



A G E N D A
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
VIRTUAL ONLY
Thursday, July 16, 2020
7:00 PM

This meeting is compliant with Governor Newsom's Executive Order N-29-20 which allows local legislative bodies to hold public meetings electronically only, without a physical location for public participation, accessible only telephonically or otherwise electronically (video conferencing) to all members of the public seeking to observe and address the local legislative body, in order to avoid public gatherings, and until further notice.

REMOTE PUBLIC COMMENTS To make a public comment, the following options are available:

- Before the Meeting via Email: Written comments can be emailed to CityClerk@ci.seaside.ca.us Include the following subject line: "Public Comment Item # (insert the agenda item number relevant to your comment). Written comments must be received by 5:00 p.m. on the day of the meeting. All submitted comments will be provided to the City Council or the Board for consideration, compiled as part of the record, and may be read into the record.
- During the Meeting via Oral Comments: When the Chair calls for public comment, attendees can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9. The Secretary to the Board will call speaker names and unmute speaker microphones. You will have up to 2 minutes to provide your comments, with time set by the discretion of the Mayor. Please note, if you chose to make comments orally, your written comments will not be read but will be included in the final record.

In an effort to ensure the virtual process closely follows our normal process, public comment will be accepted in writing during the meeting, but may not be read into the record during the meeting, but will be included as part of the final administrative record. Please do not plan to use the chat or Q&A features to put a comment on record. These resources are for tech support only

1. CALL TO ORDER - VIRTUAL MEETING PARTICIPATION

This meeting can be watched via the City of Seaside You Tube channel https://www.youtube.com/channel/UC1Cu7854Ohtjpr_XV1tDvRg

Or by joining the Zoom webinar link
<https://us02web.zoom.us/j/81936832059>

Call in phone number: 669-900-9128
Zoom Meeting Id 819 3683 2059

2. ROLL CALL – ESTABLISHMENT OF QUORUM

Ian N. Oglesby	Mayor
David R. Pacheco	Mayor Pro Tem
Jason Campbell	Council Member
Jon Wizard	Council Member
Alissa Kispersky	Council Member

3. INVOCATION AND PLEDGE OF ALLEGIANCE

4. REVIEW OF AGENDA

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

5. PUBLIC COMMENT

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

6. PUBLIC AGENCY COMMUNICATIONS

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

7. PRESENTATIONS

A. 2020 JULY 4TH HOLIDAY PERIOD FIREWORKS AFTER ACTION REPORT

RECOMMENDATION: Receive 2020 July 4th holiday period fireworks after action report.

B. ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT (ESCA) QUARTERLY REPORT

RECOMMENDATION: Receive the Environmental Services Cooperative Agreement (ESCA) quarterly update.

8. CONSENT AGENDA

A. APPROVAL OF MINUTES FROM JUNE 11, 2020, JUNE 28, 2020 SPECIAL MEETINGS & JULY 2, 2020 REGULAR MEETING

RECOMMENDATION: Approve the minutes as presented.

B. APPROVE AND FILE CITY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of June 20, 2020 through July 3, 2020 including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending July 2, 2020. Total Accounts Payable and Payroll for the above referenced period is \$3,079,229.89.

C. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM OPERATION SECOND CHOICE, INC

RECOMMENDATION: Approve a Three Thousand Dollar (\$3,000.00) request from Operation Second Choice, Inc. for a donation from the Mayor's Youth Fund to help cover the cost of their youth activities and trips.

D. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM THE WAHINE PROJECT

RECOMMENDATION: Approve a Three Thousand Dollar (\$3,000.00) request from The Wahine Projects for a donation from the Mayor's Youth Fund to help cover the cost of their youth Beach/Surf Camp and Beach Soccer Camp.

E. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM MONTEREY CONDORS CLUB

RECOMMENDATION: To approve a request from the Monterey Condors Club for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund for the costs associated with with funding tournaments and community events.

F. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE AQUATIC CLUB - THE DOLPHINS

RECOMMENDATION: Approve a request from Seaside Aquatic Club - The Dolphins for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund to help cover the costs associated with operations of the team.

G. ADOPT CIVIL GRAND JURY RESPONSE PROCEDURE

RECOMMENDATION: Approve the procedure and response letter as presented.

9. PUBLIC HEARING

A. ADOPTION OF AN ORDINANCE TO AMEND THE TEXT OF CHAPTER 17 OF THE SEASIDE MUNICIPAL TO ADD VEHICLE SERVICES MINOR AS A USE PERMIT IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT (SECOND READING-ROLL CALL VOTE)

RECOMMENDATION: Adopt the draft ordinance adding Vehicles Services Minor as a use permit in the Regional Commercial Zoning District.

B. ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE SECTION 13.10.020 "WATER RATES AND CHARGES" FOR ADDITION OF CAPACITY FEE TO BE ADDED TO THE ADOPTED FEE SCHEDULE (SECOND READING - ROLL CALL VOTE)

RECOMMENDATION: Adopt the draft Ordinance to amend the Seaside Municipal Code Section 13.10.020 "Water Rates and Charges" to include the addition of a capacity fee into the City of Seaside's annual adopted fee schedule.

C. ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 10.32 ESTABLISHING FOUR HOUR TIME LIMIT AT CITY PARK PARKING LOTS AND APPROVE A RESOLUTION ALLOWING OVERNIGHT PARKING ON MONDAY NIGHTS AT THE LAGUNA GRANDE LAKESIDE PARKING LOT. (SECOND READING - ROLL CALL VOTE)

RECOMMENDATION: Adopt the draft Ordinance to amend the Seaside Municipal Code Section 10.32 "Stopping, Standing and Parking" to include the addition of a 4 hour time limit for parking at city parks, and adopt a resolution to allow overnight parking one night a week in the Laguna Grande Lakeside parking lot.

D. ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE SECTION 15.34 DIGGING AND EXCAVATION ON THE FORMER FORT ORD, PROHIBITING THE USE OF METAL DETECTION ON FORT ORD LANDS THAT PREVIOUSLY HAD MUNITIONS AND EXPLOSIVES OF CONCERN (SECOND READ-ROLL CALL VOTE)

RECOMMENDATION: Adopt the draft ordinance establishing provisions prohibiting the use of metal detection on specific former Fort Ord Lands for health and safety purposes.

E. ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE SECTION 2.14 BOARDS AND COMMISSIONS (SECOND READING - ROLL CALL VOTE)

RECOMMENDATION: Adopt the draft ordinance amending frequency of meetings, elimination of inactive commissions and combining commissions for efficiencies.

10. BUSINESS ITEMS

A. REQUEST BY COUNCIL MEMBER PACHECO TO PASS AN ORDINANCE PROHIBITING ALL FIREWORKS

RECOMMENDATION: Consider request and provide direction.

B. REQUEST BY COUNCIL MEMBER WIZARD TO ADD TO THE NOVEMBER 3, 2020 BALLOT A PROHIBITION AGAINST ALL FIREWORKS

RECOMMENDATION: Consider request and provide direction.

C. REQUEST BY COUNCIL MEMBER WIZARD TO ADOPT A RESOLUTION SUPPORTING PROPOSITION 15, THE CALIFORNIA SCHOOLS AND LOCAL COMMUNITIES FUNDING ACT OF 2020

RECOMMENDATION: Adopt resolution as presented.

D. RECEIVE REPORT ON ENFORCEMENT ACTIVITIES AT 595 BROADWAY AVENUE

RECOMMENDATION: Receive report.

E. APPROVE RECOMMENDATIONS FOR COMMUNITY INPUT ON ALLOCATION OF \$500K FOR COMMUNITY/SOCIAL SERVICES INCLUDING WITHIN FISCAL YEAR 2020-2021 BUDGET

RECOMMENDATION: Approve recommendation as presented.

F. ADOPT RESOLUTION RATIFYING FIFTH SUPPLEMENT TO PROCLAMATION OF LOCAL EMERGENCY

RECOMMENDATION: Adopt the draft resolution ratifying the fifth supplement to the proclamation of local emergency.

