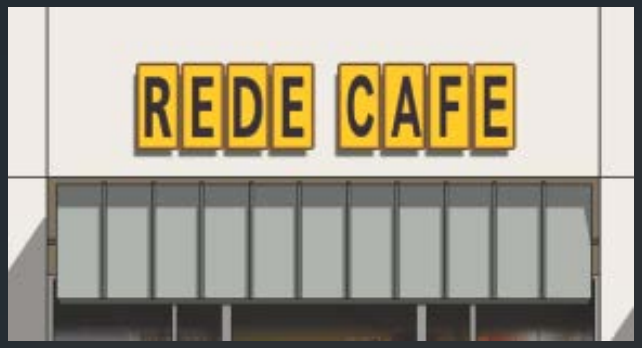
6 REAR ELEVATION
SCALE: 3/16" = 1'-0"

7 SIDE ELEVATION
SCALE: 3/16" = 1'-0"

Trash Enclosure

- Mitigation Measure BIO-2
  - Reduce potential attractiveness to pest species

- Condition #53
  - To ensure trash enclosures do not attract nuisance pest species, such as Norway rat, raccoon, and opossum, the applicant to develop a monitoring program to be implemented by future tenants to ensure trash areas are routinely cleaned and secured at night



Signs

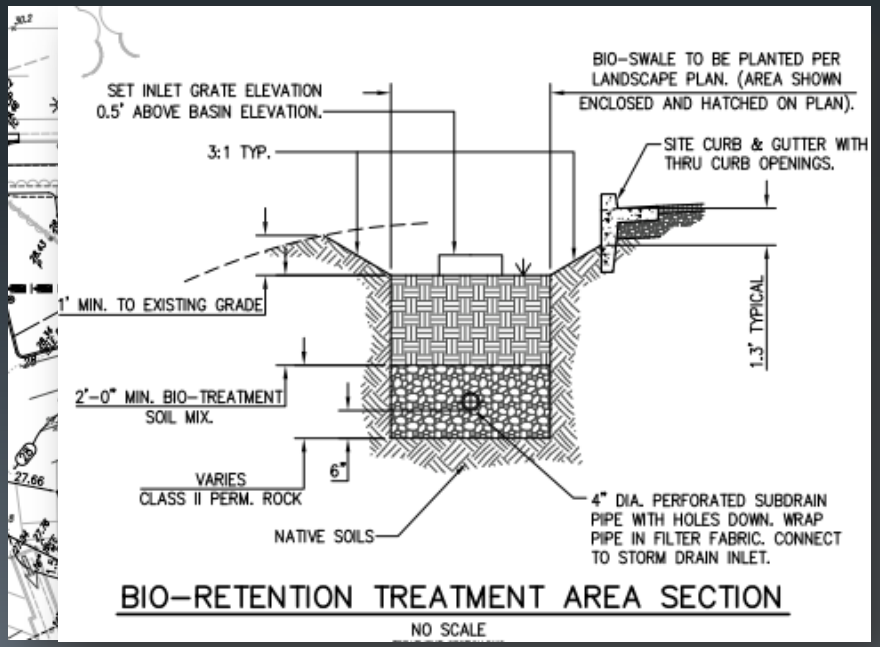
- Conceptual signage shown on Elevations
- Condition of Approval requires separate Sign Permit
- Aggregate area < permitted area





Drainage

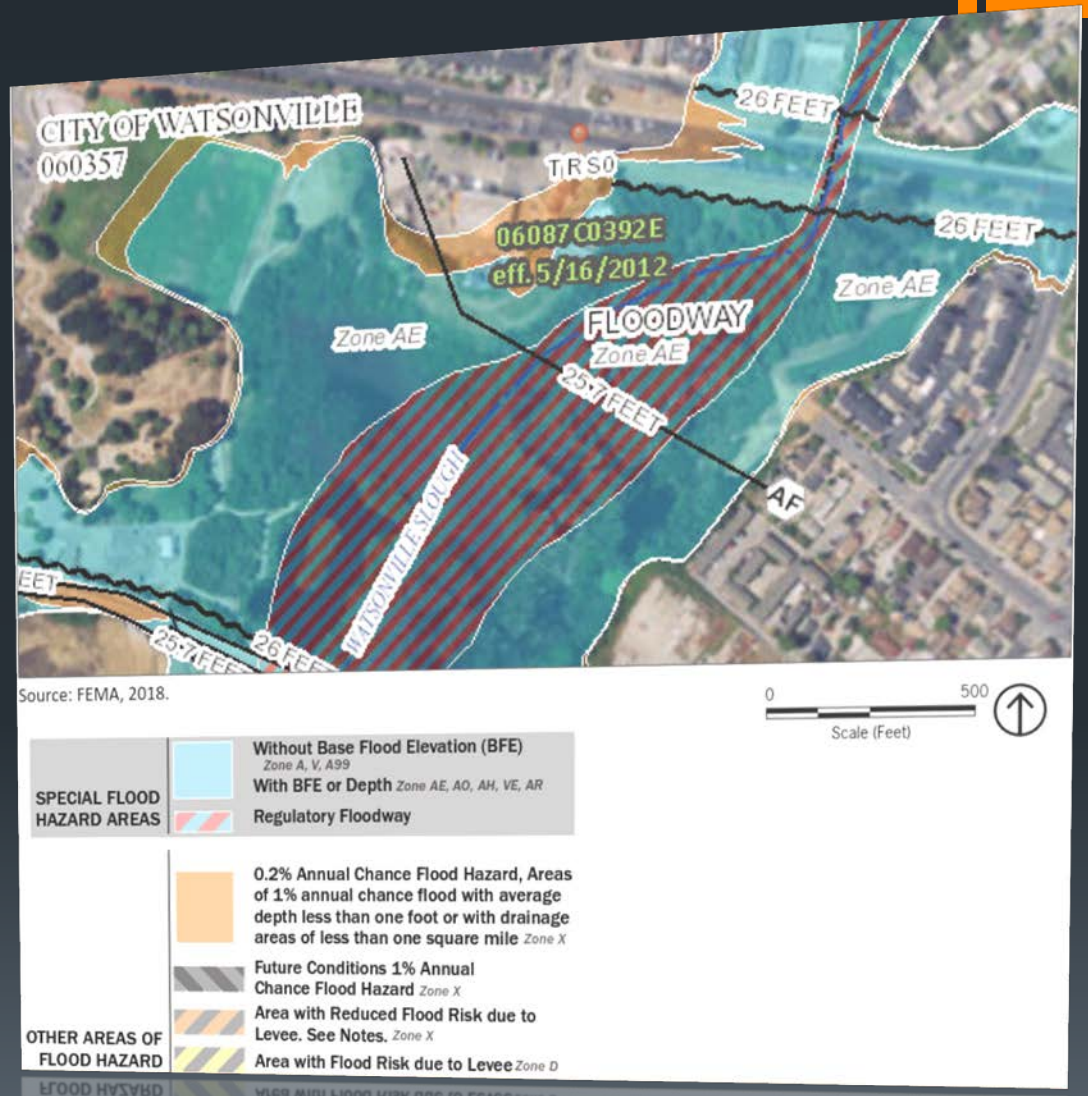
- Proposed drainage plans in conformance with city requirements
- Drainage features design:
  - 3 DMAs & biorententation basins
  - Provides treatment
  - Allows infiltration
  - Provides peak control



Flood Hazard

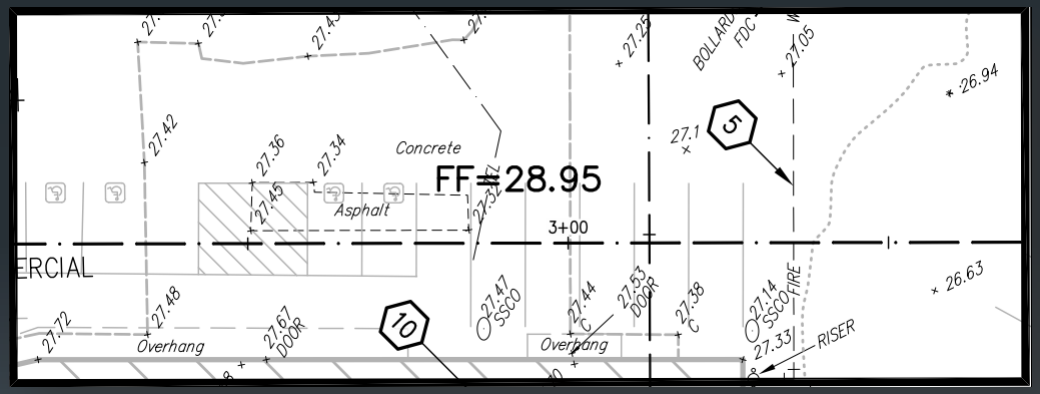
Southern portion of the project site w/in 100-year floodplane

Base flood elevation ~ 26 feet



Flood Hazard Prevention

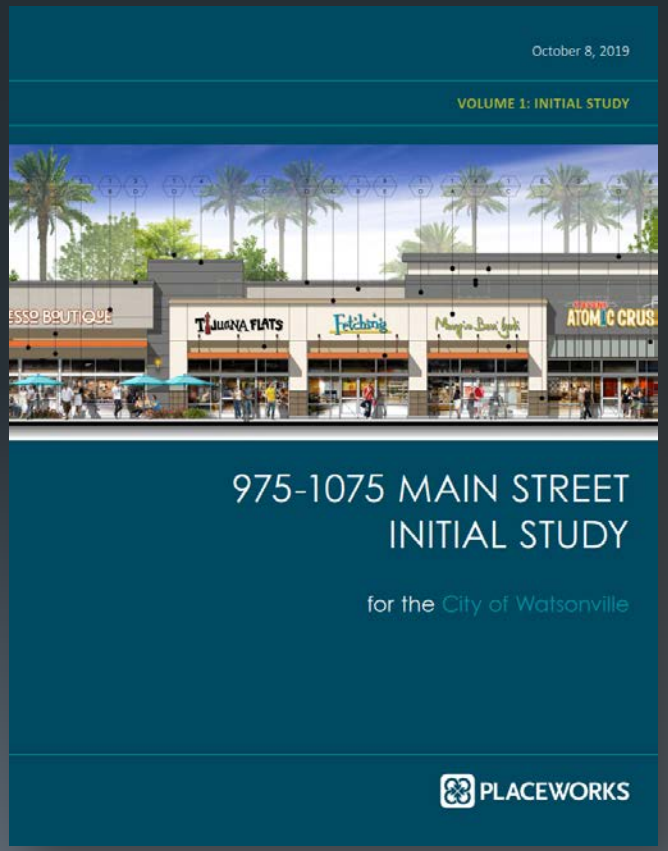
- Finish floor elevations > base flood elevation
  - **Building 1:** 29.20 feet
  - **Building 2:** 28.95 feet
  - **Building 3:** 28.00 feet



- Provides more than 1-foot freeboard

Environmental Review

- **Initial Study** prepared to evaluate potential impacts
- Resolution to adopt **Mitigated Negative Declaration** in compliance w/ CEQA
  - Includes required findings & MMRP
- Brief presentation by City's consultants
  - To follow staff presentation



Required Findings

- The Planning Commission may make the required Special Use Permit and Design Review findings **in support** of the project



Recommendation

- That the Planning Commission adopt separate Resolutions:
  1. Adopting a Mitigated Negative Declaration and
  2. Approving Special Use Permit with Design Review and Environmental Review (PP2018-248) to allow the construction of three one-story commercial buildings totaling 20,000± square feet and including two drive-through facilities on a 3.05± acre site located at 975-1075 Main Street (APNs 018-261-14 & -29)



City of Watsonville
Public Works and Utilities Department

M E M O R A N D U M

DATE: **February 6, 2020**

TO: **Matthew D. Huffaker, City Manager**

FROM: **Steve Palmisano, Director of Public Works & Utilities**
Maria Esther Rodriguez, Assistant Director of Public Works & Utilities
Murray Fontes, Principal Engineer

SUBJECT: **City of Watsonville Complete Streets to Schools Plan**

AGENDA ITEM: **February 25, 2020** **City Council**

RECOMMENDATION:
Staff recommends that the City Council approve by resolution the 2020 City of Watsonville Complete Streets to School Plan ("Plan") which is attached to the proposed form of resolution.

