

**MINUTES OF THE REGULAR MEETING OF THE MONTEREY PENINSULA AIRPORT DISTRICT BOARD OF DIRECTORS**  
**BOARD ROOM, February 8, 2017**

**A. CALL TO ORDER/ROLL CALL**

*Chair Nelson called to order the Regular Meeting of the Board of Directors at 10:03am. Directors Leffel, Miller, Sabo and Searle were present. The following District Officers were present: Executive Director La Pier, District Counsel Huber Acting Board Secretary Porter and Deputy Executive Director Bergholz.*

**B. PLEDGE OF ALLEGIANCE**

*Director Leffel led the Pledge of Allegiance.*

**C. COMMUNICATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS**

*None.*

**D. PUBLIC COMMENTS**

*None.*

**E. ADMINISTER OATH OF OFFICE FOR ELECTED OFFICIAL - RICHARD SEARLE**

*District Counsel Huber administered the Oath of Office to Director Richard Searle.*

**F. CONSENT AGENDA – ACTION ITEMS**

(10:15AM - 10:30AM Estimated)

(The Consent Agenda consists of those items which are routine and for which a staff recommendation has been prepared. A Board member, member of the audience or staff may request that an item be placed on the deferred consent agenda for further discussion. One motion will cover all items on the Consent Agenda. The motion to approve will authorize the action or recommendation indicated.)

- |         |  |
|---------|--|
| Approve | 1. Minutes of the Special Meeting of the Air Carrier Service, Marketing, and Community Relations Committee of January 5, 2017                                      |
| Approve | 2. Minutes of the Special Meeting of the Budget and Finance Committee of January 6, 2017   |
| Approve | 3. Minutes of the Regular Meeting of January 11, 2017  |
| Adopt   | 4. Ordinance No. 922, an Ordinance Providing for Traffic and Parking Regulations at the Monterey Peninsula Airport and Prescribing Penalties for Violation Thereof |

*Director Leffel moved to approve Items F.1, F.2 and F.3 and adopt Item F.4. Director Miller seconded the motion. The motion passed by a roll call vote of 5-0.*

ORDINANCE NO. 922

AN ORDINANCE PROVIDING FOR TRAFFIC AND PARKING REGULATIONS AT THE MONTEREY PENINSULA AIRPORT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF

THE BOARD OF DIRECTORS OF MONTEREY PENINSULA AIRPORT DISTRICT DO ORDAIN AS FOLLOWS:

**SECTION 1. Definitions.** Unless specifically defined otherwise herein, or unless a different meaning is apparent from the context, the following words or phrases have the meanings set forth below. Words or phrases that are not defined in this ordinance, but that are defined in the California Vehicle Code, have the meanings set forth therein.

"Airport" means the Monterey Peninsula Airport and all lands owned or operated by the Monterey Peninsula Airport District for airport purposes or activities. "Airport" includes all improvements, facilities and appurtenances.

"Executive Director" means the executive director of the airport or his or her designee.

"Board of Directors" means the board of directors of the Monterey Peninsula Airport District.

"Chief of Police" means the Chief of the Monterey Peninsula Airport District Police Department or his or her designee.

"Curb" means the lateral boundary of the roadway, whether such curb is marked by curbing construction, paint, reflectors or buttons on the roadway surface or is not so marked.

"District" means the Monterey Peninsula Airport District.

"FAA" means the United States Department of Transportation, Federal Aviation Administration.

"Fuel Tanker" means any motor vehicle used for the transportation or delivery of gasoline, jet fuel or any other petroleum product.

"Mph" means miles per hour.

"Operator" means every person who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or who is in actual physical control of a vehicle, including, without limitation, the driver thereof.

"Park", "Parked" or "Parking" means the stopping, parking or leaving standing of any vehicle in any location whether the operator thereof leaves or remains in such vehicle when such stopping, parking or standing is not required by traffic controls.

"Parking Enforcement Officer" means an employee of the District authorized by the Executive Director to enforce parking laws and regulations at the airport through the issuance of parking infraction notices.

"Police Officer" means any officer of the Monterey Peninsula Airport District Police Department or any other peace officer acting at the request of the Executive Director or Chief of Police.

"Street" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public; airport tenants, their employees and invitees; or others for purposes of vehicular travel or parking and shall include, without limitation, any highway, road, alley, public parking lot, public parking area and public drive.

"Taxicab" means any motor vehicle used for the carriage of passengers for hire upon the basis of distance traveled or on a flat-fee basis.