11. COUNCIL MEMBER REQUESTS

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

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

13. ADJOURNMENT

Next Regularly Scheduled Meeting:
AUGUST 6, 2020
7:00

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. Agendas are posted at:
<http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Governor Newsom's Executive Orders N-29-20 and N-33-20.



CITY OF SEASIDE STAFF REPORT

Item No.: 7.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Judy Veloz, Deputy Chief

DATE: July 16, 2020

SUBJECT: 2020 JULY 4TH HOLIDAY PERIOD FIREWORKS AFTER ACTION REPORT

PURPOSE & RECOMMENDATION

Receive 2020 July 4th holiday period fireworks after action report.

BACKGROUND

The Seaside Police Department, in partnership with the Seaside Fire and Seaside Public Works Departments, formulated an operations plan for illegal fireworks suppression beginning in June and continuing through July of 2020. The operations plan included an enforcement plan and a public outreach campaign developed in coordination with the City Manager's Office. The following report serves as an After Action Report regarding 2020 fireworks activity. Included in this report is a summary of surcharge funds collected and expenditures made by each department.

POLICE DEPARTMENT

The City Council authorized legal "Safe and Sane" firework sales which were limited to use within the city limits between 10:00 a.m. to 10:00 p.m. through July 6, 2020. Illegal fireworks were and have always been prohibited. Each year the City of Seaside experiences a high volume of illegal fireworks activity. This year, with a combination of factors including the 4th of July occurring on a Saturday, as well as closures of public spaces due to COVID-19, it was exceptionally problematic.

Similar to last year, the police department utilized a drone to obtain video of fireworks

violations and issue administrative citations, in accordance with Seaside City Ordinance 8.32.190.

In June, City staff posted information on social media and the City's website regarding firework ordinances and laws, in addition to the means available to report illegal firework activity.

Public Works staff placed electric sign boards on Seaside roadways warning of \$2,500 fines for illegal firework possession, drone enforcement, and undercover officers.

From June 25, 2020 through July 6, 2020 the Police Department implemented special enforcement teams, on an overtime basis, to patrol and enforce laws regarding the use of illegal fireworks. Non-sworn police department staff answered fireworks related calls coming into the Records Division Firework Hotline phone number. Non-sworn police department staff also answered tips sent to the crime tip website. The call and tip information was forwarded to on duty police officers in order for them to respond to locations where the reported illegal firework activity was occurring.

From June 28th through July 6th Seaside police officers were dispatched to 218 calls for service relating to fireworks, which came into County Communications Center (Dispatch). During that same time period 179 additional calls for service relating to fireworks came in to the Seaside Police Records Firework Hotline.

Specifically, on July 4th from 6:00 p.m. to 11:30 p.m., Seaside police officers were dispatched to 97 calls for service which came into County Communications Center and 121 calls for service which came into the Seaside Records Hotline. At about 11:30 p.m. all sworn personnel were required to break away from firework related details and respond to a major injury collision.

July 4th Police Department Data

Arrested: 2 DUI

Administrative Citations: 12

Criminal Citations: 0

Fireworks collected as evidence: 0

Fireworks confiscated: Approximately 30 lbs

Calls For Service into Dispatch Center: 97

Calls for Service into Seaside Records: 121

Comparison Data - Firework CFS for 2018, 2019 and 2020

FIREWORK CALLS FOR SERVICE INTO COUNTY COMMUNICATIONS CENTER

AND PD HOTLINE

Fireworks CFS	2018	2019	2020
July 2nd	10	24	13 to Dispatch/15 to Hotline
July 3rd	16	29	20 to Dispatch/15 to Hotline
July 4th	167	110	97 to Dispatch/121 to Hotline
July 5th	24	15	15 to Dispatch/10 to Hotline

Total police department costs in overtime: \$12,899.25

FIRE DEPARTMENT

Safe and Sane fireworks went on sale on June 28th and concluded July 5th; all fireworks booths were inspected by the fire department and periodically checked for compliance throughout the week; all remained in compliance and no violations were issued. During the sales period of Safe and Sane fireworks, the fire department responded to 59 calls for service.

On the Fourth of July, the fire department staffed one additional engine company for sixteen hours. Additionally, two of our volunteer Unmanned Aerial Vehicle (drone) pilots worked from June 26 through July 4 with police officers to issue citations for those using illegal fireworks. The department responded to 17 calls for service on July 4th with six fire calls related to fireworks activity: one dumpster/trash fire, two vegetation fires, two fence fires and one box of discarded spent fireworks. There were no structure fires in Seaside on the 4th of July or the days surrounding the 4th.

Year	Calls For Service June 28th– July5
2018	70
2019	62
2020	59

Total fire department costs in overtime: \$4,723.60

FISCAL IMPACT

The below table depicts the following:

- Gross retail sales of Safe and Sane fireworks within the City and prior year comparisons
- Fireworks Surcharge of 7% (in accordance with the City of Seaside Municipal Code Chapter 8.32)
- Permit application fees
- Revenue received by the City of Seaside from the sale of Safe and Sane fireworks

Year	Gross Retail Sales	7% Surcharge	Permit Fees	Revenue to the City
2017	\$245,140.70	\$17,159.85	\$2,898.00	\$17,159.85
2018	\$227,445.69	\$15,917.91	\$3,006.00	\$15,917.91
2019	\$224,284.20	\$15,699.47	\$2,422.00	\$15,699.47

The following expenses were incurred for the Illegal Fireworks Enforcement Operation:

Police Department: \$12,560.01 (Overtime)
Rental Car for Drone Operation: \$339.24

Fire Department: \$4723.60 Fire Department
Illegal Fireworks Enforcement \$17,622.85

ATTACHMENTS

None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



CITY OF SEASIDE STAFF REPORT

Item No.: 7.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Stan Cook, ESCA Program Manager
Lesley Milton, Assistant City Manager

DATE: July 16, 2020

**SUBJECT: ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT
(ESCA) QUARTERLY REPORT**

PURPOSE & RECOMMENDATION

Receive the Environmental Services Cooperative Agreement (ESCA) quarterly update.

BACKGROUND

The Fort Ord Reuse Authority (FORA) officially closed all operations on June 30, 2020. Prior to the sunset, the City of Seaside and FORA entered into a Memorandum of Agreement (MOA) nominating Seaside as FORA's Environmental Services Cooperative Agreement (ESCA) Successor-In-Interest. Seaside is now responsible to perform the remaining Long-Term Obligations (LTO) management responsibilities related to Army Munitions and Explosives of Concern (MEC) on ESCA lands until June 30, 2028. For continuity of programming, Seaside hired FORA's ESCA RP Senior Program Manager and the ESCA RP Coordinator (using Army ESCA funds) to facilitate the LTO Management Program. A summary of the ESCA remediation program to date is provided below. This report is required to be prepared and submitted quarterly to the Army after review and acceptance by the City Council. This is the first report under the new successor agreement.

FORA ESCA Remediation Program Background:

In 2007 the Army and FORA entered into an agreement for Army-funded ESCA for the removal of remnant MEC on 3,340 acres of the former Fort Ord. Under the ESCA terms, the Army awarded FORA approximately \$98 million to perform Comprehensive Environmental Response Compensation and Liability Act (CERCLA) MEC cleanup on those parcels. (FORA rolled this into a cost cap insurance policy that increased the total value of funds.) FORA also entered into the Administrative Order on Consent (AOC) with United States Environmental Protection Agency (EPA) and California

Department of Toxic Substance Control (DTSC) (collectively referred to as Regulators) defining FORA's contractual conditions to complete the Army remediation obligations for the "ESCA parcels." FORA received ESCA property ownership after EPA approval and gubernatorial concurrence under a Finding of Suitability for Early Transfer in 2009.

The ESCA required FORA, acting as the Army's contractor, to address safety issues resulting from historic Fort Ord munitions training operations. Through the ESCA, FORA and the ESCA RP team have successfully addressed three (3) historic concerns: 1) yearly federal appropriation funding fluctuations that delayed Army cleanup and necessitated costly mobilization and demobilization expenses; 2) Regulator questions about protectiveness of previous actions for sensitive uses; and, 3) the local jurisdictions, community and FORA's desire to reduce MEC property access risks.

