

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> December 12, 2013 Time: 2:10 p.m.	<b>Agenda Item No.:</b> 5
<b>Project Description:</b> Consider a Coastal Development Permit to allow the installation of a 32 square foot illuminated sign at the entrance of the parking lot of North Monterey County High School.	
<b>Project Location:</b> 13990 Castroville Boulevard, Castroville	<b>APN:</b> 133-092-007-000
<b>Planning File Number:</b> PLN130286	<b>Owner:</b> North Monterey County Unified School District (Kari Yeater) <b>Agent:</b> Oscar Mora
<b>Planning Area:</b> North County Land Use Plan	<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> : "PQP (CZ)" [Public Quasi-Public (Coastal Zone)]	
<b>CEQA Action:</b> Categorically Exempt per CEQA Section 15303 (e)	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit B**) to:

- 1) Find the project Categorically Exempt per CEQA Section 15303 (e); and
- 2) Approve PLN130286, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**).

### PROJECT OVERVIEW:

The North Monterey County Unified School District submitted a request for a 32 square foot (8 feet by 4 feet) illuminated sign in order to provide school and public activity information to the residents in the neighboring area. Chapter 20.60 of the Zoning Ordinance (Sign Regulations) prohibits signs with flashing, moving or animated illumination, unless they are "Public Notices and announcements authorized by courts and public officials" (20.60.090.F, Exemptions).

The project was considered by the Zoning Administrator on October 31, 2013. The Zoning Administrator expressed concern with approving the illuminated sign under the cited Exemption and continued the project to December 12, 2013. The Zoning Administrator requested additional information as follows: 1) timing and intensity of illumination, 2) a list of community based uses for advertising in the sign, 3) confirmation that the School Superintendent is considered a public official, and 4) any possible biological effects of the sign on the night owl.

See Discussion in Exhibit B.

**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:

RMA - Public Works Department  
Environmental Health Bureau  
Water Resources Agency  
North County Fire Protection District  
California Coastal Commission

Agencies that submitted comments are noted with a check mark ("✓"). Conditions recommended by RMA-Planning Department have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit B**).

The project was not referred to the North County Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because this is a structure accessory to the permitted use (school), it is exempt from CEQA, and does not involve any conflict nor raises significant land use issues.

Note: The decision on this project is appealable to the Board of Supervisors and Coastal Commission, if applicable.

/S/ ELIZABETH GONZALES

Elizabeth Gonzales, Associate Planner  
(831) 755-5102, gonzalesl@co.monterey.ca.us  
November 25, 2013

cc: Front Counter Copy; Zoning Administrator, North County Fire Protection District; RMA-Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Wanda Hickman, Planning Services Manager; Luis Osorio, Senior Planner; Elizabeth Gonzales, Project Planner; North Monterey County Unified School District, Owner; Oscar Mora, Agent; The Open Monterey Project; LandWatch; Planning File PLN130286

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Discussion
	Exhibit C	Draft Resolution, including: <ul style="list-style-type: none"><li>• Conditions of Approval</li><li>• Site Plan, Sign Design</li></ul>
	Exhibit D	Vicinity Map
	Exhibit E	Correspondence from community agencies that partnership with the North Monterey County School District along with a list of 14 other public organizations that would utilize the proposed sign;
	Exhibit F	Correspondence from the North Monterey County Unified School District defining the role of the Superintendent as a public official;
	Exhibit G	Correspondence from Stewart Signs confirming the use of a software program within the sign that would control the timing, speed, intensity, and brightness of the display;
	Exhibit H	Site plan showing all existing lamp posts currently located on the school grounds;
	Exhibit I	Biotic assessment on future development of athletic field prepared by Owens Hill Consulting

This report was reviewed by Luis Osorio, Senior Planner



## EXHIBIT A

### Project Information for PLN130286

<b>Application Name:</b>	North Monterey County Unified School District	
<b>Location:</b>	13990 Castroville Blvd, Castroville	
<b>Applicable Plan:</b>	North County LCP	<b>Primary APN:</b> 133-092-007-000
<b>Advisory Committee:</b>	North County-Coastal Advisory Committee	<b>Coastal Zone:</b> Yes
<b>Permit Type:</b>	Coastal Development Permit	<b>Final Action Deadline (884):</b> 10/14/2013
<b>Environmental Status:</b>	Exempt	
<b>Zoning:</b>	PQP(CZ) HDR/5(CZ) RC(CZ)	<b>Land Use Designation:</b> Wetlands & Coastal Strand Residential - High Density Public/Quasi-Public Special Treatment Area

#### Project Site Data:

<b>Lot Size:</b>	140	<b>Coverage Allowed:</b>	25%
<b>Existing Structures (sf):</b>	0	<b>Coverage Proposed:</b>	.001
<b>Proposed Structures (sf):</b>	0	<b>Height Allowed:</b>	15 feet
<b>Total Sq. Ft.:</b>	0	<b>Height Proposed:</b>	7.6 feet
<b>Special Setbacks on Parcel:</b>		<b>FAR Allowed:</b>	n/a
		<b>FAR Proposed:</b>	n/a

#### Resource Zones and Reports:

<b>Seismic Hazard Zone:</b>	VI	<b>Soils Report #:</b>	n/a
<b>Erosion Hazard Zone:</b>	High Moderate Low	<b>Biological Report #:</b>	n/a
<b>Fire Hazard Zone:</b>		<b>Forest Management Rpt. #:</b>	n/a
<b>Flood Hazard Zone:</b>	X (unshaded) A	<b>Geologic Report #:</b>	n/a
<b>Archaeological Sensitivity:</b>	high	<b>Archaeological Report #:</b>	LIB130263
<b>Visual Sensitivity:</b>	None	<b>Traffic Report #:</b>	n/a

#### Other Information:

<b>Water Source:</b>	Community Wells	<b>Grading (cubic yds.):</b>	0
<b>Water Purveyor:</b>	Water West Corp	<b>Sewage Disposal (method):</b>	septic
<b>Fire District:</b>	North County FPD	<b>Sewer District Name:</b>	private
<b>Tree Removal:</b>	0		

## **EXHIBIT B DISCUSSION**

### Project Description and Background

The North Monterey County Unified School District is proposing the construction of a 32 square foot (8 feet by 4 feet) illuminated sign to provide school activity information to the residents in the neighboring area. The sign is mounted on a base which is 3 feet 6 inches tall by 2 feet 8 inches wide with a total height of 7 feet 6 inches. The top half of the sign would contain the language "North Monterey County High School, Home of the Condors" (Exhibit C), and on the bottom half would contain illuminated moving wording in red color announcing school-related and other community activities. The base of the sign is black with the Rotary International logo. The sign would be located at the entrance of the school, behind the existing chain link fence on the corner of the parking lot.

The parcel is zoned Public/Quasi-Public in the Coastal Zone (PQP). There are no specific policies in the North County Land Use Plan for signs in PQP zoning or for schools. Therefore, the project is subject to Chapter 20.60 of the Zoning Ordinance (Sign Regulations). Section 20.60.100.B prohibits signs with flashing, moving or animated illumination. However, there is an exemption under Section 20.60.090.F for "Public Notices and announcements authorized by courts and public officials." The proposed sign is intended to relate school activities and other public benefit messages from community agencies that partnership with the school district to provide the community with access to services and communicate important information.

### Project Issues

At the October 31, 2013 hearing, the Zoning Administrator expressed concern with the approval of an illuminated sign under the Exemption provided for under Section 20.60.090.F and continued the project to December 12, 2013. The Zoning Administrator requested that staff provide additional information as follows: 1) timing and intensity of illumination, 2) a list of community based uses for advertising in the sign, 3) confirmation that the school Superintendent is considered a public official, and 4) any possible biological effects of the sign on the night owl.

