LIVE OAK CITY COUNCIL

REGULAR MEETING AGENDA
JUNE 17, 2020
6:00 PM

MEETING LOCATION
LIVE OAK COUNCIL CHAMBERS
9955 LIVE OAK BOULEVARD
LIVE OAK, CALIFORNIA 95953

MEMBERS OF THE COUNCIL

BOB WOTEN, MAYOR
LUIS HERNANDEZ, VICE MAYOR
ALEKSANDAR TICA, COUNCILMEMBER
LAKHVIR GHAG, COUNCILMEMBER
J.R. THIARA, COUNCILMEMBER

AARON PALMER,
CITY MANAGER

BRANT BORDSEN,
CITY ATTORNEY

The Council may take up any agenda item at any time, regardless of the order listed. Action may be taken on any item on this agenda. Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection at City Hall, 9955 Live Oak Boulevard, Live Oak, during normal business hours. Such documents are also available on the City of Live Oak's website at www.liveoakcity.org, subject to staff's availability to post the documents before the meeting.

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the City Clerk's office at (530) 695-2112 x107. Requests must be made at least 24 hours in advance.

Pursuant to Governor Newsom's Executive Orders N-25-20 and N-29-20, members of the Live Oak City Council or staff may participate in this meeting via a teleconference. In the interest of the maintaining appropriate social distancing, members of the public are encouraged to participate in the meeting in the following ways:

- ***Remote Viewing:*** *Members of the public can view a livestream of the meeting online at* https://liveoakca.granicus.com/ViewPublisher.php?view_id=1.

- ***Public Comment:*** *Members of the public can submit general public comments, as well as comment on specific agenda items in the following ways:*

  - ***Email Public Comment:*** *Public Comment can be submitted via email to the City Clerk at cmenchaca@liveoakcity.org during the meeting, prior to the close of public comment on an item, and read into the record during public comment.*

  - ***eComment Feature:*** *Public Comment will be accepted online between Thursday, June 11th through Wednesday, June 17th through the eComment feature at:* https://liveoakca.granicus.com/ViewPublisher.php?view_id=1.

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CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE AND INVOCATION

CORRECTIONS AND/OR CHANGES TO THE AGENDA BY CITY MANAGER ONLY

PUBLIC COMMENT

Any person wishing to address the City Council on general jurisdictional matters or consent calendar items may do so at this time. If you are commenting on an agenda item, your comments will be heard at the time that item is scheduled for discussion. The City Council adopted a time limit of three minutes per person. The Brown Act does not allow for Council discussion of items not on the agenda. Councilmembers may only a) refer the matter to staff; b) ask for additional information; c) request a report back; or d) provide a limited factual response for items not listed on the agenda.

CONSENT ITEMS

Consent Calendar is passed by one motion with exceptions and separate votes as noted.

1. City Council Meeting Minutes
   Recommendation: Approve the June 3, 2020 City Council Regular Meeting minutes.
   (Clarissa Menchaca, City Clerk)

2. Quarterly City Projects Report
   Recommendation: Receive and file the June 2020 Quarterly City Projects Report.
   (Alison Schmidt, Management Analyst)

3. Kristen Court Budget Amendment 2020-21
   Recommendation: Adopt resolution that appropriates funding for concluding the previously approved housing transaction.
   (Joe Aguilar, Finance Director)

PUBLIC HEARING ITEMS

4. Introduction of an Ordinance of the City of Live Oak Amending Section 17.28.050(K) of the Live Oak Municipal Code That Would Include Citywide Standards for Political Signs
   Recommendation: Waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Live Oak, California, Amending Section 17.28.050(K) of the Live Oak Municipal Code".
   (Kevin Valente, Planning Director)

5. Introduction of an Ordinance of the City Council of the City of Live Oak Amending Section 17.28.060, Section 17.28.070, and Section 17.50.020 of the Live Oak Municipal Code to Permit Digital Display Signs
   Recommendation: Waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Live Oak, California, Amending Section 17.28.060, Section 17.28.070, and 17.50.020 of the Live Oak Municipal Code".
   (Kevin Valente, Planning Director)

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BUSINESS ITEMS

6. Budget Update City Revenues
   Recommendation: No action needed, information item.
   (Joe Aguilar, Finance Director)

7. Continuing Budget Resolution Fiscal Budget for 2020-21
   Recommendation: Adopt resolution that provides budget authorization for three months for operations at the cost level equal to the most recent fiscal budget (no capital outlay).
   (Joe Aguilar, Finance Director)

ITEMS REMOVED FROM THE CONSENT AGENDA FOR COUNCIL CONSIDERATION AND ACTION

UPDATES AND ANNOUNCEMENTS FROM THE CITY ATTORNEY AND CITY MANAGER

COUNCILMEMBER COMMENTS (WRITTEN ONLY)

ADJOURNMENT

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LIVE OAK
CALIFORNIA

City of Live Oak
Report to City Council

Meeting Date: June 17, 2020

Title: City Council Meeting Minutes

Contact Information: (Clarissa Menchaca, City Clerk)

Recommendation: Approve the June 3, 2020 City Council Regular Meeting minutes.

