



CITY OF SEASIDE
CITY COUNCIL

AGENDA

REGULAR MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Thursday, May 3, 2018
7:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

2. **ROLL CALL – ESTABLISHMENT OF QUORUM**

Ralph Rubio	Mayor
Dennis Alexander	Council Member
Jason Campbell	Council Member
David R. Pacheco	Council Member
Kayla Jones	Council Member

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

4. **REVIEW OF AGENDA**

If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).

5. **PUBLIC COMMENT**

Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

6. **PUBLIC AGENCY COMMUNICATIONS**

This is a time specifically set aside for representatives of public agencies to make brief comments of general interest to the City Council and the community.

7. **PRESENTATIONS**

A. PROCLAMATION OF ECONOMIC DEVELOPMENT WEEK, MAY 6-MAY 12 IN THE CITY OF SEASIDE

B. PRESENTATION AND RECOGNITION OF THE SEASIDE POLICE DEPARTMENT SUPPORT SERVICES EMPLOYEE OF THE YEAR

C. PRESENTATION FROM OFO REGARDING THE POTENTIAL OF ESTABLISHING THEIR COMMERCIAL DOCKLESS BIKE SHARE PROGRAM IN SEASIDE

D. PRESENTATION FROM MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT SUPERINTENDENT REGARDING ANNUAL PERFORMANCE REPORT

E. RECEIVE REPORT ON THE SEASIDE CAL GRIP GRANT AND YOUTH VIOLENCE PROGRAM

8. CONSENT CALENDAR

The Consent Calendar includes routine items that can be approved with a single motion and vote. A member of the City Council or a member of the public may request that any time be pulled from the Consent Calendar for separate consideration.

A. APPROVE MINUTES OF APRIL 19, 2018

RECOMMENDATION: It is recommended that the minutes be reviewed and approved.

B. APPROVE AND FILE CITY CHECKS

PURPOSE & RECOMMENDATION: It is requested that the City Council approve and file the accounts payable and wired payments made during the period of April 7, 2018 through April 20, 2018. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of April 12, 2018 is requested. Total Accounts Payable and Payroll for the above referenced period is \$1,977,543.18.

C. APPROVE A FEE WAIVER REQUEST FROM COUNTY OF MONTEREY WORKFORCE DEVELOPMENT BOARD FOR THE USE OF LAGUNA GRANDE HALL FOR THEIR YOUTH JOB FAIR

PURPOSE & RECOMMENDATION: The purpose of this item is to consider the request for a fee waiver by County of Monterey Workforce in the amount of Four Hundred and Nine Dollars (\$409.00) associated with their Youth Job Fair on May 30, 2018.

D. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL VARSITY AND JUNIOR VARSITY BASEBALL TEAM

PURPOSE & RECOMMENDATION: The purpose of this agenda item is for the City Council to consider a Three Thousand Dollar (\$3,000.00) request from Seaside High School Varsity and Junior Varsity Baseball Team for a donation from the Mayor's Youth Fund.

E. GRANT APPLICATION APPROVAL FOR ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT IN THE AMOUNT OF \$193,556 FOR RECRUITMENT AND RETENTION OF VOLUNTEER FIREFIGHTERS.

PURPOSE & RECOMMENDATION: It is recommended that City Council authorize the submission of an application for an Assistance to Firefighters Grant (AFG) Staffing for Adequate Fire and Emergency Response (SAFER) in the amount of \$193,556 for recruitment and retention of volunteer firefighters. There are no matching funds required.

F. APPROVAL OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

PURPOSE: That the City Council accept the recommendations from the Council Subcommittee and make appointments to the Homeless Committee, Environmental Committee and Planning Commission.

RECOMMENDATION: That the Council approve the recommendations for appointments.

G. RESOLUTION TO MODIFY THE POSITION CONTROL LIST TO ADD ONE ADDITIONAL DEPUTY POLICE CHIEF, DELETE TWO POLICE COMMANDERS AND ADD ONE POLICE OFFICER DEDICATED TO TRAFFIC OPERATIONS.

PURPOSE & RECOMMENDATION: The purpose of this item is to approve a resolution to modify the position control list to add an additional Deputy Police Chief, delete two Police Commanders, and add one Police Officer dedicated to traffic operations.

H. APPROVE RESOLUTION AWARDING CONTRACT FOR THE PUBLICATION OF LEGAL NOTICES

PURPOSE & RECOMMENDATION: To approve a resolution awarding a contract with The Monterey County Weekly for publication of the City of Seaside legal notices and authorize the City Manager to execute the contract.

I. APPROVE A RESOLUTION CALLING FOR AN ELECTION ON NOVEMBER 6, 2018 IN THE CITY OF SEASIDE TO ELECT ONE (1) MAYOR AND (2) COUNCIL MEMBERS, TO AUTHORIZE CONSOLIDATION WITH MONTEREY COUNTY'S GENERAL ELECTION AND TO APPROVE AN AGREEMENT WITH THE MONTEREY COUNTY ELECTIONS DEPARTMENT FOR ELECTION SERVICES

PURPOSE & RECOMMENDATION: Per Elections Code Section 1002 and the Seaside Municipal Code, this item is requesting the Council authorization to call for an election on November 6, 2018, declaring two council member and one mayoral seat, to consolidate the election with the general municipal election and authorize the Monterey County Registrar of Voters to provide for election services for the election.

**J. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE
APPROVING THE 2018 FIREWORKS SURCHARGE PERCENTAGE.**

PURPOSE & RECOMMENDATION: The purpose of this Resolution is to approve the proposed 2018 Fireworks Surcharge of seven percent as outlined in the City of Seaside Municipal Code Chapter 8.32 relating to fireworks.

**K. APPROVE RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE AN OPERATING AGREEMENT WITH OFO TO ESTABLISH A
COMMERCIAL DOCKLESS BIKE SHARE PROGRAM IN SEASIDE**

PURPOSE & RECOMMENDATION: That the City Council approve a resolution authorizing the City Manager to execute an agreement with OFO US Ltd. to provide and facilitate a dockless bike share program in the City of Seaside.

9. PUBLIC HEARING

**A. INTRODUCTION OF AN ORDINANCE MODIFYING MUNICIPAL CODE
CHAPTER 2.14 UPDATING THE CONFLICT OF INTEREST CODE AND
ELIMINATE CHAPTER 2.10 POLICE RESERVE**

PURPOSE & RECOMMENDATION: The purpose of this item is to introduce the first reading of an Ordinance amending Seaside Municipal Code Chapter 2.42 regarding Conflicts of Interest to update the listing of required designated filing employees and other changes to ensure compliance with the Political Reform Act and California Government Code 87300-87302 and eliminating Chapter 2.10 Police Reserves. It is recommended that the City Council conduct a public hearing and pass to print the proposed Ordinance.

**B. REAFFIRMING CONSISTENCY OF THE COMPREHENSIVE UPDATES TO
THE ZONING CODE, AMENDING TITLE 17 OF THE SEASIDE MUNICIPAL
CODE, WITH THE FORT ORD REUSE PLAN. THIS ITEM HAS BEEN
SCHEDULED TO CONDUCT A PUBLIC HEARING TO REAFFIRM THAT
ADOPTION OF TEXT AMENDMENTS TO THE ZONING ORDINANCE,
AMENDING TITLE 17 (ZONING CODE) OF THE SEASIDE MUNICIPAL
CODE, IS CONSISTENT WITH THE BASE REUSE PLAN OF THE FORT ORD
REUSE AGENCY**

PURPOSE & RECOMMENDATION: This item has been scheduled to conduct a public hearing to reaffirm that adoption of text amendments to the Zoning Ordinance, amending Title 17 (Zoning Code) of the Seaside Municipal Code, is consistent with the Base Reuse Plan of the Fort Ord Reuse Agency (FORA). It is recommended that the City Council adopt the draft Resolution provided as Attachment 1.

There are no changes to the zoning ordinance in this agenda item.

C. INTRODUCTION OF AN AMENDMENT (FILE No. SMA-17-03) TO CHAPTER 17 OF THE SEASIDE MUNICIPAL CODE (ZONING CODE) TO ADOPT SHORT-TERM RENTAL REGULATIONS WITHIN RESIDENTIAL DWELLINGS.

PURPOSE & RECOMMENDATION:

The purpose of this ordinance is to establish regulations for the use of privately owned residential dwellings as short-term rentals to minimize any negative impacts on surrounding properties and to ensure the collection and payment of transient occupancy taxes for said short-term rentals. It is recommended that the City Council:

- Adopt the Initial; Study and Negative Declaration of proposed text amendments related to short term rentals within a residential use.
- Introduce and hold first reading of an Ordinance to add Section 17.52.251 to the Seaside Municipal Code entitled “Short Term Rentals”

10. BUSINESS ITEMS

A. AMENDMENT TO THE CONTRACT WITH RAMI AND ASSOCIATES TO COMPLETE A GENERAL PLAN UPDATE AND REVISED ZONING ORDINANCE.

PURPOSE & RECOMMENDATION: In order to complete a comprehensive update to the City's Zoning Ordinance and to ensure that the new General Plan and Zoning Ordinance are in alignment, adjustments to the scope and budget of the contract with Raimi and Associates is required. These changes will not impact the overall price of the updates to the City's General Plan and Zoning Ordinance.

11. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND REPORTS ON COMMITTEE ASSIGNMENTS

This is a time specifically set aside for members of the City Council, the City Manager and City Attorney to make brief comments of general interest to the community, make requests that items be added to future City Council meeting agendas as necessary and report on committee assignments.

12. ADJOURNMENT

Next Regularly Scheduled Meeting:

May 17, 2018

7:00 PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, they are asked to contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings.

City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:

<http://cyp.telvue.com/player?id=T01629&video=52314&noplaylistskin=1&width=400&height=300>

Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.

City of Seaside
Proclamation



Declaring May 6-12, 2018 as
“Economic Development Week” in the City of Seaside

WHEREAS economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base;

WHEREAS economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS the International Economic Development Council has created Economic Development Week to celebrate the achievements of economic developers and the international event will occur from May 7 to May 12 and

WHEREAS economic developers are engaged in a wide variety of settings while attracting and retaining high-quality jobs, developing vibrant communities, and improving the quality of life in their regions; and

WHEREAS a team of economic developers work in the City of Seaside within the State of California; and

NOW, THEREFORE, I, The Honorable Ralph Rubio, Mayor of the City of Seaside, California, do hereby proclaim May 6 to May 12, 2018 as Economic Development Week

PRESENTED on this 3rd day of May, 2018. A copy of this proclamation is authorized to be transmitted to the International Economic Development Council.

Ralph Rubio, Mayor



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Beth Rocha, Associate Planner

DATE: May 3, 2018

**SUBJECT: PRESENTATION FROM OFO REGARDING THE POTENTIAL OF
ESTABLISHING THEIR COMMERCIAL DOCKLESS BIKE SHARE
PROGRAM IN SEASIDE**

PURPOSE & RECOMMENDATION

The purpose of this item is for the City Council to consider the City of Seaside enter into a no-cost Operating Agreement with ofo US Ltd. for the commercial operation of an affordable dockless bike-share system in the City of Seaside.

BACKGROUND

The concept of bikesharing is to expand and integrate cycling into transportation systems to provide convenient and affordable access for individuals to use bicycles on a short-duration for commuting and recreation, while also having the potential to contribute to the following:

- Economic benefits for local businesses
- Health benefits associated with incorporating active transportation into one's life
- Increased transit usage and linkage with other transportation modes, such as walking
- Greenhouse gas reduction by replacing trips taken by automobile

These, and many other, benefits have influenced the rapid expansion and popularity of bikeshare in the United States. According to the National Association of City Transportation Officials, from 2010-2016 docked bikeshare systems grew exponentially, with 1,600 bikes in 2010 to 42,000 bikes in 55 cities by 2016. It was during this period of growth that the Transportation Agency of Monterey County (TAMC) became interested in analyzing bikeshare feasibility in the region.

In 2013, TAMC completed the Monterey County Bicycle Sharing Feasibility Analysis Plan (see Attachment 1), which evaluated the potential for establishing a bicycle sharing program in Monterey County. The City of Seaside was analyzed in the study and received favorable bikesharing suitability screening scores and ridership suitability scores. Following the TAMC

plan, some regional partners were granted permission to begin researching bikeshare for their communities.

At the time of the TAMC study, docked bikeshare was the only model analyzed and being implemented across the United States. Docked systems often require grants, city funding, and corporate sponsorship for installation and maintenance of stations and fleet, as well requiring the user pick up and drop off bicycles at designated stations. There have been both failures and successes of docked systems, with Pronto in Seattle failing after two years and millions of dollars lost by the city and Citi Bike in New York successfully doubling the size of its bikeshare fleet. Naturally, the issues with docked bikeshare led to the emergence of a new model: dockless bikeshare.

In 2017, dockless bikeshare companies emerged in the US as an alternative model to docked bikeshare. Dockless systems often operate at no-cost to the cities in which they operate and don't require the infrastructure of the fixed station, allowing for riders to pick up and drop off bicycles in appropriate areas of the public right of way. The main issue dockless bikeshare presents is the placement of bicycles in unwanted or unpermitted locations, making the bicycle an obstruction or nuisance (see Attachment 2: Citylab article, *What People Mean When They Call Dockless Bikeshare a 'Nuisance'*). However, the "service area" of dockless bikeshare is city-wide, which allows for more equitable distribution of an affordable transportation method than that provided by docked bicycle systems. As a result, many cities are complementing their existing docked bikeshare with dockless bikeshare to reach bikeshare equity goals in an affordable manner. Additionally, even more cities aren't considering docked bikeshare, mostly due to associated costs, but are allowing for dockless bikeshare companies to operate in a private, competitive marketplace.

In March 2018, Seaside planning staff was directed to resume conversations regarding the establishment of a bikeshare system with regional partners in the Monterey County. Meetings were held with the TAMC, Cal State University Monterey Bay (CSUMB), and the cities of Monterey and Pacific Grove. These successful conversations established a consensus in pursuing bikeshare in the region and Seaside planning staff contacted ofo (<https://www.fo.com/us/en>), a dockless bikeshare company, to invite them to discuss their business model (Attachment 3). On February 16th, Seaside planning staff hosted a meeting at Seaside Creates with CSUMB, the cities of Monterey and Pacific Grove, and the following staff from ofo: Chandra Morando, General Manager for the West; Katie Stevens, Head of Public Policy for the West; and Maggie Yang, Regional University Partnerships Manager. The following day, ofo representatives Katie Stevens and Maggie Yang met with City Manager Craig Malin. Planning staff was directed to continue conversations with ofo, who provided Seaside with a draft Operating Agreement. Seaside's Deputy City Manager reviewed the draft Operating Agreement and suggested some revisions, to which ofo responded (see Attachment 4). In addition to the Operating Agreement, the Seaside Municipal Code contains three sections that would apply to a commercial bikeshare operation in the City:

1. Chapter 12.12 Street Obstructions, section 12.12.010 Merchandise Displays Prohibited, which states: "*Signs, boxes, vehicles or any items of private ownership shall not be placed on a public street, sidewalk, sidewalk area or right-of-way without prior permission in writing from the city manager and/or the chief of police. Such permission shall not ordinarily be granted in the absence of a showing of hardship or need.*"
2. Chapter 17.38 Sidewalk Use and Connectivity, section 17.38.020 Encroachment Permit

Required, which states: *"The commercial use of public sidewalks requires the issuance of an Encroachment Permit issued by the City."*

3. *Chapter 17.38 Sidewalk Use and Connectivity, section 17.38.030.A General Sidewalk Use Provisions, which states: "The following applies to the use of all sidewalk areas: A. Clear path of travel required. At least five feet clear area should be provided to allow for unimpeded pedestrian traffic around any obstruction."*

The potential launch of ofo bikeshare in the City could coincide with the anticipated opening of the West Broadway Urban Village Street Infrastructure Improvement Project and Seaside's Pedal Party on May 10, 2018. Additionally, the launch of a bikeshare would facilitate activation of the right-of-way and encourage bicycle use throughout the Urban Village, facilitating attainment of some circulation, economic development, environmental sustainability policies of the West Broadway Urban Village Specific Plan and of the City.

FISCAL IMPACT

None.

ATTACHMENTS

1. ofo for Seaside
 2. TAMC
 3. A2CityLab
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



DOCKLESS BIKE SHARE FOR **Seaside, CA**

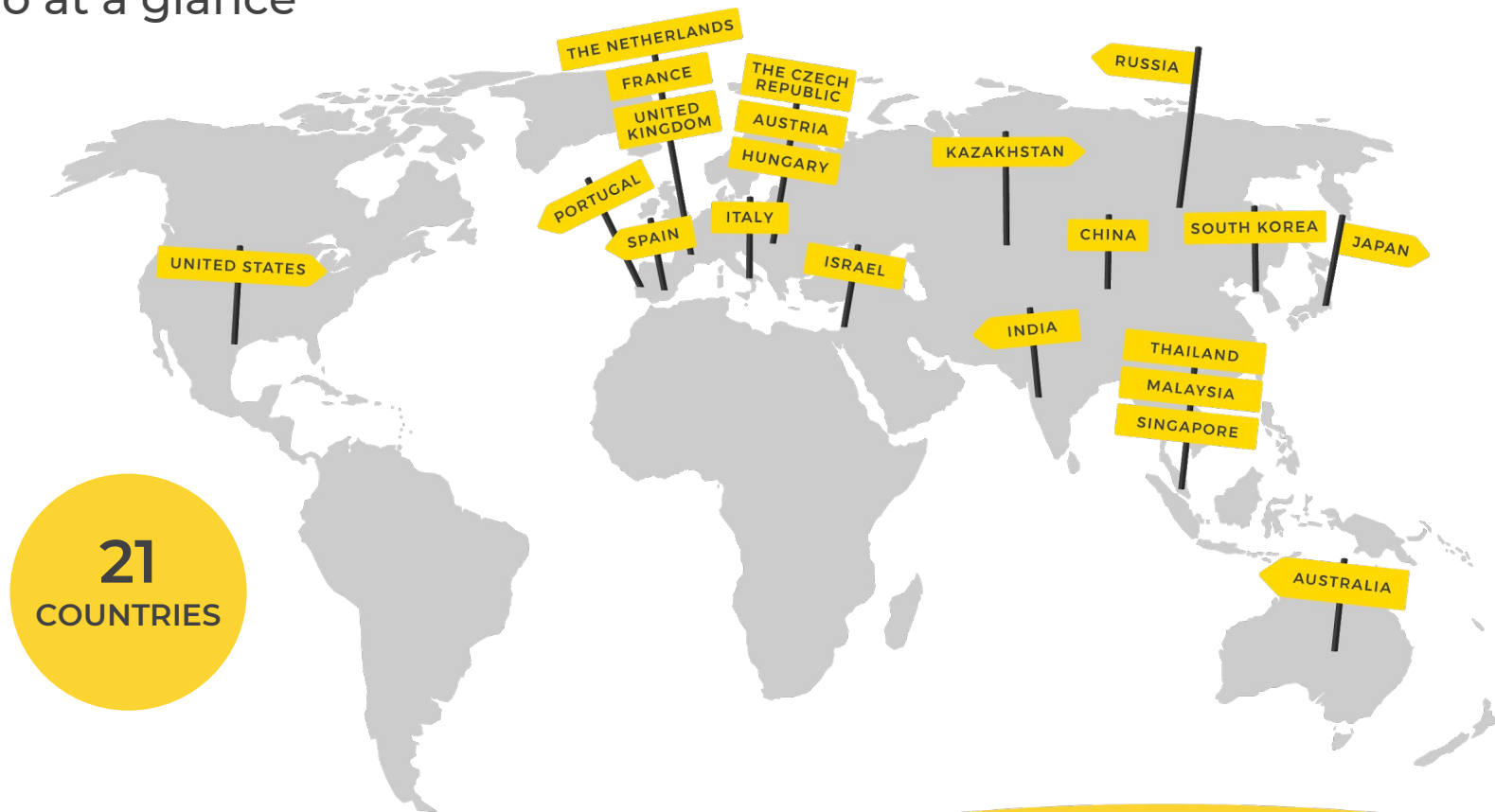
April 16, 2018

the ofo story

“anywhere, anytime”



ofo at a glance



21
COUNTRIES



200+
CAMPUSES



200M+
USERS

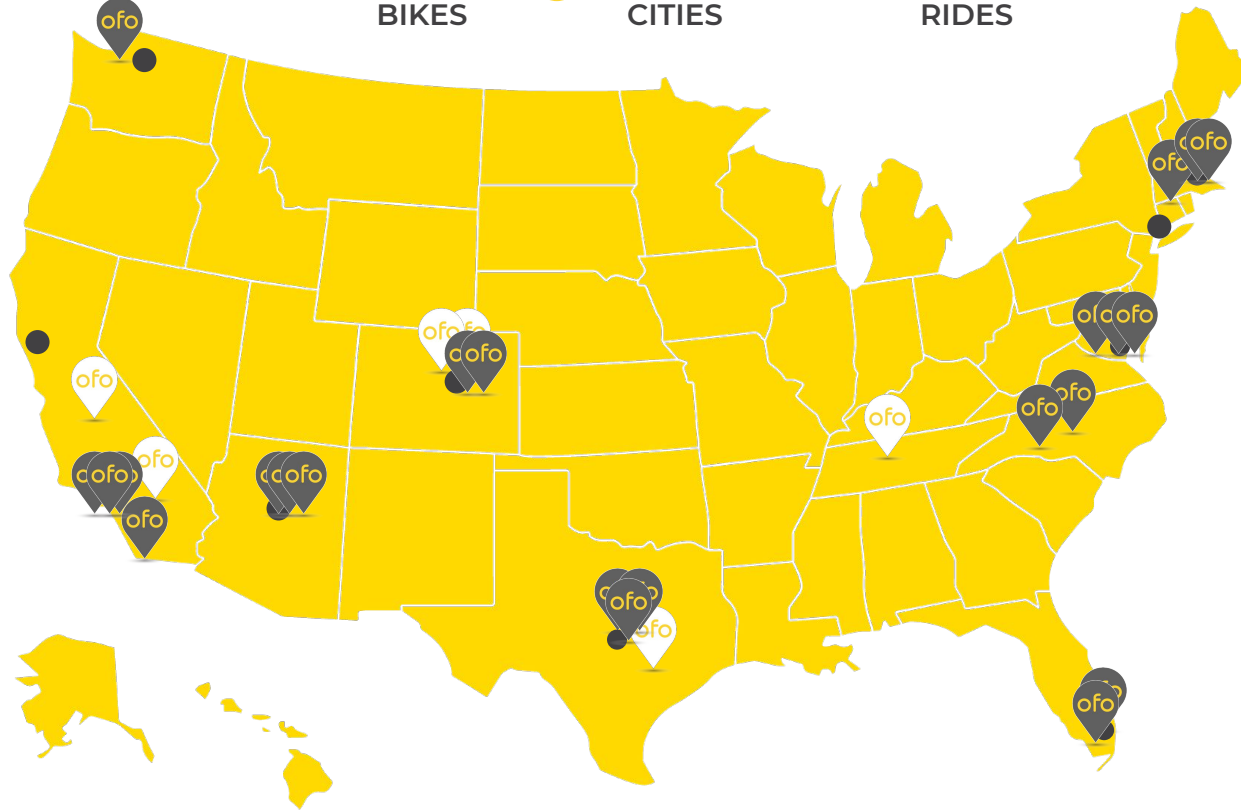


250+
CITIES



32M+
RIDES/DAY

30K BIKES IN 23 CITIES = 1M RIDES



-  OFO SERVICED CITIES
-  COLLEGE CAMPUSES
-  OFO OFFICES

university operations



Texas A&M



Paul Quinn College



Pomona College



Community College
of Aurora



CSU-San Marcos



VANDERBILT
UNIVERSITY

reaching local goals



Reduce single-occupant vehicle commuters to 50% by 2030



Provide equal bicycling access for all in City of Seattle



Doubling biking by 2020

PLANPHILLY

Increase Bicycle Mode Share from 1.6% to 6.5% by 2020



To expand transportation choices in the District of Columbia and the region



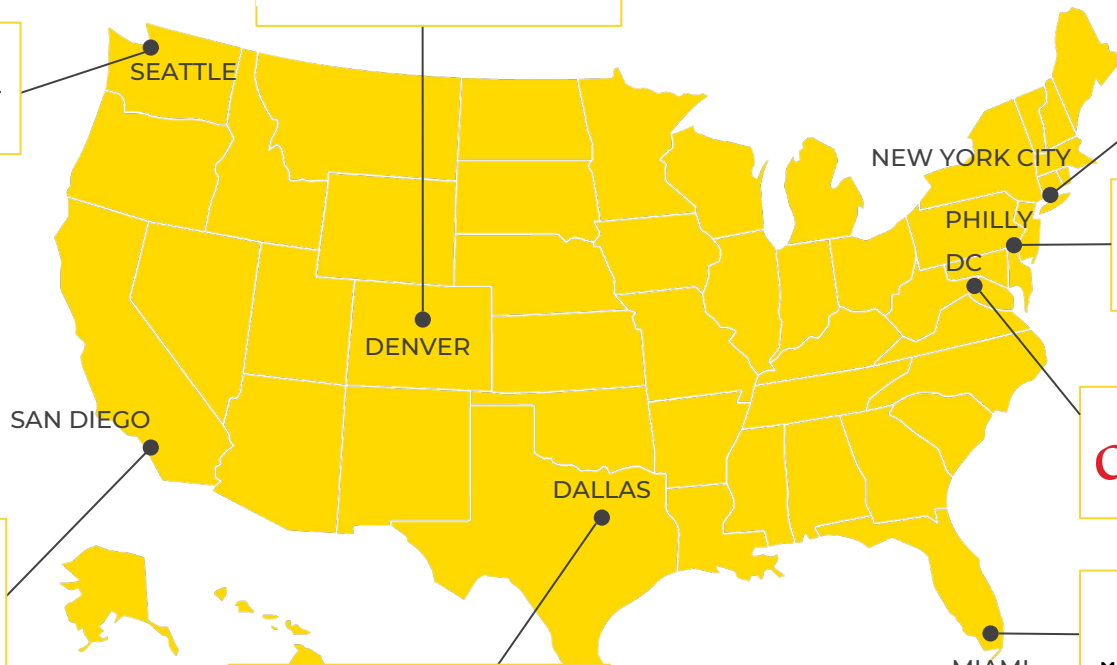
Create interconnected bicycle and pedestrian friendly communities throughout Miami-Dade County by 2040.



Build 800 miles of bike infrastructure throughout Dallas by 2040.



Commitment to increasing the number of people who bike and frequency of bicycle trips for all purposes



our partners



STUDIO ROOSEGAARDE

SHARED MOBILITY
PRINCIPLES FOR
LIVABLE CITIES



DISTRICT OF COLUMBIA
HOUSING AUTHORITY



ofo for Seaside

transforming mobility

- **Travel seamlessly** from origin to destination
- **Improve access** to public transit
- **Reduce** number of short distance car trips
- **Strengthen connectivity** across communities
- **Increase the visibility** of bicycles



our values



OPERATIONS

Comfortable, Clean &
Certified Safe
Bicycles

Ensuring Order in the
ROW

Data Driven
Operations



CITY PARTNERSHIPS

Realizing Vision Zero
Goals

Prioritizing Local
Needs

Accessibility and Equity

Data Sharing

Improving Last Mile
Connections at Zero Cost

local engagement

BIKE[^]USTIN



VISION ZERO



Dallas
Parks
Foundation

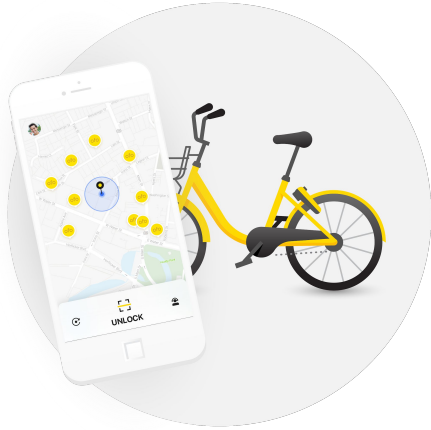
seaside engagement

- **Dedicated ofo Team:** GM, External Affairs and Public Policy maintain local relationships
- **Launch Events:** Joint press conference with city/community leaders, outreach to media through a coordinated PR effort, and community education by ofo brand ambassadors
- **Group Bike Rides w/ local organizations**
- **Local Events and Partnerships:** integrate with ongoing local events, such as the farmers markets, bike safety events, partnerships with CSU Monterey Bay, bike donations to local schools/orgs
- **Digital Marketing, Education and Outreach:** Targeted digital marketing through channels such as display advertising, search, Facebook, and Twitter with the goal of building awareness, interest, and education of the ofo service to residents and visitors
- **Business Education:** chambers, convention bureaus, business improvement districts



how ofo works

how ofo works



DOWNLOAD
the “ofo” app



UNLOCK
by scanning the QR code
(black square)



RIDE!
Park the bike in a bike friendly
location. Slide lock back into
place to end ride.

a safe, smart & efficient bike

- 1 Hydraulic Seatpost
- 2 Bell for warning pedestrians, vehicles, and other cyclists
- 3 Solid, airless tires
- 4 Low step-through design, lightweight frame
- 5 Kickstand for upright parking without a docking station
- 6 GPS enabled, mobile-synced, smart lock. Data can be used to inform transportation planning



our smart lock

1 DESIGN

High durability ensures great performance in all weather

2 PIN PAD

For unlocking without a data plan or smartphone

3 BLUETOOTH

Bluetooth-enabled smart lock easily unlocks when synced with the app

4 GPS

GPS functionality allows users to locate ofo bikes through the app



commitment to bike quality & safety

2 Rounds of Manufacturer Testing during Assembly

3rd Party ISO and CFR Testing

Local, Routine Quality Assurance Inspections

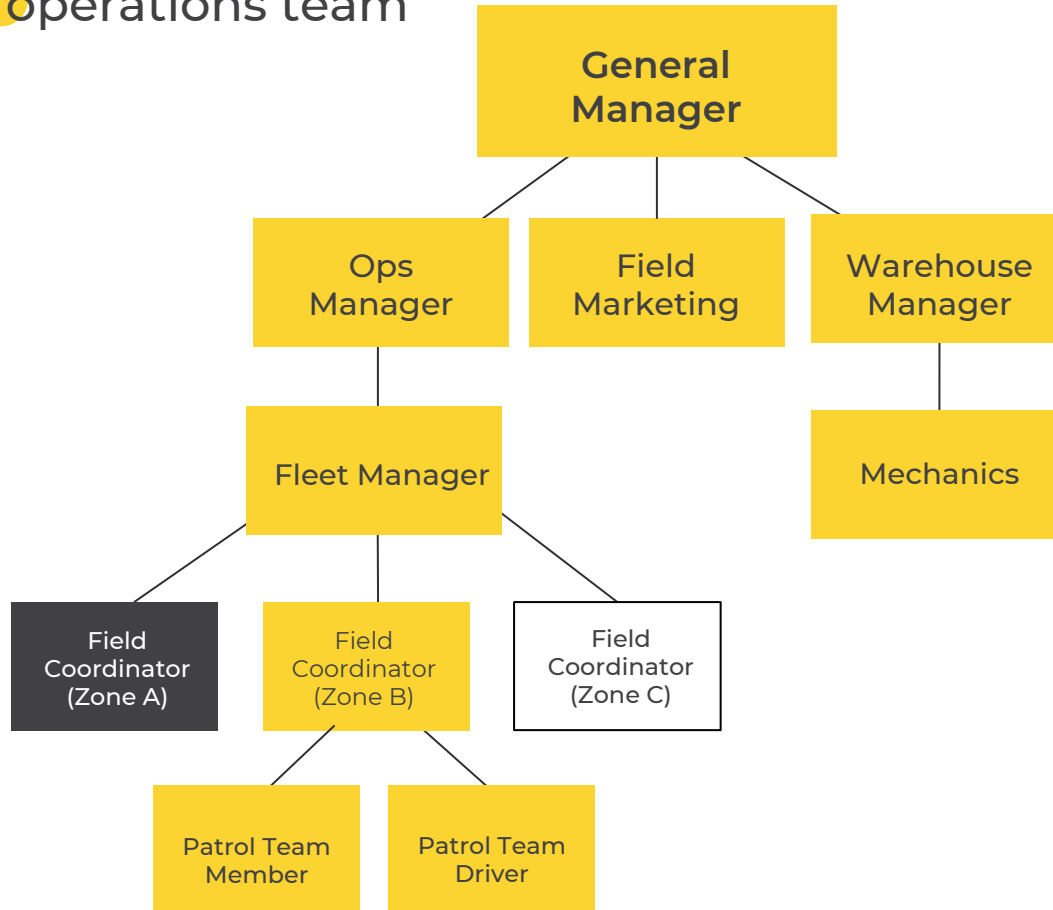
Regularly Scheduled Maintenance and Inspections



(Central Warehouse/Repair Warehouse) Bike Assembly and Debugging Quality Standard – New Bikes/Repaired Bikes					
Formulating Department		Compiled by	Issue Date	Version No.	Doc. No.
Life Quality Department		Zhu Deng	July 26, 2017	V01	
No.	Inspection Item	Inspection Scope	Inspection Standard		Test/Method
Appearance inspection					
1	Bike appearance	All bikes	No large-area contamination, no serious paint damage, clear identification of characteristics.	Visual inspection	
		All bikes	Clean: no dirt at the accessible accessible to users.		
		Repaired bikes	The advertising stickers and other foreign matters are basically removed.		
2	Assembly integrity	Repaired bikes	The deformation of the fenders, chain cover and other components does not affect ride.	Visual inspection	
		Repaired bikes	The small quantity of rust on the bike surface does not affect bike functions.		
3	Bike welding quality	All bikes	No welder spalls, bad welds, or welds with diameter of above 1mm.	Visual inspection	
4	Sharp objects	All bikes	Accessible locations have no sharp edges or corners. Projections shall be chamfered or protected.	Visual inspection	
Inspection of reflective safety accessories (new bikes or repaired bikes must ensure the completeness of the reflective safety accessories)					
5	Reflector installation	All bikes	Front reflector: white, wide angle, reflective surface facing forward, no damage, wheel reflectors: no missing and damage.	Visual inspection and hand touch	
			Rear reflector: red, wide angle, no damage, no loosening; pedal reflectors: no missing and damage.		
Mark inspection					
6	Marks	New bikes	The bike frame, fenders and stickers are in good condition; all logos and QR codes on the blue body are regular; the bar codes are complete; all logo logos.	Visual inspection	
		Repaired bikes	The stickers and marks can be clearly identified.		
7	Conformity certificate	New bikes	The conformity certificate is clear and complete and can tell the manufacturer.	Visual inspection	
		Repaired bikes	The conformity certificate must tell off: no compulsory requirements for repaired bikes.		
8	Basket load-bearing mark	New bikes	The basket load-bearing mark is clear and not missing. The maximum load bearing capacity is 15 kg (bikes of below version 3.0 don't have baskets).	Visual inspection	
		Repaired bikes	Supplement the basket load-bearing mark if missing.		
9	Marks for ride prohibition	New bikes	The marks for ride prohibition of children below 12 are clear and complete. (Position: handlebar and rear fender).	Visual inspection	
		Repaired bikes	Supplement the ride prohibition mark if missing.		
Handset inspection					
10	Locking force of the stem and head tube	All bikes	Tightening torque of the handle core: 18-20 N·m.	Torque wrench	
		All bikes	After the handle core is fastened in place, 15 kg horizontal pull is applied at a handbar end. The handbar shall not rotate.		
11	Pedal fastening	All bikes	The pedals are firmly installed and not loose. (Torque force 30-35 N·m)	Hand touch, torque wrench	
		All bikes	The front and rear wheels are properly fastened. (Torque force 30-35 N·m)		
Bike inspection					
12	Handset installation	All bikes	The handlebar forms a 90° angle with the bike frame, is properly fastened and not loose. 100mm high	Tape, visual inspection	
13	Revolving bell	All bikes	When the bell is revolved clockwise/anticlockwise, it meets no interference and the sound is normal; the clearance between the revolving bell and the grip is about 2 mm.	Visual inspection, sound	
14	Grip	All bikes	The grips are installed to place and shall not be loose when needed to bend the grips have no signs.	Hand touch	
15	Handset rotation	All bikes	Rotate the handlebar by about 60° smoothly without obvious resistance; the cartridge headset rotates smoothly without abnormal noise	Hand touch, visual inspection	
16	Clearance between the cockpit and fender	All bikes	No interference between the front fender and headset; cartridge starting position of the handlebar (clearance: 20-30 mm; bikes of below version 3.2 don't have a basket).	Visual inspection, ruler	
17	Brake lever function	All bikes	The brake lever springs back well, is fastened and not loose or damaged; lifts down by 20-30°.	Hand touch	
18	Brake cable	All bikes	The brake cables are not damaged, or deformed, or twisted; the rear brake cable should be on the side of the crankset.	Visual inspection	
19	Braking force	All bikes	Hold the brake lever with force. There is a braking effect of 1/3 stroke and a full effect of 1/2 stroke. The wheel rotates smoothly without braking.	Hand touch, visual inspection	
20	Brake fine adjustment and release valve end	All bikes	The fine adjusting screw of the hand brake is fastened to the bottom (error: 3 teeth); the brake cable and has no interference with the wheel.	Manual, visual recognition	
21	Brake cable fastening	All bikes	The brake cable fixing bolts are properly fastened. After the brake is applied with force twice or above, the brake cable is not loose.	Hand touch	
22	Shift protection of the seat tube	All bikes	When the seat tube is tilted to the highest position, it cannot be pulled out.	Hand touch	
23	Saddle	All bikes	The saddle surface has no damage, cracks, warping and peeling.	Visual inspection	
24	Saddle installation	All bikes	It is properly fastened and not loose; parallel with the ground; 820 mm from the ground.	Tape, visual inspection	
25	Adjustment of the quick release	All bikes	The operation force of the quick release is moderate. After fastening, the saddle is not loose or damaged and has no interference with the chain cover.	Hand touch, visual inspection	
26	Pedal, chainwheel and chain cover	All bikes	Rotate the crank and crankset without interference and abnormal sound; the chain is not loose or damaged and has no interference with the chain cover.	Hand touch, sound	
27	Chain tightness	All bikes	The chain is not tight and can be lifted by 3-5 mm (3-8 mm for a new bike).	Hand touch	
28	BB rotation	All bikes	BB rotates smoothly without abnormal sound and does not jump when shaken left and right.	Hand touch, sound	
29	Rotation of front and rear wheels	All bikes	Normal clearance between wheel and fender; no interference/friction with the fender during rotation of the wheel.	Hand touch, visual inspection	
30	Swing and jump of front/rear wheels	All bikes	No obvious horizontal swing and vertical jump under visual observation (reference: The swing or jump is less than 2 mm).	Visual inspection	
31	Kickstand/heelstop	All bikes	Stable, springing back well, and not loose.	Visual inspection	
32	Locking of the brand basket	All bikes	No deformation; when the wheel is pushed after full braking, the brand basket does not tilt (opens once for the front and rear wheels respectively).	Manual check	

ofo operations

operations team

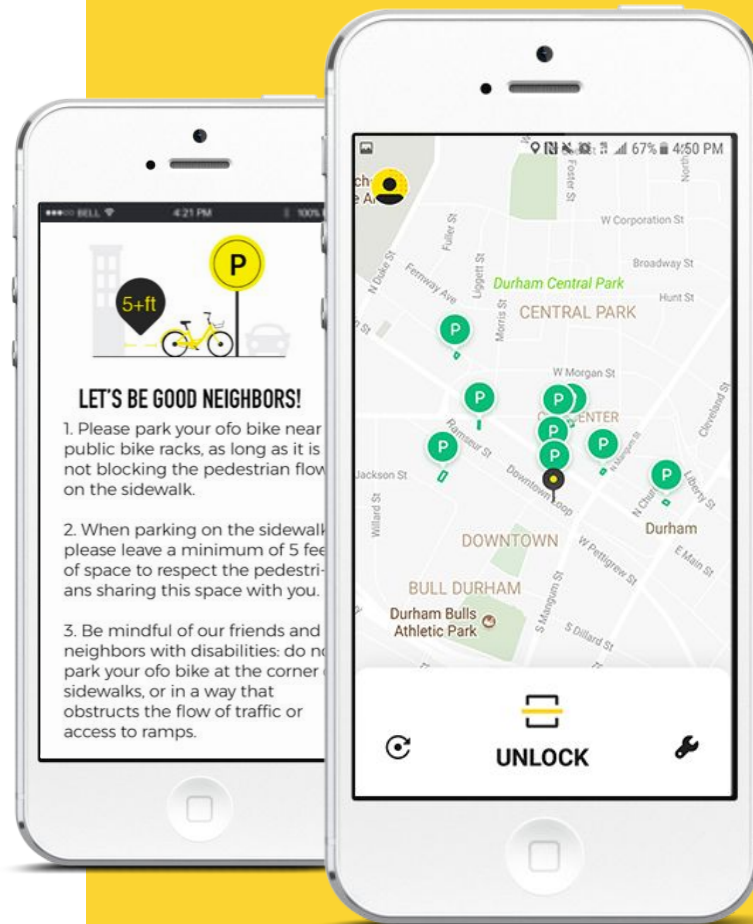


ofo operations overview



our approach to parking education

- **Create parking guidelines** with city
- **Communicate** parking guidelines through the app
- **Incentivize** proper parking through in-app ofo score
- **Designate Preferred Parking Areas** virtually or physically

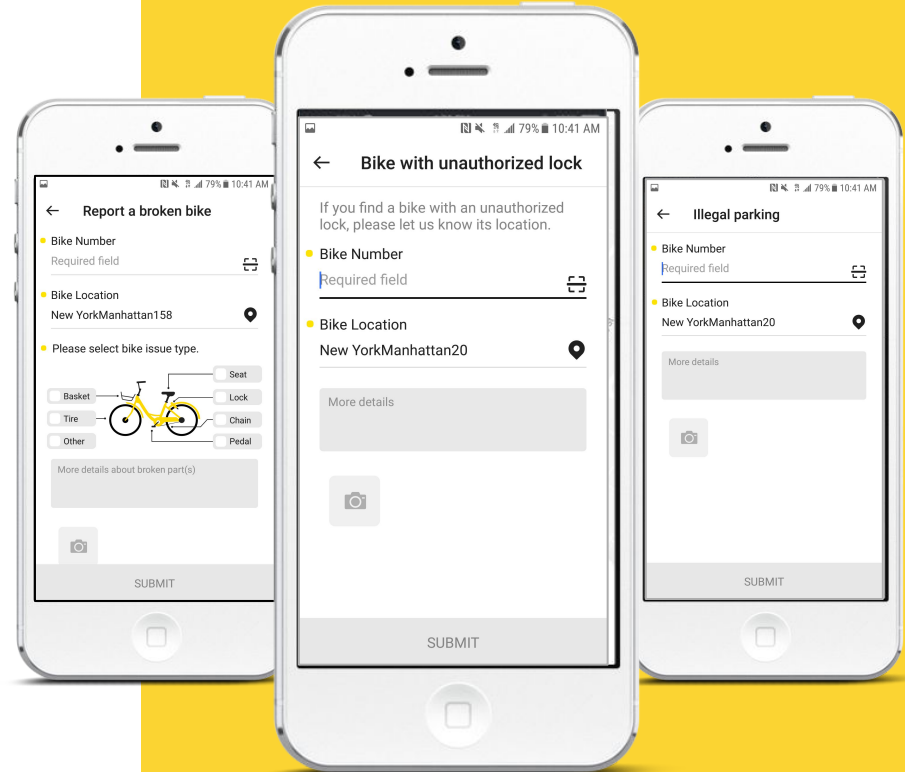


24/7 customer service



Customer Service Contact Information
Clearly Labeled on the Frame of our Bike

Users can report a problem with a bike
or bike parking via the ofo app



access to bike share

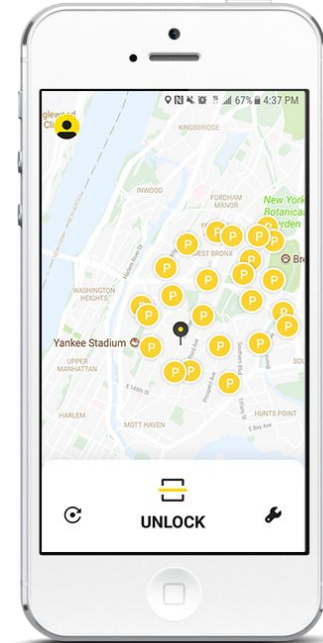
1 Price Transparency

\$1/hour
No deposit
No overage fees

2 Payment Options



3 Scalability



safety

- ofo is **responsible for upkeep of parking locations** and has local team to support
- ofo has **24/7 customer support** available for complaints and incidents
- **Theft Prevention**
 - ofo handlebars, seats, pedals, and wheels are integrated so that they cannot be removed without special knowledge/tools
 - ofo bikes feature an internal gearbox to prevent tampering
 - All bikes are GPS enabled and tracked via our back-end apps in order to prevent theft.

why ofo?



We Provide a Flexible,
Scalable, and Affordable
Solution



We're Constantly
Innovating



We're Here for Good



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Monterey County Bicycle Sharing Feasibility and Implementation Plan

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Transportation Agency for Monterey County (TAMC)

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EXECUTIVE SUMMARY

The Transportation Agency for Monterey County (TAMC) has requested a Bicycle Sharing Feasibility and Implementation Plan for a bikesharing system in Monterey County that increases the use of bicycles for relatively short-range travel, reducing the negative impacts of private automobile use and encouraging a shift to other modes like transit and walking. This report first describes the current practice of bikesharing in North American cities, highlighting key attributes of a bikesharing system and considerations for system implementation and operation. The next section identifies a potential service area for bikesharing in Monterey County, proposes two initial configurations of bikes and stations, and estimates the demand for ridership on the proposed systems. The third section presents a variety of operating models, identifies potential funding sources and partners, and estimates costs and revenues for the proposed systems; the section also addresses impacts of bikesharing on the local economy. The final section presents recommendations for two bikesharing systems (one in the Monterey/Pacific Grove area and one in Salinas), next steps toward implementation, and a discussion of associated challenges and opportunities.

State of the Bikesharing Practice

Most bikesharing systems currently being implemented in the United States are known as “third generation” systems. They incorporate unmanned kiosks with electronic user interfaces that allow users to check bikes in and out with an electronic identification or payment method, most commonly a credit / debit card or radio-frequency identification (RFID) key. Bike sharing stations include automatic docks that lock the bikes in place and an electronic payment kiosk. Stations typically accommodate ten to twenty docks, but are customizable in modules of one to three docks, depending on the hardware provider. Bikesharing bicycles feature unique designs that increase visibility and differentiate them from other traditional bicycles: they are designed to be durable, low-maintenance, and easily adjustable for a wide range of users. These bikes comfortably accommodate short, transportation-oriented, in-town trips but are less suited for longer road or touring trips. The hardware provided by various vendors is not currently interoperable.

Users can choose from a variety of membership types, ranging from single-day to annual. Short-term users can walk-up, register at a kiosk, and use their credit or debit card to unlock a bikesharing bike for use. Longer-term users register online and receive by mail an RFID key to track their account and check out bikes directly from the docks. Membership fees reflect the length of the membership period. Users are typically allowed an unlimited number of rides during their membership period and may check out and return bikes at any station in the system. Rides under 30 minutes are included in the membership fee, and longer rides incur an hourly use fee that increases with the duration of the trip to encourage turnover and high utilization of the bicycles.

Demand Evaluation

The demand evaluation process involves three stages that progress from a broad, countywide analysis, to a detailed ridership forecast at the station level. First, the Countywide Demand Screening uses broad measures of demographic and built environment characteristics to determine relative bikesharing suitability across all of Monterey County. This screening identifies Monterey and Pacific Grove as the highest-suitability area for a successful bikesharing system and also highlights Salinas for further analysis; other areas such as downtown Marina and Sand City could support stations in the future if land use

becomes denser and incorporates a mix of residential and commercial uses. Next, the Detailed Ridership Suitability Analysis provides a finer-grained view of appropriate areas for bikesharing in the Monterey / Pacific Grove and Salinas areas to inform the selection of specific station locations. Finally, the Bikesharing Ridership Regression Model is applied to each station location to provide a ridership estimate that accounts for the attributes of each individual station as well as each network of stations as a whole.

Based on this analysis, this report proposes two networks with the following attributes:

Monterey / Pacific Grove

- Coverage – Initial service area covering coastal portions of the City of Monterey and Pacific Grove.
- Scope – 24 stations, each with ten docks and five bicycles, for a total of 120 bicycles and 240 docks. This system may be expanded in a proportion of roughly one bike for every two docks to meet additional demand; new stations should allow space for at least ten docks and five bicycles.
- Ridership Forecast – Such a system is estimated to attract total monthly ridership of about 3,000 trips per month, or about 25 rides per bike per month. Ridership estimates at individual stations range from about 90 to 280 rides per month, with an average of about 125 rides per month per station. Additional sensitivity analyses provide a low range estimate of approximately 1,600 monthly rides and a high range estimate of approximately 5,800 monthly rides.

Salinas

- Coverage – Initial service area covering Downtown Salinas and neighboring areas.
- Scope – 16 stations, each with ten docks and five bicycles, for a total of 80 bicycles and 160 docks. As before, this system may be expanded in a proportion of roughly one bike for every two docks to meet additional demand; new stations should allow space for at least ten docks and five bicycles.
- Ridership Forecast – Such a system is estimated to attract total monthly ridership of about 900 trips per month, or about 11 rides per bike per month. Ridership estimates at individual stations range from about 47 to 85 rides per month, with an average of about 60 rides per month per station. Additional sensitivity analyses provide a low range estimate of approximately 450 monthly rides and a high range estimate of approximately 1,750 monthly rides.

Because these networks are separated by a distance that exceeds the length of most bikesharing trips, either network could be implemented independently or both networks could be implemented together under a common program.

Financial Feasibility Analysis

United States bikesharing programs operate under a variety of models, including non-profit, publicly owned and operated, publicly owned and privately operated, advertiser operated, and university operated; many programs are hybrids of these models. Successful bikesharing programs have formed partnerships among local governments, employers, nonprofits, universities, real estate developers, bike retail and rental operations, and other local businesses. Bike share programs in the U.S. are funded by a combination of user fees; sponsorships; advertising; private donations; Federal, state, and local funds;

along with various loans; private foundation grants; and individual donations. Of these funding sources, user fees, sponsorships, and advertising are the most common. None of the programs reviewed in the United States generate sufficient revenue from user fees alone to support both full capital acquisitions and ongoing operations and maintenance costs. However, several programs do appear to have financially sustainable operations *after* their capital acquisitions are fully or partially funded by other sources.

Cash flow models based on the above system parameters results in the following financial estimates:

Monterey / Pacific Grove

- Initial Capital Expenditures – \$45,000 per station or about \$1.1 million in aggregate for one-time capital costs including bicycles, docks, membership cards, software, maintenance equipment, etc.
- Operating and Maintenance (O&M) Expenditures – \$1,500 annually per bicycle or \$180,000 annually in aggregate, including program administration, insurance, software operations, customer service, wireless communication for stations, bike mechanics, bike parts, station parts, vehicle maintenance, and a contingency for replacing bikes due to theft, vandalism, and wear and tear, among other costs.
- Membership and User Fee Revenue – While expenditures relate to the number of bikes and stations and are assumed to be constant across scenarios, membership and user fee revenues vary with the level of system utilization:
 - *Base Scenario* – \$65,000 annually, or about 36 percent of estimated annual O&M expenditures of \$180,000, leaving approximately \$115,000 annually required from other sources.
 - *Low Range Scenario 1A* – \$32,000 annually, or about 18 percent of estimated annual O&M expenditures of \$180,000, leaving approximately \$148,000 annually required from other sources.
 - *High Range Scenario 1B* – \$125,000 annually, or about 70 percent of estimated annual O&M expenditures of \$180,000, leaving approximately \$55,000 annually required from other sources.

Salinas

- Initial Capital Expenditures – \$45,000 per station or about \$720,000 in aggregate for one-time capital costs.
- Operating and Maintenance (O&M) Expenditures – \$1,500 annually per bicycle or \$120,000 annually in aggregate
- Membership and User Fee Revenue –
 - *Base Scenario* – \$19,500 annually, or about 16 percent of estimated annual O&M expenditures of \$120,000, leaving approximately \$100,500 annually required from other sources.

- *Low Range Scenario 1A* – \$9,500 annually, or about 8 percent of estimated annual O&M expenditures of \$120,000, leaving approximately \$110,500 annually required from other sources.
- *High Range Scenario 1B* – \$37,500 annually, or about 31 percent of estimated annual O&M expenditures of \$120,000, leaving approximately \$82,500 annually required from other sources.

Potential positive impacts of bikesharing to the local economy include:

- Additional retail purchases by cyclists at businesses in close proximity to bicycle sharing stations
- Increased access and exposure to local businesses and employment opportunities
- Job opportunities, including maintenance staff, administration, supervisors, and service staff
- Reduced automobile usage and reduced personal transportation costs
- 50 to 75 percent more direct, indirect, and induced jobs per dollar than typical road projects
- Increased value of adjacent property
- Improved health, which may reduce health care costs and improve job performance
- Increased enthusiasm for bicycling and increased activity at bicycle retail and rental shops

Impacts on local bike rental shops are mixed, with some shops reporting increased business and others reporting declines. In the proposed system, relocating bikesharing stations away from bike rental shops is not recommended due to potential adverse effects on ridership and system connectivity. The following measures may mitigate potential negative impacts:

- Structure pricing to incentivize short trips that are distinct from trips served by bike rental shops.
- Place stations in close proximity to existing transit stops to reinforce transportation-oriented trips.
- Develop a marketing campaign describing the bikesharing program as distinct from bike rentals.
- Develop maps that advertise both bikesharing stations *and* bike rental shop locations.
- Partner with local bike businesses to provide maintenance services.
- Offer bike shop and rental discounts to bikesharing program members.

Program Recommendations

The characteristics of the Monterey program should address the specific goals of the entity that emerges to lead it. The proposed system of 24 stations in a contiguous area of Monterey and Pacific Grove is recommended to introduce bikesharing to Monterey County and establish a sustainable system that can be expanded as demand warrants. As an alternative or addition, a system of 16 stations in Salinas may be considered. Opportunities exist for local bike rental shops to own or operate a bikesharing system; however, a nonprofit or government-owned/private-operated model is likely most appropriate. A progressive pricing structure that encourages short trips and directs users to bike rental shops for longer trips is recommended. The most critical next step for implementation is to identify a lead organization for the bikesharing program that can establish program goals, conduct public outreach, and begin applications for funding. The organization should continue to coordinate with regional organizations and local jurisdictions; conversations with California State University, Monterey Bay might yield additional opportunities for on-campus stations compatible with the larger system. Once a hardware vendor and operator have been selected, they can assist with siting and permitting of specific stations.

1. STATE OF THE BIKE SHARING PRACTICE

System Typologies

Bike sharing typically refers to a system in which individuals can enjoy the benefits of access to a bicycle on an as-needed basis without the burdens of private bike ownership, such as purchase and maintenance costs, storage, and parking. Self-service systems, characterized in the literature into three “generations” of increasing technological sophistication, allow users to pick up and drop off their bikes without the help of an attendant, and commonly provide multiple bike stations so that users may pick up a bicycle from one location and drop it off at any another in the system.¹ The “lending library” model is another approach under which a staff member helps the user borrow from a fleet of bikes, typically stored in a single location.

First and Second Generation Systems

“First generation” bike sharing systems are free to all users and place unlocked bicycles, painted in a single, bright color, unsystematically throughout the area.² The **White** Bike Plan in Amsterdam, Netherlands, began in 1965, and was followed by programs in La Rochelle, France, Cambridge, United Kingdom, and Portland, Oregon.^{3,4} Bike theft and damage quickly became problems, however, and both the Amsterdam and Cambridge systems failed. **Only La Rochelle’s Vélos Jaunes system, which enjoys strong community support, continues to operate today.**⁵

The “second generation” of bike sharing systems continued to employ distinctively colored and designed bikes, but also addressed the theft problem with locked bikes on designated city racks, requiring a coin deposit to unlock the bike.⁶ Throughout the 1990s, systems were launched across Europe and eventually spread to some U.S. cities. Unfortunately, the small deposits (typically \$3 to 4 USD) and anonymity of users meant that bikes were often used for long time periods or even not returned at all, resulting in a less reliable system – bikes were not available when and where users needed them.⁷

¹ P. DeMaio and L. L. C. MetroBike, “Bike-sharing: Its History, Models of Provision, and Future,” in *Velo-city 2009 Conference*. Retrieved October, vol. 13, 2009, 2009.

² Susan A. Shaheen, Stacey Guzman, and Hua Zhang, “Bikesharing in Europe, the Americas, and Asia,” *Transportation Research Record: Journal of the Transportation Research Board* 2143, no. -1 (12, 2010): 159-167.

³ Ibid.

⁴ DeMaio and MetroBike, “Bike-sharing: Its History, Models of Provision, and Future.”

⁵ Shaheen, Guzman, and Zhang, “Bikesharing in Europe, the Americas, and Asia.”

⁶ Ibid.

⁷ Ibid.

Third Generation Systems

The information technology (IT)-based, automated-kiosk bike sharing systems currently being deployed in the U.S. are known as “third generation.” These systems incorporate unmanned kiosks with electronic user interfaces that allow users to check bikes in and out with an electronic identification or payment method, such as a mobile phone, magnetic credit card, passcode, or radio-frequency identification (RFID) key. The electronic nature of the system allows docks to lock and unlock automatically, incorporates theft-deterrence via a membership with ID, credit card information, or a larger deposit, and informs operators of the status of the overall system, including the number of available docks and bicycles at each station. Furthermore, automatically collected usage data enable more sophisticated operational monitoring and program evaluation. Systems equipped with solar-powered and wireless kiosks, or on-bike GPS may also be referred to as “fourth generation,” but are not fundamentally different from third generation systems. Three major system vendors, Public Bike System Company, B-cycle, and DecoBike have provided hardware for systems currently operating in the U.S. The Collegiate Bicycle Company has also deployed a small campus system at UC Irvine, and Bike Nation has plans to deliver systems in Southern California by the end of 2012. Details of these systems’ specific hardware attributes are discussed under “Third Generation System Attributes,” below.

Bike Lending Library Systems

Another model for bike sharing provision is a “lending library” or manual check-in/out system, in which bikes are kept in a secure location and a staff member assists users with the checkout process. Users sign up for a membership online or in person, and are then eligible to borrow bikes from the library. Bicycles are typically checked out from and returned to a single location, and are often made available for longer time periods than under a third generation system.

Examples

Bruin Bikes, a lending system at UCLA, provides a bike, helmet, U-lock, and lights to students for \$45 per academic quarter. The student picks up the bike at the beginning of the quarter and then is responsible for using and parking it securely throughout the quarter. The program also makes electric bikes available under a similar model.⁸

The Santa Monica Bike Center, in addition to providing conventional hourly or daily bike rentals, has two programs for bike sharing with local employees. The Bikes@Work program allows users to check out bikes from the center for up to 90 minutes at a time on weekdays after paying a \$45 per year membership fee.⁹ Under this program, the user must check out and return the bike at the center’s single location within the 90-minute period. The center also lends out older model bikes that are no longer part of the normal rental fleet to area employers for direct use by their employees. The employer pays \$45 per year per bike, picks up the bike(s), and stores them at the employment site. The employer is also responsible for providing helmets, locks, lights, and other equipment, as needed. This program might be a more convenient alternative than walking from the workplace to the center to check out a bike. Additionally,

⁸ <http://www.recreation.ucla.edu/insidepage.aspx?uid=f960c0ee-80b8-4ff2-850e-d88265bbb65e>

⁹ <http://bikeandpark.com/city/santa-monica/ride-for-fun>

employees may save on the membership fee by sharing a few bikes within the workplace, rather than buying a separate \$45 membership for each employee.

Pros and Cons

There are several advantages to manual, lending-library systems over third generation systems. Depending on the availability of a secure storage location, they are likely less capital-intensive to start than third generation systems with a comparable number of bikes. There are also fewer technical and logistical barriers to implementation; concerns about permitting, siting, and installing multiple kiosks do not apply, and the system can use widely-available, standard bicycles that can be acquired and potentially repaired at lower cost than the proprietary bikes needed for third generation systems. Requiring users to return all bikes to a single location also reduces the need for costly redistribution of bikes to maintain system balance. Finally, a lending library approach allows for a more flexible fleet. Bicycles need not all be identical, so the library can offer bikes to meet various needs, such as cargo bikes, tricycles, elliptical bikes, or even electric bikes.

Lending library systems also suffer some drawbacks. Each bicycle will likely be used less frequently and by fewer people than it would under a third generation system. Bikes are assigned to a single user for multiple hours, or even days, weeks, or months, so the rate of turnover is lower than in a third generation system priced to encourage quick trips. Bikes must typically also be returned to a single location, limiting the area served by the system and decreasing public visibility; establishing multiple locations would require additional staff and introduce the possibility of a need for costly rebalancing. Finally, lending libraries must be staffed during operating hours, making 24-hour operations impractical and costly.

Third Generation System Attributes

System Hardware

Generally, third generation bike stations comprise two main parts: the automatic docks that lock the bikes in place and the electronic payment kiosk. Typically composed of two to four smaller modules, docks are six to eight feet wide and require an additional four to six feet of adjacent clearance for docking and removing bikes from docks. Usually, docks are oriented in a single line, but individual modules can also be configured in rows to accommodate bike loading from more than one side. Electronic payment kiosks may be wired or solar powered. Some stations may also include additional elements such as wireless communications features and panels or signage for maps, advertising, sponsor recognition, and so forth.

Bicycles incorporated into third generation bike sharing systems share some common attributes. For better visibility, shared bikes generally incorporate unusual or distinctive designs, often with bright, uniform color schemes. Many systems favor design elements that provide users convenience or comfort: a step-through frame, which eliminates the top tube of traditional bicycles; enclosed chains, cables, and wires, which protect riders from dirt or grease and protect components; front and rear fenders, which prevent mud and dirt from splashing upward onto the rider; a wide, padded saddle; and an adjustable, non-removable seat post with simple height markings that allow users to quickly find their desired seat height when checking out a new bike. Additionally, safety features typically include hand brakes and front and rear lights activated by pedaling. The bikes are heavy and durable, limiting top speeds. They also feature few or single speeds, and gearing is light to make acceleration and hills easier, but also limiting top speeds. Front racks or baskets and kickstands provide additional convenience.

Docking of bikes is generally uniform across hardware providers. Users can check out bikes with a credit card and access code, a membership card, or a key fob. Short-term users typically pay for a membership with a credit card at the kiosk, and receive an unlocking access code that releases a bike. At subsequent checkouts during the same short-term rental period, the original credit card can be inserted as identification to receive a new code without any additional charge. Long-term users may purchase memberships online and receive by mail a membership card or key fob that can be swiped at the station to release a bike. Upon reinserting the bicycle's locking tab into the dock, the dock locks automatically, and the dock simultaneously records the check-in and emits a light and/or audible signal to confirm the bike is successfully docked.

Currently, the hardware provided by various vendors is not interoperable; the proprietary locking mechanisms, docks, and kiosks from one system will not work with those provided by another vendor. The major vendors provide similar bikes and stations; vendor-specific hardware variations for each vendor are described below.

Public Bike System Company



Source: Flickr user DDOTDC

Source: James D. Schwartz



Currently the manufacturer of equipment for bicycle sharing programs in 10 cities worldwide, the Public Bike System Company (PBSC) uses 3-speed bicycles with chains partially enclosed, and provides a rack with bungee cord rather than a basket.

B-cycle





Source: <http://denver.bcycle.com>

B-cycle has bicycles and docks in 12 cities across the United States. Its bikes have three speeds, a partially exposed chain, and include a cable lock for short-term locking when not docked at B-cycle stations.

DecoBike





Source: <http://www.decobike.com>

Like those of other systems, DecoBike bikes exhibit partially exposed chains. Bicycles are generally single-speed, and the system's bar-like docks latch to the bikes on the frame above the front tire.

Bike Nation



Source: <http://www.bikenationusa.com/>

Bike Nation bicycles exhibit airless tires, which provide more durability, require less maintenance, and reduce the chance of breakdown while in use—at the expense of a heavier, less comfortable ride. They also have a chainless, shaft-driven drive train, which creates less need for ongoing adjustments and maintenance as the bicycle ages. Just as enclosed chain-based mechanisms can, the fully enclosed drive train protects users from elements such as dirt and grease. The disadvantages of a chainless system are that such systems require more complex—and thus expensive—repairs, and they have slightly less pedaling efficiency than chain-driven systems.