### Additional information supporting Illumination Exemption

- Other Community Agencies - Attached are three letters from community agencies that partnership with the North Monterey County Unified School District to provide community members with access to community services and programs and provide important public information. Some of these services include Salud Para La Gente, a network of Family Community Health Clinics, and the Community Housing Improvement Systems and Planning Association (CHISPA). The North County Fire Protection District depends on the North Monterey County Unified School District (District) to communicate important information to their community members regarding public safety and other related information. Schools within the District are included in the Red Cross' emergency plans as Red Cross evacuation sites and temporary shelters during disaster declarations and emergencies. The school site has been pre-designated as a landing zone for emergency medical helicopters. Other organizations utilizing the school site include but are not limited to: Monterey County (Flu shot location), Oak Hills HOA, Girls Scouts, Girls, Inc., Castroville Leadership Council and Cal Trans Road project community meetings.
- Superintendent is a Public Official - The Board of Trustees for the North Monterey County Unified School District has five elected Board members that serve on the

Governing Board. The Board appoints a Superintendent to fulfill their major responsibilities, which includes: providing community leadership and advocacy on behalf of students, the District's education program and public education in order to build support within the local community and at the state and national levels (Education Code 5304 Duties of Governing Board). The Governing Board recognizes the District's responsibility to keep the public informed regarding goals, programs, achievements, and needs of the schools and District to be responsive to the concerns and interests of the community. The Board also ensures that all public statements authorized to be made on behalf of the Board shall be made by the Board president or by the Superintendent (Education Code 35010 Control of district, prescription and enforcement rules).

- Sign Design – A letter received from Stewart Signs, states the proposed marquee sign for the North Monterey County Unified School District is an LED display; a software program included in the sign will allow total control over the timing, speed, intensity, and brightness of the display. There are 10 levels of brightness ranging from 1,000 NITs (barely readable) up to 10,000 NITs, which is recommended for the hours of 10 a.m. to 2 p.m. during the peak sunlight hours. Through the software, the user can also set a range of brightness settings that automatically change the LED brightness based on environmental factors and time. Staff has incorporated a Condition of Approval to require that the Superintendent shall set the illumination timer to shut down at 10:00 p.m. every evening and turn back on at 6:00 a.m. every morning. (Condition #5)
- Night Owl Assessment - In May, 2013, Owens Hill Consulting provided a biotic assessment on future development of a proposed perimeter fence and improvements to the existing athletic field. Owens Hill conducted extensive research of the site development history and completed a thorough investigation of the biotic conditions at the site, utilizing the services of John Gilchrist and Associates, who served as the school District biologist for several years. Owens Hill Consulting did not identify any environmental constraints including presence of protected animal species, that would prevent the future fence and field project from moving forward. Although the report was not specific to the night owl, there are 22 existing 400 watt lamp posts located in the same area as the proposed illuminated sign. These lamp posts were installed when the school was built in the early 1970's. The sign will not add to the night lighting already existing. Also, the sign will be timed to shut off at night so there will not be additional impacts.

#### Recommendation

An illuminated school marquee sign located on the existing high school campus parking lot on Castroville Blvd. would provide the public with valuable information regarding the school District and other non-profits, as well as other public service announcements. Therefore, staff has determined the sign can be constructed under the exemptions allowed under Section 20.60.090.F of the Zoning Ordinance and recommends approval of the sign.

**EXHIBIT C  
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the  
County of Monterey, State of California**

In the matter of the application of:

**NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT (PLN130286)**

**RESOLUTION NO. ----**

Resolution by the Monterey County Hearing Body:

- 1) Finding the project Categorically Exempt per CEQA Section 15303 (e); and
- 2) Approving a Coastal Development Permit to allow the installation of a 32 square foot illuminated sign at the entrance of the parking lot of North Monterey County High School.

[PLN130286, North Monterey County Unified School District, 13990 Castroville Boulevard, Castroville, North County Land Use Plan (APN: 133-092-007-000)]

**The Coastal Development application (PLN130286) came on for public hearing before the Monterey County Zoning Administrator on December 12, 2013. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:**

**FINDINGS**

- 1. FINDING:** **PROJECT DESCRIPTION** – The proposed project is a Coastal Development Permit to allow the installation of a 32 square foot (8 feet by 4 feet) illuminated sign to provide school activity information to the residents in the neighboring area. The sign is mounted on a base which is 3 feet 6 inches tall by 2 feet 8 inches wide with a total height of 7 feet 6 inches. The top half of the sign would contain the language “North Monterey County High School, Home of the Condors” and on the bottom half would contain illuminated moving wording in red color announcing school-related and other community activities. The base of the sign is black with the Rotary International logo. The property is located at 13990 Castroville Boulevard, Castroville (Assessor's Parcel Number 133-092-007-000), North County Land Use Plan, Coastal Zone.

**EVIDENCE:** The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN130286.
- 2. FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate

for development.

**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 1982 Monterey County General Plan;
- North County Land Use Plan;
- Monterey County Coastal Implementation Plan Part 2;
- Monterey County Zoning Ordinance (Title 20);

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The parcel is zoned "PQP (CZ)" [Public Quasi-Public (Coastal Zone)], which allows structures accessory to any principal permitted use. The proposed sign would be accessory to the principally permitted use of a high school. Therefore, the project is an allowed land use for this site.
- c) A Coastal Development Permit is required for signs between 20 and 75 square feet in the aggregate which are appurtenant to any permitted use (Section 20.60.040.B.2 of Monterey County Code (Title 20, Zoning Ordinance)).
- d) The 32 square foot sign would be located at the entrance of the school, behind the existing chain link fence on the corner of the parking lot. There are no trees to be removed, no development on slopes over 25 percent or no environmentally sensitive habitat to be disturbed; nor are there any viewshed or archaeological issues.
- e) The project planner conducted a site inspection on July 17, 2013 to verify that the project on the subject parcel conforms to the plans listed above.
- f) There are no specific policies in the North County Land Use Plan for signs in PQP zoning or for schools. Therefore, the project is subject to the provisions of Chapter 20.60 of the Zoning Ordinance (Sign Regulations). Section 20.60.100.B prohibits signs with flashing, moving or animated illumination. However, there is an exemption under Section 20.60.090.F for "Public Notices and announcements authorized by courts and public officials." The proposed sign is intended to relate school activities and other public benefit messages from community agencies that partnership with the school district to provide the community with access to services and communicate important information.
- g) The North County Fire Protection District depends on the North Monterey County Unified School District (District) to communicate important information to their community members regarding public safety and other related information. Schools within the District are included in the Red Cross' emergency plans as Red Cross evacuation sites and temporary shelters during disaster declarations and emergencies. The school site has been pre-designated as a landing zone for emergency medical helicopters. Other organizations utilizing the school site include but are not limited to: Monterey County (Flu shot location), Oak Hills HOA, Girls Scouts, Girls, Inc., Castroville Leadership Council and Cal Trans Road project community meetings.
- h) The Board of Trustees for the North Monterey County Unified School District has five elected Board members that serve on the Governing

Board. The Board appoints a Superintendent to fulfill their major responsibilities, which includes: providing community leadership and advocacy on behalf of students, the District's education program and public education in order to build support within the local community and at the state and national levels (Education Code 5304 Duties of Governing Board). Therefore, the Superintendent is considered to be a public official as required under the provisions of Section 20.60.090.F (Exemptions) of the Sign Regulations of the Zoning Ordinance.

- i) The proposed marquee sign for the North Monterey County Unified School District is an LED display; a software program included in the sign will allow total control over the timing, speed, intensity, and brightness of the display. There are 10 levels of brightness ranging from 1,000 NITs (barely readable) up to 10,000 NITs, which is recommended for the hours of 10 a.m. to 2 p.m. during the peak sunlight hours. Through the software, the user can also set a range of brightness settings that automatically change the LED brightness based on environmental factors and time. Staff has incorporated a Condition of Approval to require that the Superintendent shall set the illumination timer to shut down at 10:00 p.m. every evening and turn back on at 6:00 a.m. every morning. (Condition #5) Therefore, any impacts to night lighting will be controlled.
- j) The project was not referred to the North County Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because this is a structure accessory to the permitted use (school), it is exempt from CEQA, does not involve any conflict nor raises significant land use issues.
- k) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN130286.

3. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, North County Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
  - b) Staff identified potential impacts to Archaeological and Biological Resources. The archaeological report has been determined to be negative. Therefore, no mitigation measures are required. However, a standard condition of approval shall be added to ensure that if, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it (Condition #3).