**SECTION 2. Hours and Time Limits.** Wherever certain hours are set forth in this ordinance they mean Pacific Standard Time or Pacific Daylight Time, whichever is then in current use. The provisions of this ordinance imposing a time limit on parking shall not relieve any operator from the duty to observe other or more restrictive provisions of the California Vehicle Code or the ordinances of the District prohibiting or the limiting parking in specified places or at specified times. Every parking regulation adopted under this ordinance which imposes a time limit on parking shall be so construed as to require the complete removal of a vehicle from the entire space occupied by such vehicle at or before the expiration of such time limit. A partial removal from such space so occupied, or a complete removal and the return of such vehicle to such space or any part thereof before such vehicle shall have first exited the airport shall constitute a violation of such time limit.

**SECTION 3. General Applicability of Vehicle Code.** Subject to the rules and regulations contained herein or otherwise adopted by the District pursuant to the California Vehicle Code, the provisions of the California Vehicle Code in effect as of the date of adoption of this ordinance, and as the same may be amended from time to time hereafter, shall apply upon all streets within the airport.

**SECTION 4. Direction of Traffic.** Each police officer is authorized to direct traffic within the airport. If a police officer determines that the traffic load on a particular street, or a portion thereof, is such that little or no vehicular flow is occurring and, additionally, if the police officer finds that a significant number of vehicles are not promptly moving when an opportunity arises to do so, then the police officer may divert vehicles, excepting public safety or emergency vehicles, from that street, or portion thereof, subject to traffic congestion until such time as reasonably flowing traffic is restored. The police officer may place any approved traffic control devices to accomplish such diversion. Members of the Airport Fire Department, when at the scene of a fire, accident or other emergency, and in uniform may direct or assist police officers in directing traffic thereat or in the immediate vicinity thereof and while so engaged shall be considered as persons appointed pursuant to California Vehicle Code section 21100(e). Similarly, members of the Airport Operations Department; whenever official traffic control devices are disabled or otherwise inoperable, at the scenes of accidents or disasters, or at such locations as may require traffic direction for orderly traffic flow; shall be considered as persons appointed

pursuant to California Vehicle Code section 21100(e) while acting in the course of their official duties, provided that they are wearing insignia issued by the District.

**SECTION 5. Temporary Street Closure for Maintenance or Emergency.** The Executive Director or Chief of Police may temporarily restrict the use of or close any street within the airport whenever he or she considers such closing or restriction necessary for the protection of the public (due to the holding of assemblages or processions or otherwise), the protection of the street, or during construction, improvement or maintenance operations on the street. The Executive Director and Chief of Police are directed to notify the public of any such temporary closure or restriction by erecting suitable traffic control devices, warnings, notices or signs or by assigning a traffic officer or by other method suitable to conveying to operators of vehicles on such street that it is closed or its use restricted.

**SECTION 6. Parking on Closed Streets.** No vehicle shall be parked within the airport on any street or portion thereof which is necessary for the cleaning, repair, or construction of the street, or for the installation of underground utilities or for a purpose other than the normal flow of traffic or for the movement of equipment, articles or structures of unusual size, if the parking of that vehicle would prohibit or interfere with that use or movement provided that signs giving notice that the vehicle may be removed are erected or placed at least twenty-four (24) hours prior to the closure and/or removal. The Executive Director is directed to place and maintain such signs wherever required in connection with such circumstances. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 7. Driving Over Fresh Pavement.** No operator shall drive any vehicle over or across any newly made pavement or freshly painted markings on any street within the airport when a traffic officer, traffic control device, sign or other marking device is in place warning operators not to drive over or across such pavement or marking, or when any such sign or device is in place indicating that the street or any portion thereof is closed.

**SECTION 8. Speed Limits on Airport Road.** Except to the extent that lower speed limits are required by the California Vehicle Code or the ordinances of the District, the maximum speed limit upon that portion of Airport Road situated within the airport and lying east of a point four hundred (400) feet east of the intersection of Airport Road with North Road shall be thirty (30) mph. The Executive Director is directed to place and maintain an appropriate speed restriction sign at a point four hundred (400) feet east of the intersection of Airport Road with North Road.

**SECTION 9. Speed Limits on Other Streets.** Except to the extent that lower speed limits are required by the California Vehicle Code, other sections of this ordinance or the other ordinances of the District, the maximum speed limit upon any street within the airport shall be twenty-five (25) mph. The Executive Director is directed to place and maintain appropriate speed restriction signs at all entrances to the airport.