To complete the ESCA and AOC obligations, FORA entered into a Remediation Services Agreement (RSA) in 2007 by competitively selecting LFR Inc. (now Arcadis) to provide MEC remediation services. Arcadis ESCA contracting team includes Weston Solutions, Inc. and Westcliffe Engineers, Inc. to provide engineering, MEC remediation and public/regulatory outreach services. Arcadis has completed, to regulators satisfaction, \$128 million of clean up work funded by the Army (see table below).

Post-ESCA Amendment ESCA Fund Status as of March 2020:

Item	2017 & 2019 Amendment Allocations (to 9/1/19)	Accrued through March 2020	Invoiced to AIG Cost Cap-Policy
Line Item 0001 Environmental Services			
FORA Self-Insurance or Policy	\$916,056	\$916,056	N/A
State of California Surplus Lines Tax, Risk Transfer, Mobilization	6,100,000	6,100,000	N/A
Contractor's Pollution Liability Insurance	477,344	477,344	N/A
ARCADIS/AIG Commutation Account -plus- AIG insurance	82,117,553	82,117,553	\$5,817,277
Original FORA Administrative Fees	4,562,001	4,562,001	N/A
Line Item 0001: Subtotal	\$94,172,954	\$94,172,954	N/A
Line Item 0001A: Environmental Services: Post-Cost-Cap Insurance - Hourly	332,086	192, 201	N/A
Line Item 0001B: Environmental Services: Post-Cost-Cap Insurance - Lump Sum	134,899	134,899	N/A
Line Item 0002: thru 31 Dec 2019 DTSC and EPA Technical Oversight Services	4,301,568	4,301,568	N/A
Line Item 0003: thru 30 June	1 265 242	1 263 005	N/A

2020 FORA ESCA Adm. Funds			
Line Item 0003A: FORA ESCA Admin. Oversight: Post-Cost-Cap Insurance	36,314	16,355	N/A
Line Item 0004: thru 30 June 2028 Post-Closure MEC Find Assessments	528,651	0	N/A
Line Item 0005: thru 30 June 2028 Long Term/LUC Management	3,705,792	0	N/A
Total	\$105,078,112	\$100,181,072	\$5,817,277
	ESCA Remainder	4,890,040	N/A

ESCA Program Update

The ESCA properties received Records of Decision (ROD) documenting controls required to protect public health and safety and LUCIP/OMP implementation, operation and maintenance ROD controls tailored to individual site conditions and historic MEC use. The final ESCA LUCIP/OMP documents were accepted by the Army and Regulators in February 2019. The future property owner (CSUMB, Cities of Monterey and Del Rey Oaks, County and MPC) received LUCIP/OMP site-specific training workshops. The ESCA properties received the last EPA Remedial Action Completion letter February 2019. The EPA issued a site-wide ESCA remedial completion certificate in April 2020.

ESCA property could not be transferred to the jurisdictions until Army deed modifications and issuance of the Army CERCLA Warranties/Deed Amendments were completed. In 2019, FORA requested the Army CERCLA Warranties/Deed Amendments for the ESCA properties. The ESCA property Army CERCLA Warranty and Deed modification documents were signed by FORA and Army Headquarters in Washington, D.C. and Recorded in Monterey County on June 26, 2020.

Remedial Action Completion initiated the Army's long term obligations on ESCA properties. In May 2019, the FORA Board adopted Resolution 19-05 authorizing retention of Arcadis, Weston Solutions, Inc. and Westcliffe Engineers, Inc. to continue providing LTO support services at a cost not to exceed \$1,328,741. These support service contracts were assigned to Seaside in June 2020. There have been three additional funding modifications approved by the Grants administrator in 2019 adding \$40,362, \$107,700 and \$11,782 for contingent services. There is \$4,890,040 of funding remaining to implement the Army LTO until 2028.

With FORA's sunset imminent on June 30, 2020 and with the ESCA property transfers unable to be completed before this date due to the Army CERCLA Warranty and deed modification delays, the FORA Board nominated the City of Seaside as its ESCA Successor. The nomination was memorialized by the FORA Board on February 21, 2020 in the FORA and City of Seaside ESCA and LRA/EDC Agreement Successor Implementing Agreement. EPA, DTSC and the Army was notified on February 24, 2020 of FORA's sunset date and the nomination of Seaside as the ESCA Successor. Seaside is in the process of memorializing each ESCA jurisdiction's acknowledgement of Seaside's rights and responsibilities as the ESCA Successor within their jurisdiction.

In June of 2020, Seaside executed a new ESCA with the US Army. The new agreement acknowledges that the ESCA properties have all received EPA Certificates of Remedial Completion (with DTSC concurrence), removes the MEC Remediation tasks, adds the completion date of June 30, 2028 and elaborates on the Long-Term Management Program support that Seaside will provide to the regulators, Army and ESCA property owners.

ESCA staff conduct quarterly (virtual) meetings with EPA, DTSC, Army, jurisdiction management, Permit, Planning, Police and Property management. Currently the ESCA LTO Management staff are assisting the local jurisdictions, California Central Coast Veterans Cemetery, Army and Bureau of Land Management to mitigate illegal bicycle track excavations on ESCA property and to adopt changes to their existing Digging and Excavation Ordinances prohibiting private metal detection on the former Fort Ord.

Seaside ESCA LTO Management Program staff will:

- Maintain ESCA property Military Munitions Recognition and Safety Training.
- Monitor the County's and the Cities' implementation and enforcement of the digging and excavation ordinances, including excavation permitting, to ensure compliance with construction support requirements.
- Ensure notification to the Army, EPA and DTSC of reported MEC finds during construction support activities, ensuring initial notification occurs within twenty-four (24) hours of a MEC find, distribution of Fort Ord MEC Incident Recording Forms and distribution of FORA Successor MEC Find Notification forms submitted to Seaside during construction support.
- Coordinate with property owners, Army, EPA and DTSC on appropriate on-site construction support requirements, including use of anomaly avoidance techniques for projects involving less than ten cy of soil disturbance in areas with moderate to high probability of encountering MEC.
- Ensure access management measures (applicable to the Munitions Response Area habitat reserve areas) are included as provisions in deeds transferring property to the County. FORA's Successor is also responsible for notifying the County of the deed restrictions and property owner Land Use Controls (LUC) obligations.
- Ensure residential-use-restrictions in Federal deeds remain as provisions in deeds transferring property to MPC, CSUMB, the County and the Cities. FORA's Successor is also responsible for notifying MPC, CSUMB, the County and the Cities of the deed restrictions and property owner LUC obligations.
- Ensure restrictions against inconsistent uses (applicable to the MRA's habitat reserve areas) in the Federal deed and that they remain as provisions in the deed transferring property to the County. FORA's Successor is also responsible for notifying the County of the deed restrictions and property owner LUC obligations.
- Notify the Army, EPA and DTSC of any MEC-related data identified during use of the property and report results of monitoring activities annually.
- Monitor MPC, CSUMB, County and the Cities for compliance with LUC monitoring and reporting obligations per the MOA with DTSC.
- Be responsible for notifying EPA, DTSC and the Army, within seventy-two (72) hours of discovery of activity on the property that is inconsistent with the Land Use Controls Implementation Plan/Operations and Maintenance Plan (LUCIP/OMP).
- Be responsible for ensuring MPC, CSUMB, the County and the Cities fulfill their LUC operation and maintenance obligations, including the monitoring and reporting responsibilities under the MOA with DTSC.
- Operate and maintain post-site closeout long-term obligations through the ESCA 2028 performance period, at which time responsibility will revert to the Army.
- Conduct operation and maintenance corrective actions necessary to ensure the effectiveness of the LUC remedy.
- Propose an additional response action or modification of the remedy (if the Army and EPA,

in consultation with DTSC, determine that the selected remedy is no longer protective).