- c) Owens Hill Consulting provided a biotic assessment on future development of a proposed perimeter fence and improvements to the existing athletic field. Owens Hill conducted extensive research of the site development history and completed a thorough investigation of the biotic conditions at the site, utilizing the services of John Gilchrist and Associates, who served as the school District biologist for several years. Owens Hill Consulting did not identify any environmental constraints including presence of protected animal species, that would prevent the future fence and field project from moving forward. Although the report was not specific to the night owl, there are 22 existing 400 watt lamp posts located in the same area as the proposed illuminated sign. These lamp posts were installed when the school was built in the early 1970's. The sign will not add to the night lighting already existing. Also, the sign will be timed to shut off at night so there will not be additional impacts.
- d) The following reports have been prepared:
  - "Preliminary Archaeological Reconnaissance" (LIB130263) prepared by Archaeological Consulting, Salinas, CA, dated June 28, 2006.
  - "Biotic Assessment" (LIB130457) prepared by Owens Hill, Aptos, CA, dated May 25, 2013.

The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed the reports and concurs with their conclusions.

- e) Staff conducted a site inspection on July 17, 2013 to verify that the site is suitable for this use.
- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN130286.

4. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the RMA - Planning Department, North County Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities are existing for the school, but are not required for this project.
  - c) See Preceding Findings #1, #2 and #3 and supporting evidences.

- d) Staff conducted a site inspection on July 17, 2013 to verify that the site is suitable for this use.
  - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN130286.
  
- 5.       **FINDING:**       **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
  
- EVIDENCE:**
  - a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff conducted a site inspection on July 17, 2013 and researched County records to assess if any violation exists on the subject property.
  - c) There are no known violations on the subject parcel.
  - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN130286.
  
- 6.       **FINDING:**       **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
  
- EVIDENCE:**
  - a) California Environmental Quality Act (CEQA) Guidelines Section 15303 (e), categorically exempts construction and located of limited numbers of new, small facilities or structures.
  - b) The proposed project consists of an accessory structure appurtenant to a main use (the school).
  - c) No adverse environmental effects were identified during staff review of the development application during a site visit on July 17, 2013.
  - d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.
  - e) See Preceding Findings #1, #2, #3, #4 and supporting evidences.
  - f) Staff conducted a site inspection on July 17, 2013 to verify that the site is suitable for this use.
  - g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN130286.
  
- 7.       **FINDING:**       **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission
  
- EVIDENCE:**
  - a) Section 20.86.030 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
  - b) Section 20.86.080 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because any approved project involving development that is permitted in the underlying zone as a conditional use is appealable. A Coastal Development permit is a conditional use permit.

## DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Zoning Administrator does hereby:

1. Find the project Categorically Exempt per CEQA Section 15303 (e); and
2. Approve a Coastal Development Permit to allow the installation of a 32 square foot illuminated sign at the entrance of the parking lot of North Monterey County High School, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 12th day of December, 2013 upon motion of

\_\_\_\_\_  
Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_\_\_\_\_.

(Coastal Projects)

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

### NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 01-31-2013

# Monterey County Planning Department

## DRAFT Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan

PLN130286

### 0. SPPD001 - Timer Schedule for Illuminated Sign

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** The software program provided with the illuminated sign allows total control over the timing, speed, intensity, and brightness of the display. There are 10 levels of brightness ranging from 1,000 NITs (barely readable) up to 10,000 NITs, which is recommended for the hours of 10am to 2pm during the peak sunlight hours. Through the software, the user can also set a range of brightness settings that automatically change the LED brightness based on environmental factors and time. The Superintendent shall set the illumination timer to shut down at 10:00 p.m. every evening and turn back on at 6:00 a.m. every morning. (RMA-Planning Department)

**Compliance or Monitoring Action to be Performed:** The Superintendent shall submit evidence that the illuminated sign has a timer that shall shut down at 10:00 p.m. every evening and turn back on at 6:00 a.m. every morning.

On-going

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** This Coastal Development Permit to allow the installation of a 32 square foot illuminated sign at the entrance of the parking lot of North Monterey County High School. The property is located at 13990 Castroville Boulevard, Castroville (Assessor's Parcel Number 133-092-007-000), North County Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning Department

**Condition/Mitigation** The applicant shall record a Permit Approval Notice. This notice shall state:

**Monitoring Measure:** "A Coastal Development Permit] (Resolution Number \_\_\_\_ ) was approved by the Zoning Administrator for Assessor's Parcel Number 133-092-007-000 on October 31, 2013. The permit was granted subject to 5 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."  
Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.  
(RMA - Planning Department)

**Compliance or Monitoring** Prior to the issuance of grading and building permits or commencement of use, the  
**Action to be Performed:** Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

## 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** Planning Department

**Condition/Mitigation** If, during the course of construction, cultural, archaeological, historical or paleontological  
**Monitoring Measure:** resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.  
(RMA - Planning Department)

**Compliance or Monitoring** The Owner/Applicant shall adhere to this condition on an on-going basis.  
**Action to be Performed:** Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered." When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

#### 4. PD004 - INDEMNIFICATION AGREEMENT

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless.  
(RMA - Planning Department)

**Compliance or Monitoring Action to be Performed:** Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.



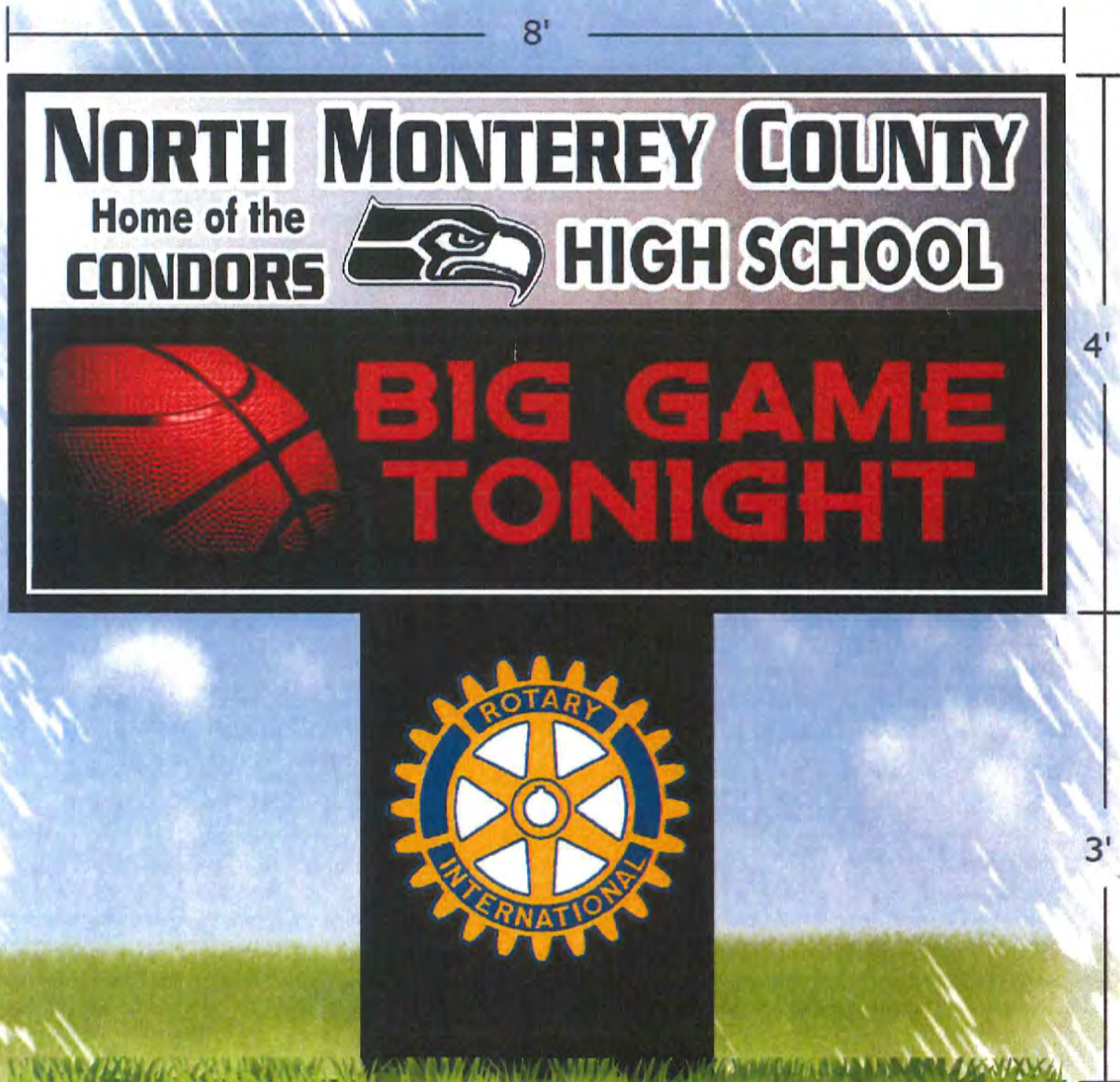


ABLE TO  
SHOW 3 ROWS  
5.5" CHARACTERS

Alternate display: 3 lines of 5.5" text



OVERALL  
HEIGHT  
7' 6"



4'

3' 6"

2' 8"

TekStar 20mm 24x112 4'x8'

The provided graphics will be insufficient quality for the manufacturing process. Please see our web site, <http://www.stewartsigns.com/support-artwork.php> or your consultant for a list of acceptable formats.