Collegiate Bicycle Company



Source: <http://www.parking.uci.edu>

Collegiate Bicycle Company provides equipment for ZotWheels, the bike sharing service at the University of California, Irvine. The system uses single-speed bikes with modified baskets that act as a docking mechanism by which the bikes attach to the single-bar dock. Bike chains are exposed.

System Configuration

In the U.S., systems range widely in size, from as small as two stations and fourteen bikes (Spartanburg B-cycle) to as large as 150 stations and 1,200 bikes (Capital Bikeshare). Even larger systems are in the planning stage for Chicago (300 stations and 3,000 bikes), Los Angeles (400 stations and 4,000 bikes), and New York (600 stations and 10,000 bikes). Existing systems typically have a mostly contiguous network of stations with short distances among the stations. In U.S. systems, stations are typically located at densities of 3.5 to 4.5 stations per square mile.

Across the United States, phasing strategies for unrolling successful bike sharing systems have differed, although they generally involve grouping of stations in some capacity. In Washington D.C., Capital Bikeshare began by introducing bike stations in the large core of the central city and a smaller, nearby cluster in Arlington, Virginia. As the system has gained ridership, it has been gradually expanded. Denver, Colorado's B-cycle system has grown incrementally, starting in a few locations and expanding as organizers raise additional funds and establish new partners. Elsewhere, the San Francisco Bay Area's bike sharing program is establishing a core of 50 stations in the City of San Francisco, with additional, smaller clusters of 10 to 12 stations surrounding several Caltrain commuter rail stations to the south.

A number of factors can play a role in determining the success and growth of a bike sharing system, including: stakeholder and partner support; local involvement; existing bicycle, transit, and walking mode share; cycling infrastructure; topography; and bicycle culture.

Program Management

System Organization

Bike sharing systems exist under various management schemes, as shown in **Table 1**. In some cases, such as Washington, D.C.'s Capital Bikeshare, stations and bikes are publicly owned but operate contractually with a private entity. In other cases, a non-profit both owns and operates the system. For example, in Denver, Denver Bike Sharing, a non-profit corporation, owns and operates the system, while B-cycle LLC, a privately held company, provides the equipment and stations. A similar arrangement exists with Minneapolis, Minnesota's Nice Ride Minnesota program and PBSC. Wholly private ownership and operations agreements exist as well: New York City's Citi Bike, for example, incorporates bikes and equipment from PBSC with operations by NYC Bike Share, LLC and funding from Citibank and MasterCard. There are also opportunities for partnerships with local bike shops and related businesses: in 2011, B-cycle partnered with Mellow Johnny's, a local bike shop in Austin, Texas to host a demonstration of B-cycle's bike sharing hardware, and the shop has expressed interest in supporting a bike sharing system there.¹⁰

¹⁰ http://www.austin360.com/blogs/content/shared-gen/blogs/austin/fitcity/entries/2011/07/13/bcycle_demo_planned_at_mellow.html

TABLE 1 – OPERATIONAL MODELS

		<i>Ownership</i>		
		Public	Private	Non-Profit
<i>Operation</i>	Public			
	Private	Capital Bikeshare (Washington, DC)	Citi Bike (New York, NY)	
	Non-Profit			Denver B-Cycle (Denver, CO) / Nice Ride (Minneapolis, MN)

Costs

While the size and structure of bicycle sharing systems vary, costs per bicycle station exhibit some degree of regularity. Interviews with bike share operators in late 2011 and early 2012 indicate capital costs ranging from \$35,000 to \$40,000 for a station with 11 docks and six bikes to \$53,000 to \$58,000 for a station with 19 docks and 10 bikes.¹¹ Other estimates of bike station costs, including bikes, range from \$44,000 to \$50,000.¹² Annual operating cost estimates range from \$12,000 to \$28,000 per station or \$1,800 to \$2,200 per bike, including normal repairs and maintenance, customer service, and system rebalancing.^{13,14}

Capital Investment and Funding

Bike sharing systems require capital investment, or initial funding, for equipment purchase and installation. Funding for capital costs comes from a number of sources: federal, state and local public funding; private grants; and advertising and sponsorship sources. To date, most systems have utilized a combination of both public and private funding to cover capital costs.¹⁵

At the federal level, bike sharing systems have received funding through a number of programs, including the American Recovery and Reinvestment Act, the Energy Efficiency and Conservation Block Grant

¹¹ Eldridge, RJ and Mauricio Hernandez. "Getting Started with Bike Share." Presented at PBIC Liveable Communities Webinar Series *Bike Sharing in the United States: State of the Practice and Guide to Implementation*. 26 April 2012.

¹² Rixey, Rodney A. "Case Studies in Bike Sharing: Lessons for Santa Monica." 2012.

¹³ Eldridge, RJ and Mauricio Hernandez. "Getting Started with Bike Share." Presented at PBIC Liveable Communities Webinar Series *Bike Sharing in the United States: State of the Practice and Guide to Implementation*. 26 April 2012.

¹⁴ Rixey, Rodney A. "Case Studies in Bike Sharing: Lessons for Santa Monica." 2012.

¹⁵ Alta Planning + Design. "City of Providence Bike Share Feasibility Study Final Report."

Program, the Federal Highway Administration (FHWA), the Congestion Mitigation and Air Quality (CMAQ) Improvement Program, the Federal Transit Administration (FTA)'s Bus and Bus Facilities Livability Initiative Program, and others. Such funding can cover the entirety of a system's capital costs, as in the case of CMAQ funding for Washington D.C.'s Capital Bikeshare, or only a small part, as in the case of Denver B-cycle, which received only 16% of its \$1.5 million capital funding from federal sources.¹⁶

There are also funding opportunities at the state and local level. For example, the Los Angeles County Metropolitan Transportation Authority has designated funds for bike sharing projects through its Call for Projects process.

Additionally, private grants and sponsorships can provide needed funding. Eighty-four percent of Denver B-cycle's startup funding came from sponsors, including Kaiser Permanente, which was designated the system's "presenting sponsor." Nice Ride Minnesota received roughly a third of its \$2.75 million startup costs from Blue Cross Blue Shield of Minnesota's tobacco settlement fund.¹⁷

System Users

Although short-term users tend to comprise the largest number of memberships, annual members tend to make most of the system's trips. In the Capital Bikeshare system, in the first year (2010-2011), 17,000 annual members (15% of total users) made 75% of all trips; 96,000 short-term users (85% of total users) made 25% of all trips. At Denver B-Cycle in the second season (2011), 2,700 annual members (6% of total users) made 60% of all trips; 42,300 short-term users (94% of total users) made 40% of all trips.

Membership and Use Fee Revenues

Once a system is implemented, operating revenues contribute substantially to the total cost of operation. Typically, these revenues come from daily, weekly, monthly, or annual membership fees and per-use charges assessed to system users. In the case of Capital Bikeshare, revenues totaling \$2.47 million from September 2010 to April 2012 covered almost all of the system's \$2.54 million operating expenses.¹⁸ In 2010, Denver Bike Sharing reported revenues of \$390,000 from its membership and use fees.¹⁹ Long-term members typically make the majority of trips, while short-term members pay the majority of usage and membership fees. For example, in the Denver Bikeshare's 2011 season, annual members constituted 34% of membership fees, 9.6% of usage fees, and made 60% of trips, while 24-hour members made up 65% of membership fees, 87% of usage fees, and made only 39% of trips.²⁰

¹⁶ Alta Planning + Design. "City of Providence Bike Share Feasibility Study Final Report."

¹⁷ Alta Planning + Design. "City of Providence Bike Share Feasibility Study Final Report."

¹⁸ <http://www.usnews.com/news/articles/2012/04/17/bike-sharing-systems-arent-trying-to-peddle-for-profit>

¹⁹ http://www.denverbikesharing.org/files/DBS_2010_Annual_Report.pdf

²⁰ Burnap, Parry. "Denver Bike Sharing." *NACTO U.S. Bike Sharing Workshop*. 22 March 2012.

Title Sponsor / Station Sponsorship

Currently, most bike systems' operating revenues do not fully cover costs of operations; thus, additional funding from public agencies, private grants, or advertising and sponsorships are usually required to sustain operations. New York City's Citi Bike, for example, currently seeks to be the first fully privately funded bike sharing system in the country. Together with user revenue, sponsorship funding from Citibank (\$41 million) and MasterCard (\$6.5 million) is projected to cover both capital and operations costs; any additional profit will be split between NYC Bike Share and the City.²¹ In its 2010 operating season, NiceRide collected about \$230,000 in station sponsorships, dedicating one side of the map panel to thank a station sponsor who contributed \$10,000 or more.²² Denver B-cycle received 26% of its 2010 revenue and 40% of its 2011 revenue from sponsorships.²³

Bike Redistribution

Because of directional peaking in demand for bike sharing bikes, some stations become full or empty during peak operating periods. For example, during morning rush hour, stations near large employment centers may become full, meaning there are no docks for users to check in additional bikes. When this happens, system operators can rebalance the system by loading extra bikes into a truck or step van and delivering them to other empty or nearly-empty stations. Bike redistribution is a costly part of bike share system operation; in the case of Capital Bikeshare, nearly half of the operating costs in the first year were due to the need to redistribute bicycles among the stations.²⁴

Security, Safety, and Liability

Although European systems such as Paris' Vélib have experienced difficulties with vandalism and theft, U.S. systems have had very few problems, as shown in **Table 2**. In their first season of operation, Capital Bikeshare, Nice Ride, and Denver B-cycle collectively lost only four bikes.²⁵ Requiring members to register and place a deposit or credit card hold before renting a bike provides accountability and a disincentive to steal or lose the bike. The mechanism that locks the bike to the dock is also secure; none of the lost or stolen bikes went missing while docked at the station. A cable lock built into the bike, as in the case of some B-cycle bikes, might help to prevent theft while the bike is not docked at the station, but is not as secure as the station dock.

Safety concerns have also been limited. The experience of the Capital Bikeshare system indicates that bikesharing users have fewer crashes—nearly half as many in the first season of operation—than the

²¹ <http://a841-tfpweb.nyc.gov/bikeshare/faq/#how-much-is-the-sponsorship-worth-and-how-long-is-it-for>

²² Rixey, Rodney A. "Case Studies in Bike Sharing: Lessons for Santa Monica." 2012.

²³ Burnap, Parry. "Denver Bike Sharing." *NACTO U.S. Bike Sharing Workshop*. 22 March 2012.

²⁴ Holben, Chris, District Department of Transportation, Washington, D.C. Personal interview. 24 January 2011.

²⁵ Rixey, Rodney A. "Case Studies in Bike Sharing: Lessons for Santa Monica." 2012.

general population. None of the Capital Bikeshare crashes resulted in serious injuries, whereas some other bike trips resulted in serious injuries or fatalities.²⁶

Nevertheless, bike sharing systems take steps to improve safety and limit liability. Members typically accept a liability waiver and safety warning when registering for the system. Regular system maintenance and the introduction of safe bicycling education programs can contribute to a system's overall safety record. Insurance is also available to mitigate risk.

²⁶ <http://www.streetsblog.org/2011/06/16/from-london-to-d-c-bike-sharing-is-safer-than-riding-your-own-bike/>

TABLE 2 – BIKE SHARING LOSS AND DAMAGE

(first season)

System	Bikes in System	Stolen/Lost	%	Vandalized/ Damaged	%
CaBi	1,110	2	0.18%	0	0.00%
BIXI	3,000	12	0.40%	75	2.50%
Nice Ride	700	1	0.14%	3	0.43%
Denver B-Cycle	500	1	0.20%	1	0.20%
Vélib¹	20,600	4,000	19.42%	8,000	38.83%

[1] Velib reported 8,000 lost/stolen and 16,000 vandalized/damaged bikes in its first two years.

Seasonality

Bike sharing systems operate in cities of all climates all over the world. While operations are feasible in moderate climates year round, in some cities cold weather conditions can necessitate the removal of bike stations at certain times of the year. As such, bike sharing stations are often designed to be non-permanent, which allows them to be removed from the street when cold weather and snow plowing is a concern (e.g., Nice Ride Minnesota). Capital Bikeshare operates year-round, however, and closes only in the case of severe weather – kiosks are set to allow bike returns but not to check out new bikes.

Time of Day

Bike sharing systems can operate at all times or only certain times of the day as necessitated by budget, community concerns, weather, and other factors. For example, Washington D.C.'s Bikeshare, Nice Ride Minnesota, and Denver's B-cycle are available for use 24 hours per day, seven days per week. Elsewhere, systems operate from 5:00 AM to 10:00 PM, 11:00 PM, or midnight (as in San Antonio, Denver, and Boulder) or other limited hours.

Customer Service

Typically, the vendor or operator provides a customer service call center and, in many bike sharing systems, the operator handles membership as well as other customer service functions. For example, Denver B-cycle, operated by Denver Bike Sharing, maintains regular customer service hours of 9:00 AM to 5:00 PM weekdays, while Capital Bikeshare's operator provides a 24-hour, 7-day call center in three languages.

Maintenance

Although damage and vandalism to bikes is generally rare in existing American bike sharing programs, normal use of bicycles requires bike sharing operators to maintain their system. Many bicycle sharing systems have a central maintenance facility for major repairs; redistribution vehicles can be used to bring bikes to such facilities. Systems also employ field "checkers" to inspect bikes regularly and make minor repairs and adjustments at stations themselves. To address user-determined maintenance issues, many

bike stations have kiosks with built-in buttons that notify a need for maintenance at a given kiosk or dock when pressed. Bikesharing bikes are purported to have a useful life of five years, but since most systems have been operating for two years or fewer, this is an estimate.

Bikesharing systems operate in a variety of coastal, humid, or salty conditions including Miami, FL (DecoBike), Boston, MA (Hubway), and Minneapolis, MN (Nice Ride Minnesota). DecoBike has reported that the salty, marine environment of Miami does have a significant impact on the bikeshare fleet. DecoBike steam cleans its bicycles regularly to free them of crusted salt and beach sand, and selects particular component materials, such as aluminum, composites, or stainless steel, to address the effects of a salty, humid operating environment. After two years of operations, Deco Bike has not had any issues with its aluminum frames.

Monitoring and Performance Evaluation

With advances in technology, monitoring and performance evaluation is now a feature of many bike sharing systems. As noted, third generation systems can both collect and make use of a wide variety of data: total number of trips, total number of bikes used, and membership counts, among others. Capital Bikeshare offers such data in a continuous and open manner online, and Nice Ride Minnesota uses the winter months—when its system is not in service—to analyze data and adjust future operations accordingly. Denver B-cycle releases its system data to the public in its annual report. Such data are not necessarily available in bike lending library systems, which require a manual, labor-intensive data collection effort or a separate system entirely to obtain such data.

As technology continues to improve, on-bike GPS systems are becoming possible. These systems introduce the ability to track or recover lost or stolen bikes and the possibilities of real-time data collection on speed and route selection. Of course, with additional data collection capabilities come additional privacy concerns that must be addressed and incorporated into operational practice.

System Implementation

Typically, bike sharing systems undergo a pilot test prior to the official launch of the full system to ensure proper functioning of the bikes and kiosks, and can be arranged with the system vendor as part of the Request for Proposal Process. Other pre-launch considerations include determining an appropriate fee structure, educating the public, and marketing.

Fee Structures

Currently, user payment procedures frequently involve two parts: membership fees and usage fees, as shown in **Table 3**. Membership fees differ, but can be charged on a short-term (daily or weekly) or long-term (monthly or yearly basis), and users can pay for their membership either by mail, web, or at a station kiosk. After users become members, they can typically check out a bike for free for the first 30 to 60 minutes with an additional fee charged every 30 minutes thereafter.

Since membership and usage fees usually require a credit card transaction, some systems have sought ways to provide services to those without credit cards or bank accounts. For instance, Capital Bikeshare offers Bank on DC, a program that helps low-income users without bank accounts obtain a debit card and access the system.

TABLE 3 – TYPICAL MEMBERSHIP AND USAGE FEES

	<i>Program</i>		
	Capital Bikeshare (Washington, DC)	Denver B-Cycle (Denver, CO)	Nice Ride (Minneapolis, MN)
<i>Fees</i> Membership Fees	Annual: \$75 Annual w/ Monthly Installments: \$84 30 Day: \$25 3 Day: \$15 24 Hour: \$7	Annual: \$80 30 Day: \$30 7 Day: \$20 24 Hour: \$8	Annual: \$65 Annual (Student): \$55 30 Day: \$30 24 Hour: \$6
Usage Charges	First 30 minutes free; additional minutes ≤\$2 per 30 minutes based on membership and total usage time	First 30 minutes free; 30-60 minutes \$1; each additional 30 minutes \$4	First 30 minutes free; 30-60 minutes \$1.50; 60-90 minutes \$4.50; each additional half hour \$6

Source: capitalbikeshare.com; denver.bcycle.com; niceridemn.org

Education

Because bike sharing is a relatively new concept, bike sharing system implementation typically incorporates an education component to raise awareness and understanding of the system's capabilities and availability. Education on proper system use, user responsibilities, and safe bicycling is also important. A number of elements can make up such a component. Clear signage facilitates the system's use for new and veteran users alike; a web presence can provide answers to vital questions and describe the system to those unaware of its capabilities; community outreach, social media, and word of mouth also are effective.

Marketing

Marketing is also a part of many bike sharing system implementation plans. Currently, bike sharing's novelty helps it attract free press; Denver Bike Sharing's 2010 annual report, for instance, declared that over 775 news stories ran on the system in the previous year.²⁷ Social media sites such as Facebook and Twitter allow new possibilities for user interaction, and deals provided through social discount sites such

²⁷ http://www.denverbikesharing.org/files/DBS_2010_Annual_Report.pdf

as Groupon and Living Social have been successful. In Washington D.C., Capital Bikeshare has attracted 8,000 new members via its social discount site promotions.²⁸

Promotions and contests are often part of existing systems' marketing efforts. Capital Bikeshare, for instance, held a "Winter Weather Warrior Contest," which awarded its most frequent user during winter months with a free membership extension, additional memberships for friends, and gift card prizes. Another prize was awarded to those who used the bicycle system every day during the same period. In Denver, "Tour de B-cycle" provides those who visit all local B-cycle stations in one day with recognition and prizes.

Other marketing opportunities exist as well, including cross-promotions with sponsors, user experience video contests, and joint promotions with other modes of transit and respective websites.

²⁸ Weber, Erik. "GGW debates: Is CaBi getting a good deal on Living Social?" <http://greatergreaterwashington.org/post/10024/ggw-debates-is-cabi-getting-a-good-deal-on-living-social/>. 12 April 2011.

2. DEMAND EVALUATION

The demand evaluation process involves three stages that progress from a broad, countywide analysis, to a **detailed ridership forecast at the station level.** First, the Countywide Demand Screening uses broad measures of demographic and built environment characteristics to determine relative bikesharing suitability across all of Monterey County. Next, the Detailed Ridership Suitability Analysis focuses on the City of Monterey/Pacific Grove and the City of Salinas, the highest-suitability areas from the countywide screening, to provide a finer-grained view of appropriate areas for bikesharing. Then, specific station locations are selected for each area. Finally, the Bikesharing Ridership Regression Model is applied to each station location to provide a ridership estimate that accounts for the attributes of each individual station as well as the network of stations as a whole.

Countywide Demand Screening

Methodology

The countywide demand screening process combines five variables selected from the EPA's Smart Location Database (SLD) into a bikesharing Suitability Screening Score that indicates the relative suitability for bike sharing across the entire County of Monterey. The variables selected address housing, population, and employment density, land use diversity, and urban design. High population and intersection density (a measure of urban design) are correlated with bikesharing ridership in the academic literature, and housing density, employment density, and land use diversity intuitively reflect a built environment suitable for shorter trips that could be served by bike sharing.^{29,30} The "D" variables shown in **Table 4** were selected from the EPA's SLD. The variables are available at the census block group level, dividing Monterey County into over 200 block groups.

These variables were then converted to a 50-meter raster grid. Each variable was also reclassified in equal intervals on a scale of 1 to 20. In the case of population density, two outliers were excluded from the reclassification range and included in the highest category (20 points). The five layers were then summed to create a single composite Suitability Screening Score on a theoretical scale of 5 to 100 points. Since no census block group scored in the highest category for all variables, the range of actual scores was 5 to 52. These composite scores were divided into five groups, ranging from "least suitable" (5 to 8 points) to "most suitable" (34 to 52 points) and plotted on a map of Monterey County to provide a visual indication of relative bikesharing suitability in the County (see **Figure 1**).

²⁹ Buck, Darren and Ralph Buehler. "Bike Lanes and Other Determinants of Capital Bikeshare Trips." *TRB 2012 Annual Meeting*. 15 November 2011.

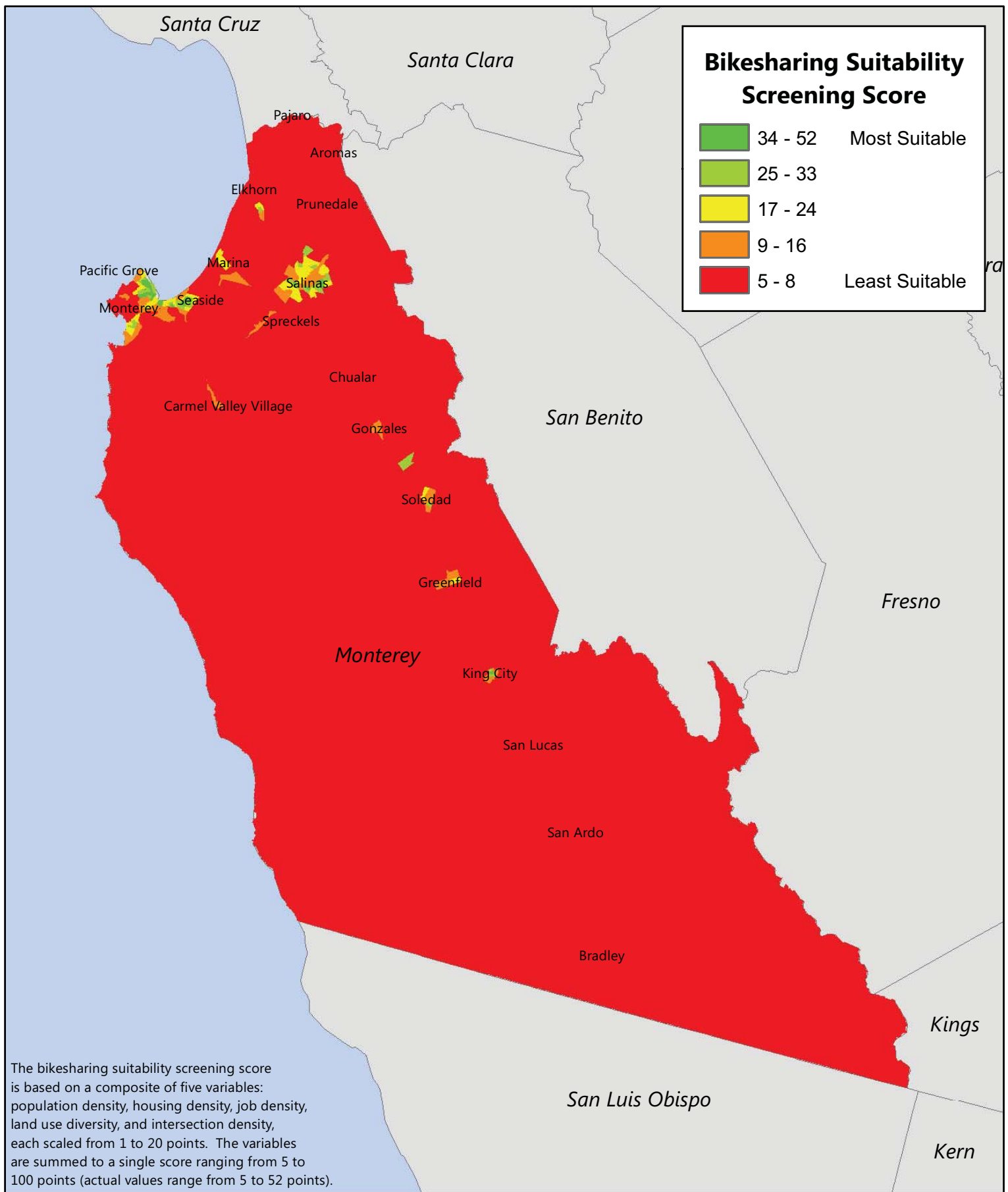
³⁰ Daddio, David William. "Maximizing Bicycle Sharing: An Empirical Analysis of Capital Bikeshare Usage." 2012.

TABLE 4 – “D” VARIABLES

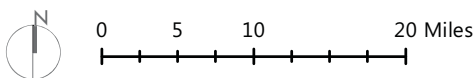
<i>Factor</i>	<i>Metric</i>	<i>Source Data</i>
Density	D1 _a : Housing density (units per unprotected acre) in 2010	Housing units: Census 2010
Density	D1 _b : Population density (people per unprotected acre) in 2010	Population: Census 2010
Density	D1 _c : Job density (jobs per unprotected acre)	Jobs: Census LED 2008
Land Use Diversity	D2: Entropy index of commercial/industrial/institutional, retail, recreational, and residential within a block group	Jobs and housing units: ESRI Business Demographics 2009
Urban Design	D3: Intersections per sq. mile (weighted by intersection type)	US Census TIGER/Line Shapefile 2009

Source: “EPA’s Smart Location Database: A National Dataset for Characterizing Location Sustainability and Urban Form.”³¹

³¹ Ramsey, Kevin and John Thomas. “EPA’s Smart Location Database: A National Dataset for Characterizing Location Sustainability and Urban Form.” *U.S. Environmental Protection Agency Office of Sustainable Communities*. 6 January 2012.



Source: 2011 TIGER/Line; 2010 EPA Smart Location Database



Selection Criteria

A desirable service area for bike sharing will contain not only areas with the highest Suitability Screening Score, but also a large, relatively contiguous, high-scoring area that can accommodate a network of bike sharing stations with a variety of attractive destinations. A contiguous service area also reduces the cost of servicing bikes and stations and of redistributing bicycles to ensure the system remains in balance. The area surrounding Pacific Grove, the City of Monterey, and Seaside offers a large cluster of high-suitability areas that could be accessible by bike. To a lesser degree, Salinas also offers a cluster of moderate- to high-suitability; local interest in an "Open Streets" or "Ciclovía" initiative that would temporarily close streets to automobile traffic in favor of walking and biking suggests a latent interest in additional cycling activity in Salinas.³² These areas will be the targets for more detailed suitability analysis and ridership forecasting.

Other areas in the County do not currently appear to support a comprehensive bikesharing program, but could be part of future expansion of a Monterey bikesharing system. Activity centers near Sand City's Edgewater Shopping Center and downtown Marina currently attract relatively large numbers of transit riders who could benefit from the additional last-mile connectivity provided by a bikesharing system; however, existing land uses and densities do not suggest a viable bikesharing service area. The area around Edgewater Shopping Center is characterized primarily by "big box" retail establishments (e.g., Target, Ross, Sports Authority, etc.) with large surface parking lots, uses not traditionally associated with bicycling or bikesharing trips. Marina also lacks sufficient density of residential units, retail locations, leisure destinations, or other attractors to support a comprehensive network of bikesharing stations. Edgewater Shopping Center and Marina are both adjacent to the Monterey Peninsula Recreational Trail, and many Salinas streets include bike lanes or bike routes. Future land use changes, such as more dense housing and mixed-use commercial and residential areas, could justify expanding the bikesharing system to these areas, and additional bike lane and trail connectivity would further support bikesharing ridership. Bikesharing stations installed before these land use and density changes have taken place could still increase the visibility of bicycling and help to brand these communities as bike-friendly, but ridership would likely be lower than in the better-suited Monterey/Pacific Grove area.

Still other Monterey County communities are less suited to bikesharing. Although King City contains a small parcel with one of the higher suitability scores, it is surrounded by areas of low suitability, and does not appear large enough to provide a network of attractive bike sharing station locations. The green area between Soledad and Gonzales is excluded from more detailed study because it contains the Salinas Valley State Prison, which, while a dense employment center, is purposefully isolated from other destinations and inmates are not allowed privileges that provide mobility like bikeshare.

³² http://www.salinasneighborhoods.org/wp-content/uploads/2012/07/Ciclovía_Proposal-1.pdf

Detailed Ridership Suitability Analysis

Methodology

The detailed ridership suitability analysis applies a modified version of Maurer's (2012) ridership study of the Nice Ride MN system³³ to the detailed analysis area around Pacific Grove, the City of Monterey, and Seaside, and, separately, to the analysis area around the City of Salinas, as identified in the countywide demand screening process. The Nice Ride analysis tested the relationships between a variety of socioeconomic, commute, and built environment characteristics and the number of station-level monthly rentals in August 2010. The analysis identified several statistically significant variables associated with high ridership levels, including non-white population³⁴, income, alternative commuters, high-income jobs, and total jobs, among others. This analysis adds population density and slope of terrain, applying the variables shown in **Table 5** to develop a suitability score.

For the detailed ridership suitability analysis, each of the variables listed above was rasterized (converted to a grid) and reclassified into a scale of ten categories, with ten being the most suitable for bicycle sharing ridership. The variables were reclassified based on natural breaks in the data. Variables with a "positive" direction in Table 5 were assigned higher scores for higher values of the variable, while those with a negative direction received lower scores for higher values. For example, Census blocks with the highest concentration of high-income jobs were assigned a 10 for that variable, while grid cells with the steepest slopes received a score of 1 for that variable. The raster layers were then summed and multiplied by a scaling factor for slope to eliminate areas with steep terrain, regardless of other measures of suitability, to create a single composite score that indicates the relative suitability of particular grid cell for bike sharing ridership. Finally, these scores were divided into five groups, ranging from "least suitable" to "most suitable" and plotted in **Figures 2 and 3**. Please note that these scores are developed independently for each analysis area and cannot be directly compared between the City of Monterey / Pacific Grove and the City of Salinas.

³³ Maurer, Lindsay Kathryn. "Feasibility Study for a Bicycle Sharing Program in Sacramento, California." TRB 2012 Annual Meeting. 15 November 2011.

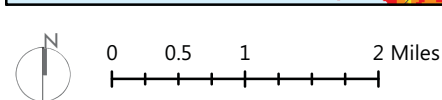
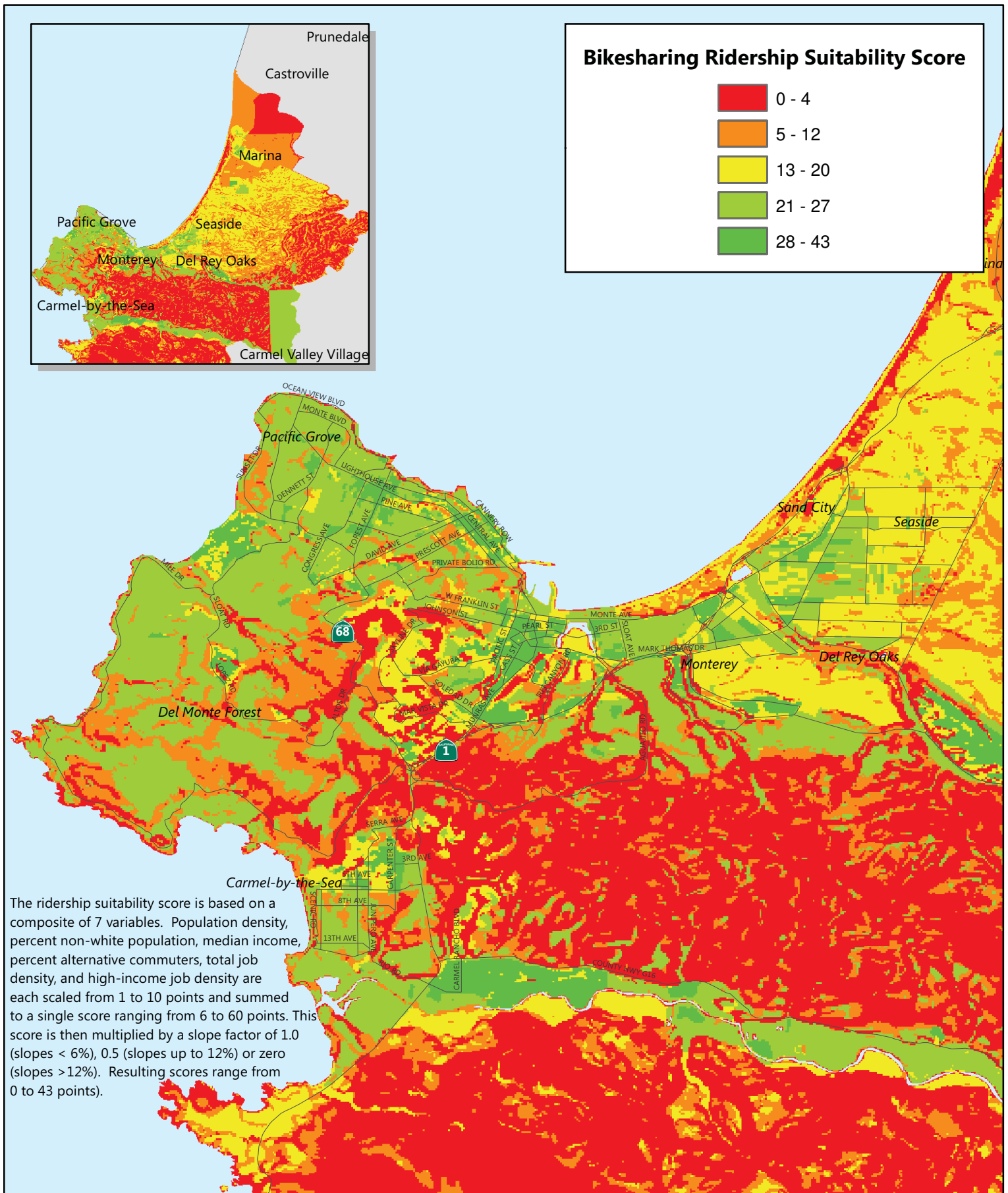
³⁴ Bicycling in general and bikesharing in particular have traditionally struggled to attract lower-income individuals and people of color. This statistical reality is documented in the research findings underlying the detailed ridership suitability analysis. As explained in greater detail below in this report, this means continued focused efforts are required to attract and retain racially diverse bikeshare program participants.

TABLE 5 – RIDERSHIP SUITABILITY ANALYSIS

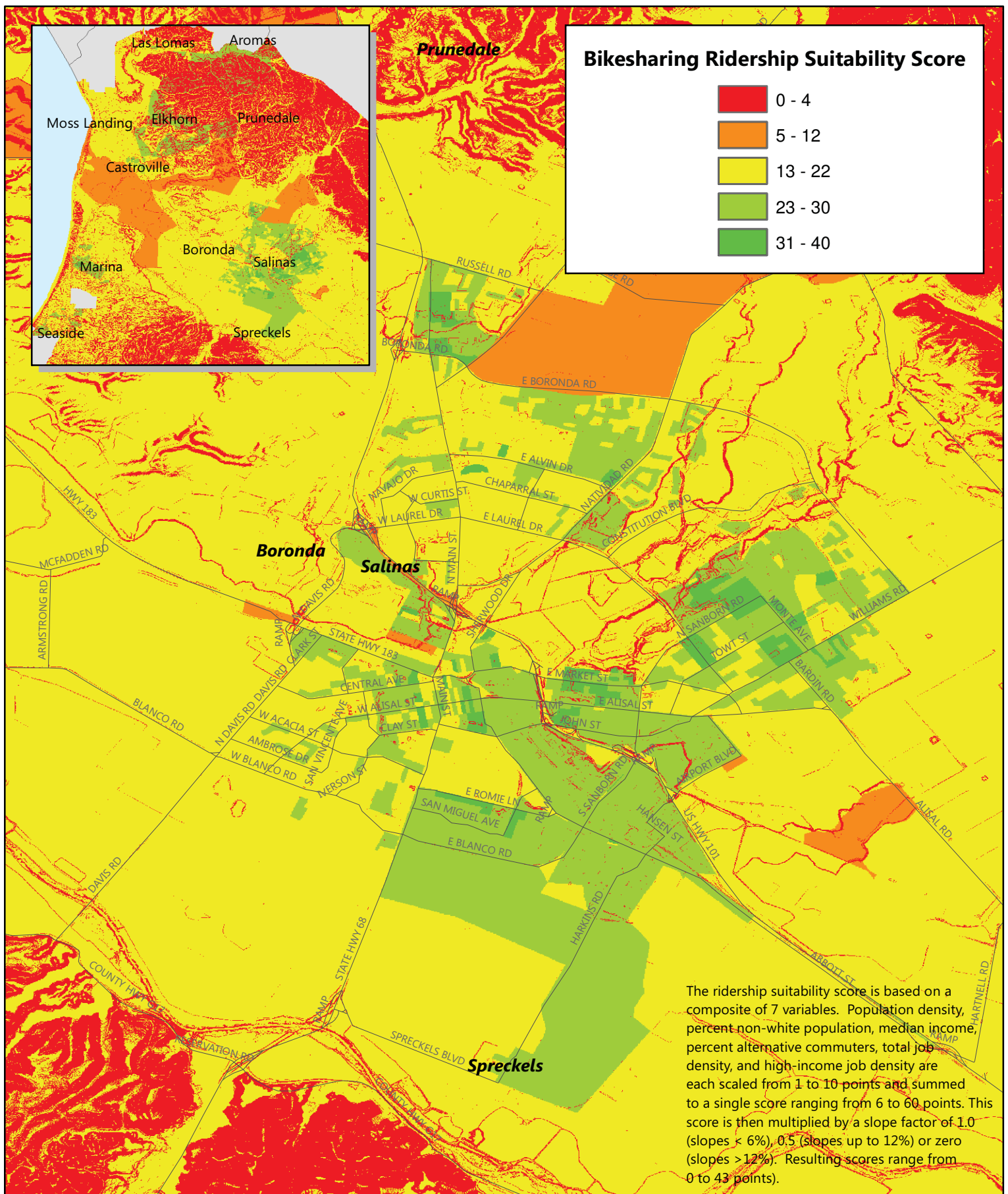
Factor	Metric	Direction	Scale	Source Data for TAMC
Non-white population	Proportion of population of a race other than "white alone"	Negative	2010 Census Tract	U.S. Census Bureau, 2006-2010 American Community Survey
Income	Median household income	Positive	2010 Census Tract	U.S. Census Bureau, 2006-2010 American Community Survey
Alternative commuters	Proportion of workers who commute by bicycle, walking, or public transportation	Positive	2010 Census Tract	U.S. Census Bureau, 2006-2010 American Community Survey
High-income jobs	Workers per acre (by place of employment) earning more than \$3,333 per month	Positive	2010 Census Block	U.S. Census Bureau, Longitudinal Employer-Household Dynamics, 2010
Jobs	Total "appropriate" jobs per acre*	Positive**	2010 Census Block	U.S. Census Bureau, Longitudinal Employer-Household Dynamics, 2010
Population	Total population per acre	Positive	2012 Census Block	US Census TIGER/Line Shapefile 2010 with 2010 Census Data
Slope	Change in elevation across grid cell	Negative	N/A	AMBAG LiDAR Data

*For the TAMC detailed suitability analysis, "appropriate jobs" are defined as LEHD variables CNS05 – CNS20. This includes all jobs except those in the categories "Agriculture, Forestry, Fishing and Hunting," "Mining, Quarrying, and Oil and Gas Extraction," "Utilities," and "Construction."

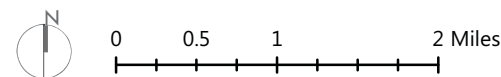
**Although Maurer finds a negative correlation between total job density and ridership, this analysis uses the variable in the positive direction, consistent with intuition and theory.



Source: 2009 TIGER/Line; 2006-2010 American Community Survey;
2010 Longitudinal Employer-Household Dynamics;
AMBAG LiDAR Data



Source: 2009 TIGER/Line; 2006-2010 American Community Survey; 2010 Longitudinal Employer-Household Dynamics; AMBAG LiDAR Data



Discussion

Interpretation

The detailed Ridership Suitability Score represents the bikesharing ridership suitability of a particular grid cell relative to every other grid cell in the analyzed area. Because the Ridership Suitability Score is based on a different methodology than the countywide Screening Suitability Score, and is relative only within the analysis area, it cannot be directly compared to the Screening Suitability Score; rather it provides an additional criterion for selecting appropriate bike sharing station locations at a more detailed scale. For example, a moderate- or low-suitability parcel in the detailed analysis area may still be more suitable for bike sharing than some moderately high-suitability areas identified in the countywide demand screening analysis.

The concentration of high-suitability parcels along the north side of the Monterey Peninsula suggests a good potential service area. Several clusters of the highest-suitability parcels are joined by regions of high and moderate suitability, and the highest-suitability areas are located near enough to one another to permit travel among them by bicycle. In Salinas, a cluster of high-suitability areas in downtown Salinas, coupled with dense residential areas in Alisal provide a core service area. High-density areas to the north and east of the City suggest high suitability, but have highly segregated land uses and are relatively distant from downtown for cyclists and do not contribute to a contiguous service area.

Limitations

Despite its usefulness in identifying suitable bikesharing locations, the Ridership Suitability Score is a simple combination of a limited number of factors, and must be interpreted along with additional information and local knowledge. The variables selected are based on ridership data from the Nice Ride system in Minneapolis, MN, which is generally more urban than Monterey and may have potential riders with different characteristics than those in Monterey.

The Ridership Suitability Score is focused solely on maximizing the number of check-outs at bike sharing stations based on empirical relationships in other cities between bikesharing ridership and the Score's input variables; however, goals other than maximizing ridership might be relevant to the selection of a service area and the placement of stations. Although a low non-white population share and high median household incomes are positively associated with ridership in the Nice Ride data, stations placed in lower-income areas or areas with a higher non-white population might be desirable to better serve these communities and address economic and racial equity concerns. Placing a station in a lower-ridership suitability area in order to serve a particular attraction or to fill in a gap in the station network might also be desirable.

Bicycling in general and bikesharing in particular have traditionally struggled to attract lower-income individuals and people of color.³⁵ African-Americans make up only 1 percent of Boston Hubway users and only 3 percent of Capital Bikeshare users, while 81 percent of Denver B-Cycle users are white and only 21

³⁵ Federal Highway Administration. "Bikesharing in the United States: State of the Practice and Guide to Implementation." September 2012. <http://www.bicyclinginfo.org/promote/bikeshareintheus.pdf>.

percent have annual household incomes below \$50,000.³⁶ Bikes sharing programs are making concerted efforts to serve these communities. Capital Bikes share has partnered with Bank on DC to offer discounted memberships and debit and credit accounts to unbanked individuals who would not otherwise have access to bikes sharing;³⁷ the program has also reached out to the homeless community, providing discounted memberships to those enrolled in job training sessions.³⁸ Denver and Boulder B-Cycle and NYC Bike Share have also partnered with local housing authorities to increase access to their programs; Minneapolis' Nice Ride system has eliminated the credit card hold held as a deposit, which presented a barrier to some potential users.^{39,40}

³⁶ <http://dc.streetsblog.org/2012/10/03/why-isnt-bike-share-reaching-more-low-income-people/>

³⁷ "Capital Bikes share Launches Bank on DC Program." 16 December 2011.
<http://www.capitalbikeshare.com/news/2011/12/16/1140>

³⁸ DePillis, Lydia. "Capital Bikes share Rolls Out Homeless Pilot." 20 March 2012.
<http://www.washingtoncitypaper.com/blogs/housingcomplex/2012/03/20/capital-bikeshare-rolls-out-homeless-pilot/>

³⁹ Schmitt, Angie. "Why Isn't Bike-Share Reaching More Low-Income People?" 3 October 2012.
<http://dc.streetsblog.org/2012/10/03/why-isnt-bike-share-reaching-more-low-income-people/>

⁴⁰ "Frequently Asked Questions: What about low income New Yorkers?"
http://citibikenyc.com/faq#_What_about_low_income

Bikesharing Ridership Demand Modeling

Fehr & Peers analyzed the effects of demographic and built environment characteristics near bikesharing stations on bikesharing ridership levels in three operational U.S. systems and applied the resulting regression model to a proposed network of stations in Monterey. This section describes the development of the regression model, the selection of proposed bikesharing station networks for Monterey / Pacific Grove and Salinas, and the ridership forecast for the proposed station networks.

Bikesharing Ridership Regression Model

A regression analysis was performed using stations in the Capital Bikeshare, Denver B-Cycle, and Nice Ride MN systems as observations (n=265) and the natural log of average monthly rentals by station as the dependent variable. A consistent dataset of independent variables (see **Table 6**) was collected across all three systems and compiled using a custom GIS toolbox. The variables considered include demographic, built environment, transportation network, and system-specific factors, such as population and employment densities; income, race, commute, and vehicle access variables; proximity to parks and colleges; access to bikeways, bus stops, and other bikesharing stations; and a city-level precipitation variable and system indicator variables.

Multivariate linear regression models were refined in order to 1) maximize the predictive power of the model as a whole, as measured by the model R-squared, 2) incorporate a variety of independent variables, and 3) maintain statistical significance and intuitive direction of the included variables. The preferred model (see **Table 7**) has a good measure of fit (adjusted R-squared of 0.753) and includes measures of population density, retail job density, share of alternative commuters, median income, share of non-white population, and other bikesharing stations within 3200 meters. The stations-within-3,200-meters variable is particularly important to bikesharing ridership. The variable had a strong positive correlation with ridership in all model specifications tested, and continues to be significant both in isolation and when controlling for the effects of the other regression variables. This variable suggests that bikesharing systems can support ridership by locating stations in a dense, contiguous network.

TABLE 6 – REGRESSION VARIABLE DEFINITIONS

Variable	Definition	Source
Dependent		
<i>ln(Monthly Rentals)</i>	Natural log of the number of rentals during each system's first operating season, by station; normalized by number of months in first operating season	Bike sharing system operators
Independent		
<u>Demographic Factors</u>		
<i>Population</i> ¹	Total population (in 100s of persons)	U.S. Census Bureau, 2010
<i>Jobs</i> ¹	Total jobs (in 100s), by work area	Longitudinal Employer-Household Dynamics, 2010
<i>High-Income Jobs</i> ¹	Number of jobs (in 100s) paying more than \$3,333 per month, by work area	Longitudinal Employer-Household Dynamics, 2010
<i>Retail Jobs</i> ¹	Total retail jobs (in 100s)	Longitudinal Employer-Household Dynamics, 2010
<i>Alternative Commuters</i> ²	Proportion of workers who commuted by bicycle, walking, or public transportation (100s of workers)	U.S. Census Bureau, 2010
<i>Median Income</i> ²	Median household income (in 1,000s of dollars)	U.S. Census Bureau, 2010
<i>Non-White Population</i> ²	Proportion of population that is of a race other than "white alone"	U.S. Census Bureau, 2010
<i>Low-Vehicle Households</i> ²	Proportion of workers who commuted by bicycle, walking, or public transportation (100s of workers); weighted average by 2010 Census Tract	U.S. Census Bureau, 2010
<u>Built Environment Factors</u>		
<i>College</i>	1 if a college is located within 400 meters, 0 otherwise	U.S. Census Bureau TIGER/Line Shapefile 2009 – Area Landmarks
<i>Park</i>	1 if a park is located within 400 meters, 0 otherwise	DC Office of the Chief Technology Officer; Open Street Map
<u>Transportation Network Factors</u>		
<i>Bikeways</i>	Length of existing bike lanes and paths (in 100s of meters)	District Department of Transportation; Denver GIS; Minnesota Department of Transportation
<i>Bus Stops</i>	Number of bus stops (in 10s of stops)	Washington Metropolitan Area Transit Authority; District Department of Transportation; Denver GIS; Metropolitan Council GIS
<i>Stations Within [X] Meters</i>	Number of bike sharing stations within [X] meters	Bike sharing system operators
<u>System-Specific Factors</u>		
<i>DC Flag</i>	1 if station is in Capital Bikeshare system, 0 otherwise	National Climatic Data Center
<i>DN Flag</i>	1 if station is in Denver B-Cycle system, 0 otherwise	
<i>MN Flag</i>	1 if station is in Nice Ride MN system, 0 otherwise	
<i>Precipitation Days</i>	Average days per system operating month with precipitation 0.01 inches or more	

¹ Summed proportionally by area intersecting 2010 Census Blocks

² Weighted average by area of buffer intersecting 2010 Census Tracts

TABLE 7 – PREFERRED REGRESSION MODEL

Variable	Coefficient	Standard Error	p-Value
<i>Population</i>	0.013	0.002	0.000***
<i>Retail Jobs</i>	0.031	0.011	0.008***
<i>Alternative Commuters</i>	1.863	0.268	0.000***
<i>Median Income</i>	0.010	0.002	0.000***
<i>Non-White Population</i>	-2.100	0.184	0.000***
<i>Stations Within 3200 Meters</i>	0.033	0.003	0.000***
<i>Constant</i>	3.536	0.155	0.000***
Independent Variable	ln(Monthly Rentals)		
R ²	0.758		
Adjusted R ²	0.753		

*, **, and *** indicate statistical significance at the 10, 5, and 1 percent levels, respectively.

Bikesharing Station Locations

General locations for bikesharing stations were selected based on the Ridership Suitability Score, and review of aerial imagery, bike infrastructure, and attractive origins and destinations. The following considerations guided placement of bikesharing stations:

- Contiguous network – ensure that each station has a clear connection to the rest of the station network; avoid isolated stations, even in otherwise suitable areas.
- Station proximity – attempt to locate stations within a quarter-mile to half-mile from each other.
- Bike facilities – locate stations near designated bike facilities. The Monterey Bay Coastal Trail provides good connectivity among stations along the waterfront and through Cannery Row. In Salinas, bike lanes along Pajaro Street and Rossi Street improve biking conditions in central Salinas, while bike lanes on Alisal Street provide an essential crossing of US-101.
- Terrain – locate stations along relatively flat or gently rolling terrain.
- Institutions – locate stations to serve the Naval Postgraduate School, Monterey Peninsula College, and the Defense Language Institute Foreign Language Center at the Presidio of Monterey. In Salinas, the National Steinbeck Center, Hartnell College, and Monterey County Courthouse are key institutions.
- Density – locate stations near dense commercial and residential areas.
- Attractions – provide access to active local and regional attractions, such as Lovers' Point Park, the Monterey Bay Aquarium, Cannery Row, Fisherman's Wharf, the Monterey Conference Center, and the Monterey Sports Center.

- Transit – provide connections to existing transit services. Monterey-Salinas Transit (MST) operates nearly 60 bus routes in Monterey County, almost half of which serve Monterey and Pacific Grove. The Salinas Transit Center also serves 16 routes. Bikeshaing service can provide:
 - Connections when a transfer would be required for a short second leg
 - Extended range for transit riders to access destinations beyond a comfortable walking distance from transit
 - A complement to transit for trips that are too long to walk but short enough that waiting for transit is undesirable

Figure 4 shows the proposed locations for 24 bikeshaing stations in Monterey and Pacific Grove. **Figure 5** shows the proposed locations for 16 bikeshaing stations in Salinas. These locations represent a general concept for two proposed bikeshaing station networks that should ultimately be refined based on additional input from stakeholders, TAMC, and the bikeshaing operator or hardware vendor.

Bikeshaing Ridership Forecast

Applying the Ridership Regression Model to the identified locations results in station-level ridership estimates for each of the 24 proposed bikeshaing stations in Monterey and Pacific Grove and separately for each of the 16 proposed bikeshaing stations in Salinas. The Scenario 1 and 2 Model Estimates are the actual predicted values based on the model regression coefficients applied to the regression variable values for each station. The Scenario 1A and 2A estimates are one standard error below the Scenario 1 and 2 Model Estimates, while the Scenario 1B and 2B estimates are one standard error above. Because of the model's logarithmic form, the standard error to the upside results in a larger range than the standard error to the downside. This is consistent with experience from the bikeshaing operators interviewed, who noted that ridership grows at a faster than linear rate relative to expansions in the system. Maurer (2012) also found a logarithmic bikeshaing ridership relationship.⁴¹ The Scenario 1 estimate for Monterey / Pacific Grove is equivalent to slightly less than one ride per bikeshaing bike per day, while Scenario 1B estimates approximately 1.6 rides per bike per day, within the expected range of one to two rides per bike per day based on other operational bikeshaing systems and well below Capital Bikeshaing's rate of over three rides per bike per day. The Scenario 2 estimate for Salinas is lower, at an average of 0.4 rides per bike per day, while Scenario 2B estimates approximately 0.7 rides per bike per day. **Table 8** lists the ridership estimates for each station and **Figures 6 and 7** display the Base Model (Scenario 1 and 2) Estimates graphically. The model forecasts ridership in the Monterey / Pacific Grove network to be highest at the Presidio and along Cannery Row, with more modest ridership levels toward the edges of the system. In Salinas, forecast ridership is highest in Alisal, which has high residential population densities and is connected to Downtown Salinas by bike lanes on Alisal Street.

⁴¹ Maurer, Lindsay Kathryn. "Feasibility Study for a Bicycle Sharing Program in Sacramento, California." TRB 2012 Annual Meeting. 15 November 2011.

Figure 4 – Monterey / Pacific Grove Proposed Bikesharing Stations and Existing Bike Rental Locations

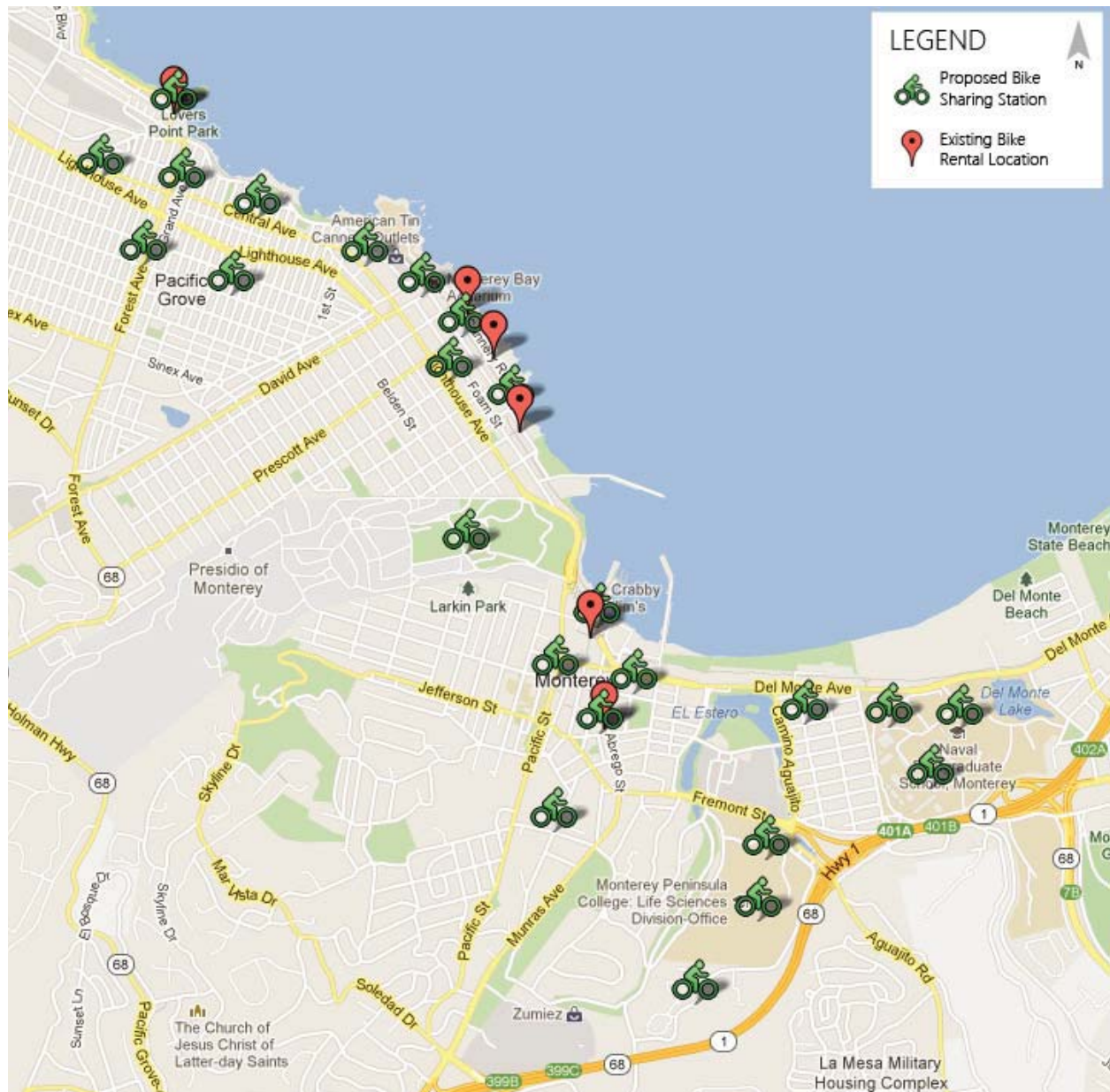


Figure 5 – Salinas Proposed Bikesharing Stations

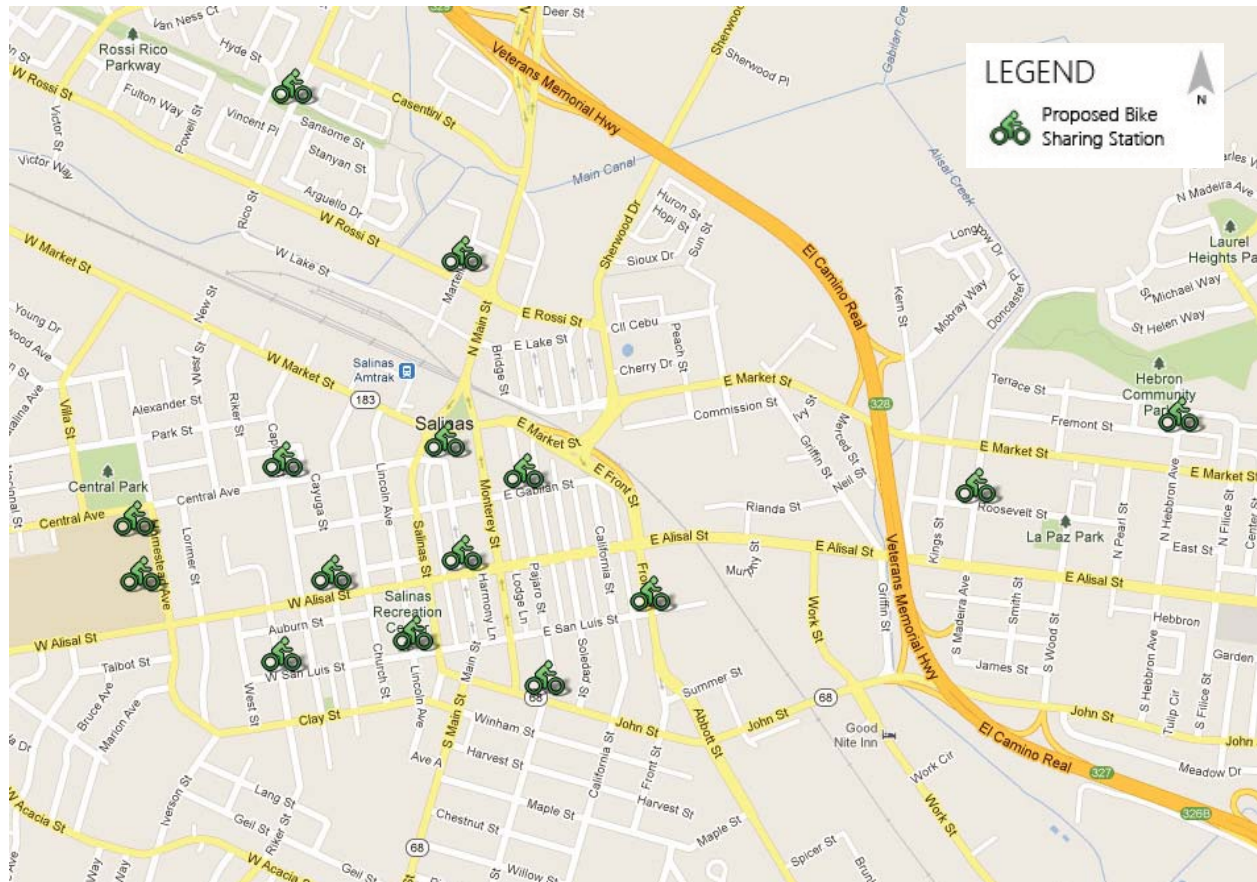
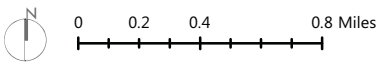
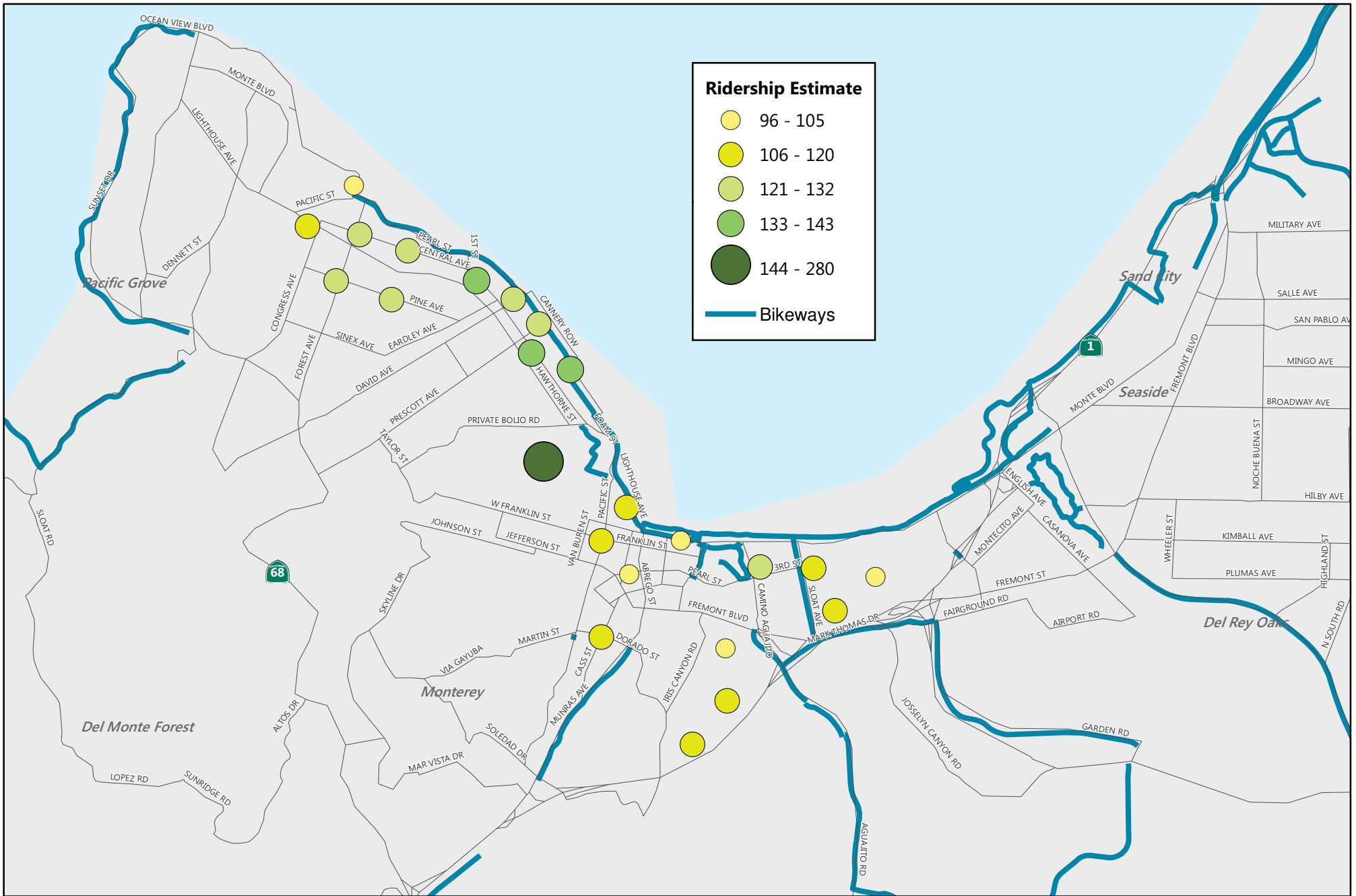
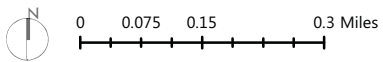
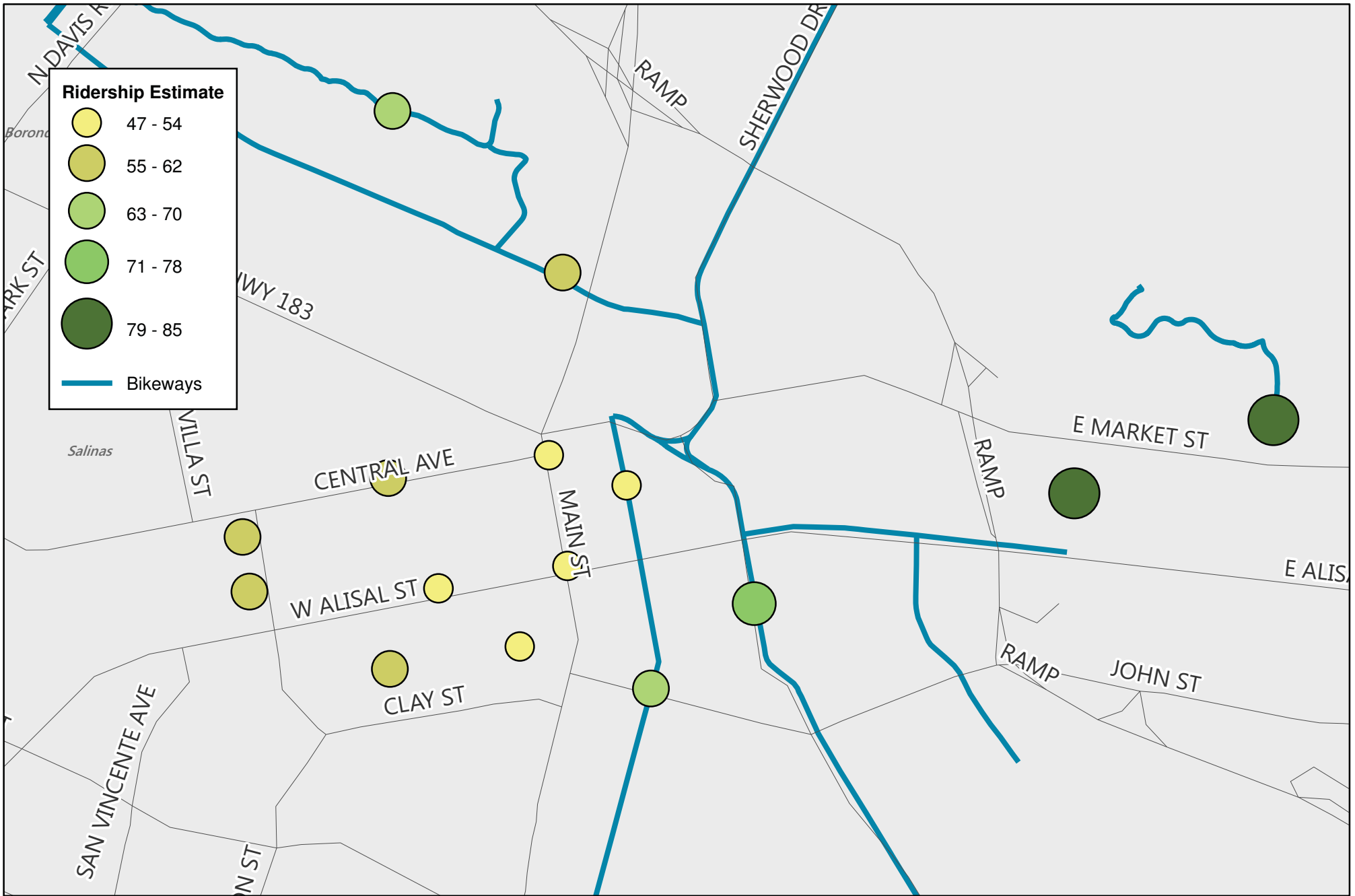


TABLE 8 – MONTHLY RIDERSHIP ESTIMATES

Station #	<i>Monterey / Pacific Grove Network</i>			<i>Salinas Network</i>		
	Scenario 1 (Model Estimate)	Scenario 1A (Low Range)*	Scenario 1B (High Range)*	Scenario 2 (Model Estimate)	Scenario 2A (Low Range)*	Scenario 2B (High Range)*
1	123	63	237	47	25	92
2	130	68	252	58	30	112
3	132	68	255	55	28	105
4	116	60	225	65	34	125
5	104	54	201	59	30	113
6	135	70	260	47	24	90
7	125	65	242	50	26	97
8	130	67	250	55	29	107
9	143	74	276	75	39	145
10	138	71	266	62	32	120
11	120	62	231	49	25	94
12	100	52	193	52	27	101
13	280	145	540	85	44	165
14	116	60	224	85	44	164
15	98	51	190	55	28	106
16	129	67	249	–	–	–
17	118	61	229	–	–	–
18	127	66	245	–	–	–
19	118	61	229	–	–	–
20	105	54	202	–	–	–
21	116	60	225	–	–	–
22	96	50	185	–	–	–
23	116	60	223	–	–	–
24	111	58	214	–	–	–
Total	3,027	1,568	5,842	900	466	1,737
Minimum	96	50	185	47	24	90
Average	126	65	243	60	31	116
Maximum	280	145	540	85	44	165

* Scenario A and B estimates are one standard error below and above the Base Scenario Model Estimates, respectively.