Attachments:

Minutes

LIVE OAK CITY COUNCIL

MINUTES
JUNE 3, 2020
6:00 PM

The Live Oak City Council conducted this meeting in accordance with Governor Newsom's Executive Orders N-25-20 and N-29-20.

CALL TO ORDER

Meeting called to order by Mayor Woten at Live Oak City Council Chambers, 9955 Live Oak Boulevard, Live Oak, CA at 6:00 pm.

ROLL CALL

Present: Councilmembers Thiara, Ghag, Tica, Vice Mayor Hernandez, and Mayor Woten were present via teleconference

PLEDGE OF ALLEGIANCE AND INVOCATION

Councilmember Tica led the Pledge of Allegiance. Councilmember Ghag delivered the invocation.

CORRECTIONS AND/OR CHANGES TO THE AGENDA

There were no corrections and/or changes to the agenda.

PUBLIC COMMENT

Public Comment was opened and closed without any speakers.

CONSENT ITEMS

MOTION: APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEM 2 WHICH WAS REMOVED FROM THE CONSENT AGENDA FOR FURTHER DISCUSSION.
(MOTION: TICA; SECOND: GHAG)

VOTE: MOTION PASSED UNANIMOUSLY

1. City Council Meeting Minutes
   Clarissa Menchaca, City Clerk
   Council action: May 20, 2020 City Council Regular Meeting minutes approved.

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2. Amendment to 2019 HOME Application for Owner Occupied Rehabilitation Program Activities to Include COVID-19 Tenant Based Rental Assistance
Alison Schmidt, Management Analyst

This item was removed from the Consent Agenda for further discussion at the request of Councilmember Thiara.

BUSINESS ITEMS

3. Resolution of the City Adopting a Revised Policy for Utility Account Shut-Offs for Non- Payment
Joe Aguilar, Finance Director

Joe Aguilar, Finance Director, provided a report for the Council.

Public Comment was opened and closed without any speakers.

MOTION: ADOPT RESOLUTION SPECIFYING THE POLICY FOR UTILITY CUSTOMER SHUT-OFFS THAT ARE COMPLIANT WITH AB 998 AS REQUIRED BY THE STATE OF CALIFORNIA.
(MOTION: GHAG; SECOND: TICA)

VOTE: MOTION PASSED UNANIMOUSLY

ITEMS REMOVED FROM THE CONSENT AGENDA FOR COUNCIL CONSIDERATION AND ACTION

2. Amendment to the 2019 HOME Application for Owner Occupied Rehabilitation Program Activities to Include COVID-19 Tenant Based Rental Assistance
Alison Schmidt, Management Analyst

Alison Schmidt, Management Analyst, addressed questions from the Council.

MOTION: 1) ADOPT RESOLUTION; AND 2) AUTHORIZE SUBMISSION OF THE AMENDED HOME APPLICATION.
(MOTION: GHAG; SECOND: HERNANDEZ)

VOTE: MOTION PASSED UNANIMOUSLY

UPDATES AND ANNOUNCEMENTS FROM THE CITY ATTORNEY AND CITY MANAGER

Aaron Palmer, City Manager, provided an update regarding COVID-19. Furthermore, Mr. Palmer discussed the reopening of City Hall to the public and the protests occurring in the State.

COUNCILMEMBER COMMENTS (WRITTEN ONLY)

There were no Councilmember comments.

ADJOURNMENT

Adjourned the meeting at 6:25 pm.

_____
Bob Woten, Mayor

ATTEST:

_____
Clarissa Menchaca, City Clerk

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LIVE OAK
CALIFORNIA

City of Live Oak
Report to City Council

Meeting Date:	June 17, 2020
Title:	Quarterly City Projects Report
Contact Information:	(Alison Schmidt, Management Analyst)
Location:	City Wide
Background:	The Quarterly City Projects Report is being presented to City Council to update the Council as to the status of current and upcoming City construction and grant projects. Brief detail is given regarding the name of the project, funding sources, and the current status of the project.
Fiscal Impacts:	None
Recommendation:	Receive and file the June 2020 Quarterly City Projects Report.

Attachments:

June 2020 Project Report to Council

Quarterly Project Status Report
June 17, 2020

Current Capital Projects

- Well 7, north Larkin Road – Proposition 84 IRWM Grant from Shasta County with local City funds
    - Interwest Consulting is managing the project
    - The contractor is back on site to wrap up construction, final completion scheduled for late July.
    - PGE transformer is scheduled for June installation
    - Well startup and commissioning scheduled for late July
- Pennington Road West Reconstruction Connecticut to Broadway – FHWA Grant Funding from SACOG with local match
    - Council authorized the project to go out to bid at the March 4, 2020 Council meeting
    - Final plans and bid documents are being prepared, project scheduled for advertisement in July.
- Live Oak Streetscape Project, Live Oak Boulevard from south of Ash St to north of Ramsdell Dr – TIGER grant and Caltrans project funds
    - Caltrans is project lead
    - Caltrans awarded contract to DeSilva Gates.
    - Construction scheduled to begin in July, possible groundbreaking ceremony in August per Caltrans.
    - 2020 construction scheduled for water, sewer, and storm drain utilities first
    - Project completion scheduled for October 2021
- PG&E Utility Relocations for Streetscape Project, Live Oak Blvd from Ash St to Ramsdell Dr – Utilize City PG&E credits and some local funds for Electrical work, no city funds necessary for gas work
    - Rule 20A Electrical undergrounding complete
    - Gas relocations complete, subcontractors are wrapping up final paving restorations
    - AT&T is complete, subcontractors are wrapping up final paving restorations
    - Comcast work is on hold due to the COVID-19 virus, but they were near completion before work was put on hold. Once their work is complete the old utility poles on the highway will be removed.
- City Water and Sewer Relocations for Streetscape Project, Live Oak Blvd from Ash St to Ramsdell Dr – City funded
    - Water and sewer relocations included in Caltrans bid package instead of bidding out a separate City project to save time and money
    - Work to begin July 2020 with the storm drain relocations

Pending Capital Projects

- Recreational Trail Phase 4, north end of O Street from Kola St to Epperson Way – SACOG grant with local City match.
    - Partial design completed
    - Waiting until Pennington Road projects are complete to free up staff time to proceed with this project
- Waste Water Treatment Plant Solar – Received contract from the Water Board in May, staff to begin working on project in the coming months

- Well 8, north Larkin Road at Well 7 site – CDBG grant from the State to cover the currently estimated costs
    - Now that Well 7 completion is drawing near, the Well 8 project is ready to move into environmental clearance and design phase
    - Second well, storage tank, and other necessary improvements to the site and distribution system

Future Capital Projects

- P St Lift Station – Lift station scheduled for replacement in the Capital Improvement Plan
    - RFP issued by the Public Works Department, proposals are due June 24.

Planning Projects

- SACOG – 100K for Housing Element and Visioning Plan.
    - Planner working on both projects. An ad-hoc committee has been assigned for the visioning project.

Other Open Grants

- Kristen Court Phase 2, HOME grant funding, no City funding
    - Construction is nearly complete, scheduled for completion July 2020
    - City staff has ongoing reporting requirements to the State including monthly and quarterly reports and weekly certified payroll monitoring.
- Owner Occupied Rehabilitation Program, HOME grant funding, no City funding
    - The Housing Authority is operating the program for the City due to City staff workload
    - One new loan issued in October, currently accepting applications
    - Grant expenditure deadline to be extended with the TBRA program below
- Tenant Based Rental Assistance (TBRA), HOME grant funding, no City funding
    - Staff is working with HCD to add TBRA to our existing 16-HOME grant to assist low income residents with rent and utility payments as part of the COVID-19 response.
    - Grant expenditure deadline will be extended an additional 12 months if approved

Pending Grant Applications

- None

Upcoming Funding Opportunities

- Staff monitors upcoming opportunities as they are posted

LIVE OAK
CALIFORNIA

City of Live Oak
Report to City Council

Meeting Date: June 17, 2020

Title: Kristin Court Budget Amendment 2020-21

Contact Information: (Joe Aguilar, Finance Director)

Background: in 2018, the City approved the financial package for the recent expansion of the Kristin Court apartment development. Part of that approved package includes the pass-through of federal funding managed by the State Department of Housing. These projects often take years to develop and finance. It is common for the concluding transactions to occur years later.

Included in the staff report you will find a resolution that amends the City's budget for passing through the federal funding to the developer. Technically, the money needs to flow from the State to the City and then over to the developer. Budget appropriations need to be in place for recording this transaction. There is no net cost to the City for this portion of the financial package.

Fiscal Impacts: No monetary effect on City since the City serves as a pass-through agency of funding $4,550,000 from the State Housing Department to the Housing Developer of Kristin Court Phase II.

Recommendation: Adopt resolution that appropriates funding for concluding the previously approved housing transaction.

Attachments:

Resolution

Resolution No.

A RESOLUTION OF THE CITY OF LIVE OAK, COUNTY OF SUTTER, STATE OF CALIFORNIA,
AMENDING THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2019-20 RECORDING GRANT REVENUES OF $4,550,000
FROM THE STATE HOUSING DEPARTMENT AND
APPROPRIATING $4,550,000 FOR KRISTIN COURT PHASE 2

WHEREAS, the City Manager has prepared and submitted to the City Council a proposed budget for Fiscal Year 2019-20, starting July 1, 2019; and

WHEREAS, the City Council as the legislative body of the City has adopted the budget for Fiscal Year 2019-20 that authorizes certain disbursements and expenses to be made on behalf of the City; and

WHEREAS, the City Council has determined that it is necessary to amend such budget as deemed necessary for the efficient operation of the City.