Cabinet: 4' x 8'

Mount: Pedestal Custom (3' 6" x 2' 8")

Cabinet Color: Black

Face Color: Gradient (255 255 255, 102 102 102) Fonts: Serpentine, Futura(b), Arial

Line Color: Black

gos: seahawkslogo[1], TekStar 3 line message

**Stewart**  
AMERICA'S PREMIER SIGN COMPANY

1-800-237-3928 WWW.STEWARTSIGNS.COM

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DUE TO THE PHYSICAL LIMITATIONS OF THE PAPER AND INKBASED PRINTING PROCESS THIS CUSTOM ARTWORK IS NOT INTENDED TO PROVIDE AN EXACT MATCH BETWEEN INK, VINYL, PAINT, OR LED COLOR. ARTIST'S RENDITION OF BRICKWORK, MASONRY AND LANDSCAPING IS NOT INCLUDED IN THE PROPOSAL. ANY MEASUREMENTS SHOWN ARE APPROXIMATIONS; DIMENSIONS OF FINAL PRODUCT MAY VARY.

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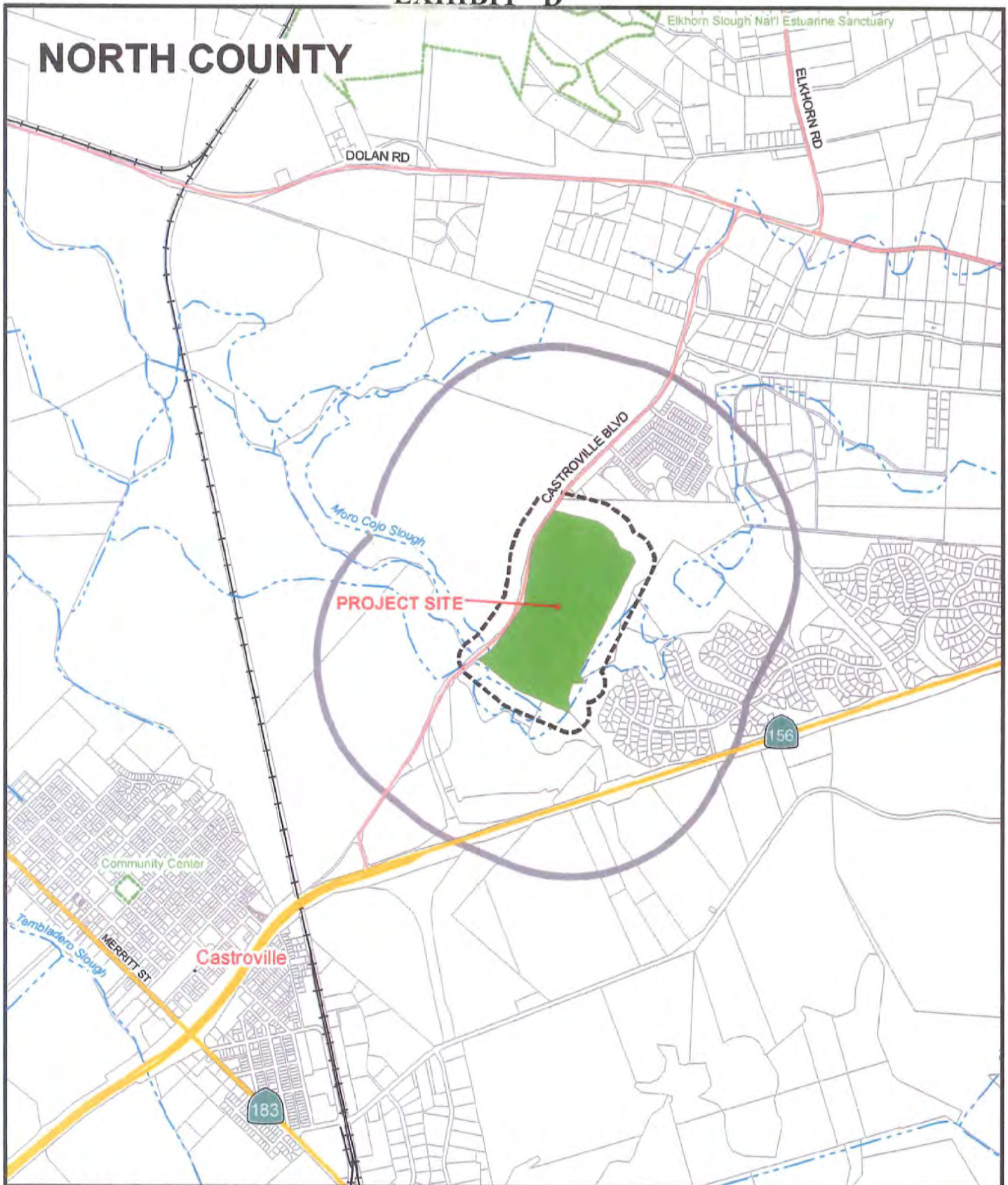
X \_\_\_\_\_ DATE \_\_\_\_\_ 1. \_\_\_\_\_  
APPROVED WITH LISTED CHANGES \_\_\_\_\_ 2. \_\_\_\_\_  
X \_\_\_\_\_ DATE \_\_\_\_\_ 3. \_\_\_\_\_

Sketch #132939 Customer #1652428  
4/22/2013 Shay Einhaus -PROPOSAL-



# EXHIBIT "D"

## NORTH COUNTY

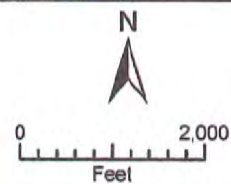


APPLICANT: NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

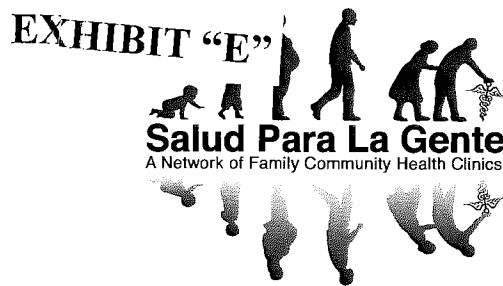
APN: 133-092-007-000

FILE # PLN130286

2500' Limit 300' Limit Water City Limits



PLANNER: GONZALES



November 20, 2013

To Whom It May Concern,

This letter is to verify that Salud Para La Gente has a partnership with the North Monterey County Unified School District to provide community members with access to health care clinics currently at the Elkhorn Elementary and Castroville Elementary school sites. These health clinics are open to the public and our organization relies on the District to communicate important information to our community members regarding public health messages and other related services.

Our clinic manager personally communicates directly with the District administration to get out messages and other information to the community. Currently, the District sends out telephone messages, paper communications and posts information on the website. The ability to have another means of communicating messages to the public, particularly along Castroville Boulevard near the high school campus, would be beneficial to the community.

I am in full support of the installation of an illuminated marque sign at the high school campus for the purposes of providing public announcements.

Sincerely,

A handwritten signature in black ink, appearing to read "Dori Rose Inda".