3. CAPITAL AND OPERATING FUNDING SOURCES

Bicycle sharing programs use a variety of sources to fund initial capital and ongoing operating expenditures. The intent of this chapter is to summarize by broad category the range of bicycle sharing programs currently in operation and describe how they are funded. This chapter also includes a listing of potential Federal, State of California (State), regional, and other sources that could be used to fund a bicycle sharing program in the City of Monterey (City), as well as a listing of potential program partners.

Overview

There are more than 450 bicycle sharing programs in operation throughout the world (a dramatic increase from 60 programs in 2007), representing several different general “business models.” While each individual program has certain unique attributes, generally they can be categorized according to their primary sources of revenue.

Currently, there are three main bicycle sharing program models in operation in the United States: the nonprofit model, the publicly owned/privately operated model, and the privately owned-and-operated model. Of these models, nonprofits appear to be the most popular. Of the 19 information-technology (IT)-based programs in the United States, nearly 60 percent were nonprofit.^{42 43} Of note, a vendor-operated model, which does not exist in the United States, will be launching in Anaheim and Los Angeles, likely within the next year.

A few years ago, the most popular models for bike share relied primarily on advertising revenues (on bikes, equipment, transit vehicles, and other public property) to fund the program. This model has been described as “street furniture” and is still used for Paris’ “Vélib” program. In the United States, recent examples of the advertising or street furniture model, such as the SmartBike DC program in Washington, DC, and the proposed San Francisco bike share program, have been either terminated (SmartBike DC) or have chosen a different model to pursue (San Francisco: publicly owned and operated).

However, while the specific advertising model used in Paris and formerly used in DC has not been popular in the United States, publicly owned/privately operated systems with title sponsors have seen significant success. For example, the City of Boston partnered with New Balance to help launch the Hubway bicycle sharing program. On an even larger scale, the proposed CitiBike program in New York City, a partnership between Citi Bank and the City of New York, is set to launch next year (2013) and will become the largest bike share operation in North America.

Bike share programs in the United States are funded by a combination of user fees; sponsorships; advertising; private donations; Federal, state, and local funds; along with various loans; private foundation grants; and individual donations. Of these funding sources, user fees, sponsorships, and advertising are

⁴² IT-based programs represent the “third generation” of a bike sharing system, evolving from the “free bikes” system (first generation) and “coin-deposit” system (second generation).

⁴³ Shaheen, Susan A., Ph.D., Martin, Elliot W., Ph.D., Cohen, Adam P., Finson, Rachel S. Public Bikeshaaring Operations in North America, Mineta Transportation Institute, pp.27-28, June 2012.

the most common. None of the programs reviewed in the United States generate sufficient revenue from user fees alone to support both their full capital acquisitions and ongoing operations and maintenance costs. However, several programs do appear to have financially sustainable operations *after* their capital acquisitions are fully or partially funded by other sources.

Key Findings

- **The most popular business model in the United States is the nonprofit model.** The nonprofit model is operated by a nonprofit that is created especially to run the bike share program or by an existing nonprofit that absorbs management of the program into its existing mission. The nonprofit model may rely on grant money or private donations to fund start-up costs. Operating costs typically come from membership and user fees, as well as contributions from the jurisdictions in which the program is being operated, along with continued support from foundations, local businesses, and private donations. It does not appear there are any bike share models where the revenue from subscriptions and usage fees entirely covers the operating costs, but there are several programs that expect to come close in the next few years (e.g., Denver; Boulder; Broward; Washington D.C./Arlington).
- **Other bike share business models also have been implemented and offer unique advantages and disadvantages.** Some programs are operated as joint ventures between public agencies and advertising firms, others are operated by local or regional transportation agencies, and still others are operated by universities or private companies. It does not appear there are any programs operating under these business models that are financially self-sufficient. By way of example, DecoBike in Miami launched the first truly for-profit bike share venture in 2011 with a business model proposing complete self-sufficiency from user revenue. However, since its launch, DecoBike has asked the City of Miami to allow advertisements on their kiosks. As of August 2012, the City of Miami had not agreed to the request but appeared to be leaning toward allowing DecoBike to advertise.⁴⁴
- **There are numerous Federal, State, regional, and local funding sources that may be available to fund a bike sharing program in Monterey County.** In many cases, the nexus between bike share programs and eligible projects as defined by the funding source needs to be articulated and a case for project eligibility will need to be made.

⁴⁴ Information obtained from an online article on the Miami Herald Web site (www.miamiherald.com) by Debra Leibowitz and published June 15, 2012.

Potential Funding Models

More than 450 bike share programs have been implemented worldwide and a variety of business models have been employed. The business model is distinct from the operating system. Operating systems such as Bixi / Alta Bike Share, Inc., and B-cycle provide an operating framework and can be adopted and used regardless of the business model. Depending on the contract with the operating system, the operator of the program may or may not be affiliated with the operating system.

Below, EPS briefly describes each of the most common business models and provides an example where the model has been used. Most of the bike share programs currently in operation are hybrids of one or more of the models described below. The selected case studies are categorized by their primary model. The advantages and disadvantages of each model also are noted.

Nonprofit Model

The nonprofit model is operated by a nonprofit that is created especially to run the bike share program or by an existing nonprofit that absorbs management of the program into its existing mission. The nonprofit model may rely on grant money or private donations to fund start-up costs. Operating costs typically come from membership and use fees, as well as contributions from the jurisdictions in which the program is being operated.

Example#1: Minneapolis' "Nice Ride" Program

Nice Ride Minnesota was launched on August 3, 2010, and consists of 146 stations and more than 1,300 bicycles. The program stretches across Minneapolis and St. Paul and is operated and overseen by Nice Ride Minnesota. Minneapolis has extensive bicycle infrastructure and is ranked a "Gold" Bicycle Friendly Community by the League of American Bicyclists for the quality of its bicycle network, supporting facilities and programs. The program comprises more than 4,000 annual members and more than 35,000 casual members.

The initial Phase 1 capital costs for Nice Ride Minnesota totaled \$3 million, including \$45,000 per kiosk.⁴⁵ The funding sources for the initial capital costs included Federal funds, corporate sponsorship, and the City of Minneapolis. These funds included a \$1.75 million one-time contribution from the Federal Government's Non-motorized Transportation Pilot Program (NTP), which was made available through Bike Walk Twin Cities, a program administered by Minneapolis' Transit for Livable Communities, \$1 million from Blue Cross Blue Shield (using proceeds from the historic tobacco settlement), who is Nice Ride Minnesota's title sponsor, and \$250,000 from the City of Minneapolis Convention Center Fund. The annual operating costs in 2010, the first year of operations, totaled about \$300,000.

The Phase 2 expansion plan, which is expected to increase the system by approximately 50 new stations, has received commitments from Blue Cross Blue Shield (up to \$1.5 million), Bike Walk Twin Cities (\$500,000), Central Corridor Funders Collaborative (\$250,000 for stations near light rail stations), and the

⁴⁵ Schlabowske, Dave, Communications Director, "Bike Sharing, what is it and how does it work?" Bicycle Federation of Wisconsin, Bicycle Blog, February 10, 2011.

Macalester College High Winds Fund (\$30,000). In addition, Transit for Livable Communities (TLC) committed \$1 million for Phase 2 capital from the NTP.⁴⁶

Example #2: Des Moines' B-Cycle Program

Des Moines' B-cycle, launched in 2010, is still considered a pilot program because it includes only 5 stations and 22 bikes. Des Moines is considered a very bicycle-friendly city and includes nearly 200 trails leading in and out of downtown.⁴⁷

Capital costs for Des Moines' B-cycle are \$30,000 to \$35,000 per station (depending on whether they are solar, alternating current [AC], or solar/AC combined). Currently, of the five stations in Des Moines, two are solar, one is solar/AC combined, and two are AC-only. The total capital cost for Des Moines' B-cycle was approximately \$120,000, with the largest single contributor giving only \$20,000.⁴⁸ In addition to user revenue, Des Moines receives sponsorship funds for each docking station or "hub" from nearby businesses. In addition to hub-specific sponsors, Des Moines' B-cycle has received support from Nationwide, Wellmark, Principal Financial Group, Prairie Meadows, Des Moines Area Regional Transportation Authority (DART), the Polk County Health Department, the City of Des Moines Department of Parks and Recreation, Drive Time Des Moines (a commuter club), and the Greater Des Moines Convention and Visitors Bureau.⁴⁹

Recent funding from the Downtown Community Alliance expanded the system from its initial 4 stations and 18 bikes to its present 5 stations and 22 bikes.⁵⁰ Eventually, Des Moines hopes to have 100 bicycles for rent throughout the city at between 12 and 14 kiosks.⁵¹ Carl Voss, Des Moines' B-cycle volunteer Director, indicated that the minimum number of bikes for a feasible program is 35 to 50 bikes, but that growth will be difficult because of resource constraints. However, because of the program's reliance on part-time volunteer workers, opportunities to raise community support and seek grants, donors, and sponsorship remain limited.⁵²

Example #3: Spartanburg's B-Cycle Program

Spartanburg, South Carolina's B-cycle bike sharing program is operated by the Partners for Active Living. The program was launched on July 7, 2011, and now includes four docking stations and 28 bikes and

⁴⁶ "Nice Ride Minnesota Announces Phase 2 Funding," Nice Ride Minnesota Web site, March 1, 2011.

⁴⁷ "B-Cycle Program Rolls into Downtown Des Moines," The Greater Des Moines Partnership, September 8, 2010.

⁴⁸ Forte, Gabriel, Amogh Garg, Indrajeet Ghatge, David Hanna, Kandy Hricik, Cleveland Bike Share: The Potential and Possibility, Case Western Reserve University Weatherhead School of Management—MBA Practicum in Sustainable Value and Social Entrepreneurship (ORBH 430B), Spring 2012.

⁴⁹ Des Moines' B-cycle Web site (desmoines.bcycle.com).

⁵⁰ Ibid.

⁵¹ "Des Moines Officials Introduce Bike-Sharing Program," Des Moines Register, September 9, 2010.

⁵² Forte, Gabriel, Amogh Garg, Indrajeet Ghatge, David Hanna, Kandy Hricik, Cleveland Bike Share: The Potential and Possibility, Case Western Reserve University Weatherhead School of Management—MBA Practicum in Sustainable Value and Social Entrepreneurship (ORBH 430B), Spring 2012.

operates year-round. League of American Bicyclists ranks Spartanburg as “bronze” on their Bicycle Friendly Community Ranking because of a limited bicycle infrastructure and density, though the program has enjoyed significant success with its 100 annual members and 450 casual members.

The program is funded by the Mary Black Foundation (a local grantmaking organization founded to improve the health and wellness of Spartanburg, South Carolina, residents), the JM Smith Foundation (part of a local, private healthcare and technology company), as well as the City of Spartanburg. Funding from the Mary Black Foundation has included \$35,000 in 2011 to support installation of two B-cycle stations.⁵³

Example #4: Denver’s B-Cycle Program

Denver’s B-cycle is operated by Denver Bike Sharing, a nonprofit founded to promote health, quality of life, and preservation of the environment. The program was launched on April 22, 2010, and at the end of 2011, consisted of 52 stations and 732 bicycles. The initial seed money for the project came from the host committee of the Democratic National Convention, which donated \$1 million from a budget surplus to create a large-scale bicycle sharing company.

In 2011, Denver Bike Share sold 2,675 annual memberships and 42,320 short-term memberships (e.g., 24-hour passes, 7-day, 30-day). League of American Bicyclists ranks Denver as “silver” on their Bicycle Friendly Community Ranking primarily because of Denver’s limited biking infrastructure.

Capital grants and contributions make up 18 percent of Denver Bike Sharing’s total resources, with operating grants and contributions providing just 4 percent. Membership fees (23 percent), usage fees (14 percent) and sponsorship (40 percent) make up the majority of remaining resources.

Government funds used by Denver Bike Share include an Energy Efficiency and Conservation Block Grant (EECBG) for \$210,000, Transportation Community Preservation Program (TCPP) grant revenue, as well as funds from Colorado’s Vehicle Registration Tax and FASTER Program.⁵⁴

Denver Bike Share plans to expand by up to 30 stations in 2012, using an additional \$1.1 million in Federal and state grants.⁵⁵

Example #5: Boulder’s B-Cycle Program

Boulder’s B-cycle was launched on May 20, 2011, and currently maintains 110 bikes throughout 15 stations. The majority of Boulder B-cycle’s docking stations are located around the heavily trafficked, commercial district surrounding Pearl Street, which is northwest of the University of Colorado at Boulder campus.

⁵³ Mary Black Foundation Web site (maryblackfoundation.org), Grant History.

⁵⁴ “Denver Launches First Large-scale Citywide Bicycle Sharing Program in the U.S.,” Denver B-cycle Web site (denver.bcycle.com), April 22, 2010.

⁵⁵ Denver Bike Share 2011 Annual Report, Denver B-cycle. No specific grants are mentioned.

In 2011, Boulder's B-cycle had 1,170 annual members and had sold more than 6,000 24-hour access passes. League of American Bicyclists ranks Boulder as "platinum" on their Bicycle Friendly Community Ranking, which is the highest ranking in the country, because of their 300+ miles of bike lanes, routes, designated shoulders and paths, as well as topography.

Capital expenditures (initial fleet of bikes, stations) totaled approximately \$525,000 and were funded primarily by grants (\$446,250), including \$250,000 through an EECBG, funds from the City of Boulder, and gifts from individuals (amounting to approximately \$100,000) and local businesses and residents (\$78,750).

Ongoing operational expenditures on stations, bikes, and B-cards are funded through sponsorships (64 percent), as well as membership and usage fees (36 percent).⁵⁶

Advantages and Disadvantages

In some cases, it may be beneficial to have a nonprofit operate the system because liability is transferred from the local jurisdiction to the nonprofit, which has limited assets and is less likely to have a lawsuit filed against it. It is not clear at this early stage what, if any, the liability concerns might be for the Transportation Authority of Monterey County (TAMC).

In addition, by creating a nonprofit as opposed to having a jurisdiction-run model, staffing costs can remain lower because of a lack of salary and pension requirements that might be present in a public agency.

The nonprofit model is often dependent on the local jurisdiction for some portion of its funding, and funding commitments from the jurisdiction may be unreliable in challenging budget cycles. However, the flexibility of the nonprofit models has shown to allow programs across the country to approach their funding challenges in different ways. For cities or other jurisdictions that may not be fully convinced that bike share is a productive use of funds, nonprofit structure allows the program to be grown independently of a government body.

Publicly Owned/Private Operated Model

In the publicly owned/private operated model, a city will contract with a private operator such as Alta Bike Share or B-cycle to provide management of ongoing operations. Public entities are usually charged with funding the initial capital investment (stations and bikes) and administering the program before contracting with a private operator. Public entities have used a variety of fund-raising techniques for capital costs, including taxation, advertising, sponsorships, and Federal and state grants. While the number of active programs using this model is limited at the time of this report, New York City and Chicago are both set to launch programs using this business model within the next year.

⁵⁶ Information compiled from several sources, including personal interview with Bob Koenig of Boulder B-cycle, August 2012; US Department of Energy; and the 2011 Boulder B-cycle Annual Report.

Example #1: Washington D.C.'s Capital Bikeshare

Currently the largest bike share program in the United States, with more than 1,670 bikes dispersed across 175 stations, Capital Bikeshare also is perhaps the most successful. When the program launched in 2010, stations were initially located primarily throughout D.C.'s northwest quadrant. Capital Bikeshare has since expanded into Arlington, Virginia, as well as in the Northeast, Southeast, and Southwest quadrants of DC. Capital Bikeshare is operated by Alta Bicycle Share, operates year-round, and has exceeded 200,000 members.⁵⁷

Capital Bikeshare uses several funding sources, although it collects nearly all of its funds needed for daily operations from user fees. D.C.'s \$6 million capital costs were largely covered by federal grants such as one from the U.S. Department of Transportation's Federal Highway Administration under their CMAQ fund. To start the Arlington program, funding was received from the Virginia Department of Rail and Public Transportation, Arlington County transportation funding, and sponsorships by the Crystal City Business Improvement District (BID) and the Potomac Yard Transportation Management Association.

A large part of Capital Bikeshare's success has stemmed from investment in bike infrastructure, such as bike lanes, in conjunction with station construction. In addition, Washington, D.C., enjoys enormous numbers of tourists each year, many of whom come to sightsee on the National Mall and nearby Tidal Basin. Because parking has long been in short supply in the area, Capital Bikeshare has been able to educate visitors of the convenience of the system and therefore has seen membership from non-residents grow dramatically.

Example #2: Chattanooga's Bicycle Transit System

Bike Chattanooga, which is operated by Alta Bicycle Share, currently consists of 300 bikes and 28 docking stations. The program connects downtown Chattanooga from the North Shore to the South Side, linking attractions and meeting places such as the Chattanooga Choo-Choo Hotel, the Convention Center, Hunter Museum of Art, and the Tennessee Aquarium.

Bike Chattanooga, a Bicycle Transit System, is a City of Chattanooga project that is managed by a subdivision in Chattanooga Parks and Recreation: Outdoor Chattanooga. Capital costs for the program were funded by a \$2 million FTA CMAQ grant that was awarded to the City of Chattanooga in partnership with Chattanooga Area Regional Transportation Authority (CARTA).

Ongoing operational funding stems from a combination of public and private funds, including the City of Chattanooga, Outdoor Chattanooga and the City of Chattanooga Parks and Recreation Department, CARTA, the Active Living and Transportation Network, the Chattanooga-Hamilton County Regional Planning Agency, as well as BlueCross BlueShield of Tennessee, the Chattanooga History Center, Gaining Ground's Local Food Program, and the Tennessee Aquarium.

⁵⁷ Capital Bikeshare Web site (capitalbikeshare.com).

Advantages and Disadvantages

Publicly owned/private operated bike share programs allow initial capital fundraising to include Federal, state, and local funds, while not requiring a public agency to adapt their staffing and organizational structure to operate a bike share program. This model is similar to the nonprofit model in that it uses a wide variety of funding resources; however, by maintaining ownership of the program, the public agency maintains a greater degree of control over expansion of the system and is better situated to use bike share as part of a larger transit structure. In addition, by grouping bike share more clearly with other modes of public transportation, the bike share program is seen less as a project expected to break even financially (or even turn a profit) and more as a public service that can subsidize ridership fees.⁵⁸

Advertising/Street Furniture Model

The advertising model has enjoyed immense popularity in Europe, Canada, and in early iterations of bike share programs in the United States. However, over the past few years, programs in the United States have opted for the nonprofit model. In the advertising model, a public-sector agency partners with advertising companies, such as Clear Channel Outdoors or JC Decaux. The agency creates a bike sharing system operated by the advertising company in exchange for the right to sell advertising in transit shelters, public street furniture, billboards, in the public right-of-way, and even on the bikes themselves.

Example #1: Paris' "Vélib" Program

The City of Paris has a 10-year contract with SOMUPI, a joint venture owned by JC Decaux, an outdoor advertising company, and Publicis, a large advertising and communications corporation. SOMUPI is responsible for covering the entire cost of implementing and managing Vélib. The cost of implementing the system was approximately \$135 million. As of 2009, the Vélib bike share program has 20,600 bicycles and 1,450 stations spread across 33.44 square miles. SOMUPI operates the system in exchange for advertising on nearly 2,000 billboards.

As of 2008, Vélib had 190,000 long-term members and 80,000 daily users with 115,000 rentals per day. The system operates 24 hours a day, year round. Bikes are maintained by SOMUPI staff. Sign-up and access is available online and in-person at a station. In addition to operating costs, SOMUPI pays a \$5.1 million annual fee to the City of Paris (\$51 million over 10 years), and subscription and rental fees also go to the City of Paris (expected to total around \$45 million per year). All advertising revenue goes to SOMUPI. Advertising revenue is anticipated to be approximately \$90 million per year. If SOMUPI meets the contractual standards of operation, the venture is entitled to 12 percent of Vélib's subscription and rental revenues, plus payment by the City of Paris of an amount equal to 12 percent of advertising sales.

Example #2: D.C.'s "SmartBike" Program

SmartBike DC, though cancelled in 2009, was an advertising-based model, wherein D.C.'s Department of Transportation (DDOT) contracted with Clear Channel Outdoors, the advertising company that developed

⁵⁸ For example, DecoBike in Miami, a for-profit venture, charges far more for bike rental than any publicly-owned bike share company in the country, thus limiting the scope of potential users.

the SmartBike program.⁵⁹ Clear Channel ran the SmartBike program under the direction of DDOT. The program operated 120 bicycles and 10 stations across an area of 6 square miles. Annual subscriptions were available for \$40. Daily or monthly only subscriptions were not available; nevertheless, there were 1,050 long-term subscribers in 2008, the first year of operation. A single rental could not exceed 3 hours. The system operated from 6:00 AM until 10:00 PM. Bike maintenance was performed in-house by SmartBike staff. Cyclists could sign up online, by phone, and by standard mail.

DDOT was able to fund the first 10 stations with revenue from the 20-year advertising contract on 744 bus shelters. All revenues from subscriptions and usage fees were paid to DDOT. Implementation costs were approximately \$4,500 per bicycle, or \$540,000 total.

Advantages and Disadvantages

The advertising model is a convenient, cost-effective way for local jurisdictions to introduce a bike share program and has the benefit of proven effectiveness, but also it results in more advertising in the public domain. In some cities, such as Portland, Oregon, the advertising model is not an appropriate model because advertising is not allowed in transit shelters in the downtown area—the area that holds the highest revenue potential. It is not clear whether or not the advertising model is feasible for the TAMC program. Additional research would be required to understand whether attractive advertising spaces exist on public property and the terms of existing advertising contracts, if any.

Some claim that incentives to invest in fleet maintenance and repairs are misaligned in the advertising model. The more the advertising agency spends on fleet maintenance, the greater the reduction in their profit. If the TAMC program were to pursue this model, the business plan and the contract could control for this conceptual misalignment through performance requirements or financial incentives and disincentives.

Publicly Owned-and-Operated Model

In the publicly owned-and-operated model, the public agency, typically a city, may establish a program by selecting an existing operating system (e.g., Bixi) or choosing to create and implement a system of its own design. Program revenue is usually reinvested in the program, but even so, the public agency may have to supplement the program's subscription and user fees with general fund revenue or other dedicated funding sources. In a quasi-government model, the city is the client of a local or regional transportation agency. The transportation agency may be asked by the client to operate the program as a way of providing increased transit options to residents. Funding options for the transportation agency model are the same as for the public-sector model.

Example: Montréal's Bixi Program

Montréal's program is operated by Stationnement de Montréal, the city's parking authority. The program manages 2,400 bicycles and 300 stations and is available 24 hours a day, 7 days a week, from May to November. The city selected the Bixi system, which is initiated, funded, and managed by the parking

⁵⁹ The program was terminated after D.C. officials and Clear Channel failed to reach an agreement over expanded service. "SmartBike Expansion Gets A Flat," The Georgetown Metropolitan, June 19, 2009.

authority. Bixi staff maintains the bicycle fleet. Implementation costs were approximately \$15 million. The parking authority initially did not want to rely on advertising revenue and expected to recoup its start-up costs through 10 years of membership and rental fees. The authority receives 20 percent of its revenue through the tourism industry and additional funding through corporate sponsorship. EPS has not been able to identify the mechanism by which funding is generated through the tourism industry. However, as of June 2009, in an indication that this business model is not sustainable, the city was working with Astral Media Outdoors to sell advertising space at the Bixi stations. Real-time, station-specific bike availability is accessible through the Web and smart phones.

Advantages and Disadvantages

Public agencies want to provide successful transit service that increases the mobility of residents, employees, students, and visitors for a variety of social, economic, and environmental reasons. As its own operator, the city or the transportation agency has total control over the program and is free to adjust the program to further this mission. Public agency ownership also allows greater coordination with the public agency's other transit systems, which could be an important concern in the TAMC program in improving connectivity with existing and potential future MST bus routes.

A disadvantage of the public agency model is that without an ongoing outside source of operating revenue, there are structural operating deficits. Furthermore, public-sector funding is subject to annual budget fluctuations and is likely to face budget constraints. In addition, the public agency may not have experience operating a bike share program.

University Model

Bike share programs that follow the university model typically are operated by the university itself, and service is usually limited to students, staff, and faculty for intra-campus use.

Example #1: UC Irvine's "ZotWheels" Program

UC Irvine's Parking and Transportation Services launched a fully automated bike sharing program called ZotWheels in November 2009. Currently, ZotWheels operates 28 bikes at four stations on campus. An annual membership fee of \$40 allows students to check out a bike for up to three hours at a time using membership cards. Members sign an online waiver of liability form and take an online bicycle safety course.

Parking and Transportation Services did not adopt an off-the-shelf operating system. Rather, it worked with Central Specialties Ltd. to design the program and the San-Diego-based Collegiate Bicycle Company, which is a bicycle design, wholesale, and consulting company to design the bicycle fleet. ZotWheels bicycles are tailored to UC Irvine with a custom UCI logo, custom UCI colors, and custom graphics. Parking and Transportation Services' own IT department designed the software that operates the program. An interactive map illustrates where bikes are available. The check-out and check-in history of the bike is tracked using RFID technology that is linked to the member's contact information. Messages reminding the member to return the bike within the 3-hour rental period are sent. The member also will receive a message that their bike has been checked back in and the transaction has been completed. If the bike is lost, stolen, or severely damaged, a \$200 charge is assessed.

Bicycle maintenance is provided by the campus' retail bike shop and the Collegiate Bicycle Company. Not including staff time, which has not been specifically tracked, start-up costs were approximately \$150,000. Membership fee revenue does not cover a significant amount of the annual operating expenses. The Parking and Transportation Services division pays the remaining costs out of its operating budget, which is funded by the sale of parking permits and citations.

Advantages and Disadvantages

There are three institutions of higher education within the immediate service area being discussed for TAMC's initial program: Monterey Peninsula College, Defense Language Institute, and the Monterey Institute of International Studies. The university model is most applicable in a relatively contained campus setting, which might be more appropriate for California State University at Monterey Bay (CSUMB). The process of signing up may be simplified as universities already have students' pertinent information and already issue ID cards, many of which are RFID technology-enabled.

In this model, the university does not need to rely on the jurisdiction to provide a service. However, there could be potential conflicts if the jurisdiction in which the university is located also operates a program that uses a different system. There are also opportunities for universities like CSUMB to provide a system that is complementary to and compatible with a system provided under one of the other models. Additionally, the university could also facilitate student memberships within a broader regional program.

Potential Funding Sources

Whichever model is pursued, start-up costs will need to be funded and operational costs will need to be generated on an on-going basis. Start-up costs are often the least difficult to procure because there are myriad grants available for capital costs, and corporate sponsors are often willing to be part of the start of an innovative program. **Operational costs must be raised year after year. If subscription fees and user fees do not cover the operational costs, and it is unlikely that they will, a reliable funding source is needed.** For example, the City of Barcelona raised parking revenue by expanding its paid parking areas as a means of paying for its system.

The funding sources below are topically relevant but have not necessarily been previously used to fund bike share programs. In this sense, in some instances, they are untested sources and the nexus between the focus of the funding source and the bike share program may need to be articulated and approved before grant approval. In addition, it is important to note that this list does not represent a comprehensive set of funding sources but rather has been tailored to reflect those funding sources most viable for TAMC to pursue. Public funding sources (federal, state, and regional sources) also have been summarized in tabular format as shown in **Table 9**.

Federal Sources

- **Moving Ahead for Progress in the 21st Century.** On July 6, 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law. MAP-21 governs the funding of Federal surface transportation programs for fiscal years (FY) 2013 and 2014 and is the first long-term highway authorization enacted since the Safe, Accountable, Flexible, and Effective Transportation Equity Act—Legacy for Users (SAFETEA-LU) was enacted in 2005. Specific Federal funding programs under MAP-21 that could likely fund the capital costs of a bicycle sharing program include the programs described below.
 - **Transportation Alternatives (TA).** MAP-21 establishes a new program, Transportation Alternatives (TA), to provide funding for a variety of alternative transportation projects including bicycle and pedestrian projects that were previously eligible through separately funded programs under SAFETEA-LU. At approximately \$800 million per year, the TA program represents 2 percent of total MAP-21-authorized funding. Specific TA programs that may fund the capital costs of a bicycle sharing program include: transportation alternatives (formerly called the Transportation Enhancement [TE] program) and the Safe Routes to School program.⁶⁰

Fifty percent of TA funds will be distributed to geographical areas based on population. The remaining TA funds will be eligible to local governments, school districts, tribal governments,

⁶⁰ MAP-21 refers to the overall funding program and the eligible uses under the former TE program by the same name: transportation alternatives.

and public lands agencies through a competitive grant application process. However, a state DOT can redirect any or all of these remaining TA funds from local agencies to fund any other highway program. Further, in a state of emergency, a state DOT can transfer all TA funding towards the rebuilding of damaged transportation infrastructure.⁶¹

- **Surface Transportation Program (STP).** The Surface Transportation Program (STP) will provide an annual average of \$10 billion in flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals.

Fifty percent of STP funds will be distributed to geographical areas based on population, with the remainder to be used in any area of a particular state.⁶²

⁶¹ “Moving Ahead for Progress in the 21st Century Act (MAP-21): A Summary of Highway Provisions.” U.S. Department of Transportation, Federal Highway Administration, Office of Policy and Governmental Affairs, July 17, 2012.

⁶² Ibid.

Table 9
Monterey Bicycle Sharing Analysis
Federal, State, and Regional Funding Sources [1]

Item	Acronym	Agency	Program Funds Avail.	Matching Requirement	Eligible Applicants	Eligible Act.		Comments
						Cap.	O&M	
Federal Sources								
Transportation Alternatives Program	TA	DOT	\$809 million (FY 2012-13)	20% local match (subject to a sliding scale)	State and local governments; transportation/transit authorities	X		TA funds will be available for a variety of alternative transportation projects including the construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation such as sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure. States are allowed flexibility in transferring a portion, and in some cases, all, of TA funding to other transportation projects.
Surface Transportation Program	STP	DOT	\$10 billion (FY 2012-13)	20% local match (subject to a sliding scale)	State and local governments; transportation/transit authorities	X		STP funds may be used by States and localities for projects to preserve or improve conditions and performance on any Federal-aid highway, bridge projects on any public road, facilities for nonmotorized transportation, transit capital projects, and public bus terminals and facilities.
State Sources								
Bicycle Transportation Account	BTA	Caltrans	\$7.2 million	NA	Local agencies	X		Provides state funds for city and county projects that improve safety and convenience for bicycle commuters.
Transportation Development Act: Local Transportation Funds	TLF	DOT	NA	NA	Local agencies	X		Local Transportation Funds (LTF) are derived from a ¼ cent of the general sales tax collected statewide. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenues to each county's LTF.

Table 9
Monterey Bicycle Sharing Analysis
Federal, State, and Regional Funding Sources [1]

Item	Acronym	Agency	Program Funds Avail.	Matching Requirement	Eligible Applicants	Eligible Act.		Comments
						Cap.	O&M	
State Sources (continued)								
Regional Surface Transportation Program	RSTP	DOT	\$320 million (76% must be spent in 11 urbanized areas of greater than 200,000 residents)	20% local match	Local agencies	X		Funds may be used to to cover capital costs for transit projects eligible for assistance under the Federal Transit Act and publicly owned intracity or intercity bus terminals and facilities.
State Safe Routes to School Program	SR2S	Caltrans	\$24.25 million	10% minimum	Cities and Counties	X		Safe Routes to School (SR2S) funds may be used to improve infrastructure (must be located in the vicinity of a school), and support programs that promote walking and bicycling through education/encouragement programs aimed at children, parents, and the community.
Environmental Enhancement and Mitigation Program	EEM	Caltrans	\$10 million	None	Local agencies and Non-profit organizations	X		Porjects are generally limited to \$350,000 each. Projects must directly or indirectly relate the environmental impact of the modification of an existing or new Transportation Facility.
Coastal Conservancy	NA	Coastal Conservancy	NA	NA	Government agencies and non-profits	X		Funds may be used to improve access to coastal areas and may include transportation infrastucture projects.
Regional Sources								
AB2766 Motor Vehicle Emission Reduction Grant Program	AB2766	MBUAPCD	\$1.4 million	Not required but matching funds increase competetiveness in application process	public agencies		X	Funds will be allocated based upon a projecta ability to reduce future emissions and VMT by technology, demonstration, outreach, behavioral change and/or incentive, or alternative fuel infrastructure. The evaluation will also take into account Transportation Control Measure (TCM) implementation.

"fund_summ"

Source: Various funding source online resources; EPS.

[1] This list of funding sources is not comprehensive but reflects those funding sources most viable for TAMC to pursue.

Potential Program Partners

Most bike share programs function as hybrids of different business models and will depend on the support (financial and other) of a variety of potential partners.

Cities

In most bike share programs, the city is the program sponsor as cities are often eager to establish their position as leaders of the environmental and quality of life movements. However, even in the nonprofit and other models, **the support of the cities within the service area will be critical to the success of the program.** In exchange for healthier residents and employees who are less auto-dependent, cities can provide support in the grant application process by serving as the applicant in partnership with a nonprofit, by considering reduced parking requirements for development projects that contribute to the Program, and by providing land for bikesharing stations.

Employers

Employers may be willing to participate in the program by providing space for a bikesharing station, and/or by sponsoring an annual program sponsorship. Another possibility is that employers could support the program by ensuring a minimum number of subscriptions. An example of this can be seen in Minneapolis with BlueCross BlueShield. In exchange for their support, employers benefit through healthier employees, community service publicity, and reduced demand for on-site parking.

Nonprofits

Nonprofits in the service area whose missions relate to healthy behavior, encouraging transit use, and reducing auto demand may be interested in providing support by partnering with a public agency to apply for grants and other funding sources.

Universities

Colleges in the initial service areas include Monterey Peninsula College, Hartnell College, the Defense Language Institute and the Monterey Institute of International Studies. These institutions do not have to be exclusive operators as suggested above in the University model description. Rather, they may be **willing to participate in the Program as partners or sponsors by ensuring a minimum number of subscriptions, facilitating sign ups, by providing space(s) for a bikesharing station, and/or by providing an annual Program subsidy.** In exchange, the universities would benefit through healthier students, community service publicity, and reduced demand for on-site parking.

Bike Retailers/Vendors

As shown on **Table 10**, there are five bike rental locations in the City of Monterey that currently rent bikes for periods ranging from one hour to one month and focus on the tourist market. There is also one bike retailer in the City of Monterey and five bike retailers in Salinas. Each rental location or retailer could be approached regarding potential partnerships, particularly with respect to providing repairs and maintenance to a bicycle sharing program's fleet. In exchange the bike shops would be providing a community benefit and would receive no-cost publicity. Other options include providing small discounts for bike share members at select bicycle shops, both encouraging local patronage and providing an economic benefit to members. This membership discount has been utilized in Washington, D.C. through Capital Bikeshare with great success.

Hotels

Hotels in the area may be willing to participate in a bicycle sharing program by recommending the program to guests and offering flyers and/or informational packets to visitors. A centrally located hotel may be willing to provide space for a bikesharing station. In exchange, the hotels can offer the program as an amenity and claim "green" practices. There are national examples of hotel participation in bike share programs. Hotel San José in Austin offers bike rentals by the hour or by the day as a guest amenity. Ace Hotel in Portland also offers bikes that have been customized for Portland weather that can be checked out by its guests. Courtyard by Marriot in Boulder became the first hotel to install a bikesharing station on its property (through Boulder B-cycle).

Private Real Estate Developers

Private real estate developers may be willing to participate in a bicycle sharing program by providing bike sharing facilities and/or equipment in exchange for parking reductions, which can improve the financial feasibility of their developments. One example of a residential development that is proposing reduced parking is in San Francisco's SoMa District, where a developer has proposed a 260-unit residential tower *without any* permanent parking. The developer, Patrick Kennedy, is instead providing ample bike parking and has expressed interest in being included in an early phase of San Francisco's proposed bike share program.

In addition, developers are seeking ways to promote themselves as environmentally friendly and "green". Though exchanges for reduced parking may not be as attractive an offer in Monterey County, partnering with a bike share program would certainly give positive publicity and may help with other certifications, such as LEED, which can improve the marketability of new development.

Local Businesses

Local businesses may be able to help with pro bono branding, marketing, printing, accounting, and legal consulting in exchange for the publicity that would stem from assisting the program and its operators.

Table 10
Monterey Bicycle Sharing Analysis
City of Monterey and City of Salinas Bicycle Rental and Retail Shops

Item	Address	Zip Code	Telephone	Rental Rates [1]	
				Per Hour	Per Day
Bicycle Rental Shops [2]					
<i>Monterey</i>					
Adventures by the Sea	299 Cannery Row	93940	(831) 372-1807	\$7	\$30
Adventures by the Sea	210 Alvarado St.	93940	(831) 372-1807	\$7	\$30
Bay Bikes	486 Washington St.	93940	(831) 655-2453	\$5-16	\$20-64
Bay Bikes	585 Cannery Row	93940	(831) 655-2453	\$5-16	\$20-64
Blazing Saddles	750 Cannery Row	93940	(831) 776-9577	NA	\$25-79
Bicycle Retail Shops					
<i>Monterey</i>					
Aquarian at Bay Bikes	486 Washington St.	93940	(831) 655-2453	NA	NA
<i>Salinas</i>					
J&J Skateboards & Bikes	315 W Market St.	93901	(831) 998-8452	NA	NA
Bobcat Bicycles	141 Monterey St.	93901	(831) 753-7433	NA	NA
Doug Chandler Performance	517 Abbott St.	93901	(831) 422-3270	NA	NA
Bear Bikes	1288 N Main St.	93906	(831) 444-8460	NA	NA
Toys"R"Us	370 Auto Center Circle	93906	(831) 443-4455	NA	NA

"shops"

Source: Primary Internet research conducted by EPS.

[1] Rental rates current as of August 2012.

[2] Adventures by the Sea maintains a fleet of over 250 bikes, as well as a surrey service and hotel delivery service;
 Bay Bikes maintains a fleet of roughly 250 bikes.

4. CASH FLOW ESTIMATES

This chapter presents illustrative cash flow models for the purpose of evaluating estimated one-time capital and ongoing operational expenses and potential revenues to fund a bicycle sharing program in the Cities of Monterey and Pacific Grove and in the City of Salinas. The cash flow models are based on monthly ridership projections prepared by Fehr & Peers (Base Scenario: Scenarios 1 and 2) and include sensitivity scenarios in which demand is both lower (Scenarios 1A and 2A) and higher (Scenarios 1B and 2B) than estimated in the Base Scenarios.

The cash flow model for Monterey / Pacific Grove is based on a proposed system of 24 stations, and 10 docks and five bicycles per station (a total of 120 bicycles). A network of this scope is estimated to generate 3,000 bike share trips each month under the Base Scenario. The cash flow model for Salinas is based on a proposed system of 16 stations, and 10 docks and five bicycles per station (a total of 80 bicycles). A network of this scope is estimated to generate 900 bike share trips each month under the Base Scenario. Such usage levels would mean that each bike is ridden on average less than once per day. By contrast, systems such as Washington DC's Capital Bikeshare have generated annual ridership in excess of three trips per bike per day. Though every system is different and ridership depends on myriad factors ranging from population density to tourism activity to weather conditions, these estimates are reasonably representative of potential usage in the envisioned service areas of Monterey / Pacific Grove and Salinas.

The cash flow models also incorporate a number of assumptions based on case study research of other bicycle sharing programs currently in operation as described in detail in this chapter. It is anticipated that these preliminary cash flow models will be used as a basis for further evaluation as TAMC continues to explore the feasibility of a bicycle sharing program in the City.

Bike Sharing Program Expenditures

The following section describes initial capital and ongoing operations and maintenance expenditures estimated for the potential bike share programs. The expenditures described in this chapter remain constant for the Base Scenario and sensitivity scenarios.

Initial Capital Expenditures

A review of recently launched bicycle sharing programs in the United States suggest per station costs (which includes bikes and installation) of between \$35,000 and \$40,000 for stations of comparable size to those assumed for a potential bike share program in the City. Programs such as Denver B-cycle and Minnesota's Nice Ride show capital costs of between \$45,000 and \$60,000, although the stations are generally larger than those envisioned for TAMC.⁶³

As an initial conservative estimate, the cash flow model includes capital expenditures for the potential bike share program in Monterey / Pacific Grove to be \$45,000 per station, or about \$1.1 million in aggregate

⁶³ Capital costs for Denver B-cycle cited in Denver Post article by Charmaine Robledo published September 6th, 2010. Nice Ride's capital cost information can be found on their website, niceride.org, in a published response to questions from the community about the program.

based on a proposed system of 24 stations.⁶⁴ This estimate is based on initial installation costs and the following anticipated equipment needs: 120 bicycles; 240 locking stations (docks); membership cards (RFID cards that subscribers would "swipe" at a station to check out a bike); software; user-interface technology; maintenance and rebalancing equipment; storage racks; and traffic barriers. The cost estimate also includes the following one-time non-capital costs: development of system map and map racks; and marketing, legal, and accounting services. A Salinas program of 16 stations, 80 bicycles, and 160 docks would incur capital expenditures of about \$720,000 in aggregate.

Ongoing Operating and Maintenance (O&M) Expenditures

The bike sharing program will require ongoing operational expenses including: equipment maintenance and replacement (because of loss, vandalism, theft, or unusual damage); bicycle rebalancing; program administration (e.g., membership maintenance, program promotion); marketing; security and access management; and liability insurance.

In this preliminary cash flow model, the annual operating costs are assumed to be \$1,500 per bicycle annually (\$125 per bicycle per month) or \$180,000 annually in aggregate for Monterey / Pacific Grove and \$120,000 annually in aggregate for Salinas, assuming all the operating efficiencies of a full program. Ongoing operating costs per bicycle are based on figures provided in the Nice Ride Minnesota Business Plan.⁶⁵ The annual operating cost includes a contingency amount for replacement of bikes resulting from theft, vandalism, and normal wear-and-tear.

The \$1,500 per year estimate includes the following annual expenditures:

Operational Costs

- Program Administration Salaries and Benefits
- Insurance
- Internet and Phone Service
- Office Furniture
- Office Lease
- Postage and Printing for New Subscriber Packages and Annual Mailing
- Ongoing Promotions Annual Budget
- Software License and Back-End Operation
- Customer Service Help Desk
- Credit Card Processing Fees
- Wireless Communication between Locking Stations
- Hosting Services
- System Operating Cards

⁶⁴ Land acquisition costs for the bicycle sharing stations are expected to be zero. This analysis assumes that the stations will be located in public right-of-way. Capital costs could increase with the need to acquire land to site any of the stations.

⁶⁵ Twin Cities Bike Share Project Business Plan: Nice Ride Minnesota, 2008.

- Misc. Supplies and Expenses

Maintenance Costs

- Full-Time Bike Mechanics
- Electronics Technician(s)
- Contractor Overhead, if applicable
- Bicycle Parts
- Locking Station Batteries
- Other Locking Station Parts
- Communications (Cellular)
- Vehicle Maintenance

Replacement Because of Theft and Major Vandalism (Requiring Replacement)

- Bicycle Theft and Major Vandalism Replacements
- Locking Station Replacements

Bike Sharing Program Revenues

The following section describes potential revenues generated for both the Monterey / Pacific Grove program and the Salinas program under the Base Scenario and two sensitivity scenarios in which demand is both lower (Scenarios 1A and 2A) and higher (Scenarios 1B and 2B) than estimated in the Base Scenario. To bracket potential revenues generated by program users,

- The Base Scenario assumes 3,000 trips per month for Monterey / Pacific Grove and 900 trips per month for Salinas.
- Scenario 1A assumes 1,500 trips per month (1,500 fewer trips than the Base Scenario) for Monterey / Pacific Grove while Scenario 2A assumes 450 trips per month (450 fewer trips than the Base Scenario) for Salinas.
- Scenario 1B assumes 5,800 trips per month (2,800 additional trips relative to the Base Scenario) for Monterey / Pacific Grove while Scenario 2B assumes 1,750 trips per month (850 additional trips relative to the Base Scenario) for Salinas.

The monthly ridership projections for the Base Scenario and sensitivity scenarios were estimated by Fehr & Peers as described in Chapter 2, above. This larger upside and smaller downside estimate is consistent with bikesharing forecasting literature and the experience of other bikesharing systems, in which ridership grows at a faster than linear rate due to the network effects of system expansion.

Initial Capital Funding

Initial capital costs for bike share programs currently in operation typically involve a combination of Federal, state and local grants and funds, and sponsorships. Although a funding source for initial capital costs has not been identified for a potential bike sharing program in the City, there are a number of Federal and other funding sources available. Securing grant funding is always a competitive process, but tends to be easier to acquire relative to securing ongoing O&M funding.

Ongoing O&M Funding

Typically, ongoing operations and maintenance funding is generated predominantly through membership/user fees and sponsorships. For example, both Denver B-cycle and Boulder B-cycle fund over 75 percent of their total operations budget through membership/user fees and sponsorships.⁶⁶

The preliminary cash flow model estimates membership and user fee revenue generated according to the monthly ridership projections in the Base Scenario and two sensitivity scenarios, and then estimates revenues required from other sources (e.g., sponsorships, advertising), as described further below.

Membership Fees

Bicycle sharing program users pay for a daily pass, or can subscribe for a longer term (e.g., per month, per semester, per year). As shown in **Table 11**, other select bike share programs in the U.S. charge \$5 for a one-day pass, \$30 to \$75 for an annual membership, and about \$3 for use above and beyond the first half-hour of use. In this analysis, EPS has assumed the following pricing scenario based on programs of similar scope to the potential City program.⁶⁷

- Daily membership: \$5.
- Annual membership: \$50.
- Extended usage fee: For daily users, \$2 for the first 30 minutes beyond the first half-hour (the first half-hour is included in membership costs); \$6 for trips of 60 to 90 minutes; and \$8 additional for each subsequent half-hour.^{68,69} For annual users, \$1 for the first 30 minutes beyond the first half-hour; \$5 for trips of 60 to 90 minutes; \$11 for trips of 90 to 120 minutes; and \$8 additional for each subsequent half-hour. Refer to Table 11 for an illustration of the extended usage fee by user and by time interval.

⁶⁶ Denver Bike Share 2011 Annual Report states that over 77% of total revenue comes from sponsorship and user/membership fees. Boulder B-cycle's 2011 Annual Report states that all of their operating costs are covered by a combination of user/membership fees and sponsorship.

⁶⁷ For the purposes of this study, EPS chose not to calculate weekly or monthly membership options because of those pricing brackets' relative insignificance to the overall revenue of a bike share program. For example, for DC's Capital Bikeshare, monthly members maintain approximately 1% of the total membership.

⁶⁸ Many bike share programs allow users to take a bike for up to one-half hour at no additional charge beyond the cost of their daily, monthly, or annual pass. To discourage users from keeping the bikes all day rather than leaving them in circulation for other users, most programs charge a small fee after the bike has been out for a certain length of time.

⁶⁹ Because of data limitations, all trips lasting longer than 4 hours are grouped into a single time interval (4 – 24+ hours). As a conservative estimate, EPS assumes all trips longer than 4 hours will incur a \$54 charge. In actuality, each additional 30 minute interval beyond 4 hours and 30 minutes would incur an additional \$8 charge.

Table 11
Monterey Bicycle Sharing Analysis
Bicycle Sharing Program Membership Fees

Program	City	State	Membership Options [1]				Extended Usage Fee [1]
			Daily	Weekly	Monthly	Annual	
Boulder B-cycle	Boulder	CO	\$5	\$15	-	\$40	First hour is free; \$4 every 30 min. thereafter
Broward B-cycle	Broward (County)	FL	\$5	\$25	-	\$45	\$.50 first 30 min; \$3 every 30 min. thereafter
Bike Chattanooga	Chattanooga	TN	\$6	-	-	\$75	1st hour is free; \$5 every 30 min thereafter
Denver Bike Share	Denver	CO	\$6	\$20	\$30	\$65	No fee first 30 min; \$1 30-60min; \$4 every 30 min thereafter
Des Moines B-cycle	Des Moines	IA	\$5	-	\$30	\$50	1st hour is free; \$1.25 each additional 30 min
Nice Ride Minnesota	Minneapolis/St. Paul	MN	\$5	-	\$30	\$60	First 30 min. free; \$1.50 30-60 min; \$4.50 60-90 min; \$6 every 30 min thereafter
Omaha B-cycle	Omaha	NE	\$5	-	\$32	\$64	First hour free; \$1.34 each additional 30 min.
Spartanburg B-cycle	Spartanburg	SC	\$5	-	\$15	\$30	First hour is free; \$1 each additional 30 min.
Average			\$5	\$20	\$27	\$54	

"fees"

Source: Bike share program operators and websites; EPS.

[1] Membership and extended usage fees current as of August 2012.

Net Cash Flow

Monterey / Pacific Grove Base Scenario: Scenario 1

As shown in **Table 12a**, based on the pricing structure described above, the Base Scenario generates approximately \$65,000 annually in membership and extended usage fee revenue, or about 36 percent of estimated annual O&M expenditures of \$180,000, leaving approximately \$115,000 annually required from other funding sources, such as sponsorships, advertising, gifts in kind (private or corporate donations), grant funding or other source.

Salinas Base Scenario: Scenario 2

As shown in **Table 12b**, based on the pricing structure described above, the Base Scenario generates approximately \$19,500 annually in membership and extended usage fee revenue, or about 16 percent of estimated annual O&M expenditures of \$120,000, leaving approximately \$100,500 annually required from other funding sources, such as sponsorships, advertising, gifts in kind (private or corporate donations), grant funding or other source.

For the reader's reference, this analysis compares annual membership and extended usage fee revenue generated under the Base Scenarios with selected, existing bicycle sharing programs throughout the nation.⁷⁰ As shown in **Table 13**, the Scenario 1 estimated membership and extended usage fee revenue of \$65,000 represents approximately 36 percent of total estimated annual operating expenditures for the Monterey / Pacific Grove system. Scenario 2 estimated membership and extended usage fee revenue of \$19,500 represents approximately 16 percent of total estimated annual operating expenditures for the Salinas system. Further, this analysis estimates about \$1.80 in estimated annual membership and extended usage fee revenue per trip for both systems and about \$540 per bicycle in the Monterey / Pacific Grove system and \$240 per bicycle in the Salinas system. In comparison, selected existing bike share programs' annual membership and extended usage fee revenues represent 38 to 59 percent of their respective annual budgets and generate approximately \$2.60 to \$3.20 per trip and approximately \$540 to \$1,325 per bicycle.

While not a comprehensive evaluation because data is not readily available for many existing bike share programs, this comparison of membership and extended usage fee revenue generally indicates that the estimated revenue projections appear to be a reasonable – and perhaps, conservative – estimate based on projected ridership of the Monterey / Pacific Grove bicycle sharing program. The Salinas program revenue estimates are substantially lower on a per-bike basis than revenues for existing bike share programs.

Monterey / Pacific Grove Sensitivity Scenarios: Scenario 1A and 1B

To bracket potential revenues generated by program users, Scenario 1A assumes 1,500 fewer trips per month (1,500 total monthly trips), while Scenario 1B assumes 2,800 additional trips per month (5,800 total

⁷⁰ Selected, existing programs were chosen based on publicly-available data and represent the best available data at the time of the analysis.

monthly trips) relative to the Base Scenario. As shown in Table 12a, the sensitivity scenarios generate a range of \$32,000 (Scenario 1A) to \$125,000 (Scenario 1B) in annual membership and user fee revenue, or about 18 percent to 70 percent of annual operating expenditures of \$180,000. Under Scenario 1A, an additional \$148,000 in annual revenues from other sources would be required; Scenario 1B would require an additional \$55,000 in annual revenues from other sources.

Salinas Sensitivity Scenarios: Scenario 2A and 2B

To bracket potential revenues generated by program users, Scenario 2A assumes 450 fewer trips per month (450 total monthly trips), while Scenario 2B assumes 850 additional trips per month (1,750 total monthly trips) relative to the Base Scenario. As shown in Table 12b, the sensitivity scenarios generate a range of \$9,500 (Scenario 2A) to \$37,500 (Scenario 2B) in annual membership and user fee revenue, or about 8 percent to 31 percent of annual operating expenditures of \$120,000. Under Scenario 2A, an additional \$110,500 in annual revenues from other sources would be required; Scenario 2B would require an additional \$82,500 in annual revenues from other sources.

Table 12a
Monterey Bicycle Sharing Analysis
Monterey / Pacific Grove Illustrative Cash Flow Model

Item	Initial Capital Costs (Year 1)	Annual Operations & Maintenance [1]		
		Base Scenario Scenario 1	Sensitivity Scenarios	
			Scenario 1A	Scenario 1B
Trips/Month [2]		3,000 Trips/Month	1,500 Trips/Month	5,800 Trips/Month
Members/Year [3]		4,000 Members/Year	2,000 Members/Year	7,700 Members/Year
Annual Expenditures				
Capital Costs [4]				
Number of Bikes	120	-	-	-
Number of Stations	24	-	-	-
Capital Costs per Station	\$45,000	-	-	-
Total Capital Costs	\$1,080,000	-	-	-
Operating & Maint. (O&M) Costs [5]				
Annual O&M Cost per Bike	-	\$1,500	\$1,500	\$1,500
Total O&M Costs	-	\$180,000	\$180,000	\$180,000
Annual Revenues				
Membership/User Fees [6]				
Daily Subscriptions				
Daily Subscribers/Year [7]	-	3,600	1,800	6,930
Price/Day	-	\$5	\$5	\$5
Annual Total	-	\$18,000	\$9,000	\$34,650
Annual Subscriptions				
Annual Subscribers/Year [7]	-	400	200	770
Price/Year	-	\$50	\$50	\$50
Annual Total	-	\$20,000	\$10,000	\$38,500
Extended Usage Fees				
Avg Fee per Trip [8]	-	\$0.75	\$0.75	\$0.75
Annual Trips [9]	-	36,000	18,000	69,600
Annual Total	-	\$26,905	\$13,453	\$52,017
Total Membership/User Fees	-	\$64,905	\$32,453	\$125,167
Other Sources [10]				
Advertising/Sponsorships	TBD	TBD	TBD	TBD
Gifts in Kind	TBD	TBD	TBD	TBD
Grants	TBD	TBD	TBD	TBD
Total Other Sources	\$1,080,000	\$115,095	\$147,548	\$54,833
Total Revenues	\$1,080,000	\$180,000	\$180,000	\$180,000
Net Cash Flow	\$0	\$0	\$0	\$0

"cash_flow"

Source: Fehr & Peers; EPS.

Table 12a
Monterey Bicycle Sharing Analysis
Monterey / Pacific Grove Illustrative Cash Flow Model

- [1] Assumes the operating efficiencies of a full program.
- [2] Base Scenario ridership estimated by Fehr & Peers. Sensitivity scenarios bracket potential revenues by assuming 1,500 fewer trips (Scenario 1A) and 2,800 additional trips (Scenario 1B) relative to the Base Scenario.
- [3] The estimated number of members per year relative to monthly ridership projections is calculated in Table 14.
- [4] Assumes zero site acquisition costs. The \$45,000 per station estimate for start-up costs includes the following capital costs: bicycles; locking stations; membership cards (RFID cards that subscribers would "swipe" at a station to check out a bike); software; user-interface technology; maintenance equipment; storage racks; and traffic barriers. The estimate also includes the following non-capital costs: development of system map and map racks; marketing, legal, and accounting services.
- [5] Cost estimate based on the Nice Ride Minnesota Business Plan, which estimates an annual operations and maintenance cost of
- [6] For the purpose of this analysis, it is assumed membership fees will cover the initial 30 minutes of usage. An additional extended usage fee will be incurred for every subsequent 30-minute interval. Refer to Table 17 for additional information.
- [7] Assumes daily subscriptions are 90% and annual subscriptions are 10% of total membership. Refer to Table 15 for more information.
- [8] Extended usage fee per trip based on a pricing model described Table 16.
- [9] The extended usage fee was applied to the monthly ridership projections (trips) multiplied by 12.
- [10] Based on case study research, all bike share programs will require supplemental funding from other sources of revenue. Specific amounts from other sources cannot be determined at this time but they will likely comprise some combination of the revenues listed. Other sources of revenue may also be available.

Table 12b
Monterey Bicycle Sharing Analysis
Salinas Illustrative Cash Flow Model

Item	Initial Capital Costs (Year 1)	Annual Operations & Maintenance [1]		
		Base Scenario Scenario 1	Sensitivity Scenarios	
			Scenario 1A	Scenario 1B
Trips/Month [2]		900 Trips/Month	450 Trips/Month	1,750 Trips/Month
Members/Year [3]		1,200 Members/Year	600 Members/Year	2,300 Members/Year
Annual Expenditures				
Capital Costs [4]				
Number of Bikes	80	-	-	-
Number of Stations	16	-	-	-
Capital Costs per Station	\$45,000	-	-	-
Total Capital Costs	\$720,000	-	-	-
Operating & Maint. (O&M) Costs [5]				
Annual O&M Cost per Bike	-	\$1,500	\$1,500	\$1,500
Total O&M Costs	-	\$120,000	\$120,000	\$120,000
Annual Revenues				
Membership/User Fees [6]				
Daily Subscriptions				
Daily Subscribers/Year [7]	-	1,080	540	2,070
Price/Day	-	\$5	\$5	\$5
Annual Total	-	\$5,400	\$2,700	\$10,350
Annual Subscriptions				
Annual Subscribers/Year [7]	-	120	60	230
Price/Year	-	\$50	\$50	\$50
Annual Total	-	\$6,000	\$3,000	\$11,500
Extended Usage Fees				
Avg Fee per Trip [8]	-	\$0.75	\$0.75	\$0.75
Annual Trips [9]	-	10,800	5,400	21,000
Annual Total	-	\$8,072	\$4,036	\$15,695
Total Membership/User Fees	-	\$19,472	\$9,736	\$37,545
Other Sources [10]				
Advertising/Sponsorships	TBD	TBD	TBD	TBD
Gifts in Kind	TBD	TBD	TBD	TBD
Grants	TBD	TBD	TBD	TBD
Total Other Sources	\$720,000	\$100,528	\$110,264	\$82,455
Total Revenues	\$720,000	\$120,000	\$120,000	\$120,000
Net Cash Flow	\$0	\$0	\$0	\$0

"cash_flow"

Source: Fehr & Peers; EPS.