DISCUSSION:
Background
The City of Watsonville Public Works and Utilities Department received grant funding to prepare a US DOT Safe Routes to Schools Plan for 15 schools within the City (see Attachment 1 - School Site Locations). The Plan identifies safe access routes to all K-12 public schools in Watsonville and provides recommendations for infrastructure and non-infrastructure improvements.

The Plan is funded through a $321,280 Caltrans Sustainable Communities Transportation Planning Grant and $41,767 in local matching funds. The Planning Grant was approved by Council on February 13, 2018 by Resolution No. 13-18 (CM). The planning effort is in cooperation with Santa Cruz County Health Department, Pajaro Valley Unified School District (PVUSD), and Ecology Action.

The Council received an update on the Plan at its November 12, 2019 meeting and directed staff to prepare a final plan.

The Plan is based on the goal of ensuring that children across Watsonville have access to safe, healthy and affordable transportation options. Watsonville has been identified as a high-priority city due to the high rates of youth biking and walking collisions. The two-year planning process identified safe routes to all K-12 public schools in Watsonville and recommended infrastructure and non-infrastructure improvements. The planning effort launched in September 2018 with two community workshops, one at Starlight

Elementary and one at EA Hall Middle School. In the fall of 2018, the planning team comprised of City of Watsonville Public Works and Utilities, the Santa Cruz County Public Health Department, and Ecology Action staff invited school staff and community members to participate in walking audits at each of the 15 schools. The walking audits allowed the team and school community to observe morning drop-off issues as well as opportunities for infrastructure improvements. The list of recommended infrastructure and non-infrastructure improvements was presented to each school community for review and input in spring 2019.

Analysis

The Plan is a high-level planning document to allow the City and PVUSD to identify and prioritize future projects and assist with securing project funding. The Plan includes existing conditions within the City, a list of Citywide recommendations, data for each school site and the list of recommendations for each school, programmatic recommendations, and information on Plan implementation and project maintenance. It will not include engineering-level designs for any of the projects contained within the Plan.

The recommendations included in the Plan include all 15 schools in the City of Watsonville. Recommendations were established based on community input from the public meeting, walking audits, parent surveys, and comments sent through the project website. The planning team worked with Alta Planning + Design to establish infrastructure recommendations that respond to issues identified through community input. The goal of the recommendations is to improve the safety and comfort of students and families walking and biking to school and to reduce school congestion by improving the efficiency of school drop-off and pick-up.

The following recommendations have been added to the Plan based on Council member and PVUSD board member feedback on the draft recommendations:

Citywide Recommendations:

- Pursue a pilot project for embedded flashing lights in crosswalks near schools.
- Study options to reduce speeding throughout Watsonville.
- Explore options to improve traffic flow within school parking lots.
- Study options to improve pedestrian safety at the intersection of Main Street and Green Valley Road.

HA Hyde Elementary:

- Conduct stop sign warrant at Alta Vista Avenue/Arthur Road.
- Install unpaved path as outlined in Segment 9.4 of the Watsonville Scenic Trail Network.

Pajaro Valley High School:

- Install trail as outlined in Segment 5.1 of the Watsonville Scenic Trail Network (Airport Boulevard connection).
- Install trail as outlined in Segment 7.1 of the Watsonville Scenic Trail Network (Lee Road connection).

These recommendations fall under various jurisdictions and may be implemented by the City of Watsonville, Caltrans, or PVUSD. Program recommendations may be implemented by the City of Watsonville, PVUSD, individual school sites, or local non-profits and public agencies.

Staff recommends that the City Council approve the Plan.

STRATEGIC PLAN:
This project is consistent with Strategic Plan Goal #3, Infrastructure and Environment, Section E.2. Develop improved multi-modal transportation features for bicycles and pedestrians.

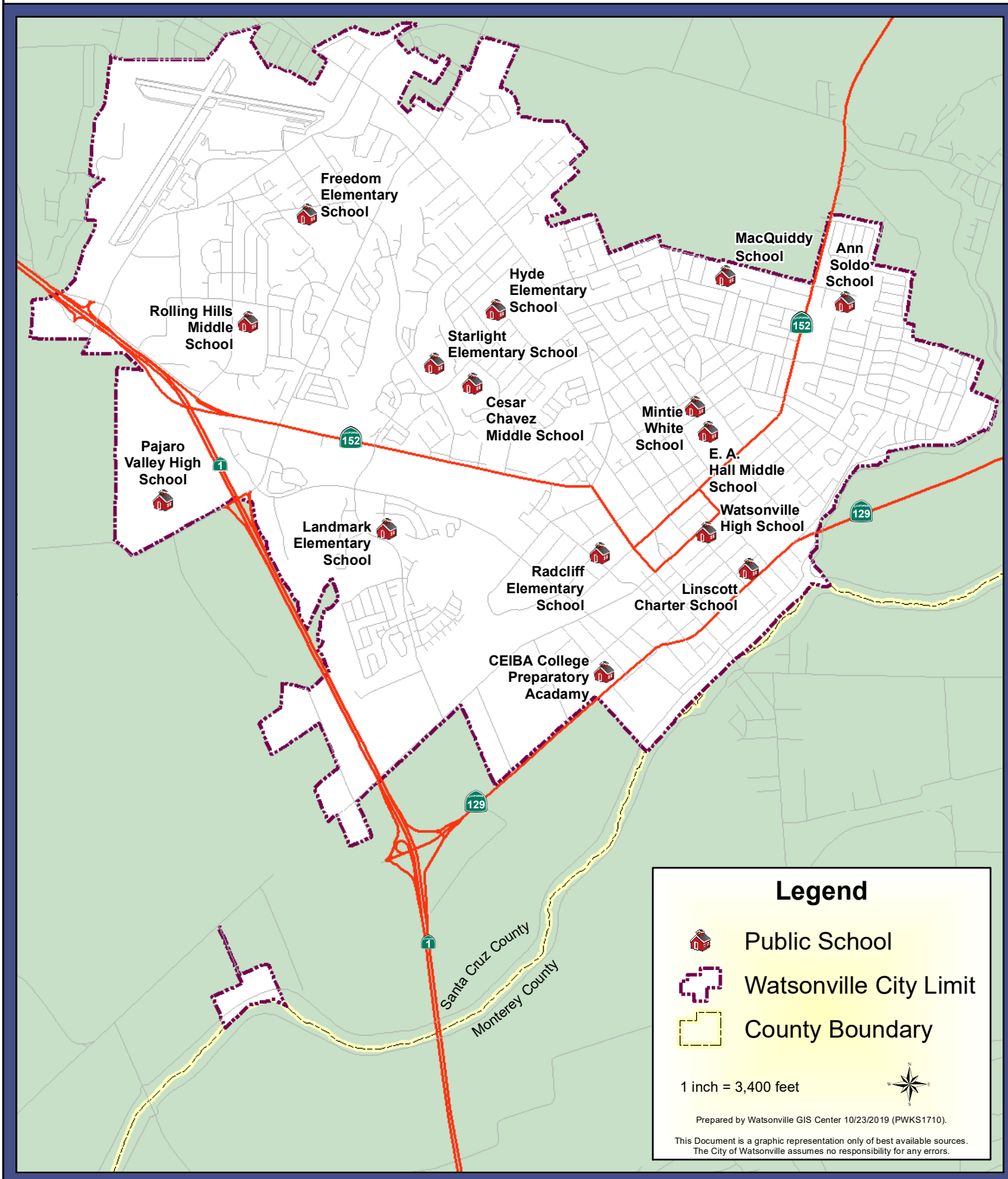
FINANCIAL IMPACT:
There is no financial impact at this time. Funding for the Plan is through a Caltrans Planning Grant accepted when Council approved Resolution No. 13-18 (CM) at its February 13, 2018 meeting.

ALTERNATIVES:
None

ATTACHMENTS:
1) School Site Locations

cc: City Attorney

City of Watsonville
Complete Streets to School Plan
School Site Locations



RESOLUTION NO._____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING THE CITY OF WATSONVILLE COMPLETE STREETS TO SCHOOLS PLAN

WHEREAS, on February 13, 2018, the City Council adopted Resolution No. 13-18 (CM) accepting a $321,280 Sustainable Communities Transportation Planning Grant from Caltrans to develop the City of Watsonville Complete Streets to Schools Plan in partnership with the Santa Cruz County Health Services Agency, Pájaro Valley Unified School District (PVUSD), and Ecology Action of Santa Cruz; and

WHEREAS, the City of Watsonville Complete Streets to School Plan is based on the goal of improving the safety and comfort of students and families walking and biking to school and reducing school congestion by improving the efficiency of school drop-off and pick-up at all 15 schools in the City of Watsonville; and

WHEREAS, the City Council received an update on the Plan at its November 12, 2019 meeting, and directed staff to prepare the final plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

That the City of Watsonville Complete Streets to Schools Plan, be, and is hereby accepted and approved, a copy of which is attached hereto and incorporated herein by this reference.

****

Final City of Watsonville Safe Walking and Biking to School: Complete Streets Plan

Implementation

Done or in Progress

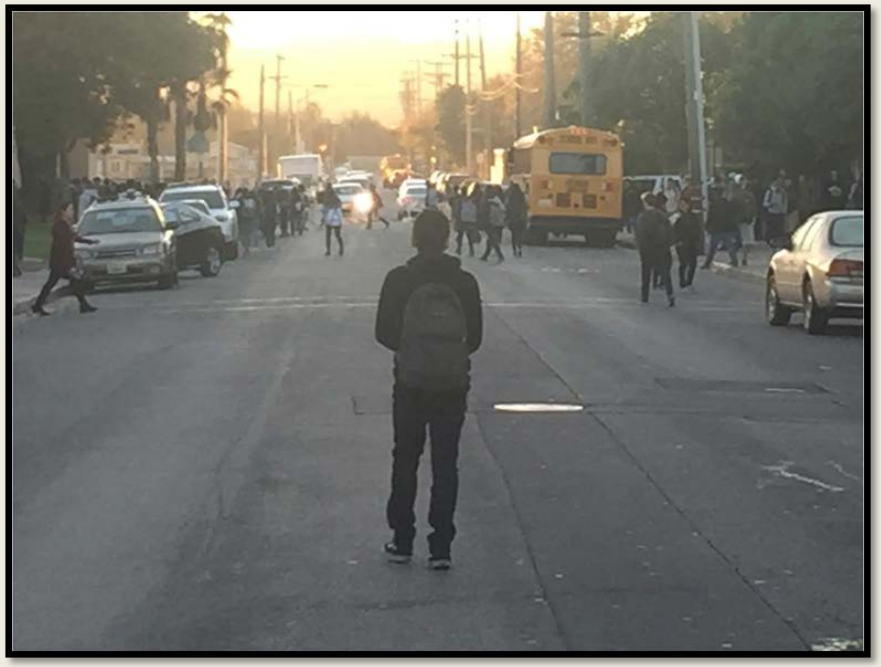
- Green Lanes on Rodriguez St
- Change legislation to reduce speed limits