- Notify Army, EPA and DTSC of activities discovered inconsistent with the LUC remedy objectives, identify the LUCIP/OMP inconsistency cause, and evaluate and implement any necessary changes to avoid future non-compliance
- Assess the probability of encountering additional MEC after the response to a suspect munitions item during on-call construction support if the suspect munitions item is determined to be MEC.
- Conduct an investigation in accordance with an approved work plan, if within the scope of its obligations under the AOC and ESCA, if EPA, in consultation with DTSC, determines that additional investigation is required as part of the assessment.
- Conduct MEC find assessments for MEC finds to develop a recommendation for the probability of encountering MEC within twenty (20) days of an MEC find.
- Provide a proposal to the Army, EPA and DTSC (after conducting a MEC find assessment), an appropriate site level recommendation for the level of construction support appropriate for the site conditions.
- Meet quarterly with ESCA local jurisdiction management staff; the following quarter, will meet with local jurisdiction Permit, Planning, Police and Property Management staff; and, the following quarter will meet with Seaside City Council.
- FORA's Successor will operate and maintain post-site closeout LTOs through July 1, 2020 to June 30, 2028 performance period, when responsibility reverts to the Army.
- Compile annual training statistics, construction support activities, access management measures, and use restrictions received from MPC, CSUMB, the County and the Cities to verify compliance with residential use restrictions, and transmit data to Army, EPA, and DTSC in an annual LUC status report.
- Submit an annual letter/report to the EPA and DTSC summarizing any MEC found and changes in site conditions that could increase the possibility of encountering MEC.

FISCAL IMPACT

The actual cost to Seaside of these Army obligations will be fully reimbursed.

ATTACHMENTS

None



DRAFT MINUTES
CITY OF SEASIDE
CITY COUNCIL

SPECIAL MEETING
Council Chamber
Thursday, June 11, 2020
5:30 PM

1. CALL TO ORDER

Mayor Ogelsby called the meeting to order.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: Campbell, Kipsersky, Oglesby, Pacheco, Wizard
ABSENT: None

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT

LisAnne Sawhney, Alex Miller, Mitt Sawhney

5. BUSINESS ITEMS

ADOPT RESOLUTION APPROVING THE AMENDMENT NO. 8 TO THE MEMORANDUM OF AGREEMENT BETWEEN THE UNITED STATES, THE FORT ORD REUSE AUTHORITY AND THE CITY OF SEASIDE ASSIGNING THE CONTRACT TO THE CITY AS THE LOCAL REDEVELOPMENT AUTHORITY SUCCESSOR TO FORA AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT

Assistant City Manager Milton and City Attorney Damon presented the item explaining the purpose of the Memorandum of Agreement with the US ARMY to assign the authority of the Local Reuse Authority from Fort Ord Reuse Authority to the City of Seaside. Ms. Damon explained the benefits of this action and Ms. explained the remaining steps to complete the transfer status of the ESCA agreement prior to the Sunset FORA. They both answered questions from the Council.

No Public Comments.

On motion by Council Member Jon Wizard and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council adopted the resolution authorizing the City manager to sign the agreement with the US Army.

RESULT:

Approved

AYES:

*Ian Oglesby, Dave Pacheco, Jason Campbell,
Jon Wizard, Alissa Kispersky*

NOES:

None

6. STUDY SESSION

INTRODUCTION AND DISCUSSION OF THE 2020-2021 GENERAL AND OTHER FUNDS OPERATING BUDGET, CAPITAL OUTLAY BUDGET, CAPITAL

**IMPROVEMENT BUDGET, POSITION CONTROL LIST AND SALARY SCHEDULE,
THE APPROPRIATIONS LIMIT, THE CAPITAL IMPROVEMENT PLAN, AND
RESERVE AMOUNTS**

City Manager Malin presented the item speaking to the financial progress the city had been making, decreasing crime levels, investment and fund balance up, infrastructure and facilities improvements, operations were more open, adaptive, inclusive and sustainable. Mr. Malin then explained the impacts of COVID 19 on finances and operations focused on the continued delivery of vital services. The shelter in place order has led to a revenue collapse with our top two revenues dropping to zero, both hotel tax and sales tax. The presented budget is a result after layoffs, employee concessions and reductions in service to balance the estimated shortfall is 3,021,088, which includes 5.2 million in personnel reductions. Mr. Malin highlighted items of interest to the public from the draft budget and requested council direction on the proposal. Mr. Malin answered questions from the Council.

The Council questioned the proposed budget asking for clarification budget items including but not limited to the summer youth employment program, translation services, staffing changes, contract services, police compensation, over time, training and more.

PUBLIC COMMENTS

Jam Macabugao	Leslie Simon	Mira Meckel
Karina Alonzo	Alondra Esparza	Cheyenne Blanton
Ashley Shaffer	Hunter Smith	Kera Panni
Amber Paluszynski	Adriane Fells	Suzy Matsubara
Graciela Torres	Marc Rede	Shay O'Brien
Roxanne Sias	Hanna Skaggs	Chelsea Lee
Karina Barger	Chelsea Riddle	Maria Sierra
Tali	Tali Lipton	Francisco Vazquez
Joanna Mendez	Ian Lipton	Lisa Griffin Burns
Helice Jean	Janice Rocke	Sara Camacho
Andrea Felix-Cervantes	Madeline Sheen	Ryan Bigelow
Daniella Saint-Phard	Reda Rackley	Cat Broz
Silvina Rose	Alexis Rocha	Erin Emblar
Edward Selph	Julee Arredondo	Bonnie Dawson
Kinsey Matthews	Arlene Felix	Julia Madden-Fulk
Marianne Ascanio	Mira Saleh	Robin Denga
Willow Aray	David Tuffs	Betrand Deprez
Tatiana Hart	Carla Ortiz	Esther Hobbs
Carlos Castillo	Dana Grimm-Clauss	Emerson Brown
Alexis Garcia-Arrazola	Rachel Fadel	Robin Pelc
Alondra Gomez	Marie Butcher	Andy Lempart
Emily Slazar	Grace Cunha	Sarah Hommann
Jennifer Pacheco	Erin Stabler	Dianne Nielson
Alondra Esparza	Raven Llanto	Katelyn Wendt
Alexis Diaz	Kaitlin Davis	Jen King
Raven Llanto	Aisling Maher	Kelsey Kramer
Karla Ramirez	Hannah Cox	Jessica Brown
Jonelle Still	Emily Underwood	Alannah Cardoso
Cory Aoki Trachesel	Crystal Chesshire	Alexis Garcia Arrizola
Maritza Contreras Cruz	Jill Bourget	Estefany Anchondo

Erika Matadama
Megan Matthews
Lillian Fernandez
Grace Cunha
Ronald Britt
Cindy Lee
Kora Sambrano
Barbara Christian
Maya Hotz
Brenda Walter
Chelsea Lee
Noelle Smith
Claire Goodwin
Alexis Diaz
Danielle martin
Lanny Olis
Joy Lucido
Ann Marie Pagan
Jessica Hare
Mitchel & LisAnne
Swhney
Ava Scoffield
David Sanchez
Marie Guth
Cameron Steagall
Elsa Embler
RiverNavaille

Grance Bullard
Jennifer Gerardi
Rina Tringali
Lucy Ahrens
Madeline Maurer
River Navaille
Keith Dodson
Cathy Rivera
Roelof Wijbrandus
CJ hunt
Benjamin Strickland
Marilyn Cruickshank
Community Before
Cops
Dr. Carissa Purnell
Ron Guth
Kristin Molle
Wanda Sue Parrott
Ollie Doherty
Robin Widick
Gail Tier
Amy stocker
Robin McCrae
Rosa González
Jeff Noven
Erika Matadamas
Erin Embler

Kashka Sing
Mindy Maschmeyer
Amy Slay
Rachel Fadel
Felicia Afifi
Shirley Lopez Ramos
Tiffany Decker
Christine Aviles
Carlos Castillo
Bella Cantú
Cheyanne Rain
General Public
Comments
Gabby Chavez
Scott Lydon
Rob O'Keif
Cynthia Naranjo
Kristen Molle
Teri Owens
Allexis Garcia-Arrazola
Stacy Alziebler Perkins
Bethany
Constantino Moncada
Grace Cunha
Carissa Purnell

Under discussion Council Member Campbell listed a proposal for additional reductions to help balance the budget including elimination of both the MCCVB, the Mayors Water Authority, funding for the charrette for Seaside East out of habitat funds, turning off street lights on General Jim Moore Blvd. Council Member Wizard advocated to fund social services programming with funds currently allocated to the Police department. Council Member Pacheco requested staffing be preserved in either the Planning office or the City Clerk's office for assistance to the public and requested adding funds for recreation programs instead of allocating to social services without a plan. Council Member Kispersky requested a collaborative approach with the County or to add social services to our police department response. Mayor Oglesby requested more funding for communication in Spanish, the implementation of Epic Training and the creation of community policing advisory committee.