Table 12b
Monterey Bicycle Sharing Analysis
Salinas Illustrative Cash Flow Model

- [1] Assumes the operating efficiencies of a full program.
- [2] Base Scenario ridership estimated by Fehr & Peers. Sensitivity scenarios bracket potential revenues by assuming 450 fewer trips (Scenario 2A) and 850 additional trips (Scenario 2B) relative to the Base Scenario.
- [3] The estimated number of members per year relative to monthly ridership projections is calculated in Table 14.
- [4] Assumes zero site acquisition costs. The \$45,000 per station estimate for start-up costs includes the following capital costs: bicycles; locking stations; membership cards (RFID cards that subscribers would "swipe" at a station to check out a bike); software; user-interface technology; maintenance equipment; storage racks; and traffic barriers. The estimate also includes the following non-capital costs: development of system map and map racks; marketing, legal, and accounting services.
- [5] Cost estimate based on the Nice Ride Minnesota Business Plan, which estimates an annual operations and maintenance cost of
- [6] For the purpose of this analysis, it is assumed membership fees will cover the initial 30 minutes of usage. An additional extended usage fee will be incurred for every subsequent 30-minute interval. Refer to Table 17 for additional information.
- [7] Assumes daily subscriptions are 90% and annual subscriptions are 10% of total membership. Refer to Table 15 for more information.
- [8] Extended usage fee per trip based on a pricing model described Table 16.
- [9] The extended usage fee was applied to the monthly ridership projections (trips) multiplied by 12.
- [10] Based on case study research, all bike share programs will require supplemental funding from other sources of revenue. Specific amounts from other sources cannot be determined at this time but they will likely comprise some combination of the revenues listed. Other sources of revenue may also be available.

Table 13
Monterey Bicycle Sharing Analysis
Comparison of Revenue: Proposed Monterey Programs and Selected Existing Bike Share Programs

Item	Proposed Monterey / Pacific Grove Bike Share Program (Base Scenario)	Proposed Salinas Bike Share Program (Base Scenario)	Selected Existing Programs [1]			
			Denver B-cycle (2011)	Boulder B-cycle (2011)	Capital Bikeshare (Arlington Portion Only) (FY 2012)	Nice Ride Minnesota (2010)
<i>Source</i>	<i>Table 12a</i>	<i>Table 12b</i>	<i>[2]</i>	<i>[3]</i>	<i>[4]</i>	<i>[5]</i>
Annual Budget	\$180,000	\$120,000	\$1,476,929	\$489,177	\$643,000	\$557,410
Total Annual Trips	36,000	10,800	196,578	18,500	147,956	100,817
Total System Bicycles	120	80	520	110	286	600
Annual Membership/Usage Fee Revenue						
Membership Fee Revenue	\$38,000	\$11,400	\$356,103	-	-	\$227,365
Extended Usage Fees	\$26,905	\$8,072	\$206,944	-	-	\$97,348
Total Annual Membership/Usage Fee Revenue	\$64,905	\$19,472	\$563,047	\$374,220	\$379,000	\$324,713
Comparison Metrics						
Membership/Usage Revenue as % of Total Budget	36.1%	16.2%	38.1%	76.5%	58.9%	58.3%
Membership/Usage Revenue per Trip	\$1.80	\$1.80	\$2.86	\$20.23	\$2.56	\$3.22
Membership/Usage Revenue per Bicycle	\$541	\$243	\$1,083	\$3,402	\$1,325	\$541

"comp"

Source: Various sources (see footnotes below); EPS.

- [1] Selected, existing programs chosen based on availability of data and represents the best available data at the time of the analysis.
- [2] 2011 Denver B-cycle Annual Report: denverbikesharing.org/files/DBS_2011_Annual_Report.pdf.
- [3] 2011 Boulder B-cycle Annual Report: boulder.bcycle.com/LinkClick.aspx?fileticket=wrnQ-L2GXgl%3D&tabid=429;
GivingFirst website: givingfirst.org/BoulderB-cycle/financials
- [4] Arlington County FY 2012 Summary Report on Capital Bikeshare:
bikearlington.com/tasks/sites/bike/assets/File/Arlington_Bikeshare_FY12_Sum_Report.pdf;
Capital Bikeshare dashboard: cabidashboard.ddot.dc.gov/CaBiDashboard/#Home
- [5] Nice Ride Minnesota 3-Month Update: niceridemn.org/news/2010/09/15/21/3_month_update; Comparison of Nice Ride Minnesota 2010 Performance to the 2008 Twin Cities Bike Share Project Business Plan Projections: projectadvisoryteam.files.wordpress.com/2011/01/comparison-of-2010-performance-to-2008-business-plan-assumptions-updated.pdf; Vars, Mitch. "2010 Season Comes to a Close with Over 100,000 Rides." Nice Ride Minnesota website, News Archives.

Methodology for Estimating Membership Revenue

The steps for estimating annual membership revenue are described in this section. Note that, where applicable, figures depicted in the description below refer to the Base Scenario, but the same methodology was applied to both sensitivity scenarios.

In order to estimate potential annual membership revenue for cash flow purposes, EPS first estimated the potential program membership based on the monthly ridership projections provided by Fehr & Peers. Data from currently operating programs indicates that bicycle sharing programs in the U.S. averaged a total membership (daily, monthly, annually, etc.) ratio to total program bikes of 33:1. That is, for every bike operating in a bike share program in the U.S., there are 33 members of some kind.⁷¹

Applying this ratio to the number of bikes in the proposed programs yields a total annual membership of 4,000 for Monterey / Pacific Grove. To validate this total membership figure against other U.S. bicycle sharing programs, EPS calculated a ratio of total annual trips to total members. Annual trips of 36,000 for the Monterey / Pacific Grove Base Scenario (based on monthly ridership projections of 3,000) and a total annual membership of 4,000 yields a ratio of approximately 9:1 annual trips to total members. As shown in **Table 14**, annual trip to total membership ratios in other U.S. bicycle sharing programs range between 5-12:1 total trips to total members, confirming that a 9:1 ratio is within an acceptable range. For Salinas, a comparable 9:1 ratio of annual trips to total members yields total membership of approximately 1,200.

To calculate the estimated allocation of members between daily and annual membership, case study research indicates annual membership comprises a small percentage: approximately 5 to 30 percent of total membership. Data from other bike share programs indicate that casual users, purchasing a membership for one to seven days, comprise the great majority of bike share patrons. For example, Capital Bikeshare had sold over 100,000 one-day memberships by the end of 2011 (the program launched in September 2010), while maintaining an annual membership base of only around 20,000 individuals (less than 20 percent) during this same period. Similarly, Boulder's system had over five times as many daily users as annual members last year. For reference, **Table 15** provides a select listing of bicycle sharing programs and their relative share of casual and annual users as a percentage of total members.

As a preliminary estimate, the cash flow model assumes that annual membership would comprise 10 percent of total membership, with the remaining percentage (90 percent) allocated to daily membership. To the extent that annual membership is greater, total membership-generated revenue would increase.

In addition to daily and annual membership fees, bike share programs commonly charge for extended use. For example, while membership commonly covers the first 30 minutes usage, additional 30-minute increments require an additional charge. As a preliminary assumption, the cash flow model assumes that membership will cover the initial 30 minutes of usage and an additional fee will be charged for every subsequent 30-minute period. This pricing structure is based on current programs throughout the U.S. as shown in Table 11.

⁷¹ Public Bikesharing Operations in North America. Mineta Transportation Institute. June 2012.

Table 14
Monterey Bicycle Sharing Analysis
Estimated Membership of Proposed Bicycle Sharing Program

Program	City, State	Trips per Month [1] (Rounded)	Trips per Year [2] (Rounded)	Total Members [3] (Rounded)	Annual Trips per Member
<i>Formula</i>		<i>a</i>	<i>b = a * 12</i>	<i>c</i>	<i>d = c / b</i>
Proposed Bicycle Sharing Program					
Base Scenario 1	Monterey / Pacific Grove, CA	3,000	36,000	4,000	9
Sensitivity Scenario 1A		1,500	18,000	2,000	9
Sensitivity Scenario 1B		5,800	69,600	7,700	9
Base Scenario 2	Salinas, CA	900	10,800	1,200	9
Sensitivity Scenario 2A		450	5,400	600	9
Sensitivity Scenario 2B		1,750	21,000	2,300	9
Case Studies [4]					
Capital Bikeshare	Washington DC/Arlington, VA	97,700	1,171,600	124,800	9
Nice Ride	Minneapolis, MN/St. Paul, MN	25,900	310,900	39,000	8
The Hubway	Boston, MA	15,200	182,500	33,600	5
Denver B-cycle	Denver, CO	22,800	273,100	43,300	6
San Antonio B-cycle	San Antonio, TX	3,900	47,200	3,800	12
Boulder B-cycle	Boulder, CO	2,100	25,000	4,000	6
Spartanburg B-cycle	Spartanburg, SC	300	3,700	550	7

"membership"

Source: Fehr & Peers; Toole Design Group; EPS.

- [1] For the proposed bicycle sharing program, Base Scenario and sensitivity scenario trips per month (monthly ridership projections) were estimated by Fehr & Peers.
- [2] Assumes 365 days of operation. Figure is based on daily ridership totals converted to monthly totals as 4 case studies are seasonal and 2 year-round programs had not been in operation for an entire year when this data was collected. Annual trips for the proposed program in Monterey are based on monthly ridership projections multiplied by 12 months.
- [3] Membership figures for case studies are based on research by the Toole Design Group. Membership figures for the proposed bicycle sharing program are calculated using an annual trip per member ratio of 9:1 (for example: trips per year (36,000)/9 = total members (4,000)). That is, the ratio assumes every member (within all membership types) will take 9 trips per year. As shown in the case study data, a 9:1 ratio is within the range of annual trips per member for other bicycle sharing programs.
- [4] Case study trip and membership data is based on research by the Toole Design Group (2012).

Table 15
Monterey Bicycle Sharing Analysis
Daily and Annual Membership Estimates

Program	City, State	Bicycle Sharing Program Membership			Percentage of Total Membership	
		Total [1] (Rounded)	Casual Members [2]	Annual Members	Casual	Annual
Proposed Bicycle Sharing Program [3]						
Base Scenario 1	Monterey / Pacific Grove, CA	4,000	3,600	400	90%	10%
Sensitivity Scenario 1A		2,000	1,800	200	90%	10%
Sensitivity Scenario 1B		7,700	6,930	770	90%	10%
Base Scenario 2	Salinas, CA	1,200	1,080	120	90%	10%
Sensitivity Scenario 2A		600	540	60	90%	10%
Sensitivity Scenario 2B		2,300	2,070	230	90%	10%
Case Studies [4]						
Capital Bikeshare	Washington DC/Arlington, VA	124,800	105,644	19,200	85%	15%
Nice Ride	Minneapolis, MN/St. Paul, MN	39,000	35,000	4,000	90%	10%
The Hubway	Boston, MA	33,600	30,000	3,600	89%	11%
Denver B-cycle	Denver, CO	43,300	40,600	2,659	94%	6%
San Antonio B-cycle	San Antonio, TX	3,800	2,800	1,000	74%	26%
Boulder B-cycle	Boulder, CO	7,500	6,200	1,171	83%	16%
Spartanburg B-cycle	Spartanburg, SC	1,200	1,074	127	90%	11%
Des Moines B-cycle	Des Moines, IA	2,300	2251	30	98%	1%

"breakdown"

Source: Toole Design Group; EPS.

[1] Total members, as shown in Table 14.

[2] Casual membership is defined as any membership option other than annual (e.g., daily, weekly, monthly, etc.). Based on case study research, multiple-day, weekly, and monthly memberships represent an insignificant percentage of total membership revenue for U.S. bike share programs. As such, this analysis groups all non-annual memberships into one category.

[3] Assumed membership breakdown based upon case studies of currently operating U.S. bike share programs.

[4] EPS uses the listed case studies in order to verify that the percentage of annual membership of total membership is a reasonable assumption. As shown, the ratio is within the range exhibited by the case studies.

To calculate estimated revenue from extended use fees, EPS obtained trip time data provided by Capital Bikeshare. From this data, EPS projected the percentage of rides (both by daily and annual members) that can be expected to incur extended user fees beyond the initial membership fee. Capital Bikeshare, though far larger than the proposed Monterey program, provides a close comparison to Monterey because of its large number of tourist users. As shown in **Table 16**, approximately \$0.75 in extended use charges can be expected for every trip taken.

As described, this pricing structure of membership and extended usage fees results in approximately 36 percent of total annual O&M expenditures recovered through membership and user fee revenue under the Base Scenario for the Monterey / Pacific Grove system. This percentage is similar to that seen with some of the most successful bike share programs in the country. For example, Denver B-cycle stated in its 2011 Annual Report that user fees produce 37 percent of their total revenue, and, in their 2011 Annual Report, Boulder B-cycle cited that 36 percent of total operating costs were covered by user fees. In Salinas, membership and extended usage fees are estimated to meet approximately 16 percent of total annual O&M expenditures under the Base Scenario.

Table 16
Monterey Bicycle Sharing Analysis
Extended Use Cost per Trip Estimate

Item	Percent of Trips by Time Interval [1]	Estimated Cost per Time Interval [2]	Average Extended Usage Cost per Trip [3]
Usage Time			
0-30 Minutes	91.1%	\$0.00	\$0.00
30-60 Minutes (Annual Members) [4]	1.2%	\$1.00	\$0.03
30-60 Minutes	3.5%	\$2.00	\$0.04
60-90 Minutes	1.8%	\$6.00	\$0.11
90-120 Minutes	1.2%	\$14.00	\$0.16
120-150 Minutes	0.5%	\$22.00	\$0.11
150-180 Minutes	0.4%	\$30.00	\$0.13
180-210 Minutes	0.1%	\$38.00	\$0.05
210-240 Minutes	0.1%	\$46.00	\$0.06
240+ Minutes [5]	0.1%	\$54.00	\$0.05
Total	100.0%	NA	\$0.75

"ext_use"

Source: Capital Bikeshare; EPS.

- [1] Percentages based on system data available from Capital Bikeshare's website (capitalbikeshare.com). These percentages represent the allocation of total trips (by all membership types) by time interval between August 2011 and July 2012. Although the majority of trips are within the first 30 minute time interval, roughly 9 percent of all trips accrue additional usage fees. In comparison, Nice Ride Minnesota members incur charges on 11 percent of all trips (2011 data) and Boulder B-cycle members incur charges on 17 percent of all trips (2011 data). This analysis uses Capital Bikeshare figures as a more conservative estimate of potential extended usage charges.
- [2] For the purpose of this analysis, EPS assumes that membership fees will cover the initial 30 minutes of usage and an additional charge will be incurred for every subsequent 30-minute interval. For reference, Table 17 presents the proposed extended use fee structure and Table 11 presents the extended use fee structure utilized by current bike share programs.
- [3] Calculated as a weighted average of all extended usage fees by time interval. As a conservative assumption, this extended usage fee per trip has been applied in the cash flow model to daily users only. It is assumed that the majority of trips extending beyond the first 30 minutes will be incurred by daily members, with a negligible number of trips extending beyond the first 30 minutes incurred by annual members.
- [4] The extended usage fee varies for annual and daily members. A majority of the trips in the proposed bike share program are assumed to be taken by annual members and of these trips, nearly 99% are assumed to be within the no-cost first 30 minute interval. The remaining trips by annual users are assumed to be within the 30-60 minute interval.
- [5] Because of data limitations, all trips lasting longer than 4 hours (240 minutes) are grouped into a single time interval. As a conservative estimate, EPS assumes all trips longer than 4 hours will be incur a \$54 charge. In actuality, each additional 30 minute interval would incur an additional \$8 charge.

5. ECONOMIC IMPACTS OF BICYCLE SHARING PROGRAM

In this initial evaluation of a bicycle sharing program, EPS has prepared a high-level qualitative assessment of the program's potential economic impacts to the local economy. As a later phase of evaluation, it may be worthwhile to conduct a full-scale quantitative analysis focused on the economic output of a bicycle sharing program (i.e., jobs created, estimated economic activity generated in the local economy). This chapter summarizes existing literature regarding the most frequently cited economic impacts, as well as potential impacts specific to the local bicycle rental and retail industry and suggested measures to mitigate these potential impacts.

Economic Impacts

While the *health* benefits of increased bicycle usage through a bicycle sharing program have been widely studied, the study of the *economic* impacts of a bicycle sharing program is still in its nascent stage. That is, there is not a wealth of studies quantifying specific impacts to the local economy from which to draw conclusions for a bicycle sharing program in Monterey County. There are, however, a couple of studies that have begun to quantify bicycle sharing program impacts as well as numerous sources that depict the economic impacts of bicycle sharing programs derived primarily from anecdotal evidence. Key findings regarding the most frequently cited economic impacts are presented below.

- **A recent study estimates cyclists spend nearly \$40 per person per season (30-week period) in additional retail purchases at businesses in close proximity to bicycle sharing stations.** A recent study conducted by the University of Minnesota's Humphrey School of Public Affairs and published in the University's July 2012 edition of Catalyst, appears to be one of the first studies to quantify additional economic activity resulting from a bicycle sharing program. The study, which analyzed economic activity associated with the Nice Ride Minnesota program in the Twin Cities, estimates that cyclists spend an additional \$150,000 in aggregate per season (30-week period) at restaurants and other businesses located in close proximity to Nice Ride stations. This additional economic activity translates into about \$37 per person per season, or \$1.25 per person per week.⁷² The study concludes that these findings could influence the way bike-share agencies structure their sponsorships and business partnerships.⁷³
- **Bicycle sharing spurs economic development by increasing access and exposure to local businesses and employment opportunities.** A 2011 member survey conducted by LDA Consultants on Washington DC's Capital Bikeshare program reported that almost half of survey respondents made a trip in the past month that they would not have made without the bike share program. Half of the survey respondents used the bike share program for non-work purposes including social and entertainment trips and personal errand and appointment trips, while 40 percent of respondents used the program to get to and from work.⁷⁴ Small businesses in Minneapolis's downtown retail area

⁷² Schooner, Jessica E. "Sharing to Grow: Economic Activity Associated with Nice Ride Bike Share Stations." May 24, 2012. Presented at the 23rd Annual Transportation Research Conference.

⁷³ "Nice Ride spurs spending near stations." July 2012 Center for Transportation Studies Catalyst publication.

⁷⁴ Capital Bikeshare 2011 Member Survey Report, LDA Consulting, June 14, 2012.

actively support the local bicycle sharing program “because it’s an economic development tool [and] it gets people to come out to lunch from office towers a mile away.”⁷⁵ Bicycling increases exposure to storefronts and retail businesses. A study in Toronto, Ontario found that people who biked or walked to a main commercial area of the city spent more money in the area per month than people who drove there to shop.⁷⁶

- **Bike-share programs create a range of job opportunities.** Bike-share programs require staff to maintain the bicycles, redistribute them when necessary and administer and oversee the systems’ central computer network. From the beginning, smaller implementations of bicycle sharing programs can contribute 10-20 full- and part-time jobs to the local economy, while larger implementations can contribute 30-50 full- and part-time jobs.⁷⁷ Job types are varied as the program requires everything from mechanics and warehouse staff, to call center technicians, service staff, sector managers and supervisors who interact with the public.⁷⁸
- **Bicycle sharing programs reduce automobile usage and overall personal transportation costs.** In Capital Bikeshare’s 2011 Member Survey, approximately 40 percent of users reported a reduction in their number of car trips after joining bike share and users saved an average of about \$820 per year on their transportation costs including car payments, insurance, oil, gas, maintenance and parking.⁷⁹ For the Nice Ride Minnesota program, 20 percent of users indicated replacing car travel with the Nice Ride bike share program.⁸⁰ Savings from transportation can then be spent elsewhere, often in other areas in the local economy.⁸¹
- **Bicycle sharing programs generate about 50 to 75 percent more direct, indirect and induced jobs per dollar than typical road projects.** As explained in Smart Growth America’s Transportation Funding and Job Creation, released in 2011, per dollar spending on public transportation projects (including bike share programs and bike infrastructure investments), created 75 percent more jobs per dollar than road projects. Further, a 2010 case study conducted by the Political Economy Research Institute (PERI) at the University of Massachusetts, Amherst on Baltimore, Maryland found that bike infrastructure projects create about 50–60 percent more jobs than road construction or repair projects per \$1 million.⁸²

⁷⁵ Fried, Ben. “Sponsors Sold on Health, Economic Benefits of Minneapolis Bike-Share.” Streetsblog.org website. February 8, 2010.

⁷⁶ “The Benefits of Capital Bikeshare for Developers, Property Owners, and Employers.” Metropolitan Washington Council of Governments. May 27, 2011.

⁷⁷ DeMaio, Paul and Russell Meddin. “Bike Sharing Creates Job[s].” The Bike-Sharing Blog website. August 24, 2012.

⁷⁸ Velib’ Website, “Velib Press Kit,” Velib’ website.

⁷⁹ Capital Bikeshare 2011 Member Survey Report, LDA Consulting, June 14, 2012.

⁸⁰ Nice Ride Minnesota Member Survey November 2010.

⁸¹ “Economic Recovery: Promoting Growth: The Benefits of Public Transportation.” American Public Transportation Association. 2011.

⁸² “Recent Lessons from the Stimulus: Transportation Funding and Job Creation.” Smart Growth America. February 2011.

- **Bicycle paths have been linked with increasing the value of adjacent property.** While there is no known research regarding the influence of bike sharing programs in particular on adjacent property values, there is research on the positive impacts of bike paths and adjacent property values. In 2002, the National Association of Realtors and the National Association of Home Builders surveyed 2,000 homebuyers and found that a path for biking, walking or jogging was "the second most important neighborhood amenity" for them, behind highway access. In 2006, the University of Delaware conducted a literature review and studied the impact of bike paths within the State of Delaware on residential property values. The majority of studies examined indicated that the presence of a bike path/trail either increases property values and ease of sale slightly or has no effect, provided the bike path/trail is well-maintained, well-used, and well-integrated into the surrounding neighborhood. The model developed to study the impact of bike paths in Delaware on proximate property values show that a bicycle path would be expected to slightly increase property values by about \$8,800 (in 2006 dollars).⁸³ Increased property values, in turn, result in increased municipal tax revenues for local taxing entities.
- **Bicycle sharing program usage may lead to improved health, which may reduce health care costs and improve job performance.** Bike-sharing programs tend to introduce new people to bicycling and make bicycling a part of peoples' lives in new ways. Thus, bike-sharing programs offer significant options for improvements in personal health and quality of life. Improved health outcomes can also come with cost savings for city and state health care providers. According to a study by the California Department of Health Services, a 5% improvement in the rates of physical inactivity and healthy weight over five years could save California more than \$6 billion, while a 10 percent improvement could save nearly \$13 billion.⁸⁴ That is, a significant cost savings could be realized in conjunction with increased physical activity. In addition, Dutch studies have found correlations between the level of activity and worker productivity. Workers who met recommended levels of vigorous physical activity (at least 20 minutes each time, three times a week) had four fewer sick days per year, on average, than their counterparts who did not.⁸⁵

Potential Impacts on Local Bicycle Industry

Bicycle sharing programs are not intended to be a replacement to renting or buying bicycles. Bicycle sharing programs are intended to encourage the use of bicycle for trips that are too long to walk and too short to drive (or are not accessible by transit). Ideally, bike sharing complements other forms of transportation and is a critical component of the transit system, solving the "first and last mile" between other transit stops. However, bike rental and retail shops may be apprehensive of bike sharing programs' potential to infringe on their market share. While a minimal amount of literature exists on this topic, there are some findings that may be applicable to a bike sharing program in the City of Monterey. Key findings

⁸³ Racca, David P. and Amardeep Dhanju. "Property Value/Desirability Effects of Bike Paths Adjacent to Residential Areas." University of Delaware, College of Human Services, Education, and Public Policy. November 2006.

⁸⁴ Chenoweth, David. "The Economic Costs of Physical Inactivity, Obesity and Overweight in California Adults: Health Care, Worker's Compensation, And Lost Productivity." California Department of Health Services. April 2005.

⁸⁵ Proper, K., et al. "Dose-response relation between physical activity and sick leave." British Journal of Sports Medicine, 2006. 40(2): p. 173-8.

related to the impacts of bicycle sharing programs on local bike rental and retail shops are provided below.

- **Bicycle sharing programs have had mixed impacts on the local bike rental industry.** In response to the implementation of Nice Ride Minnesota, bike rental shops in Minneapolis expected to lose business. Anecdotal evidence suggests mixed results with one bike rental shop's business increasing by 10 to 15 percent, while another bike rental shop's business was "noticeably down." This particular business has responded by offering city bike tours to increase business. According to the bike rental shop owner whose business increased, Nice Ride has not competed because of bike-sharing programs and bike rental shops' differing business models: rental shops provide better deals for longer use, while Nice Ride bikes are better for quick commutes.⁸⁶ Freewheel Bike Shop in Minneapolis has noted that bike rental business has increased, with customers taking bike sharing bikes to access their rental location where they switch to lighter, more comfortable hybrids; meanwhile, Calhoun Bike Rental estimates that summer 2012 rentals were down 15 to 20 percent.⁸⁷ Alamo Bike Shop in San Antonio has also noted a decline in bike rentals, though "brutal summer temperatures" may have also been a factor.⁸⁸

OpenFile, a community-powered news organization operating in six Canadian cities, found similar mixed results related to bicycle sharing programs implemented in Montreal, Toronto, and Ottawa. Bike rental shops in downtown Montreal have witnessed declines in rental activity. However, most of these businesses have modified their business model in order to suit the new market reality. For example, some businesses have stopped offering 1-hour-or-less rental options, and focused instead on 4-hour, 24-hour, and weekly rentals, as well as promoting the sale of bike accessories and bike maintenance services. Bike rental shops in Toronto and Ottawa, where the local bike rental industry is not as saturated as Montreal's, were supportive of the bike share program and incurred little to no impact to their business, with the exception of those located in tourist centers.⁸⁹

- **Bicycle sharing programs have fueled an increase in bicycling enthusiasm leading to increased activity at bicycle retail shops.** Bike retail store owners were initially nervous about the impacts of the Capital Bikeshare program in Washington DC on their sales. However, these concerns have been assuaged with an increase in both bicycle sales and bicycle repair services.⁹⁰ Bike store owners say bike sharing is helping their business by fueling an explosion in bicycle enthusiasm. Interestingly, the

⁸⁶ Hunter, Sally. "Nice Ride Helping Bike Rental Shops?" Minnesota Daily, April 2011.

⁸⁷ http://www.oregonlive.com/portland/index.ssf/2012/09/portland_bike-share_plan_worri.html

⁸⁸ Ibid.

⁸⁹ Oatley, Bronwyn. "Is Bike Sharing a Bad Break for Bike Shops?" OpenFile website. June 19, 2012.

⁹⁰ Di Caro, Martin. "From A to B: Bike Shop Owners See Big Returns from Capital Bikeshare." Wamu.org. June 29, 2012

bikeshare program's shortcomings (i.e., bicycles are heavy and slow; on busy days, there may be no bikes available at a nearby dock, or no open slots to return a bike, forcing a user to find another dock), have led users to buy bikes of their own. There were similar concerns in Paris when the Vélib rental system started. However, a 2008 report in Bike Europe, a website for bike professionals, cited a 39 percent growth in sales of city bikes possibly attributed to the huge popularity of the Vélib system.⁹¹

Mitigation Measures

Although bicycle sharing programs appear to increase overall enthusiasm for bicycling and may contribute to increased sales at bicycle retail shops, these programs also appear to have the potential for negatively impacting bicycle rental shops. There are several bike rental shops in close proximity to some of the proposed stations (see Figure 3). Bikesharing is a distinct system from traditional hourly or daily bike rentals. Annual bikesharing members making frequent, short trips can take advantage of multiple stations for starting and ending their trips and can check out a bike in 5 to 8 seconds. Casual, walk-up users looking for a short-duration rental or for multiple quick trips on a single day can check out a bike in as little as 90 seconds. Cyclists desiring bikes with more features, longer rental periods, advice on local riding routes, organized tours, or more personal customer service may prefer a traditional bike rental location.

Relocating bikesharing stations away from the bike rental shops is not a viable mitigation strategy for potential overlaps in the services provided by bikesharing and traditional bike rental. These stations are located near the Monterey Peninsula Recreational Trail, which provides key east-west connectivity and allows users to travel around the bottleneck presented by steep terrain and the Presidio of Monterey; the stations are also located near dense activity centers that support high bikesharing ridership. The relocation or removal of these stations would likely sever the connectivity of the overall station network and result in lower ridership levels, threatening the success of the system as a whole. As such, it will be important for a bicycle sharing program in the City of Monterey to consider other measures to mitigate potential negative impacts. Mitigation measures may include but are not limited to those outlined below.

1. **Structure Pricing to Incentivize Short Trips.** Pricing should be designed to keep bikes in circulation and provide maximum utility so short trips are encouraged. This strategy will reinforce the business model of a bicycle sharing program (i.e., short-term rental) as distinctly different from the longer-term rental offerings of bike rental establishments.
2. **Place Stations in Close Proximity to Existing Transit Stops.** Site stations in locations that help to provide the "first and last mile" to and from transit stops. Similar to the first strategy, this

⁹¹ Ibid.

strategy also reinforces the different business models of the bicycle sharing program and bike rental shops.

3. **Develop Marketing Campaign that Describes Purpose of Bike Sharing Program.** Develop a marketing campaign that informs the public and local businesses of the purpose of the bike-share program. That is, ensure that the bicycle sharing program is marketed as providing “first and last mile” trips rather than longer trips. It should be noted that the type of bicycles purchased as part of a bicycle sharing program indirectly reinforce this message in that they are much heavier than the typical rental bike and therefore not conducive to longer rides.
4. **Develop Maps that Advertise Bike Share Station and Bike Rental Shop Locations.** As part of implementation of the bicycle sharing program, maps – whether they are large-scale permanent maps provided at bicycle sharing stations, personal-sized paper maps provided at stations or nearby businesses or online maps - should contain a system-wide map of bicycle sharing stations as well as the location of bicycle rental establishments. This strategy provides no-cost advertising for bike rental establishments.
5. **Allow Bike Shops to Provide Bike Maintenance Services.** If desired, the bicycle sharing program entity could enter into agreements with local bike establishments to provide ongoing maintenance services on bicycle sharing program bicycles. This strategy will provide an opportunity for bike shops to increase bike maintenance service revenues, which may offset a loss in bike rental revenues.
6. **Bike Shops Could Provide Discounts to Bike Sharing Program Members.** The bicycle sharing program entity could work with local bike establishments to provide discounts to bicycle sharing program members, if desired. The intent of this strategy is to reinforce the bike rental service and bike and accessory sales as distinctly different from the bike sharing program service and to potentially attract new customers and thus increase overall bike rental and retail sales revenues.

6. Program Recommendations

This chapter provides recommendations for bikesharing program characteristics, outlines next steps, and discusses challenges, opportunities, and strategies for pursuing a bikesharing program in Monterey County. The chapter presents two recommended networks of stations: one in Monterey / Pacific Grove and one in Salinas; either network could be implemented independently, or the two could be implemented at the same time or in sequence.

There is a variety of indicators of success for a bikesharing program, any one of which might justify pursuing a program. Goals for a bikesharing program could include maximizing the number of riders or miles traveled, improving the reach of transit service, enhancing quality of life and mobility, or achieving enough revenue to cover the program's own operating costs. Programs like Denver B-cycle also track economic, environmental, and health benefits, such as savings on the cost of gas and parking; pounds of carbon dioxide, volatile organic compounds, and nitrogen oxides avoided; and calories burned. Promoting the region as a leader in "green" and "active" living can have positive image benefits. Finally, a bikesharing program can support the goal of increasing the visibility of bicycling as a healthy, environmentally friendly transportation and recreation option.

For a program to meet any of these measures, it must address the unique characteristics of its local and regional context. The cities of Monterey and Pacific Grove have a combined population of nearly 43,000 people.⁹² Nearly 8 million visitors per year come to Monterey County, many of whom are attracted to the Peninsula's 9,600 guest rooms, Cannery Row, Fisherman's Wharf, Pebble Beach, historic sites, and Monterey Bay Aquarium; the Aquarium alone draws about 1.8 million visitors annually.⁹³ The Naval Postgraduate School, Monterey Peninsula College, and the Defense Language Institute Foreign Language Center at the Presidio of Monterey contribute a sizeable student and military population.

Monterey's climate is mild year-round with summer highs around 70 degrees Fahrenheit and winter lows around 45 degrees. Precipitation averages less than 20 inches annually and falls mainly during the winter months; snow at lower elevations is extremely rare. Steep and hilly terrain on the Monterey Peninsula presents a challenge for bikesharing. Two relatively flat areas in Pacific Grove and Downtown Monterey are divided by hilly terrain in the Presidio; however, the Monterey Bay Coastal Trail provides a level route connecting the two along the coast.

The City of Salinas attracts fewer tourists than Monterey and Pacific Grove, but has a much larger residential population of over 150,000.⁹⁴ The climate in Salinas is slightly warmer than in Monterey and Pacific Grove in summer, but has similar winter lows. The terrain in Salinas is mostly level.

⁹² 2010 Census.

⁹³ Monterey County Convention and Visitors Bureau.

⁹⁴ 2010 Census.

Bikesharing Program Characteristics

Program Size and Extent

The recommended program for Monterey / Pacific Grove consists of 24 bikesharing stations, concentrated along the coast of Pacific Grove and Cannery Row and in Downtown Monterey, with additional stations in other areas of dense activity or near key institutions (see Figure 4). The distribution and extent of stations is designed to cover the high-suitability areas identified in the Detailed Ridership Suitability Analysis and to locate stations where the Ridership Regression Model suggests high potential ridership levels. Stations are located approximately 400 to 800 meters apart, to create a contiguous service area with a variety of attractive bikesharing trip origins and destinations. The stations for the Salinas system, depicted in Figure 5, are also 400 to 800 meters apart on average, though they are more concentrated in Downtown Salinas where a dense mix of uses provides a good core riding area. Stations with about ten docks and five bicycles each are recommended for both systems, consistent with the size of smaller stations from other operating bikesharing programs in cities such as Washington, DC, Spartanburg, SC, and Boulder, CO; if certain stations prove to be more popular, such as those along Cannery Row or in Downtown Salinas, they might warrant additional docks and bicycles as the program expands. A ratio of roughly one bike for every two docks helps to balance the system and ensure that riders will have a place to dock their bikes and users looking to start a trip will find a bike.

Operating Period

Unlike some operating environments, in which bikesharing programs remove their stations from the street and store them in warehouses for the winter, Monterey and Salinas offer a temperate climate year-round. These programs can avoid the expense of storing and reinstalling stations and offer service 365 days per year. Furthermore, the program can operate 24 hours per day; bikes equipped with generator-powered lights make it safe to operate after dark, allowing the system to provide an additional mobility option at a time when transit service is reduced. In the event of an emergency, the system can be shut down, allowing users to check bikes in to stations but not check them out. Capital Bikeshare (Washington, DC) and DecoBike (Miami, FL), among others use this 24/7/365 operating period.

Membership Types and Pricing

The Monterey and Salinas programs should accommodate three primary types of users: annual members, day users, and short-term members. Annual members will be mostly local residents or commuters who pay an annual fee for unlimited access to the system, with usage fees applying to longer trips. Day users could be either tourists visiting for a short time or potential annual members who want to try the system before committing to a longer-term membership. These users would pay a small fee for 24-hour access to the system, with usage fees applying to longer trips. Short-term memberships can accommodate visitors who are staying for longer than a day, and could be offered for 3, 7, or 30 days at lower rates than the 24-hour membership; usage fees still apply.

Pricing can be set to differentiate among a number of factors, such as trip length, membership type, and special user groups. The program should encourage many shorter trips, as opposed to long-duration single rentals to which more traditional bike rentals are better suited, by charging hourly usage fees that increase as trip length increases; trips under 30 minutes would be free with a paid membership. Fees should also differentiate by membership type. "Casual" day- or week-long users tend to be much less

price-sensitive than annual users, perhaps because they are tourists with more disposable income or because they are more interested in longer pleasure rides than in short, transportation-focused trips. For example, only 29% of Nice Ride MN's 2011 revenue came from annual membership and user fees, while 65% came from short-term memberships and user fees. In the Capital Bikeshare program's first year, 98% of trips by annual members were under 30 minutes, a negligible number were over an hour, and the average trip time was 20 minutes; meanwhile, trips by "casual" users averaged 45 minutes in length, 31% exceeded 30 minutes, and 15% exceeded an hour. Usage fees can be differentiated between short-term users and annual members to reflect this difference in price sensitivity. Finally, the program should consider making discounted annual memberships available for special groups, such as students, military personnel, senior citizens, or low-income individuals. Usage fees to these members could also be reduced for short trips of 30 to 60 minutes to enable slightly longer utilitarian trips. **Table 17** provides a suggested pricing structure that can be adjusted depending on the program's particular policy goals.

TABLE 17 – SUGGESTED PRICING STRUCTURE

Membership Type	24-Hour	3-Day	7-Day	30-Day	Annual	Discounted Annual
Membership Fee	\$5	\$12	\$20	\$30	\$50	\$35
Cumulative Usage Fees						
0-30 minutes	Free	Free	Free	Free	Free	Free
30-60 minutes	\$2.00	\$2.00	\$2.00	\$2.00	\$1.00	\$0.50
60-90 minutes	\$6.00	\$6.00	\$6.00	\$6.00	\$5.00	\$4.00
90-120 minutes	\$14.00	\$14.00	\$14.00	\$14.00	\$11.00	\$9.00
each additional 30 minutes	+\$8.00	+\$8.00	+\$8.00	+\$8.00	+\$8.00	+\$8.00

Operational Model

The unique concentration of bike rental locations in the City of Monterey might enable a new model for the provision of bikesharing that more directly involves existing, local bike rental companies. Under one approach, a bike rental company or companies could own and operate the bike sharing system, perhaps with a subsidy from a partner organization or government agency. Under a second approach, the rental company or companies could simply operate the bikesharing equipment that is owned by a non-profit or public agency for a fee.

In the absence of an interested bike rental company to adopt a new model for bikesharing provision, one of two currently-used operational models would be most appropriate for the program, depending on the level of local institutional support for a bikesharing program: the nonprofit model or the publicly owned/private operated model (see "Potential Funding Models," above).

The nonprofit model could limit liability to the local jurisdiction, allow for lower staffing costs, and avoid the need for increased institutional capacity and expertise in operating a bikesharing program within the local jurisdiction's staff; however, coordination with local jurisdictions and agencies is still essential for a successful program. The nonprofit model also relies on a local champion organization to take on responsibility for the program.

The publicly owned/private operated model is also a good option if a local jurisdiction or public agency, rather than a nonprofit, takes responsibility for the program. This option would allow the local jurisdiction to retain more control over the program through contractual agreements with the operator.

In either model, maintenance could be handled by the operator or contracted to local bike shops. A local bike shop could also serve as the operator. Although advertising based models have so far proven unsuccessful in the US, and an entirely advertising-based model is likely impractical for Monterey, the program should nevertheless consider title and/or station level sponsors as an additional revenue source. Finally, a nonprofit or public/private program should collaborate with regional institutional and business partners who might provide funding, space for siting stations, or operational support.

Vendors

The players in the bikesharing space continue to evolve, but several system vendors have emerged as good candidates for the Monterey program. Both B-cycle and Alta Bicycle Share (with Public Bike System Company/BIXI equipment) have proven track records of deploying systems throughout North America. These vendor's bikes and kiosks have been used millions of times in the field by real users and have been refined over time. DecoBike, which operates three for-profit programs on the east coast, also has experience operating its equipment in the field and might be able to provide equipment, operations, or both for a Monterey program. Bike Nation, a Southern California-based company, has developed a bike sharing system that it intends to deploy in Anaheim, Long Beach, and Los Angeles, California. Bike Nation does not currently have any systems in operation, and intends to operate under a for-profit, advertising-based model that might not be possible in Monterey; however, once they have gained experience operating in the Los Angeles area, they may be a viable equipment vendor, operator, or both for Monterey. Finally, two Bay Area companies — Alameda Bicycle, operator of BART Bike Stations, and Bike Link, a secure, on-demand bike parking provider — may also be considered, due to their experience in operating networks of bike-related infrastructure.

Next Steps

Fehr & Peers has identified the following next steps in pursuing a bikesharing program for Monterey:

- Identify a Lead – A local lead organization is necessary for a successful bikesharing program. TAMC staff should engage local jurisdictions, agencies, nonprofits, and bike rental companies to identify an organization with the desire and capacity to establish and manage a bikesharing program.
- Apply for Funding – The lead organization should explore the variety of funding sources available for bikesharing programs (see "Potential Funding Sources, above) and secure financial support for a program.
- Conduct Public Outreach – Successful launch of a bikesharing program requires a variety of public outreach strategies prior to soliciting proposals. An effective public outreach process will educate the public on the concept of bikesharing, collect valuable public input, and build awareness of and support for a public bikesharing program. This can be accomplished by engaging community members to think of ways they might use bikesharing and locations where they would want to see a bikesharing station. Social media campaigns and other marketing can also be beneficial; bikesharing vendors and operators can provide more targeted marketing as the program nears its launch.
- Coordinate Regionally – The lead organization should reach out to other regional agencies, jurisdictions and organizations that might be interested in pursuing a bikesharing program. In multi-jurisdictional systems, such as Capital Bikeshare in Washington, DC and Arlington, VA, a rider clause is included in the procurement contract that enables other regional groups to get the same terms, helping to ensure smooth system expansion and interoperability.
- Select a Vendor and Operator – The lead organization should issue a Request for Proposals (RFP) for bikesharing equipment, operations, or both, depending upon the final operational model.

Under a nonprofit model, the nonprofit might issue an RFP for both equipment and operations, or might undertake operations itself and issue the RFP for equipment only. An RFP under the public/private model would include equipment and operations, and should be flexible enough to allow both equipment and operations to be provided by the same respondent or by two different respondents. Regional coordination is also an important consideration.

- Site and Permit Specific Stations – Figures 4 and 5 provide general recommendations for station locations that should be refined based on support from local businesses and institutions, public input, and site-specific conditions. Outreach to local businesses and institutions might yield interest in sponsoring a station by providing real estate for locations on private property, sponsorship dollars, or both. Stations that cannot be located on private or institutional property will need permits to locate on sidewalks, public parks or plazas, or on the street. Indication of public interest might also suggest additional locations or the relocation of some stations (bearing in mind that a contiguous network is critical for an effective system). Finally, the physical dimensions of stations and access to sunlight for solar-powered stations will limit the potential locations of bikesharing stations. Once a specific hardware system is selected, the vendor and operator can assist with these site-specific concerns.
- Further Analyze Campus-Specific Needs – Institutions like the Naval Postgraduate School, Monterey Peninsula College, and the Defense Language Institute Foreign Language Center have been integrated into the proposed station network because of their proximity to dense activity centers that constitute the rest of the service area. These institutions warrant additional analysis and institutional input on the best way to serve their campuses and integrate their bikesharing stations with the surrounding community. CSUMB, while not immediately within the proposed station network due to the distance between the campus and the core service area, presents additional opportunities for regional bikesharing in Monterey County. If there is financial and institutional support of bikesharing at CSUMB, an on-campus program that primarily serves trips within the campus could be a valuable service to CSUMB students, faculty, and staff. This system could be part of the broader bikesharing program described above, giving bikesharing members access to stations both in the Downtown Monterey area and on the CSUMB campus. Few trips between the CSUMB campus and the core service area would be expected, due to the five mile distance between the two. However, having bikesharing as a first mile/last mile service in both activity centers could encourage more transit trips between the two. For example, students arriving on campus by transit could use bikesharing for trips within the campus, and also make use of the Pacific Grove and Monterey stations when they are in those areas for dining, shopping, or leisure trips. Students arriving by private automobile would also benefit from the ability to park once and use bikesharing for mobility within the campus. Additional analysis of the specific travel needs of the CSUMB community could reveal other trip types that would be well-served by bikesharing.

Challenges and Opportunities Analysis

As the lead organization pursues a bikesharing system for Monterey, it will face a number of challenges and opportunities. This section summarizes potential challenges, opportunities, and policy issues and presents strategies for approaching each one. Detailed descriptions are provided below.

Challenge/Opportunity	Strategy
<i>Permitting</i>	• Locate stations on the property of supportive local businesses and institutions • Work with local jurisdictions to permit stations on public land
<i>Sign ordinances</i>	• Emphasize system wide and station-level sponsors that promote the program and the sponsor, rather than advertisements • Collaborate with local jurisdictions to develop an appropriate sponsorship look and feel
<i>Theft and vandalism</i>	• Collect user billing and contact information • Use sturdy equipment with secure locking mechanisms and proprietary hardware • Locate stations in highly visible, well-traveled areas
<i>Safety and liability</i>	• Require liability waiver • Purchase liability insurance • Encourage helmet use • Maintain safe equipment • Educate users on safe bicycling
<i>Existing bike businesses</i>	• Emphasize distinction between short trips (bikesharing) and day-long rentals (bike rental shops) with pricing and marketing • Cross-promote bikesharing and traditional bike rental • Engage bike shops as maintenance providers • Offer bike shop discounts to bikesharing members
<i>Equipment delivery delays</i>	• Engage vendors early in the planning process • Learn from resolution of Chicago and New York experiences • Allow extra time for system rollout once the RFP process is complete

Permitting

Stations located on public right-of-way will require permitting and coordination with local jurisdictions. Engaging local businesses and institutions is a good opportunity both to identify sites for bike sharing that do not require public land and to garner support from the local community. In cases where it is necessary to locate a station on public right of way, local jurisdictions and agencies should be engaged to develop a streamlined permitting process that can be applied to multiple bikesharing locations and enable the relocation of stations, if warranted by use patterns once the system is operating.

Sign Ordinances

Although advertising can be a valuable source of revenue for a bikesharing program, sensitivity to the system's context is essential. Monterey and Pacific Grove are scenic areas with rich historical background and natural beauty. Monterey Municipal Code §31-8(e) and Pacific Grove Municipal Code §20.04.030(p) both prohibit off-premises advertising, limiting a bikesharing program's ability to collect revenue from signage on stations. Another option for monetizing the bikesharing system's bikes and stations is sponsorship. System-wide sponsors could be rewarded with program naming rights and branding (e.g., Citi Bike in New York) or have their logos included in system branding on on-bike panels and stations (e.g., Blue Cross Blue Shield in the Nice Ride MN system). Map panels on bikesharing stations could also include graphics that thank system wide or station-level sponsors without explicitly advertising a specific product or service. In each case, the bikesharing program should collaborate with architectural review committees in Monterey and Pacific Grove to develop a look and feel that is appropriate to the context and can even provide an iconic branding opportunity for the cities.

Theft and Vandalism

U.S. bikesharing systems have had very few problems with theft and vandalism, especially compared to their European counterparts. Nevertheless, measures should be taken to prevent theft of and damage to the bikes and kiosks. Collecting billing information about users ensures that they are accountable for the bikes they check out and prevent theft by registered users. The bikesharing equipment selected should be durable and secure. Unique bike designs limit the ability of would-be thieves to resell a stolen bike. Secure locking mechanisms that confirm to the user when the bike has been completely docked ensure that bikes are properly locked and resistant to theft. Bike and station hardware should also use proprietary bolts to connect parts so that accessories will not easily be accidentally or intentionally removed. Finally, bike sharing stations should be located in highly visible, well-traveled areas, both to encourage ridership and provide an additional deterrent against theft and vandalism.

Safety and Liability

There have been few incidents with injuries in U.S. bikesharing systems, but safety and liability are important to address. Educating users on safe bicycling practices and encouraging helmet use can help to prevent the dangerous situations that raise liability issues. Information on the program website, posted at kiosks, or featured on bike handlebars regarding safe cycling can be used to educate members about safe bicycling. Maintaining properly-functioning equipment with properly inflated tires, and working shifters, brakes, and lights can further help protect users from incidents and injury. Should an injury occur with bikesharing equipment, a liability waiver can help protect the program against legal action. Users

can be required to sign a liability waiver when they register their membership. Finally, liability insurance can limit the program's financial risk from lawsuits.

Existing Bike Businesses

Although bicycle sharing programs appear to increase overall enthusiasm for bicycling and may contribute to increased sales at bicycle retail shops, these programs also appear to have the potential for negatively impacting bicycle rental shops. The following strategies can help to minimize bikesharing's potential negative impacts on existing bike businesses and to leverage existing local bike expertise to support bikesharing and bicycling in general. Pricing should be structured to encourage the frequent turnover of bikesharing bikes, a type of use that does not compete directly with traditional bike rental. Marketing materials should also emphasize the difference between bikesharing and traditional bike rental and guide users to the appropriate choice. Maps should direct users to nearby bikesharing stations and bike rental and retail stores. Existing bike businesses can also be powerful allies for a successful bikesharing program. Local bike shops could partner with the system operator to perform maintenance on the bikes and to rebalance the system, or even contract to operate the system themselves, bringing local bike knowledge to the table. Bike shops can also provide important bike accessories, like helmets, messenger bags, water bottles, and energy bars. Bikesharing might also encourage local residents to take personal bicycles on longer trips; offering a discount to bikesharing members could attract new customers who are ready to purchase their own bikes to local bike retailers.

Equipment Delivery Delays

A rush to bring two large systems online coupled with software issues has delayed the deployment of bikesharing systems in Chicago and New York City. Hopefully these concerns will be resolved before Monterey would launch a bikesharing system as issues are resolved in these large-system rollouts. Vendors should be engaged as soon as the decision to proceed with a bikesharing system is made, and ample time should be allowed between the completion of the vendor selection process and the system launch date. Fortunately, Monterey does not face inclement winter weather, so the timing of system launch is not as critical as with programs in other cities.

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Handy mobility option or sidewalk scourge? // Kriston Capps/CityLab

What People Mean When They Call Dockless Bikeshare a 'Nuisance'

KRISTON CAPPS JAN 19, 2018

Washington, D.C., is now four months into its dockless bikeshare experiment, which extends through April. This is long enough for the meddlesome neighborly gripes of D.C. residents who object to these free-range rentable bicycles to reach full bloom. It's the response that often greets minor improvements to the way things work, and it's currently having its high-modernist moment, its uproarious third season, its Fifth Symphony.

The meddlesome neighborly gripe starts with a root-chord complaint about how bikeshare leads to a lot of sidewalk "clutter." While there is some truth to that, a proper listserv riposte would never stop there. Beyond lay greater rhetorical heights.

It's prudent to first consider a measured irritation: Bikeshare users sometimes park their dockless bikes on sidewalks and curb cuts, making them obstacles for people who use motorized chairs or otherwise experience disabilities affecting mobility, among others. Plus, it's just rude.

"I'm very much for a livable city," says Ian Watlington, senior disability advocacy specialist for the National Disability Rights Network, which is based in D.C. "I don't have a problem with dockless bikes per se. It's more of a people problem."

This issue calls for an education campaign, Watlington says. A few different efforts to that end are in the works. (More on those in a moment.) Many complaints from residents about dockless bikeshare, though, take a different tenor: An argument that paints dockless bikes as a nexus for crime and neighborhood ruin has taken hold in the civic killjoy community in certain places.

Dockless bikeshare is a vivid illustration of how residents define nuisances not as issues to be navigated, but irritations that they feel entitled to regulate out of existence.

Neighbors have been rehearsing their tirades about dockless bikeshare for weeks. In December, local WAMU reporter Martin Austermeuhle shared a holiday howler from the Georgetown neighborhood listserv: A resident said they aimed to call 911 to stop people from using dockless bikes. They'd even called the city on Christmas Eve. (The program's perfectly legal.) That dispatch had some of the elements of a fine whine—abuse of city resources, the words "suspicious activity" in quotes, surreal yuletide rage—but not all the essential markers of form.

Perfection arrived early in the New Year. On January 5, residents in Petworth, a neighborhood with a vibrant mix of longtime families and cocktail waystations, received a listserv notice from an area Advisory Neighborhood Commission representative. (Think of the ANC as the local stage where not-in-my-backyard ballads are performed.) In sequence, the commissioner for ANC 4A02 hit all the expected notes: complaints about process, “unsightly presence in unusual locations,” and “criminal elements that result from [the bicycles’] presence and locations.”

The obligatory dog whistle came via a bullet point about “ease of movement/escape from watchful eyes and law enforcement.” Neighborhood busybodies have not been shy about accusing dockless bikeshare users of crime (not any specific crime, just bein’ criminal). This is where I will pin another CityLab story about how dockless bikeshare is finding wider purchase within D.C.’s black community, especially with youths. Just leaving that there.

Then there is the core complaint, the *mirepoix* of any neighborhood listserv grievance: *It offends me aesthetically*. With respect to dockless bikeshare, this criticism comes dressed up as a mobility question. The polite refrain about dockless bikes is that they block sidewalks and driveways—a real problem, but tendered in bad faith. Any cyclist recognizes the pitch-perfect irony.



Peter Krupa 🌹
@peterkrupa

the problem with dockless cars is people just park them wherever they want. i

mho this pilot program has gone far enough and it's time for @DDOTDC to put a stop to it. #bikedc

1:50 PM - Jan 17, 2018

422 167 people are talking about this

Dockless bikeshare represents a vivid illustration of how residents define nuisances not as issues to be navigated, but irritations that they feel entitled to regulate out of existence. Writing in *The New York Times*, Emily Badger recently traced the expanding sphere of homeowners' sense of entitlement beyond backyards to encompass their entire neighborhoods (or cities). Locally, if tax-paying residents of Petworth or Georgetown don't like dockless bikes, the thinking goes, then someone has to do something about it—namely, scuttle the whole program.

Plenty of people do appreciate the dockless option. Patrick Kennedy, the ANC chair for Foggy Bottom, a neighborhood where well-heeled residents and State Department diplomats cross paths with George Washington University students, told *Current* that residents there like going dockless. In Foggy Bottom, traffic is heavy, sidewalks are wide, and the existing Capital Bikeshare stations are often so full that users run the risk of getting dockblocked.

What else can be done to calm dockless outrage? A spokesperson for LimeBike, one of the five (and soon to be six) dockless operators working in D.C., says that there are team members stationed in D.C. working daily to answer calls and put bikes back where they belong. Education is one tool, as Watlington says. To that end, LimeBike has released the first in a series of videos on bikeshare etiquette. It's themed after *The Matrix*—cute!

The District Department of Transportation says that they encourage bikeshare users to ensure a 5-foot clear zone for parking the bikes in order to meet ADA requirements. The department is fielding complaints and working with operators to address them over this trial run.

"We have heard that some visually impaired people have a hard time identifying the bikes on the sidewalk even if there is a 5-foot clear zone," says Terry Owens, DDOT's public information officer. "We also know there are instances of sidewalks being obstructed. We are working with the companies to address issues as we become aware. We also encourage the companies to be more proactive with their customers and operations."

There's an opportunity here. Dockless bikeshare may be well suited to answer a frequent complaint about the lack of adaptive bikes for people with disabilities. That's an issue with Capital Bikeshare, too, but there aren't any adaptive bicycles available that work with D.C.'s docks, Owens says.

In nearby Montgomery County, Maryland, a memorandum of understanding for a planned dockless bikeshare trial anticipates residents' objections in the very first "whereas." The memo rattles off a list of common-sense no-parking zones for dockless bikes: driveways, crosswalks, street furniture, bus stops, restaurant patios, and more. The county plans to give companies one hour to remove bikes that are parked improperly before it confiscates them. And in the case of a snow emergency, Montgomery County expects dockless bikeshare companies to reclaim all their bicycles for the duration.

Recommended

Can Dockless Bikeshare Pump Up Cycling's Diversity?

**CHRISTINA
STURDIVANT-SANI**
JAN 9, 2018

How Washington, D.C., Built a Bike Boom

ANDREW SMALL
DEC 26, 2017

What more should be done? That depends on who you ask. In D.C., dockless bikes do represent a potential hazard, but disability advocates don't argue that the whole enterprise should be scrapped as a result. Not according to Watlington, and not according to LimeBike, whose spokesperson says that the company hasn't received anything like a formal objection from any organization representing communities with disabilities.

Entitled residents are nevertheless using an argument steeped in disability rights to say that the sidewalks belong to them—and that the alternative is some kind of pedal-powered crime wave. In its own way, it's elegant.

"The solution is education," Watlington says, "not banning the bikes."

This post has been updated.

About the Author

City of Seaside

California Gang Reduction, Intervention, and Prevention (CalGRIP) Program 2015-2017

Final Evaluation Report

by

Jan Roehl, Ph.D.

Funded by the CA Board of State and Community Corrections

Seaside Youth Resource Center (SYRC)

- Start-up in 2015 at The Village Project, adopted by the City in mid-2016
- Intake, assessment, referral, and support services for 187 at-risk youth and their families

51% referred by schools
23% referred by police or probation

Average age: 15.7
Range: 11 to 21

68% Hispanic/Latino
15% African-American
12% White

63% male
37% female

Main challenges: Behavior problems at home or school, followed by failing grades and drug and/or alcohol problems

Referred to: Counseling, life skills/mentoring, drug/alcohol treatment, parent training, others

Other SYRC Activities

**Collaboration with
community partners,
organizations, agencies,
schools**

**Facilitating workshops and
community forums**

**Life skills/mentoring
program for SYRC clients**

Community outreach

**Monthly Multi-Disciplinary
Team meetings**

**Open House and Preview
Nights**

**Participation in community
events**

ART facilitator training

Portable skate park!

Community Partners
For
Prevention/Intervention Services

Community Partnership for Youth (CPY)

Community Human Services (CHS)

Sun Street Centers

Restorative Justice Partners, Inc. (RJP)

Monterey County Behavioral Health Bureau

Monterey County Probation Department

Prevention/Intervention Services

- Strengthening Families (CPY)
- Triple P parent training (CHS)
- Youth Empowerment Solutions (CPY)
- Relentless, Determination, Justification (CPY)
- DAISY/Seven Challenges (CHS)
- Mentoring at Colton (CPY)
- STEPS and Life Skills (Sun Street)
- Behavioral Health counseling
- School-based restorative justice practices (RJP)
- Probation

Immediate Outcomes

Direct services were provided to over 280 parents
and over 685 youth

The vast majority reported **positive** changes in

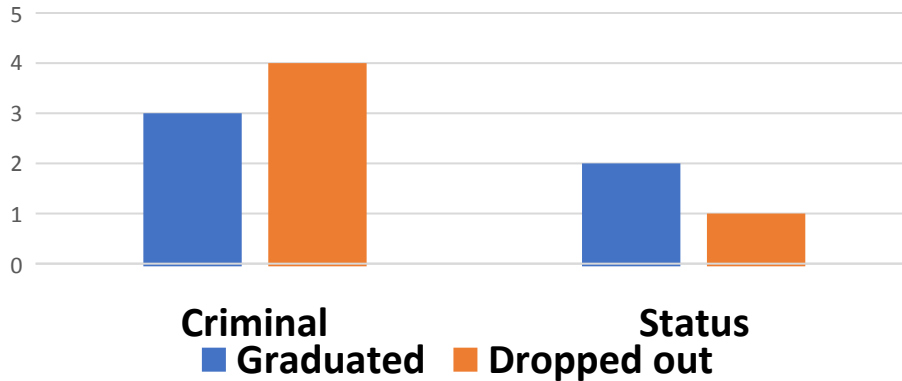
Skills
Knowledge
Behavior
Confidence
and/or
Attitude

Challenges

- **SYRC: Start-up issues and changes in location, sponsor, management, and staffing**
- **Not a one-stop, all-under-one-roof resource center**
- **Needed services at capacity, especially counseling and DAISY/7 Challenges**
- **Retention in prevention/intervention services**
- **Evaluation: Difficulties in gathering probation and school discipline outcome data**

Short-term Outcomes: DAISY/7 Challenges

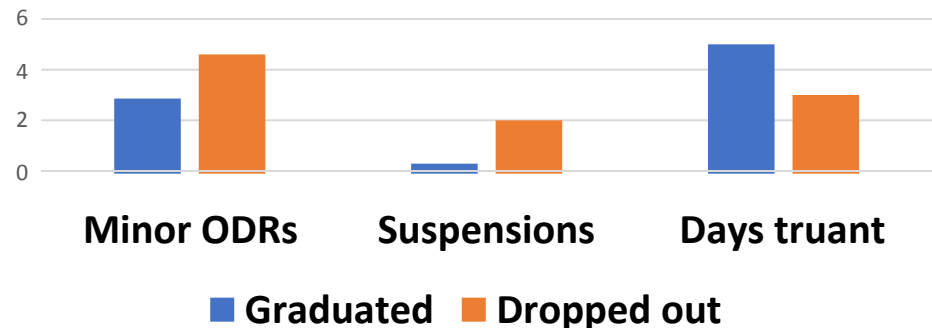
Number of Offenses during Year after Participation



There were no probation violations in either group.

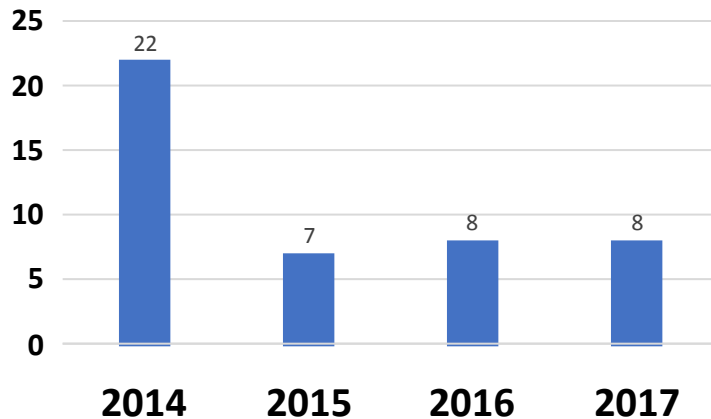
There were no major ODRs in either group.

Number of School Behavior Problems during Year after Participation

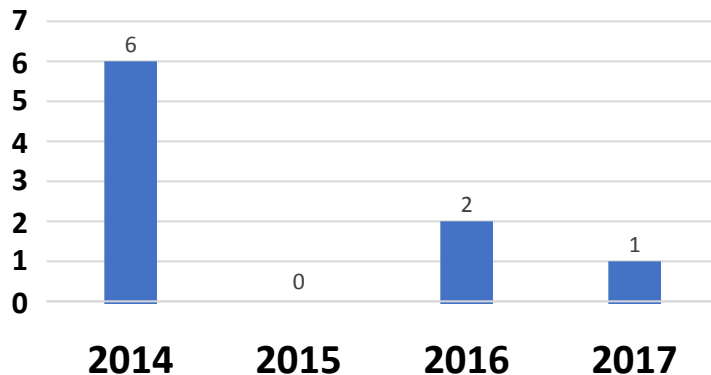


Community-wide Outcomes

**Number of Shootings,
2014-2017**



**Number of Homicides,
2014-2017**



Other good news

- ❖ None of the homicides in 2016 or 2017 were gang-related, compared to 3 of 6 in 2014.
- ❖ None of the victims or suspects in the 2016 and 2017 homicides were 18 or under.
- ❖ Fewer of the 2017 shootings were gang-related in comparison to past years.



DRAFT MINUTES

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
COUNCIL CHAMBER
Thursday, April 19, 2018
7:00 PM

1. **CALL TO ORDER**

Mayor Rubio called the meeting to order at 7:00 PM.

2. **ROLL CALL – ESTABLISHMENT OF QUORUM**

PRESENT: Alexander, Campbell, Jones, Pacheco, Rubio

ABSENT: None

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Edgar Oggario from Paloma Blanca provided the Invocation.

4. **REVIEW OF AGENDA**

Mayor Rubio requested the presentation from MST be reordered as the first presentation.

5. **PUBLIC COMMENT**

Mayor Rubio invited comments from the public.

- Karen Barry spoke about the Carlton Road closure.
- Katherine Crocket spoke to the Sustainable Seaside Earth Day event this Sunday the 21st.
- Michael Campos spoke to the street closure on Carlton Road.
- Kay Cline spoke in support of our community diversity, the passed resolution for gun control and the Earth Day Celebration.
- Reverend Kenneth Murray invited the Council and the public to the Domestic Violence Awareness Conference for the Community April 28, 2018 at Ocean View Baptist Church.
- Karen Arajo spoke against anyone threatening elected officials.
- Ian Oglesby spoke about the public safety response time with the Carlton Road closure.

6. **PUBLIC AGENCY COMMUNICATIONS**

- Administrative Analyst Sharon Mikesell invited the Council and the public to the SeaStars volunteer park clean-up program on Saturday the 21st at 11 am at Highland Otis park.
- Marlana Brown introduced herself as the Community Liaison for the Naval Support Activity Monterey Bay.
- Police Chief Pridgen invited the community to the Coffee with a Cop event on Saturday the 21st at Nifty Fifty.
- City Clerk Milton-Rerig informed the public of a Candidate Seminar hosted by the

7. **PRESENTATIONS**

A. **PROCLAMATION FOR ARBOR DAY**

Action: Presented

B. **PROCLAMATION OF SMALL BUSINESS WEEK APRIL 29 TO MAY 5**

Action: Presented

C. **PRESENTATION OF THE APRIL 2018 HOUSE OF THE MONTH AWARD**

Action: Presented.

E. **COMMUNITY UPDATE PRESENTATION FROM MONTEREY SALINAS TRANSIT**

Action: Presentation received.