Dori Rose Inda  
Chief Executive Officer



November 18, 2013

To Whom It May Concern,

This letter is to verify that CHISPA depends on the North Monterey County Unified School District to communicate important information to our community members regarding community services and programs.

We have two housing communities that are directly located next to the high school and the middle school. The District and CHISPA have coordinated efforts to provide safe and productive activities for our families and we are working on a partnership to use the school facilities for programs that are offered to our community members before and after school hours and during vacation breaks.

I personally communicate directly with the Superintendent's office to get out messages out to our community. Currently, the District sends out telephone messages, paper communications and posts information on the website. The ability to have another means of communicating messages to the public, particularly along Castroville Blvd near the high school campus would be beneficial to the community.

I am in full support of the installation of an illuminated marque sign at the high school campus for the purposes of providing public announcements.

Sincerely,



Ruth Rodriguez

CHISPA Community Service Coordinator



# NORTH COUNTY FIRE PROTECTION DISTRICT

## of Monterey County

November 18, 2013

To Whom It May Concern,

This letter is to verify that The North Monterey County Fire Protection District depends on the North Monterey County Unified School District to communicate important information to our community members regarding public safety and other related information.

Schools within the North Monterey County School District are considered official Red Cross evacuation sites or at minimum temporary shelters during disaster declarations and emergencies. The North County Fire District also uses North Monterey County Schools as pre-designated landing zones for the landing emergency medical helicopters.

I personally communicate directly with the Superintendent when emergencies or other incidents occur and rely on the District to get out messages to our community. Currently, the District sends out telephone messages, paper communications and posts information on their website. The ability to have another means of communicating messages to the public, particularly along Castroville Blvd near the high school campus would be beneficial to the community.

I am in full support of the installation of an illuminated marque sign at the high school campus for the purposes of providing public announcements.

Sincerely,

Humberto Arista  
North County Fire Division Chief

Respectfully,



Humberto Arista  
Division Chief

Serving

Castroville

Elkhorn

Las Lomas

Moss Landing

Oak Hills

Parjaro

Prunedale

Royal Oaks



# North Monterey County Unified School District

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♦ 8142 Moss Landing Road ♦ Moss Landing, California 95039-9617 ♦ (831) 633-3343

**The following organizations utilize North Monterey County High School:**

**Outside Organizations:**

Central Coast Section (Central meeting location)  
MBL (Central meeting location)  
Mission Trails  
North County Bulldogs (Football & Cheer)  
Red Cross (Blood drive location)  
Monterey County Flu shot location  
Oak Hills HOA  
Girls Scouts  
Girls Inc.  
Castroville Leadership Council  
Central Location in times of disaster  
S.A.T. Testing center  
Cal Trans Road project community meetings  
Manzanita Park

**Within the district outside of our school:**

Middle School graduation  
Central Bay graduation  
District Wide Back to School teacher meetings





# EXHIBIT "F"

## North Monterey County Unified School District

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♦ 8142 Moss Landing Road ♦ Moss Landing, California 95039-9617 ♦ (831) 633-3343

November 19, 2013

Dear Elizabeth Gonzales,

The Board of Trustees for the North Monterey County Unified School District has five elected Board members that serve on the Governing Board. The Board works with the Superintendent to fulfill its major responsibilities, which includes: providing community leadership and advocacy on behalf of students, the district's education program, and public education in order to build support within the local community and at the state and national levels. (Education Code 5304 Duties of governing board).

The Governing Board recognizes the district's responsibility to keep the public informed regarding goals, programs, achievements, and needs of the schools and district to be responsive to the concerns and interest of the community. The Board also ensures that all public statements authorized to be made on behalf of the Board shall be made by the Board president or by the Superintendent. (Education Code 35010 Control of district, prescription and enforcement rules).

The Superintendent implements our two-way communication plan between the district and the public. These forms of communication include newsletters, web sites, social networking pages or other online communication, direct email and mailings or notices, recorded telephone messages, community forums and public events, news releases, meetings with reporters and representatives of local governments, community organization and businesses. The Superintendent shall provide multiple

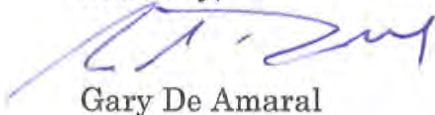
opportunities for members of the public to give input on district and school issues and operations.

The Governing Board also recognizes that citizen advisory committees enable the Board to better understand the interest and concerns of the community. The Board also follows the Civic Center Act as it relates to the use of each public school facility and grounds and therefore provide organizations access to the use of such facilities. (Education Code 38134).

The district distributes public announcements on behalf of many non-profit organizations that include: the fire department, the Red Cross, the health clinic, parent teacher organizations, child care or day care programs, Girl Scouts and Boy Scouts, Boys and Girls Club, veteran's organization, LULAC, other clubs and associations for recreational, educational, artistic and moral activities. The Board grants the use of school facilities but also provides a means of communication regarding related events and services to the public.

An illuminated school marquee sign located on the existing high school campus parking lot on Castroville Blvd would provide the public with valuable information regarding the district and other non-profits, as well as a venue for other public service announcements.

Sincerely,



Gary De Amaral



## **Use of School Property, Civic Center Act**

(a) There is a civic center at each and every public school facility and grounds within the state where the citizens, parent teacher associations, Camp Fire girls, Boy Scout troops, veterans' organizations, farmers' organizations, school-community advisory councils, senior citizens' organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts may engage in supervised recreational activities, and where they may meet and discuss, from time to time, as they may desire, any subjects and questions that in their judgment pertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside. For purposes of this section, "veterans' organizations" are those groups included within the definition of that term as specified in subdivision (a) of Section 1800 of the Military and Veterans Code.

(b) The governing board of any school district may grant the use of school facilities or grounds as a civic center upon the terms and conditions the board deems proper, subject to the limitations, requirements, and restrictions set forth in this article, for any of the following purposes:

(1) Public, literary, scientific, recreational, educational, or public agency meetings.

(2) The discussion of matters of general or public interest.

(3) The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization that has no suitable meeting place for the conduct of the services, provided the governing board charges the church or religious organization using the school facilities or grounds a fee as specified in subdivision (d) of Section 38134.

(4) Child care or day care programs to provide supervision and activities for children of preschool and elementary schoolage.

(5) The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies.

(6) Supervised recreational activities including, but not limited to, sports league activities for youths that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination.

(7) A community youth center.

(8) A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization.

(9) Other purposes deemed appropriate by the governing board.

(Amended by Stats. 2006, Ch. 205, Sec. 2.)

### **Reference:**

Education Code 38134

Military and Veterans Code 1800

## **Role Of The Board**

The Governing Board has been elected by the community to provide leadership and citizen oversight of the district. The Board shall ensure that the district is responsive to the values, beliefs, and priorities of the community.

The Board shall work with the Superintendent to fulfill its major responsibilities, which include:

1. Setting the direction for the district through a process that involves the community, parents/guardians, students, and staff and is focused on student learning and achievement

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

2. Establishing an effective and efficient organizational structure for the district by:

a. Employing the Superintendent and setting policy for hiring of other personnel

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 2120 - Superintendent Recruitment and Selection)

(cf. 2121 - Superintendent's Contract)

(cf. 4000 - Concepts and Roles)

(cf. 4111 - Recruitment and Selection)

(cf. 4211 - Recruitment and Selection)

(cf. 4311 - Recruitment and Selection)

b. Overseeing the development and adoption of policies

(cf. 9310 - Board Policies)

c. Establishing academic expectations and adopting the curriculum and instructional materials

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

d. Establishing budget priorities and adopting the budget

(cf. 3000 - Concepts and Roles)

(cf. 3100 - Budget)

(cf. 3312 - Contracts)

e. Providing safe, adequate facilities that support the district's instructional program

(cf. 3517 - Facilities Inspection)

(cf. 7110 - Facilities Master Plan)

(cf. 7150 - Site Selection and Development)

(cf. 7210 - Facilities Financing)

f. Setting parameters for negotiations with employee organizations and ratifying collective bargaining agreements

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

3. Providing support to the Superintendent and staff as they carry out the Board's direction by:

a. Establishing and adhering to standards of responsible governance

(cf. 9005 - Governance Standards)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9200 - Limits of Board Member Authority)