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

1. The City Council amends its budget by in the CDBG Federal Grant Fund:

    - Increase Estimated Revenue by $4,550,000 for receiving grant funds from the State Department of Housing

    - Increase Appropriations by $4,550,000 for the allocation of funding to Kristin Court Phase 2

PASSED AND ADOPTED by the City Council of the City of Live Oak this 17th day of June, 2020 by the following vote:

AYES:
NOES:
ABSENT:
NOT VOTING:

APPROVED:

_____
Bob Woten, Mayor

ATTEST:

_____
Clarissa Menchaca, City Clerk

City of Live Oak
Report to City Council

Meeting Date: June 17, 2020

Title: Introduction of an Ordinance of the City of Live Oak Amending Section 17.28.050(K) of the Live Oak Municipal Code That Would Include Citywide Standards for Political Signs

Contact Information: (Kevin Valente, Planning Director)

Location: Citywide

Background: On August 7, 2019, staff presented a Draft Ordinance amending Section 17.28.050(K) of the Live Oak Municipal Code regarding campaign signs in the City of Live Oak. The Live Oak Planning Commissionâ€™s recommendation included further discussion from the City Council.

Analysis:

After receiving City Council direction, staff has not included any new City requirements that would increase staff time, and therefore, increase costs for posting campaign signs, or add additional requirements not already required by the State. The ordinance included in the staff report amends the existing sign requirements to provide code enforcement a means to enforce campaign sign within the City with requirements already in-place by the State and County.

Therefore, staff recommends Council waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Live Oak, California, Amending Section 17.28.050(K) of the Live Oak Municipal Code".

Fiscal Impacts: None.

Recommendation: Waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Live Oak, California, Amending Section 17.28.050(K) of the Live Oak Municipal Code".

Attachments:

Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIVE OAK, CALIFORNIA, AMENDING SECTION 17.28.050K OF THE LIVE OAK MUNICIPAL CODE

SECTION 1: Purpose and Authority. The purpose of this ordinance is to approve the proposed Zoning Code Text Amendment to the Live Oak Municipal Code. This ordinance is adopted pursuant to Government Code sections 65853-65859, and other applicable law.

SECTION 2: Findings. The City Council finds and determines as follows:

A. On June 18, 2019, the Planning Commission held a duly noticed public hearing concerning the proposed Zoning Code Text Amendment. After the hearing, the Planning Commission recommended that the City Council approve the proposed Zoning Code Text Amendment.

B. The proposed Zoning Code Text Amendment is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15305, Minor Alterations in Land Use Limitations.

C. The proposed Zoning Code Text Amendment is consistent with and would implement the policies of the City of Live Oak General Plan.

G. The City Council finds that the proposed Zoning Code Text Amendment is consistent with the Zoning Ordinance Chapter 17.01: Administration.

SECTION 3: Section Amendment.

17.28 Standards for Signs

17.28.050 Exempt Signs

The following signs shall be exempt from the provisions of this Chapter. Exempt signs are not required to obtain a zoning clearance and shall not be included in the determination of allowable number or size of signs. Any required building permit shall first be obtained.

K. Political signs: Political signs and posters are subject to the following conditions: ~~pursuant to State law.~~

1. A Political sign shall encourage a particular vote in a scheduled election.

2. Political signs and posters shall not require a zoning clearance from the City.

3. Political signs and posters shall not be placed in the public right-of-way or beyond the legal setback line, as determined by a City Code Enforcement Officer, and shall be placed so as not to create a safety hazard as determined by Law Enforcement or City Code Enforcement Officer.

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4. All political signs and posters located within the clear vision triangle shall meet the visibility standards provided in Section 17.24.040.

5. Political signs shall not be visible within 660 feet from the edge of the right of way of a classified landscaped freeway, or be subject to removal by the Department of Transportation (Caltrans), and bill the responsible party for the removal of the signs.

6. Political signs and posters shall not be fastened to the ground. Placement by means of a stake driven in the earth shall not be considered to be fastened to the ground. Political signs and posters may be staked in the ground; may be tacked, pasted, or otherwise temporarily affixed to legally existing fences, structures, and buildings; and may be taped, painted, or otherwise temporarily affixed to the interior or exterior surfaces of building windows.

7. Political signs and posters shall not be placed without prior approval from the property owner or tenant.

8. Political signs and posters may remain in place for ninety days prior to, and ten days after, any national, state or local election.

9. Political signs and posters shall not exceed thirty-two (32) square feet in area or six feet in height, measured from the adjacent grade to the highest point of the sign. Signs in windows are not subject to the height limitation.

10. Nonconforming political signs and posters shall be subject Title 14 of the Live Oak Municipal Code, including removal by a City Code Enforcement Officer.

SECTION 4: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. **Effective Date.** This ordinance shall become effective thirty (30) days after its final passage and adoption.

SECTION 6. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be published in full in accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council the _____ day of _____, 2020 and by unanimous vote of the Council members present, further reading was waived.