Direction was provided.

7. ADJOURNMENT

Having no further business, the meeting was adjourned at 12:15 PM..

Respectfully submitted,

Lesley Milton, City Clerk

Ian N. Oglesby, Mayor



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Jessica Riley, Accounting Assistant
Kimberly Drabner, Finance Director

DATE: July 16, 2020

SUBJECT: APPROVE AND FILE CITY CHECKS

PURPOSE & RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of June 20, 2020 through July 3, 2020 including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending July 2, 2020. Total Accounts Payable and Payroll for the above referenced period is \$3,079,229.89.

BACKGROUND

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

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

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

- \$723,315.94 for Payroll and benefits

- \$149,370.00 to Cypress Coast Ford-Lincoln for (1) Ford Transit Connect XL cargo van and three (3) XL series Ford 250 pick up trucks funded by the POMA fund balance for use on the Presidio of Monterey Annex.
- \$26,643.25 to Wallace Group for SCSD - Fremont sewer upgrade services rendered through May 2020.
- \$62,247.49 to Harris & Associates for SCSD - Project management svcs. for sewer main upgrades at Del Monte, Canyon Del Rey, & Fremont and Lift Station Upgrades. For work through April 2020.
- \$19,717.25 to Don Chapin Company, Inc. for Work mobilizing, measuring, and installing bicycle-safe grates for the City of Seaside through 6/20/2020.
- \$833,585.55 to Monterey Peninsula Engineering for SCSD - Construction svcs. for sewer main upgrades at Canyon Del Rey and Lift Station Upgrades through 5/31/2020.
- \$12,488.46 to Gene's Import Auto Body Inc. for Repair work to 2018 Ford S/D F-250 (\$9,415.68) and repair work for 2019 Dodge Durango pursuit vehicle (\$3,072.78).
- \$21,365.50 to The Sohagi Law Group for 1) Legal litigation svcs. for Committee for Sound Water and Land Development of Fort Ord v. City of Seaside/ KB Bakewell Seaside Venture 5/4/2020 - 5/29/2020, \$20,540.50; 2) Campus Town Center legal services from 5/1/2020 - 5/15/2020, \$825.00.
- \$42,144.00 to Phoenix Iron Works for Draw request for manufacturing svcs. related to fabricating bicycle-safe grates for the City of Seaside. Batch #4.
- \$20,696.00 to Workbench for Draw request for professional svcs related to the City of Seaside ADU project and includes work on design cost tracking from 4/16/2020 through 5/31/2020.
- \$18,608.00 to Angelina's Bakery Deli & Café for Preparing and delivering meals, 3x/day, 4x/week for the Great Plates Initiative from 6/16/20-6/20/20 & 6/23/20-6/27/20.
- \$677,959.09 to K.J. Woods Construction Inc. for Draw request for SCSD professional svcs. for the Del Monte Sewer Main Upgrade. Work through 6/1/2020.
- \$36,783.55 to Googie Grill for Preparing and delivering meals, 3x/day, 4x/week for the Great Plates Initiative from 6/8/20-6/14/20, 6/15/20-6/21/20, & 6/22/20-6/28/20.

The remaining checks, totaling \$434,305.81 include payments to vendors for operating expenditures.

The Checks report is available on the City's website here:
<https://www.ci.seaside.ca.us/354/Check-Draft-Register>

FISCAL IMPACT

There are no additional fiscal impacts.

ATTACHMENTS

None



CITY OF SEASIDE STAFF REPORT

Item No.: 8.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: July 16, 2020

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION
REQUEST FROM OPERATION SECOND CHOICE, INC**

PURPOSE & RECOMMENDATION

Approve a Three Thousand Dollar (\$3,000.00) request from Operation Second Choice, Inc. for a donation from the Mayor's Youth Fund to help cover the cost of their youth activities and trips.

BACKGROUND

Operation Second Choice is a counseling and mentor service/program for the youth in the community. The mentor goes to different schools in the community to provide this service. Operation Second Choice is requesting funds to help cover the cost of their youth activities and trips. The activities/trips include; the Monterey Bay Aquarium, Waste Management Center, athletic games, art museum, etc. The program will continue education on the benefits of recycling and other education skills geared toward the improvement and preservation of our communities.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. Operation Second Choice, Inc. received their last donation at the April 18, 2019 City Council meeting. They submitted their 2019 Mayor's Youth Fund Closing Report within the 60 day time frame.

FISCAL IMPACT

This request would be funded by a donation from Green Waste Recovery Inc. donation to the Mayor's Youth Fund. The current balance in the Mayor's Youth Fund Account is \$50,067.07. If the City Council approves this request, the balance will drop down to \$47,067.07.

In the event that all of the funds in the Mayor's Youth Fund become exhausted, staff will keep a file of all applications. Once Green Waste issues the next round of funding all applications on file will be processed on the next available City Council Meeting.

ATTACHMENTS

1. MYF Operation Second Choice_2020.doc
 2. Operation Second Choice 501(c)(3)
 3. Operation Second Choice W9 - 2020
 4. Mayors Youth Fund Closing Report 2019
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



MAYOR'S YOUTH FUND POLICY

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

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

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

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

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

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.
- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)
- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).



**SEASIDE
CALIFORNIA**

Mayor's Youth Fund

986 Hilby Avenue, Seaside CA 93955
831-899-6800 | FAX: 831-718-8603

Contribution Limits: In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council.

Individuals	25% of total cost of activity (not to exceed \$1,000)
Groups up to 20 people	up to \$1,500
Groups of 21+ people	up to \$3,000

In addition, funding will be limited to one contribution per year (every 12 months).

Funding Requirements:

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

Individual Requests: Please attach an itemized list of all expenses. Amount of donation may not exceed 25% of the total cost of the activity and not exceed \$1,000. Applications that are incomplete will be returned.

Payment Process: If a contribution is approved by the City Council, payment will be made to the authorized organization or directly to the vendor selected by the authorized organization after submittal of a receipt or the presentation of actual invoices. No funding can go directly to an individual. This process is required in order to provide documentation required to meet municipal auditing standards.

All requests will be considered before the City Council and you will be notified of the specific date your item is placed on the agenda. Please return this completed form with necessary attachments to:

Dan Meewis
City of Seaside Recreation Services
440 Harcourt Avenue
Seaside, CA 93955



**SEASIDE
CALIFORNIA**

Mayor's Youth Fund

986 Hilby Avenue, Seaside CA 93955
831-899-6800 | FAX: 831-718-8603

MAYOR'S YOUTH FUND CONTRIBUTION REQUEST

CONTACT INFORMATION:

Organization: Operation Second Choice (Afterschool Program)
Name of Applicant: Rev. Harold H Lusk
Address: P.O. Box 276 City: Seaside State: CA
Phone: (831) 915-6002 Email: pastorlusk3bmbc@yahoo.com
Number of Participants: 21 Seaside Residents / Students: 100% Ages: 8-18

CRITERIA:

Applicants must meet at least one of the following criteria to be eligible for funding.

Please select one or more from the following list:

☒ Scholastic ☒ Athletic ☒ Music ☒ Environmental ☐ Art

Is funding a reward for one of these activities? ☐ No ☒ Yes, _____

Description of event, activity, or program funding pertains to: (Attach additional information as necessary)

The Scholastic program is a afterschool setting that allows them to learn, be tutored and excel. Music: There will be opportunity to be taught piano, drums, Bass, and lead guitar. Athlete: training provided for those that are striving to be student athletes. E.