(cf. 9270 - Conflict of Interest)

b. Making decisions and providing resources that support district priorities and goals

c. Upholding Board policies

d. Being knowledgeable about district programs and efforts in order to serve as effective spokespersons

(cf. 9240 - Board Development)

(cf. 9400 - Board Self-Evaluation)

4. Ensuring accountability to the public for the performance of the district's schools by:

a. Evaluating the Superintendent and setting policy for the evaluation of other personnel

(cf. 2140- Evaluation of the Superintendent)

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

b. Monitoring and evaluating the effectiveness of policies

c. Serving as a judicial (hearing) and appeals body in accordance with law, Board policies, and negotiated agreements

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 4117.3 - Personnel Reduction)

(cf. 4117.4 - Dismissal)

(cf. 4144/4244/4344 - Complaints)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125.3 - Challenging Student Records)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

d. Monitoring student achievement and program effectiveness and requiring program changes as necessary

(cf. 0500 - Accountability)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

(cf. 6190 - Evaluation of the Instructional Program)

e. Monitoring and adjusting district finances

(cf. 3460 - Financial Reports and Accountability)

f. Monitoring the collective bargaining process

5. Providing community leadership and advocacy on behalf of students, the district's educational program, and public education in order to build support within the local community and at the state and national levels

(cf. 0510 - School Accountability Report Card)

(cf. 1020 - Youth Services)

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 1160 - Political Processes)

(cf. 1400 - Relations between Other Governmental Agencies and the Schools)

(cf. 1700 - Relations between Private Industry and the Schools)

(cf. 9010 - Public Statements)

The Board is authorized to establish and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law. (Education Code 35160)

Legal Reference:

EDUCATION CODE

5304 Duties of governing board (re school district elections)

12400-12405 Authority to participate in federal programs

17565-17592 Board duties re property maintenance and control

33319.5 Implementation of authority of local agencies

35000 District name

35010 Control of district; prescription and enforcement of rules

35020-35046 Officers and agents

35100-35351 Governing boards, especially:

35160-35185 Powers and duties

35291 Rules

Management Resources:

#### CSBA PUBLICATIONS

Maximizing School Board Governance

Professional Governance Standards, November 2000

School Board Leadership: The Role and Function of California's School Boards, 1996

#### NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

The Key Work of School Boards, 2000

#### WEB SITES

CSBA: <http://www.csba.org>

CSBA Governance Institute: <http://www.csba.org/gi>"><http://www.csba.org>"><http://www.csba.org/gi>

National School Boards Association: <http://www.nsba.org>

Bylaw NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

adopted: May 17, 2012 Moss Landing, California

## **Public Statements**

The Governing Board recognizes the rights of Board members to freely express their views and encourages open discussion of issues during the Board meeting. The Board believes that effective Board members have a responsibility to express themselves, whether in agreement or disagreement with the Board majority, in ways that promote the Board's ability to govern the district.

When speaking to community groups, the media, or other members of the public, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board.

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or other designated representative.

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9200 - Limits of Board Member Authority)

Legal Reference:

### **EDUCATION CODE**

35010 Control of district; prescription and enforcement of rules

### **GOVERNMENT CODE**

54960 Actions to stop or prevent violation of meeting provisions

Bylaw NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

adopted: May 17, 2012 Moss Landing, California

## **Communication With The Public**

The Governing Board recognizes the district's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and district and to be responsive to the concerns and interests of the community. The Superintendent or designee shall establish strategies for effective two-way communications between the district and the public and shall consult with the Board regarding the role of Board members as advocates for the district's students, programs, and policies.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 9000 - Role of the Board)

The Superintendent or designee shall provide the Board and staff with communications protocols and procedures to assist the district in presenting a consistent, unified message on district issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the district, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

(cf. 1112 - Media Relations)

(cf. 1340 - Access to District Records)

(cf. 2111 - Superintendent Governance Standards)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 9005 - Governance Standards)

(cf. 9010 - Public Statements)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

The Superintendent or designee shall utilize a variety of communications methods in order to provide the public with access to information. Such methods may include, but are not limited to, district and school newsletters, web sites, social networking pages or other online communications technologies, direct email communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

(cf. 0510 - School Accountability Report Card)

(cf. 1020 - Youth Services)

(cf. 1113 - District and School Web Sites)



(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 1700 - Relations Between Private Industry and the Schools)

In developing communications strategies, the Superintendent or designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The Superintendent or designee shall ensure that staff members are responsive to requests by parents/guardians or members of the public for information or assistance and may provide staff with professional development in their "customer service" role as needed.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide multiple opportunities for members of the public to give input on district and school issues and operations. Community members are encouraged to become involved in school activities, participate on district and school committees, provide input at Board meetings, submit suggestions to district staff, and use the district's complaint procedures as appropriate.

(cf. 1220 - Citizen Advisory Committees)

(cf. 1230 - School-Connected Organizations)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

(cf. 1260 - Educational Foundation)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3555 - Nutrition Program Compliance)

(cf. 6020 - Parent Involvement)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

Prohibition Against Mass Mailings at Public Expense

No newsletter or other mass mailing, as defined in Government Code 82041.5 and 2 CCR 18901, shall be sent by the district at public expense if such material aggrandizes one or more Board members. The name, signature, or photograph of a Board member may be included in such materials only as permitted by 2 CCR 18901. (Government Code 82041.5, 89001; 2 CCR 18901)

Any newsletter or mass mailing regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

(cf. 1160 - Political Processes)

### Comprehensive Communications Plan

The Superintendent or designee may develop a written communications plan which establishes priorities for proactive community outreach to build support for district programs

and issues. The plan shall identify specific communications goals aligned with the district's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups that can help the district achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

(cf. 0200 - Goals for the School District)

As appropriate for each issue, target audiences may include parents/guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The plan shall incorporate strategies for effective communications during a crisis or other emergency situation that may arise.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall periodically evaluate the implementation and effectiveness of the district's communications plan and recommend to the Board whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

Legal Reference:

### EDUCATION CODE

7054 Use of district property or funds re: ballot measures and candidates

35145.5 Board meetings, public participation

35172 Promotional activities

38130-38138 Civic Center Act

48980-48985 Parental notifications

### GOVERNMENT CODE

54957.5 Meeting agendas and materials

82041.5 Mass mailing

89001 Newsletter or mass mailing

CODE OF REGULATIONS, TITLE 2

18901 Mass mailings sent at public expense

18901.1 Campaign-related mailings sent at public expense

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California School Public Relations Association: <http://www.calspra.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Policy NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

adopted: May 17, 2012 Moss Landing, California

## **Citizen Advisory Committees**

The Governing Board recognizes that citizen advisory committees enable the Board to better understand the interests and concerns of the community.

The Board shall establish citizen advisory committees when required by law, to strengthen the effectiveness of district and school operations, or to enhance student learning. The purpose of any such committees shall be clearly defined and aligned to the district's vision, mission, and goals. The Board may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time the Board deems it necessary.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0420 - School Plans/Site Councils)

(cf. 0420.1 - School-Based Program Coordination)

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

(cf. 5030 - Student Wellness)

(cf. 6020 - Parent Involvement)

(cf. 6174 - Education for English Language Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

(cf. 9130 - Board Committees)

The Superintendent or designee may establish advisory committees which shall report to him/her in accordance with law, Board policy, and administrative regulation.

Citizen advisory committees shall serve in an advisory capacity; they may make recommendations, but their actions shall not be binding on the Board or Superintendent.

The membership of citizen advisory committees should reflect the diversity of the community and represent a diversity of viewpoints.

The Superintendent or designee shall provide training and information, as necessary, to enable committee members to understand the goals of the committee and to fulfill their role as committee members.

Within budget allocations, the Superintendent or designee may approve requests for committee travel and

may reimburse committee members for expenses at the same rates and under the same conditions as those provided for district employees.