Current or Proposed Project

- Harkins Slough Pedestrian & Bike Bridge
- Lincoln Street Safety Project
- Flashing Beacon at East Beach St and Marchant St (by Caltrans)
- Freedom Blvd Improvements from Alta Vista St to Green Valley Rd
- Downtown Plans





Maintenance Activities

- Repair damaged sidewalk
- Curb ramp replacement
- Minor striping & signage







Partner with PVUSD and Caltrans

- Safety training
- Flashing Beacons







Grant Funding

- Bulb outs
- High visibility crosswalks
- Large projects







Staff Recommendation:

Approve final City of Watsonville Safe Walking and Biking to School: Complete Streets Plan

Final City of Watsonville Safe Walking and Biking to School: Complete Streets Plan

Amelia Conlen, Planner

February 25th, 2020

Safe Routes to Schools Plan Timeline

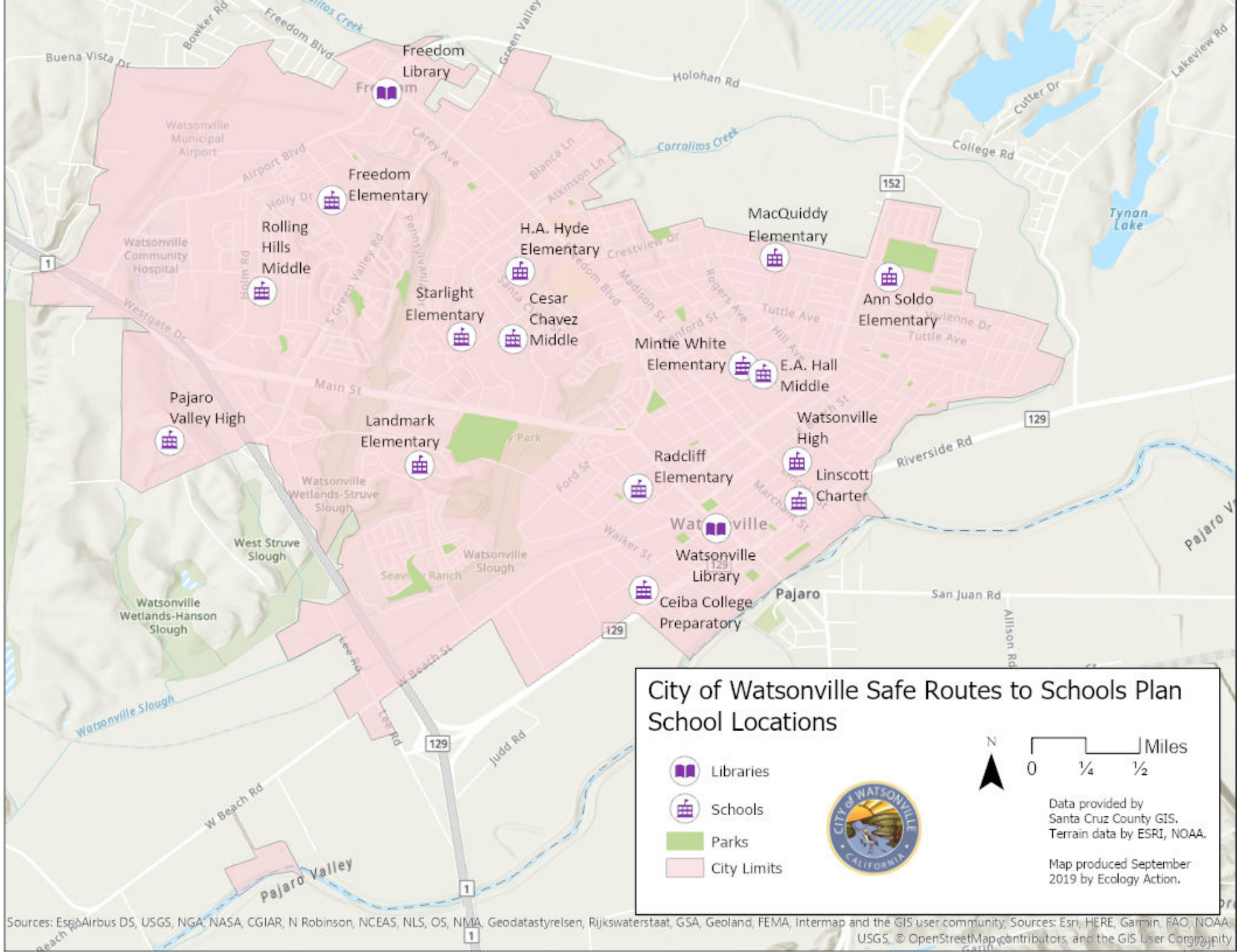
- 15 PVUSD schools in Watsonville
- Identify barriers to walking & biking to school
- Recommendations to improve access to each school

Public Meetings
Fall 2018

Walk Audits
Fall 2018

School Presentations
Spring 2019

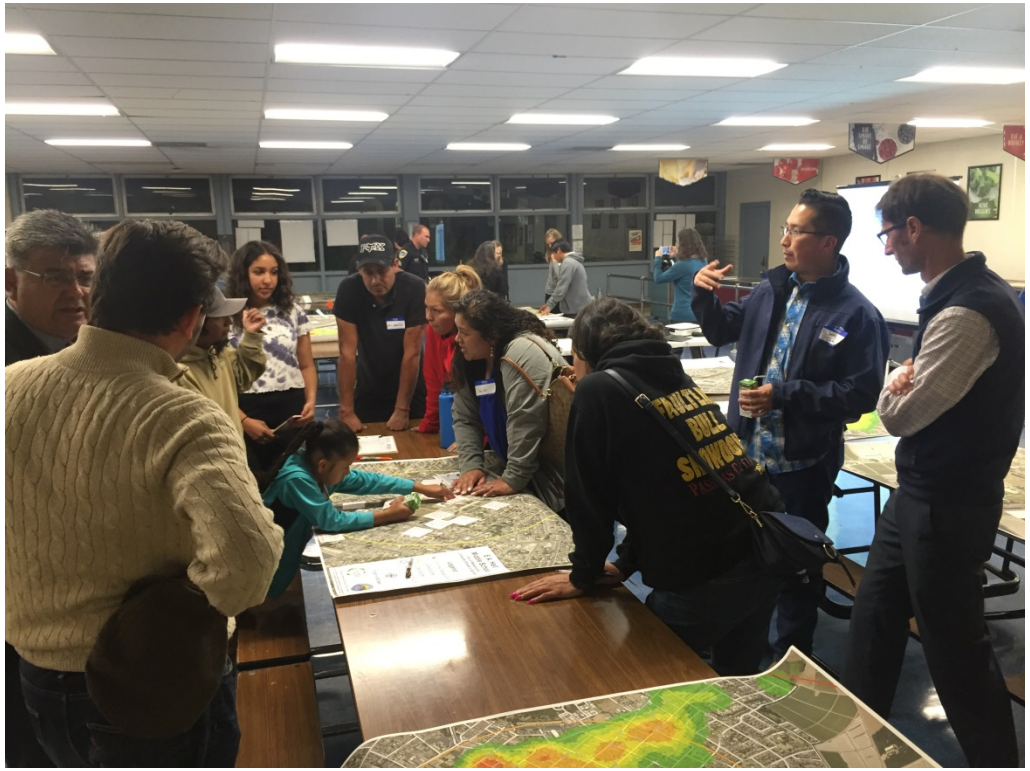
Final Plan
Early 2020


Freedom Library
Freedom Elementary
Rolling Hills Middle
H.A. Hyde Elementary
Starlight Elementary
Cesar Chavez Middle
MacQuiddy Elementary
Ann Soldo Elementary
Mintie White Elementary
E.A. Hall Middle
Pajaro Valley High
Landmark Elementary
Watsonville High
Radcliff Elementary
Linscott Charter
Watsonville Library
Ceiba College Preparatory
Pajaro
Watsonville Municipal Airport
Watsonville Community Hospital
Watsonville Wetlands-Struve Slough
West Struve Slough
Watsonville Wetlands-Hanson Slough
Watsonville Slough
Corralitos Creek
Tynan Lake
Buena Vista Dr
Freedom Blvd
Holohan Rd
College Rd
Lakeview Rd
Cutter Dr
Airport Blvd
Carey Ave
Holly Dr
Blanca Ln
Atkinson Ln
Crestview Dr
Madison St
Rogers Ave
Tuttle Ave
Wylienne Dr
Hill Ave
Ford St
Main St
Westgate Dr
Holm Rd
S Green Valley Rd
Pennsylvania Dr
Riverside Rd
Walker St
Marchant St
San Juan Rd
Allison Rd
Lee Rd
W Beach St
W Beach Rd
Judd Rd
Pajaro Valley
Pajaro River
1
129
152
City of Watsonville Safe Routes to Schools Plan
School Locations
Libraries
Schools
Parks
City Limits
N
0
¼
½
Miles
Data provided by
Santa Cruz County GIS.
Terrain data by ESRI, NOAA.
Map produced September
2019 by Ecology Action.
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Final Plan Components

1. Citywide and school-level recommendations for 15 Watsonville schools, based on:

- Public meeting input
- Input & observations from school audits
- Engineering expertise from Alta Planning + Design
- School and parent feedback on draft recommendations



Ceiba College Preparatory Academy SRTS Recommendations Map



Recommendations

1. Riverside Drive:
   Install S1-1 with W16-6P School Advance Crossing signs as appropriate.

2. Riverside Drive at Locust Street:
   Install high-visibility crosswalk across Locust Street, with curb extensions on both sides of new crosswalk. Upgrade ramps to current standards.

3. Riverside Drive at Menker Street:
   Install high-visibility crosswalk across Menker Street, with curb extensions on both sides of new crosswalk. Upgrade ramps to current standards.

4. Riverside Drive at Walker Street:
   Install high-visibility crosswalk on northwest leg of intersection.

5. Locust Street between Beach Street and Riverside Drive:
   Install sidewalk to close sidewalk gaps. Trim overgrown vegetation. Install pedestrian-scale lighting. Long term: remove sidewalk obstructions and consolidate/remove driveways where feasible.

6. School driveway:
   Widen painted path on north side of driveway to at least eight feet. Trim vegetation to clear pedestrian space. Long term: install raised sidewalk.

7. Locust Street:
   Install S1-1 with W16-9P School Advance Crossing signs as appropriate.

8. Locust Street at 2nd Street:
   Install high-visibility crosswalks on all legs. Install curb extensions on all corners. Upgrade ramps to current standards.

9. Walker Street at 2nd Street:
   Install high-visibility crosswalks on all legs. Install curb extensions to reduce crossing distance across 2nd Street. Upgrade ramps to current standards. Short term: paint red curb 20' from each corner to prevent parking encroachment.

10. 2nd Street between Rodriguez Street and Pine Street:
    Study feasibility of Safe Routes to Schools corridor treatments, especially near school.

11. Walker Street between Beach Street and Riverside Drive:
    Refresh yellow center line.

12. Walker Street between W Lake and Beach Street:
    Fill sidewalk gaps on west side.

13. Walker Street at Beach Street:
    Install ADA-compliant facilities. Reconfigure intersection to shorten both crossings of Walker by installing pedestrian refuge islands and/or curb extensions at SE and NW corner. Add marked crossing on east side of Beach Street. Upgrade ramps to current standards.