Assistant General Manager Hunter Horvath from Monterey Salinas Transit presented an overview of the last 45 years of Monterey Salinas Transit detailing elements of ridership, time performance, riders satisfaction and being recognized nationally as an innovative leader. He presented the targeted goals for Measure Q and Measure X funds and noted that their major challenges include bus driver recruitment, national highway trust fund insolvency, zero emission bus regulations (nationwide problem) and efforts to repeal the state gas tax funds.

D. **ACKNOWLEDGEMENT OF LIFE SAVING EFFORTS BY SEASIDE POLICE OFFICERS**

Police Chief Pridgen acknowledged lifesaving efforts by Seaside Police Officers Higgins and Fernandez, for correctly diagnosing and reversing an opioid overdose.

8. **CONSENT CALENDAR**

Items B, D, F, G and H were pulled for discussion. Mayor Rubio invited public comment on remaining consent agenda items and had no requests to speak.

On motion by Mayor Pro Tem Alexander and seconded by Council Member Jones and passed by the following vote the City Council approved Consent Agenda items A, C and E as presented.

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSENT:	None

A. **APPROVE MINUTES OF APRIL 5, 2018**

Action: Approved

B. **APPROVE AND FILE CITY CHECKS**

Mayor Rubio invited comments from the Public.

- Felix Bachofner expressed frustration because the total dollar value was not listed on

the agenda.
Deputy City Manager Administrative Services Hodgson read the number into the record.

On motion by Mayor Pro Tem Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council approved the item as presented.

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSENT:	None

C. ADOPT A RESOLUTION DESIGNATING SURPLUS FIRE DEPARTMENT MOBILE AND PORTABLE RADIOS AND AUTHORIZE TRADE IN OF SURPLUS EQUIPMENT TOWARD THE PURCHASE OF COMMAND PORTABLE RADIOS.

Action: Adopted Resolution 18-23

D. APPROVE THE SALE OF REMNANT UNUSED RIGHT-OF-WAY TO VAL STROUGH HONDA FOR \$20,000 IN ORDER TO ACCOMMODATE THE EXPANSION AND REMODEL OF THE DEALERSHIP.

Action: Adopted Resolution 18-24

Mayor Rubio invited comments from the public.

- Felix Bachofner requested clarification about how the price was derived.

Economic Development Manager Overmeyer responded that land sales for the Successor Agency properties were an average of \$10 per square foot and this parcel was offered \$17 per square foot. A local broker agreed it was worth \$20 and the purchaser accepted the price.

On motion by Council Member Campbell and seconded by Council Member Pacheco and passed by the following vote the City Council approved the item as presented.

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSENT:	No

E. AWARD A PROFESSIONAL SERVICES AGREEMENT TO SAGE RENEWABLES FOR DESIGN AND FINANCING SERVICES OF A PHOTOVOLTAIC SOLAR PROJECT AT CITY HALL

Action: Approved Resolution 18-25

F. APPROVE TRAFFIC ADVISORY COMMITTEE (TAC) RECOMMENDATIONS

Action: Approved

Mayor Rubio invited comments from the public.

- Felix Bachofner expressed concern about the regulation as written believing it would impact vehicles for hire such as Lyft and Uber and questioned parking of vehicles on personal property for advertisement.

City Engineer Riedl agreed that the vehicles for hire may need to be addressed further. The regulation already states that vehicles with advertisements on personal property must be registered to that address. City Manager Malin spoke to the intent of the ordinance to prevent turning commercial streets into used car lots. Mr. Malin also assured the Council

there is presumption of reasonable enforcement of the ordinance.

On motion by Council Member Campbell, seconded by Council Member Pacheco and passed by the following vote the City Council approved the item and directed staff to proceed with amending the Municipal Code as proposed but take a second look at the vehicles for hire.

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSENT:	No

G. ADOPT RESOLUTION APPROVING THE SB 1 PROJECT LIST IN SUPPORT OF PROJECTS FUNDED BY THE ROAD REPAIR AND ACCOUNTABILITY ACT (RMRA) OF 2017

Action: Approved and Adopted Resolution 18-26

Council Member Pacheco requested clarification that about the next steps that can be taken to improve City roads. City Engineer Riedl responded that that every dollar is beneficial to the City and spoke to that statewide ballot issue to overturn SB1. Mr. Riedl agreed that staff will bring back an item to set priorities for the pavement management program and consider proposing a bond measure to help fund improvements. Council Member Campbell questioned why roads X, Y and Z are the responsibility of the City, as they were built by FORA to which Mr. Riedl clarified he had discussions with FORA since the packet was published and they have agreed to take responsibility for those specific roads. Mayor Rubio invited comments from the public and had no requests to speak.

On motion by Mayor Pro Tem Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council approved Resolution 18-26 approving the SB1 project list in support of projects funded by the Road Repair and Accountability Act.

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSENT:	None

H. APPROVE CO-SPONSORSHIP AND WAIVE ALL FEES RELATED TO THE 2018 MONTEREY PENINSULA PRIDE CELEBRATION AND PARADE

Council Member Jones requested the parade organizers to speak. Tyler Williamson spoke to the recently established non-profit Monterey County Pride and expressed appreciation for past Council support and requested approval of the request for assistance this year as well.

Mayor Rubio invited public comment on the item.

- Cindy Verray and Pat Verray indicated they oppose supporting the item on biblical grounds.
- Bob Coble spoke to the diversity of Seaside and encouraged approving the item as presented.

- Karen Arajo spoke for the Unitarian Universalist Church of the Monterey Peninsula and spoke to other religious beliefs that agree with supporting others.
- A citizen indicated the LGBT community would never attempt to shut down religious freedom if they disagree with them and they expect the same of the civic government.
- Kim Mercenes was a participant of the parade and is Secretary to the nonprofit and explained a scenario of a youth positively impacted at the event last year.
- Frank and Millie Amador spoke against the parade and the lifestyle for biblical reasons. They do not agree with using tax money for the parade or in support of abortion.
- Jean Jackson does not want to debate the pros and cons and the item but asked that all fees be waived, for the second year.
- Karen Berry said that tax dollars should be spent on new roads and the effort should be spent on other items that need to be funded that are more pressing.
- Reverend Murray asked for clarification about the difference between co-sponsorship and waiver of fees. Waiving fees is ok, but he was not in support of co-sponsorship.
- Harold Lusk spoke to the LGBT community desires for inclusion which is actually alienating others in the process. Instead of being divided, we should talk about coming together and encouraged making all people feel included.
- Peter Keiser thinks Seaside wants to be known as a traditional family friendly city and spoke against using tax payer money to fund the event.
- A resident and member of Monterey Peninsula Pride reiterated that the event will be kept as a family friendly event including appropriate language, dress and music.
- Edgar Oggario spoke to an event a few years ago, a family event, to share the religious gospel which did not use tax payer money and believed this should not either and requested denial of the fee waiver.

City Attorney Freeman commented that the item up for consideration is only co-sponsorship and waiver of fees for a parade and it cannot be determined based on the purpose or content of the parade. All decisions must be content neutral

Council Member Pacheco requested confirmation that it will be maintained as family friendly to which they agreed was the intent. Council Member Jones and Council Member Campbell spoke positively about the event the previous year. Council Member Alexander requested confirmation that the event would not pull officers away from other patrols to which Police Chief Pridgen confirmed it would not. Mayor Rubio indicated he will abstain from the vote because last year the parade organizers agreed to participate more financially in the second year, but the request does not reflect that.

On motion by Council Member Jones and seconded by Council Member Pacheco and passed by the following vote the City Council approved a co-sponsorship and waiver of all fees related to the 2018 Monterey Peninsula pride Celebration and Parade.

RESULT:	Approved
AYES:	Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSTAIN:	Rubio

9. **BUSINESS ITEMS**

A. RECEIVE THE 2017-2018 THIRD QUARTER BUDGET REPORT, ACCEPT AND FILE THE REPORT, PROVIDE DIRECTION TO STAFF AND CONSIDER ADOPTION OF A RESOLUTION APPROVING THE PROPOSED BUDGET ADJUSTMENTS

Action: Adopted Resolution 18-27

Deputy City Manager Administrative Services Hodgson presented Third Quarter Budget report explaining that revenues decreased due to the late approval of the cannabis dispensary permits. She outlined the revenue increases and expenditure decreases for a net fund balance increase of \$1, 923,00.00. She then outlined suggested adjustments to the budget including increased funds for the solar project. Ms. Hodgson outlined the estimated PERS unfunded liability costs for the next six years and encouraged the Council not to forget about it when making budget considerations. Ms. Hodgson answered questions from the Council.

The Council discussed the projected changes in the budget, street repair funding, staffing expenditures and unfilled positions in the Police department and other major projects that will be coming to fruition soon, such as Broadway road improvements. City Manager Malin indicated that the Council will soon be looking at the FORA fiscal analysis results which will provide an optional scope of work to create a long term budget plan including capital improvements. The Council also discussed the best practices for reserve minimums.

Mayor Rubio expressed severe concern regarding the unfunded liability costs and believes that the numbers will continue to increase as the funding rates will be changing from 30 years to 20 and is bound to have an impact. He invited comments from the public.

- Felix Bachofner indicated most of the positive revenue changes come on the backs of tax payers and urged the Council to be diligent about responsible spending.
- Ian Oglesby spoke in support of having adequate reserves and not to consider using the reserves as a consideration for expenditures.

On motion by Council member Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council passed Resolution 18-27 approving the proposed budget adjustments

RESULT:	Approved
AYES:	Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSTAIN:	Rubio

10. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND REPORTS ON COMMITTEE ASSIGNMENTS

Council Member Pacheco requested three things to be on a future agenda; a resolution in support of local Measure I that will provide a bond for school district facilities that impact youth and our community; modifications of regulations to make Seaside a dog friendly city allowing dogs in parks except during city events; and at the June 21st meeting that the Council receive an update from Police and Fire on the enforcement for fireworks. Council Member Jones reminded the City Manager that she wanted us to look into how we help citizens get to the 4th of July event. Mayor Rubio spoke to the new laws for the Accessory Dwelling Units that could impact our community and requested a presentation from staff on

the issue to see how we can use ADU to enhance the affordability of some of our residential units.

11. ADJOURNMENT

On motion, the meeting was adjourned at 9:56 PM.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ralph Rubio, Mayor



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Daphne Hodgson, Deputy City Manager Administrative Services
Lori Merwin, Finance Assistant

DATE: May 3, 2018

SUBJECT: APPROVE AND FILE CITY CHECKS

PURPOSE & RECOMMENDATION

It is requested that the City Council approve and file the accounts payable and wired payments made during the period of April 7, 2018 through April 20, 2018. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of April 12, 2018 is requested. Total Accounts Payable and Payroll for the above referenced period is \$1,977,543.18.

BACKGROUND

In accordance with Government Code Section 37208, at each City Council meeting the Council is provided a listing of the payroll and general checks issued since the last report so that it can inspect and confirm these checks. Each purchase has been reviewed and approved by the department making the purchase at the time of procurement. The invoice has been reviewed by the Finance Department prior to payment to ensure that it conforms to the approved budget.

Therefore, in accordance with Government Code Section 37208, the above referenced, and linked list of checks conforms to the approved budget and has been paid. These checks are submitted to the City Council for inspection and confirmation.

A description of the checks and wires exceeding \$10,000 are as follows:

- \$73,888.52 to Axon Enterprise, Inc. for cameras, ammunition and equipment for the Seaside Police Department.
- \$19,626.00 to the Governor's Office of Emergency Services for Seaside Fire Department course: Hazardous Materials Technician Module A.
- \$47,537.84 to MNS Engineers, Inc. for WBUV professional services for February, 2018.

- \$721,614.97 to Monterey Peninsula Engineering for WBUV Estimate No. 9 through February 28, 2018.
- \$15,000.00 to Nichols Consulting Engineers for Seaside pavement management project update for 2018.
- \$37,175.90 to PG&E for City collective gas/electric consumption for March, 2018.
- \$16,100.00 to President Fellows of Harvard College for prepaid training for Judy Veloz - Senior Executives in State/Local Government.
- \$27,889.75 to Raimi & Associates for Seaside general plan update - January, 2018.
- \$25,576.48 to U.S. Bank - Calcard for City employees' credit purchases for 3/22/18 statement.
- \$54,246.37 to Verde Design Inc. for Cutino Park improvements 2/26/18 - 3/25/18.

The remaining checks, totaling \$202,784.45 include payments to vendors for operating expenditures.

The Checks report is available on the City's website here:

<http://www.ci.seaside.ca.us/194/Check-Draft-Register>

FISCAL IMPACT

There are no additional financial impacts with this action.

ATTACHMENTS

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Nancy Towne, Recreation Services Director
Dan Meewis, Recreation Supervisor

DATE: May 3, 2018

**SUBJECT: APPROVE A FEE WAIVER REQUEST FROM COUNTY OF
MONTEREY WORKFORCE DEVELOPMENT BOARD FOR THE
USE OF LAGUNA GRANDE HALL FOR THEIR YOUTH JOB FAIR**

PURPOSE & RECOMMENDATION

The purpose of this item is to consider the request for a fee waiver by County of Monterey Workforce in the amount of Four Hundred and Nine Dollars (\$409.00) associated with their Youth Job Fair on May 30, 2018.

BACKGROUND

County of Monterey Workforce Development Board is requesting a fee waiver to cover the cost associated with their Youth Job Fair in the Laguna Grande Hall at the Oldemeyer Center on May 30, 2018.

The Monterey Workforce Development Board serves as a vehicle to mobilize and integrate private and public partners to effectively educate, train and place individuals with the necessary resources and skills to fulfill employer needs. Their Youth Job Fair is being offered as a community service to benefit young people struggling with gaining employment over the summer.

This is the first time the Monterey Workforce Development Board is requesting a fee waiver.

Staff recommends that the fees be waived for rental cost of the facility and that the organization provide liability coverage and pay only the non-refundable portion of the deposit of \$147.25 to go towards the building maintenance fund.

FISCAL IMPACT

The approximate fees which are applicable to this request are:

Laguna Grande Hall Rental Fee (\$102.25 X 4)	\$409.00
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TOTAL	\$409.00
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ATTACHMENTS

1. Fee Waiver - County of Monterey Workforce Development Board 2018

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



City of Seaside
FEE WAIVER REQUEST

County of Monterey
Name of Applicant Chris Donnelly Organization Workforce Development Board
Address 1441 Schilling Place Marina CA 93901
Street City State Zip
Home Phone (831) 759-6644 Cell Phone _____ Email Address donnelly@ccco.monterey.ca

Room(s) Requested Laguna Grande Hall & adjoining room & kitchen
Day(s) and Date(s) Requested Wednesday, May 30th, 2018
Hours Requested (include set-up time) 1pm - 5pm Estimated Attendance 200
Description of Event Youth Job Fair

Special Instructions or Equipment to Be Brought In Need tables (40) & chairs (80) set up & taken down.

Reason for Requesting Fee Waiver

The County of Monterey Workforce Development Board is offering this Youth Job Fair as a community service to benefit young people struggling with gaining employment over the summer.

Have you received a Fee Waiver in the past? Yes ☐ No ☒
If so, what was the date of your event? _____

Is your organization based in Seaside? Yes ☐ No ☒

What percentage of your members or participants resides in Seaside? _____

What is your organization's tax identification number? 94-6000524

Is organization able to provide liability insurance? Yes

Will alcohol be served or sold at your event? Yes ☐ No ☒

X Applicant Signature Chris Donnelly Date 4/13/18

FOR OFFICE USE ONLY

Approved: _____
Denied: _____
Appealed: _____

Security Required? Yes ☐ No ☐ Notes: _____
Staff Approval: _____
Date: _____

POLICY REGARDING ROOM RENTAL FEES AND WAIVERS

Fees may be waived for activities that benefit the majority of Seaside residents. Any new organizations requesting fee waivers are required to submit a letter of intent and complete the Fee Waiver Request form to the Recreation Services Department. The application will be submitted to the City Manager or his designee for review and approval. In the event that the fee waiver request is denied by the City Manager, the request can be appealed to the City Council. Applicants must demonstrate that the following criteria are satisfied:

1. At least 60% of the organization's membership must consist of Seaside residents. The organization must provide documentation verifying membership residency.
2. The organization must be a 501(c)(3) non-profit or public benefit organization and provide taxpayer identification number.
3. The organization must provide an in-kind service/donation to benefit and augment the City of Seaside. A written statement must be submitted with the application outlining specific donations and/or services provided by the organization to the City of Seaside.

FEE WAIVERS FOR MEETING ROOMS

1. Meetings are limited to four hours.
2. All organizations receiving fee waivers must give seven days notice of cancellation. If no notice is given of cancellation, the City reserves the right to deny further fee waiver requests.
3. Due to limited space, organizations may not request fee waivers for any more than one meeting room use per year; fee waivers are not intended to provide for ongoing weekly or monthly meeting use.
4. No faith based organizations may apply for fee waivers due to the separation of church and state.

AUDITORIUM RENTAL FEE WAIVER

Organizations requesting the use of the Auditorium must:

1. Pay the non-refundable portion of the deposit per event.
 2. An organization requesting use of the auditorium for a special event or meeting may receive no more than one fee waiver request within a 90-day period.
 3. Provide special event liability insurance. The following is required:
 - a. Provide an "Occurrence Made" liability insurance policy, naming the city as additionally insured, with limits of \$1 million per occurrence and \$2 million aggregate. A copy of that policy must be provided to the Recreation Services Department.
- OR
- b. Purchase Special Event Liability insurance through the Recreation Services Department at the time of fee waiver request. This insurance covers not only the city, but also those renting the facility.
4. Fundraising activities of any nature do not qualify for fee waivers.
 5. Special events may be required to provide security at renter's expense. A photocopy of the contract must be on file with the Recreation Services Department. The number of security guards required is determined by the nature of the event and the numbers in attendance.

***A City-sanctioned organization is defined as "any community based group or organization that in cooperation with the Recreation Services Department, provides an entertainment, recreation and/educational service benefiting the citizens of Seaside."**

****All deposits are placed in the maintenance and janitorial fund designated for the upkeep and repair of the Oldemeyer Center.**



PERMIT TO USE LAGUNA GRANDE HALL

City of Seaside Recreation Services
986 Hilby Avenue, Seaside, CA 93955
(831) 899-6800 Fax (831) 899-6274

Name of Applicant Chris Donnelly Organization County of Monterey Workforce Development Board
Address 1441 Schilling Place, North - Salinas, CA 93901
Home Phone (831) 759-6644 Cell Phone - Email Address donnellyc@co.monterey.ca

Day(s) and Date(s) Requested Wednesday, May 30th, 2018
Hours Requested (include set-up time) 1pm - 5pm Estimated Attendance 200
Description of Event Youth Job Fair

Special Instructions or equipment requested (40) Tables, (80) Chairs set up + removed.

Requested Use of ☒ Podium ☐ Coffee Pot ☒ Microphone ☒ US & California Flag

***Projectors and other electronic equipment including extension cords are not available for use**

	YES	NO		YES	NO
Is event open to the public?	☒	☐	Will refreshments be served?	☒	☐
Will admission be charged?	☐	☒	Will refreshments sold?	☐	☒
Are you a non-profit organization?	☒	☐	Will you be using the kitchen?	☒	☐
Will there be music?	☐	☒	Will alcohol be served?*	☐	☒
Live music or DJ? <u>no</u>			Will alcohol be sold?*	☐	☒

Name, of DJ or band: -

*** Alcohol is prohibited at youth oriented events.**

DJ or band phone number and address: _____
Work Phone _____ Cell Phone _____
Street _____ City _____ State _____ Zip _____

Applicant will provide the following items 30 days prior to the event:

- | | |
|--|--|
| ☐ Full payment of all applicable fees | ☐ Copy of event security contract by licensed company (if applicable) |
| ☐ Proof of liability insurance | ☐ Copy of ABC license (if applicable) |

☒ I will be using the Hall only ☐ I will be using the Hall & Kitchen only ☐ I will be using the Hall / Kitchen & Dance Studio ☒

I have read and agree to the Laguna Grande Hall Rules, Regulations and Conditions of Use on the back side of this form.

X Applicant Signature Chris Donnelly Date 4/13/18

FOR OFFICE USE ONLY			
Deposit:		Amount Paid:	
Hourly Fees:		Date:	
Insurance:		Balance Due:	
Alcohol Deposit:		Balance Due Date:	
Total Fees:			
		Staff Approval:	
		Notes:	

Revised 7/5/2016



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Nancy Towne, Recreation Services Director
Dan Meewis, Recreation Supervisor

DATE: May 3, 2018

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST
FROM SEASIDE HIGH SCHOOL VARSITY AND JUNIOR VARSITY
BASEBALL TEAM**

PURPOSE & RECOMMENDATION

The purpose of this agenda item is for the City Council to consider a Three Thousand Dollar (\$3,000.00) request from Seaside High School Varsity and Junior Varsity Baseball Team for a donation from the Mayor's Youth Fund.

BACKGROUND

Seaside High School Varsity and Junior Varsity Baseball Team is requesting a Three Thousand Dollar (\$3,000.00) donation from the Mayor's Youth Fund to cover the cost of redesigning different parts of their field and for new bleacher seats.

Student athletes and their guardians will engage in a "Community Day" to clean up their baseball facility to insure a healthy environment. They will have distinguished recycling and trash cans to have an effective "Community Day".

The last donation to Seaside High School Baseball Team was in the amount of Three Thousand Dollars (\$3,000.00) and was approved in May 2017. Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy.

FISCAL IMPACT

This request would be funded by a donation from the Waste Management's District to the Mayor's Youth Fund.

ATTACHMENTS

1. MYF Seaside High School Boys Basketball 2018

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

MAYOR'S YOUTH FUND POLICY

Purpose: The Mayor's Youth Fund was created to provide supplemental financial assistance to students and non-profit groups that provide services to improve the lives of young people living in the City of Seaside. A policy has been developed to standardize the evaluation of contribution requests and ensure that the funds are used appropriately to serve the City's youth.

Eligible Applicants: Contributions will only be made to, or on behalf of, students or organized groups, such as schools and non-profit organizations based in Seaside and/or serving a majority of Seaside residents (50%) that are 18 years old or younger or enrolled in high school. Faith based organizations may apply for contributions from the Mayor's Youth Fund if the funding is not used to support religious activities such as worship, Sunday School, or religious instruction. In addition, activities funded by the Mayor's Youth Fund must be open to all persons without regard to their religious affiliation.

Submittal of Contribution Requests: In order to request a contribution, the following information must be provided in writing:

- Name of the organization, person(s) benefiting, proposed use of the funds, total amount needed or fundraising goal.
- Description of other methods being used to raise funds and/or other contributors.
- An explanation of how the group, activity, or event will benefit Seaside youth.
- Written description of how the use of the funds will be specifically used for youth group activities/events and/or has a nexus to the goals related to recycle, cleanup, and "green" sustainability to ensure a healthy environment.
- How this request will provide a municipal benefit (ie., benefit the community).
- Proof of non-profit organizations status (not a taxpayer's I.D> number) and a current W-9 form.

Evaluation Process and Criteria: Contributions can only be made if approved by the City Council. Funding requests will be evaluated based on their consistency with this policy, including the following criteria.

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.
- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)

CRITERIA – Applicants must meet at least one of the following criteria to be eligible for funding. Please select one or more from the following list:

Scholastic	_____
Athletic	<u>✓</u>
Music	_____
Environmental	<u>✓</u>
Art	_____

Is funding a reward for one of these activities?

This funding will serve as a reward for when student-athletes and their guardians help construct the field and clean up the surrounding facility

Description of event, activity or program funding pertains to: (Attach Additional Information as Necessary)

Student-Athletes and their guardians will engage in a "community day" of field work, construction, and facility cleanup. We will clean up our baseball facility as we seek to install new bleacher seats and redesign different parts of our field.

Description of how the funds will be specifically used for youth groups activities/events and/or has a nexus to the goals of recycling, cleanup and/or "green" sustainability to insure a healthy environment.

The funds will provide necessary seating for games, as many people stand and do not have a proper place to sit during games. As the seats are being installed, our community will be cleaning up the baseball field to insure a healthy environment. We will have distinguished recycling and trash cans to have an effective "community day"

What other fundraising activities are you participating in to fund your event, program or activity and what other funding sources will supplement your request?

We will have a team barbeque that kids will raise funds for any extra costs to our seating renovation.

*Total Amount Requested: (See Contribution limits) 3,000.00

Funding Requirements

- Funding is limited to one contribution per year (every 12 months).
- The Mayor's Youth Fund Closing Report Form must be submitted to staff at least 60 days upon completion of the event, activity or program. Applicants that do not furnish the form may not apply for funds for the following year.
- A representative from the organization is required to be at the Council meeting for their application to be heard. If no representative is present then the agenda item will be postponed to another City Council meeting upon notification by the applicant.

• Seats will be specified to include recycle material

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by council: _____

Name of Organization: _____

Contact: _____

Address: _____

Email/Phone: _____

Amount of Donation Received: _____

What Items were purchased with Mayor's Youth Fund Donation:

Please describe the activities and the date the group/individual participated in related to reduce, reuse and recycle? Please provide written description, brief City Council presentation, and/or photos.

Signature: _____

Date: _____

***This form is due 60 days upon receipt of funding by the applicant. Organizations that do not comply within the 60 day time period may not apply for funding until the next year.**



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.E.

TO: City Council

FROM: Craig Malin, City Manager

BY: Brian Dempsey, Fire Chief

DATE: May 3, 2018

**SUBJECT: GRANT APPLICATION APPROVAL FOR ASSISTANCE TO
FIREFIGHTERS GRANT PROGRAM STAFFING FOR ADEQUATE
FIRE AND EMERGENCY RESPONSE (SAFER) GRANT IN THE
AMOUNT OF \$193,556 FOR RECRUITMENT AND RETENTION OF
VOLUNTEER FIREFIGHTERS.**

PURPOSE & RECOMMENDATION

It is recommended that City Council authorize the submission of an application for an Assistance to Firefighters Grant (AFG) Staffing for Adequate Fire and Emergency Response (SAFER) in the amount of \$193,556 for recruitment and retention of volunteer firefighters. There are no matching funds required.

BACKGROUND

The purpose of the SAFER Grant Program, which is administered by the Department of Homeland Security, is to assist local fire departments with staffing and deployment capabilities in order to respond to emergencies, and assure that communities have adequate protection from fire and fire-related hazards. Local fire departments accomplish this by improving staffing and deployment capabilities so they may more effectively and safely respond to emergencies. With enhanced staffing levels, recipients should experience a reduction in response times and an increase in the number of trained personnel assembled at the incident scene.

We would like to apply under the Recruitment and Retention category which would allow the department to increase the number of Reserve Firefighters. The grant funds would cover training, personal protective equipment, a nominal stipend for the firefighters and promotional materials for recruitment. The grant performance period would cover four years.

FISCAL IMPACT

There is no fiscal impact at this time as there are no matching funds required.

ATTACHMENTS

1. Resolution

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AUTHORIZING AN APPLICATION FOR ASSISTANCE TO FIREFIGHTERS
GRANT PROGRAM STAFFING FOR ADEQUATE FIRE AND EMERGENCY
RESPONSE (SAFER) GRANT IN THE AMOUNT OF \$193,556 FOR
RECRUITMENT AND RETENTION OF VOLUNTEER FIREFIGHTERS.**

WHEREAS, Department of Homeland Security, assists local fire departments with staffing and deployment capabilities; and,

WHEREAS, Local fire departments accomplish this by improving staffing and deployment capabilities so they may more effectively and safely respond to emergencies; and,

WHEREAS, With enhanced staffing levels, recipients should experience a reduction in response times and an increase in the number of trained personnel assembled at the incident scene; and,

WHEREAS, The Recruitment and Retention category which would allow the department to increase the number of Reserve Firefighters; and,

WHEREAS, The grant funds would cover training, personal protective equipment, a nominal stipend for the firefighters and promotional materials for recruitment. The grant performance period would cover four years.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside hereby approves the application of an Assistance to Fire Fighters SAFER grant for recruitment and retention of Volunteer Firefighters.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 3rd day of May, 2018, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.F.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton-Rerig, City Clerk

DATE: May 3, 2018

**SUBJECT: APPROVAL OF APPOINTMENTS TO BOARDS, COMMISSIONS,
AND COMMITTEES**

PURPOSE & RECOMMENDATION

That the City Council accept the recommendations from the Council Subcommittee and make appointments to the Homeless Committee, Environmental Committee and Planning Commission.

BACKGROUND

The Commissions, Committees and Boards are City Council appointed advisory bodies that serve as an important link between the City Council and Community by providing direct involvement in policy-making and communication of vital information.

According to Seaside Municipal Code 2.14.040, the Mayor with advice and consent of the City Council, shall make appointments to Commissions, Committees and Boards. As directed by Council, the Mayor and a rotating Council Member meet with all applicants prior to appointment. The City Manager designates Department Heads or other staff members to act as staff liaison to committees including to regularly attend meetings of advisory bodies to provide technical support.

City staff has submitted multiple advertisements inviting applications for positions on all City of Seaside Boards and Commissions and has listed the Board and Commission openings on the City website and posted vacancies on all of the Public Notice boards. Vacancies have also been posted on City social media accounts. Communications were sent to all existing applicants as well as existing Board, Commission and Committee members regarding vacancies.

The Mayor and Council Member Pacheco met with all applicants to discuss their applications on April 24, 2018 as shown on the attached schedule. Staff coordinated with each applicant regarding possible meeting times. As a result, the following appointments are recommended for the following

vacancies and terms:

MEMBER NAME	COMMISSION	VACANCIES	TERM	EXPIRATION
Jessica Hare	Homeless Committee	2	3 Years	April 2021
Alissa Kispersky	Planning Commission	1	4 Years	April 2022
Kera Abraham Panni	Environmental Committee	3	3 Years	April 2021
Christine Revelas	Environmental Committee	3	3 Years	April 2021
Bob Coble	Community Development Advisory Committee	2	2 Yers	April 2020

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Commission Interview schedule
 2. Applications
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.G.

TO: City Council

FROM: Craig Malin, City Manager

BY: Abdul Pridgen, Police Chief

DATE: May 3, 2018

SUBJECT: RESOLUTION TO MODIFY THE POSITION CONTROL LIST TO ADD ONE ADDITIONAL DEPUTY POLICE CHIEF, DELETE TWO POLICE COMMANDERS AND ADD ONE POLICE OFFICER DEDICATED TO TRAFFIC OPERATIONS.

PURPOSE & RECOMMENDATION

The purpose of this item is to approve a resolution to modify the position control list to add an additional Deputy Police Chief, delete two Police Commanders, and add one Police Officer dedicated to traffic operations.

BACKGROUND

After a comprehensive review of the Seaside Police Department programs and staffing, it has been determined that a more effective use of public safety personnel will result from a realignment of the Management Division. This reorganization includes the addition of a Deputy Police Chief and the deletion of two Commander positions. The Seaside Police Department conducted an assessment to fill a single Deputy Police Chief position. However, after considering historical norms, current opportunities, and future demands, we believe it would be advantageous to create an additional Deputy Chief position. The restructure would greatly assist the Seaside Police Department in fulfilling its mission and leveraging the talents of existing personnel to deliver quality police service.

This reorganization also includes the addition of a police officer dedicated to traffic enforcement and traffic safety campaigns. Currently, patrol officers respond to appeals for traffic enforcement throughout the City. Those requests occur in residential areas and business districts, as well as arterial roadways throughout the City. During the school year the police department typically receives multiple requests for traffic enforcement near elementary schools. As important as these requests are, patrol officers have an obligation to respond to emergency calls for service, which can limit the amount of time they can devote to traffic safety. Traffic safety is public safety. In February of 2017, the Police Department prepared a report detailing some of Seaside's traffic

challenges. The total number of injury accidents has increased by 42% since 2014, which is when the Traffic Unit was eliminated. The top three accident causes are Unsafe Start or Backing, Unsafe Turn, and Speeding. The traffic officer will focus on high accident locations, high violation areas, and traffic enforcement near elementary schools. The officer will also initiate Traffic Safety campaigns to educate drivers on the dangers of distracted driving. We believe reinstituting the Traffic Unit will improve the safety and well-being of our residents and visitors through initiatives aimed at achieving voluntary compliance.

FISCAL IMPACT

This change will result in budget savings in both the current fiscal year and next fiscal year.

For the remainder of Fiscal Year 2017/2018, the net savings will be approximately \$20,400.

In Fiscal Year 2018/2019, assuming the Police Officer position is filled starting July 1, the net annual savings will be approximately \$37,500.

ATTACHMENTS

1. Resolution
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**MODIFYING THE POSITION CONTROL LIST TO ADD ONE ADDITIONAL DEPUTY
POLICE CHIEF, DELETE TWO POLICE COMMANDERS, AND ADD ONE POLICE
OFFICER**

WHEREAS, the City's Classification Plan of positions may be amended on recommendation of the City Manager and approval by the City Council; and

WHEREAS, after considering historical norms, current opportunities, and future demands, it has been determined to be advantageous to create an additional Deputy Chief position; and

WHEREAS, the reorganization will greatly assist the Seaside Police Department in fulfilling its mission and leveraging the talents of existing personnel to deliver quality police service; and

WHEREAS, this reorganization results in the following changes to the Position Control List:

<u>Position</u>	<u>Current Allocation</u>	<u>New Allocation</u>
Deputy Chief	1	2
Police Commander	2	0
Police Officer	27	28

WHEREAS, the Finance Division is authorized to make the budget adjustments that are necessary as a result of this change.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside hereby approves addition modifying the position allocation list to reflect the reorganization of the Police Department.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 3rd day of May by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Ralph Rubio, Mayor
City of Seaside

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.H.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton-Rerig, City Clerk

DATE: May 3, 2018

**SUBJECT: APPROVE RESOLUTION AWARDING CONTRACT FOR THE
PUBLICATION OF LEGAL NOTICES**

PURPOSE & RECOMMENDATION

To approve a resolution awarding a contract with The Monterey County Weekly for publication of the City of Seaside legal notices and authorize the City Manager to execute the contract.

BACKGROUND

An informal requests for Bids for the printing and publication for required legal notices for the City of Seaside was distributed with a deadline response date of Thursday, April 26, 2018. Two responses were received; The Monterey Herald, a daily publication, and the Monterey County Weekly, a weekly publication. Both provided evidence that they are legally adjudicated as newspapers of general circulation under Government Code Section 6008. Staff reviewed the bid submittals and determined that both submittals were complete and responsive.

The lowest responsive bidder was Monterey County Weekly who submitted a bid of **\$8.85** for the first year, **\$9.05** for the second year per column inch, and **\$9.25** per column inch for year three. The Monterey County Weekly proposal provided for a larger per column inch size at a significantly lower price than the other respondent. It was acknowledged by the Monterey County Weekly that this is a non-exclusive agreement which allows the City to use the daily paper due to time sensitivity of a publication. The Monterey County Weekly, a local newspaper, has been providing essentially error-free, dependable service at competitive pricing to the City since 2001.

Based upon bids received, staff recommends awarding this contract for a 3-year period to the Monterey County Weekly with the option to extend the contract for up to two (2) one (1) year periods by written consent by both parties.

FISCAL IMPACT

The fiscal impact is expected not to exceed \$21,000 for the three year contract term, unless additional services are requested and approved as provided in the attached Agreement. Costs associated with legal notices are included in the 2017-18 and 2018-19 proposed Budget.

ATTACHMENTS

1. Draft Resolution
 2. McWeekly
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING CONTRACT FOR PUBLICATION OF LEGAL NOTICES

WHEREAS, An informal Requests for Bids for the printing and publication for required legal notices for the City of Seaside was solicited with a deadline of April 26, 2018; and

WHEREAS, Two Bids were received; *The Monterey Herald*, a daily publication, and the *Monterey County Weekly*, a weekly publication. Both provided evidence that they are legally adjudicated as newspapers of general circulation under Government Code Section 6008; and

WHEREAS, Staff reviewed the bid submittals and determined that *both* bid submittal were complete responsive; and

WHEREAS, The *Monterey County Weekly* submitted a bid of **\$8.85** for the 1st year and **\$9.05** for the 2nd year, per column inch, and **\$9.25** per column inch for year three. The proposal provided for a larger per column inch size at a lower price; and

WHEREAS, The *Monterey County Weekly*, a local newspaper, has been providing essentially error-free, dependable service at competitive pricing to the City since 2001.

NOW THEREFORE, BE IT RESOLVED based upon bids received, the City Council authorizes executing a contract for a 3-year period to the *Monterey County Weekly* with the option to extend the contract for up to two (2) one (1) year periods by written consent by both parties.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 3rd day of May 2018, by the following vote:

AYES:	COUNCIL MEMBERS
NOES:	COUNCIL MEMBERS
ABSENT:	COUNCIL MEMBERS
ABSTAIN:	COUNCIL MEMBERS

APPROVED:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



Bid for Publication of Legal Advertisements for the City Of Seaside

***Monterey County Weekly* is an adjudicated newspaper of general circulation.**

***Monterey County Weekly* has an audited circulation (unlike any other *Weekly* newspaper in Monterey County).**

***Monterey County Weekly* will offer the City Of Seaside the following discounted contract rates:**

2018: \$8.85 per column inch

2019: \$9.05 per column inch

2020: \$9.25 per column inch

Legal notices are printed in Helvetica Neue Condensed type style at a 7 point size.

The deadline for publication in each Thursday's paper is Tuesday at noon. A proof will be submitted for approval prior to each publication.

LOCAL & INDEPENDENT

668 Williams Avenue >> Seaside, CA 93955 >> 831.394.5656 >> Fax 831.394.2909 >> Classifieds 831.393.3939 >> Fax Classifieds 831.394.0499

www.MontereyCountyWeekly.com

Audit Period: October 1, 2016 – September 30, 2017

Monterey County Weekly

668 Williams Avenue
Seaside, CA 93955
(831) 394-5656
(831) 394-2909 FAX

EMAIL: erik@mcweekly.com
www.montereycountyweekly.com

1. Audited Media Platforms

Print Publication:	Average Net Circulation:	33,583	(Print Edition)
Digital Edition:	Average Monthly Unique Users:	2,857	(Digital Edition)
Mobile App:	Average Monthly Unique Users:	1,275	
Website:	Average Website Unique Users:	143,389	
Social Media:	Average Facebook Likes:	13,149	
	Average Twitter Followers:	9,423	
E-Newsletters:	Average E-Newsletter Subscribers:	32,153	



2. Publication Information

Number of Editions:	One
Format / Average Page Count:	Tabloid Magazine / 68 Pages
Circulation Cycle:	Weekly
Ownership:	Milestone Communications, Inc.
Year Established:	1988
Publication Type:	Community Newspaper
	100% Controlled / 0% Paid / 0% Sponsor Paid
Content:	60% Advertising / 40% Editorial
Primary Delivery Methods:	<1% Mail / 100% Controlled Bulk
Insert Zoning Available:	Yes – ZIP Code
CVC Member Number:	01-3847
DMA/MSA/CBSA:	Monterey, CA / Salinas, CA / Salinas, CA
Audit Funded By:	Publisher

3. Rate Card and Mechanical Data

Rate Card Effective Date:	January 1, 2017
Mechanical Data:	Four (4) columns X 11.25" column depth Full page: 10" wide X 11.25" depth.
Open Rate:	Local: \$1,546.00 Full Page - \$126.00 1/16 th Page National: \$1,546.00 Full Page - \$126.00 1/16 th Page
Insert Open Rate:	\$65.00 per thousand
Classified Rate:	Contact Publisher
Deadline Day & Time:	Wednesday by 12 Noon
Website Rates:	\$16.00 CPM
E-Newsletter Rates:	\$275.00 / Newsletter

Additional rates may be available from the publisher.

4. Contact Information

Publisher:	Erik Cushman	EMAIL: erik@mcweekly.com
Advertising:	Erik Cushman	EMAIL: erik@mcweekly.com
Circulation:	Kevin Jones	EMAIL: kjones@mcweekly.com

5. Audited Circulation, Distribution and Net Press Averages - Print Edition

CVC Account Number: 01-3847		Thursday	Monterey County Weekly Seaside, CA
Audit Period Summary			
Average Net Circulation	(5-H)		33,583
Average Gross Distribution	(5-F)		36,013
Average Net Press Run	(5-A)		36,038
Audit Period Detail			
A. Average Net Press Run			36,038
B. Office / File			25
C. Controlled Distribution			
1. Carrier Delivery			0
2. Bulk Delivery / Demand Distribution			34,558
3. Mail			171
4. Requestor Mail			0
5. Waiting Rooms			0
6. Hotels			0
7. Events, Fairs, Festivals and Trade Shows			0
8. Education			0
9. Restock & Office Service			1,284
Total Average Controlled Distribution			36,013
Controlled Returns			(2,430)
TOTAL AVERAGE CONTROLLED CIRCULATION			33,583
D. Paid Distribution			
1. Carrier Delivery			0
2. Single Copy			0
3. Mail			0
4. Waiting Room			0
5. Hotels			0
6. Education			0
7. Restock & Office Service			0
Total Average Paid Distribution			0
Paid Returns			(0)
TOTAL AVERAGE PAID CIRCULATION			0
E. Sponsored / Voluntary Paid Distribution			
1. Carrier Delivery			0
2. Single Copy			0
3. Mail			0
4. Waiting Rooms			0
5. Education			0
Total Average Sponsored Distribution			0
Sponsored Returns			(0)
TOTAL AVERAGE SPONSORED CIRCULATION			0
F. Average Gross Distribution			36,013
G. Total Unclaimed / Returns			(2,430)*
H. Average Net Circulation			33,583

Explanatory – Print

PARAGRAPH FIVE AUDIT PERIOD SUMMARY

AVERAGE NET CIRCULATION: Average net circulation based on quarterly averages for the audit period indicated. (Total of controlled distribution (C), paid distribution (D), and sponsored distribution (E) minus unclaimed / return (G)). See audit period detail (H).

AVERAGE GROSS DISTRIBUTION: Average gross distribution based on quarterly averages for the audit period indicated. (Total of controlled distribution (A), paid distribution (B), and sponsored distribution (C)). See audit period detail (F).

NET PRESS RUN: Average net press run based on quarterly averages during the audit period indicated. The net press run average does not include press waste, or start-up copies. See audit period detail (A).

AUDIT PERIOD DETAIL

- A. 1. NET PRESS RUN:** Average net press run based on quarterly averages during the audit period indicated. The net press run average does not include press waste, or start-up copies.
- B. 1. OFFICE / FILE:** Undistributed editions maintained by the publisher for office purposes. Office / File editions do not qualify as controlled, paid, or sponsored distribution.
- C. CONTROLLED DISTRIBUTION (NON-PAID):** Editions distributed by the publisher free of charge.
- 1. CARRIER DELIVERY:** Editions delivered by private carrier to single family residences, and/or multi-family residences, and/or businesses.
- 2. CONTROLLED BULK / DEMAND DISTRIBUTION:** Editions distributed to newsracks, newsstands, and/or area retail businesses and available to individual readers. Subject to paragraph 5G returns.
- 3. MAIL:** Editions delivered by United States Postal Service mail to single family residences, and/or multi-family residences, and/or businesses, and/or post office boxes.
- 4. REQUESTOR MAIL:** Editions delivered on a requestor basis by United States Postal Service mail to single family residences, and/or multi-family residences, and/or businesses, and/or post office boxes. Qualified requestor circulation and other mail permit qualifications are audited by the United States Postal Service and not determined by CVC.
- 5. CONTROLLED WAITING ROOMS:** Editions delivered to the waiting areas of local business and office buildings, including, but not limited to salons, medical and professional offices.
- 6. CONTROLLED HOTELS:** Editions distributed to area hotels and available to individual readers. Subject to paragraph 5G returns.
- 7. EVENTS, FAIRS, FESTIVALS and TRADE SHOWS:** Editions distributed to attendees and members of conventions, local fairs, festivals, trade shows and available to individual readers. Subject to paragraph 5G returns.
- 8. CONTROLLED EDUCATION:** Editions distributed to area schools or educational institutions and available to individual readers. Subject to paragraph 5G returns.
- 9. RESTOCK / OFFICE SERVICE:** Editions maintained and distributed by the publisher for restock of newsracks, newsstands, area retail businesses, office deliveries, and advertising purposes during the edition cycle. Subject to paragraph 5G returns.
- CONTROLLED RETURNS:** Edition distributed in the controlled distribution category, returned to the publisher unclaimed during the edition cycle *(See paragraph 11 for CVC return/unclaimed confirmation.) Publications with greater than 25% returnable source distribution must report returns or unclaimed copies to qualify for net circulation reporting.
- D. PAID DISTRIBUTION:** Editions distributed by the publisher through paid subscription or other monetary exchange with individual readers.
- 1. CARRIER DELIVERY:** See C1 for explanation of carrier home delivery. See paragraph 12 for paid reporting analysis.
- 2. SINGLE COPY:** Editions distributed to newsracks, newsstands, and/or area retail businesses and available to individual readers. Subject to paragraph 5G returns. See paragraph 12 for paid reporting analysis.
- 3. MAIL:** See C3 for explanation of mail distribution. See paragraph 12 for paid reporting analysis.
- 4. PAID WAITING ROOMS:** See C5 for explanation of waiting room distribution.
- 5. PAID HOTELS:** See C6 for explanation of hotel distribution.
- 6. PAID EDUCATION:** See C8 for explanation of educational copy distribution.
- 7. RESTOCK / OFFICE SERVICE:** See C9 for explanation of restock and office distribution.
- PAID RETURNS:** See section C: controlled returns for explanation of returns reporting. *(See paragraph 11 for CVC return/unclaimed confirmation.)
- E. SPONSORED / VOLUNTARY PAID DISTRIBUTION:** Editions distributed by the publisher that are sponsored by a third party monetary exchange or voluntary reader payment system.
- 1. CARRIER DELIVERY:** See C1 for explanation of carrier home delivery.
- 2. SINGLE COPY:** Editions distributed to newsracks, newsstands, and/or area retail businesses and available to individual readers on a sponsored or voluntary pay basis. Subject to paragraph 5G returns.
- 3. MAIL:** See C3 for explanation of mail distribution.
- 4. SPONSORED WAITING ROOMS:** See C5 for explanation of waiting room distribution.
- 5. SPONSORED EDUCATION:** See C8 for explanation of educational copy distribution.
- 6. RESTOCK / OFFICE SERVICE:** See C9 for explanation of restock and office distribution.
- SPONSORED RETURNS:** See section C: controlled returns for explanation of returns reporting *(See paragraph 11 for CVC return/unclaimed confirmation.)
- F. AVERAGE GROSS DISTRIBUTION:** Average gross distribution based on quarterly averages for the audit period indicated. Total of controlled distribution (A), paid distribution (B), and sponsored distribution (C).
- G. TOTAL UNCLAIMED / RETURNS:** Distributed editions returned to the publisher unsold and/or unclaimed during the edition cycle. *(See paragraph 11 for CVC return/unclaimed confirmation.)
- H. AVERAGE NET CIRCULATION:** Average net circulation for the audit period indicated. Total of controlled distribution (C), paid distribution (D), and sponsored distribution (E) minus unclaimed / return (G).

6A. Audited Average Website Reporting - www.montereycountyweekly.com

	Monthly Audit Period Average
Website Unique Users	143,389
Website Sessions	215,734
Percent of New Users	65.03%
Website Page Views	508,469
Pages Per Visit	2.36
Average Time Spent on Website	00:01:15
Bounce Rate	63.87%

Explanatory – Website

PARAGRAPH SIX (A)

UNIQUE USERS: A unique user to a website where the user registers or where the user is identified or marked by a cookie, IP address, or other ID that is attached to the browser within the defined cycle. Limitations apply to the measurement of unique users. Please see CVC Rules & Regulations for further information.

SESSIONS: The total number of sessions, expressed as a monthly average, to a publication's website regardless of unique status, as expressed above.

PERCENT NEW USERS: The percentage of users that have visited the publication's website for the first time through the course of the month and are considered unique and are differentiated from multiple returning users.

PAGE VIEWS: The transmittal of a full page contained within the website to the user's browser.

PAGES PER VISIT: The average number of page views per session, expressed as a monthly average.

AVG. TIME SPENT: The average amount of time spent on a website during a single visit, expressed in hours, minutes and seconds.

BOUNCE RATE: Bounce rate reports the percentage of visits that view only one page before exiting a site. This number is presented as a monthly average.

6B. Audited Online/Digital Edition Reporting

	Monthly Audit Period Average
Unique Digital Edition Users (Web)	2,857
Digital Edition Page Views (Web)	65,441
Unique Digital Edition Users (Mobile)	1,275
Digital Edition Page Views (Mobile)	29,065

Explanatory – Digital Edition

PARAGRAPH SIX (B)

DIGITAL EDITION SINGLE COPY: Single electronic editions purchased and downloaded by a reader. These are copies distinct from any regular digital subscription

DIGITAL EDITION: Subscribers to a digital edition version of the publication. Subscriptions, unless expressed here, may be part of a print subscription package or a stand-alone digital subscription. Please see CVC Rules & Regulations for further information.

UNIQUE DIGITAL EDITION USERS (WEB): Unique users to a digital edition publication where the user registers or where the user is identified or marked by a cookie, IP address, or other ID that is attached to the browser with the defined cycle. A unique user counts once within the timescale. A user can make multiple visits. Limitations apply to the measurement of unique visitors. Please see CVC Rules & Regulations for further information.

DIGITAL EDITION PAGE VIEWS (WEB): Requests for files whose types are defined as pages; transmittals of full pages contained within the digital edition publication to the user's browser. Several page views are expected to be logged per Visit/Session.

UNIQUE DIGITAL EDITION USERS (MOBILE): Unique users to a digital edition publication, through a mobile device where the user registers or where the user is identified or marked by a cookie, IP address, or other ID, that is attached to the browser with the defined cycle. A unique user counts once within the timescale. A user can make multiple visits. Limitations apply to the measurement of unique visitors. Please see CVC Rules & Regulations for further information.

DIGITAL EDITION PAGE VIEWS (MOBILE): Requests for files whose types are defined as pages; transmittals of full pages contained within the digital edition publication to the user's browser. Several page views are expected to be logged per Visit/Session.

6C. Text Media - Not Reported



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6D. Social Media

Social Media Source	Average Media Usage	December 2017
Facebook - www.facebook.com/MontereyCountyWeekly	13,149 Likes	15,482 Likes
Twitter - @mcweekly	9,423 Followers	10,151 Followers

Explanatory – Social Media**PARAGRAPH SIX (D)**

FACEBOOK LIKES: The average number of likes as expressed by followers of the Facebook page. Information sourced at regular intervals from the publications page on Facebook.com or third party measurement sources.

TWITTER FOLLOWERS: The average number of followers as expressed by members of the Twitter community. Information sourced at regular intervals from the publications page on Twitter.com or third party measurement sources.

6E. Email Media

Media Type	Database Recipients
Non-Subscriber Email Opt-In Database	32,153

Explanatory – Email Media, E-Newsletters & E-Blasts**PARAGRAPH SIX (E)**

NON-SUBSCRIBER EMAIL OPT-IN DATABASE: Subscribers who have provided email contact data to receive newsletters, special content, special offers, coupons or redemption codes for use within a specified period of time, and are sourced through third party efforts such as trade shows, opt-in email newsletters or surveys.

6F. Video & Podcast Media - Not Reported**7. Average Print Circulation History**

YEAR	AUDIT SOURCE	Q1	Q2	Q3	Q4
01/01/17-12/31/17	CVC	33,438	33,545	33,828	-
01/01/16-12/31/16	CVC	33,156	33,827	34,098	33,522
10/01/15-12/31/15	CVC	-	-	-	33,715
10/01/12-09/30/15	VAC	-	-	-	-

8. Distribution by Zip Code (9/28/2017 Edition) Thursday

ZIP CODE	CITY / AREA	COUNTY	STATE	CARRIER DELIVERY	CONTROLLED BULK / SINGLE COPY	MAIL	OFFICE / RESTOCK	TOTAL
93901	Salinas	Monterey	CA	0	3,995	0	0	3,995
93905	Salinas	Monterey	CA	0	485	0	0	485
93906	Salinas	Monterey	CA	0	2,775	0	0	2,775
93907	Prunedale	Monterey	CA	0	840	0	0	840
93908	Salinas	Monterey	CA	0	225	0	0	225
93912	Salinas	Monterey	CA	0	85	0	0	85
93920	Big Sur	Monterey	CA	0	520	0	0	520
93921	Carmel By The Sea	Monterey	CA	0	1,780	0	0	1,780
93923	Carmel By The Sea	Monterey	CA	0	3,130	0	0	3,130
93924	Carmel Valley	Monterey	CA	0	530	0	0	530
93925	Chualar	Monterey	CA	0	30	0	0	30
93926	Gonzales	Monterey	CA	0	275	0	0	275
93933	Marina	Monterey	CA	0	2,295	0	0	2,295
93940	Monterey	Monterey	CA	0	8,790	0	0	8,790
93950	Pacific Grove	Monterey	CA	0	3,765	0	0	3,765
93953	Pebble Beach	Monterey	CA	0	260	0	0	260
93955	Seaside	Monterey	CA	0	4,070	180	335	4,585
93960	Soledad	Monterey	CA	0	545	0	0	545

8. Distribution by Zip Code (9/28/2017 Edition) Thursday (continued)

ZIP CODE	CITY / AREA	COUNTY	STATE	CARRIER DELIVERY	CONTROLLED BULK / SINGLE COPY	MAIL	OFFICE / RESTOCK	TOTAL
95004	Aromas	Monterey	CA	0	200	0	0	200
95012	Castroville	Monterey	CA	0	170	0	0	170
95039	Moss Landing	Monterey	CA	0	480	0	0	480
95076	Watsonville	Santa Cruz	CA	0	240	0	0	240
TOTAL				0	35,485	180	335	36,000

9. Distribution by County (9/28/2017 Edition) Thursday

COUNTY	CITY / AREA	STATE	CARRIER DELIVERY	CONTROLLED BULK / SINGLE COPY	MAIL	OFFICE / RESTOCK	TOTAL
Monterey	Aromas Big Sur Carmel By The Sea Carmel Valley Castroville Chualar Gonzales Marina Monterey Moss Landing Pacific Grove Pebble Beach Prunedale Salinas Seaside Soledad	CA	0	35,245	180	335	35,760
Santa Cruz	Watsonville	CA	0	240	0	0	240
TOTAL			0	35,485	180	335	36,000

10. Verification of Distribution – Carrier Delivery and Mail Distribution

Monterey County Weekly did not report significant carrier delivery or mail distribution during the audit period. Carrier delivery is verified through the review of carrier statements and/or additional publisher support documents. Mail distribution is verified through the review of postal mail statements and/or additional publisher support documents.

11. Verification of Distribution – Controlled Bulk / Demand Distribution / Single Copy

The Circulation Verification Council performed delivery verification in the primary market areas indicated in paragraph nine. Delivery verification can include, but is not limited to, on-site verification, business and cell phone verification, online, email, and/or social media contact. Delivery verification source data can include, but is not limited to, business and cell phone listings, delivery lists, opt-in email, online, and/or social media databases. Circulation Verification Council performed the delivery verification from locations chosen randomly from the publication's delivery list(s). The purpose was to verify whether the distribution and return quantities reported by the publisher are reasonable and accurate.

CVC verification substantiates Monterey County Weekly's claim of 2,430 returnable source distributed editions returned to the publisher unclaimed after the edition cycle.

12. Paid Reporting Analysis – Not Applicable



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13. Council Audit Statement

Circulation Verification Council (CVC) reviewed the printing, distribution, circulation, technology, and general business records of this publication for the purpose of compiling this information. The review was completed using Council audit procedures considered necessary under the circumstances of the audit in compliance with CVC Rules and Regulations. In our opinion, this report fairly and accurately represents the publication's printing, distribution, circulation, and technology reporting, if applicable, for the period indicated. The publication has sworn that the information presented for this audit reporting is accurate and supplied CVC with general business records substantiating the information under audit review. This report is released subject to the provisions of the CVC Rules & Regulations which are hereby incorporated by reference. CVC Rules & Regulations may be amended from time to time without notice at the sole discretion of CVC. In no event shall CVC be liable for indirect, incidental, consequential, special, or punitive damages, or damages for lost profits, lost income, or lost savings arising by negligence, intended conduct, breach of contract, or otherwise. CVC reports and data are released for the sole use of advertising purchase evaluations and any use for valuations or determination of value is strictly prohibited. CVC reports may not be used for USPS requestor or other permit qualifications. This report is subject to copyright laws and may only be reproduced by the publisher.



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The current status of this report expires December 31, 2018.

If this report is presented after December 31, 2018 please call the toll-free number listed below.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.I.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton-Rerig, City Clerk

DATE: May 3, 2018

SUBJECT: APPROVE A RESOLUTION CALLING FOR AN ELECTION ON NOVEMBER 6, 2018 IN THE CITY OF SEASIDE TO ELECT ONE (1) MAYOR AND (2) COUNCIL MEMBERS, TO AUTHORIZE CONSOLIDATION WITH MONTEREY COUNTY'S GENERAL ELECTION AND TO APPROVE AN AGREEMENT WITH THE MONTEREY COUNTY ELECTIONS DEPARTMENT FOR ELECTION SERVICES

PURPOSE & RECOMMENDATION

Per Elections Code Section 1002 and the Seaside Municipal Code, this item is requesting the Council authorization to call for an election on November 6, 2018, declaring two council member and one mayoral seat, to consolidate the election with the general municipal election and authorize the Monterey County Registrar of Voters to provide for election services for the election.

BACKGROUND

Per the Seaside Municipal Code, the City of Seaside conducts its elections every other November in conjunction with the general municipal election. This year the election will be on November 6, 2018.

As required by Elections Codes 10509, 10522, 10524 and the Seaside Municipal Code, the City of Seaside must officially call for an election to be held and prepare a statement of election facts, inform the voters which elective positions are to be filled and the intent to consolidate the election with the general municipal election. Under these provisions, the City of Seaside must call for an election to be held on November 6, 2018, for the purpose of electing successors to the terms of office which will expire in November 2018. Members of the City Council serve four (4) year terms on a two year rotating basis and the Mayor serves a two year term. In November 2018, the terms for Mayor Rubio, and Council Members Alexander and Campbell will expire.

Additionally, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections.

In years past, for the ease and convenience to the registered voters within this City, and in order to take advantage of any possible reduction in election costs, it is desirable that this City election be consolidated with any other election to be held on the same day. If approved, the Monterey County Registrar of Voters will conduct the election for the City of Seaside. Attachment A is a resolution calling for an election on November 6, 2018 and authorizes the City to consolidate our election and contract with Monterey County Election for election services.

If the call of election is approved for the November 6, 2018 election, the Nomination period will begin on July 16, 2018 at 8:00 a.m. and will close at 5:00 p.m. on Friday, August 10, 2018. If any of the above incumbents do not file during the designated period, the nomination-filing period will be extended until 5:00 p.m., Wednesday, August 15, 2018. Information will generally be available and documents can typically be submitted to the City Clerk between the hours of 8:00 a.m. to 12 Noon and from 1:30 p.m. to 5:00 p.m. Monday through Friday during the nomination period.

FISCAL IMPACT

The total cost of election services are difficult to predict as the formula is based on a variety of factors, including the number of candidates, number of ballot measures, jurisdictions participating and the total voter turn out. Based on past election year data, Monterey County Elections has estimated the election costs to be between \$77,364 and \$103,152, which is approximately \$6-8 per voter. The City will be invoiced for the actual cost of services once the election has concluded.

ATTACHMENTS

1. Draft-Resolution
 2. Statement of Election Facts
 3. ROV Services Agreement
 4. Election Calendar
-

Reviewed for Submission to the
City Council by:



Meeting Date: May 3, 2018

Craig Malin, City Manager

RESOLUTION NO. 18-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**CALLING AND PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO
BE HELD IN THE CITY OF SEASIDE ON TUESDAY, NOVEMBER 6, 2018;
REQUESTING THE REGISTRAR OF VOTERS TO CONDUCT ELECTION;
REQUESTING CONSOLIDATION OF ELECTION FOR CITY OF SEASIDE
EXACTLY AS IT WILL APPEAR ON THE BALLOT; AND AUTHORIZING
THE CITY MANAGER TO EXECUTE SERVICE AGREEMENT FOR THE
PROVISION OF ELECTION SERVICES BETWEEN THE CITY OF SEASIDE
AND MONTEREY COUNTY ELECTION DEPARTMENT/
REGISTRAR OF VOTERS**

WHEREAS, under the provisions of the Elections Code, the City Council of the City of Seaside must call the General Municipal Election to be held on November 6, 2018, for the purpose of electing successors to the terms of office which will expire in November 2020; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Section 13307 of the Elections Code, it is incumbent upon this City Council to determine who will pay the cost of the candidate's statement and to fix the maximum number of words to be submitted; and

WHEREAS, pursuant to Elections Code Section 10002, the city shall reimburse the county in full for the services performed upon presentation of a bill to the city; and

WHEREAS, for the ease and convenience to the registered voters within this City, and in order to take advantage of any possible reduction in election costs, it is desirable that this City election be consolidated with any other election to be held on the same day.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Seaside, as follows:

1. A General Municipal Election is hereby ordered and will be held in the City of Seaside on Tuesday, the 6th day of November, 2018, for the purpose of electing one (1) person to the Office of Mayor for a term of two (2) years, and two (2) persons to the Office of Council Member for the term of four (4) years each; and

2. Pursuant to Section 13307(c) for the Elections Code, the City has resolved that the candidates will pay the cost of the candidate's statement. Said statement shall not exceed 200 words in length and no other candidate materials will be allowed to be mailed pursuant to Section 13303 of the Election Code; and
3. The candidate shall submit payment made payable to the City of Seaside upon submission of the Candidate's Statement to the City Clerk; and
4. This election shall be consolidated with any other election to be held totally or partially within the boundaries of this City; and
5. The City Council hereby authorizes the official canvass to be conducted by the Registrar of Voters commencing no later than Tuesday, December, 6, 2018; and
6. The City Manager is hereby authorized to contract with the County of Monterey for the administration of part or all of the aforesaid Municipal Election by the County, and the County Registrar of Voters is authorized to bill the City, on a pro-rated basis, for any and all costs associated with the City Election, as requested on the attached Request for Elections Services.

BE IT FURTHER RESOLVED that the Monterey County Elections Department conduct the election for the following offices on the November 6, 2018 ballot:

District/Ward Trustee Area	OFFICE	INCUMBENT	TERM EXPIRATION
At Large	Mayor	Ralph Rubio	November 2018
At Large	Council Member	Dennis Alexander	November 2018
At Large	Council Member	Jason Campbell	November 2018

PASSED AND ADOPTED at a regular meeting of the City of Seaside City Council duly held on the ____ day of _____, ____ by the following vote:

AYES: COUNCIL MEMBERS
 NOES: COUNCIL MEMBERS
 ABSENT: COUNCIL MEMBERS
 ABSTAIN: COUNCIL MEMBERS

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.J.

TO: City Council

FROM: Craig Malin, City Manager

BY: Brian Dempsey, Fire Chief
Abdul Pridgen, Police Chief

DATE: May 3, 2018

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE APPROVING THE 2018 FIREWORKS SURCHARGE PERCENTAGE.

PURPOSE & RECOMMENDATION

The purpose of this Resolution is to approve the proposed 2018 Fireworks Surcharge of seven percent as outlined in the City of Seaside Municipal Code Chapter 8.32 relating to fireworks.

BACKGROUND

The City of Seaside Fireworks Ordinance is found in the Seaside, California, Code of Ordinances, Title 8, Health and Safety Code. Chapter 8.32 Section 8.32.140 Police and Fire Department Illegal Fireworks Operation Plan and After Action Report require the Police and Fire Departments to present to City Council an Operations Plan for the thirty day period surrounding the 4th of July. Also Section 8.32.150 allows the City to assess a surcharge of not more than 7% of the gross sales of fireworks sold in the City that year. The surcharge is intended to raise sufficient funds for the City to pay for the cost of enforcement of the provisions of Chapter 8.32, including extra personnel time and clean-up of the fireworks trash and debris left behind each year.

OPERATIONS PLAN RELATED COSTS

Police Department \$23,120

Fire Department \$ 2,521

Public Works \$ 8,361

Total \$34,002

PREVIOUS COUNCIL ACTION

At the February 1, 2018 City Council meeting the 2018 Illegal Fireworks Operation Plan was presented; this resolution addresses the surcharge only.

FISCAL IMPACT

The City may impose an up to a 7% surcharge of the gross sales of fireworks for that year. The surcharge estimates will be based on the actual 2017 retail sales figures of \$245,139.04.