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

The Environment: Our youth group/afterschool group. Will take field trips to the beach, mussel landing and the Wastewater Recycle plant.

What other fundraising activities are you participating in to fund your event, program, or activity?

What other funding sources will supplement your requests? Other fundraising activities will include Carwash, raffle, cake walk/Bake BBQ Dinner, Cat fish dinners and other things/Sell

Total Amount Requested: (See contribution limits) \$ 3,000

Applicant Signature: _____

Date: _____

Page 3 of 4

Operation Second Choice
Mayor Youth Fund Financial Breakdown

\$ 1000.00 Educational Supplies

- Books, Paper, Pens , Individual White Boards
- Electronics (Tablets, Computer software, Audio Video Educational methods for learning.)
- Awards and rewards for educational Achievement (Gift cards, backpacks, binders etc.)

\$800.00 Food and Nutrition

- Healthy Meals
- Nutrition Awareness Workshops
- Smart Choice Workshops
- Self-Nutrition Tracking

\$600.00 Transportation

- \$200.00 Gas
- \$400.00 Maintenance

\$400.00 Field Trips

- Waste Management
- Monterey Aquarium
- Moss landing
- Art Museum
- Monterey Sports Center
- Others Sites TBA

\$200.00 Gifts and Rewards

- Gift Cards
- Food Vouchers
- Back packs
- Other incentives for personal achievement

Jul 18 16 01:58p

Bethel Baptist Church

851 899-3313

page 3
p.3

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

OPERATION SECOND CHOICE INC
C/O REV H H LUSK
4 YERBA BUENA COURT
SEASIDE, CA 93955

Employer Identification Number:
77-0417165

DLN:
600356006

Contact Person:
D. A. DOWNING

ID# 31805

Contact Telephone Number:
(877) 829-5500

Our Letter Dated:
FEBRUARY 199

Advance Ruling Period Begins:
AUGUST 1996

Advance Ruling Period Ends:
DECEMBER 31, 2000

Addendum Applies:
NO

Dear Applicant:

Our letter of the above date stated that we had determined your organization is exempt under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) and that you would be treated as a publicly supported organization and not as a private foundation during your advance ruling period. This was based on our determination that you could reasonably be expected to be an organization described in sections 170(b)(1)(A)(vi) and 509(a)(1) or in section 509(a)(2).

We also stated that at the end of your advance ruling period you would have to establish that you were in fact an organization described in one of the above sections.

Our records indicate that your advance ruling period begins and ends on the dates shown above. Your exempt status as an organization described in section 501(c)(3) is still in effect. However, to establish that you are a publicly supported organization described in sections 170(b)(1)(A)(vi) and 509(a)(1) or in section 509(a)(2), please complete the attached Form 8734, Support Schedule for Advance Ruling Period, for each of the tax years in your advance ruling period.

The information requested in this letter is required to support your claim to be other than a private foundation. It is needed in addition to any required Form 990 or other annual return. Please send it to us within 90 days from the end of your advance ruling period.

If we do not receive this information, we will presume you are a private foundation and you will be treated as a private foundation as of the first day of your first tax year for purposes of sections 507(d) and 4940 of the Code. In addition, if you do not provide the information by the time requested, it will be considered by the Internal Revenue Service that you have not taken all reasonable steps to secure the determination you requested.

Letter 1046 (DO/CG)

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Operation Second Choice

2 Business name/disregarded entity name, if different from above
OSC

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC

☒ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ► **901 (C) 3**

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
P.O. Box 276

6 City, state, and ZIP code
Seaside CA 93955

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - ____

or

Employer identification number

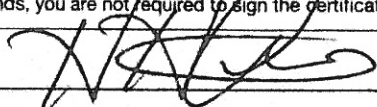
77-0417165

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ► 

Date ► **2/12/20**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

OSC
response
2019
in 2020

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by council: April 18, 2019

Name of Organization: Operation Second Choice

Contact: Pastor Harold H Lusk Sr.

Address: P.O. Box 276

Email/Phone: pastorlusk3bmbc@yahoo.com

Amount of Donation Received: \$3,000

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

Field trip fees, material for lunch time meeting (pens, dry erase etc) Food for youth activities etc.

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

Every lunch after we have our OSC gathering they do a recycle clean up. Trip to recycle with dump to participate in youth cleanup.

Signature: [Signature]

Date: 5/13/2019

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



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: July 16, 2020

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION
REQUEST FROM THE WAHINE PROJECT**

PURPOSE & RECOMMENDATION

Approve a Three Thousand Dollar (\$3,000.00) request from The Wahine Projects for a donation from the Mayor's Youth Fund to help cover the cost of their youth Beach/Surf Camp and Beach Soccer Camp.

BACKGROUND

The Wahine Project is requesting a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund to help cover the cost associated with their Beach/Surf Camp and Beach Soccer Camp. They will be providing these summer camps for two weeks for Seaside Youth who attend Community Partnership for Youth. The children can attend a one week Beach/Surf Camp or they can attend a one week Beach Soccer Camp, Monday - Friday from 9:00 a.m. to 1:00 p.m. Coaching and equipment will be provided for Soccer Club. Wet suits and equipment will be provided for Surf Club.

Time at the beach is given as an opportunity for the children to do a beach clean up every day as well as learning their role in ocean conservation and protection of the Monterey Bay. They also learn skills that they can take home with them to be positive stewards in their community, home and school.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. This is the first time that The Wahine Project is requesting a donation.

FISCAL IMPACT

This request would be funded by a donation from Green Waste Recovery Inc. donation to the Mayor's Youth Fund. This request would be funded by a donation from Green Waste Recovery Inc. donation to the Mayor's Youth Fund. The current balance in the Mayor's Youth Fund Account is \$47,067.07. If the City Council approves this request, the balance will drop down to \$44,067.07.

In the event that all of the funds in the Mayor's Youth Fund become exhausted, staff will keep a file of all applications. Once Green Waste issues the next round of funding all applications on file will be processed on the next available City Council Meeting.

ATTACHMENTS

1. MYF The Wahine Project
 2. The Wahine Project 501 (c) (e)
 3. The Wahine Project W-9 2020
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)
- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).

Contribution Limits: In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council.

<u>Individuals*</u>	25% of total cost of activity (not to exceed \$1,000.00)
Groups up to 20	up to \$1,500.00
Groups 21+	up to \$3,000.00

In addition, funding will be limited to one contribution per year (every 12 months).

Payment Process: If a contribution is approved by the City Council, payment will be made to the authorized organization or directly to the vendor selected by the authorized organization after submittal of a receipt or the presentation of actual invoices. No funding can go directly to an individual. This process is required in order to provide documentation required to meet municipal auditing standards.

###

Mayor's Youth Fund Contribution Request

Prior to completing this request please, review the attached contribution policy. All requests will be considered before the City Council and you will be notified of the specific date your item is placed on the agenda. Please return this completed form with necessary attachments to Recreation Services, City of Seaside, 440 Harcourt Avenue, Seaside, CA 93955.

Name of Organization: The Wahine Project

Address: 333 Junipero Ave., Pacific Grove, CA 93950

Email: dionne@thewahineproject.org

Phone Number: Home _____ Work _____ Cell 831-236-4642

Name of Individual: Dionne Ybarra

% Residents or Students of Seaside: 100 %

of Participants: 30

Ages: 9-14

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

Scholastic	<u>X</u>
Athletic	<u> </u>
Music	<u> </u>
Environmental	<u>X</u>
Art	<u> </u>

Is funding a reward for one of these activities?
Yes.

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

We provide two week long summer camps for Seaside Youth who attend Community Partnership for Youth. The kids attend a 1 week Beach/Surf Camp or they can attend a 1 week Beach Soccer Camp, Mon-Friday, 9-1 each day. Coaching is provided for Soccer and all equipment. For Beach Surf Camp wetsuits and all equipment is provided. They receive lunch on two days. Please see attached for further details. (*see below for additional info.)

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

Time at the beach is given as an opportunity for kids to do a beach clean up every day as well as learn their role in ocean conservation and protection of the Monterey Bay. They also learn skills that they can take home with them to be positive stewards in their community, home, school, etc.