Final Plan Components

2. Recommendations for programmatic changes, including:

- Education programs
- Encouragement programs
- Enforcement programs/policies
- Equity programs/policies



Final Plan Components

3. Implementation & Maintenance

- List of available funding sources
- Maintenance policies and procedures



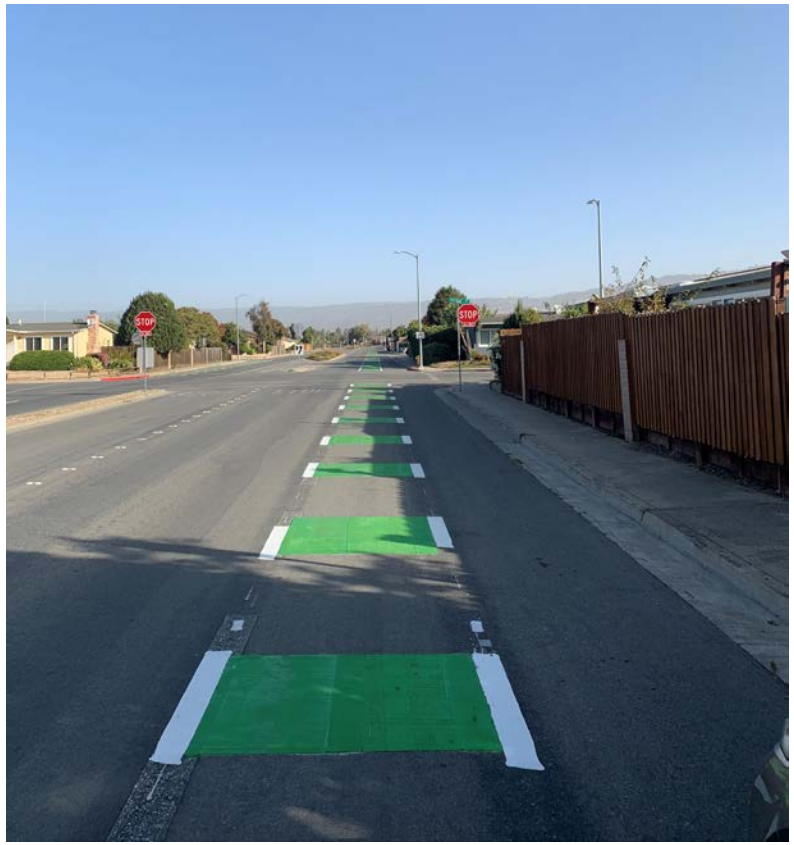
Projects In Progress:
Lincoln Street safety improvements

- Curb extensions, enhanced crosswalks, improved sidewalks, lighting, bike racks
- Construction planned for 2020
- Funded through state Active Transportation Program



Projects In Progress:
Bicycle safety improvements project

- Striping, markings & green bike lane treatments
- Locations: Beach Street, Bridge Street, Green Valley Road, Harkins Slough Road/Walker Street, Rodriguez Street
- Completed
- Funded through RSTP Exchange



CITY of WATSONVILLE CALIFORNIA

Ecology Action

Public Health
Prevent. Promote. Protect.
Santa Cruz County

PAJARO VALLEY
UNIFIED SCHOOL DISTRICT

Projects In Progress: Pedestrian and traffic safety improvements

- Flashing beacons, signage, curb extensions, speed humps, traffic calming
- Locations to be determined
- Construction 2018-2021
- Funded through Measure D



Projects In Progress:
E. Beach Street/Marchant Street Pedestrian Improvements

- Flashing beacon at Marchant/East Beach, school striping and signage
- Construction in 2020
- Funded through Caltrans



Next Steps

- Grant application for bicycle/pedestrian bridge to Pajaro Valley High school
- Identify low-hanging fruit projects
- Incorporate recommendations into existing street and road improvements where feasible
- Identify upcoming SRTS projects in future City budget presentations
- Ongoing bike and pedestrian safety education
- Vision Zero Action Plan implementation



City of Watsonville
Public Works and Utilities Department

M E M O R A N D U M

DATE: **February 11, 2020**

TO: **Matthew D. Huffaker, City Manager**

FROM: **Steve Palmisano, Director Public Works & Utilities**
Maria Esther Rodriguez, Assistant Director PW&U

SUBJECT: **Downtown Watsonville Complete Streets Plan: Phase 1 Implementation Plan of Improvements**

AGENDA ITEM: **February 25, 2020** **City Council**

RECOMMENDATION:
Staff recommends that the City Council approve Phase 1 Implementation Plan for Improvements included in the Downtown Watsonville Complete Streets Plan ("Plan").

DISCUSSION:
Background
At it's August 29, 2017 meeting, the Council adopted Resolution 143-17 (CM) accepting a $225,583 Sustainable Communities Grant from the State of California, Department of Transportation (Caltrans). The grant allowed the City to develop the City of Watsonville Complete Streets Plan in the City's downtown in partnership with the Santa Cruz County Regional Transportation Commission (RTC) and Caltrans.

The Plan focuses on developing a safe and comfortable network of well-integrated multimodal transportation facilities to accommodate and welcome all types of users, including pedestrians, bicyclists, public transit riders and motorists. The Plan area includes Rodriguez Street, Main Street and Union Street/Brennan Street and all intersecting cross streets between Riverside Drive and Freedom Boulevard.

The Plan identifies improvements that provide comfortable access to area shopping and services for all users, attract new businesses to our downtown, create a vibrant atmosphere, improve facilities for people living with disabilities, and will support City and Statewide greenhouse gas emission reduction goals.

Caltrans is a part of the project team as this is a State funded grant and because Main Street, East Lake Avenue and East Beach Street are part of SR 152. Any improvements proposed on SR 152 require approval by Caltrans; any proposed lane reductions would require a traffic study. The planning process emphasizes that these plans be reflective of what the community would like to see. Therefore, based upon the

community's desire to pursue a lane reduction on the State Route, the Plan captures this as a necessary first step.

At its October 22, 2019 meeting, the Council adopted Resolution 164-19 (CM) approving the Downtown Complete Streets Plan and directing staff to proceed with a traffic study in coordination with the Downtown Specific Plan. Additionally, the Council directed staff to return with a phased implementation plan of improvements that are not contingent upon the traffic study. This is that phased implementation plan requested.

Proposed Phase 1 Implementation Plan

Since SR 152 includes the majority of Main St, East Lake and East Beach, encroachment permits are required for any modifications. The other streets and corridors, such as Rodriguez Street, Union St/ Brennan St, Maple/ Second, and cross streets in between, are within the City's exclusive jurisdiction. Improvements on City streets are proposed to be prioritized for seeking grant funding opportunities and, then, for design and construction.

In determining recommended phasing, staff reviewed and considered a variety of factors including: cost estimates, available funding, potential upcoming grant sources, other ongoing planning documents/efforts, and recent improvements. The estimated costs for the various types of improvements along the corridors included in the Plan are approximately twenty-seven million dollars Implementation of all of these proposed improvements will be phased over approximately 10 to 20 years, and will depend heavily on securing grant funding to complete the projects identified (See Attachment 1).

Projects from 2020 to 2023.

With these factors in mind, the Phase 1 projects recommended (See Attachment 2) in the next **approximately 3 years** includes:

1 A) Crosswalk improvements – including striping and signage upgrades

i. Rodriguez Street (Main St to W. Lake Ave) - $125,000 estimate
ii. Union Street (Alexander St to Riverside Drive) - $100,000 estimate
iii. Rodriguez Street (Second St to Riverside Drive) - $75,000 estimate
iv. Brennan Street (E. Lake Ave to Freedom Blvd) - $80,000 estimate

1 B) Bulb-out improvements – including planting and irrigation

i. Rodriguez Street (Main St to W. Lake Ave) - $750,000 estimate
ii. Union Street (Alexander St to Riverside Drive) - $500,000 estimate
iii. Rodriguez Street (Second St to Riverside Drive) - $400,000 estimate

Staff estimates that a portion of the crosswalk improvements could be paid with Measure D funds identified in the City's budget for "Downtown Revitalization" and "Pedestrian and Traffic Safety". Currently, there is approximately $80,000 available for Downtown Revitalization and approximately $510,000 programmed over the next three years in Pedestrian and Traffic Safety in Measure D funding.

It should be noted that the budget item, Pedestrian and Traffic Safety, also funds Neighborhood Traffic Plan improvements and other traffic safety related improvements Citywide. For this reason, only a portion of the proposed Phase 1 Plan projects listed

above will be able to be completed with these identified funds. City staff will search for additional grant funding for these and future improvements.

At this time, staff plans to pursue funding for the bulb out improvements though the Active Transportation Program (ATP) funding in 2022 since the 2020 ATP application the City is submitting will be for the proposed bike and pedestrian bridge over Highway 1.

Other potential sources for the Plan improvements could be through Highway Safety Improvement Program or Office of Traffic Safety grants; staff will explore all applicable funding sources. Council will be informed of these grant opportunities as applicable to the Plan projects. If staff is successful at securing grant funding, the schedule for these and potential additional projects could be accelerated or modified to fit grant timelines.

Future Projects

Staff expects the Downtown Specific Plan and the associated traffic study, that will also include the components of the Downtown Watsonville Complete Streets Plan, will be completed in mid-2022**.** The Council will then be able to provide additional direction for prioritizing the next phase of downtown projects and additional direction on prioritizing projects in various funding sources.

STRATEGIC PLAN:

This Phase 1 Implementation Plan is consistent with Strategic Plan Goal #3, Infrastructure and Environment, Section E.2. Develop improved multi-modal transportation features for bicycles and pedestrians.

FINANCIAL IMPACT:

Funding for initial implementation of proposed Phase 1 would be from the Measure D funds identified in the current budget item:

Pedestrian and Traffic Safety - Project # 14322, and

Downtown Revitalization – Project # 14319

ALTERNATIVES:

Council can change or direct alternatives to the proposed phasing plan.

ATTACHMENTS:

1) Plan Cost Estimates
2) Phase 1 Implementation Plan

cc: City Attorney

Downtown Watsonville Complete Streets

Cost Estimates by Corridors and Components *

Construction time frame dependant upon securing grant funding for specific projects

Corridor	Crosswalks	Bulbouts	Bike Lanes**	Amenities	Sidewalks and Lighting	Subtotals
Rodriguez St	$ 440,000	$ 1,460,000	~~$ 650,000~~	$ 290,000	$ 3,500,000	$ 5,690,000
Brennan St/Union St	$ 360,000	$ 1,480,000	$ 100,000	$ 260,000	$ 3,860,000	$ 6,060,000
Ford/ 5th St	$ 65,000	$ 380,000	$ 110,000	$ 20,000	$ 2,400,000	$ 2,975,000
Lake/Beach/ 2nd/ 1st	$ 45,000	$ 900,000	$ 325,000	$ 150,000	$ 2,230,000	$ 3,650,000
Main St	$ 600,000	$ 1,275,000	$ 1,330,000	$ 780,000	$ 3,125,000	$ 7,110,000
Main St/ Freedom Blvd/ Riverside D	$ 50,000	$ 50,000	$ 200,000	$ 10,000	$ 650,000	$ 960,000
Subtotals	$ 1,560,000	$ 5,545,000	$ 2,065,000	$ 1,510,000	$ 15,765,000	$ 26,445,000

Description of elements

Crosswalks: - include a variety of high visibility thermoplastic, decorative colored/ textured thermoplastic, and option of raised crossings at mid block locations.