1%	\$2,451.39
2%	\$4,902.78
3%	\$7,354.17
4%	\$9,805.56
5%	\$12,256.95
6%	\$14,708.34
7%	\$17,159.73

ATTACHMENTS

1. Resolution
 2. Fireworks Ordinance Sections 8.32.140 and 8.32.150
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING THE 2018 FIREWORKS SURCHARGE PERCENTAGE.

WHEREAS, The City of Seaside Fireworks Ordinance is found in the Seaside, California, Code of Ordinances, Title 8, Health and Safety Code, Chapter 8.32; and,

WHEREAS, Section 8.32.140 Police and Fire Department Illegal Fireworks Operation Plan and After Action Report require the Police and Fire Departments to present to City Council an Operations Plan for the thirty day period surrounding the 4th of July; and,

WHEREAS, The Police and Fire Operations Plan was presented at the February 1, 2018 City Council meeting; and,

WHEREAS, Section 8.32.150 allows the City to assess a surcharge of not more than 7% of the gross sales of fireworks sold in the City that year; and,

WHEREAS, The surcharge is intended to raise sufficient funds for the City to pay for the cost of enforcement of the provisions of Chapter 8.32, including extra personnel time and clean-up of the fireworks trash and debris left behind each year.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside hereby approves the proposed Police, Fire and Public Works Operations Plan and Surcharge of seven percent for 2018.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 3rd day of May, 2018, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

ORDINANCE AMENDING AND RESTATING CITY OF SEASIDE MUNICIPAL
CODE CHAPTER 8.32 RELATING TO FIREWORKS

8.32.140 & 8.32.150

**8.32.140 POLICE AND FIRE DEPARTMENT ILLEGAL FIREWORKS OPERATION PLAN
AND AFTER ACTION REPORT.**

(a) On or before the first regular City Council meeting in May of every year, both the City's police and fire departments must present to the City Council an Operation Plan for the thirty day period surrounding the 4th of July (June 17 through July 16) for that year. Said operation plan should include, but not be limited to, the following information:

1. Identification of areas within the City where illegal fireworks were a problem in the previous year;
2. A general explanation of the supplemental fire and law enforcement personnel deployed within the City;
3. A report on the additional apparatus and personnel who'll be on duty for the period of June 17th through July 16th of that year.
4. Recommendations on and discussion of what, if any, dedicated illegal fireworks enforcement patrols there should be for that year and all other relevant information and statistics deemed necessary by the City Council.
5. A detailed discussion of the costs that will be incurred by the City that year to be delivered in the operation plan; what, if any, of these costs will be covered by existing fees levied on the permittees, and unexpended surcharge revenue from prior years.
6. A proposed recommendation for a surcharge resolution establishing the surcharge amount to be levied that year on each retail sale of Safe and Sane Fireworks in an amount not to exceed 7%.

(b) On or about September 1 of that same year, both police and fire departments must report back to the City Council with an After Action Report. That report should include, but is not limited to:

1. An evaluation of the effectiveness of that department's Operation Plan for that year including a listing of any significant fireworks-related incidents, both "Dangerous Fireworks" and "Safe and Sane Fireworks";

2. Relevant incident statistics for the period of June 17th through July 16th, and identification of fireworks related incidents.
3. A report on how many calls there were regarding suspected “Dangerous Fireworks”, how many of those calls either of the departments responded to, how many of those calls resulted in seizures and/or administrative fine citations.

8.32.150 Fireworks Surcharge.

(a) All nonprofit retail booth locations shall assess a surcharge, on all retail sales of Safe and Sane Fireworks that occur in the City. The assessment shall be paid by the permittee upon presentment of an invoice by the City. The surcharge will be assessed to the public for each retail sale and is up and above the retail price of the fireworks and will not be deducted from the permittees net profit.

(b) The assessment is intended to raise sufficient funds for the City to help pay for the cost of enforcement; inspection of stands; public education and awareness campaigns; enforcing the provisions of this Chapter, including extra personnel time, and cleanup of the fireworks trash and debris left behind each year. “Extra personnel time” shall be defined as employee or contracted employee time that the City would not otherwise incur but for the sale and use of Safe and Sane Fireworks. By the first regular City Council meeting in May of each year, the City Manager must submit to the City Council for its approval, a proposed budget for police, fire, administrative services and public works departments. The exact amount of the assessment shall be determined each year by no later than the second regular City Council meeting in May of that year and notice sent to each of the permittees. In no event shall the assessment be more than 7% of the gross sales of the fireworks sold in the City that year. The fireworks wholesaler with whom each permittee has contracted shall be responsible for collecting the estimated assessment from their nonprofit organizations, advising the City of the amount of each estimated assessment collected, and holding the funds in trust pending notification by the City of the exact amount owed. After the City determines each permittee’s share of the total annual sales volume, each permittee shall be billed for its share of the total assessment. A duplicate copy of each permittee’s invoice will be sent to its fireworks wholesaler. Payment of the assessment by each permittee shall be due to the City 30 days after the issuance of the invoice. The expenses submitted are subject to review, audit and dispute by any permittee who has to pay the assessment that year. Any dispute of the assessment must be filed within 15 days of its receipt or any right to contest it will be deemed waived. The City Council is the final arbiter of any disputed assessment. Any excess (i.e., difference between amount of surcharge collected by each group and the amount of their individual assessment) shall remain the property of that permittee.

(c) Failure by any permittee to pay the amount assessed to it by the City shall be cause to bar the permittee from selling Safe and Sane Fireworks in the future, until the

assessment is paid in full. Furthermore, if the assessment is not paid by the due date, it shall be subject to a 10% penalty for each month or portion of a month that it is late.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.K.

TO: City Council

FROM: Craig Malin, City Manager

BY: Beth Rocha, Associate Planner

DATE: May 3, 2018

**SUBJECT: APPROVE RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE AN OPERATING AGREEMENT WITH OFO TO
ESTABLISH A COMMERCIAL DOCKLESS BIKE SHARE
PROGRAM IN SEASIDE**

PURPOSE & RECOMMENDATION

That the City Council approve a resolution authorizing the City Manager to execute an agreement with OFO US Ltd. to provide and facilitate a dockless bike share program in the City of Seaside.

BACKGROUND

At the beginning of the May 3, 2018 meeting, the City Council will receive a presentation regarding the OFO dockless bike share program.

In March 2018, Seaside planning staff was directed to resume conversations regarding the establishment of a bikeshare system with regional partners in the Monterey County. Meetings were held with the TAMC, Cal State University Monterey Bay (CSUMB), and the cities of Monterey and Pacific Grove. These successful conversations established a consensus in pursuing bikeshare in the region and Seaside planning staff contacted ofo (<https://www.ofo.com/us/en>), a dockless bikeshare company, to invite them to discuss their business model. On February 16th, Seaside planning staff hosted a meeting at Seaside Creates with CSUMB, the cities of Monterey and Pacific Grove, and staff from ofo and thereafter presented the City with a draft operating agreement. Risk Management staff has reviewed the draft Operating Agreement and has approved the attached document.

The Seaside Municipal Code contains three sections that would apply to a commercial bikeshare operation in the City:

- Chapter 12.12 Street Obstructions, section 12.12.010 Merchandise Displays

Prohibited, which states: "Signs, boxes, vehicles or any items of private ownership shall not be placed on a public street, sidewalk, sidewalk area or right-of-way without prior permission in writing from the city manager and/or the chief of police. Such permission shall not ordinarily be granted in the absence of a showing of hardship or need."

- Chapter 17.38 Sidewalk Use and Connectivity, section 17.38.020 Encroachment Permit Required, which states: "The commercial use of public sidewalks requires the issuance of an Encroachment Permit issued by the City."
- Chapter 17.38 Sidewalk Use and Connectivity, section 17.38.030.A General Sidewalk Use Provisions, which states: "The following applies to the use of all sidewalk areas: A. Clear path of travel required. At least five feet clear area should be provided to allow for unimpeded pedestrian traffic around any obstruction."
- The potential launch of ofo bikeshare in the City could coincide with the anticipated opening of the West Broadway Urban Village Street Infrastructure Improvement Project and Seaside's Pedal Party on May 10, 2018.

The launch of a bikeshare would facilitate activation of the right-of-way and encourage bicycle use throughout the West Broadway Urban Village, facilitating attainment of some circulation, economic development, environmental sustainability policies of the Specific Plan and of the City. Therefore staff recommends that the City Council adopt the attached resolution authorizing the City Manager to execute the attached operating agreement.

FISCAL IMPACT

There is no direct fiscal impact to the City by executing this agreement.

ATTACHMENTS

1. Draft Resolution Dockless Bike Share
2. Seaside+Operating+Agreement

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

AUTHORIZING THE CITY MANAGER TO EXECUTE AN OPERATING AGREEMENT WITH OFO US LTD TO OPERATE A DOCKLESS BIKESHARE PROGRAM IN THE CITY OF SEASIDE

WHEREAS, The concept of bikesharing is to expand and integrate cycling into transportation systems to provide convenient and affordable access for individuals to use bicycles on a short-duration for commuting and recreation.; and,

WHEREAS, having such a program in the City of Seaside has the potential to contribute to the following: Economic benefits for local businesses, Health benefits associated with incorporating active transportation into one's life, Increased transit usage and linkage with other transportation modes, such as walking, and Greenhouse gas reduction by replacing trips taken by automobile; and,

WHEREAS, In 2013, TAMC completed the Monterey County Bicycle Sharing Feasibility Analysis Plan, which evaluated the potential for establishing a bicycle sharing program in Monterey County.; and,

WHEREAS, City of Seaside was analyzed in the study and received favorable bikesharing suitability screening scores and ridership suitability scores.; and,

WHEREAS, In 2017, dockless bikeshare companies emerged in the US as an alternative model to docked bikeshare. Dockless systems often operate at no-cost to the cities in which they operate and don't require the infrastructure of the fixed station, allowing for riders to pick up and drop off bicycles in appropriate areas of the public right of way; and.

WHEREAS, In March 2018, Seaside planning staff was directed to resume conversations regarding the establishment of a bikeshare system with regional partners in the Monterey County. Meetings were held with the TAMC, Cal State University Monterey Bay (CSUMB), and the cities of Monterey and Pacific Grove; and,

WHEREAS, These successful conversations established a consensus in pursuing bikeshare in the region and Seaside; and,

WHEREAS, City staff contacted ofo, a dockless bike share company and has discussed and vetted their business model and operating agreement and finds it to be a good fit for the City of Seaside.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside hereby authorizes the City Manager to execute an operating agreement with ofo US Ltd to operate a dockless bikeshare program in the City of Seaside.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 3rd day of May, 2018, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

OPERATING AGREEMENT

Between

ofo

and

City of Seaside

This Operating Agreement (“Agreement”) is made and entered into as of the ____ of _____, 2018 (the “Effective Date”), by and between City of Seaside and ofo US Ltd. (“ofo”). This Agreement sets forth the terms and conditions between ofo and the City of Seaside regarding ofo’s operation of dockless bike-sharing within City of Seaside (the “Project”).

Recitals

WHEREAS, the City of Seaside wishes to provide access to safe, affordable, innovative and environmentally friendly transportation options to all its residents and visitors;

WHEREAS, the City of Seaside, along with other Government agencies such as the California State University Monterey Bay, the City of Monterey and the City of Pacific Grove, owns, controls, and maintains the public space on which ofo bicycles will be parked by users; and

WHEREAS, ofo is an app-based biking platform that connects users to specially designed bicycles equipped with GPS and a proprietary smart-lock technology. ofo enables users of its app to locate nearby ofo bicycles and unlock and rent them using their smartphones. After biking to their destination, users can park and lock ofo bicycles at any public bike parking location, making the ofo bicycle available to other ofo users; and

WHEREAS, ofo desires to make its bicycles available in the City of Seaside; and

WHEREAS, the City of Seaside desires to facilitate the Project to enable dockless bikeshare.

NOW, THEREFORE, based upon the above recitals, ofo and City of Seaside hereby agree as follows:

Article I. Responsibilities of the City of Seaside

The City of Seaside will, with good faith and in an effort to achieve the City’s policy goals, cooperate and communicate with ofo and the public to work towards a successful, safe and sustainable environment for dockless bicycle sharing.

- A. The City of Seaside authorizes ofo and its users to use the public Right-of-Way for the purposes of making available, maintaining, accessing, and riding ofo bicycles for a bike-sharing program within the City of Seaside . For purposes of this Agreement, Right-of-Way refers to sidewalks, roads, and other pathways owned and maintained by the City of Seaside . This authorization is not a lease or an easement, and is not intended and shall not be construed to transfer any real property interest in City of Seaside property.
- B. The City of Seaside will notify enforcement agencies not to ticket or impound bicycles parked according to the terms of this Agreement and local law;
- C. The City of Seaside will provide to ofo a point of contact (POC) for the Project.

Article II. Responsibilities of ofo

ofo will, with good faith, cooperate and communicate with the City of Seaside, through its POC, and the public to work towards a successful, safe and sustainable Project in the City of Seaside, conforming to local law and to the terms outlined below:

- A. Management, Coordination, and Communication:
 1. ofo shall provide its services to users at no cost to the City of Seaside.
 2. Upon signature of this Agreement, ofo will provide to the City of Seaside a point of contact (POC) with control of the services provided in accordance with this Agreement.
 3. The ofo POC will respond within three business days regarding issues or questions raised by the City in meetings, through telephone inquiries, or other correspondence.
 4. ofo will be responsible for providing information to its users on proper bicycle parking via its app.

1. B. Fleet Condition and Inventory

1. ofo shall ensure each bicycle deployed and used is fully operable, free of defects, conforms to relevant safety standards, and is well-maintained and clean.
2. ofo shall affix to each bicycle deployed its clearly visible logo and instructions on how to contact the company to request pickup of an improperly parked ofo bicycle and/or an ofo bicycle in need of maintenance or cleaning.
3. ofo shall regularly monitor the deployment and dispersion of its bicycles in the City of Seaside so as to provide sufficient access to its bicycles within the City limits, and around bus, metro and commuter rail stations and major activity centers.

2. C. Bicycle Parking and Removal

1. ofo will ensure that bicycles are parked in accordance with the terms outlined below and local law.
2. ofo will work to ensure that bicycles are parked only at public bicycle racks or on public sidewalks in a manner that does not impede pedestrian access, does not obstruct access to fire hydrants and valves, does not affect access to street furniture, does not interfere with traffic operations, bus stop operation, driveway access, crosswalks, access to private property, or outside dining or retail, and does not damage landscaping, street trees or other aesthetic features.
3. Within twenty-four (24) hours of reporting by the City of Seaside, ofo will remove bicycles parked in violation of the parking requirements outlined above or in conflict with applicable laws and regulations, and bicycles in need of maintenance and/or cleaning.
4. ofo will endeavor to provide its users with information about parking requirements, helmet laws, and a 24-hour phone number and/or email address to report any problems.
5. D. ofo will be required to obtain a City of Seaside Business License. In addition, a performance bond of \$25 per bicycle, not to exceed \$10,000, for public property repair and maintenance costs that may be incurred by the City of Seaside.

Article III. Term

Unless sooner terminated pursuant to the terms of this Agreement, this Agreement shall commence as of the Effective Date and shall continue until _____ (the "Initial Term"), and will be automatically renewed for successive one (1) year terms thereafter (each, a "Renewal Term") (together with the Initial Term, the "Term"), unless either Party provides the other Party with thirty (30) days prior written notice to the end of the Initial Term or the Renewal Term

Article IV. Insurance and Indemnification

A. Insurance

For the duration of the Term, ofo shall maintain a comprehensive general liability insurance policy concerning acts or omissions of ofo and its employees, agents and contractors with respect to its obligations under this Agreement, with limits of not less than \$2,000,000 per occurrence and \$4,000,000 in the aggregate, for bodily injury, death and property damage, with coverage including independent manufacturer's and independent contractor's liability, damage from explosion, collapse and underground hazards, completed operations coverage. The City of Seaside shall be included as an additional insured on the policy for liability arising out of ofo's activities. Written notice of cancellation, if applicable, must be delivered to the City of Seaside thirty (30) days in advance.

B. Indemnification

of o agrees to indemnify, defend and hold harmless the City of Seaside and its officers, employees, agents, successors and assigns harmless against all claims, damages, losses and expenses (including reasonable outside attorney fees) with respect to any third-party claim for bodily injury or property damage arising from ofo's services in connection with this Agreement, provided the bodily injury or property damage occurs subsequent to the execution of this Agreement. The City of Seaside agrees to cooperate with ofo and ofo's insurer with respect to any liability assumed by ofo pursuant to this section. In no event shall ofo's indemnification obligations pursuant to this Section exceed \$5,000,000 in the aggregate during any one calendar year.

Article V. Termination

- A. Either Party may terminate this Agreement, effective upon written notice to the other Party (the "Defaulting Party"), if the Defaulting Party (i) breaches this Agreement, and such breach is incapable of cure, or with respect to a breach capable of cure,

the Defaulting Party does not cure such breach within ten (10) business days after receipt of written notice of such breach; or
(ii) becomes insolvent or admits its inability to pay its debts generally as they come due.

- B. Upon termination, ofo shall remove all of the bicycles under its ownership or control within ten (10) business days of the date of termination.

Article VI. General Terms

A. Severability

If any term or provision of this Agreement is found by a court of competent jurisdiction to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability shall not affect any other term or provision of this Agreement or invalidate or render unenforceable such term or provision in any other jurisdiction.

A. Waiver

No waiver by any Party of any of the provisions of this Agreement shall be effective unless explicitly set forth in writing and signed by the Party so waiving. Except as otherwise set forth in this Agreement, no failure to exercise, or delay in exercising, any right, remedy, power, or privilege arising from this Agreement shall operate or be construed as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power, or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, remedy, power, or privilege

A. Amendments

No amendment to, modification of or rescission, termination, or discharge of this Agreement is effective unless it is in writing and signed by an authorized representative of each Party

A. Successors

This Agreement is binding on and inures to the benefit of the Parties and their respective successors and permitted assigns.

IN WITNESS WHEREOF, the Parties hereto have caused this AGREEMENT to be executed as of the date first above written by their duly authorized representatives.

City of Seaside Name: Craig Malin

Title: City Manager

Signature: _____

ofo US Ltd.

Name:

Title: Director

Signature: _____



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton-Rerig, City Clerk

DATE: May 3, 2018

**SUBJECT: INTRODUCTION OF AN ORDINANCE MODIFYING MUNICIPAL
CODE CHAPTER 2.14 UPDATING THE CONFLICT OF INTEREST
CODE AND ELIMINATE CHAPTER 2.10 POLICE RESERVE**

PURPOSE & RECOMMENDATION

The purpose of this item is to introduce the first reading of an Ordinance amending Seaside Municipal Code Chapter 2.42 regarding Conflicts of Interest to update the listing of required designated filing employees and other changes to ensure compliance with the Political Reform Act and California Government Code 87300-87302 and eliminating Chapter 2.10 Police Reserves. It is recommended that the City Council conduct a public hearing and pass to print the proposed Ordinance.

BACKGROUND

The proposed draft ordinance has two purposes 1) to update the Conflict of interest code in compliance with the Political Reform act and 2) modify Chapter 2.10 reflecting changes to the City's Police Reserve program.

Conflict of Interest Code

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference, and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. In 2014 the City Council adopted language incorporating these by reference and they still remain up to date. However, as required by the Secretary of State we are periodically required to review and approve the code confirming compliance. Current code language is in compliance with the exception of the need to modify the

designated committees and employees that are subject to this code, as organizational and staffing changes have occurred since the last update. The attached draft Ordinance includes the recommended changes to the listing of the committees and employees that are designated to comply with the disclosure categories set forth under the conflict of interest code.

Designated employees shall file their statements upon taking office, annually and when leaving office with the City Clerk, who will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Statements for all designated employees will be retained by the City according to the adopted record retention schedule.

Police Reserves

The second proposed modification to the Municipal Code is the deletion of Section 2.10 Police Reserves as the code section conflicts with state law. We still intend to keep our existing police reserve program. Police reserves will be treated as a part time employee position paid for every hour of service and the program is included as separate budget line item in the Adopted 2018-19 budget.

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Draft Ord 2.42 Conflict of Interest
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

AMENDING SEASIDE MUNICIPAL CODE CHAPTER 2.42 UPDATING THE CONFLICT OF INTEREST CODE AND AMENDING CHAPTER 2.10 POLICE RESERVES

THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS FOLLOWS:

Section 1. FINDINGS AND PURPOSES.

- A. The purpose of this Ordinance is 1) to amend the Seaside Municipal Code Chapter 2.42 amending the Conflict of Interest code to update the listing of required designated filing employees and other changes to ensure compliance with the Political Reform Act and California Government Code 87300-87302 and 2) Eliminate Chapter 2.10 Police Reserves

Section 2. AMENDMENT AND RESTATEMENT OF SECTIONs 2.42.070 AND 2.42.131 OF THE SEASIDE MUNICIPAL CODE

The City of Seaside Municipal Code Sections 2.42.130 are hereby amended to read as follows:

2.42.130 Appendix—Designated employees.

Appendix

I. City Officials*

- a. Mayor and City Council;
- b. Successor Agency to the Redevelopment Agency
- c. Parking Authority;
- d. Art & History commission;
- e. Board of architectural review;
- f. Oversight Board to the Successor Agency of the Redevelopment Agency
- ~~g.—Human relations commission; Community Development Advisory Committee~~
- h. Neighborhood improvement program commission;
- i. Recreation and parks commission;
- j. Planning commission;
- ~~k.—Senior citizen commission;~~
- ~~l.—Rehabilitation loan committee;~~
- ~~m.j.~~ Traffic advisory committee.

II. Category 1—Designated Employees

- a. City Manager;

- b. City Attorney;
- ~~e. Assistant City Manager;~~
- d. Deputy City Manager, Administrative Services;
- ~~e. Deputy City Manager, Resource Management Services;~~
- f. Fire Chief;
- g. Police Chief;
- h. Deputy Police Chief
- i. City Clerk;
- j. ~~Senior Public Works Services Manager~~/City Engineer;
- k. ~~Financial Services Manager~~; Assistant Finance Director
- l. Financial Analyst
- m. Human Resources ~~Services Manager~~Director;
- n. Administrative Analyst
- o. ~~Youth Violence Prevention Coordinator~~
- p. ~~Community and~~ Economic Development Program Manager
- q. ~~Building Services Manager~~/Building Official;
- r. Senior Planner;
- s. Associate Planner;
- t. Code Enforcement Officer;
- u. Vehicle Abatement Officer;
- v. Recreation ~~and Parks Services Manager~~Director;
- w. Recreation ~~Supervisor~~Superintendent;
- x. Maintenance and Utilities Superintendent.
- y. Information Services ~~Coordinator~~Manager

Section 3. DELETION OF SECTION 2.10 POLICE RESERVES FROM THE SEASIDE MUNICIPAL CODE

The City of Seaside Municipal Code Sections 2.10 Police Reserves is hereby deleted.

Section 4. SEVERABILITY.

- A. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable.

- B. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be held unconstitutional, invalid or unenforceable.

Section 4. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after its final passage and adoption.

INTRODUCED by the City Council of the City of Seaside on the 3rd day of May 2018.

PASSED AND ADOPTED at a regular City Council meeting duly held on the _____ day of _____, 2018 by the following vote:

AYES:	COUNCIL MEMBERS
NOES:	COUNCIL MEMBERS
ABSENT:	COUNCIL MEMBERS
ABSTAIN:	COUNCIL MEMBERS

APPROVED:

ATTEST:

Ralph Rubio, Mayor

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Medina, Senior Planner

DATE: May 3, 2018

SUBJECT: **REAFFIRMING CONSISTENCY OF THE COMPREHENSIVE UPDATES TO THE ZONING CODE, AMENDING TITLE 17 OF THE SEASIDE MUNICIPAL CODE, WITH THE FORT ORD REUSE PLAN. THIS ITEM HAS BEEN SCHEDULED TO CONDUCT A PUBLIC HEARING TO REAFFIRM THAT ADOPTION OF TEXT AMENDMENTS TO THE ZONING ORDINANCE, AMENDING TITLE 17 (ZONING CODE) OF THE SEASIDE MUNICIPAL CODE, IS CONSISTENT WITH THE BASE REUSE PLAN OF THE FORT ORD REUSE AGENCY**

PURPOSE & RECOMMENDATION

This item has been scheduled to conduct a public hearing to reaffirm that adoption of text amendments to the Zoning Ordinance, amending Title 17 (Zoning Code) of the Seaside Municipal Code, is consistent with the Base Reuse Plan of the Fort Ord Reuse Agency (FORA). It is recommended that the City Council adopt the draft Resolution provided as Attachment 1.

There are no changes to the zoning ordinance in this agenda item.

BACKGROUND

When recently reviewing potential development projects on the City's Fort Ord lands with Fort Ord Reuse Agency (FORA) staff, City staff were advised by FORA that the City's current Zoning Code must be brought before FORA for a final consistency determination. The Zoning Code on file with FORA for the City of Seaside was adopted on December 11, 1998. Until the consistency determination is made, development entitlements on the City's Fort Ord Lands could be delayed.

The most recent comprehensive update of the Zoning Code occurred on February 20, 2014. The 2013 Comprehensive Update represented the first review of the Zoning Code since the

Zoning Code was updated on December 6, 2006 to bring the Zoning Code into consistency with the 2004 Seaside General Plan that was adopted by the Seaside City Council on August 5, 2004. The City's 2004 General Plan was found by the Fort Ord Reuse Authority to be consistent with the Base Reuse Plan (BRP) on December 10, 2004.

Subsequent amendments have been made to the City's Zoning Code since February 20, 2014.

Provided as Attachment 2 is a copy of the Zoning Code listing the changes/modifications in track changes by denoting additions with an underline and deletions with a strikethrough. The changes noted are for convenience only. Every change noted has previously been approved by the Council.

1. Mechanical and electronic games and game centers added as a use permit within the Commercial Mixed Use (CMX), Community Commercial (CC), and Regional Commercial (CRG) Zoning Districts; and
2. Public dance and entertainment added as a use permit in the CMX, CC, and CRG Zoning Districts; and
3. Caretaker Unit added as a Minor Use Permit in the CMX and Heavy Commercial (CH) Zoning Districts; and
4. Multi-family housing added as use permit in the CMX Zoning District; and
5. Live Work Unit added as a use permit within the CMX and CC Zoning Districts; and
6. Entertainment activities not associated with a night club added as permitted use in the CMX, CC, and CRG Zoning Districts; and
7. Medical marijuana dispensaries added as prohibited use in all commercial zones; and
8. Smoke shop added as a use permit in the CH Zoning District; and
9. Office temporary added as a minor use permit in the CMX, CC, CRG, Automotive Commercial (CA) and CH Zoning Districts; and
10. Office – Temporary Real Estate added as a minor use permit in the CMX, CC, and CRG Zoning Districts; and
11. Veterinary clinic with animal hospital without boarding added as use permit in the CC Zoning District; and
12. Veterinary clinic with animal hospital accommodating boarding added as use permit in the CH Zoning District; and
13. Brewery with restaurant added as use permit in the CMX, CC, CRG and CH Zoning Districts; and
14. Public facility added as use permit in the CMX, CC, CRG, CA, and CH Zoning Districts; and
15. Lodging – Hotel or motel added as use permit in the CMX Zoning District (Hotel or motels currently allowed with use permit in the CC and CRG Zoning Districts); and
16. Therapeutic massage added as use permit in the CMX and CC; and
17. Youth Hostel added as use permit in the CMX Zoning District; and
18. Cemetery added as use permit in the Open Space Recreation (OSR), Public Institutional (PI), and Military (M) Zoning Districts; and
19. Public or quasi-public serving uses added as minor use permit in the OSR, PI, and M Zoning Districts.
20. Chapter 17.24 added to address the property development standards for the Fort Ord Visitor Serving Commercial District.
21. Tobacco or Electronic Cigarette Retailer was added as use permit in the Heavy

Commercial (CH) Zoning District.

22. Daycare Center was added as use permit in the City's CC, CMX and Low Density Single Family (RS) zoning districts
23. Drive-thru Coffee Shop added as use permit in the CC Zoning District.
24. Emergency Shelters added as permitted use in the CC zoning district and in Census Tract 137.
25. Commercial Cannabis Activities added as Chapter 19 to the Seaside Municipal Code

A track changes version of the Municipal Code is available online here: <https://www.ci.seaside.ca.us/DocumentCenter/View/719>

The additions/modifications listed above will have a negligible effect on the type of land uses that are permitted within the designated land use designations of the General Plan and that these changes along with the development standards (e.g Site Planning, Design, and Operational Standards) contained within the Zoning Code are consistent with the goals and policies of the BRP. Provided as Attachment 3 is a Legislative Checklist used by FORA to evaluate the consistency of a legislative action in accordance with the BRP.

FISCAL IMPACT

Enactment of the proposed text amendments would not have a fiscal impact on the City.

ATTACHMENTS

1. Attachment 1 - Draft Resolution
 2. Attachment 3 - FORA Zoning Code Update Legislative Consistency
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Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 18-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

REAFFIRMING THAT THE VARIOUS ORDINANCES ADOPTED BY THE CITY COUNCIL AMENDING THE ZONING CODE SINCE DECEMBER 4, 2006 ARE CONSISTENT WITH THE FORT ORD BASE REUSE PLAN.

WHEREAS, in accordance with Section 17.74.050 of the Seaside Municipal Code it is the responsibility of the City Council to consider and grant approval of amendments to the Zoning Code in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the City Council has adopted various Ordinances amending the text of the Zoning Code regarding certain permitted and discretionary land uses, and

WHEREAS, the City Council held a duly noticed Public Hearing on March 15, 2018 and considered oral comments and written information concerning the requested action to determine whether the past actions taken by the City Council since December 4, 2006 are consistent with the Fort Ord Base Reuse Plan, and

WHEREAS, each Ordinance has received its own analysis under the California Environmental Quality Act (CEQA) and it has been determined that the past Ordinances had qualified to be considered as either exempt from CEQA Guidelines or have a Negative Declaration adopted; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council adopts the following findings to reaffirm that the past Ordinances adopted by the City Council are consistent with the Base Reuse Plan:

Findings:

1. The proposed Zoning Ordinance is in compliance with the 2004 Seaside General Plan.

Evidence: The Zoning Map dated July 2006 is consistent with the General Plan Land Use Element and Land Use Map that was deemed consistent with the Fort Ord Base Reuse Plan by the Fort Ord Reuse Agency on January 5, 2005.

Evidence: The text, standards, and figures/tables of the Zoning Ordinance implement the goals and policies of the 2004 Seaside General Plan.

2. Based on information in the record, no significant impacts are identified.

Evidence: Analysis included in the Initial Study and proposed amendments to the draft Zoning Code would not individually or cumulatively result in a significant impact to the environment.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Seaside, State of California, on the 15th day of March 2018, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

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FORA Master Resolution criteria	Discussion
LEGISLATIVE LAND USE DECISION CONSISTENCY	
8.02.010 (a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence supported by the record, that	
(1) Provides a land use designation that allows more intense land uses than the uses permitted in the Reuse Plan for the affected territory;	The text amendments for the 2015 Zoning Code Update consist of minor changes to clarify how an existing regulation would be implemented, updates to the type of uses that would be permitted or require a use permit, and modifications to text to enhance the image and appearance of the community. The following land uses were added under Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) of the Seaside Zoning Code: 1. Mechanical and electronic games and game centers added as a use permit within the Commercial Mixed Use (CMX), Community Commercial (CC), and Regional Commercial (CRG) Zoning Districts; and 2. Public dance and entertainment added as a use permit in the CMX, CC, and CRG Zoning Districts; and 3. Caretaker Unit added as a Minor Use Permit in the CMX and Heavy Commercial (CH) Zoning Districts; and 4. Multi-family housing added as use permit in

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	the CMX Zoning District; and 5. Live Work Unit added as a use permit within the CMX and CC Zoning Districts; and 6. Entertainment activities not associated with a night club added as permitted use in the CMX, CC, and CRG Zoning Districts; and 7. Medical marijuana dispensaries added as prohibited use in all commercial zones; and 8. Smoke shop added as a use permit in the CH Zoning District; and 9. Office temporary added as a minor use permit in the CMX, CC, CRG, Automotive Commercial (CA) and CH Zoning Districts; and 10. Office – Temporary Real Estate added as a minor use permit in the CMX, CC, and CRG Zoning Districts; and 11. Veterinary clinic with animal hospital without boarding added as use permit in the CC Zonign District; and 12. Veterinary clinic with animal hospital accommodating boarding added as use permit in the CH Zoning District; and 13. Brewery with restaurant added as use permit in the CMX, CC, CRG and CH Zoning Districts; and 14. Public facility added as use permit in the CMX, CC, CRG, CA, and CH Zoning Districts; and
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15. Lodging – Hotel or motel added as use permit in the CMX Zoning District (Hotel or motels currently allowed with use permit in the CC and CRG Zoning Districts); and
16. Therapeutic massage added as use permit in the CMX and CC; and
17. Youth Hostel added as use permit in the CMX Zoning District; and
18. Cemetery added as use permit in the Open Space Recreation (OSR), Public Institutional (PI), and Military (M) Zoning Districts; and
19. Public or quasi-public serving uses added as minor use permit in the OSR, PI, and M Zoning Districts.
20. Chapter 17.24 added to address the property development standards for the Fort Ord Visitor Serving Commercial District.
21. Tobacco or Electronic Cigarette Retailer was added as use permit in the Heavy Commercial (CH) Zoning District.
22. Daycare Center was added as use permit in the City's CC, CMX and Low Density Single Family (RS) zoning districts.
23. Drive-thru Coffee Shop added as use permit in the CC Zoning District.
24. Emergency Shelters added as permitted use in the CC zoning district

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	and in Census Tract 137. 25. Commercial Cannabis Activities added as Chapter 19 to the Seaside Municipal Code. While the following uses were added to the Seaside Zoning Code, the uses would not result in any type of land use that would be more intense than the uses permitted in the Reuse Plan for the affected territory within the City of Seaside that was not considered as part of the constancy determination adopted by the Fort Ord Reuse Authority for the City of Seaside General Plan Update on December 10, 2004.
(2) Provides for a development more dense than the density of use permitted in the Reuse Plan for the affected territory;	The text amendments consist of minor changes to clarify how an existing regulation would be implemented and modifications to text to enhance the image and appearance of the community. The text amendments included adding the following commercial land uses as uses permitted within each zone on Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) of the Seaside Zoning Code: 1. Mechanical and electronic games and game centers added as a use permit within the

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	Commercial Mixed Use (CMX), Community Commercial (CC), and Regional Commercial (CRG) Zoning Districts; and 2. Public dance and entertainment added as a use permit in the CMX, CC, and CRG Zoning Districts; and 3. Caretaker Unit added as a Minor Use Permit in the CMX and Heavy Commercial (CH) Zoning Districts; and 4. Multi-family housing added as use permit in the CMX Zoning District; and 5. Live Work Unit added as a use permit within the CMX and CC Zoning Districts; and 6. Entertainment activities not associated with a night club added as permitted use in the CMX, CC, and CRG Zoning Districts; and 7. Medical marijuana dispensaries added as prohibited use in all commercial zones; and 8. Smoke shop added as a use permit in the CH Zoning District; and 9. Office temporary added as a minor use permit in the CMX, CC, CRG, Automotive Commercial (CA) and CH Zoning Districts; and 10. Office – Temporary Real Estate added as a minor use permit in the CMX, CC, and CRG Zoning Districts; and 11. Veterinary clinic with animal hospital without
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	boarding added as use permit in the CC Zoning District; and 12. Veterinary clinic with animal hospital accommodating boarding added as use permit in the CH Zoning District; and 13. Brewery with restaurant added as use permit in the CMX, CC, CRG and CH Zoning Districts; and 14. Public facility added as use permit in the CMX, CC, CRG, CA, and CH Zoning Districts; and 15. Lodging – Hotel or motel added as use permit in the CMX Zoning District (Hotel or motels currently allowed with use permit in the CC and CRG Zoning Districts); and 16. Therapeutic massage added as use permit in the CMX and CC; and 17. Youth Hostel added as use permit in the CMX Zoning District; and 18. Cemetery added as use permit in the Open Space Recreation (OSR), Public Institutional (PI), and Military (M) Zoning Districts; and 19. Public or quasi-public serving uses added as minor use permit in the OSR, PI, and M Zoning Districts. Chapter 17.24 added to address the property development standards for the Fort Ord Visitor Serving Commercial District. 20. Chapter 17.24 added to
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	address the property development standards for the Fort Ord Visitor Serving Commercial District. 21. Tobacco or Electronic Cigarette Retailer was added as use permit in the Heavy Commercial (CH) Zoning District. 22. Daycare Center was added as use permit in the City's CC, CMX and Low Density Single Family (RS) zoning districts. 23. Drive-thru Coffee Shop added as use permit in the CC Zoning District. 24. Emergency Shelters added as permitted use in the CC zoning district and in Census Tract 137. 25. Commercial Cannabis Activities added as Chapter 19 to the Seaside Municipal Code. While the following uses were added to the Seaside Zoning Code, the uses would not result in any type of land use that would be denser than the uses permitted in the Reuse Plan for the affected territory within the City of Seaside.
(3) Is not in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this Master Resolution;	SEE SEPARATE WORKSHEET
(4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property or which conflict or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of the Authority;	The text amendments for the 2015 Zoning Code Update consist of minor changes to clarify how an existing regulation would be implemented, updates to the type of uses that would be permitted or require a use permit, and modifications to

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	text to enhance the image and appearance of the community. The following land uses were added under Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones) of the Seaside Zoning Code: 1. Mechanical and electronic games and game centers added as a use permit within the Commercial Mixed Use (CMX), Community Commercial (CC), and Regional Commercial (CRG) Zoning Districts; and 2. Public dance and entertainment added as a use permit in the CMX, CC, and CRG Zoning Districts; and 3. Caretaker Unit added as a Minor Use Permit in the CMX and Heavy Commercial (CH) Zoning Districts; and 4. Multi-family housing added as use permit in the CMX Zoning District; and 5. Live Work Unit added as a use permit within the CMX and CC Zoning Districts; and 6. Entertainment activities not associated with a night club added as permitted use in the CMX, CC, and CRG Zoning Districts; and 7. Medical marijuana dispensaries added as prohibited use in all commercial zones; and 8. Smoke shop added as a use permit in the CH Zoning District; and
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	9. Office temporary added as a minor use permit in the CMX, CC, CRG, Automotive Commercial (CA) and CH Zoning Districts; and 10. Office – Temporary Real Estate added as a minor use permit in the CMX, CC, and CRG Zoning Districts; and 11. Veterinary clinic with animal hospital without boarding added as use permit in the CC Zonign District; and 12. Veterinary clinic with animal hospital accommodating boarding added as use permit in the CH Zoning District; and 13. Brewery with restaurant added as use permit in the CMX, CC, CRG and CH Zoning Districts; and 14. Public facility added as use permit in the CMX, CC, CRG, CA, and CH Zoning Districts; and 15. Lodging – Hotel or motel added as use permit in the CMX Zoning District (Hotel or motels currently allowed with use permit in the CC and CRG Zoning Districts); and 16. Therapeutic massage added as use permit in the CMX and CC; and 17. Youth Hostel added as use permit in the CMX Zoning District; and 18. Cemetery added as use permit in the Open Space Recreation (OSR), Public Institutional (PI), and
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	Military (M) Zoning Districts; and 19. Public or quasi-public serving uses added as minor use permit in the OSR, PI, and M Zoning Districts. 20. Chapter 17.24 added to address the property development standards for the Fort Ord Visitor Serving Commercial District. 21. Tobacco or Electronic Cigarette Retailer was added as use permit in the Heavy Commercial (CH) Zoning District. 22. Daycare Center was added as use permit in the City's CC, CMX and Low Density Single Family (RS) zoning districts. 23. Drive-thru Coffee Shop added as use permit in the CC Zoning District. 24. Emergency Shelters added as permitted use in the CC zoning district and in Census Tract 137. 25. Commercial Cannabis Activities added as Chapter 19 to the Seaside Municipal Code. While the following uses were added to the Seaside Zoning Code, the uses would not result in any type of land use that would be more intense than the uses permitted in the Reuse Plan for the affected territory within the City of Seaside.
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(5) Does not require or otherwise provide for the financing and/or installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the legislative land use decision; and	The Zoning Ordinance does not address this issue. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Seaside Zoning Code and the Reuse Plan for the financing and/or installation, construction, and maintenance of all infrastructure as deemed necessary to provide adequate public services to the property covered by the legislative land use decision.
(6) Does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan.	The Zoning Ordinance does not address this issue. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Seaside Zoning Code and the Reuse Plan for implementation of the Fort Ord Habitat Management Plan as deemed necessary.
(b) FORA shall not preclude the transfer of intensity of land uses and/or density of development involving properties within the affected territory as long as the land use decision meets the overall intensity and density criteria of Sections 8.02.010(a)(1) and (2) above as long as the cumulative net density or intensity of the Fort Ord Territory is not increased.	

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(c) The Authority Board, in its discretion, may find a legislative land use decision is in substantial compliance with the Reuse Plan when the Authority Board finds that the applicant land use agency has demonstrated compliance with the provisions specified in this section and Section 8.020.020 of this Master Resolution.	
8.02.020 (a) Prior to approving any development entitlements, each land use agency shall act to protect natural resources and open spaces on Fort Ord Territory by including the open space and conservation policies and programs of the Reuse Plan, applicable to the land use agency, into their respective general, area, and specific plans.	
(1) Each land use agency shall review each application for a development entitlement for compatibility with adjacent open space land uses and require suitable open space buffers to be incorporated into the development plans of any potentially incompatible land uses as a condition of project approval.	The Zoning Ordinance does not address this issue. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. All future developments will be reviewed for appropriate compliance to for compatibility with adjacent open space and require suitable open space buffers.
(2) When buffers are required as a condition of approval adjacent to Habitat Management areas, the buffer shall be designed in a manner consistent with those guidelines set out in the Habitat Management Plan. Roads shall not be allowed within the buffer area adjacent to Habitat Management areas except for restricted access maintenance or emergency access roads.	The Zoning Ordinance does not address this issue. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. All future developments will be reviewed for appropriate open space buffer compliance. There are no new roads or infrastructure being constructed or planned for construction as part of the 2015 Zoning Code Update.
(b) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure consistency of future use of the property within the coastal zone through the master planning process of the California Department of Parks and Recreation, if applicable. All future use	The Zoning Ordinance does not address this issue. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site

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of such property shall comply with the requirements of the Coastal Zone Management Act and the California Coastal Act and the coastal consistency determination process.	planning, planning permit procedures, and zoning ordinance administration. All future development projects located within the City's Coastal Zone will be reviewed for compliance with the Coastal Zone Management Act and the California Coastal Act.
(c) Monterey County shall include policies and programs in its applicable general, area, and specific plans that will ensure that future development projects at East Garrison are compatible with the historic context and associated land uses and development entitlements are appropriately conditioned prior to approval.	The East Garrison area of Monterey County is outside of the Seaside city limits. The Zoning Code Text Amendments covers only those areas within the Seaside's municipal boundaries.
(d) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall limit recreation in environmentally sensitive areas, including, but not limited to, dunes and areas with rare, endangered, or threatened plant or animal communities to passive, low intensity recreation, dependent on the resource and compatible with its long term protection. Such policies and programs shall prohibit passive, low-density recreation if the Board finds that such passive, low-density recreation will compromise the ability to maintain an environmentally sensitive resource.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. All future development projects will be reviewed for appropriate compliance to limit recreation in environmentally sensitive areas.
(e) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas. Reuse of property in the Army urbanized footprint should be encouraged.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. All future development projects will be reviewed for appropriate compliance in accordance with the procedures and development regulations of the 2004 Seaside General Plan, Zoning Code, Seaside Municipal Code, and the Fort Ord Base Reuse Plan to ensure projects are compatible

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	with surrounding districts and discourage development and/or new activities which pose as a potential nuisance and/or hazard to a residential use in close proximity.
(f) Each land use agency with jurisdiction over property in the Army urbanized footprint shall adopt the cultural resources policies and programs of the Reuse Plan concerning historic preservation, and shall provide appropriate incentives for historic preservation and reuse of historic property, as determined by the affected land use agency, in their respective applicable general, area, and specific plans.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. Any future development will be required to comply with the policies and regulations of the Seaside General Plan and Fort Ord Base Reuse Plan for the protection and preservation significant cultural and historical resources and/or property.
(g) The County of Monterey shall amend the Greater Monterey Peninsula Area Plan and designate the Historic East Garrison Area as an historic district in the County Reservation Road Planning Area. The East Garrison shall be planned and zoned for planned development mixed uses consistent with the Reuse Plan. In order to implement this aspect of the plan, the County shall adopt at least one specific plan for the East Garrison area and such specific plan shall be approved before any development entitlement shall be approved for such area.	The East Garrison area of Monterey County is outside of the Seaside city limits. The Zoning Code Text Amendments covers only those areas within the Seaside's municipal boundaries.
(h) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall support all actions necessary to ensure that sewage treatment facilities operate in compliance with waste discharge requirements adopted by the California Regional Water Quality Control Board.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Fort Ord Base Reuse Plan and applicable regional agency in charge of monitoring and

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	regulating sewage and waste water discharge.
(i) Each land use agency shall adopt the following policies and programs:	
(1) A solid waste reduction and recycling program applicable to Fort Ord Territory consistent with the provisions of the California Integrated Waste Management Act of 1989, Public Resources Code Section 40000 <i>et seq.</i>	The Zoning Ordinance does not address this specific item. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. The Zoning Code text amendments do not amend any of the existing goals and policies of the General Plan, the Fort Ord Base Reuse Plan, or the State of California related to solid waste reduction and recycling program applicable to the City of Seaside or its lands within the Fort Ord territories. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Fort Ord Base Reuse Plan for the collection and recycling of solid waste.
(2) A program that will ensure that each land use agency carries out all action necessary to ensure that the installation of water supply wells comply with State of California Water Well Standards and well standards established by the Monterey County Health Department; and	The Zoning Ordinance does not address this specific item. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. The Zoning Code text amendments do not amend any of the existing goals and policies of the General Plan, the Base Reuse Plan, or the State of California related to installation of water wells on its lands within the Fort Ord territories. Any future development will be required to comply with the policies and regulations of the

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	Seaside General Plan, Fort Ord Base Reuse Plan for the installation of water supply wells.
(3) A program that will ensure that each land use agency carries out all actions necessary to ensure that distribution and storage of potable and non-potable water comply with State Health Department regulations.	The Zoning Ordinance does not address this specific item. The Zoning Code text amendments do not amend any of the existing goals and policies of the General Plan, the Base Reuse Plan, or the State of California related to distribution and storage of potable and non-potable water on its lands within the Fort Ord territories. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Fort Ord Base Reuse Plan for the distribution and storage of potable and non-potable water.
(j) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to address water supply and water conservation. Such policies and programs shall include the following:	
(1) Identification of, with the assistance of the Monterey County Water Resources Agency and the Monterey Peninsula Water Management District, potential reservoir and water impoundment sites and zoning of such sites for watershed use, thereby precluding urban development;	The Zoning Ordinance does not address this specific item. The Zoning Code text amendments do not amend any of the existing goals and policies of the General Plan or the Base Reuse Plan related to establishment of potential reservoir and water impoundment sites on its lands within the Fort Ord territories. Any future development for potential water reservoir and water impoundment sites and zoning of such sites for watershed use will be required to comply with the policies and regulations of the Seaside General Plan, and Fort Ord Base Reuse Plan.

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(2) Commence working with appropriate agencies to determine the feasibility of development additional water supply sources, such as water importation and desalination, and actively participate in implementing the most viable option or options;	The Zoning Ordinance does not address this specific item. The Zoning Code text amendments do not amend any of the existing goals and policies of the General Plan or the Base Reuse Plan related to establishment of potential water supply sources on its lands within the Fort Ord territories. Any future development for the feasibility of development additional water supply sources, such as water importation and desalination will be required to comply with the policies and regulations of the Seaside General Plan, and the Fort Ord Base Reuse Plan.
(3) Adoption and enforcement of a water conservation ordinance which includes requirements for plumbing retrofits and is at least as stringent as Regulation 13 of the Monterey Peninsula Water Management District, to reduce both water demand and effluent generation.	The Zoning Ordinance does not address this specific item. Per Section 13.18.010 of the Seaside Municipal Code new and re-development projects would be required to install and to utilize water conservation measures. This includes installation/retrofitting of low water-use plumbing and fixtures.
(4) Active participation in support of the development of "reclaimed" or "recycled" water supply sources by the water purveyor and the Monterey Regional Water Pollution Control Agency to ensure adequate water supplies for the territory within the jurisdiction of the Authority.	The Zoning Ordinance does not address this specific item. Any future development for the feasibility of a recycled water supply project will be required to comply with the policies and regulations of the Seaside General Plan, and the Fort Ord Base Reuse Plan.
(5) Promotion of the use of on-site water collection, incorporating measures such as cisterns or other appropriate improvements to collect surface water for in-tract irrigation and other non-potable use.	The Zoning Ordinance does not address this specific item. Any future development will be required to comply with the policies and regulations of the

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	Seaside General Plan, and the Fort Ord Base Reuse Plan.
(6) Adoption of policies and programs consistent with the Authority's Development and Resource Management Plan to establish programs and monitor development of territory within the jurisdiction of the Authority to assure that it does not exceed resource constraints posed by water supply.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance provides for Zones, permitted land uses, development regulations, site planning, planning permit procedures, and zoning ordinance administration. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Fort Ord Base Reuse Plan, and applicable regional agency in charge of monitoring and regulating water use.
(7) Adoption of appropriate land use regulations that will ensure that development entitlements will not be approved until there is verification of an assured long- term water supply for such development entitlements.	The Zoning Ordinance does not address this specific item. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Fort Ord Base Reuse Plan and applicable regional agency in charge of monitoring and regulating water use.
(8) Participation in the development and implementation of measures that will prevent seawater intrusion into the Salinas Valley and Seaside groundwater basins.	The Zoning Ordinance does not address this specific item. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Fort Ord Base Reuse Plan and applicable regional agency in charge of monitoring and regulating water use.
(9) Implementation of feasible water conservation methods where and when determined appropriate by the land use agency, consistent with the Reuse Plan, including; dual plumbing using non-potable water for appropriate functions; cistern systems for roof-top run-off; mandatory use of reclaimed water for any new golf courses; limitation on the use of potable water for golf	The Zoning Ordinance does not address this specific item. Any future development will be required to comply with the policies and regulations of the

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courses; and publication of annual water reports disclosing water consumption by types of use.	Seaside General Plan, Fort Ord Base Reuse Plan and applicable regional agency in charge of monitoring and regulating water use.
(k) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will require new development to demonstrate that all measures will be taken to ensure that storm water runoff is minimized and infiltration maximized in groundwater recharge areas. Such policies and programs shall include:	
(1) Preparation, adoption, and enforcement of a storm water detention plan that identifies potential storm water detention design and implementation measures to be considered in all new development, in order to increase groundwater recharge and thereby reduce potential for further seawater intrusion and provide for an augmentation of future water supplies.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance Text Amendments will not amend any of the existing General Plan policies or the General Plan Land Use Map. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Seaside Storm Water Ordinance, and Fort Ord Base Reuse Plan goals and policies.
(2) Preparation, adoption, and enforcement of a Master Drainage Plan to assess the existing natural and man- made drainage facilities, recommend area-wide improvements based on the approved Reuse Plan, and develop plans for the control of storm water runoff from future development. Such plans for control of storm water runoff shall consider and minimize any potential for groundwater degradation and provide for the long term monitoring and maintenance of all storm water retention ponds.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance Text Amendments will not amend any of the existing General Plan policies or the General Plan Land Use Map. Any future development will be required to comply with the policies and regulations of the Seaside General Plan, Seaside Storm Water Ordinance, and the Fort Ord Base Reuse Plan goals and policies related to storm water drainage and retention.
(l) Each land use agency shall adopt policies and programs that ensure that all proposed land uses on the Fort Ord Territory are consistent with the hazardous and toxic materials clean-up levels as specified by state and federal regulation.	The Zoning Ordinance does not address this specific item. Any future development will be required to comply with the policies and regulations of the Seaside General Plan and the

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	Fort Ord Base Reuse Plan related to the clean-up and/or removal of hazardous and toxic materials.
(m) Each land use agency shall adopt and enforce an ordinance acceptable to the California Department of Toxic Substances Control ("DTSC") to control and restrict excavation or any soil movement on those parcels of the Fort Ord Territory, which were contaminated with unexploded ordnance, and explosives. Such ordinance shall prohibit any digging, excavation, development, or ground disturbance of any type to be caused or otherwise allowed to occur without compliance with the ordinance. A land use agency shall not make any substantive change to such ordinance without prior notice to and approval by DTSC.	The Zoning Ordinance does not address this specific item. Any future development will be required to comply with the policies and regulations of the Seaside General Plan and the Fort Ord Base Reuse Plan regarding compliance with the enforcement and monitoring of toxic substances and unexploded ordinances.
(n) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will help ensure an efficient regional transportation network to access the territory under the jurisdiction of the Authority, consistent with the standards of the Transportation Agency of Monterey County. Such policies and programs shall include:	
(1) Establishment and provision of a dedicated funding mechanism to pay for the "fair share" of the impact on the regional transportation system caused or contributed by development on territory within the jurisdiction of the Authority; and	The Zoning Ordinance does not address this specific item. Any future development will be required to pay the applicable development impact fees within the boundaries of the Fort Ord Base Reuse Plan as established by the Fort Ord Reuse Agency.
(2) Support and participate in regional and state planning efforts and funding programs to provide an efficient regional transportation effort to access Fort Ord Territory.	The Zoning Ordinance does not address this specific item. Any future development will be required to pay the applicable development impact fees within the boundaries of the Fort Ord Base Reuse Plan as established by the Fort Ord Reuse Agency.
(o) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that ensure that the design and construction of all major arterials within the territory under the jurisdiction of the Authority will have direct connections to the regional network consistent with the Reuse Plan. Such plans and policies shall include:	
(1) Preparation and adoption of policies and programs consistent with the Authority's Development and Resource Management	The Zoning Ordinance does not address this specific item.

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Plan to establish programs and monitor development to assure that it does not exceed resource constraints posed by transportation facilities:	The Zoning Ordinance Text Amendments will not amend any of the existing General Plan policies or the General Plan Land Use Map. Any future development will be required to comply with the policies and regulations of the Seaside General Plan and the Fort Ord Base Reuse Plan to assure that it does not exceed resource constraints posed by transportation facilities.
(2) Design and construction of an efficient system of arterials in order to connect to the regional transportation system; and	The Zoning Ordinance does not address this specific item. Any future development will be required to comply with the policies and regulations of the Seaside General Plan and the Fort Ord Base Reuse Plan related to the construction of any new arterial roadways.
(3) Designate local truck routes to have direct access to regional and national truck routes and to provide adequate movement of goods into and out of the territory under the jurisdiction of the Authority.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance Text Amendments will not amend any of the existing General Plan policies or the General Plan Land Use Map. Any future development will be required to comply with the adopted policies and regulations of the Seaside General Plan and Fort Ord Base Reuse Plan to address the designation of truck routes and delivery/pickup schedules.
(p) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to provide regional bus service and facilities to serve key activity centers and key corridors within the territory under the jurisdiction of the Authority in a manner consistent with the Reuse Plan.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance Text Amendments will not amend any of the existing General Plan policies or the General Plan Land Use Map. Any future development will be required to comply with the

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	adopted policies and regulations of the Seaside General Plan and the needs of Monterey Salinas Transit.
(q) Each land use agency shall adopt policies and programs that ensure development and cooperation in a regional law enforcement program that promotes joint efficiencies in operations, identifies additional law enforcement needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services.	The Zoning Ordinance does not address this specific item. The Zoning Ordinance Text Amendments will not amend any of the existing General Plan policies or the General Plan Land Use Map. Any future development will be required to comply with the specific needs and conditions of approval as mandated by local, county, state and federal public safety departments/ agencies to provide required services.
(r) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that ensure development of a regional fire protection program that promotes joint efficiencies in operations, identifies additional fire protection needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services.	The Zoning Ordinance does not address this specific item. Any future development will be required to comply with the specific needs and conditions of approval as mandated by local, county, state and federal fire departments to provide the required services.
(s) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure that native plants from on-site stock will be used in all landscaping except for turf areas, where practical and appropriate. In areas of native plant restoration, all cultivars, including, but not limited to, manzanita and ceanothus, shall be obtained from stock originating on Fort Ord Territory.	The Zoning Ordinance does not address this specific item. Any future development will be required to comply with the specific needs and conditions of approval as mandated by the local authority to ensure that native plants will be used.
(t) Each land use agency shall include policies and programs in their general, area, and specific plans that will ensure compliance with the 1997 adopted FORA Reuse Plan jobs/housing balance provisions. The policies and programs for the provision of housing must include flexible targets that generally correspond with expected job creation on the former Fort Ord. It is recognized that, in addressing the Reuse Plan jobs/housing balance, such flexible targets will likely result in the availability of affordable housing in excess of the minimum 20% local jurisdictional inclusionary	The Zoning Ordinance does not address this specific item. The Zoning Ordinance Text Amendments will not amend any of the existing General Plan policies or the General Plan Land Use Map. Standards for Affordable Housing within Chapter 17.32

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housing figure, which could result in a range of 21% - 40% below market housing. Each land use agency should describe how their local inclusionary housing policies, where applicable, address the Reuse Plan jobs/housing balance provisions.	of the Seaside Municipal Code provides for a 20% inclusionary housing requirement for new developments consisting of four or more units. Any future development will be required to comply with the adopted job/housing policies and regulations of the Seaside General Plan and the Base Reuse Plan.
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**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Gloria Stearns, Economic Development Manager
Rick Medina, Senior Planner

DATE: May 3, 2018

**SUBJECT: INTRODUCTION OF AN AMENDMENT (FILE No. SMA-17-03) TO
CHAPTER 17 OF THE SEASIDE MUNICIPAL CODE (ZONING
CODE) TO ADOPT SHORT-TERM RENTAL REGULATIONS
WITHIN RESIDENTIAL DWELLINGS.**

PURPOSE & RECOMMENDATION

The purpose of this ordinance is to establish regulations for the use of privately owned residential dwellings as short-term rentals to minimize any negative impacts on surrounding properties and to ensure the collection and payment of transient occupancy taxes for said short-term rentals. It is recommended that the City Council:

- Adopt the Initial; Study and Negative Declaration of proposed text amendments related to short term rentals within a residential use.
- Introduce and hold first reading of an Ordinance to add Section 17.52.251 to the Seaside Municipal Code entitled "Short Term Rentals"

BACKGROUND

Short term rental of housing is an issue which has come to the fore given technological innovation and market forces that are largely beyond the capacity of local governments to reverse.

On September 21, 2017 and October 19, 2017, the City Council received an overview regarding the use of residential dwellings as a short-term rental and deliberated whether to pursue an Ordinance regulating this type of land use. The City's current regulations are silent with respect to use of a dwelling as a short-term transient use. A transient use subject to the collection of a transient occupancy tax (TOT) would be from one day to no longer than thirty days. At the October 19, 2017 City Council Study Session, the Council directed staff to return with a draft ordinance that would best mitigate the impact of short term rentals within residential

neighborhoods while balancing the rights of property owners on the use their property.

The Planning Commission conducted its review in making a recommendation to the City Council on the proposed Ordinance on February 14, 2018 and April 11, 2018. The primary issues included:

Positive Benefits

Short Term Rentals will provide job opportunities for plumbers, electricians, landscapers, housekeepers, pest control, painters, appliance repairs and other type of general building maintenance tasks.

Short Term Rentals will attract visitors who will eat at local restaurants, shop in retail, and purchase gas.

Short Term Rentals would enable a financial benefit to private property owners and also provide added revenue to the City through the collection of Transient Occupancy Tax.

Short Term Rentals will serve as a positive attraction of regional visitors

Negative Impacts

Code enforcement actions to address off-street parking and noise disruptions within single family neighborhoods.

Removal of dwelling units from the housing stock.

Impacts on hotels/motels.

After receiving public testimony on the Ordinance and completing its deliberation on the Draft Ordinance and Initial Study, the Planning Commission acted to recommend that the City Council adopt an Ordinance with the following changes:

Removal of the numerical cap on hosted permits and a cap on non-hosted permits to stay at 75;

Allow grandfather permits for non-hosted permits to those who can prove they have been facilitating short term rentals, hosted and non-hosted for the past 12 months starting from April 11, 2018;

That the 50% block face percentage provision be removed from the document.

The financial regulation regarding the TOT be removed from the ordinance and be adopted separately under the Finance Section of the Seaside Municipal Code.

DISCUSSION

Based on the feedback received from the general public and Seaside residents at the City Council Study Sessions and Planning Commission Public Hearings, the public inquiries received at both the public hearings and public notices on short-term rentals, and research of other cities/counties adopted development standards for short-term rentals, the following discussion points have been evaluated in the development of the proposed ordinance:

Economic Impacts

Property owners will receive rental income, which helps with mortgage payments. The City of Seaside will collect transient occupancy tax, which is 12%. The City of Seaside also benefits from additional sales tax generated by the occupants spending money in Seaside. The City of Seaside will collect fees for short-term rental applications, however these are to cover the costs of processing applications and additional management of short-term rentals within Seaside.

Neighborhood Compatibility

Parking availability is a concern for neighboring residents. The intent is the short-term rental unit will maximize the use of their driveway, and information will be posted inside, as well as a Good Neighbor brochure outlining the available on-site parking.

Noise

The City of Seaside Municipal Chapter 9.12 Regulating Noise includes quiet hours from 10 pm to 7 am. The short-term rental owner is required to have a local contact person who will respond within 60 minutes to address complaints. Neighbors will be notified how to reach the local contact person.

Safety

Short-term rentals must be inspected for fire and building safety.

Cultural Enrichment

Short-term rentals, especially hosted, tend to facilitate a sharing of cultures between the visitors and the host.

Affordable Housing

More affordable housing in Seaside is needed, and the 50% of the transient occupancy tax collected will be directed to the City of Seaside Housing Fund.

Water Allocation

The Monterey Peninsula Water Management District does not require any additional water use from a jurisdiction for the use of a dwelling unit being used as a short term rental. The renting of a dwelling or rooms within a dwelling is considered as a standard residential use and would not require a hotel water factor to be applied.

Density and Number of Licenses

The Planning Commission recommended removing the cap for hosted permits and consideration of including a grandfathering clause which would enable residents who can prove to the city that they have been operating a STR at their residence during the last twelve months would automatically qualify for a permit. The Planning Commission stated that by adding these changes the City would then have a better understanding of how many STR's actually exist versus using a numerical cap without any empirical data. Until the actual number of how many STR's exist, the Planning Commission also recommended removing the provision for 50% of a block face. The Planning

Commission stated that creating numerical caps without empirical data could create more problems that do not already exist.

SUMMARY

Regulating short-term rentals is complicated and challenging. It is important to create simple, sensible and enforceable local policies that balance the rights of homeowners and renters, with the interests of neighbors and other community members who may only experience the unintended consequences of short term rentals. Effective short-term rental regulation starts with policy objectives and an understanding of which regulatory requirements can be enforced. It is important to keep it simple for property owners to comply with the regulations. Most property owners want to be in compliance, however, the experiences of other agencies indicates that if the regulations are too complex, property owners do not comply. The proposed ordinance strives to protect neighborhoods, housing stock, and still allow short-term rentals, with appropriate limits.

From the discussion at the City Council study sessions and information obtained from other cities, City staff has drafted a proposed ordinance attached to this staff report (Attachment 1) which seeks to provide a balance between private property owner interests and the protection of the general health, safety, and welfare of the community.

A short-term rental ordinance provides the regulatory framework to legalize and regulate both hosted and non-hosted short-term rentals. It clarifies the transient occupancy tax obligations of short-term rentals. It outlines requirements essential to maintain the character of Seaside neighborhoods and provides for enforcement. The short-term rental ordinance strives to balance the interests of the short-term rentals while maintaining the context of the current Seaside neighborhoods.