**SECTION 10. Through Streets.** The following streets and portions of streets within the airport are through streets and all vehicles shall stop before entering or crossing the same:

Airport Road  
Fred Kane Drive

The Executive Director is directed to place and maintain appropriate stop signs at all entrances to such through streets.

**SECTION 11. Stop Intersections.** The Executive Director is directed to place and maintain appropriate stop signs at the entrance.

**SECTION 12. Yield Intersections.** The Executive Director is directed to place and maintain appropriate yield right-of-way signs at the entrance.

**SECTION 13. No Left Turns.** No vehicle shall make a left hand turning movement at any entrance to any intersection at which a no left turn sign is to be placed. The Executive Director is directed to place and maintain appropriate no left turn signs at the entrance.

**SECTION 14. No Right Turns.** No vehicle shall make a right hand turning movement at any entrance to any intersection at which a no right turn sign is to be placed. The Executive Director is directed to place and maintain appropriate no right turn signs at the entrance.

**SECTION 15. No U-Turns.** No vehicle shall make a U-turn at any entrance to any intersection shown as an entrance at which a no U-turn sign is to be placed. The Executive Director is directed to place and maintain appropriate no U-turn signs at the entrance

**SECTION 16. One-Way Streets.** The Executive Director is directed to place and maintain appropriate one-way street and do not enter signs at the entrance or entrances

**SECTION 17. Lane Markings.** All vehicles shall be moved only in the direction specified for the lane in which the vehicle is moving. The Executive Director is authorized to mark and maintain center lines and lane lines upon the streets within the airport to indicate the lanes and course to be traveled by vehicles.

**SECTION 18. Crosswalks.** The Executive Director is directed to place and maintain appropriate pavement markings to indicate such crosswalks.

**SECTION 19. Additional Temporary Traffic Control Devices.** The Executive Director or Chief of Police may place and maintain additional temporary traffic control devices meeting the requirements of California Vehicle Code within the airport when necessary or convenient to regulate traffic or to guide or warn traffic due to conditions of temporary congestion or hazard. The determination to place or maintain additional temporary traffic control devices shall be made by the Executive Director or Chief of Police upon the basis of traffic engineering principles and traffic investigations and in accordance with such standards, limitations, policies and rules as may be set by the Board of Directors by ordinance or resolution. Such additional temporary traffic control devices shall be removed when the conditions which warranted or required the installation no longer exist.

**SECTION 20. Obstruction of Traffic.** It is unlawful for any operator to park on any street within the airport in such manner as to obstruct the free use of such street. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 21. Authority to Relocate Vehicles.** Any police officer may relocate or cause to be relocated, by means of towing or otherwise, any vehicle parked upon any street, within any parking area, or at any other place within the airport when such officer determines that such vehicle creates an operations problem, nuisance or safety hazard by reason of the place or manner in which it is parked, even if the vehicle is legally parked. In the event that such officer makes such determination, the vehicle shall be relocated to the nearest available area where the vehicle may legally be parked without creating such an operations problem, nuisance or safety hazard, without notice to the owner or operator of the vehicle. Provided that the vehicle was legally parked prior to relocation, no charge shall be assessed against the owner or operator of the relocated vehicle for the relocation of the vehicle.

**SECTION 22. Off-street Parking Lots and Driveways.** Permission is granted to drive vehicles upon those portions of the airport devoted to public driveways and off-street public parking lots unless such driving is restricted by appropriate signs to specific classes of vehicles and to park vehicles upon those portions of the airport devoted to off-street public parking lots in such manner as may be designated by appropriate signs or curb or surface markings. The Executive Director is directed to place and maintain appropriate signs or curb markings giving notice of said restrictions and designations. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 23. Payment for Parking.** It is unlawful for any operator to park within the airport in any area requiring payment for parking therein without paying or arranging for the payment of the required parking charges for the right and privilege of parking therein. It is unlawful for any person charged with the responsibility to collect parking fees to voluntarily cooperate in allowing any operator owing a parking fee to leave the parking lot without making or arranging for the payment of such parking fee. Nothing in this ordinance shall require any person charged with the responsibility to collect parking fees to physically restrain any operator. The prohibitions of this section shall not apply when no parking fee is due because the operator has an appropriate and valid, un-expired, un-revoked, un-suspended and un-terminated parking permit or validation applicable to the area in which the vehicle is parked.