Bulbouts - include sidewalk extensions at corners, curb ramps, pork chop islands, irrigation and planting along with any utility relocations, as necessary.

Bike Lanes - include striping, markings and signs plus any buffers or medians, as appropriate

Amenities - include benches, parking /way finding signs, bicycle parking, landscaping, bus stop shelters

Sidewalks and llghting - include wider sidewalks, brighter/ new residential area lighting, brighter/ new commercial area lighting

*Cost estimates inlcude all aspects of project - design, permits, testing, inspection, construction management, etc.

**Please note: Bike Lanes on Rodriguez Street were included as part of the Bicycle Safety Project, completed in 2019.*



PHASE 1 IMPLEMENTATION PLAN

1 A) Crosswalk improvements – including striping and signage upgrades

i. Rodriguez Street (Main St to W. Lake Ave) - $125,000 estimate

ii. Union Street (Alexander St to Riverside Drive) - $100,000 estimate

iii. Rodriguez Street (Second St to Riverside Drive) - $75,000 estimate

iv. Brennan Street (E. Lake Ave to Freedom Blvd) - $80,000 estimate

1 B) Bulb-out improvements – including planting and irrigation

i. Rodriguez Street (Main St to W. Lake Ave) - $750,000 estimate

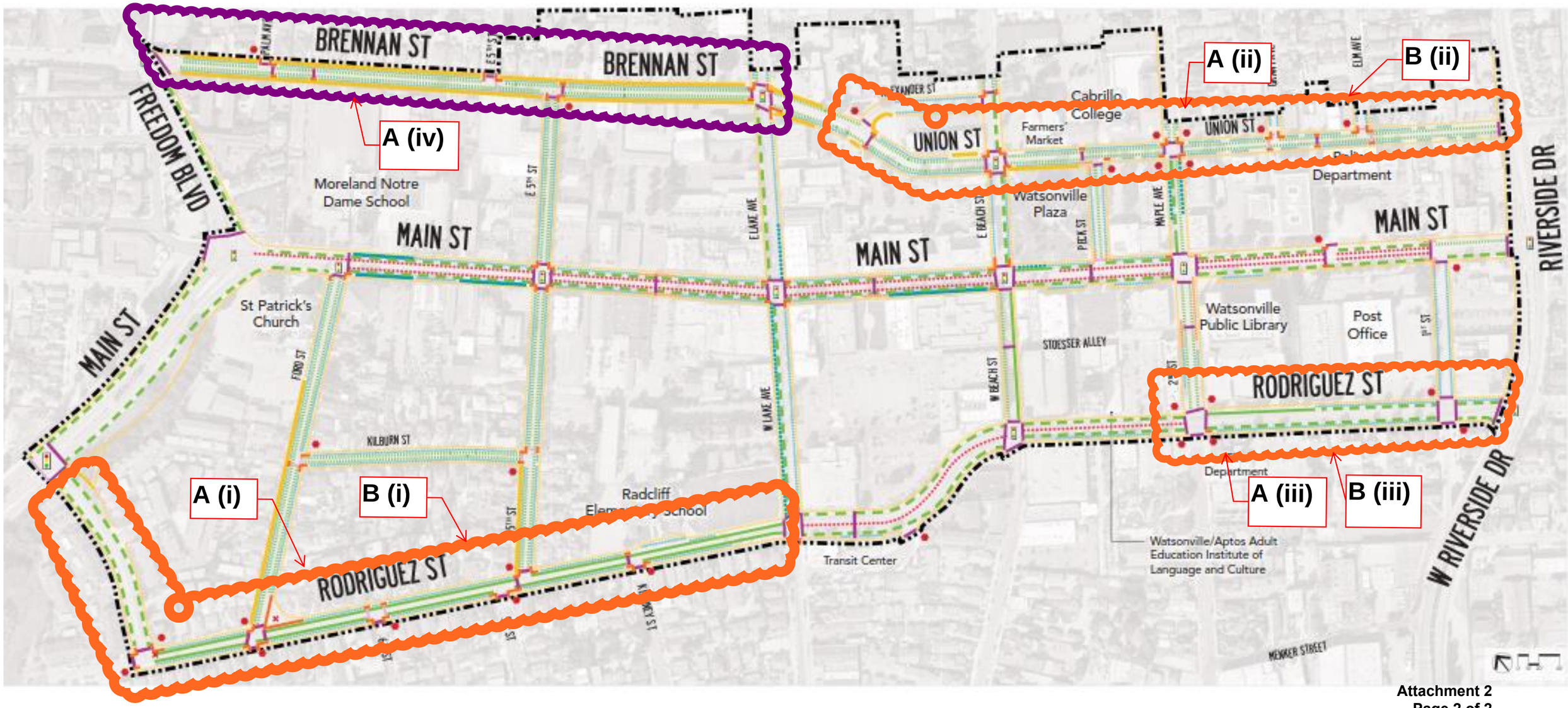
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PHASE 1 IMPLEMENTATION PLAN
DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN

Crosswalk Improvements, Phase 1 A, and Bulb Out Improvements, Phase 1 B

Crosswalk Improvements, Phase 1 A



RESOLUTION NO._____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING THE PHASE 1 IMPLEMENTATION PLAN FOR IMPROVEMENTS IN THE DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN – OCTOBER 4, 2019, THAT ARE NOT CONTINGENT WITH A TRAFFIC STUDY

WHEREAS, the Downtown Watsonville Complete Streets Plan focuses on developing a safe and comfortable network of well integrated multimodal transportation facilities to accommodate and welcome all types of users, including pedestrians, bicyclists, public transit riders and motorist; and

WHEREAS, on May 14, 2019, the City Council received an update on the Downtown Watsonville Complete Streets Plan and directed staff to prepare a final plan and continue community outreach soliciting feedback on the plan; and

WHEREAS, on October 22, 2019, the Council adopted Resolution No. 164-19 (CM) approving the Downton Watsonville Complete Streets Plan – October 4, 2019, and directing staff to proceed with a traffic study in coordination with the Downtown Specific Plan and directing staff to return with a Phase Implementation Plan of improvements that are not contingent with a traffic study.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

That the Phase 1 Implementation Plan for improvements in the Downtown Watsonville Complete Streets Plan – October 4, 2019, that are not contingent with a Traffic Study, be, and is hereby accepted and approved, a copy of which is attached hereto and incorporated herein by this reference.

****



PHASE 1 IMPLEMENTATION PLAN

1 A) Crosswalk improvements – including striping and signage upgrades

i. Rodriguez Street (Main St to W. Lake Ave) - $125,000 estimate

ii. Union Street (Alexander St to Riverside Drive) - $100,000 estimate

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iv. Brennan Street (E. Lake Ave to Freedom Blvd) - $80,000 estimate

1 B) Bulb-out improvements – including planting and irrigation

i. Rodriguez Street (Main St to W. Lake Ave) - $750,000 estimate

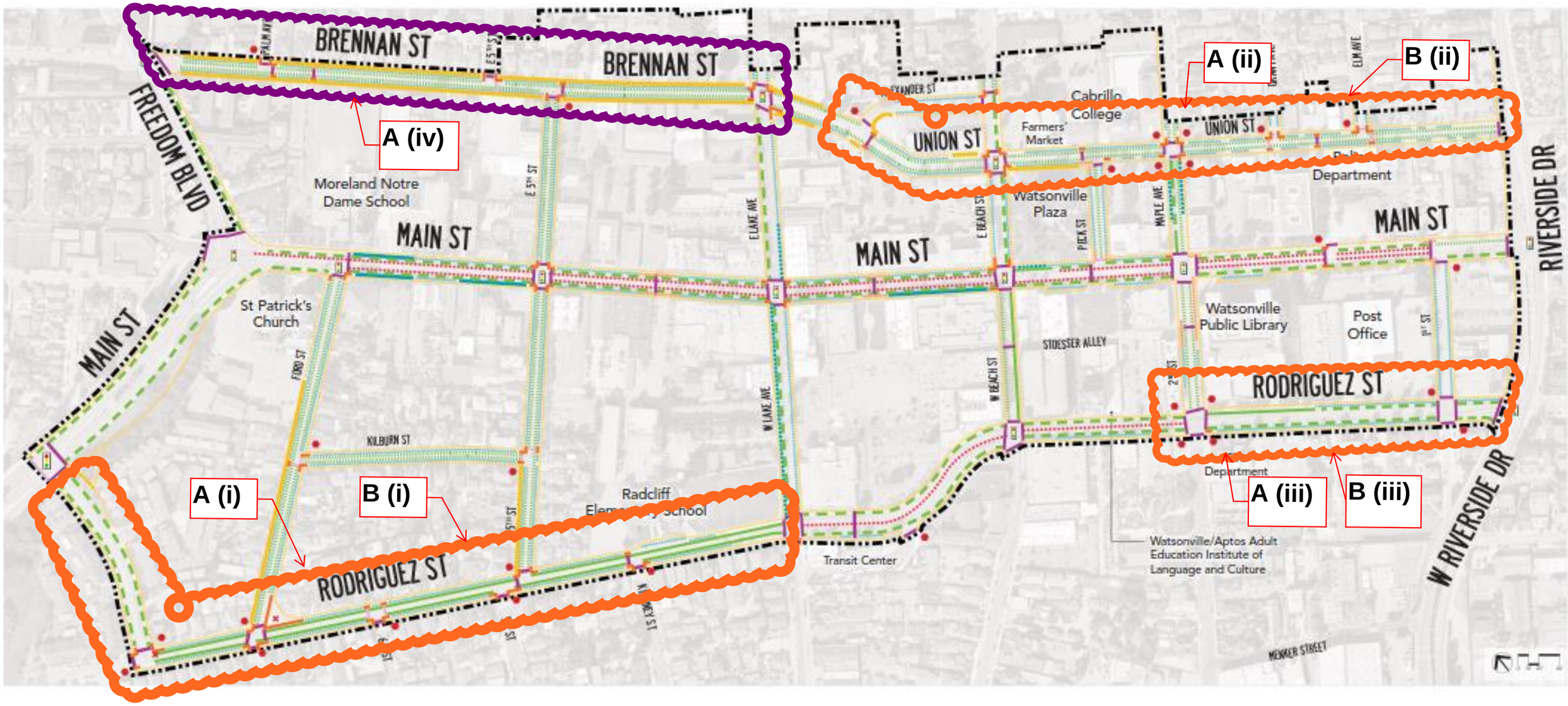
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PHASE 1 IMPLEMENTATION PLAN
DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN

Crosswalk Improvements, Phase 1 A, and Bulb Out Improvements, Phase 1 B

Crosswalk Improvements, Phase 1 A



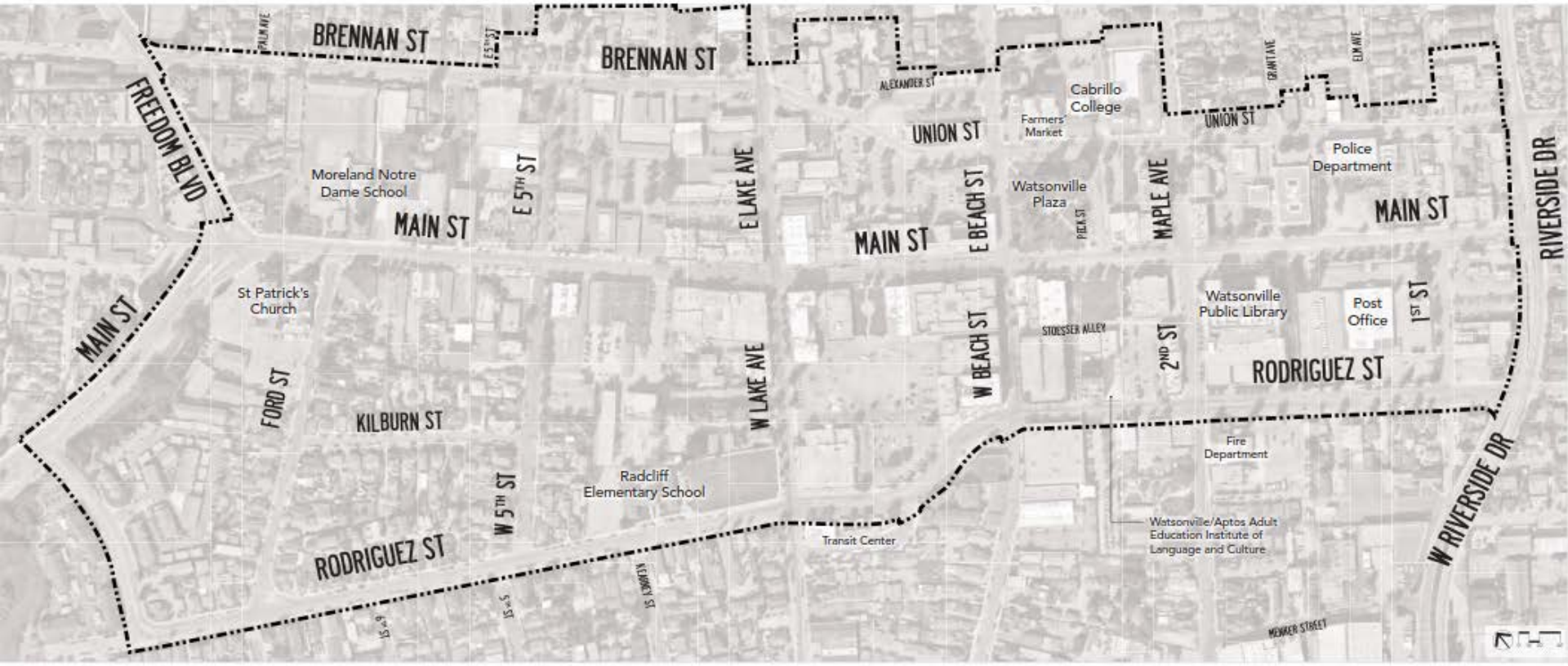
Resolution No. _____ (CM)



PHASE 1 IMPLEMENTATION PLAN

Project Background

Project Limits

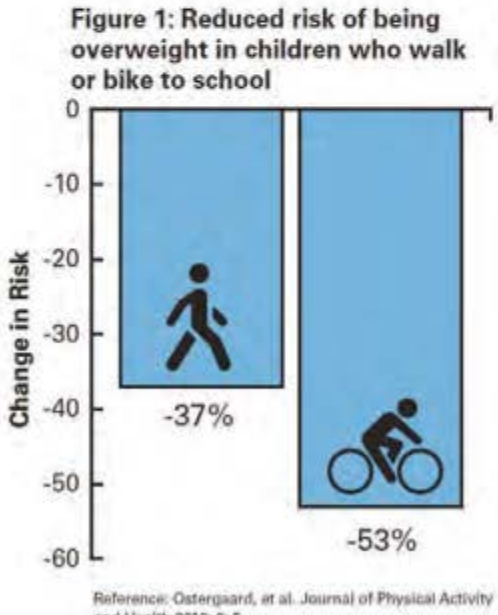


Project Background

Why Complete Streets?

- Safer pedestrian/bike facilities
- Re-invigorate Downtown
- Equitable
- Livable community
- Reduce GHG emissions
- Provide choice in transportation
- Health and wellness





Reference: Ostergaard, et al. Journal of Physical Activity

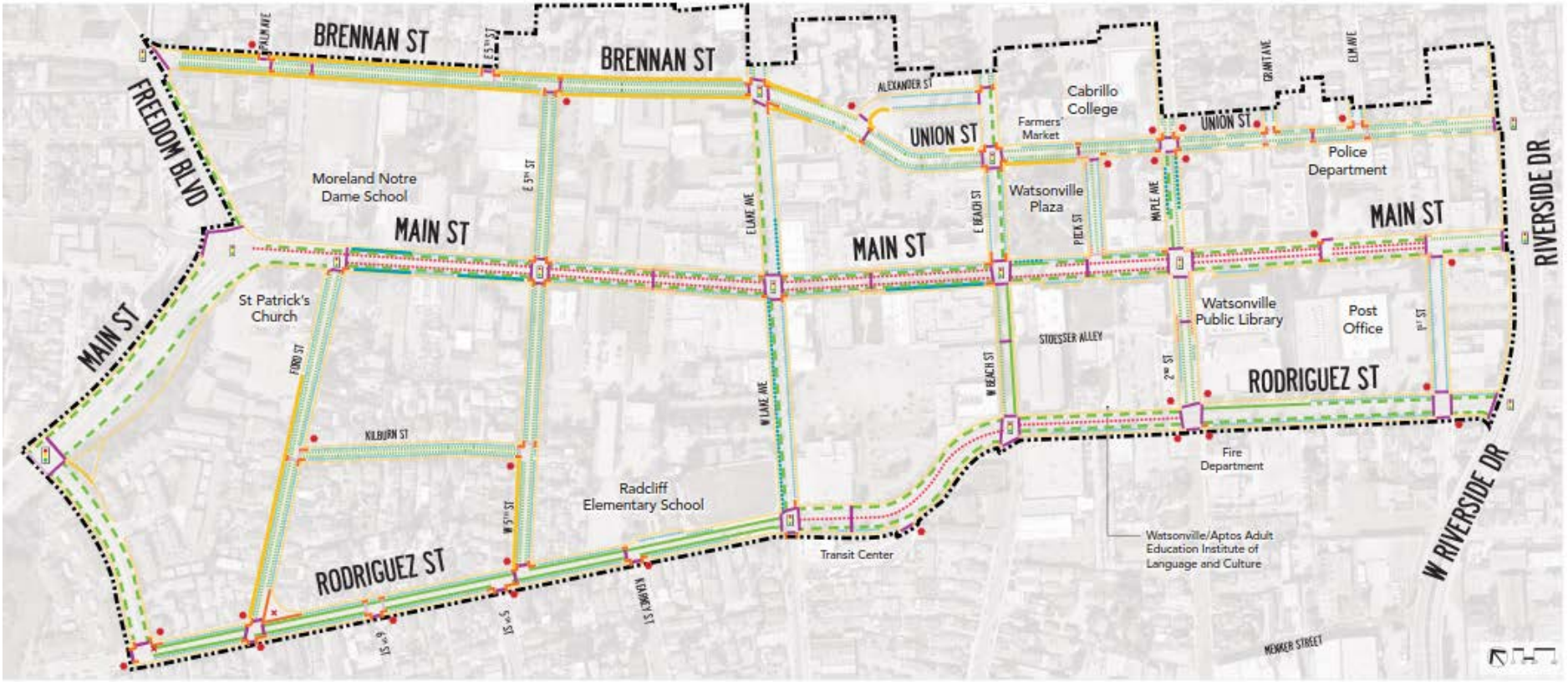
Watsonville Complete Streets Plan

Watsonville Complete Streets Plan is a **planning document**

As the City moves towards acquiring grants, prioritizing projects, starting design – every step of the way will **require Council input, decisions and approval.**