An additional option for consideration is the possibility of the City Council or a petition of concerned citizens to place an initiative for regulation of short term rentals on the ballot for the voters of Seaside to decide.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA), an Initial Study (IS) and an accompanying Negative Declaration (ND) have been prepared for the proposed ordinance. The document was circulated for 20-day public review period between Thursday, January 11, 2018 through Tuesday, January 31, 2018. The IS/ND is provided as Attachment 2. Provided as Attachment 3 are four written comments which were received in response to the City's intent to issue a Negative Declaration on the proposed Ordinance prior to the close of the public review period on January 31, 2018. The written comments speak directly to the land use and public policy impacts of the Ordinance and do not have any comment related to whether the adoption of Short Term Rental regulations would have a direct impact on the environment.

FISCAL IMPACT

The Transient Occupancy Tax from short-term rentals is budgeted at \$50,000 for 2017-18, although the actual amount may be lower, as the fiscal year is ending soon. The fee income will also impact the General Fund positively. Fee is not set at this time, to be determined by Council.

ATTACHMENTS

1. Attachment 1 - Draft Ordinance
 2. Attachment 2 - Initial Study-Negative Declaration
 3. Attachment 2 - Exhibit A
 4. Attachment 3 - Public Comments
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Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

Ordinance No. 18-xx

**AN ORDINANCE OF THE CITY OF SEASIDE ADOPTING
TEXT AMENDMENTS TO TITLE 17 OF THE SEASIDE
MUNICIPAL CODE BY ADDING SECTION 17.52.251
ENTITLED, "SHORT-TERM RENTAL"**

FINDINGS

1. There has been an increase in privately-owned residential dwelling being used as short-term rentals in the City of Seaside. Online host sites such as Vacation Rentals by Owner (VRBO), Airbnb and others have become an increasingly popular means to market homes available for transient use.

2. Short-term rentals provide a benefit to the City by expanding the number and type of lodging facilities and will provide increased transient occupancy tax (TOT) revenue to the City.

3. Unregulated short-term rentals introduce the possibility for adverse consequences including a reduction in affordable housing and the commercialization of residential neighborhoods.

4. This Ordinance can ensure neighborhood compatibility, facilitate economic growth within the City and protect the health, safety and general welfare of the City's residents.

5. On September 21, 2017, and October 19, 2017, the City Council held special study sessions to discuss concerns regarding the use of residential dwellings as a short-term rental, and whether to pursue an Ordinance regulating this type of land use. A transient use subject to the collection of a transient occupancy tax (TOT) would be rental from one day to no longer than thirty days. Other discussion points were economic impacts, neighborhood compatibility, noise, safety, cultural enrichment and affordable housing.

6. The Planning Commission reviewed this Ordinance on February 14, 2018 and April 11, 2018 and recommends that the City Council adopt it.

7. The City prepared an Initial Study and Mitigated Negative Declaration to review ordinance pursuant to the California Environmental Quality Act (CEQA), and this Ordinance has been mitigated to a point where the proposed project will not have the potential to significantly degrade the environment; will have no significant impact on long-term environmental goals; will have no significant cumulative effect upon the environment; and will not cause substantial adverse effects on human beings, either directly or indirectly.

8. The proposed Ordinance is consistent with the City's General Plan and the Local Coastal Program in that the practice of short-term rentals does not constitute a change in residential land use as described in the Land Use Element of the General Plan, and would provide additional opportunities for visitor serving accommodations consistent with the coastal act.

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL
OF THE CITY OF SEASIDE:**

SECTION 1. The foregoing factual recitals are adopted as findings of the City Council.

SECTION 2. A new Municipal Code Section 17.52.251 entitled, "Short-Term Rental" is added by the addition of all text shown as follows:

17.52.251.E Definitions. For the purpose of this Section certain terms used herein have the meanings set forth in this chapter, and such meaning shall prevail in case of conflict with the definitions set forth in SMC.

(1) "Person" means an individual, a group of individuals, or an association, firm partnership, corporation or other entity, public or private.

(2) "Owner" means the person who possesses fee title to a transient use site.

(3) "Owner representative" means any person authorized by the owner to fully manage the transient use site.

(4) "Local Contact Person" shall be the person designated by the owner or the owner's authorized representative who shall be available twenty-four hours per day, seven days per week for the purpose of responding within sixty minutes to complaints related to the short-term rental and taking remedial action to resolve such complaints.

(5) "Remuneration" means compensation, money, rent or other bargained for consideration given in return for occupancy, possession or use of real property.

(6) "Residential property" means any dwelling unit, except those dwelling units lawfully established as second units established pursuant to SMC Section or as part of a bed and breakfast inn, motel, hotel, timeshare development, or other transient use.

(7) "Hosted short-term rental" means a dwelling unit where the owner with the majority interest in the residential property, or an owner holding an equal share interest if no other owner owns a greater interest, occupies a dwelling unit as his or her principal residence and offers the dwelling or a habitable portion thereof for transient occupancy by others, and is present during the occupancy of the "Hosted short-term rental".

(8) "Non-hosted short-term rental" means a dwelling unit that is offered for transient occupancy where the owner does not occupy the dwelling offered for transient occupancy as his or her principal residence.

(9) "Guest" means the overnight occupant (s) renting the short-term rental for a specified period and the visitors of the overnight occupants.

(10) "Good Neighbor Brochure" means a brochure, available from the City, to be given to guests, which includes a

summary of the City's regulations relating to short-term rentals.

(11) Transient" means a period of not less than one (1) day and one (1) night, nor more than thirty (30) consecutive calendar days.

(12) "Responsible tenant/guest" means a person aged 18 or older who has received notice of occupancy, parking and other limits and regulations that apply to the transient use site, and who has agreed to be responsible to ensure that impermissible or inappropriate behavior does not occur at the transient use site, including , but not limited to, all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term rental.

(13) "Transient use of residential property" means the commercial use by any person of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than thirty (30) consecutive calendar days.

(14) "Transient use site" and "transient use" mean property occupied and used for transient or short-term rental purposes.

(15) "Use" means the purpose for which land or premises of a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

(16) "Blockface" means the aggregate of all the building facades on one side of a block.

(b) Transient use of residential property for remuneration is prohibited except (1) as otherwise expressly permitted by this title, or (2) when such use is permitted by a transient use permit issued in accord with SMC Section 17.52.252.

(c) Liability and Enforcement.

(1) Any owner, owner representative, responsible tenant, person acting as agent, real estate broker, real estate sales agent, property manager, reservation service or otherwise who uses, arranges, or negotiates for the use of residential property in violation of the provisions of this chapter is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(2) Any owner, owner representative, responsible tenant, or other person who uses, or allows the use of, residential property in violation of the provisions of this chapter is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(3) Violations of this Ordinance shall be treated as a public nuisance and strict liability offense regardless of intent.

(4) A violation of any provision of this Ordinance by any of the guests, owners or operators shall constitute grounds to suspend or revoke a short-term rental permit.

SECTION 3. A new SMC Section 17.52.252 entitled, "Short-Term Rental Permit", is added as follows:

17.52.252.A Statement of Purpose.

The purpose of this chapter is to establish a permitting process, together with appropriate standards that regulate short-term rental of single-family and multi-family dwellings in residential districts, to minimize negative secondary effects of short-term rental use on surrounding neighborhoods; and to preserve the character of neighborhoods in which any such use occurs. This chapter addresses traffic, noise and density; ensures health, safety and welfare of neighborhoods as well as of renters and guests patronizing short-term rentals; and imposes limits on the number of permits issued to ensure long-term availability of the affordable housing stock. This chapter also sets regulations to ensure enforcement of these standards, and collection and payment of fees and transient occupancy taxes.

This chapter shall not provide any property owner with the right or privilege to violate any private conditions, covenants or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this chapter.

The City Council finds adoption of a comprehensive code to regulate issuance of, and conditions attached to, short-term rental is necessary to protect the public health, safety and welfare. The purposes of this chapter are to provide a permitting system and to impose operational requirements in order to minimize the potential adverse impacts of transient uses on residential neighborhoods.

The City Council finds the regulation of short-term rental uses, including its non-transferability provisions, to be a valid exercise of the City's police power in furtherance of the legitimate governmental interests documented in this chapter.

17.52.252.B Definitions.

(a) The terms "personal", "owner", "owner representative", "local contact person", "remuneration", "residential property", "hosted short-term rental", "non-hosted short-term rental", "guest", "Good Neighbor Brochure", "transient", "responsible tenant/guest", "transient use of residential property", "transient use site", "transient use", "use", and "blockface" as used in this chapter are given the same definition as those definitions set forth in SMC Section 17.52.251. .

17.52.252.C Allowed Use.

(a) Transient use of residential property for remuneration is allowed pursuant to SMC Section 17.52.251 or this chapter; provided that a separate Short-Term Rental Permit has first been granted and validly maintained for each transient use site.

(b) Each transient use must meet all the requirements of this Section. Short-Term Rental Permits are issued for a term. No guarantee is given or implied that Short-Term Rental Permit will be extended or renewed for a term subsequent to its expiration.

(c) For the purposes of this Section the City recognizes and sets discrete requirements for each of two different classes of Short-Term Rental Permits. These are Hosted Short-Term Rental and Non-Hosted Short-Term Rental.

(d) Each contract or tenancy that allows transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed of, and has agreed to abide by, occupancy, parking and other limits that apply to that transient use. The owner or owner representative shall make a record of the motor vehicle license number of each motor vehicle used by an occupant of the transient use site, and shall upon request provide that information to the City Manager or his/her delegated agent.

(e) For each initial Short-Term Rental Permit, and each permit renewal, the applicant and each property owner shall submit an inspection report that provides and verifies information, in the form and manner required by the City and the Chief Building Official, to ensure the property is safe and habitable for its intended use, including verification of adequate egress from sleeping quarters and common area, installation of accessible fire extinguishers, and a carbon monoxide alarm on each level, and that the property exists in accord with appropriate land use and building permits.

(f) The owner or owner representative shall cause notice of the application or any permit renewal, and of any hearing on the application or renewal, to be posted and mailed to notify neighbors within 100 feet of the short-term rental permitted site. The notice shall include a statement of the maximum number of guests permitted to stay in the short-term rental.

17.52.252.D Rental Permit Caps and Density Limits.

(a) Rental Permit Caps. Once the City has processed the short term rental permits that have been in operation since April 11, 2018, the number of permits to be issued by the City of Seaside in 2018 and 2019 will not exceed 200, with not less than 75 permits reserved for hosted short-term rentals and not less than 75 permits reserved for non-hosted short-term rentals, assigned on a first-applied, first permitted basis. If applications exceeding this number are received after the initial permits that existed on or prior to April 11, 2018, the City Manager shall place the excess number on a short-term rental permit waiting list and process those in order of receipt as permits become available.

In years 2020 and beyond the City Council will establish the maximum allowable number of hosted and non-hosted short-term rental permits annually by Resolution at the second regularly scheduled City Council meeting in January, and in doing so, will project forward the maximum allowable number of hosted and non-hosted short-term rental permits and not less than three (3) years into the future.

(b) Density Limit. After the initial non-hosted permits that existed on or prior to April 11, 2018, additional Non-hosted short-term rental permits shall not be issued on certain block face if granting that non-hosted short-term rental permit would cause the non-hosted short-term density limit to exceed fifty percent (50%) per blockface on which it is located.

17.52.252.E Limits on Transient Use.

Transient use of residential property for remuneration allowed by SMC Section 17.52.251 or this Section shall be subject to each and every limitation in this Section:

(a) Each contract or tenancy that enables transient use shall be in writing, and identify thereon the name, address, phone number and e-mail contact information of:

- (1) the owner;
- (2) the owner representative; and
- (3) at least one responsible tenant occupying the transient site who shall be responsible for all limits required by this section.

(b) Each contract or tenancy that all transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed by the owner or owner representative of the occupancy, parking and other limits that apply to transient use by this Section and shall be informed of residential parking and noise limits, including but not limited to SMC Section 9.12, the City codes that regulate unlawful noises.

(c) Trash and refuse shall not be left stored within public view, except in proper containers for purpose of collection by the City's authorized waste hauler.

(d) A short-term rental shall not change the residential character of the outside appearance of the residence including color, material, lighting or any advertising mechanism, including **"vacation rental" signs.**

(e) Guests of the short-term rental shall comply with City of Seaside Municipal Code Chapter 9.12 regulating noise, including quiet hours between the hours of 10:00 p.m. and 7:00 a.m.

(f) The owner or owner representative shall post the following information in a prominent location within the short-term rental:

- (a) owner or owner representative name and telephone number
- (b) local contact person name and telephone number;
- (c) telephone number for the Seaside Police Department and Seaside Code Enforcement;
- (d) the maximum number of parking spaces available onsite;
- (e) trash pick-up day and applicable rules and regulations;
- (f) a copy of City of Seaside Noise Regulations;

(g) a copy of the Good Neighbor Brochure; and

(h) Notification that a guest, local contact person, responsible person or owner may be cited and/or fined by the City in accordance with this Ordinance.

(g) The transient use site:

(1) shall be used and maintained in a manner consistent with the character of the neighborhood;

(2) shall not impair the desirability of investment or occupation of the surrounding neighborhood; and

(3) shall not have displayed thereon any sign that indicates the property is used or available for transient or short-term rental purposes.

(h) Owner and Owner representative shall each use their best efforts, and respond in a reasonable and timely manner, to ensure that every occupant of the transient use site does not create or contribute to unreasonable use of the property, cause unreasonable noise or disturbance, engage in disorderly or unlawful conduct, or overcrowd the site.

(i) Local contact person shall be on-call full-time (24 hours per day, 7 days per week) to manage the property and shall be able to be physically present at the transient use site within sixty (60) minutes of request during any time the property is occupied for transient use. Within 24 hours of the time an initial call is attempted the owner, owner representative or local contact person shall use his or her best efforts to prevent the recurrence of such conduct by the occupants and take corrective action to address any violation. Failure to respond timely to two (2) or more complaints regarding guest violations is grounds for penalties as set forth in this chapter. The owner, owner representative or local contact person shall be subject to all administrative, legal and equitable remedies available to the City for failing to respond within sixty (60) minutes of request.

(j) The maximum number of occupants aged 18 or older authorized to stay overnight at any transient use site shall be limited two 2 (two) persons per bedroom, plus one additional person

(k) Each designated on-site parking space at a transient use site shall be made available for use by overnight occupants of that site and any on-site driveway must be available for the use of the guests of the site.

(l) Amplified sound that is audible beyond the property boundaries of the transient use site is prohibited.

(m) Commercial functions, and other similar events are prohibited at the transient use site.

17.52.252.F Short-Term Rental Permit.

It is unlawful for any person to transact and carry on any business relating to or supporting the transient use of residential property in the City without first having procured a Short-Term Rental Permit from the City, and paying the permit fee and any other fees associated with approval of an application for a permit, hereinafter prescribed, and also without complying with any and all applicable provisions of this Section. A short-term rental permit, however, shall not be required for any lawfully established bed and breakfast inn, motel, hotel, or timeshare development.

17.52.252.G Display of Short-Term Rental Permit.

The owner or owner representative shall cause a copy of the transient use license to be displayed in a prominent location within the interior of the transient use site, and shall provide a copy to each responsible tenant. Each internet or online advertisement, sign, circular, card, telephone book, or newspaper advertisement that indicates or represents a transient use site is available for transient or short-term rental purposes shall prominently display thereon the transient use permit number assigned to that site by the City of Seaside.

17.52.252.H Separate Properties.

A separate short-term rental permit shall be obtained for each separate transient use site. A single short-term rental permit may be issued for multiple residential dwelling units under identical ownership at a single site. In all other circumstances, a separate permit shall be required for each transient use site. A transient use permit shall authorize the permitted owner to transact and carry on transient use of residential property only at the location and in the manner and subject to the limits designated in such permit.

17.52.252.I Contents of Permit.

Every person required to have a permit under the provisions of this Section shall make application to the City and tender payment of the prescribed application and permit fee. Thereafter in accord with the provisions of this Section the City shall issue to such person a permit which shall contain the following information:

(a) the name and contact information of the owner to whom the permit is issued, and the name and contact information for the owner representative, if any;

(b) the transient use site to be permitted, and whether the permit is for a hosted short-term rental or a non-hosted short-term rental;

(c) the date of expiration of such permit;

(d) the maximum number of occupants aged 18 or older who are authorized to stay overnight at that transient use site in accordance with the number of bedrooms on site;

(e) the maximum number of motor vehicles allowed for use by overnight guests at that transient use site based upon the available on-site parking as shown on the application site plan; and

(f) such other administrative information as may be necessary for the enforcement of the provisions of this Section.

17.52.252.J Application - First Permit.

Each short-term rental permit shall be in the name of the owner of the real property upon which the short-term rental use is to be permitted and shall be valid for a period of one(1) year from the date of issuance. When a person first makes an application for a permit pursuant to this section, such person shall furnish to the City a sworn Affidavit upon a form provided by the City setting forth the following information:

(a) the address of the transient use site to which the permit shall apply, and all places of residence of the owner(s) of the transient use site;

(1) In the event an application is made for issuance of a permit to a person doing business under a fictitious name, the application shall set forth the names and places of residence of those owning the business;

(2) In the event an application is made for the issuance of a permit to a corporation or a partnership, the application shall set forth the names and places of residence of the principal officers and all partners thereof.

(b) Each application shall set forth such information as may be therein required by the City and deemed necessary to estimate the annual transient occupancy tax to be charged for that property;

(c) the owner and applicant shall maintain a City business license at all times, and shall agree to collect and remit transient occupancy taxes on all gross receipts pertaining to the transient use site;

(d) each application shall identify the name, address, phone number and e-mail contact information of the owner and the owner representative;

(e) each application shall include a site plan which labels each room and the structure of the property, including the number of bedrooms and the number of off-street parking spaces;

(f) the owner shall affirm that smoke detectors are installed on all levels in all sleeping quarters and common areas, and that fire extinguishers are accessible to protect the health and safety of the guests of the transient use site, and the applicant shall provide access and information to the fire inspector as needed to ensure health and safety for occupants of the transient use site; and

(g) such further information which the City may require to enable proper administration of the permit.

The applicant shall remit all required annual fees in accord with the master fee schedule set by City Council Resolution. The applicant shall agree to renew and/or amend the permit in accord with the requirements of this Section, and if there is a change in any material fact stated in the application.

17.52.252.K Renewal of Permit.

(a) In all cases, the applicant for the renewal of a permit shall submit to the City on or before July 1, 2018 an application for renewal containing a sworn Affidavit upon a form to be provided by the City setting forth such information concerning the applicant's transient occupancy activity during the preceding calendar year as may be required by the City to enable the City to verify the amount of the transient occupancy tax paid by said applicant pursuant to the provisions of this Section. Evidence that a site has not been used for at least ninety (90) days for transient use during the preceding twelve (12) months shall cause non-renewal of a non-hosted short-term rental permit, and the applicant may request a hosted short-term rental permit.

(b) The applicant shall remit the annual permit fee as set by Resolution at the same time as the renewal application. The applicant shall submit an annual sworn Affidavit affirming that smoke detectors are installed and maintained on all levels in all sleeping quarters and common areas and that fire extinguishers are accessible, and a carbon monoxide alarm is installed on each level. The applicant shall provide access and information to the

inspector as may be needed to ensure health and safety for guests of the transient use site, in order to verify adequate egress from sleeping quarters and common area, and installation of accessible fire extinguishers, and a carbon monoxide alarm on each level.

17.52.252.L Change to permit information.

(a) A request to amend any information provided on the permit issued pursuant to this Section shall be made within fourteen (14) days of any change of owner, a change of the owner representative, a change in any material fact upon which the permit was issued, or if any other person acquires an ownership interest in the transient use site.

(b) In the event that the transient use site ownership transfers to an immediate family member by means of a gift or testamentary transfer the new owner of the property shall also acquire ownership of the existing short-term rental permit until its expiration without paying additional fees. The new property title owner shall, within fourteen (14) days of transfer of ownership of the transient rental site, update the information provided on the permit issued.

17.52.252.M Evidence of transient occupancy of residential property.

When any owner, owner representative or other person makes use of internet services, signs, circulars, cards, telephone books, or newspapers and/or advertises, holds out, or represents that he or she allows transient occupancy of residential property in the City, and such person fails to provide a sworn Affidavit to the City that he or she does not allow transient occupancy of residential property in the City after being requested to do so, by the City, then such information shall be considered *prima facie* evidence that he or she is conducting a business in the City by allowing transient occupancy of residential property. Until proper evidence to the contrary is presented to the City, the City shall be entitled to presume that residential property is subject to the permit required by this Section, and/or that the transient use of residential property has occurred at the subject property.

17.52.252.N Statement and records.

No statement shall be conclusive as to the matters set forth therein, nor shall the filing of such statement keep the City from collecting by appropriate action taxes and/or fees that are due and payable hereunder. In the event that the City deems it necessary, the City may require that an already permitted owner, or applicant for a permit, submit verification of financial information necessary to calculate the transient

occupancy tax due, or at the option of the already permitted owner or applicant, may authorize the City to examine records or business transactions to compute the transient occupancy tax that is owed.

17.52.252.0 Failure to file statement or corrected statement.

If any person fails to file any required statement within the time prescribed, or if after demand therefor made by the City the permitted owner or applicant fails to file a corrected statement, or if any person subject to the tax imposed by this Section fails to apply for a permit, the City may determine the amount of tax due from such person by means of such information as City may be able to obtain and shall give written notice thereof to such person. Delinquent payment shall be subject to penalties calculated in the same manner as set forth in SMC Section 3.24.

17.52.252.P Additional Power of City.

In addition to all other power conferred upon the City, the property owner/applicant shall have the power, for good cause shown:

(a) to extend the time for filing any required sworn Affidavit or application for a period not exceeding thirty (30) days, and in such case to waive any penalty that would otherwise have accrued; and

(b) whenever any fee, tax or penalty pursuant to this Section is due and payable but has not been satisfied in full within ninety (90) days and/or has not been successfully by a timely writ of mandate, such amounts shall constitute a lien against the real prperty, and be subject to the processes set forth in the SMC.

17.52.252.Q Permit Non-transferrable - Changed Location.

No permit issued pursuant to this Section shall be transferable to any other person or location, except as notes in section 17.52.252.2 (B).

17.52.252.R Permit Denial or Revocation.

Any application for a permit may be denied, and any permit issued pursuant to this Section may be revoked. Substantial evidence shall be presented as to why the application should be denied, or the license should be revoked for any reasons, including but not limited to:

(a) a false material statement or misrepresentation has been made in, or in support of, the application;

(b) a change occurs in any material fact upon which the permit was issued that has not been reported to the City as a change to the required license content within fourteen (14) days;

(c) the transient use site, or any other location owned by the owner or applicant, has been the site of a violation of any provision of law, or otherwise fails to meet sanitation or health standards of the neighborhood, within the twelve (12) months immediately preceding;

(d) the owner, owner representative or applicant has been convicted of any crime involving moral turpitude;

(e) the owner, owner representative or applicant has failed to **timely** respond to two (2) or more complaints within the twelve (12) months immediately preceding; and

(f) the owner, applicant, guest or any occupant of a transient use site regularly engages in disorderly conduct, violates provisions of this code or any state law pertaining to noise, disorderly conduct, or uses illegal drugs.

17.52.252.S Appeal of Revocation of Suspension.

Any person who has been denied a permit or to whom notice of revocation of suspension of a permit has been mailed may appeal to the administrative enforcement hearing panel under SMC Section 2.58, pursuant to a request for hearing under SMC Section 2.58. Notice of the proceeding shall conform to SMC Section 2.58.080, and the hearing shall conform to the process set in SMC Section 2.58.090. The hearing officer shall **have** authority to determine all questions raised by such appeal; provided, however, that no such determination shall conflict with any substantive provision of this Section. Any applicant or permit holder whose permit shall have been denied or revoked shall be ineligible for a two (2) year period from applying for a new permit. No person whose permit has been revoked shall continue to engage in, or carry on, the activity for which the permit was granted unless and until such permit has been reinstated or reissued. The decision of the hearing officer shall be final. Notice of the decision, and the opportunity for judicial review, shall conform to SMC Section 2.58.180.

Penalties as set forth in SMC Section 17.80.050 may be imposed for failure to comply with the provisions of SMC Section or this Section, with respect to:

{a) Any owner, owner representative, or person who transacts or carries on any activity relating to or supporting the transient use of residential property in the City without first having procured and complied with a transient use permit from the City to do so, and paying all applicable permit fees shall be subject to administrative penalties as set forth in SMC Section 17.80.050.A, including administrative penalties imposed by a hearing officer for violation of any provisions of this Code in an amount not to exceed a maximum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) per day for each continuing violation, exclusive of administrative costs, interest and restitution for compliance reinspections, for any related series of violations, and/or forfeiture of all rents received during the period transient use was allowed without a transient use permit, whichever amount is greater;

(b) Any owner, owner representative, or person who carries on any activity that advertises to the surrounding neighborhood that the site has been permitted to allow, or is used for, transient occupancy, and who has failed to timely remedy this violation in response to two (2) or more complaints, shall be subject to administrative penalties;

(c) Any owner, owner representative, responsible tenant or person who allows a transient use site to be used or maintained in a manner detrimental to the peace, public health, safety or general welfare of persons or property of the neighborhood or the public, and fails to timely remedy this violation in response to two or more complaints;

(d) Any owner, owner representative, responsible tenant or person who allows impermissible or inappropriate behavior at the transient use site or action that exceed the limits on transient use following two (2) or more complaints;

(e) Limits upon administrative penalties in SMC Section shall not apply to any violation of this Section.

17.52.252.V **Liens.**

Whenever the amount of any penalty, forfeiture, and/or administrative cost imposed by a hearing officer pursuant to this Section or to SMC Section has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this obligation shall constitute a lien against the real property on which the violation occurred, and be subject to the processes set forth in SMC.

Attachment 2



CITY OF SEASIDE
**Notice of Availability and Intent to
Adopt a Negative Declaration**

Project Title: Seaside Municipal Code Amendment No SMC 17-03
Lead Agency: City of Seaside
Project Location: Citywide
APN#: Citywide
Permit Type: Municipal Code Amendments

Project Description: The City of Seaside is proposing text amendments to the Seaside Municipal Code (SMC) by amending Chapter 17 of the Seaside Municipal Code (SMC) in order to establish regulations for the use of privately owned residential dwellings as short-term rentals and to ensure the collection and payment of transient occupancy taxes for the use of dwellings as short-term rentals.

Public Review Period: Thursday, January 11, 2018 through Tuesday, January 30, 2018.

Written Comments or questions should be sent to:

Rick Medina, Senior Planner
City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Any person wishing to comment on this matter must submit such comments, in writing, to the City prior to the closing date on January 30, 2018. Public comments may also be entered into the public record on the amendments at the duly noticed public hearing dates when considered by the Planning Commission and City Council.

Negative Declaration

Notice is hereby given that the project described above has been reviewed in accordance with State of California Public Resources Code, the California Environmental Quality Act, the City of Seaside General Plan, and Title 17 of City of Seaside Municipal Code. Based on this review, a Proposed Negative Declaration is hereby made on this project. The reason for this determination is that the project will not result in significant adverse impacts to the environment. The Proposed Negative Declaration and Initial Study are on file at the Seaside Community Development Department, 440 Harcourt Avenue, Seaside, CA, 93955 (831) 899-6726 and on the City's website at <https://www.ci.seaside.ca.us/CivicAlerts.aspx?AID=171>

Public Hearing

The first public hearing on the proposed amendments and Negative Declaration will be held by Planning Commission on Wednesday, February 14, 2018 at 7:00 PM in the Seaside City Hall Council Chambers located at 440 Harcourt Avenue, Seaside, CA 93955. Subsequent review by the City Council has not yet been determined.

A handwritten signature in blue ink that reads "Rick Medina".

Rick Medina
Senior Planner

A handwritten date in blue ink that reads "1-11-18".

Date

*City of Seaside
January 2018*

*Text Amendment for Short Term Rentals
Initial Study/Proposed Negative Declaration*

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CITY OF SEASIDE
Initial Study/Environmental Checklist

A. PROJECT DATA

1.	Project title:	Municipal Code Amendment
2.	Lead agency name and address:	City of Seaside 440 Harcourt Avenue Seaside, CA 93950
3.	Contact person and phone number:	Rick Medina, Senior Planner (831) 899-6832
4.	Date Prepared	December 21, 2017
5.	Project location:	City of Seaside County of Monterey, California. Regional Location Map is provided as Figure 1. General Plan Land Use Map for the City is provided as Figure 2.
6.	Project sponsor's name and address:	City of Seaside 440 Harcourt Avenue Seaside, CA 93955 (831) 899-6825
7.	General plan designation:	Citywide
8.	Zoning:	Citywide
9.	Description of project:	The purpose of this ordinance is to establish regulations for the use of privately owned residential dwellings as short-term rentals to minimize any negative impacts on surrounding properties and to ensure the collection and payment of transient occupancy taxes. Proposed text amendments are provided in the Draft Ordinance provided as Exhibit "A".
10.	Surrounding land uses and setting:	Citywide.
11.	Other public agencies whose approval is required	None.

B. PROJECT DESCRIPTION

This document has been prepared to present project information and to evaluate the potential environmental effects of text amendments to the Seaside Municipal Code (SMC) amending Chapter 3 and Chapter 17 of the Seaside Municipal Code (SMC) in order to establish regulations for the use of privately owned residential dwellings as short-term rentals. Through the adoption of short-term rental standards it is intended to minimize any negative impacts on surrounding properties and to ensure the collection and payment of transient occupancy taxes. The proposed text amendments are listed in the Draft Ordinance provided as Exhibit “A” of the Initial Study. The adoption of the proposed text amendments would also serve to enhance the visual character and quality of life within the community and to provide a safe, livable environment for both the citizens of Seaside and its visitors alike.

C. LEAD AGENCY

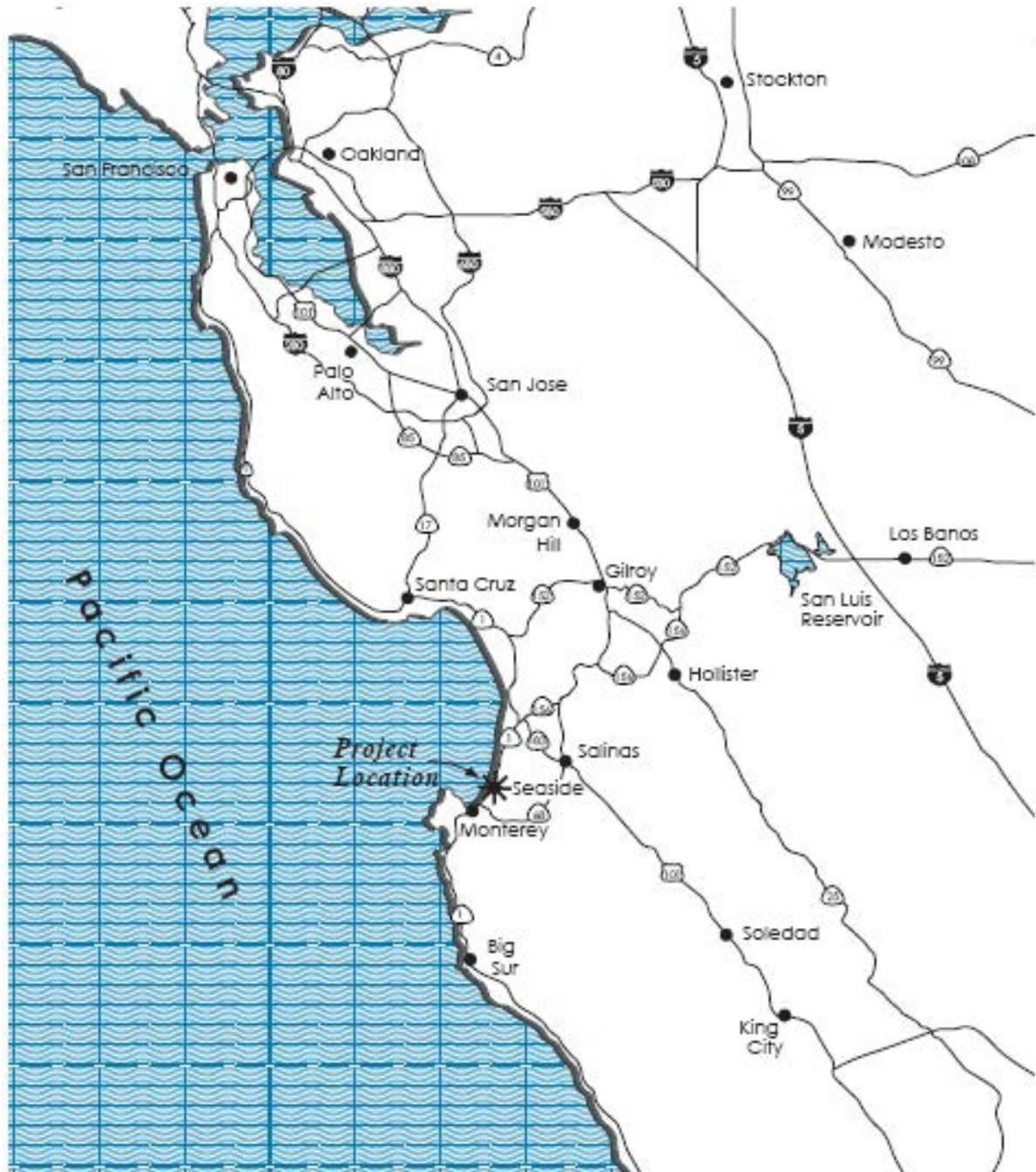
The Lead agency is the public agency with primary authority over a proposed project. The lead agency for the proposed text amendment is the City of Seaside. The contact person for the lead agency is:

Rick Medina, Senior Planner
440 Harcourt Avenue
Seaside, CA 93955
Phone: (831) 899-6736
E-Mail: rmedina@ci.seaside.ca.us

D. PROJECT LOCATION AND ENVIRONMENTAL SETTING

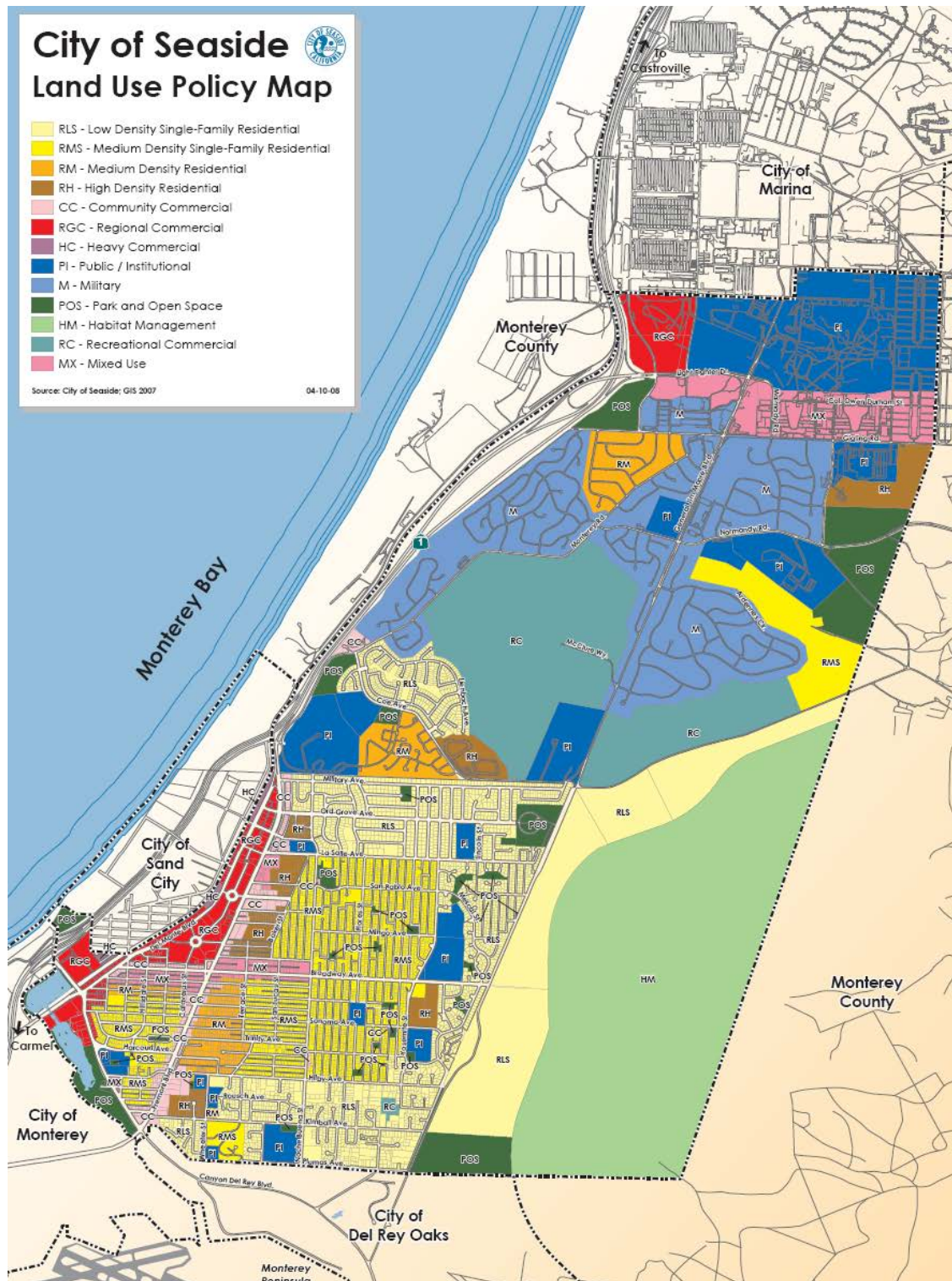
As shown on the Regional Location Map on Figure 1, the City of Seaside is situated on the Monterey Bay in western Monterey County in the northern portion of the Monterey Peninsula. The City’s incorporated City Limit boundaries are surrounded by the cities of Monterey and Del Rey Oaks to the south, Sand City to the west, Marina to the north, and Monterey County to the east. Figure 2 depicts the City limit and General Plan Land Use Map of the community that would be applicable to by the proposed Text amendments. The community contains approximately 8 square miles of land. The incorporated lands are primarily developed with urban land uses (Residential, Commercial, Government/Quasi Public Uses) with no areas designated for agricultural uses. The proposed amendments to the Seaside Municipal Code will consist solely of text amendments and would not have any development proposed which would alter or modify the existing land use map or environmental setting of the City’s municipal boundaries or that of a neighboring jurisdiction.

Figure 1 – Regional Location Map



Regional Location Map

Figure 2 – General Plan Land Use Map



E. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages:

- | | |
|--|--|
| ☐ Aesthetics | ☐ Land Use and Planning |
| ☐ Agricultural Resources | ☐ Mineral Resources |
| ☐ Air Quality | ☐ Noise |
| ☐ Biological Resources | ☐ Population and Housing |
| ☐ Cultural Resources | ☐ Public Services |
| ☐ Geology and Soils | ☐ Recreation |
| ☐ Greenhouse Gas Emissions | ☐ Transportation/Traffic |
| ☐ Hazards and Hazardous Materials | ☐ Utilities and Service Systems |
| ☐ Hydrology and Water Quality | |

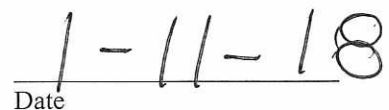
DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature



Date

F. EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

G. ENVIRONMENTAL CHECKLIST**1. AESTHETICS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (1,2)	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (1,2)	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings? (1,2)	☐	☐	☐	☒
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1,2)	☐	☐	☐	☒

Visual resource impacts are considered significant if a project has a “substantial demonstrable negative aesthetic effect.” Based on professional standards and practices, a project would normally be considered to have a significant impact if it would:

- Adversely affect a scenic vista;
- Damage scenic resources; or
- Degrade existing visual character; or
- Create a new source of light or glare.

Discussion – All Items 1(a-d)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendments. The City’s existing development regulations codified in the Seaside Municipal Code and Local Coastal Program adequately address potential effects of new structures and remodeling of existing structures on these resources. The proposed amendment would not change these requirements, nor would a change in the term of residential occupancy result in a substantial change to scenic vistas or substantially degrade the visual character or quality of the community. Therefore, the implementation of the proposed text amendments will not directly or indirectly have a substantial adverse effect on a scenic vista or damage scenic resource, degrade the existing visual character or quality of the community and its surroundings, or create new substantial light and glare. No mitigation is required. (Seaside General Plan 2004, Land Use Element, Final Environmental Impact Report, Chapter 5.8)

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Projects; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (1,2)	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?(1)	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in public resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (3)	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use? (1)	☐	☐	☐	☒
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (1)	☐	☐	☐	☒

Discussion – All Items 2(a-e)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the implementation of the proposed text amendments will not directly or indirectly convert prime farmland, unique farmland, or farmland of statewide importance to non-agricultural use. Additionally, there are no lands within the City of Seaside zoned for agricultural uses. No mitigation is required. (Seaside General Plan 2004, Land Use Element, Final Environmental Impact Report, Chapter 5.8, Land Use; Seaside Municipal Code, Title 17)

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (1,2)	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (1,2)	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (1,2)	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations? (Source: MBUAPCD 2008a, 2008b; Ambient 2010) (1,2)	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people? (1,2)	☐	☐	☐	☒

The State CEQA Guidelines state that a project will result in a significant impact if it would:

- Conflict with or obstruct implementation of an air quality plan;
- Violate air quality standards;
- Contribute a cumulatively considerable net increase of a criteria pollutant in a non-attainment area;
- Expose sensitive receptors to substantial pollutant concentrations;
- or Create odors affecting a substantial number of people.

Discussion – All items 3(a-e)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Additionally, the use of the dwelling as a short term rental would not result in an increase of vehicle trips or use of the dwelling to impact air quality standards in that the occupancy of the dwelling would not change. Therefore, the implementation of the proposed text amendments will not directly or indirectly affect or impact air quality. No mitigation is required. (Seaside General Plan 2004, Conservation Element, Final Environmental Impact Report, Chapter 5.2 Air Quality)

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (1,2)	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (1,2)	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (1,2)	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1,2)	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1,2)	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1,2)	☐	☐	☐	☒

The criteria used to evaluate the proposed project's impacts on wildlife resources were based on federal, state, and local requirements, regulations, and policies (including the federal Endangered Species Act, California Endangered Species Act, CEQA, and the California Fish and Game Code) along with records of resource scarcity and sensitivity. An impact is considered significant if it would:

- Adversely affect endangered, threatened, or rare species;
- Adversely affect the habitat of such species;
- Adversely affect wetlands under the jurisdiction of Section 404 of the Clean Water Act;
- Interfere with the movement of native resident or migratory species;
- Conflict with policies or ordinances protecting biological resources; or biological habitat management plan.

Discussion – All items 4 (a-f)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. The text amendments will not have a substantial adverse effect on riparian habitats, native resident, migratory fish, wildlife species or federally protected wetlands. The text amendments will not conflict with any local policies or ordinance protecting biological resource or provisions of an adopted Habitat Conservation Plan. Therefore, the proposed text amendments will not have any direct or indirect substantial adverse effect on any species identified as a candidate, sensitive or special status species identified by the California Department of Fish and Wildlife Service. No mitigation is required. (Seaside General Plan 2004, Conservation/Open Space Element, Final Environmental Impact Report, Chapter 5.3 Biological Resources)

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (1,2)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (1,2)	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1,2)	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries? (1,2)	☐	☐	☐	☒

A project is considered to result in a significant impact on cultural resources if it would:

- Adversely affect the significance of a historic resource;
- Adversely affect the significance of an archaeological resource;
- Destroy an unique paleontological resource or geological feature;
- Disturb any human remains.

Discussion – All items 5 (a-d)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the proposed text amendments will not cause substantial direct or indirect adverse change in the significance of a historical resource or archaeological resource. The text amendment will not directly or indirectly destroy unique paleontological resource or disturb any human remains. No mitigation is required. (Seaside General Plan 2004, Land Use Element)

6. GEOLOGY AND SOILS.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: (1,2)				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source:) Refer to Division of Mines and Geology Special Publication 42. (1,2)	☐	☐	☐	☒
ii) Strong seismic ground shaking? (1,2)	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction? (1,2)	☐	☐	☐	☒
iv) Landslides? (1,2)	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil? (1,2)	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (1,2)	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (1,2)	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1,2)	☐	☐	☐	☒

The proposed project would have a significant impact to the environment if it would:

- Expose people or structures to risk of loss, injury, or death from (1) earthquake, (2) strong seismic ground shaking, (3) seismic-related ground failure including liquefaction or (4) landslides;
- Result in substantial soil erosion or loss of topsoil;
- Be located on unstable soil; or
- Have soils incapable of supporting septic system use.

Discussion – All items 6(a-e)

The proposed text amendments will consist of amending Chapter 3 and Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the proposed text amendment will not expose people to or structures to potential substantial adverse effects, including the risk of injury or death. The amendment will not result in substantial soil erosion, loss of top soil, landslide, and liquefaction or destroy unique paleontological resource. No mitigation is required. (Seaside General Plan 2004, Safety Element, Final Environmental Impact Report, Chapter 5.5 Geology and Soils)

7. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (1,2)	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (1,2)	☐	☐	☐	☒

The proposed project would have a significant impact to the environment if it would:

Discussion – All items 7(a-b)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the City. There is no development associated with the proposed text amendment. Therefore, the proposed text amendment will not generate any greenhouse gases and will not conflict with an applicable plan policy or regulation adopted to reduce greenhouse gases. No mitigation is required. (Seaside General Plan 2004, Conservation Element, Final Environmental Impact Report, Chapter 5.2 Air Quality)

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1,2)	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school? (1,2)	☐	☐	☐	■
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (1,2)	☐	☐	☐	■
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (1,2)	☐	☐	☐	■
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (1,2)	☐	☐	☐	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1,2)	☐	☐	☐	■
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (1,2)	☐	☐	☐	■

A project is considered to result in a significant impact if it would:

- Create a public health hazard through the transport, use or disposal of hazardous materials;
- Create a public hazard through upset or accident involving release of hazardous materials;
- Emit hazardous emissions or involve handling hazardous materials within on-quarter mile of an existing or proposed school;
- Be located on a site that is listed as hazardous by CAL-EPA;
- Result in safety hazards near a public or public-use airport or private airstrip;
- Impair implementation of an adopted emergency response or evacuation plan;
- Expose people or structures to risk, loss, injury, or death involving wildland fires.

Discussion – All items 8(a-h)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the proposed text amendment to the Municipal Code will not create any direct or indirect hazard to the public or environment from hazardous materials, emit hazardous emissions, interfere with

an adopted emergency response plan or expose people or structures to wildland fires. The amendment will not result in a safety hazard for people residing or working in a public airport or private airstrip. No mitigation is required. (Seaside General Plan 2004, Safety Element, Final Environmental Impact Report, Chapter 5.6 Hazards)

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (1,2)	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (1,2)	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? (1,2)	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? (1,2)	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (1,2)	☐	☐	☐	☒
f) Otherwise substantially degrade water quality? (1,2)	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (1,2)	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (1,2)	☐	☐	☐	☒
j) Inundation from seiche, tsunami, or mudflow? (1,2)	☐	☐	☐	☒

The project would significantly impact the environment if it would:

- Violate any water quality standards or water discharge requirements;
- Substantially deplete groundwater supplies or interfere groundwater recharge;
- Substantially alter the existing drainage patterns resulting in a substantial increase in erosion or surface runoff and causing flooding;
- Create or contribute to runoff that exceeds drainage system capacity;
- Otherwise substantially degrade water quality;
- Place housing within a 100-year flood hazard area;
- Impede or redirect food flows within a 100-year flood hazard area;
- Expose people or structures to a significant risk of loss, injury or death from flooding;
- Result in inundation by seiche, tsunami, or mudflow;

Discussion – All Items 9(a-j)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the text amendment will not violate any water quality standards, substantially deplete groundwater supplies, alter any existing drainage pattern, create or contribute runoff water, or degrade water quality, place housing within a 100-year flood zone or expose people or structures to significant risk or injury or death involving flood. No mitigation is required. (Seaside General Plan 2004, and Use Element, Final Environmental Impact Report, Chapter 5.5 Geology Soils.

10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (1,2,3)	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1,2,3)	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (1,2)	☐	☐	☐	☒

Land use impacts are considered significant if the project would:

- Physically divided an established community or be incompatible with existing land uses;
- Conflict with land use plans, policies, or regulations;
- Conflict with Habitat Conservation Plans or other types of approved biological habitat management plans.

Discussion – All items 10 (a-c)

Seaside Municipal Code

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. The text amendments would not result in significant physical impacts on the environment as discussed elsewhere in the Initial Study,

Seaside General Plan

The Seaside General Plan provides a framework for future growth and development within the City and guidelines to ensure compatibility with adjacent properties and surrounding neighborhoods, General Plan land use policies relevant to the proposed project include the following:

Policy LU-4.1: Require that all new development is compatible with surrounding uses, the site, and available infrastructure.

Because the proposed amendments would not result in a substantial physical change in land use or authorize new development that is not already permitted by existing regulations for a dwelling unit located within a commercial or residential zone, the amendments would not conflict with the goals and policies of the City's General Plan. In addition, the proposed regulations will include the following provisions to ensure compatibility of short-term rentals with adjacent properties and maintain neighborhood character:

- The owner or operator shall ensure that the short-term rental is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of a short-term rental.
- The number of short-term renters/guests per property is limited to four persons per legal bedroom; for example a three bedroom house would be limited to twelve guests.
- Private commercial events shall be prohibited.
- The owner, operator or local contact person shall respond within sixty (60) minutes of being notified that the responsible person or guest of the short-term rental created unreasonable noise, engaged in disorderly conduct or committed violations of any applicable law, rule or regulation and halt or prevent the recurrence of such conduct. The owner, operator or local contact person shall be subject to all administrative, legal and equitable remedies available to the City for failing to respond within 60 minutes.
- The short-term rental shall be occupied for not less than one (1) day and one (1) night.
- Trash and refuse shall not be left stored within public view, except in proper containers for purposes of collection by the City's authorized waste hauler.
- A short-term rental shall not change the residential character of the outside appearance of the residence including color, material, lighting or any advertising mechanism, including "vacation rental" signs.

- Guests of the short-term rental shall comply with City of Seaside Municipal Chapter 9.12 Regulating Noise, including quiet hours between the hours of 10 PM and 7 AM.
- The operator shall post the following information in a prominent location within the short-term rental:
 1. Operator name and number;
 2. Local contact person name and number;
 3. The telephone number for the Police Department and Code Enforcement;
 4. The maximum number of parking spaces available onsite;
 5. Trash pick-up day and applicable rules and regulations;
 6. A copy of City of Seaside Noise Regulations;
 7. A copy of the good neighbor brochure; and
 8. Notification that a guest, local contact person, responsible person or owner may be cited or fined by the City in accordance with this ordinance.

Therefore, based on the standards listed above that will be incorporated into the zoning code, the text amendments will not directly or indirectly divide an established community or conflict with any applicable land use plan or policy. No mitigation is required. (Seaside General Plan 2004, Land Use Element, Final Environmental Impact Report, Chapter 5.8 Land Use)

11. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1,2)	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (1,2)	☐	☐	☐	☒

A project will normally have a significant effect on the environment if it will:

- Result in the loss of a known mineral resource;
- Result in the loss of availability of a locally important mineral resource identified in an approved land use plan.

Discussion – All items 11(a-b)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, no mineral resources would be removed as part of this project nor would any activities related to the project come in conflict with a known renewable or other resources conservation plan. No mitigation is required. (Seaside 2004 General Plan, Land Use Element)

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (1,2)	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (1,2)	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (1,2)	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (1,2)	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (1,2)	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (1,2)	☐	☐	☐	☒

A project is considered to result in a significant impact if it would:

- Expose persons to noise levels exceeding established standards;
- Expose persons to excessive ground borne vibration;
- Substantially increase ambient noise (temporary, periodic, or permanent);
- Expose people to excessive noise near a public-use airport or private airstrip.

Discussion – All items 12(a-f)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located in already developed areas of the community. There is no development associated with the proposed text amendment. The proposed amendment would not authorize new development or change existing regulations regarding construction or mechanical equipment noise. However, potential noise impacts could occur if occupants were to engage in activities or behavior that is disruptive to adjacent residents, such as shouting and playing loud music outdoors. It is not possible to currently predict with any certainty the differences between long-term residents and short-term tenants with regard to human-generated noise. However, in order to address this concern, the proposed regulations include the following provisions intended to minimize such noise impacts:

- Limit on size of gatherings. The proposed amendments would limit the maximum size of a party, event, or group gathering at short-term rental site to no more than four persons per bedroom.

- **Limit on amplified sound:** The proposed revisions would prohibit amplified sound that is audible beyond the property boundaries of short-term rental units and would require that tenants be informed of noise limits.
- **Owner responsibilities:** The proposed regulations require that owners use best efforts, and respond in a reasonable and timely manner to ensure that every occupant of the short-term rental site does not create or contribute to unreasonable use of the property, cause unreasonable noise or disturbance, engage in disorderly or unlawful conduct, or overcrowd the site. Furthermore, the proposed regulations require the owner or owner representative shall be available to respond to complaints within 60 minutes of request during any time the property is occupied for transient use. Within 24 hours of the time an initial call is attempted, the owner or owner representative shall use his or her best efforts to prevent the recurrence of such conduct by the occupants and take corrective action to address any violation. Failure to respond to two or more complaints regarding tenant violations is grounds to revoke the short-term rental license as set forth in Chapter 17 of the SMC.

These provisions would substantially reduce potential noise impacts to a level that is less than significant and no mitigation is required.

(e-f) No Impact. There are no private airstrips within vicinity of the City. Therefore, no noise impacts would occur and no mitigation is required,

13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (1,2)	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1,2)	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1,2)	☐	☐	☐	☒

Population and housing impacts are considered significant if the project:

- Induces substantial growth; or
- Expose persons to excessive ground borne vibration;
- Displaces a substantial number of existing housing units or people, necessitating construction of replacement housing.

Discussion – 13(a-c)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, no changes to any existing housing or population centers will occur upon implementation of the proposed text amendments, nor will the text amendments induce substantial population

growth or displace existing housing or people. No mitigation is required. (Seaside General Plan 2004, Land Use and Housing Element; Final Environmental Impact Report, Chapter 5.2 Air Quality). Public Services)

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (1,2)	☐	☐	☐	☒
b) Police protection? (1,2)	☐	☐	☐	☒
c) Schools? (1,2)	☐	☐	☐	☒
d) Parks? (1,2)	☐	☐	☐	☒
e) Other public facilities? (1,2)	☐	☐	☐	☒

A project will normally have a significant impact on the environment if it will:

- Result in substantial adverse physical effects from the construction of new or altered governmental facilities needed to maintain acceptable service ratios, response times or other performance objectives for: (1) fire protection, (2) police protection, (3) schools, (4) parks, or (5) other public services.

Discussion – All items 14(a-e)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment.

The proposed amendment would impose more restrictive regulations on the short-term rental of residential units such as limits on the maximum number of short-term rental licenses, the maximum number of occupants, requiring an owner or owner representative to respond to complaints associated with short-term rental tenants within 60-minuters, and noise. The proposed regulations would substantially reduce potential impacts on fire protection, police protection, parks and other public facilities to a level that is less than significant. Because short-term tenants do not attend local schools, no impact on schools would occur. No mitigation is required. Therefore, the proposed text amendments will not result in any direct or indirect adverse physical impacts associated with the need to provide any new or physically altered government facilities or services. No mitigation is required. (Final Environmental Impact Report, Chapter 5.11 Public Services and Utilities)

14. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1,2)	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1,2)	☐	☐	☐	☒

Recreation impacts are considered significant if a project:

- Creates a “conflict with established recreational, educational, religious, or scientific uses of the area;”
- Increases the use of existing local and regional parks, resulting in physical deterioration;
- Results in substantial adverse physical effects from construction of new or altered recreational facilities.

Discussion – All items 15(a-b)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings and already developed. There is no development associated with the proposed text amendment. Therefore, the proposed text amendments would not result in a direct or indirect need to expand or physically alter its recreational facilities and parks in the community. No mitigation is required (Seaside 2004 General Plan, Conservation/Open Space Element)

15. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads of highways? (1,2)	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1,2)	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1,2)	☐	☐	☐	☒
e) Result in inadequate emergency access? (1,2)	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (1,2)	☐	☐	☐	☒

A project results in a significant impact if it would:

- Substantially increase traffic relative to existing load capacity;
- Exceed an established level-of-service standard;
- Result in a change of air traffic patterns;
- Substantially increase hazards due to design or incompatible uses;
- Result in inadequate emergency access;
- Result in inadequate parking capacity;
- Conflict with adopted alternative transportation policies, plans or programs.

Discussion – 16(a-f) Less than Significant impact.

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community.

The proposed amendment would not authorize new development or alter the use of an existing dwelling above its current use. The new regulations would impose more restrictive regulations on the short-term rental of residential units such as limits on the maximum number of short-term rental licenses, the maximum number of occupants, requiring an owner or owner representative to respond to complaints associated with short-term rental tenants within 60-minuters, and noise. Therefore, the proposed text amendments would not result in a net increase in traffic or parking demand in the community, nor would it reduce the number of existing parking spaces within the study area. No mitigation is required. (Seaside 2004 General Plan, Circulation Element; Final Environmental Impact Report, Chapter 5.12 Transportation) No mitigation is required.

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1,2)	☐	☐	☐	■
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1,2)	☐	☐	☐	■
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1,2)	☐	☐	☐	■
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1,2)	☐	☐	☐	■
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1,2)	☐	☐	☐	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (1,2)	☐	☐	☐	■
g) Comply with federal, state, and local statutes and regulations related to solid waste? (1,2)	☐	☐	☐	■

A project will normally have a significant effect on the environment if it will:

- Fail to comply with wastewater treatment requirements of a Regional Water Quality Control Board;
- Require or result in the construction of new or expanded water or wastewater treatment facilities;
- Require or result in the construction of new or expanded storm water drainage facilities;
- Exceed existing water supplies;
- Exceed existing wastewater capacity;
- Exceed existing landfill capacity;
- Conflict with federal, state, and local statutes and regulations related to solid waste.

Discussion – 17(a-g)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. No new development or increase in land use intensity would be authorized by the proposed amendment, therefore impacts to utilities and service systems would

be less than significant. No mitigation is required (Seaside 2004 General Plan, Conservation Element; Final Environmental Impact Report, Chapter 511 Public Services and Utilities)

18. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Impacts are considered significant if a project has the potential to:

- Degrade the quality of the environment;
- Substantially reduce, restrict or threaten to eliminate wildlife habitat;
- Eliminate important examples of major California history or prehistory;
- Introduce "Cumulatively Considerable" impacts; or
- Cause environmental effects that cause substantial adverse effects on human beings, directly or indirectly.

Discussion – All items

- (a) **No Impact.** The proposed amendment would modify current regulations for the short-term rental of existing residential units located in developed areas. Because no new construction would be authorized by the amendment, no impacts to fish and/or wildlife species or historical resources would occur.
- (b) **Less Than Significant Impact.** The proposed amendment would modify current regulations for the short-term rental of existing residential units located in developed areas. No new construction would be authorized by the amendment. The proposed regulations would establish maximum limits with respect to the number and occupancy of short-term rentals, which would reduce the aspect of any cumulative impacts that may occur if short-term rental of residential units cannot be regulated in the future. Therefore, these impacts would be less than significant.
- (c) **Less than Significant Impact.** The proposed amendment would establish new regulations for the short-term rental of existing residential units located in developed areas of the community. No new construction would be authorized by the amendment, and the proposed regulations would impose more restrictive standards than which currently do not exist with respect to the number and occupancy of short-term rentals

citywide. Therefore, potential impacts on human beings, either direct or indirect would be less than significant.

H. SOURCES

1. City of Seaside 2004 General Plan
<http://www.ci.seaside.ca.us/index.aspx?page=191#GeneralPlan>
2. City of Seaside Final Environmental Impact Report
<http://www.ci.seaside.ca.us/Modules/ShowDocument.aspx?documentid=592>
3. City of Seaside, 2012 Municipal Code
<http://www.municode.com/library/CA/Seaside>

Exhibit "A"
Proposed Short-Term Rental Regulations

SECTION 1. The foregoing factual recitals are adopted as findings of the City Council.

SECTION 2. A new Municipal Code Section 17.52.251 entitled, "Short-Term Rental" shall be added by the addition of all text shown as follows:

17.52.251.E Definitions. For the purpose of this Section certain terms used herein shall have the meanings set forth in this chapter, and such meaning shall prevail in case of conflict with the definitions set forth in SMC.

- (1) "Person" means an individual, a group of individuals, or an association, firm partnership, corporation or other entity, public or private.
- (2) "Owner" means the person who possesses title to a transient use site.
- (3) "Owner representative" means any person authorized by the owner to fully manage the transient use site.
- (4) "Local Contact Person" shall be the person designated by the owner or the owner's authorized representative who shall be available twenty-four hours per day, seven days per week for the purpose of responding within sixty minutes to complaints related to the short-term rental and taking remedial action to resolve such complaints.
- (5) **"Remuneration" means compensation, money, rent, or other bargained for consideration given in return for occupancy, possession or use of real property.**
- (6) "Residential property" means any dwelling unit, except those dwelling units lawfully established as second units established pursuant to SMC Section or as part of a bed and breakfast inn, motel, hotel, timeshare development, or other transient use.
- (7) "Hosted short-term rental" means a dwelling unit where the owner with the majority interest in the residential property, or an owner holding an equal share interest if no other owner owns a greater interest, occupies a dwelling unit as his or her principal residence and offers the dwelling or a habitable portion thereof for transient occupancy by others.

(8) "Non-hosted short-term rental" means a dwelling unit that is offered for transient occupancy where the owner is does not occupy the dwelling unit that offered for transient occupancy as his or her principal residence.

(9) "Guest" means the overnight occupant (s) renting the short-term rental for a specified period and the visitors of the overnight occupants.

(10) "Good Neighbor Brochure" means a brochure, available from the City, to be given to guests, which includes a summary of the City's regulations relating to short-term rentals.

(11) "Transient" means a period of not less than one (1) day and one (1) night, nor more than thirty (30) consecutive calendar days.

(12) "Responsible tenant/guest" means a person aged 18 or older who has received notice of occupancy, parking and other limits and regulations that apply to the transient use site, and who has agreed to be responsible to ensure that impermissible or inappropriate behavior does not occur at the transient use site, including but not limited to, all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term rental.

(13) "Transient use of residential property" means the commercial use by any person of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than thirty (30) consecutive calendar days.

(14) **"Transient use site" and "transient use" mean property** occupied and used for transient or short-term rental purposes.

(15) "Use" means the purpose for which land or premises of a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

(16) "Blockface" means the aggregate of all the building facades on one side of a block.

(b) Transient use of residential property for remuneration is prohibited except (1) as otherwise expressly permitted by this title, or (2) when such use is permitted by a transient use permit issued in accord with SMC Section 17.52.252.

(c) Liability and Enforcement.

(1) Any owner, owner representative, responsible tenant, person acting as agent, real estate broker, real estate sales agent, property manager, reservation service or otherwise who uses, arranges, or negotiates for the use of residential property in violation of the provisions of this chapter is guilty of an infraction. for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(2) Any owner, owner representative, responsible tenant, or other person who uses, or allows the use of, residential property in violation of the provisions of this chapter is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(3) Violations of this Ordinance shall be treated as a public nuisance and strict liability offense regardless of intent.

(4) A violation of any provision of this Ordinance by any of the guests, owners or operators shall constitute grounds to suspend or revoke a short-term rental permit.

SECTION 3. A new SMC Section 17.52.252 entitled, "Short-Term Rental Permit", shall be added as follows:

17.52.252.A Statement of Purpose.

The purpose of this chapter is to establish a permitting process, together with appropriate standards that regulate short-term rental of single-family and multi-family dwellings in residential districts, to minimize negative secondary effects of short-term rental use on surrounding neighborhoods; and to preserve the character of neighborhoods in which any such use occurs. This chapter addresses traffic, noise and density; ensures health, safety and welfare of neighborhoods as well as of renters and guests patronizing short-term rentals; and imposes limits on the number of permits issued to ensure long-term availability of the affordable housing stock. This chapter also sets regulations to ensure enforcement of these standards, and collection and payment of fees and transient occupancy taxes.

This chapter shall not provide any property owner with the right or privilege to violate any private conditions, covenants or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this chapter.

The City Council finds adoption of a comprehensive code to regulate issuance of, and conditions attached to, short-term rental is necessary to protect the public health, safety and welfare. The purposes of this chapter are to provide a permitting system and to impose operational requirements in order to minimize the potential adverse impacts of transient uses on residential neighborhoods.