(cf. 3350 - Travel Expenses)

Legal Reference:

## EDUCATION CODE

8070 Career technical education advisory committee

11503 Parent involvement program

15278-15282 Citizens' oversight committee

15359.3 School facilities improvement districts

17387-17391 Advisory committees for use of excess school facilities

35147 School site councils and advisory committees

41505-41508 Pupil Retention Block Grant

41570-41573 School and Library Improvement Block Grant

44032 Travel expense payment

52176 Advisory committees, limited-English proficient students program

52852 Site council, school-based program coordination

54425 Advisory committees, compensatory education

54444.1-54444.2 Parent advisory councils, services to migrant children

56190-56194 Community advisory committee, special education

62002.5 Continuing parent advisory committees

## REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

52012 School site council

## GOVERNMENT CODE

810.2 Tort claims act, definition employee

810.4 Tort claims act, definition employment

815.2 Injuries by employees within scope of employment

820.9 Members of local public boards not vicariously liable

6250-6270 California Public Records Act

54950-54963 Brown Act

UNITED STATES CODE, TITLE 42

1751 Note Local wellness policy

COURT DECISIONS

Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Community Leadership, 1996

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Policy NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

adopted: May 17, 2012 Moss Landing, California

## **Representative And Deliberative Groups**

The Governing Board believes that broad input on district operations and policy from staff, parents/guardians, students and members of the public can provide the district with a diversity of viewpoints and expertise, help build a sense of ownership of the schools, enhance district efficiency and assist district communications. As desired, the Superintendent or designee may establish a management team, administrative councils, task forces, cabinets or committees in accordance with law.

(cf. 1220 - Citizen Advisory Committees)

(cf. 4301 - Administrative Staff Organization)

The membership, composition and responsibilities of these groups shall be defined by the Superintendent or designee. The Superintendent or designee may establish, change or dissolve these groups at his/her discretion.

Groups established by the Superintendent or designee shall act in an advisory capacity unless specifically authorized to act on behalf of the Superintendent or designee. Advisory groups shall submit their recommendations to the Superintendent or designee, who may report the recommendations to the Board as appropriate.

(cf. 9130 - Board Committees)

Expenses incurred for consulting services, materials, travel or other related operations shall be approved by the Superintendent or designee in advance.

(cf. 3350 - Travel Expenses)

Legal Reference:

### **EDUCATION CODE**

35160.1 Broad authority of school districts

45100.5 Senior classified management positions

45256.5 Designation of certain senior classified management positions

### **GOVERNMENT CODE**

3540.1 Definitions

54952 Legislative body, definition

Policy NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

adopted: May 17, 2012 Moss Landing, California

## **Superintendent Responsibilities And Duties**

The Governing Board desires to establish a productive working relationship with the Superintendent and to ensure that the work of the Superintendent is focused on student learning and achievement and the attainment of the district's vision and goals. The Board also desires to provide a fair basis for holding the Superintendent accountable. The responsibilities of the Superintendent are detailed in law, in the Superintendent's contract, and throughout Board policies and administrative regulations.

(cf. 0000 - Vision)

(cf. 2000 - Concepts and Roles)

(cf. 2111 - Superintendent Governance Standards)

(cf. 2121 - Superintendent's Contract)

The Board shall clarify expectations and goals for the Superintendent at the beginning of every evaluation year.

(cf. 2140 - Evaluation of the Superintendent)

As the chief executive officer of the district, the Superintendent shall implement all Board decisions and manage the instructional and noninstructional operations of the schools. The Superintendent also serves as a member of the district's governance team and has responsibilities to support Board operations and decision making.

(cf. 2210 - Administrative Discretion Regarding Board Policy)

(cf. 9000 - Role of the Board)

(cf. 9122 - Secretary)

The Superintendent may delegate any of his/her responsibilities and duties to other district staff, but he/she remains accountable to the Board for all areas of operation under the Superintendent's authority.

(cf. 4301 - Administrative Staff Organization)

Legal Reference:

### **EDUCATION CODE**

17604 Delegation of powers to agents

17605 Delegation of authority to purchase supplies, equipment and services

35020-35046 Powers and duties of superintendent

48900 Authority of superintendent to recommend suspension or expulsion

Management Resources:



## CSBA PUBLICATIONS

Maximizing School Board Governance

Superintendent Governance Standards, 2001

## WEB SITES

CSBA: <http://www.csba.org>

American Association of School Administrators: <http://www.aasa.org>

Association of California School Administrators: <http://www.acsa.org>

Policy NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT

adopted: May 17, 2012 Moss Landing, California

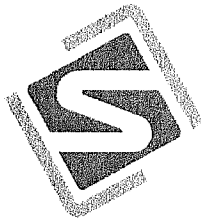


EXHIBIT "G"

stewart signs

America's Premier Sign Company

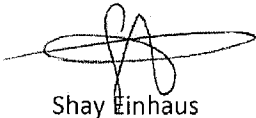
To whom it may concern,

The proposed marquee sign for North Monterey County High School is an LED display (Light Emitting Diode). As such, the software program we provide will allow total control over the timing, speed, intensity, and brightness, etc.. of the display. There are 10 levels of brightness ranging from 1,000 NITs (barely readable in direct sunlight) up to 10,000 NITs, which is recommended for the hours of 10am-2pm during the peak sunlight hours). Through the software, the user can also set a range of brightness settings that can automatically change the LED brightness settings based on both environmental factors and time. Situations such as cloudy days, thunderstorms, dusk, night, or time of day will cause the sign's intensity to change. We designed our software specically knowing that these signs would sometimes be placed in areas where total control of the usage and brightness of the sign would need to be restricted.

We hope that this information proves helpful in directing your decision regarding this new marquee sign.

Thank you for your time.

Respectfully,



Shay Einhaus

Regional Manager

Stewart School Signs

888-237-3928 x231

[seinhaus@stewartsigns.com](mailto:seinhaus@stewartsigns.com)

EXHIBIT "H"



Proposed Sign Location

400 Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

(1) 1000 (2) 400 - Watt Lamp Post

400 Watt Lamp Post

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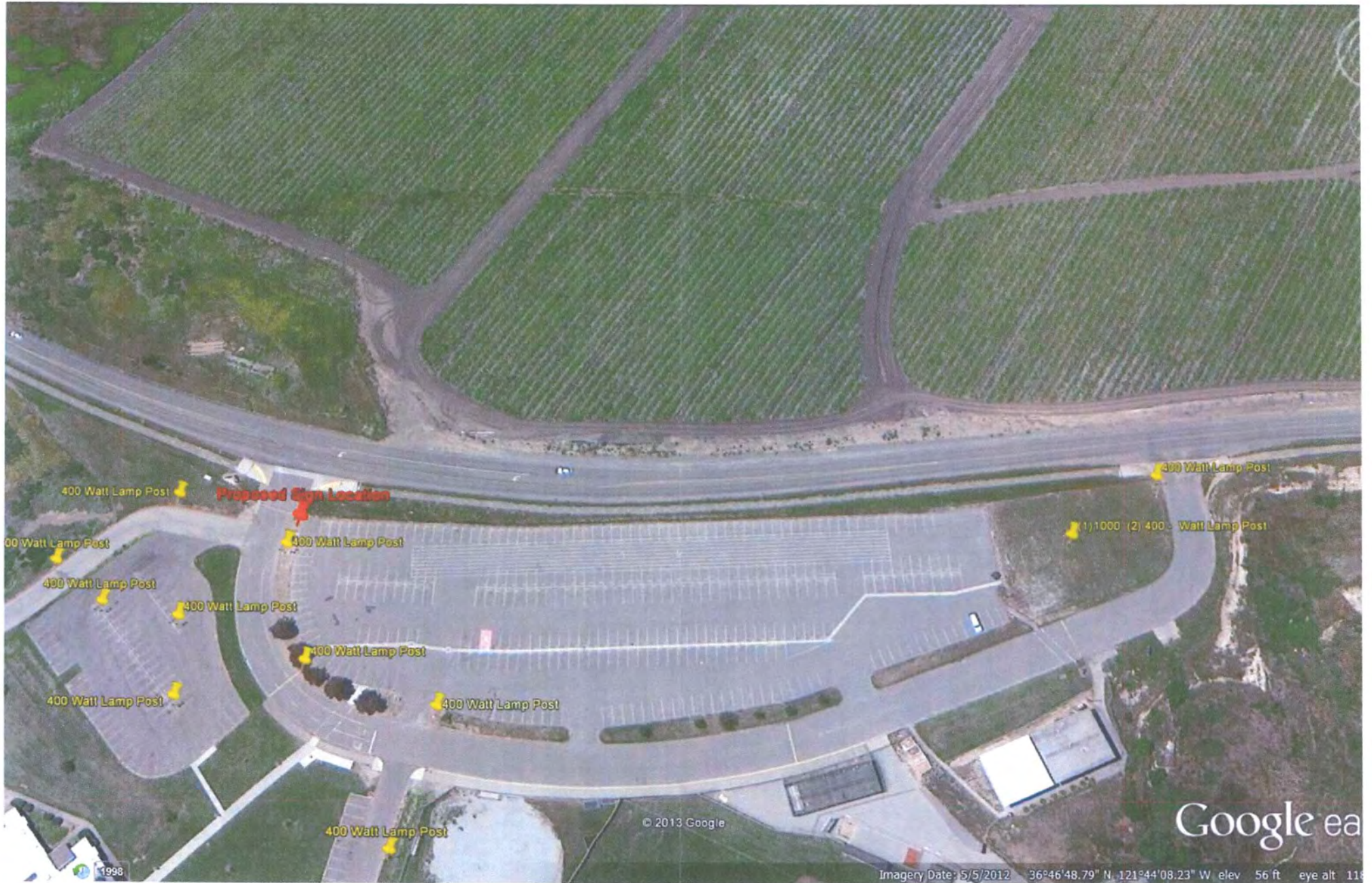
© 2013 Google