**SECTION 24. Parking Space Markings.** When lines or other appropriate markings upon the surface of any street within the airport are in place designating parking spaces no operator shall park any vehicle except entirely within any such parking space. Within angle parking zones no operator shall park in any manner other than at the angle indicated by the markings on the surface of the street. When the parking of a vehicle is required to be within a parallel parking space, the vehicle or a combination of connected vehicles exceeding the dimensions of such a space may also occupy one or more adjoining parallel parking spaces, provided that all other provisions of this ordinance applicable to such space shall be observed. No vehicle in excess of fifteen (15) feet in length shall be stopped, left standing or parked in any parking space designated for compact cars only by appropriate surface markings or signs. The Executive Director is authorized to place and maintain appropriate lines, surface markings and

signs for the designation of parking spaces and parking spaces for compact cars only. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 25. Freight Loading (Yellow) Zones.** No operator shall park any vehicle, whether attended or unattended, except for the purpose of loading or unloading of freight onto or from a commercial vehicle in freight loading zones at any time. The Executive Director is directed to place and maintain appropriate signs or curb markings giving notice of this regulation at such places. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 26. Passenger Loading (White) Zones.** No operator shall park any vehicle, whether attended or unattended, except for the purpose of loading or unloading of passengers or luggage or depositing mail in an adjacent mailbox or leave any vehicle unattended at passenger loading (white) zones at any time. The Executive Director is directed to place and maintain appropriate signs or curb markings giving notice of this regulation at such places. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 27. Time Limit (Green) Zones.** No operator shall park any vehicle, whether attended or unattended, for any period of time at time limit (green) zones. The Executive Director is directed to place and maintain appropriate signs or curb markings giving notice of this regulation at such places. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 28. No Parking (Red) Zones.** No operator shall park any vehicle, whether attended or unattended, except a bus stopped or parked in a red zone marked or sign posted as a bus loading zone within a no parking (red) zones. The Executive Director is directed to place and maintain appropriate signs giving notice of this regulation at such places. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 29. Taxi Stands.** No operator shall park any vehicle, whether attended or unattended, except a taxicab awaiting employment (the operator of which holds an appropriate and valid, unexpired, un-revoked, unsuspended and un-terminated operating permit from the District) within a taxi stand at any time. The Executive Director is directed to place and maintain appropriate signs or curb markings giving notice of this regulation at such places. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 30. Disabled Persons Parking (Blue) Zones.** No operator shall park any vehicle, whether attended or unattended, unless the vehicle displays either a disabled persons special identification license plate or a disabled persons distinguishing placard issued pursuant to California Vehicle Code within a disabled persons parking (blue) zone. With regard to on-street parking spaces designated for disabled persons, the Executive Director is directed to place and maintain appropriate curb markings and in addition appropriate signs or other suitable means of giving notice of this regulation at such places. With regard to off-street parking spaces designated for disabled persons, the Executive Director is directed to place and maintain by posting immediately adjacent to and visible from, each stall or space, an appropriate sign and place and maintain appropriate surface markings,

each in compliance with the requirements of the California Vehicle Code. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 31. Angle Parking Zones.** No operator shall park any vehicle in a space marked for angle parking unless one of the front wheels of said vehicle is within twelve (12) inches of the curb or barrier marking the maximum forward movement for vehicles in said parking space. The Executive Director is directed to place and maintain appropriate surface markings giving notice of this regulation at such places. The Executive Director or Chief of Police may issue permits for the backing of a vehicle to the curb for the purpose of loading or unloading materials subject to the terms and conditions of such permit. Such permits may be issued either to the lessee of real property at the Airport or to the operator of the vehicle and shall grant such privileges as are therein stated. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 32. Permit Parking Zones.** No operator shall park any vehicle, whether attended or unattended, in permit parking zones at any time without an appropriate and valid, unexpired, un-revoked, unsuspended and un-terminated permit allowing for such use. The Executive Director is directed to place and maintain appropriate signs giving notice of this regulation at such places. The Executive Director or Chief of Police may issue permits for the use of permit parking zones subject to the terms and conditions of such permit. Such permits may be issued either to the lessee of real property at the airport or to the operator of the vehicle and shall grant such privileges as are therein stated. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 33. Reserved Parking.** No operator other than the operator to whom the use of such space has been reserved shall park any vehicle, whether attended or unattended, in reserved parking areas at any time. The Executive Director is directed to place and maintain appropriate signs giving notice of this regulation at such places. No operator shall park any vehicle in a reserved parking space unless the vehicle prominently displays appropriate and valid, unexpired, un-revoked, unsuspended and un-terminated identifying insignia provided by the District or bears other marking acceptable to the District identifying the vehicle as entitled to park in the reserved parking space. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 34. Overnight Parking.** No operator shall park any vehicle, whether attended or unattended, where overnight parking is prohibited between the hours of 2:00 a.m. and 6:00 a.m. without a permit. The Executive Director is directed to place and maintain appropriate signs or curb markings giving notice of this regulation at such places. The Executive Director or Chief of Police may issue permits for overnight parking subject to the terms and conditions of such permit. Such permits may be issued either to the lessee of real property at the airport or to the operator of the vehicle and shall grant such privileges as are therein stated. Vehicles parked in violation of this section may be removed at the owner's expense.