The City Council finds the regulation of short-term rental uses, including its non-transferability provisions, to be a valid exercise of the City's police power in furtherance of the legitimate governmental interests documented in this chapter.

17.52.252.B Definitions.

(a) The terms "personal", "owner", "owner representative", "local contact person", "remuneration", "residential property", "hosted short-term rental", "non-hosted short-term rental", "guest", "Good Neighbor Brochure 11", "transient", "responsible tenant/guest", "transient use of residential property", "transient use site¹¹", "transient use", "use" and "blockface" as used in this chapter shall be given the same definition as those definitions set forth in SMC Section 17.52.251.

17.52.252.C Allowed Use.

(a) Transient use of residential property for remuneration is allowed pursuant to SMC Section 17.52.251 or this chapter; provided that a separate Short-Term Rental Permit has first been granted and validly maintained for each transient use site.

(b) Each transient use must meet all the requirements of this Section. Short-Term Rental Permits are issued for a term. No guarantee is given or implied that Short-Term Rental Permit will be extended or renewed for a term subsequent to its expiration.

(c) For the purposes of this Section the City recognizes and sets discrete requirements for each of two different classes of Short-Term Rental Permits. These are Hosted Short-Term Rental and Non-Hosted Short-Term Rental.

(d) Each contract or tenancy that allows transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed of, and has agreed to abide by, occupancy, parking and other limits that apply to that transient use. The owner or owner representative shall make a record of the motor vehicle license number of each motor vehicle used by an occupant of the transient use site, and shall upon request provide that information to the City Manager or his/her delegated agent.

(e) For each initial Short-Term Rental Permit, and each permit renewal, the applicant and each property owner shall submit an inspection report to the City that provides and verifies information, in the form and manner required by the Chief Building Official, to ensure the property is safe and habitable for its intended use, including verification of adequate egress from sleeping quarters and common area, installation of accessible fire extinguishers, and a carbon monoxide alarm on each level, and that the property exists in accord with appropriate land use and building permits.

(f) The owner or owner representative shall cause notice of the application or any permit renewal, and of any hearing on the application or renewal, to be posted and mailed to notify neighbors within 100 feet of the short-term rental permitted site. The notice shall include a statement of the maximum number of guests permitted to stay in the short-term rental.

17.52.252.D Rental Permit Caps and Density Limits.

(a) Rental Permit Caps. The number of permits to be issued by the City of Seaside in 2018 and 2019 will not exceed 200, with not less than 75 permits reserved for hosted short-term rentals and not less than 75 permits reserved for non-hosted short-term rentals, assigned on a first-applied, first permitted basis. If applications exceeding this number are received the City Manager shall place the excess number on a short-term rental permit waiting list and process those in order of receipt as permits become available.

In years 2020 and beyond the City Council will establish the maximum allowable number of hosted and non-hosted short-term rental permits annually by Resolution at the second regularly scheduled City Council meeting in January, and in doing so, will project forward the maximum allowable number of hosted and non-hosted short-term rental permits and not less than three (3) years into the future.

(b) Density Limit. Non-hosted short-term rental permits shall not be issued if granting that short-term rental permit would cause the non-hosted short-term density limit to fifty percent (50%) per blockface on which it is located.

17.52.252.E Limits on Transient Use.

Transient use of residential property for remuneration allowed by SMC Section 17.52.251 or this Section shall be subject to each and every limitation in this Section:

(a) Each contract or tenancy that enables transient use shall be in writing, and identify thereon the name, address, phone number and e-mail contact information of:

(1) the owner;

(2) the owner representative; and

(3) at least one responsible tenant occupying the transient site who shall be responsible for all limits required by this section.

(b) Each contract or tenancy that all transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed by the owner or owner representative of the occupancy, parking and other limits that apply to transient use by this Section and shall be informed of residential parking and noise limits, including but not limited to SMC Section 9.12, the City codes that regulate unlawful noises.

(c) Trash and refuse shall not be left stored within public view, except in proper containers for purpose of collection by the City's authorized waste hauler.

(d) A short-term rental shall not change the residential character of the outside appearance of the residence including color, material, lighting or any advertising mechanism, including **"vacation rental" signs.**

(e) Guests of the short-term rental shall comply with City of Seaside Municipal Code Chapter 9.12 regulating noise, including quiet hours between the hours of 10:00 p.m. and 7:00 a.m.

(f) The owner or owner representative shall post the following information in a prominent location within the short-term rental:

(a) owner or owner representative name and telephone number

(b) local contact person name and telephone number;

(c) telephone number for the Seaside Police Department and Seaside Code Enforcement;

(d) the maximum number of parking spaces available onsite;

(e) trash pick-up day and applicable rules and regulations;

(f) a copy of City of Seaside Noise Regulations;

(g) a copy of the Good Neighbor Brochure; and

(h) Notification that a guest, local contact person, responsible person or owner may be cited and/or fined by the City in accordance with this Ordinance.

(g) The transient use site:

(1) shall be used and maintained in a manner consistent with the character of the neighborhood;

(2) shall not impair the desirability of investment or occupation of the surrounding neighborhood; and

(3) shall not have displayed thereon any sign that indicates the property is used or available for transient or short-term rental purposes.

(h) Owner and Owner representative shall each use their best efforts, and respond in a reasonable and timely manner, to ensure that every occupant of the transient use site does not create or contribute to unreasonable use of the property, cause unreasonable noise or disturbance, engage in disorderly or unlawful conduct, or overcrowd the site.

(i) Local contact person shall be on-call full-time (24 hours per day, 7 days per week) to manage the property and shall be able to be physically present at the transient use site within sixty (60) minutes of request during any time the property is occupied for transient use. Within 24 hours of the time an initial call is attempted the owner, owner representative or local contact person shall use his or her best efforts to prevent the recurrence of such conduct by the occupants and take corrective action to address any violation. Failure to respond timely to two (2) or more complaints regarding guest violations is grounds for penalties as set forth in this chapter. The owner, owner representative or local contact person shall be subject to all administrative, legal and equitable remedies available to the City for failing to respond within sixty (60) minutes of request.

(j) The maximum number of occupants aged 18 or older authorized to stay overnight at any transient use site shall be limited two 2 (two) persons per bedroom, plus one additional person

(k) Each designated on-site parking space at a transient use site shall be made available for use by overnight occupants of that site and any on-site driveway must be available for the use of the guests of the site.

(1) Amplified sound that is audible beyond the property boundaries of the transient use site is prohibited.

(m) Commercial functions, and other similar events are prohibited at the transient use site.

17.52.252.F Short-Term Rental Permit.

It is unlawful for any person to transact and carry on any business relating to or supporting the transient use of residential property in the City without first having procured a Short-Term Rental Permit from the City, and paying the permit fee and any other fees associated with approval of an application for a permit, hereinafter prescribed, and also without complying with any and all applicable provisions of this Section. A short-term rental permit, however, shall not be required for any lawfully established bed and breakfast inn, motel, hotel, or timeshare development.

17.52.252.G Display of Short-Term Rental Permit.

The owner or owner representative shall cause a copy of the transient use license to be displayed in a prominent location within the interior of the transient use site, and shall provide a copy to each responsible tenant. Each internet or online advertisement, sign, circular, card, telephone book, or newspaper advertisement that indicates or represents a transient use site is available for transient or short-term rental purposes shall prominently display thereon the transient use permit number assigned to that site by the City of Seaside.

17.52.252.H Separate Properties.

A separate short-term rental permit shall be obtained for each separate transient use site. A single short-term rental permit may be issued for multiple residential dwelling units under identical ownership at a single site. In all other circumstances, a separate permit shall be required for each transient use site. A transient use permit shall authorize the permitted owner to transact and carry on transient use of residential property only at the location and in the manner and subject to the limits designated in such permit.

17.52.252.I Contents of Permit.

Every person required to have a permit under the provisions of this Section shall make application to the City and tender payment of the prescribed application and permit fee. Thereafter in accord with the provisions of this Section the City shall issue to such person a permit which shall contain the following information:

(a) the name and contact information of the owner to whom the permit is issued, and the name and contact information for the owner representative, if any;

(b) the transient use site to be permitted, and whether the permit is for a hosted short-term rental or a non-hosted short-term rental;

(c) the date of expiration of such permit;

(d) the maximum number of occupants aged 18 or older who are authorized to stay overnight at that transient use site in accordance with the number of bedrooms on site;

(e) the maximum number of motor vehicles allowed for use by overnight guests at that transient use site based upon the available on-site parking as shown on the application site plan; and

(f) such other administrative information as may be necessary for the enforcement of the provisions of this Section.

17.52.252.J

Application - First Permit.

Each short-term rental permit shall be in the name of the owner of the real property upon which the short-term rental use is to be permitted, and shall be valid for a period of one (1) year from the date of issuance. When a person first makes an application for a permit pursuant to this Section such person shall furnish to the City a sworn Affidavit upon a form provided by the City, setting forth the following information:

(a) the address of the transient use site to which the permit shall apply, and all places of residence of the owner(s) of the transient use site;

(1) In the event an application is made for issuance of a permit to a person doing business under a fictitious name, the application shall set forth the names and places of residence of those owning the business;

(2) In the event an application is made for the issuance of a permit to a corporation or a partnership, the application shall set forth the names and places of residence of the principal officers and all partners thereof.

(b) each application shall set forth such information as may be therein required by the City and deemed necessary to estimate the annual transient occupancy tax to be charged for that property;

(c) the owner and applicant shall maintain a City business license at all times, and shall agree to collect and remit transient occupancy taxes on all gross receipts pertaining to the transient use site;

(d) each application shall identify the name, address, phone number and e-mail contact information of the owner and the owner representative;

(e) each application shall include a site plan which labels each room and the structure of the property, including the number of bedrooms and the number of off-street parking spaces;

(f) the owner shall affirm that smoke detectors are installed on all levels in all sleeping quarters and common areas, and that fire extinguishers are accessible to protect the health and safety of the guests of the transient use site, and the applicant shall provide access and information to the fire inspector as needed to ensure health and safety for occupants of the transient use site; and

(g) such further information which the City may require to enable proper administration of the permit.

The applicant shall remit all required annual fees in accord with the master fee schedule set by City Council Resolution. The applicant shall agree to renew and/or amend the permit in accord with the requirements of this Section, and if there is a change in any material fact stated in the application.

17.52.252.K Renewal of Permit.

(a) In all cases, the applicant for the renewal of a permit shall submit to the City on or before July 1, 2018 an application for renewal containing a sworn Affidavit upon a form to be provided by the City setting forth such information concerning the applicant's transient occupancy activity during the preceding calendar year as may be required by the City to enable the City to verify the amount of the transient occupancy tax paid by said applicant pursuant to the provisions of this Section. Evidence that a site has not been used for at least ninety (90) days for transient use during the preceding twelve (12) months shall cause non-renewal of a non-hosted short-term rental permit, and the applicant may request a hosted short-term rental permit.

(b) The applicant shall remit the annual permit fee as set by Resolution at the same time as the renewal application. The applicant shall submit an annual sworn Affidavit affirming that smoke detectors are installed and maintained on all levels in all sleeping quarters and common areas and that fire extinguishers are accessible, and a carbon monoxide alarm is installed on each level. The applicant shall provide access and information to the

inspector as may be needed to ensure health and safety for guests of the transient use site, in order to verify adequate egress from sleeping quarters and common area, and installation of accessible fire extinguishers, and a carbon monoxide alarm on each level.

17.52.252.L Change to permit information.

(a) A request to amend any information provided on the permit issued pursuant to this Section shall be made within fourteen (14) days of any change of owner, a change of the owner representative, a change in any material fact upon which the permit was issued, or if any other person acquires an ownership interest in the transient use site.

(b) In the event that the transient use site ownership transfers to an immediate family member by means of a gift or testamentary transfer the new owner of the property shall also acquire ownership of the existing short-term rental permit until its expiration without paying additional fees. The new property owner shall, within fourteen (14) days of transfer of ownership of the transient rental site, update the information provided on the permit issued.

17.52.252.N Evidence of transient occupancy of residential property.

When any owner, owner representative or other person makes **use of internet services, signs, circulars, cards, telephone books, or newspapers and/or advertises**, holds out, or represents that he or she allows transient occupancy of residential property in the City, and such person fails to provide a sworn Affidavit to the City that he or she does not allow transient occupancy of residential property in the City after being requested to do so, by the City, then such information shall be considered *prima facie* evidence that he or she is conducting a business in the City by allowing transient occupancy of residential property. Until proper evidence to the contrary is presented to the City, the City shall be entitled to presume that residential property is subject to the permit required by this Section, and/or that the transient use of residential property has occurred at the subject property.

17.52.252.O Statement and records.

No statement shall be conclusive as to the matters set forth therein, nor shall the filing of such statement keep the City from collecting by appropriate action taxes and/or fees that are due and payable hereunder. In the event that the City deems it necessary, the City may require that an already permitted owner, or applicant for a permit, submit verification of financial information necessary to calculate the transient

occupancy tax due, or at the option of the already permitted owner or applicant, may authorize the City to examine records or business transactions to compute the transient occupancy tax that is owed.

17.52.252.P Failure to file statement or corrected statement.

If any person fails to file any required statement within the time prescribed, or if after demand therefor made by the City the permitted owner or applicant fails to file a corrected statement, or if any person subject to the tax imposed by this Section fails to apply for a permit, the City may determine the amount of tax due from such person by means of such information as City may be able to obtain and shall give written notice thereof to such person. Delinquent payment shall be subject to penalties calculated in the same manner as set forth in SMC Section 3.24.

17.52.252.Q Transient Occupancy Tax.

The owner or owner representative shall comply with all the requirements of SMC Chapter 3.24 "Transient Occupancy Tax". For the purposes of SMC Chapter 3.24, a short-term rental shall qualify as a "hotel". The City Manager or designee shall be responsible for the enforcement of the provisions of Chapter 3.24.

Fifty percent (50%) of the Transient Occupancy Tax collected from short-term rentals shall be set aside in the City of Seaside Housing Fund to be used to assist with affordable housing in accordance with the direction of the City Council; and fifty percent (50%) of the Transient Occupancy Tax collected from short-term rentals shall be directed to community and neighborhood improvements, with recommendations to the City Council by the Neighborhood Improvement Commission.

17.52.252.R Appeal of Tax.

Any person aggrieved by any decision of the City with respect to the amount of the transient occupancy tax or fees associated thereto may appeal to the administrative enforcement hearing office panel by filing a notice of appeal with the City Clerk within fifteen (15) calendar days after receipt of written notice from the City. The hearing officer assigned by the panel shall thereupon fix a time and place for hearing such appeal. The City Clerk shall give notice to such person of the time and place of hearing by serving it personally or by depositing in the United States Post Office at Seaside, California, postage prepaid, addressed to such person at his or her last known address. The hearing officer shall have authority to determine all questions raised by such appeal; provided, however, that no such determination shall conflict with any substantive provisions of this section.

17.52.252.S Additional Power of City.

In addition to all other power conferred upon the City, the property owner/applicant shall have the power, for good cause shown:

(a) to extend the time for filing any required sworn Affidavit or application for a period not exceeding thirty (30) days, and in such case to waive any penalty that would otherwise have accrued; and

(b) whenever any fee, tax or penalty pursuant to this Section is due and payable but has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, such amounts shall constitute a lien against the real property, and be subject to the processes set forth in the SMC

17.52.252.T Permit Non-transferrable - Changed Location.

No permit issued pursuant to this Section shall be transferable to any other person or location.

17.52.252.U Permit Denial or Revocation.

Any application for a permit may be denied, and any permit issued pursuant to this Section may be revoked. Substantial evidence shall be presented as to why the application should be denied, or the license should be revoked for any reasons, including but not limited to:

(a) a false material statement or misrepresentation has been made in, or in support of, the application;

(b) a change occurs in any material fact upon which the permit was issued that has not been reported to the City as a change to the required license content within fourteen (14) days;

(c) the transient use site, or any other location owned by the owner or applicant, has been the site of a violation of any provision of law, or otherwise fails to meet sanitation or health standards of the neighborhood, within the twelve (12) months immediately preceding;

(d) the owner, owner representative or applicant has been convicted of any crime involving moral turpitude;

{e) the owner, owner representative or applicant has failed to **timely** respond to two (2) or more complaints within the twelve (12) months immediately preceding; and

(f) the owner, applicant, guest or any occupant of a transient use site regularly engages in disorderly conduct, violates provisions of this code or any state law pertaining to noise, disorderly conduct, or uses illegal drugs.

17.52.252.V Appeal of Revocation of Suspension.

Any person who has been denied a permit or to whom notice of revocation of suspension of a permit has been mailed may appeal to the administrative enforcement hearing panel under SMC Section 2.58, pursuant to a request for hearing under SMC Section 2.58. Notice of the proceeding shall conform to SMC Section 2.58.080, and the hearing shall conform to the process set in SMC Section 2.58.090. The hearing officer shall have authority to determine all questions raised by such appeal; provided, however, that no such determination shall conflict with any substantive provision of this Section. Any applicant or permit holder whose permit shall have been denied or revoked shall be ineligible for a two (2) year period from applying for a new permit. No person whose permit has been revoked shall continue to engage in, or carry on, the activity for which the permit was granted unless and until such permit has been reinstated or reissued. The decision of the hearing officer shall be final. Notice of the decision, and the opportunity for judicial review, shall conform to SMC Section 2.58.180.

17.52.252.W Penalties.

Penalties as set forth in SMC Section 17.80.050 may be imposed for failure to comply with the provisions of SMC Section or this Section, with respect to:

{a) Any owner, owner representative, or person who transacts or carries on any activity relating to or supporting the transient use of residential property in the City without first having procured and complied with a transient use permit from the City to do so, and paying all applicable permit fees shall be subject to administrative penalties as set forth in SMC Section 17.80.050.A, including administrative penalties imposed by a hearing officer for violation of any provisions of this Code in an amount not to exceed a maximum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) per day for each continuing violation, exclusive of administrative costs, interest and restitution for compliance reinspections, for any related series of violations, and/or forfeiture of all rents received during the period transient use was allowed without a transient use permit, whichever amount is greater;

(b) Any owner, owner representative, or person who carries on any activity that advertises to the surrounding neighborhood that the site has been permitted to allow, or is used for, transient occupancy, and who has failed to timely remedy this violation in response to two (2) or more complaints, shall be subject to administrative penalties;

(c) Any owner, owner representative, responsible tenant or person who allows a transient use site to be used or maintained in a manner detrimental to the peace, public health, safety or general welfare of persons or property of the neighborhood or the public, and fails to timely remedy this violation in response to two or more complaints;

(d) Any owner, owner representative, responsible tenant or person who allows impermissible or inappropriate behavior at the transient use site or action that exceed the limits on transient use following two (2) or more complaints;

(e) Limits upon administrative penalties in SMC Section shall not apply to any violation of this Section.

17.52.252.X **Liens.**

Whenever the amount of any penalty, forfeiture, and/or administrative cost imposed by a hearing officer pursuant to this Section or to SMC Section has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this obligation shall constitute a lien against the real property on which the violation occurred, and be subject to the processes set forth in SMC.

EXHIBIT A of the Initial Study

SECTION 1. The foregoing factual recitals are adopted as findings of the City Council.

SECTION 2. A new Municipal Code Section 17.52.251 entitled, "Short-Term Rental" is added by the addition of all text shown as follows:

17.52.251.E Definitions. For the purpose of this Section certain terms used herein have the meanings set forth in this chapter, and such meaning shall prevail in case of conflict with the definitions set forth in SMC.

- (1) "Person" means an individual, a group of individuals, or an association, firm partnership, corporation or other entity, public or private.
- (2) "Owner" means the person who possesses fee title to a transient use site.
- (3) "Owner representative" means any person authorized by the owner to fully manage the transient use site.
- (4) "Local Contact Person" shall be the person designated by the owner or the owner's authorized representative who shall be available twenty-four hours per day, seven days per week for the purpose of responding within sixty minutes to complaints related to the short-term rental and taking remedial action to resolve such complaints.
- (5) "Remuneration" means compensation, money, rent or other bargained for consideration given in return for occupancy, possession or use of real property.
- (6) "Residential property" means any dwelling unit, except those dwelling units lawfully established as second units established pursuant to SMC Section or as part of a bed and breakfast inn, motel, hotel, timeshare development, or other transient use.
- (7) "Hosted short-term rental" means a dwelling unit where the owner with the majority interest in the residential property, or an owner holding an equal share interest if no other owner owns a greater interest, occupies a dwelling unit as his or her principal residence and offers the dwelling or a habitable portion thereof for transient occupancy by others, and is present during the occupancy of the "Hosted short-term rental".
- (8) "Non-hosted short-term rental" means a dwelling unit that is offered for transient occupancy where the owner does not occupy the dwelling offered for transient occupancy as his or her principal residence.
- (9) "Guest" means the overnight occupant (s) renting the short-term rental for a specified period and the visitors of the overnight occupants.

(10) "Good Neighbor Brochure" means a brochure, available from the City, to be given to guests, which includes a summary of the City's regulations relating to short-term rentals.

(11) "Transient" means a period of not less than one (1) day and one (1) night, nor more than thirty (30) consecutive calendar days.

(12) "Responsible tenant/guest" means a person aged 18 or older who has received notice of occupancy, parking and other limits and regulations that apply to the transient use site, and who has agreed to be responsible to ensure that impermissible or inappropriate behavior does not occur at the transient use site, including, but not limited to, all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term rental.

(13) "Transient use of residential property" means the commercial use by any person of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than thirty (30) consecutive calendar days.

(14) "Transient use site" and "transient use" mean property occupied and used for transient or short-term rental purposes.

(15) "Use" means the purpose for which land or premises of a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

(16) "Blockface" means the aggregate of all the building facades on one side of a block.

(b) Transient use of residential property for remuneration is prohibited except (1) as otherwise expressly permitted by this title, or (2) when such use is permitted by a transient use permit issued in accord with SMC Section 17.52.252.

(c) Liability and Enforcement.

(1) Any owner, owner representative, responsible tenant, person acting as agent, real estate broker, real estate sales agent, property manager, reservation service or otherwise who uses, arranges, or negotiates for the use of residential property in violation of the provisions of this chapter is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(2) Any owner, owner representative, responsible tenant, or other person who uses, or allows the use of, residential property in violation of the provisions of this chapter is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(3) Violations of this Ordinance shall be treated as a public nuisance and strict liability offense regardless of intent.

(4) A violation of any provision of this Ordinance by any of the guests, owners or operators shall constitute grounds to suspend or revoke a short-term rental permit.

SECTION 3. A new SMC Section 17.52.252 entitled, "Short-Term Rental Permit", is added as follows:

17.52.252.A Statement of Purpose.

The purpose of this chapter is to establish a permitting process, together with appropriate standards that regulate short-term rental of single-family and multi-family dwellings in residential districts, to minimize negative secondary effects of short-term rental use on surrounding neighborhoods; and to preserve the character of neighborhoods in which any such use occurs. This chapter addresses traffic, noise and density; ensures health, safety and welfare of neighborhoods as well as of renters and guests patronizing short-term rentals; and imposes limits on the number of permits issued to ensure long-term availability of the affordable housing stock. This chapter also sets regulations to ensure enforcement of these standards, and collection and payment of fees and transient occupancy taxes.

This chapter shall not provide any property owner with the right or privilege to violate any private conditions, covenants or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this chapter.

The City Council finds adoption of a comprehensive code to regulate issuance of, and conditions attached to, short-term rental is necessary to protect the public health, safety and welfare. The purposes of this chapter are to provide a permitting system and to impose operational requirements in order to minimize the potential adverse impacts of transient uses on residential neighborhoods.

The City Council finds the regulation of short-term rental uses, including its non-transferability provisions, to be a valid exercise of the City's police power in furtherance of the legitimate governmental interests documented in this chapter.

17.52.252.B Definitions.

(a) The terms "personal", "owner", "owner representative", "local contact person", "remuneration", "residential property", "hosted short-term rental", "non-hosted short-term rental", "guest", "Good Neighbor Brochure", "transient", "responsible tenant/guest", "transient use of residential property", "transient use site", "transient use", "use", and "blockface" as used in this chapter are given the same definition as those definitions set forth in SMC Section 17.52.251. .

17.52.252.C Allowed Use.

(a) Transient use of residential property for remuneration is allowed pursuant to SMC Section 17.52.251 or this chapter; provided that a separate Short-Term Rental Permit has first been granted and validly maintained for each transient use site.

(b) Each transient use must meet all the requirements of this Section. Short-Term Rental Permits are issued for a term. No guarantee is given or implied that Short-Term Rental Permit will be extended or renewed for a term subsequent to its expiration.

(c) For the purposes of this Section the City recognizes and sets discrete requirements for each of two different classes of Short-Term Rental Permits. These are Hosted Short-Term Rental and Non-Hosted Short-Term Rental.

(d) Each contract or tenancy that allows transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed of, and has agreed to abide by, occupancy, parking and other limits that apply to that transient use. The owner or owner representative shall make a record of the motor vehicle license number of each motor vehicle used by an occupant of the transient use site, and shall upon request provide that information to the City Manager or his/her delegated agent.

(e) For each initial Short-Term Rental Permit, and each permit renewal, the applicant and each property owner shall submit an inspection report that provides and verifies information, in the form and manner required by the City and the Chief Building Official, to ensure the property is safe and habitable for its intended use, including verification of adequate egress from sleeping quarters and common area, installation of accessible fire extinguishers, and a carbon monoxide alarm on each level, and that the property exists in accord with appropriate land use and building permits.

(f) The owner or owner representative shall cause notice of the application or any permit renewal, and of any hearing on the application or renewal, to be posted and mailed to notify neighbors within 100 feet of the short-term rental permitted site. The notice shall include a statement of the maximum number of guests permitted to stay in the short-term rental.

17.52.252.D Rental Permit Caps and Density Limits.

(a) Rental Permit Caps. Once the City has processed the short term rental permits that have been in operation since April 11, 2018, the number of permits to be issued by the City of Seaside in 2018 and 2019 will not exceed 200, with not less than 75 permits reserved for hosted short-term rentals and not less than 75 permits reserved for non-hosted short-term rentals, assigned on a first-applied, first permitted basis. If applications exceeding this number are received after the initial permits that existed on or prior to April 11, 2018, the City Manager shall place the excess number on a short-term rental permit waiting list and process those in order of receipt as permits become available.

In years 2020 and beyond the City Council will establish the maximum allowable number of hosted and non-hosted short-term rental permits annually by Resolution at the second regularly scheduled City Council meeting in January, and in doing so, will project forward the maximum allowable number of hosted and non-hosted short-term rental permits and not less than three (3) years into the future.

(b) Density Limit. After the initial non-hosted permits that existed on or prior to April 11, 2018, additional Non-hosted short-term rental permits shall not be issued on certain block face if granting that non-hosted short-term rental permit would cause the non-hosted short-term density limit to exceed fifty percent (50%) per blockface on which it is located.

17.52.252.E Limits on Transient Use.

Transient use of residential property for remuneration allowed by SMC Section 17.52.251 or this Section shall be subject to each and every limitation in this Section:

(a) Each contract or tenancy that enables transient use shall be in writing, and identify thereon the name, address, phone number and e-mail contact information of:

(1) the owner;

(2) the owner representative; and

(3) at least one responsible tenant occupying the transient site who shall be responsible for all limits required by this section.

(b) Each contract or tenancy that all transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed by the owner or owner representative of the occupancy, parking and other limits that apply to transient use by this Section and shall be informed of residential parking and noise limits, including but not limited to SMC Section 9.12, the City codes that regulate unlawful noises.

(c) Trash and refuse shall not be left stored within public view, except in proper containers for purpose of collection by the City's authorized waste hauler.

(d) A short-term rental shall not change the residential character of the outside appearance of the residence including color, material, lighting or any advertising mechanism, including **"vacation rental" signs.**

(e) Guests of the short-term rental shall comply with City of Seaside Municipal Code Chapter 9.12 regulating noise, including quiet hours between the hours of 10:00 p.m. and 7:00 a.m.

(f) The owner or owner representative shall post the following information in a prominent location within the short-term rental:

(a) owner or owner representative name and telephone number

(b) local contact person name and telephone number;

(c) telephone number for the Seaside Police Department and Seaside Code Enforcement;

(d) the maximum number of parking spaces available onsite;

(e) trash pick-up day and applicable rules and regulations;

(f) a copy of City of Seaside Noise Regulations;

(g) a copy of the Good Neighbor Brochure; and

(h) Notification that a guest, local contact person, responsible person or owner may be cited and/or fined by the City in accordance with this Ordinance.

(g) The transient use site:

(1) shall be used and maintained in a manner consistent with the character of the neighborhood;

(2) shall not impair the desirability of investment or occupation of the surrounding neighborhood; and

(3) shall not have displayed thereon any sign that indicates the property is used or available for transient or short-term rental purposes.

(h) Owner and Owner representative shall each use their best efforts, and respond in a reasonable and timely manner, to ensure that every occupant of the transient use site does not create or contribute to unreasonable use of the property, cause unreasonable noise or disturbance, engage in disorderly or unlawful conduct, or overcrowd the site.

(i) Local contact person shall be on-call full-time (24 hours per day, 7 days per week) to manage the property and shall be able to be physically present at the transient use site within sixty (60) minutes of request during any time the property is occupied for transient use. Within 24 hours of the time an initial call is attempted the owner, owner representative or local contact person shall use his or her best efforts to prevent the recurrence of such conduct by the occupants and take corrective action to address any violation. Failure to respond timely to two (2) or more complaints regarding guest violations is grounds for penalties as set forth in this chapter. The owner, owner representative or local contact person shall be subject to all administrative, legal and equitable remedies available to the City for failing to respond within sixty (60) minutes of request.

(j) The maximum number of occupants aged 18 or older authorized to stay overnight at any transient use site shall be limited two 2 (two) persons per bedroom, plus one additional person

(k) Each designated on-site parking space at a transient use site shall be made available for use by overnight occupants of that site and any on-site driveway must be available for the use of the guests of the site.

(l) Amplified sound that is audible beyond the property boundaries of the transient use site is prohibited.

(m) Commercial functions, and other similar events are prohibited at the transient use site.

17.52.252.F Short-Term Rental Permit.

It is unlawful for any person to transact and carry on any business relating to or supporting the transient use of residential property in the City without first having procured a Short-Term Rental Permit from the City, and paying the permit fee and any other fees associated with approval of an application for a permit, hereinafter prescribed, and also without complying with any and all applicable provisions of this Section. A short-term rental permit, however, shall not be required for any lawfully established bed and breakfast inn, motel, hotel, or timeshare development.

17.52.252.G Display of Short-Term Rental Permit.

The owner or owner representative shall cause a copy of the transient use license to be displayed in a prominent location within the interior of the transient use site, and shall provide a copy to each responsible tenant. Each internet or online advertisement, sign, circular, card, telephone book, or newspaper advertisement that indicates or represents a transient use site is available for transient or short-term rental purposes shall prominently display thereon the transient use permit number assigned to that site by the City of Seaside.

17.52.252.H Separate Properties.

A separate short-term rental permit shall be obtained for each separate transient use site. A single short-term rental permit may be issued for multiple residential dwelling units under identical ownership at a single site. In all other circumstances, a separate permit shall be required for each transient use site. A transient use permit shall authorize the permitted owner to transact and carry on transient use of residential property only at the location and in the manner and subject to the limits designated in such permit.

17.52.252.I Contents of Permit.

Every person required to have a permit under the provisions of this Section shall make application to the City and tender payment of the prescribed application and permit fee. Thereafter in accord with the provisions of this Section the City shall issue to such person a permit which shall contain the following information:

(a) the name and contact information of the owner to whom the permit is issued, and the name and contact information for the owner representative, if any;

(b) the transient use site to be permitted, and whether the permit is for a hosted short-term rental or a non-hosted short-term rental;

(c) the date of expiration of such permit;

(d) the maximum number of occupants aged 18 or older who are authorized to stay overnight at that transient use site in accordance with the number of bedrooms on site;

(e) the maximum number of motor vehicles allowed for use by overnight guests at that transient use site based upon the available on-site parking as shown on the application site plan; and

(f) such other administrative information as may be necessary for the enforcement of the provisions of this Section.

17.52.252.J Application - First Permit.

Each short-term rental permit shall be in the name of the owner of the real property upon which the short-term rental use is to be permitted and shall be valid for a period of one(1) year from the date of issuance. When a person first makes an application for a permit pursuant to this section, such person shall furnish to the City a sworn Affidavit upon a form provided by the City setting forth the following information:

(a) the address of the transient use site to which the permit shall apply, and all places of residence of the owner(s) of the transient use site;

(1) In the event an application is made for issuance of a permit to a person doing business under a fictitious name, the application shall set forth the names and places of residence of those owning the business;

(2) In the event an application is made for the issuance of a permit to a corporation or a partnership, the application shall set forth the names and places of residence of the principal officers and all partners thereof.

(b) Each application shall set forth such information as may be therein required by the City and deemed necessary to estimate the annual transient occupancy tax to be charged for that property;

(c) the owner and applicant shall maintain a City business license at all times, and shall agree to collect and remit transient occupancy taxes on all gross receipts pertaining to the transient use site;

(d) each application shall identify the name, address, phone number and e-mail contact information of the owner and the owner representative;

(e) each application shall include a site plan which labels each room and the structure of the property, including the number of bedrooms and the number of off-street parking spaces;

(f) the owner shall affirm that smoke detectors are installed on all levels in all sleeping quarters and common areas, and that fire extinguishers are accessible to protect the health and safety of the guests of the transient use site, and the applicant shall provide access and information to the fire inspector as needed to ensure health and safety for occupants of the transient use site; and

(g) such further information which the City may require to enable proper administration of the permit.

The applicant shall remit all required annual fees in accord with the master fee schedule set by City Council Resolution. The applicant shall agree to renew and/or amend the permit in accord with the requirements of this Section, and if there is a change in any material fact stated in the application.

17.52.252.K Renewal of Permit.

(a) In all cases, the applicant for the renewal of a permit shall submit to the City on or before July 1, 2018 an application for renewal containing a sworn Affidavit upon a form to be provided by the City setting forth such information concerning the applicant's transient occupancy activity during the preceding calendar year as may be required by the City to enable the City to verify the amount of the transient occupancy tax paid by said applicant pursuant to the provisions of this Section. Evidence that a site has not been used for at least ninety (90) days for transient use during the preceding twelve (12) months shall cause non-renewal of a non-hosted short-term rental permit, and the applicant may request a hosted short-term rental permit.

(b) The applicant shall remit the annual permit fee as set by Resolution at the same time as the renewal application. The applicant shall submit an annual sworn Affidavit affirming that smoke detectors are installed and maintained on all levels in all sleeping quarters and common areas and that fire extinguishers are accessible, and a carbon monoxide alarm is installed on each level. The applicant shall provide access and information to the

inspector as may be needed to ensure health and safety for guests of the transient use site, in order to verify adequate egress from sleeping quarters and common area, and installation of accessible fire extinguishers, and a carbon monoxide alarm on each level.

17.52.252.L Change to permit information.

(a) A request to amend any information provided on the permit issued pursuant to this Section shall be made within fourteen (14) days of any change of owner, a change of the owner representative, a change in any material fact upon which the permit was issued, or if any other person acquires an ownership interest in the transient use site.

(b) In the event that the transient use site ownership transfers to an immediate family member by means of a gift or testamentary transfer the new owner of the property shall also acquire ownership of the existing short-term rental permit until its expiration without paying additional fees. The new property title owner shall, within fourteen (14) days of transfer of ownership of the transient rental site, update the information provided on the permit issued.

17.52.252.M Evidence of transient occupancy of residential property.

When any owner, owner representative or other person makes use of internet services, signs, circulars, cards, telephone books, or newspapers and/or advertises, holds out, or represents that he or she allows transient occupancy of residential property in the City, and such person fails to provide a sworn Affidavit to the City that he or she does not allow transient occupancy of residential property in the City after being requested to do so, by the City, then such information shall be considered *prima facie* evidence that he or she is conducting a business in the City by allowing transient occupancy of residential property. Until proper evidence to the contrary is presented to the City, the City shall be entitled to presume that residential property is subject to the permit required by this Section, and/or that the transient use of residential property has occurred at the subject property.

17.52.252.N Statement and records.

No statement shall be conclusive as to the matters set forth therein, nor shall the filing of such statement keep the City from collecting by appropriate action taxes and/or fees that are due and payable hereunder. In the event that the City deems it necessary, the City may require that an already permitted owner, or applicant for a permit, submit verification of financial information necessary to calculate the transient

occupancy tax due, or at the option of the already permitted owner or applicant, may authorize the City to examine records or business transactions to compute the transient occupancy tax that is owed.

17.52.252.0 Failure to file statement or corrected statement.

If any person fails to file any required statement within the time prescribed, or if after demand therefor made by the City the permitted owner or applicant fails to file a corrected statement, or if any person subject to the tax imposed by this Section fails to apply for a permit, the City may determine the amount of tax due from such person by means of such information as City may be able to obtain and shall give written notice thereof to such person. Delinquent payment shall be subject to penalties calculated in the same manner as set forth in SMC Section 3.24.

17.52.252.P Additional Power of City.

In addition to all other power conferred upon the City, the property owner/applicant shall have the power, for good cause shown:

(a) to extend the time for filing any required sworn Affidavit or application for a period not exceeding thirty (30) days, and in such case to waive any penalty that would otherwise have accrued; and

(b) whenever any fee, tax or penalty pursuant to this Section is due and payable but has not been satisfied in full within ninety (90) days and/or has not been successfully by a timely writ of mandate, such amounts shall constitute a lien against the real prperty, and be subject to the processes set forth in the SMC.

17.52.252.Q Permit Non-transferrable - Changed Location.

No permit issued pursuant to this Section shall be transferable to any other person or location, except as notes in section 17.52.252.2 (B).

17.52.252.R Permit Denial or Revocation.

Any application for a permit may be denied, and any permit issued pursuant to this Section may be revoked. Substantial evidence shall be presented as to why the application should be denied, or the license should be revoked for any reasons, including but not limited to:

(a) a false material statement or misrepresentation has been made in, or in support of, the application;

(b) a change occurs in any material fact upon which the permit was issued that has not been reported to the City as a

change to the required license content within fourteen (14) days;

(c) the transient use site, or any other location owned by the owner or applicant, has been the site of a violation of any provision of law, or otherwise fails to meet sanitation or health standards of the neighborhood, within the twelve (12) months immediately preceding;

(d) the owner, owner representative or applicant has been convicted of any crime involving moral turpitude;

{e) the owner, owner representative or applicant has failed to **timely** respond to two (2) or more complaints within the twelve (12) months immediately preceding; and

(f) the owner, applicant, guest or any occupant of a transient use site regularly engages in disorderly conduct, violates provisions of this code or any state law pertaining to noise, disorderly conduct, or uses illegal drugs.

17.52.252.S Appeal of Revocation of Suspension.

Any person who has been denied a permit or to whom notice of revocation of suspension of a permit has been mailed may appeal to the administrative enforcement hearing panel under SMC Section 2.58, pursuant to a request for hearing under SMC Section 2.58. Notice of the proceeding shall conform to SMC Section 2.58.080, and the hearing shall conform to the process set in SMC Section 2.58.090. The hearing officer shall **have** authority to determine all questions raised by such appeal; provided, however, that no such determination shall conflict with any substantive provision of this Section. Any applicant or permit holder whose permit shall have been denied or revoked shall be ineligible for a two (2) year period from applying for a new permit. No person whose permit has been revoked shall continue to engage in, or carry on, the activity for which the permit was granted unless and until such permit has been reinstated or reissued. The decision of the hearing officer shall be final. Notice of the decision, and the opportunity for judicial review, shall conform to SMC Section 2.58.180.

17.52.252.T Penalties.

Penalties as set forth in SMC Section 17.80.050 may be imposed for failure to comply with the provisions of SMC Section or this Section, with respect to:

{a) Any owner, owner representative, or person who transacts or carries on any activity relating to or supporting the transient use of residential property in the City without first having procured and complied with a transient use permit from the City to do so, and paying all applicable permit fees shall be subject to administrative penalties as set forth in SMC Section 17.80.050.A, including administrative penalties imposed by a hearing officer for violation of any provisions of this Code in an amount not to exceed a maximum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) per day for each continuing violation, exclusive of administrative costs, interest and restitution for compliance reinspections, for any related series of violations, and/or forfeiture of all rents received during the period transient use was allowed without a transient use permit, whichever amount is greater;

(b) Any owner, owner representative, or person who carries on any activity that advertises to the surrounding neighborhood that the site has been permitted to allow, or is used for, transient occupancy, and who has failed to timely remedy this violation in response to two (2) or more complaints, shall be subject to administrative penalties;

(c) Any owner, owner representative, responsible tenant or person who allows a transient use site to be used or maintained in a manner detrimental to the peace, public health, safety or general welfare of persons or property of the neighborhood or the public, and fails to timely remedy this violation in response to two or more complaints;

(d) Any owner, owner representative, responsible tenant or person who allows impermissible or inappropriate behavior at the transient use site or action that exceed the limits on transient use following two (2) or more complaints;

(e) Limits upon administrative penalties in SMC Section shall not apply to any violation of this Section.

17.52.252.V **Liens.**

Whenever the amount of any penalty, forfeiture, and/or administrative cost imposed by a hearing officer pursuant to this Section or to SMC Section has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this obligation shall constitute a lien against the real property on which the violation occurred, and be subject to the processes set forth in SMC.

Attachment 3

Public Comment Letters

Public Comment from Jonathan Wizard

Rick Medina - Draft STR Ordinance

From: Jonathan Wizard <jonathanwizard@gmail.com>
To: Rick Medina <rmedina@ci.seaside.ca.us>
Date: 1/17/2018 1:27 PM
Subject: Draft STR Ordinance

Hi Rick,

The draft STR ordinance directs members of the public to submit their comments and questions to Senior Planner Rick Medina. Please find below my comments and questions about this ordinance.

1. There is no requirement for non-hosted STRs to be owned by Seaside residents, or even Peninsula residents. Without such a requirement, whatever money those who offer STRs receive will not be spent locally but instead extracted to be spent in other communities. Non-hosted STRs should be owned by locals, preferably Seaside residents.
2. What mechanism do we have to prevent a private person or business entity from buying homes en masse and converting them all to STRs, up to the "no less than 75..." threshold? One person should not be permitted to offer more than one non-hosted STR and one hosted STR.
3. Our ordinance should reflect the new housing law package to ensure no accessory dwelling units are used as STRs.
4. All STR permits should be conditional upon verification of commercial insurance. If you don't have commercial insurance for your commercial use of a residence, a fire, broken pipe, etc., could damage other people's homes, which wouldn't be covered by noncommercial renter's or homeowner's insurance.
5. What mechanism exists to prevent people from applying for and receiving an STR permit – with no intent to ever use it – so as to block their neighbors from getting one?
6. Apartments, mobile homes, multi-family dwellings, and other housing options that are commonly sought for their affordability should be restricted to hosted STRs only, since converting the most affordable housing into STRs disadvantages people with less money by removing the already low quantity of affordable housing in the housing stock. The use of *affordable housing* in the previous sentence should be read as "housing that is affordable," not the technical definition of Affordable Housing.
7. Subsection 17.52.251.C.D. "*An application may be denied if the applicant has had a prior short-term rental permit revoked for the same dwelling within the past twelve calendar months.*" If we're actually trying to hold people accountable, this should be a minimum of three years. Also, if I have two permitted STRs and manage one well and one poorly, why should I get to keep either? Ideally, that subsection would read, "*An application **shall** be denied if the applicant has had a prior short-term rental permit revoked for any dwelling, in any jurisdiction, any time within the past three years.*"
8. Section 17.52.251.D - *SHORT-TERM RENTAL OPERATIONAL REQUIREMENTS*. needs to include an enforcement mechanism by which our local compliance official can verify the local contact person has responded within 60 minutes. Either calling a phone number or signing into a website – something to verify the local contact person acknowledged the neighbor complaint.

9. Subsection 17.52.251.D.C. What are the "administrative, legal and equitable remedies available to the City?" If they're not specified, there's an argument for calling them arbitrary and capricious, which diminishes enforceability and future compliance. This also exposes the city to legal liability for a claim of unfairly enforcing rules and targeting individuals.

10. Who will verify the information on the Good Neighbor Brochure is accurate? ...and current? At what interval will that information be verified? What is the penalty for having expired or stale information?

11. What is the definition of "local" for a *Local Contact Person*? Is it a five-mile radius from the STR? Ten-mile? Is it a ten-minute response time? Thirty? Is it someone who lives in Seaside or just the Peninsula? What about South Salinas? What about Carmel Valley? Watsonville? San Juan Bautista?

12. Subsection 17.52.251.H.B. describes conditions for suspension or revocation of an STR permit. How long does this period of suspension or revocation last? Is the suspension or revocation of the STR permit the entirety of the penalty, or is there also a fine?

13. For noncompliant operators, whatever the reason, what amount of monetary penalty will be assessed, and how? Is the violation a factor of the advertised price, such as five times the listed rate of the last booking, excluding taxes and cleaning fees? Is the violation a flat fee, such as \$1,000 per offense? \$2,000? \$5,000? Is it a bill received in the mail addressed to the homeowner? Addressed to the renter or lessee? Both the homeowner and the renter/lessee? Is the fee assessed on a subsequent STR permit application? Is it a lien on their property?

Thank you for taking the time to review my concerns. Please verify whether submission via email is acceptable, or if you would prefer – or require – submission via personal delivery or US Post.

Sincerely,
Jon Wizard

Public Comment from
Janet Redding

Rick Medina - Short Term Rental Comments

From: Janet Redding <janetredding8316@hotmail.com>
To: "rmedina@ci.seaside.ca.us" <rmedina@ci.seaside.ca.us>
Date: 1/15/2018 4:48 PM
Subject: Short Term Rental Comments

I think that all property owners in a two block radius should be notified that a property is being used as a short term rental. Property owners should be notified if an owner submits an application for their property to become a short term rental.

Some might think that the neighborhood would see little impact but that is far from the truth. When someone goes to sell their home they have to disclose that a “Motel 6” type of property is the neighborhood. That could result in a decrease in property value.

We already have parking wars in the city. Where would the extra cars park? They should be required to park on the short term rental's property. I encourage you to drive down the 1600 block of Waring after 7pm. You will see what I mean about parking issues.

We have an AirBnB rental in our neighborhood. (1625 Waring Street) The owner of the property doesn't live in the home. It's used for a full time rental. Why doesn't the city charge more taxes for these types of rentals? The problem with the rental is that we are on a one way street. Guests who stay at the rental drive the wrong way down our one way street. We have complained but no one is listening. If two cars were to hit each other the cars will end up in someone's front yard and or in someone's house. Making sure that guests follow the traffic laws are very important.

Thank you for letting me share my concern.

Sincerely,

Janet McPherson

Sent from Outlook

Public Comment from
Edwin Baptista

To:
Rick Medina, Senior Planner
City of Seaside,
440 Harcourt Ave.
Seaside, CA 93955

01/23/2018

RECEIVED BY
CITY OF SEASIDE
JAN 23 2018
COMMUNITY
DEVELOPMENT

Ref: residential dwellings used as short-term rentals – (AGAINST)

I bought my house in Seaside in a residential neighborhood and enjoyed it for some time very much.

But lately the neighborhood has changed to a very busy short-term-motel-atmosphere!

Noisy people are coming and going day and night, trying to park in a narrow driveway, slamming doors, radios playing, motors running, loading and unloading luggage, kids, dogs, parties and more.

Occasionally they are in the middle of the street trying to park the second, third and fourth car! I wonder how many people will stay in those 2 units?

Sometimes this noise starts at 4:30 am, and now, everyone in my home is awake!

Those short-term-renters are taking up all the parking spaces on the street, and just when we think it's getting quiet some more people are showing up, trying to park and enter the same 2 units right next to my home, late at night!

We have lost our privacy and we surely hope the city of Seaside takes actions and establishes regulations for the use of privately owned residential dwellings for a minimum of 30-days and a limited amount of occupancy per unit!

Also when permits are issued there should be a fire and safety inspection, as well as proof of liability insurance and I think permits should be issued by a "lottery system" only!

I understand that Seaside is a beautiful, upcoming community with a lot of potential for growth which needs to be addressed and regulated, however I think there should be a minimum of 30-day rental and a maximum of headcount per unit (no sleeping bags on floors etc.)

Thank you!


Sincerely
Edwin Baptista
1238 Wanda Ave.
Seaside, CA 93955

Public Comment from
Pamela Hampton

REQUEST TO REJECT SEASIDE MUNICIPAL CODE AMEND. SMC 17-03

January 17, 2018

Rick Medina, Senior Planner

City of Seaside

440 Harcourt Avenue

Seaside, CA 93955

RECEIVED BY
CITY OF SEASIDE
JAN 22 2018
COMMUNITY
DEVELOPMENT

RE: ADVERSE IMPACT TO SURROUNDING PROPERTIES TO ALLOW SHORT TERM RENTALS

Dear Mr. Medina:

I am a home owner at 1693 Luzern St., Seaside. My immediate neighbors and owners, and I have suffered the negative effects of the lack of enforcement on rental property Boarding Houses in our neighborhood. The Land Use here is Single Family, however, there are at least 10 people renting at 1688 Luzern. There are other addresses on this street with multiple rental occupants. This has created excessive noise from parties, car radios blasting, and visitors coming and going all hours of the night. Off street parking and traffic flow have been a problem since there are 10 plus vehicles (some are oversized), double parking, encroaching into our driveways, creating blind entering into a one way street. Some of these SUV/campers are left in front of our houses for weeks obstructing natural light to our properties. Public Services have been stretched, street sweeper can't reach the curb, emergency vehicles can't get through, trash cans are overflowing, renters are trespassing on properties to throw garbage into our cans. There is also excessive dog barking, dogs running loose, pooping in our yards, etc. High occupancy creates a heavy impact on the utilities and service systems especially when there are heavy rains creating overflowing drains and gutters. Police services are also impacted when complaints are called in to solve these disputes. Aesthetics are impacted when there are multiple occupants hanging out in the front yard or lack of property maintenance due to slum landlords.

Short Term Rentals would only ADD to the already NEGATIVELY impacted factors of the illegal boarding houses including Land Use, Noise, Population, Public Services, Traffic, and Utilities.

All of these issues are currently affecting our peaceful enjoyment and quality of life. Approving Short Term Rentals would only amplify this ongoing public nuisance.

Please reconsider the approval of this Amendment to the Municipal Code. Your consideration would be appreciated.

Sincerely,

Pamela Hampton
Pamela Hampton
Blanche M. Smith
1680 Luzern St
Seaside, CA 93955
Ronald L. Smith

Kristine Perez
Bryan Perez } 1681 Luzern St.
Seaside Ca 93955

Carmie Jones 1699 LUZERN
John O'Connell SEASIDE CA.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Kurt Overmeyer, Economic Development Manager

DATE: May 3, 2018

SUBJECT: AMENDMENT TO THE CONTRACT WITH RAMI AND ASSOCIATES TO COMPLETE A GENERAL PLAN UPDATE AND REVISED ZONING ORDINANCE.

PURPOSE & RECOMMENDATION

In order to complete a comprehensive update to the City's Zoning Ordinance and to ensure that the new General Plan and Zoning Ordinance are in alignment, adjustments to the scope and budget of the contract with Raimi and Associates is required. These changes will not impact the overall price of the updates to the City's General Plan and Zoning Ordinance.

BACKGROUND

The original contract with Raimi and Associates only included a modest update to the Zoning Ordinance. After working through the details of the General Plan, staff and the consultant have concluded that a modest adjustment to the existing Zoning Ordinance will not result in successful implementation of the updated General Plan.

In order to succeed in implementing the General Plan, the best Zoning Ordinance option is to create a "Form-Based" code. Form-based codes are especially helpful in areas with multiple infill (building in areas where there have been or are existing structures) opportunities. A form-based code focuses on the form of structures, how they relate to streets, how they relate to other amenities, and how they provide human scale interactions as opposed to the use inside the structure. This methodology ensures that functionally obsolete structures can be utilized, that human scale development is realized and that City regulations are better able to adapt to changes in the economy.

The adjustments in the contract reflect the required expenditures to complete a high-quality General Plan and to implement a form-based Zoning Ordinance. It also reflects a change in the planning component of the contract to a new firm, Torti-Gallas, that has greater experience in

form-based codes and that can perform on schedule.

These changes will also result in staff developing a Climate Action Plan internally rather than having the Consultant complete this work. The Climate Action Plan required by the State is relatively simple to complete and Staff has the expertise to complete this task in house with the current workload.

FISCAL IMPACT

This contract amendment moves money among tasks within the General Plan Update and does not change the previous "not to exceed" amount.

ATTACHMENTS

1. Draft Contract Modification #1
 2. Draft Resolution
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

CONTRACT MODIFICATION

PROJECT	Seaside General Plan and Environmental Impact Report
R+A PROJECT NUMBER	15038
CONTRACT MODIFICATION NUMBER	1
DATE	February 21, 2018

This Contract Modification amends the existing contract between Raimi + Associates, Inc. and the City of Seaside for the Seaside General Plan and Environmental Impact Report (Prime Agreement dated December 17, 2015).

Scope of Work

Exhibit A, the Scope of Work, is modified as follows:

- Task 6.8 FORA Base Reuse Consistency Analysis will be removed from the scope of work. City staff will complete the analysis. No further work will be required from the consultant on this task. The scope will be amended as follows:

TASK 6.8 FORA BASE REUSE CONSISTENCY ANALYSIS

The R+A, with assistance from Rincon and other team members as needed, will prepare the FORA Base Reuse Consistency Analysis as identified in Chapter 8 of the FORA Master Resolution, California State Law and any other information as required. The R+A team will prepare an administrative draft of the Consistency Analysis for review and then a Final Consistency analysis based on City staff comments. R+A will make changes required by FORA, in consultation with City staff. Our assumption that these changes will be minor and editorial.

- Task 8 will be amended to develop a form-based code. This task was specifically requested by City staff as it is not required for a General Plan update. The scope will be amended as follows:

TASK 8: ZONING CODE AMENDMENT

Lisa Wise Consulting's (LWC) approach to the zoning code amendment is to make targeted and specific amendments to land uses, zones, standards, and procedures to implement the goals, policies, and programs of the updated General Plan as well as complete policy and program recommendations of the BRP. The proposed amendments will ensure consistency with adopted regulatory documents including, but not limited to the Fort Ord BRP, recently adopted Specific Plans, and the updated General Plan. This scope of work assumes there will be no changes to the LCP, Coastal Implementation Plan (CIP), or Fort Ord BRP and no reformatting, reorganizing, updating language, and other changes not explicitly outlined below. LWC assumes the City will undertake the GP and Zoning Code adoption processes concurrently.

8.1 GP CONSISTENCY ANALYSIS AND RECOMMENDATIONS MEMO

LWC will perform a General Plan consistency analysis that will compare the updated General Plan Goals, Objectives, Policies, and Programs to the existing Zoning Code zones, land uses, development standards, and procedures and to the BRP Regional Urban Design Guidelines. The analysis will identify inconsistencies and provide recommended Code amendments, as needed. We anticipate creating or modifying up to 4 zones, making a few changes to code administration and procedures, and completing other minor edits to other areas of the code such as parking, landscaping, and specific use standards. The result of this task will be a memo summarizing the changes.

8.2. ADMIN DRAFT ORDINANCE

LWC will prepare an Administrative Draft Ordinance for City review and comment. The Administrative Draft Ordinance will provide a line by line markup (in strikeout and underline) of all changes.

8.3 FINAL ORDINANCE

LWC will address City comments on the Admin Draft Ordinance and prepare a Final Ordinance for the Planning Commission and City Council. Following City Council adoption, LWC will make any revisions as requested by the City Council.

8.1: Preliminary Planning - Analysis and Research

Upon commencement of the work and the receipt of requested documents, the Torti Gallas team will:

- Analyze existing land use map and categorized uses according to a transect.
- Review existing Zoning Code and proposed General Plan and develop recommendations for 'collapsing' Zoning designations into fewer categories organized according to a transect.
- Conduct a two-day site visit to photograph and do field reconnaissance to assist in comparing and resolving discrepancies between the two maps above. Among the things Torti Gallas will identify include:
 - Typical frontages – private and public
 - Building types
 - Typical thoroughfares and their associated characteristics
 - Architectural characteristics
 - Landscape characteristics, etc.
- Create a Fort Ord Overlay and include all Fort Ord Reuse Plan land-use policies in this overlay

8.2: Document Preparation - Synthesize and Develop 1st Draft

Torti Gallas will do the following:

- Prepare of a table of contents for the entire form-based code. The purpose for the table of contents is to guide the successful integration of the design "standards" with regulatory "procedures."
- Prepare template for Form-Based Code
- Prepare Regulating Plan Regulating Plan
- Prepare 1st Draft or Private Development Standards
 - Building Type Standards
 - Frontage Standards
 - Architectural Standards

- Landscape Standards
 - Signage Standards
- Prepare 1st Draft of Public Development Standards
 - Thoroughfare Standards
 - Block Standards
 - Public Space Standards
 - Streetscape Standards
 - Other Standards as necessary
- Prepare land use classifications to accompany each Transect Zone
- Prepare Chapter on Administration
- Prepare Definitions

Deliverables:

- Table of contents
- First draft of Regulating Plan and Form-Based Code
- Land use classification to accompany each Transect Zone

8.3: Participate in Joint City Council / Planning Commission Meeting

Torti Gallas will prepare for and participate in one (1) joint City Council and Planning Commission study session in Seaside to explain the basics of “what is a form-based code” and present components of the 1st draft of the Regulating Plan and Form-Based Code.

8.4: Document Evaluation - Synthesize and Develop 2nd Draft Form-Based Code

Torti Gallas will receive comments from City staff and create the 2nd Draft the Form-Based Code. The Draft will be submitted to staff for review and will incorporate revisions to Draft 1 as outlined above. It may also include:

- Additional Building Form Standards: e.g., Special-Use Buildings
- Additional Public Space and Thoroughfare Standards
 - Special streets
 - Roundabouts
 - Exterior lighting criteria
 - Site furnishing criteria
- Criteria for construction sites and temporary facilities
 - Temporary grading
 - Fencing
 - Waste material recycling
 - Tree preservation
- Additional chapters as required

Deliverables:

- 2nd draft of the Form-Based Code
- All necessary “Procedures” for the Form-Based Code

8.5: Document Re-Evaluation - Synthesize and Develop 3rd Draft of the Form-Based Code

Torti Gallas will receive City staff comments and create the 3rd Draft the Form-Based Code. The Draft will be submitted to City staff for review and will incorporate revisions to Draft 2nd as outlined above.

Deliverables:

- 3rd draft of the Code and Procedures

8.6: Conduct One Public Hearing and make additional changes to Develop Final Draft

Torti Gallas will do the following:

- Assist the City in conducting one (1) Public Hearing
- Based upon feedback from the City Draft Final Document for adoption

Deliverables:

- Final draft of the Form-Based Code and Procedures for Adoption
- Task 10.1 Tree Ordinance Update will be removed from the scope of work. City staff will complete the update to the ordinance. No further work will be required from the consultant on this task. The scope will be amended as follows:

TASK 10.1 TREE ORDINANCE UPDATE

~~The City's tree ordinance, Chapter 8.54 of the municipal code, does not specifically address oak trees or oak woodland. Rincon will update City's tree ordinance to specifically address the preservation oak trees consistent with the COSE and BRP Conservation – Biological Resources Programs B-2.1, C-2.1, C-2.4, and C-2.55. This will consist of review of the FORA prepared oak woodland management plan, research and review of existing tree ordinances for other nearby jurisdictions, and amending Chapter 8.54 of the Seaside Municipal Code. The amendments will include restrictions for the removal of oaks of a certain size, requirements for obtaining permits for removing oaks of the size defined, and specifications for relocation or replacement of oaks removed. Rincon will prepare draft ordinance language for City review, and will revise according to City comments.~~

Project Budget

The project budget is modified as follows:

Firm	Old Budget	New Budget	Change
Raimi + Associates	\$475,395	\$457,115	(\$18,280) These changes will transfer remaining funds from "Task 6.8: FORA Base Reuse Consistency Analysis", "9.3 FORA Board Consistency Hearing", and \$6,000 from "Survey Consultant" to Torti Gallas + Partners for "Task 8: Zoning Code Amendment".
Raimi + Associates	\$457,115	\$457,115	\$0.00 This change will transfer \$6,000 from "Survey Consultant" to the "Task 6.7: Final General Plan." This is to address comments on the Public Draft General Plan. This change will transfer \$2,500 from "Survey Consultant" to the "Task 2.1 On-Going Project Management." This is for management of the form-based code.
Rincon Consultants, Inc	\$306,490	\$293,575	(\$12,915) These changes will transfer remaining funds from "Task 3.4 Stakeholder Interviews", "Task 3.5: General Plan Update Task Force", "Task 6.2: Team

			Working Meeting”, “Task 9.3: FORA Board Consistency Hearing”, and “Task 10.1: Tree Ordinance Update” to Torti Gallas + Partners for “Task 8: Zoning Code Amendment”.
Rincon Consultants, Inc	\$293,575	\$293,575	\$0.00 This change will move \$2,088 for “Task 6.7: Final General Plan” from “Task 3.8: General Plan Public Workshops and Open Houses.” This is to address comments on the Public Draft General Plan.
Veronica Tam and Associates, Inc	\$66,060	\$64,370	(\$1,690) These changes will transfer remaining funds from “Task 3.1: Community Engagement Plan” and “Task 3.6: Focus Groups” to Torti Gallas + Partners for “Task 8: Zoning Code Amendment”.
Veronica Tam and Associates, Inc	\$64,370	\$64,370	\$0.00 This change will move \$1,480 for “Task 6.7: Final General Plan” from “Task 3.8: General Plan Public Workshops and Open Houses.” This is to address comments on the Public Draft General Plan.
Lisa Wise Consulting	\$211,126	\$132,991	(\$78,135) This change will transfer remaining funds from “Task 3.11: BAR, PC, and City Council Study Sessions”, “Task 5.5: Alternatives Analysis”, “Task 8: Zoning Code Amendment”, “Task 9.1: Planning Commission Hearings”, “Task 9.2: City Council Hearings”, and “Task 9.3: FORA Board Consistency Hearing”, to Torti Gallas + Partners for “Task 8: Zoning Code Amendment”.
Whitson Engineers	\$34,280	\$27,356	(\$6,924) This change will transfer remaining funds from “Task 5.3: Team Working Meeting”, “Task 6.2: Team Working Meeting”, “Task 6.3: Goals and Policies Memorandum”, “Task 6.4: Administrative Draft General Plan”, “Task 6.5: Screencheck Draft General Plan”, and “Task 6.6: Public Draft General Plan”, to Torti Gallas + Partners for “Task 8: Zoning Code Amendment”.
Torti Gallas + Partners	\$0	\$117,945	\$117,945 This change is to complete a new form-based code for the City (as described above).

All other terms and conditions of the existing contract, dated December 17, 2015, including the scope of work and the budget, remain unchanged.

CLIENT

Signature: _____

Printed Name: _____

Title: _____

Date: _____

CONSULTANT

Signature: _____

Printed Name: Matthew D. Raimi

Title: President and CEO

Date: February 21, 2018

RESOLUTION NO. 16-__

A RESOLUTION OF CITY OF SEASIDE

**APPROVING CONTRACT AMENDMENTS TO THE GENERAL PLAN UPDATE
CONTRACT WITH RAIMI AND ASSOCIATES**

WHEREAS, The state of California requires that Cities regularly update their General Plans; and

WHEREAS, The City of Seaside has contracted with Raimi and Associates to complete the required comprehensive update to the General Plan; and

WHEREAS the City of Seaside Zoning Ordinance will require significant updates to implement the new General Plan; and

WHEREAS, the contract amendments will result in the completion of a Zoning Ordinance designed to implement the new General Plan; and

WHEREAS, the amendments to the contract will not impact the overall cost of the contract;

NOW, THEREFORE, the City hereby finds, determines and resolves as follows:

Section 1. The City Manager is hereby authorized to execute the amendments to the contract with Raimi and Associates including any reasonable modifications thereto as recommended by the City's legal counsel and City Manager as required to implement the amendments to this contract.

Section 2. The Agency Secretary shall certify to the adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the Successor Agency of the former Redevelopment Agency of the City of Seaside held on the 19th day of April, 2018 by the following vote:

AYES: ___ COUNCIL
NOES: ___ COUNCIL
ABSENT: ___ COUNCIL
ABSTAIN: ___ COUNCIL

Ralph Rubio, Mayor

ATTEST:

Lesley E. Milton, City Clerk