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

Every spring we do a fundraising event, we apply for grants, we received donations for lunches and materials as well as have a volunteer base we work with so we do not have to rely on paid staff for all of the time we have at the beach.

*Total Amount Requested: (See Contribution limits) \$3,000

MAYOR'S YOUTH FUND CLOSING REPORT *

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

Name of Organization:_____

Contact:_____

Address:_____

Email/Phone:_____

Amount of Donation Received:_____

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

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

Signature:_____

Date:_____

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



February 6, 2020

Att: Mayors Youth Fund

Hello,

Attached you will find Contribution Request. We have been serving youth in Seaside for 9 years and recently found out about a possibility for support for our services.

We appreciate your time and consideration.

Many thanks,

Dionne Ybarra, Founding Executive Director



Additional Information:

Girls participate on the beach in lessons in ocean safety, ocean conditions and weather. They are introduced to the Surfer's Code and Wahine Manifesto as ways to learn about the ocean and relating to one another. The Code and Manifesto teach values that inspire leadership, environmental stewardship and personal responsibility on the beach, in the ocean and in life. Each session begins with a warm up movement activity such as yoga, dance, relays and games. On the first day girls are assessed for ocean readiness, swimming, fears and desire to participate in the ocean. They receive one to one surfing instruction, including equipment and ocean conditions. They receive one to one instruction in boogie boarding, body surfing and playing in the ocean. Each week builds on skills previously learned. Participants will track their progress on Stoked Surfers Skills Cards. Instructors and participants will use journaling, skills cards, goal setting, video, photo taking to reinforce learning and assess progress. Throughout all programming Wahines are introduced to inspiring women through a speaker series that gives half hour presentations. These are diverse women of all ages, gender identity and cultural backgrounds that are athletes, filmmakers, entrepreneurs, community leaders, mothers and business owners, etc.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

AUG 17 2011

THE WAHINE PROJECT INC
514 12TH ST
PACIFIC GROVE, CA 93950

Employer Identification Number:

45-1154140

DLN:

601211073

Contact Person:

NANCY L HEAGNEY

ID# 31306

Contact Telephone Number:

(877) 829-5500

Accounting Period Ending:

December 31

Public Charity Status:

509(a)(2)

Form 990 Required:

Yes

Effective Date of Exemption:

February 24, 2011

Contribution Deductibility:

Yes

Addendum Applies:

No

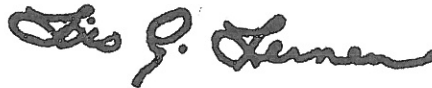
Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Lois G. Lerner

Director, Exempt Organizations

Enclosure: Publication 4221-PC

Letter 947 (DO/CG)

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return) The Wahine Project	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: ☐ Individual/sole proprietor ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate ☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ C ☐ Other (see instructions) ▶	Exemptions (see instructions): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____
	Address (number, street, and apt. or suite no.) P O Box 51204	Requester's name and address (optional)
	City, state, and ZIP code Pacific Grove, CA 93950	
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number								
				-				

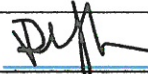
Employer identification number								
45		-	1554	140				

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below), and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here Signature of U.S. person ▶ 

Date ▶ **2/6/2020**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. The IRS has created a page on IRS.gov for information about Form W-9, at www.irs.gov/w9. Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the

withholding tax on foreign partners' share of effectively connected income, and

- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.E.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: July 16, 2020

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION
REQUEST FROM MONTEREY CONDORS CLUB**

PURPOSE & RECOMMENDATION

To approve a request from the Monterey Condors Club for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund for the costs associated with with funding tournaments and community events.

BACKGROUND

Monterey Condors Club is requesting a donation of Three Thousand Dollars (\$3000.00) from the Mayor's Youth Fund to cover the cost associated with funding tournaments and community events.

Monterey Condors Club is a nonprofit multisport club with the mission to become a pillar to the youth of Monterey County. They are dedicated in supporting the youth in achieving their goals by providing education and training through their athletic program and clinics. Their athletic program has a diverse group of athletes of all profiles, origin, age, gender and competitive levels. Monterey Condors Club collects all the trash on the fields and benches after each practice game. They do community events to promote how important it is to recycle.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. Monterey Condors Club has provided documentation showing that they serve a majority of Seaside residents. Monterey Condors Club received their last donation at the June 20, 2019 City Council meeting. They submitted

their 2019 Mayor's Youth Fund Closing Report within the 60 day time frame.

FISCAL IMPACT

This request would be funded by a donation from Green Waste Recovery Inc. donation to the Mayor's Youth Fund. This request would be funded by a donation from Green Waste Recovery Inc. donation to the Mayor's Youth Fund. The current balance in the Mayor's Youth Fund Account is \$44,067.07. If the City Council approves this request, the balance will drop down to \$41,067.07.

In the event that all of the funds in the Mayor's Youth Fund become exhausted, staff will keep a file of all applications. Once Green Waste issues the next round of funding all applications on file will be processed on the next available City Council Meeting.

ATTACHMENTS

1. MYF Monterey Condors Club 2020
 2. 50 (c)3 Monterey Condors Club
 3. W9 Monterey Condors Club 2020
 4. Mayor's Youth Fund Closing Report - Monterey Condors Club 2019
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

MAYOR'S YOUTH FUND POLICY

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

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

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

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

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

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.

- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)
- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).

Contribution Limits: In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council.

<u>Individuals*</u>	25% of total cost of activity (not to exceed \$1,000.00)
Groups up to 20	up to \$1,500.00
Groups 21+	up to \$3,000.00

In addition, funding will be limited to one contribution per year (every 12 months).

Payment Process: If a contribution is approved by the City Council, payment will be made to the authorized organization or directly to the vendor selected by the authorized organization after submittal of a receipt or the presentation of actual invoices. No funding can go directly to an individual. This process is required in order to provide documentation required to meet municipal auditing standards.

###

Mayor's Youth Fund Contribution Request

Prior to completing this request please, review the attached contribution policy. All requests will be considered before the City Council and you will be notified of the specific date your item is placed on the agenda. Please return this completed form with necessary attachments to Recreation Services, City of Seaside, 440 Harcourt Avenue, Seaside, CA 93955.

Name of Organization: Monterey Condors Club

Address: 1121 Military Ave. Seaside CA 93955

Email: cpampulido@gmail.com

Phone Number: Home _____ Work _____ Cell (831) 594-2214

Name of Individual: Marco Pulido

% Residents or Students of Seaside: 87 %

of Participants: 263

Ages: 6 - 18 years of age

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

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

Is funding a reward for one of these activities?

Yes, introducing to boys and girls our competitive and recreational soccer programs

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

Build character and self-confidence in our competitive and recreational programs. Along with an equal solid work ethic are the main key elements of our foundation. We look to build upstanding youth, as we recognize that they are the future.

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

Promote "Reuse, reduce and recycle" to our participants and the community. Large part of spending operation is to educate kids to cleanup and recycle plastic. Always having clean and safe facilities for our members and community.

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

Parents, players and coaches will participate in fundraising events to supplement this request. Also donations from businesses and registrations fees will help to promote sustainability and sports.

*Total Amount Requested: (See Contribution limits) \$3,000

Funding Requirements

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

Individual Requests: Please attach an itemized list of all expenses. Amount of donation may not exceed 25% of the total cost of the activity and not exceed \$1,000.00. Applications that are incomplete will be returned.

**Marco Pulido
Monterey Condors Club
(831) 594-2214
1121 Military Ave Suite 201
Seaside CA 93955**

Name of the organization: Monterey Condors Club

Other Methods being used to raise funds: Monterey Condors Club had applied for \$15,000 from the Community Foundation of Monterey County on March 6th, 2020. Also we had applied for \$2,500 from Pebble Beach Company Foundation.

Event benefits: Monterey Condors Club benefits 87% of City of Seaside youth residents with soccer activities, building character and self-confidence, along with equal solid work ethics, as we recognize them as the future leaders of tomorrow.