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On a motion by Councilmember _____ seconded by Councilmember_____ the foregoing ordinance was duly passed and adopted by the City Council of the City of Live Oak at a regular meeting thereof, this _____ day of _____, 2020, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
MAYOR, City of Live Oak

ATTEST:

_____
CITY CLERK, City of Live Oak

APPROVED AS TO FORM:

_____
CITY ATTORNEY, City of Live Oak

DRAFT

City of Live Oak
Report to City Council

Meeting Date: June 17, 2020

Title: Introduction of an Ordinance of the City Council of the City of Live Oak Amending Section 17.28.060, Section 17.28.070, and Section 17.50.020 of the Live Oak Municipal Code to Permit Digital Display Signs

Contact Information: (Kevin Valente, Planning Director)

Location: Citywide

Background: The City has been approached about the possibility of amending Chapter 17.28 of the Live Oak Municipal Code to allow digital display signs (DDS) in the City of Live Oak. A DDS is an off-site sign that uses digital display technology as a means of changing static sign messages. Staff has included exhibits in the staff report illustrating sample DDS for reference (Attachment 02). Currently, Chapter 17.28 of the Live Oak Municipal Code prohibits off-site signs and changeable copy signs or electronic message signs. Staff researched other Cityâ€™s sign codes in the region and found DDS are commonly allowed with the approval of a Use Permit.

Analysis: City staff is proposing Section 17.28.060, Section 17.28.070, and Section 17.50.020 of the Live Oak Municipal Code be amended to allow the use of DDS along the Highway 99 corridor with Planning Commission approval of a Use Permit (Attachment 01). Therefore, each future proposed DDS would require a discretionary approval by the Live Oak Planning Commission.

Staff has prepared the following draft requirements for a DDS in the City of Live Oak:

1. Area. The maximum sign area for a DDS shall not exceed 300 square feet on each face. DDS signs may be single-sided or double-sided. Double-sided signs may have faces which are in a â€œVâ€ configuration, so long as the angle of the â€œVâ€ is no more than 45 degrees.

2. Height. A DDS shall not exceed a maximum height of 40 feet measured from ground surface to the top of the sign.

3. Location. A DDS shall be located within 100 feet of the Highway 99 right-of-way. No part of any DDS shall encroach into any public right-of-way. A DDS shall not be placed within any legal easement in a manner which

substantially impedes or interferes with the purpose for which the easement was created. The applicant for a DDS shall provide information regarding the type and location of any easements near the proposed DDS to the satisfaction of the Community Development Director.

4. Spacing from Other DDS. A new DDS shall be located a minimum of 2.0 miles from any other permitted DDS, as measured along the centerline of Highway 99.

5. Animation. A DDS shall not contain any flashing, intermittent, animated, or moving components.

6. Safety. The Community Development Director, or his/her designee, shall verify that a DDS will not impede sight distance at intersections or otherwise create a pedestrian or vehicle hazard due to the location or physical characteristics of the structure.

7. Maintenance. A DDS shall be properly maintained and kept in good repair.

8. Permits. A Use Permit shall be required for any DDS. Building permit applications for DDS shall be accompanied by construction and design plans stamped by a California registered civil or structural engineer.

9. Illumination. Illumination of a DDS shall be limited to no more than 0.3 foot-candles above ambient lighting, as measured using the methodology established by the Outdoor Advertising Association of America (OAAA). All DDS shall be equipped with photocells or other similar technology which enable the illumination level to change in response to conditions (e.g. day, night, overcast) to comply with this standard.

10. Hours of Operation. All DDS shall operate only between the hours of 5:00 a.m. and 12:00 a.m.

11. Message Length. Individual messages shall be static images displayed for a minimum of 8 seconds.

12. Transitions. Transitions between messages shall be 2 seconds or less and shall either be instantaneous or fade out/in. Flashing, wiping, dissolving, zooming, and other animated transitions are prohibited.

13. State Requirements. DDS shall be designed, constructed, and operated consistent with all applicable Caltrans requirements and standards. The applicant is responsible for obtaining any needed permit(s) from Caltrans prior to construction of the DDS.

14. Revocation. Failure to properly maintain and/or operate a DDS consistent with the requirements of this section and any conditions applied during the Use Permit process shall be cause for revocation of the use permit authorizing the DDS as established in 17.37.100.

The proposed ordinance amendment to the citywide sign requirements is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15305, Minor Alterations in Land Use Limitations.

On March 17th, 2020, the Live Oak Planning Commission recommended Council approval of the draft Ordinance amending Section 17.28.060, Section 17.28.070, and Section 17.50.020 of the Live Oak Municipal Code that would allow DDS along the Highway 99 corridor with discretionary approval by the Live Oak Planning Commission.

Therefore, staff is recommending Council waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Live Oak, California, Amending Section 17.28.060, Section 17.28.070, and 17.50.020 of the Live Oak Municipal Code".

Fiscal Impacts: None.

Recommendation: Waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Live Oak, California, Amending Section 17.28.060, Section 17.28.070, and 17.50.020 of the Live Oak Municipal Code".