Google ea

1998

Imagery Date: 5/5/2012 36°46'45.08" N 121°44'01.66" W elev 47 ft eye alt 139





Proposed Sign Location

400 Watt Lamp Post

400 Watt Lamp Post

(1) 1000 (2) 400 - Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

400 Watt Lamp Post

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400 Watt Lamp Post

Google earth

© 2013 Google

Imagery Date: 5/5/2012 36°46'48.79" N 121°44'08.23" W elev 56 ft eye alt 118



## EXHIBIT "I"



May 25, 2013

Kari Yeater, Superintendent  
North Monterey County Unified School District  
8142 Moss Landing Road  
Moss Landing, CA 95039

Re: North Monterey County High School Athletic Field Improvements  
Project Feasibility Assessment

Dear Superintendent Yeater,

Thank you for providing Owens Hill Consulting with the opportunity to assist the North Monterey County Unified School District with the proposed perimeter fencing, and athletic field improvements at the North Monterey High School campus. These improvements were approved by the Board of Trustees with the adoption of the district-wide Facilities Master Plan, prepared in 2013. The implementation of this comprehensive facilities plan will rely on funding provided by the successful passage of a proposed bond measure being presented to school district voters in the upcoming November 2013 election.

Development at the existing campus is constrained by both environmental and jurisdictional factors that could have a potential impact on the proposed athletic field improvements. The Board of Trustees has acknowledged these development constraints at the school site and has requested staff to assess the feasibility of obtaining regulatory approval for the proposed athletic field improvements, prior to their inclusion in the project list for the proposed bond measure.

Owens Hill Consulting has assessed the feasibility of the proposed project from an environmental and planning perspective through consultation with the governing Federal, State and County authorities. The result of these efforts has overall, provided positive results. We have prepared the attached narrative that details the steps we have undertaken in preparing this assessment and the issues that could potentially affect the proposed project. This feasibility assessment is presented to the North Monterey County Unified School District staff and the Board of Trustees for consideration in its decision to move forward with the proposed project.

It has been my pleasure working with you and your staff in preparing this assessment. I look forward to assisting the District with the agency coordination and permitting for the proposed project as well as the other work involved with the district-wide facilities master plan.

Sincerely,

Maureen Hill, Principal





## **Background**

The North Monterey County Unified School District prepared a District-wide Facilities Master Plan in March 2013 that identify deficiencies and needed improvements to the North Monterey County High School campus. These improvements include the installation of perimeter fencing, upgrades to the existing athletic fields, which consist of the replacement of the turf football field with a synthetic material, widening of the football field and track, upgrading the track to an all-weather surface, installing new stadium lighting, and other associated site work and utilities.

## **Project Site Characteristics**

The North Monterey High School campus is located at 13990 Castroville Boulevard. The site is bordered by agricultural fields, residential development and the Moro Coho Slough.

The proposed improvements to the existing developed high school campus are constrained by environmental and jurisdictional factors. Significant biotic resources are present in the lands adjacent to the developed core of the campus, which provide habitat for the endangered Santa Cruz long-toed salamander, and the threatened California Tiger Salamander. These biotic resources are regulated by the Federal and State of Fish and Wildlife agencies, which must approve all development in the area.

The second of these factors is that the site is located within the boundary of the Monterey County Coastal Zone and is therefore subject to its planning and development requirements. While these factors do not prohibit improvement to the campus, they do require development permitting and California Environmental Quality Act (CEQA) compliance by the County of Monterey.

## **Project Feasibility Assessment**

The proposed athletic field improvements will be funded by a voter approved bond measure in November 2013. The North Monterey County Board of Trustees approved the high school improvement projects with the adoption of the 2013 Facilities Master Plan. Prior to including the proposed project with the other work being funded by the bond measure however, the District has chosen to investigate the feasibility of moving forward with the proposed improvements given the potential development obstacles posed by these site constraints.

In order to provide the District with an assessment of the proposed projects viability, Owens Hill Consulting has conducted extensive research of the site development history; reviewed the County of Monterey coastal administrative policies and guidelines; completed a thorough investigation of the biotic conditions at the site; and conferred with the relevant governing and approval authorities. As part of this effort, we utilized the services of John Gilchrist and Associates, who served as the District biologist for several years and who has maintained a rapport with representatives of the US Fish and Wildlife Service and the California Department of Fish and Wildlife.

A project site visit and a telephone conference call with Federal and State officials were undertaken to ascertain, in general, potential obstacles presented by the presence of endangered and threatened animal species and their habitat near the project site. The





agency representatives who were part of these discussions are familiar with the project site and have previously provided guidance to the District for the football field and track repair completed at the high school in 2010.

These discussions were undertaken without the benefit of detailed project plans however, with the incorporation of protective mitigation measures; neither of the Federal or State agencies foresees a prohibition against any aspect of the proposed athletic field improvements including the addition of stadium lighting. It must be made clear though that *there will be limitations and conditions placed on the proposed project* which may include but not be limited to:

- A biological assessment of the project construction area of proposed construction must be prepared, by an agency- approved biologist, no less than one month to the commencement of work.
- An agency- approved biologist must be present during the initial demolition and construction phase of the proposed project.
- Project development setbacks will be established along the eastern edge of the site, which is nearby the seasonal wetland area.
- Construction activities must be conducted during the dry season when there is a low likelihood of salamander movement.
- The proposed stadium lighting must be operated only during specified times during nighttime use of the athletic fields and operated manually or an automatic timer (no motion detection device will be permitted).

Owens Hill Consulting conferred with the County of Monterey coastal planning staff to discuss all aspects of the proposed athletic field improvements in relation to the California Coastal Act, the County of Monterey General Plan guidelines, and the Local Coastal Implementation Plan. Again this discussion was conducted without the benefit of detailed project plans; however County staff concluded that there are no outright development prohibitions against the proposed project. The District is required to obtain a Coastal Development Permit and CEQA clearance from the County prior to the commencement of any work at the high school campus. This permit will contain project conditions and environmental mitigation measures consistent with those required by the Federal and State resource agencies and the Monterey County Code.

### **Findings and Recommendations**

As a result of our review of the development history at the North Monterey County High School campus; assessing the issues that could potentially affect the proposed project; and meeting with the relevant governing and approval authorities, Owens Hill consulting has not identified any environmental or planning constraints that would prevent the project from moving forward.

When the project is funded and decision is made to move forward with preparation of construction documents for the proposed improvements, the District should consider consulting with the US Fish and Wildlife Service and the California Department of Fish and Wildlife to review detailed aspects of the project and plan development. The agencies can provide guidance on the project construction boundaries, protecting environmentally sensitive areas, and any other potential limitations (access, drainage, retention walls etc.) that could result in plan revisions, additional costs, and delays during the planning and construction phase of the project.