Complete Streets Plan

Circulation

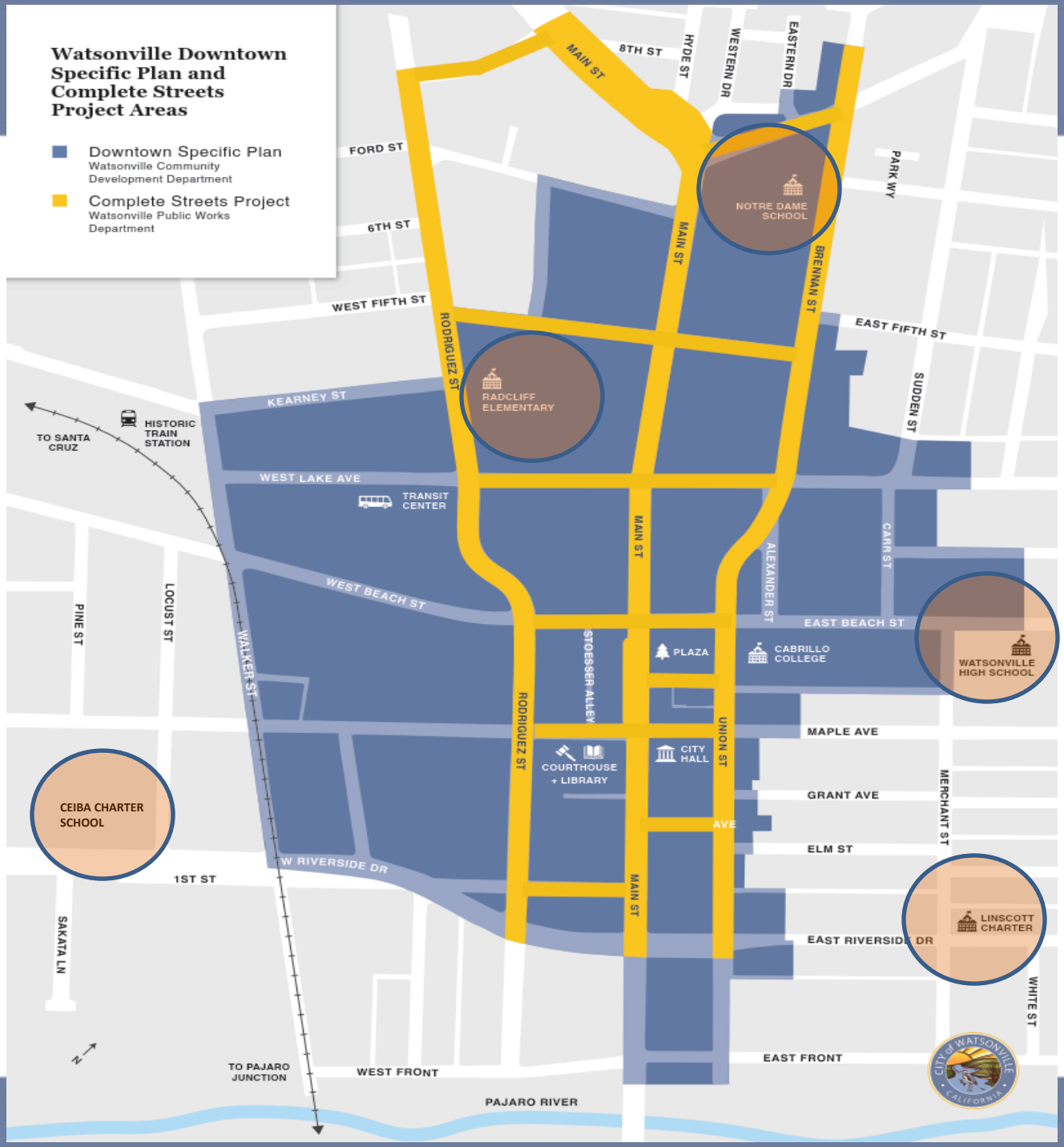


PHASE 1 IMPLEMENTATION PLAN

Consideration for Phase 1 Implementation

Focus on City streets

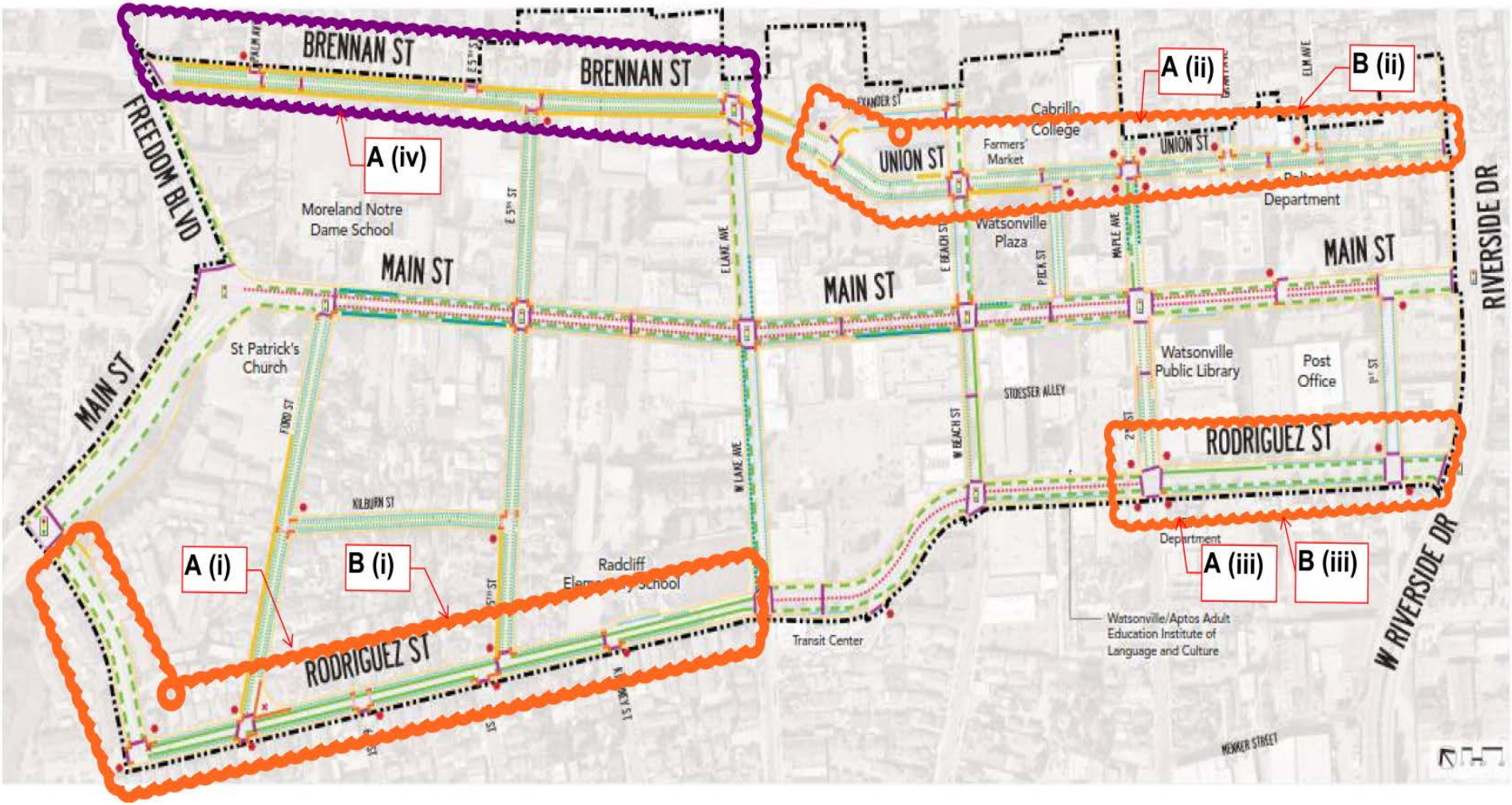
- **Available funding**
- **Potential grant sources**
- **Ongoing planning efforts**


Watsonville Downtown Specific Plan and Complete Streets Project Areas
Downtown Specific Plan
Watsonville Community Development Department
Complete Streets Project
Watsonville Public Works Department
MAIN ST
8TH ST
HYDE ST
WESTERN DR
EASTERN DR
FORD ST
PARK WY
NOTRE DAME SCHOOL
6TH ST
WEST FIFTH ST
RODRIGUEZ ST
BRENNAN ST
EAST FIFTH ST
SUDDEN ST
RADCLIFF ELEMENTARY
KEARNEY ST
TO SANTA CRUZ
HISTORIC TRAIN STATION
WEST LAKE AVE
TRANSIT CENTER
CARR ST
ALEXANDER ST
WEST BEACH ST
EAST BEACH ST
PINE ST
LOCUST ST
WALKER ST
STOESSER ALLEY
PLAZA
CABRILLO COLLEGE
WATSONVILLE HIGH SCHOOL
MAPLE AVE
UNION ST
COURTHOUSE + LIBRARY
CITY HALL
GRANT AVE
MERCHANT ST
CEIBA CHARTER SCHOOL
W RIVERSIDE DR
ELM ST
1ST ST
LINSCOTT CHARTER
EAST RIVERSIDE DR
SAKATA LN
WHITE ST
EAST FRONT
TO PAJARO JUNCTION
WEST FRONT
PAJARO RIVER

PHASE 1 IMPLEMENTATION PLAN
DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN

Crosswalk Improvements, Phase 1 A, and Bulb Out Improvements, Phase 1 B

Crosswalk Improvements, Phase 1 A



PHASE 1 IMPLEMENTATION PLAN

A) Crosswalk improvements

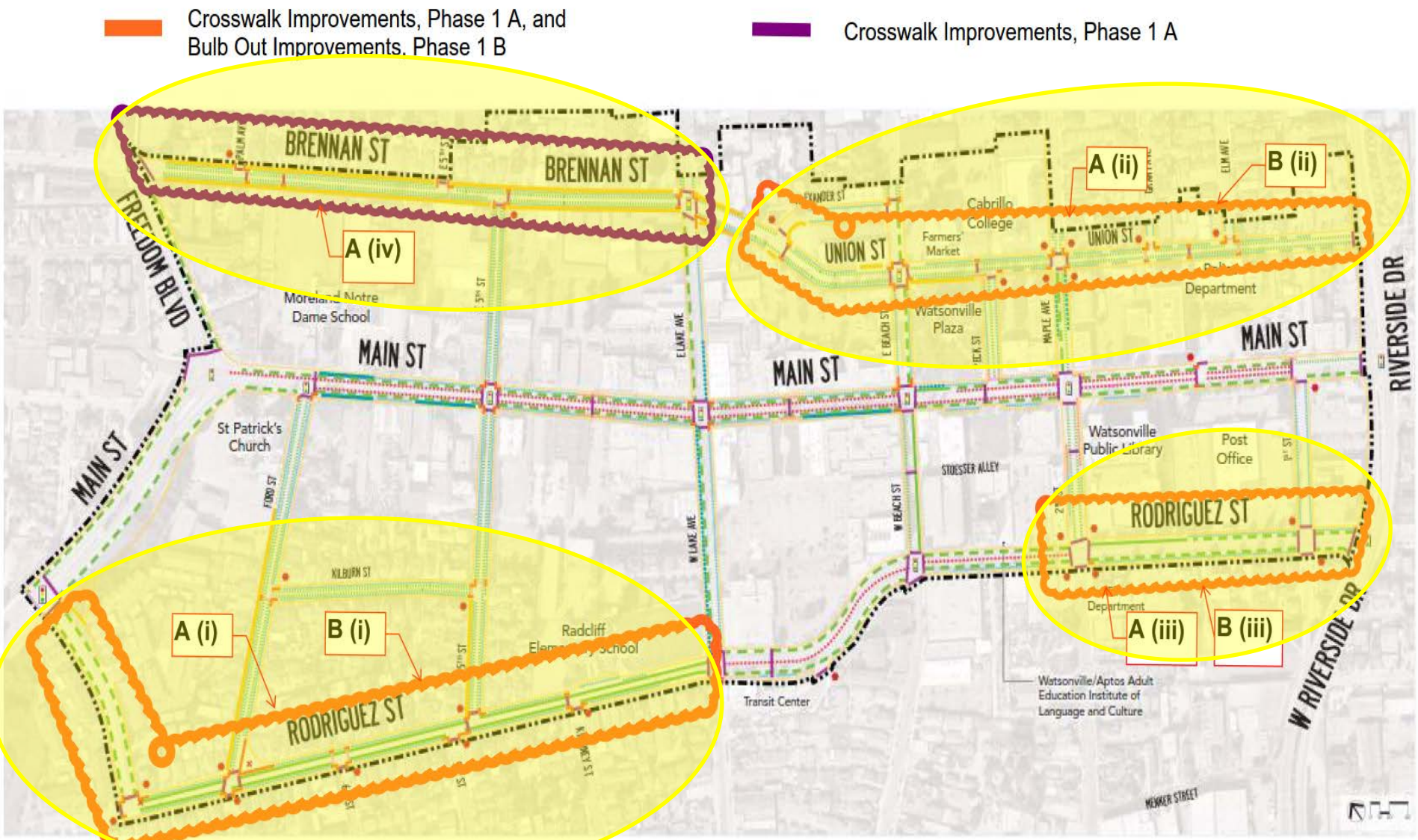






DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN

PHASE 1 IMPLEMENTATION PLAN
DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN



PHASE 1 IMPLEMENTATION PLAN

A) Crosswalk improvements –striping and sign upgrades

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$100,000 estimate

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PHASE 1 IMPLEMENTATION PLAN

B) Bulb-out improvements



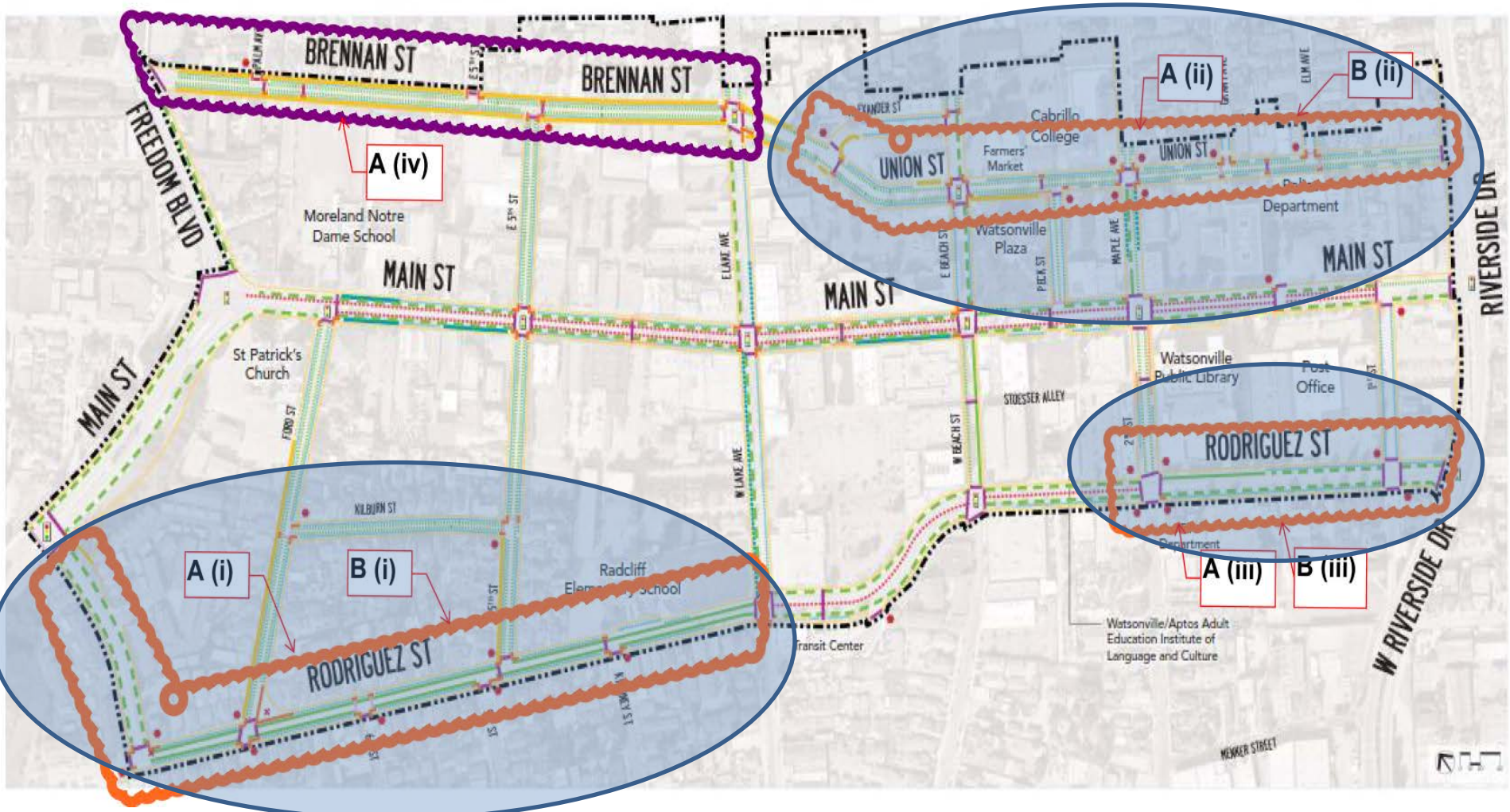


DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN

PHASE 1 IMPLEMENTATION PLAN
DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN

Crosswalk Improvements, Phase 1 A, and Bulb Out Improvements, Phase 1 B

Crosswalk Improvements, Phase 1 A



PHASE 1 IMPLEMENTATION PLAN

B) Bulb-out improvements – including planting and irrigation

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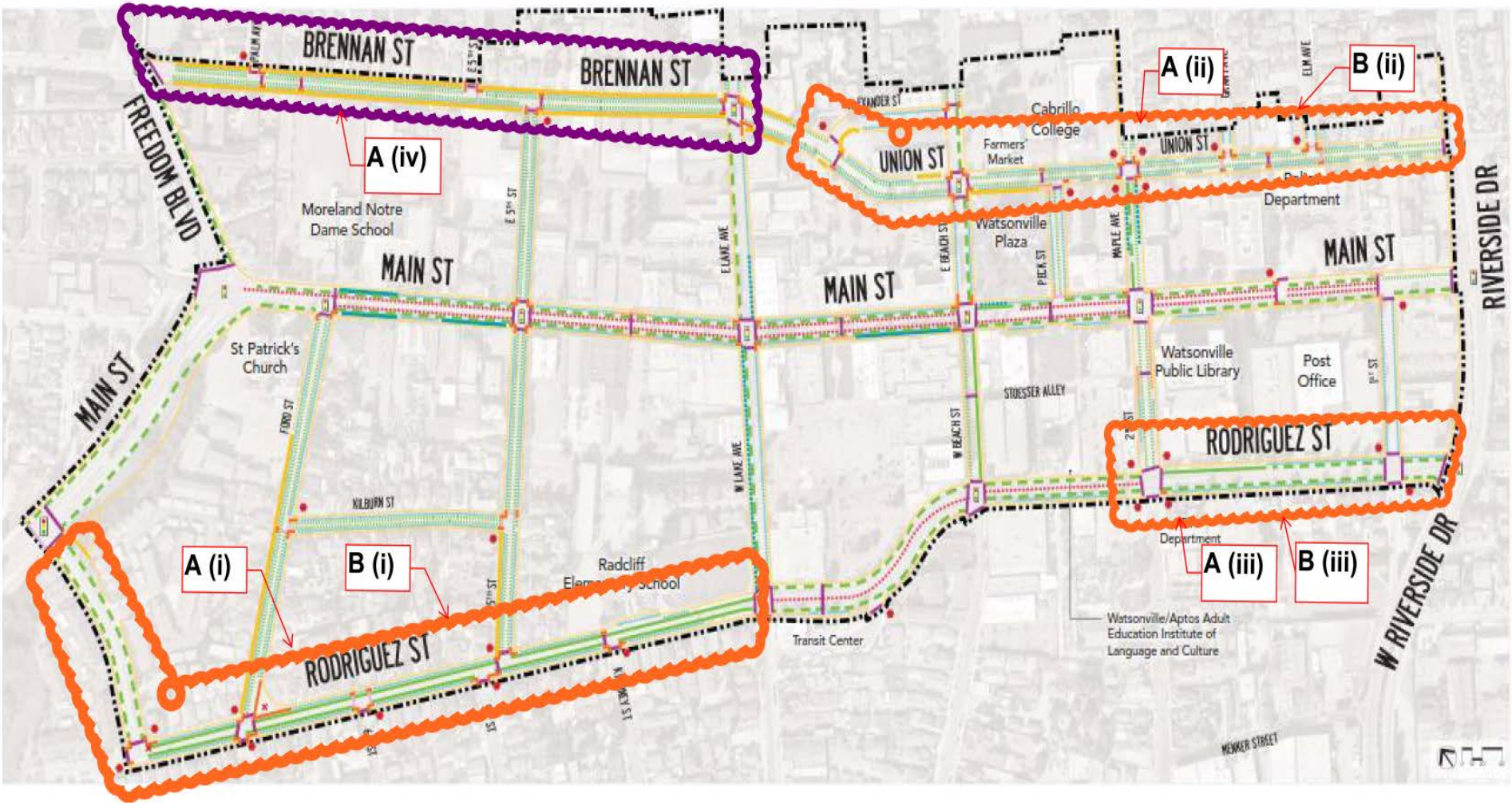
$400,000 estimate



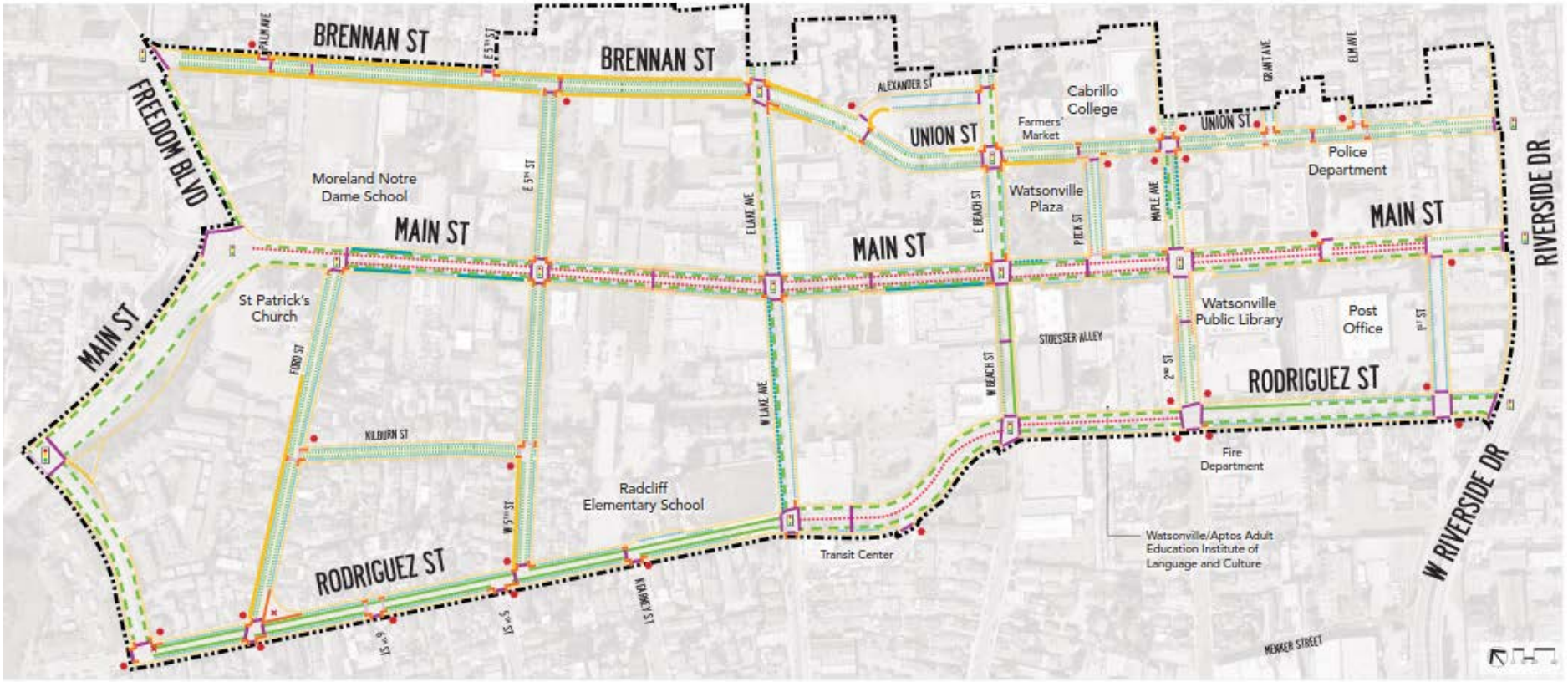
PHASE 1 IMPLEMENTATION PLAN
DOWNTOWN WATSONVILLE COMPLETE STREETS PLAN

Crosswalk Improvements, Phase 1 A, and Bulb Out Improvements, Phase 1 B

Crosswalk Improvements, Phase 1 A



FUTURE PROJECTS - IMPLEMENTATION



PHASE 1 IMPLEMENTATION PLAN

Staff recommends City Council approve

Phase 1 Implementation Plan

for Improvements included in the

Downtown Watsonville Complete Streets Plan

A) Crosswalk improvements

B) Bulb-out improvements



PHASE 1 IMPLEMENTATION PLAN

Questions ?



Attachment 1

Downtown Watsonville Complete Streets

Cost Estimates by Corridors and Components *

Construction time frame dependant upon securing grant funding for specific projects

Corridor	Crosswalks	Bulbouts	Bike Lanes**	Amenities	Sidewalks and Lighting	Subtotals
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Description of elements

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Bulbouts - include sidewalk extensions at corners, curb ramps, pork chop islands, irrigation and planting along with any utility relocations, as necessary.

Bike Lanes - include striping, markings and signs plus any buffers or medians, as appropriate

Amenities - include benches, parking /way finding signs, bicycle parking, landscaping, bus stop shelters

Sidewalks and llghting - include wider sidewalks, brighter/ new residential area lighting, brighter/ new commercial area lighting

*Cost estimates inlcude all aspects of project - design, permits, testing, inspection, construction management, etc.

**Please note: Bike Lanes on Rodriguez Street were included as part of the Bicycle Safety Project, completed in 2019.*

Implementation

Main Street	$7.08 M
Brennan St/Union St	$6.05 M
Rodriguez Street	$6.33 M
Ford/5th Streets	$2.96 M
Lake/Beach/2nd/1st Streets	$3.64 M
Main/Freedom/Riverside Dr	$0.91 M
TOTAL	*$27.0 M*