Attachments:

Attachment 01 - Ordinance
Attachment 02 - Sample DDS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIVE OAK, CALIFORNIA, AMENDING SECTION 17.28.060, SECTION 17.28.070, AND SECTION 17.50.020 OF THE LIVE OAK MUNICIPAL CODE

SECTION 1: Purpose and Authority. The purpose of this ordinance is to approve the proposed Zoning Code Text Amendment to the Live Oak Municipal Code. This ordinance is adopted pursuant to Government Code sections 65853-65859, and other applicable law.

SECTION 2: Findings. The City Council finds and determines as follows:

A. On March 17, 2020 the Planning Commission held a duly noticed public hearing concerning the proposed Zoning Code Text Amendment, which is incorporated herein by reference. After the hearing, the Planning Commission recommended that the City Council approve the proposed Zoning Code Text Amendment.

B. The proposed Zoning Code Text Amendment is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15305, Minor Alterations in Land Use Limitations.

C. The proposed Zoning Code Text Amendment is consistent with and would implement the policies of the City of Live Oak General Plan.

D. The City Council finds that the proposed Zoning Code Text Amendment, which is incorporated by reference herein, is consistent with the Zoning Ordinance Chapter 17.01: Administration.

SECTION 3: Live Oak Municipal Code Amendment.

Proposed new text is double underlined and deleted text is ~~struck through~~. Underline - strikethrough

17.28.060 Prohibited signs.

The following signs are prohibited in all zone districts:

A. Abandoned or Dilapidated Signs and Sign Structures. Such signs shall be removed within 90 days of abandonment.

B. Animated, Moving, Revolving, or Other Similar Signs. Except time, temperature and date devices and barber poles.

C. Flashing Signs. No sign (including window and other exterior lighting) shall be permitted which blinks, flashes, scintillates, has moving letters or pictures or other means of not providing constant illumination except Christmas lights for a duration not to exceed 60 days during the holiday season.

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D. Changeable Copy Signs or Electronic Message Signs. Except as provided in ~~Table~~ Section 17.28.070.

E. Fence Signs. Unless approved as part of an overall sign plan for a permitted use and the area of the fence sign is included in the overall size allowed for the building sign.

F. Inflated Signs, Balloons and Figures. Except as provided in Section 17.28.070.B.

G. Obscene signs.

H. Off-Site Signs. Includes billboards and outdoor advertising signs, except as otherwise provided in ~~Table~~ Section 17.28.070.

I. Noise, Smoke, or Odor. Signs or devices which emit audible sound, odor, or visible matter.

J. Roof signs.

K. Vehicle Signs. Whether attached or painted on motor vehicles that are parked on or adjacent to property for more than 72 consecutive hours, for which the principle purpose of the vehicle at this location is to attract attention to a product sold or business located on the property.

L. Signs on City Property. No sign shall be located on City property or right-of-way without the express permission of the City.

M. Posters. The tacking, pasting or otherwise affixing of signs or posters of a miscellaneous character, visible from a public right-of-way, located on walls of a building, shed, fence, pole, post or other structure or anywhere on public property.

N. Pole signs.

17.28.070 Permitted signs subject to sign standards and permits.

All signs described in this section must first obtain a zoning clearance, as provided in Section 17.35.020, or a Use Permit, as provided in Section 17.35.030, to ensure compliance with these standards.

A. Every sign described in Table 17.28.070, unless otherwise provided.

B. Special Event Signs. Special event signs, banners, flags, pennants, balloons, and similar signs may be displayed on a temporary basis, not to exceed 60 days annually.

C. Outdoor Decoration. Within commercial zone districts permanent or semi-permanent displays such as bunting may be suspended from parking lot light standards provided the following is met:

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1. Decorative Only. The display is decorative only and does not advertise a company, product, or a special event associated with a business; and

2. Traffic Safety. The display does not obstruct traffic, sight distance, or parking lot lighting.

D. Subdivision Signs and Flags.

1. As part of subdivision home sales, up to eight flags each not exceeding 20 square feet in size and within the height limits of the zone district in which they are located.

2. Two on-site subdivision identification or directional signs that are not internally lit and that do not exceed 32 square feet each and a height of 10 feet.

3. All of the flags and signs shall be removed upon completion of sales.

E. Digital Display Signs. Except as otherwise provided in this section, all digital display signs (DDS) shall comply with the requirements of this section.

1. Area. The maximum sign area for a DDS shall not exceed 300 square feet on each face. DDS signs may be single-sided or double-sided. Double-sided signs may have faces which are in a "V" configuration, so long as the angle of the "V" is no more than 45 degrees.

2. Height. A DDS shall not exceed a maximum height of 40 feet measured from ground surface to the top of the sign.

3. Location. A DDS shall be located within 100 feet of the Highway 99 right-of-way. No part of any DDS shall encroach into any public right-of-way. A DDS shall not be placed within any legal easement in a manner which substantially impedes or interferes with the purpose for which the easement was created. The applicant for a DDS shall provide information regarding the type and location of any easements near the proposed DDS to the satisfaction of the Community Development Director.