**SECTION 35. Double Parking by Commercial Vehicles.** It is unlawful for the operator of any commercial vehicle to park such vehicle on any street within the airport so that its right tires are more than eighteen (18) inches from the curb. Vehicles parked in violation of this section may be removed at the owner's expense.



**SECTION 36. Parking of Oversized Vehicles.** No vehicle that is six (6) feet or more in height (including any load thereon) shall be parked on any portion of any street within the airport that is within one hundred (100) feet of any intersection or on a street upon which the parking of oversized vehicles is prohibited. The Executive Director is directed to place and maintain appropriate signs giving notice of such restrictions in such places.

**SECTION 37. Vehicle Repairs, Washing, Etc.** No person shall drain or change any antifreeze or other coolant, brake fluid, hydraulic fluid, automatic transmission fluid, engine oil or other lubricant from or in any vehicle or make any repairs to, or install any part or accessory on, any vehicle while it is upon any street within the airport, except emergency repairs necessary to enable a disabled vehicle to be moved from the street. No person shall wash or cause to be washed or polish or cause to be polished any vehicle or any part thereof upon any street within the airport.

**SECTION 38. Vending Prohibited.** The Board of Directors, having determined that the public safety requires such regulation, declares that no operator shall park any vehicle or place any structure wholly or partly within any street within the airport for the purpose of selling such vehicle or structure, or selling there from or thereon any article or thing. No person shall sell, display for sale, or offer for sale any vehicle or thing either in or from any such vehicle or structure so parked or placed. The provisions of this section shall not prohibit a seller from taking away or delivering any commodity from a vehicle on that part of a street immediately adjacent to the premises of the purchaser.

**SECTION 39. Unattended Taxicabs.** It is unlawful for an operator to leave any taxicab unattended on the airport without the prior written permission of the Executive Director, except when such taxicab is lawfully parked in a public parking facility.

**SECTION 40. Impounding of Taxicabs.** It is unlawful for any person to operate a taxicab at the airport without an appropriate and valid, unexpired, unsuspended and un-terminated operating permit from the District. Whenever a police officer arrests any person for operating as a taxicab without a valid operating permit as required by this ordinance, the police officer may impound and retain possession of any vehicle used in a violation of this ordinance, pursuant to and in conformity with the requirements of either section 53075.6 of the California Government Code or section 21100.4 of the California Vehicle Code.

**SECTION 41. Fuel Tankers Prohibited on Portion of Fred Kane Drive.** No operator shall drive any fuel tanker, whether loaded or empty, over that portion of Fred Kane Drive lying between a point two hundred (200) feet east of the easternmost edge of the airport terminal building and the intersection of Fred Kane Drive with Sky Park Drive. The Executive Director directed to place and maintain appropriate signs giving notice of this regulation at such places.

**SECTION 42. Report of Damage to District Property.** The operator of any vehicle involved in any accident resulting in damage to any property owned by the District, including, but not limited to any fire hydrant, parking meter, lighting post, telephone pole, fence, electric light or power pole, or

resulting in damage to any tree, traffic control device or other property of a like nature located in or along any street, shall within one business day after such accident make a written report of such accident to the Airport Police Department office. Every such report shall state the time when and the place where the accident took place, the name and address of the person owning and of the person operating or in charge of such vehicle, the license number of every such vehicle and shall briefly describe the property damage in such accident. The operator of any vehicle involved in any accident shall not be subject to the requirements of this section if and during the time he is physically incapable of making a report, but in such an event he shall make a report within one business day after regaining ability to make such report.

**SECTION 43. Chalk Marks.** It is unlawful for any operator to remove, obliterate or conceal for the purpose of evading the time limitations set forth in this ordinance any chalk mark or other distinguishing mark used by any police officer in connection with the enforcement of the parking regulations of this ordinance.

**SECTION 44. Vehicle Searches.** From time to time, including but not limited to periods of increased terrorist threat, the District may designate roads, parking lots or other areas of the airport (or any portions thereof) as areas entry into which constitutes consent to search of the vehicle and any occupants or property contained therein. Notice of such designation shall be provided by conspicuously posted signs or in the alternative, through verbal or written notice (including but not limited to hand-outs) provided to persons prior to their entry into such areas. If notice is provided through the posting of signs, such signs shall be posted in such places and in such manner as will afford persons not desiring to undergo a search a reasonable opportunity to leave the airport without being searched, provided that no reasonable suspicion of criminal wrongdoing exists independent of the evidenced desire not to be searched. If verbal or written notice is provided, such notice shall be provided at such a location and in such a manner as will afford persons not desiring to be searched a reasonable opportunity to leave the airport without being searched, provided that no reasonable suspicion of criminal wrongdoing exists independent of the evidenced desire not to be searched. Once entry has been made into an area that has been properly posted or described in such verbal or written notice it shall be unlawful to refuse to submit to any lawful inspection of the person, property or vehicle for weapons, explosives, hazardous materials or other items or material which could be a threat to persons or property at the airport.

**SECTION 45. Parking Enforcement Officers.** All persons duly assigned by the Executive Director as parking enforcement officers are hereby empowered and directed to enforce the provisions of this ordinance through the issuance of parking citations, or other action as outlined in this Ordinance or the California Vehicle Code.

**SECTION 46. Obedience to Traffic Directions.** It is unlawful for any person to disobey or willfully fail to comply with any lawful order, signal or direction of any uniformed peace officer or member of the fire department when that officer or member is directing traffic.

**SECTION 47. General Exemptions.** The prohibitions of this ordinance shall not apply when violation is necessary to comply with the directions of a traffic officer, a person appointed pursuant to California Vehicle Code section 2100(e) or an official traffic control device.

**SECTION 48. Commercial Vehicle Exemptions.** The provisions of this ordinance shall not apply to commercial vehicles carrying heavy tools, material or equipment while actually engaged in construction or repair work upon a street or property adjacent hereto provided that the operator thereof obtains a permit for such use. The Executive Director is authorized to issue permits for such use subject to the terms and conditions outlined in the permit. Permits may be issued either to the lessee of real property at the airport or to the operator of the vehicle and shall grant such privileges as are therein stated.

**SECTION 49. Government and Emergency Vehicle Exemptions.** The prohibitions of this ordinance shall not apply to emergency vehicles, to vehicles of any political subdivision of the State of California, or to vehicles of a public utility provided in each instance that the driver of any such vehicle is engaged in the necessary performance of public emergency duties. The prohibitions of this ordinance shall not apply to vehicles of the United States Postal Service while delivering or collecting mail, to vehicles of the United States Department of Transportation, to vehicles of the FAA or to vehicles of the District.

**SECTION 50. Penalties.** Every person who violates any provision of this ordinance is guilty of an infraction, and upon conviction thereof shall be punished in the maximum amount specified in California Vehicle Code section 42001, or such greater sum as may be provided by the California Vehicle Code for the violation of such a parking restriction.

**SECTION 51. Repeal and Cancellation of Prior Ordinance.** Ordinance No. 906, entitled "An Ordinance Providing for Traffic and Parking Regulations at the Monterey Peninsula Airport and Prescribing Penalties for Violation Thereof" is hereby repealed. All other ordinances and parts of ordinances in conflict with this ordinance, to the extent of such conflict and no further, are each hereby repealed.

**SECTION 52. Severability.** This ordinance is not the exclusive regulation of traffic or parking at or within the airport and shall supplement and be in addition to the other regulatory codes, statutes and ordinances heretofore or hereafter enacted by the District, the State of California or any other legal entity or agency having jurisdiction. This ordinance shall not be interpreted or construed to permit parking where or when it is otherwise restricted by other applicable laws. Nothing in this ordinance is intended to make punishable any act or acts which are prohibited by any law of the state or federal government. Nothing in this ordinance shall authorize the maintenance of any public or private nuisance. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 53. Effective Date.** This ordinance shall take effect thirty (30) days from and after the date of its adoption. No provision of this ordinance for which signs, pavement markings, curb markings or other markings giving notice thereof are required by the California Vehicle Code shall be effective unless and until such signs or markings are in place.

**ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** this of 8<sup>th</sup> day of February 2017, by the following vote:

<b>AYES:</b>	<b>DIRECTORS:</b>	Leffel, Miller, Sabo, Searle, Chair Nelson
<b>NOES:</b>	<b>DIRECTORS:</b>	None
<b>ABSTAIN:</b>	<b>DIRECTORS:</b>	None
<b>ABSENT:</b>	<b>DIRECTORS:</b>	None

**G. DEFERRED CONSENT AGENDA - ACTION ITEMS**

**H. REGULAR AGENDA – ACTION ITEMS**

(10:30AM - 11:30AM Estimated)

Presentation 1. Emergency Disaster Preparation by Chief Hoyne

*Jeff Hoyne, Chief of Police, presented Item H.1.*

Presentation 2. Critical Incident (Active Shooter) by Chief Hoyne

*Jeff Hoyne, Chief of Police, presented Item H.2.*

Presentation 3. Update on the Potential Installation of a Three-Acre Solar Photovoltaic (PV) Electric Generating System

*Chris Morello, Senior Planning Manager, presented Item H.3. Emily Douglas, OpTerra Energy Services, gave the Board additional information regarding California Government Code 4217.*

Approve 4. Letter from the Board to Congressman Jeff Denham

*The Board approved the letter to Congressman Jeff Denham, suggesting to hand carry the letter to D.C. and to also write and deliver similar letters to other Congressmen and elected officials.*

**I. ACCEPTANCE OF DEPARTMENT REPORTS**

(11:30AM - 12:00PM Estimated)

*(The board receives department reports which do not require any action by the board)*

**J. BOARD COMMITTEE REPORTS**

(12:00PM - 12:15PM Estimated)

*(Report on meetings attended by Board Members at Monterey Peninsula Airport District's expense - AB1234)*

a. Standing Committees:

- |  |                           |
|--|---------------------------|
| i. Local Jurisdiction Liaison                    | Directors Miller & Nelson |
| ii. Budget and Finance                           | Directors Leffel & Sabo   |
| iii. Air Service, Marketing, Community Relations | Directors Miller & Nelson |

- |   |                              |
|---|------------------------------|
| iv. Airport Property Development & Leases       | Directors Leffel & Nelson    |
| b. <u>Ad-Hoc Committees:</u>                    |                              |
| i. Community Affairs                            | Directors Leffel & Miller    |
| ii. Noise Mitigation                            | Directors Nelson & Sabo      |
| c. <u>Liaison/Representatives:</u>              |                              |
| i. Local Agency Formation Commission            | Director Leffel Alt: Searle  |
| ii. Regional Taxi Authority                     | Director Leffel Alt: La Pier |
| iii. Transportation Agency for Monterey County  | Director Sabo Alt: Nelson    |
| iv. Water Management District (Policy Advisory) | Director Searle Alt: Leffel  |
| v. Special Districts Association Liaison        | Director Miller Alt: Leffel  |

**K. CLOSED SESSION**

1. **ANTICIPATED LITIGATION** (Government Code section 54956.9(d)(2)) The Board will meet with the Executive Director and District Counsel regarding anticipated litigation – two cases.
2. **REAL PROPERTY NEGOTIATIONS** (Government Code Section 54956.8) The Board will meet with Real Property Negotiators, Executive Director and District Counsel, regarding a portion of the property located at 200 Fred Kane Drive, Monterey.

**L. RECONVENE TO OPEN SESSION**

*Chair Nelson reported that no action*

**M. PENDING REQUESTS FOR FUTURE AGENDA ITEMS**

- *Strategic Plan Update*


**N. DISCUSSION OF FUTURE AGENDAS**

- *Letter to Senators/Representatives Regarding the Airport's Position on the Privatization of the Air Traffic Control System*
- *Closed Session Discussion on Employment Contracts*
- *PERS Presentation on Discount Rate Change Impact on Airport*

**O. ADJOURNMENT**


*The meeting adjourned at 3:26pm.*

Minutes Approved at the Regular Meeting of March 9, 2017



Matthew Nelson, Chair

ATTEST



Michael La Pier, AAE  
District Secretary