4. Spacing from Other DDS. A new DDS shall be located a minimum of 2.0 miles from any other permitted DDS, as measured along the centerline of Highway 99.

5. Animation. A DDS shall not contain any flashing, intermittent, animated, or moving components.

6. Safety. The Community Development Director, or his/her designee, shall verify that a DDS will not impede sight distance at intersections or otherwise create a pedestrian or vehicle hazard due to the location or physical characteristics of the structure.

7. Maintenance. A DDS shall be properly maintained and kept in good repair.

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8. Permits. A Use Permit shall be required for any DDS. Building permit applications for DDS shall be accompanied by construction and design plans stamped by a California registered civil or structural engineer.

9. Illumination. Illumination of a DDS shall be limited to no more than 0.3 foot-candles above ambient lighting, as measured using the methodology established by the Outdoor Advertising Association of America (OAAA). All DDS shall be equipped with photocells or other similar technology which enable the illumination level to change in response to conditions (e.g. day, night, overcast) to comply with this standard.

10. Hours of Operation. All DDS shall operate only between the hours of 5:00 a.m. and 12:00 a.m.

11. Message Length. Individual messages shall be static images displayed for a minimum of 8 seconds.

12. Transitions. Transitions between messages shall be 2 seconds or less and shall either be instantaneous or fade out/in. Flashing, wiping, dissolving, zooming, and other animated transitions are prohibited.

13. State Requirements. DDS shall be designed, constructed, and operated consistent with all applicable Caltrans requirements and standards. The applicant is responsible for obtaining any needed permit(s) from Caltrans prior to construction of the DDS.

14. Revocation. Failure to properly maintain and/or operate a DDS consistent with the requirements of this section and any conditions applied during the Use Permit process shall be cause for revocation of the use permit authorizing the DDS as established in 17.37.100.

17.50.020 Definitions.

The following definitions apply to this title:

Sign: A structure, device, figure, display, message placard or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to provide information in the nature of advertising, to direct or attract attention to an object, person, institution, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. This does not include murals, paintings and other works of art that are not intended to advertise or identify any business product. Types of signs and sign terminology include the following:

1. Address sign: The numeric reference of a structure or use to a street.

2. A-frame sign: A freestanding sign, not secured or attached to the ground, usually hinged at the top, or attached in a similar manner as to form an “A” or tent shape.

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3. Awning sign: A nonelectric sign that is printed or painted on or attached to an awning or canopy.

4. Banner, flag, pennant or balloon: Any cloth, bunting, plastic, paper or similar nonrigid material used for advertising purposes attached or pinned on to any structure, staff, pole, line, framing or vehicle, including captive balloons and inflatable signs. This does not include flags of a state or nation or political subdivision.

5. Bench sign: A sign located on the seat or back of a bench or seat and placed on or adjacent to a public right-of-way.

6. Billboard: See "Off-site sign."

7. Changeable copy sign: A sign designed to allow changing of copy through manual, mechanical or electrical means, not including date, time and temperature. This does not include electrical message signs with moving letters or signals.

8. Civic event sign: A temporary sign posted to advertise a civic event sponsored by a public agency or similar noncommercial organization.

9. Developer/contractor sign: A temporary sign erected on a lot on which construction is taking place, limited to the duration of the construction, indicating the names of the architect, engineer, landscape architect, contractor, and the owner, financial supporters, sponsors, and similar firms having a role or interest in the project.

10. Digital display sign: An off-site sign that uses digital-display technology as a means of changing static sign images.

~~10~~11. Directional sign: An on-site sign which is designed and erected solely for the purpose of directing vehicular and/or pedestrian traffic within the project.

~~11~~12. Directory sign: A sign for listing the tenants and their suite numbers of a multiple tenant structure or center.

~~12~~13. Electronic message board: A sign with a fixed or changing display/message composed of a series of lights that maybe changed through electronic means. Does not include date time and temperature signs.

~~13~~14. Fence sign: A sign attached to or painted on a fence.

~~14~~15. Freestanding sign: Any non-movable sign that is not attached to a building.

~~15~~16. Lighted signs:

a. External: A sign illuminated by light directed toward or across it or by backlighting from a source not within the sign. Typical forms of lighting are gooseneck lamps or spotlights.

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b. Internal: A sign whose light source is located in the interior of the sign so that the light goes through the face of the sign.

~~16~~17. Monument sign: A freestanding sign placed upon a solid base that is at least two-thirds the width of the sign, and not supported by poles, braces or uprights.

~~17~~18. Off-site sign: A sign that advertises or informs in any manner businesses, services, goods, persons, locations or events at a building site other than upon which the sign is located. Off-premises sign, billboard and outdoor advertising signs are equivalent terms.

~~18~~19. Political sign: A temporary sign directly associated with national, state or local elections.

~~19~~20. Pole sign: A freestanding sign that is mounted on a pole or poles, columns or braces.

~~20~~21. Projecting sign: Any wall sign affixed to a building wall in such a manner that its leading edge extends more than six inches beyond the surface of such building wall.

~~21~~22. Real estate sign: A temporary sign that relates to the sale, lease or rental of property or building on which the sign is located.

~~22~~23. Roof sign: A sign erected, constructed or placed above the eaves of a building.

~~23~~24. Special event sign: A sign including, but not limited to, banners, flags, pennants and balloons intended to be erected on a temporary basis, and displayed for a limited period of time, to promote a new business, the sale of new products, new management, new hours of operation, a new service or to promote a sale.

~~24~~25. Suspended sign: A sign that is suspended from the underside of a canopy, portico or like structure.

~~25~~26. Vehicle sign: A sign which is attached to, or painted on or carried in a vehicle, the principal purpose of which is to attract attention to a product sold, an activity or business.

~~26~~27. Wall sign: A sign painted or fastened to an exterior building wall and which does not project more than six inches from the wall.

~~27~~28. Window sign: Any sign painted, placed or affixed to or on a window, intended to be seen from the exterior of the building. An interior sign that faces a window exposed to public view and located within three feet of the window is considered a window sign.

SECTION 5: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of this ordinance.

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SECTION 6. Effective Date. This ordinance shall become effective thirty (30) days after its final passage and adoption.

SECTION 7. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be published in full in accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council the _____ day of _____, 2020 and by unanimous vote of the Council members present, further reading was waived.

On a motion by Councilmember _____ seconded by Councilmember_____ the foregoing ordinance was duly passed and adopted by the City Council of the City of Live Oak at a regular meeting thereof, this _____ day of _____, 2020, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
MAYOR, City of Live Oak

ATTEST:

_____
CITY CLERK, City of Live Oak

APPROVED AS TO FORM:

_____
CITY ATTORNEY, City of Live Oak

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ATTACHMENT 02

Sample Digital Display Signs









LIVE OAK
CALIFORNIA

City of Live Oak
Report to City Council

Meeting Date:	June 17, 2020
Title:	Budget Update City Revenues
Contact Information:	(Joe Aguilar, Finance Director)
Background:	PowerPoint Presentation will be provided on the evening of the meeting.
Fiscal Impacts:	None at this time.
Recommendation:	No action needed, information item.

LIVE OAK
CALIFORNIA

City of Live Oak
Report to City Council

Meeting Date: June 17, 2020

Title: Continuing Budget Resolution Fiscal Budget for 2020-21

Contact Information: (Joe Aguilar, Finance Director)

Background: The recent COVID-19 Virus pandemic significantly altered the economic conditions throughout the world and in California. The effects have been abrupt and may be prolonged. At this time, the following variables affect our financial planning:

*The pace of lifting the shelter-in-place orders continues to be changing
*The pace of ramping up the economy is unknown
*The full effect of COVID-19 on California is still not fully known
*The effects of Federal and State actions are not qualified for each public agency

At the June 3, 2020 City Council meeting, the City established a schedule for adopting a budget for FY 2020-21. The budget resolution included in the staff report provides the authority for City staff to pay for operations while the City considers the full annual budget.

Fiscal Impacts:
*General Fund (about $887,000)
*Streets / Roads (about $100,000)
*Water Operations (about $235,000)
*Sewer Operations (about $382,000)
*All other operating funds (about $180,000)

Recommendation: Adopt resolution that provides budget authorization for three months for operations at the cost level equal to the most recent fiscal budget (no capital outlay).

Attachments:

Resolution

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVE OAK PROVIDING FOR CONTINUING BUDGET APPROPRIATIONS FOR FISCAL YEAR (FY) 2020-21 BUDGET FOR A PERIOD OF THREE MONTHS

WHEREAS, the recent events caused by the COVID-19 Virus pandemic has created a level of financial uncertainty; and

WHEREAS, the City is in the process of developing an annual budget for FY 2020-21; and

WHEREAS, on June 3, 2020 the City adopted a schedule and process for adopting its fiscal budget for 2020-21 within 3 months; and

WHEREAS, the City is required to make routine and monthly payments for goods, services and miscellaneous maintenance as necessary to continue day-to-day operations of City government.

NOW, THEREFORE the City Council of the City of Live Oak does hereby resolve that:

1. The City adopts continuing appropriations beginning July 1, 2020 for all City Departments for all personnel expense accounts and operational expenses equal to three-twelfths of the budgets appropriated in the previous FY (2019-20), until such time the City adopts its formal budget of FY 2020-21.

2. The City Manager is hereby authorized and directed to take all necessary and proper steps to implement this budget, including making expenditures which require prior approval of the City Council as set forth in the City of Live Oak Municipal Code and State law.

3. The City Manager may authorize administrative budget adjustments to transfer appropriations within a fund/departmental budget.

PASSED AND ADOPTED by the City Council of the City of Live Oak this 17th day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____

Bob Woten, Mayor

ATTEST:

_____

Clarissa Menchaca, City Clerk