Sustainability: We are promoting "Reuse, reduce and recycle" to our participants, making sure they clean the fields after practices and games. Make sure kids cleanup and recycle plastic in the containers.

Municipal benefit: By having a safety place to play like in David Cutino Park, visitors will come to the City of Seaside, and impact the economy. With our programs kids in seaside participate in sports and focus on their athletic life and less on antisocial activities like gangs and juvenile delinquency.

PROGRAM / PROJECT BUDGET		
Organization Name:	Monterey Condors Club	
Program Name:	Youth Soccer Programs	
Program Dates:	July 2020-2021	
Grant	AMOUNT	TOTAL
Mayor's Youth Fund	\$3,000	\$3,000
Expenses	AMOUNT	TOTAL
Soccer Balls	\$240	\$240
Recycle Vest	\$60	\$60
Bags	\$20	\$20
Backpacks	\$180	\$180
Office Supplies	\$250	\$250
Publications/Postage	\$50	\$50
Marketing	\$40	\$40
		\$0
	\$840	\$840

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

SEP 20 2017

MONTEREY CONDORS CLUB
PO BOX 415
MONTEREY, CA 93942

Employer Identification Number:

81-4852061

DLN:

17053123334017

Contact Person:

DIANE M GENTRY

ID# 31361

Contact Telephone Number:

(877) 829-5500

Accounting Period Ending:

December 31

Public Charity Status:

170(b)(1)(A)(vi)

Form 990/990-EZ/990-N Required:

Yes

Effective Date of Exemption:

April 7, 2017

Contribution Deductibility:

Yes

Addendum Applies:

No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

MONTEREY CONDORS CLUB

Sincerely,

Stephen A. Martin

Director, Exempt Organizations
Rulings and Agreements

Letter 947

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Monterey Condors Club	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☒ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ►	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
	5 Address (number, street, and apt. or suite no.) See instructions. 1121 Military Ave Suite 201 6 City, state, and ZIP code Seaside CA 93901 7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
				-				-	
or									
Employer identification number									
8	1	-	4	8	5	2	0	6	1

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► <i>Mandatele</i>	Date ► <i>3/7/20</i>
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by council: 03/21/2019

Name of Organization: Monterey Condors Club

Contact: Marco Pulido

Address: 1121 Military Ave. Seaside CA. 93955

Email/Phone: montereycondorsclub@gmail.com

Amount of Donation Received: \$3,000

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

Trash cans, paper to print "Recycle, Reduce, Reuse" signs, plastic bags, and banners.

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

Promote "Reduce, reuse, recycle" signs to reinforce the importance of recycling lesson plan. Tell kids what type of things we recycle (Bottles, paper, newspaper, plastic containers, aluminum cans etc.) Make sure kids clean the soccer field everytime after practice and after the games

Signature: Marco Pulido

Date: 3/24/2019

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

Monterey Condors Club

Preparing our community to fortify their athletic abilities to work in a syncing team-oriented, gradually advancing in style of play, always with respect and dedication towards their opponents.

Preparando a nuestra comunidad para fortalecer sus habilidades atléticas para trabajar en una sincronización de equipo, progresando gradualmente en el estilo de juego, siempre con respeto y dedicación hacia sus oponentes.



Thank you Seaside City Council for approving our request for a donation of three thousand dollars (\$3,000) from the **Mayor's Youth Fund** for the cost associated with funding tournaments and community events and purchasing trash containers to promote recycling.







It was a pleasure meeting Seaside City Mayor Ian N. Oglesby, Seaside City Manager, Seaside City Attorney, Terry Navarro and council members David R. Pacheco, Jason Campbell, Joan Wizard and Alissa Kispersky. Thank you once again from our players, parents, coaches, board of directors and our community of Monterey County.

Reduce, Recycle and Reuse Awareness Program



Event:

Soccer games and Reduce, Recycle and Reuse Awareness Program.

Sunday March 24, 2019.

montereycondorsclub.org



This picture is showing a trash container, a white container for people to recycle water bottles, and a black trash bag for paperboard and for other large recycle items.



This picture is showing a clean field (No trash in-or-out the field).

Kids need to make sure they leave the field clean after the game is over.

Coaches are responsible of telling each soccer player the importance of Reuse, Recycle and Reduce.

In the background Monterey Condors Cub Boys U11 team wearing a maroon soccer jersey.



This picture is showing another angle of a clean soccer field well maintain by Monterey Condors Club.

In the background Monterey Condors Cub Boys U11 team wearing a maroon soccer jersey.



This picture is showing Monterey Condors Club Recreational Co-e Team U13 wearing blue after a game on Sunday March 24, 2019.

Remember Reuse, Recycle and Reuse!



CITY OF SEASIDE STAFF REPORT

Item No.: 8.F.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: July 16, 2020

**SUBJECT: APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION
REQUEST FROM SEASIDE AQUATIC CLUB - THE DOLPHINS**

PURPOSE & RECOMMENDATION

Approve a request from Seaside Aquatic Club - The Dolphins for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund to help cover the costs associated with operations of the team.

BACKGROUND

The Seaside Aquatics Club - The Dolphins is requesting a donation of Three Thousand Dollar (\$3,000.00) from the Mayor's Youth Fund to help cover the cost associated with the swim team; pool rental fees, pool maintenance and supply costs and Red Cross registration fees and costs for staff. Funds also are established to help subsidize low income swimmers from the Seaside High School Swim Team who are interested in swimming year round.

The Seaside Aquatics Club participates in the annual Coastal Clean-up Day held each year in Monterey County and also recycles soda cans and plastic materials as a fundraiser for the team. The Seaside Dolphins hold three major fund raisers each year to help support the team and to keep fees affordable.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. Seaside Aquatics Club - The Dolphins last received a contribution of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund at the June 20, 2019 City Council meeting.

FISCAL IMPACT

This request would be funded by a donation from the Green Waste Recovery's donation to the Mayor's Youth Fund. This request would be funded by a donation from Green Waste Recovery Inc. donation to the Mayor's Youth Fund. The current balance in the Mayor's Youth Fund Account is \$41,067.07. If the City Council approves this request, the balance will drop down to \$38,067.07.

In the event that all of the funds in the Mayor's Youth Fund become exhausted, staff will keep a file of all applications. Once Green Waste issues the next round of funding all applications on file will be processed on the next available City Council Meeting.

ATTACHMENTS

1. MYF Agenda Item Seaside Aquatic Club - The Dolphins 2020
 2. W-9 - Seaside Aquatic Club 2020
 3. Mayors Youth Fund Closing Report 2019
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

Contribution Limits: In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council.

<u>Individuals*</u>	25% of total cost of activity (not to exceed \$1,000.00)
Groups up to 20	up to \$1,500.00
Groups 21+	up to \$3,000.00

In addition, funding will be limited to one contribution per year (every 12 months).

Payment Process: If a contribution is approved by the City Council, payment will be made to the authorized organization or directly to the vendor selected by the authorized organization after submittal of a receipt or the presentation of actual invoices. No funding can go directly to an individual. This process is required in order to provide documentation required to meet municipal auditing standards.

###

Mayor's Youth Fund Contribution Request

Prior to completing this request please review the attached contribution policy. All requests will be considered before the City Council and you will be notified of the specific date your item is placed on the agenda. Please return this completed form with necessary attachments to N. Towne, Recreation Services, City of Seaside, 440 Harcourt Avenue, Seaside, CA 93955.

Name of Organization: **Seaside Aquatic Club – The Dolphins**
Coach Ken Fittro

Address: **P.O. Box 950, Seaside, CA 93955**

Email: **backstrider@aol.com**

Phone Number: Cell: **(831) 402-0312**

Name of Individual: **Team**

% Residents or Students of Seaside: **70%**

of Participants: **100+**

Ages: **5 - 18**

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

Scholastic	
Athletic	<u>XX</u>
Music	<u> </u>
Environmental	<u> </u>
Art	<u> </u>

Is funding a reward for one of these activities? Funding is to help with costs associated with the team including pool rental fees, swim meet registration fees for low-income participants.

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

The Seaside Aquatics Club-The Dolphins

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

All funds raised are specifically used to support the costs associated with the swim team; pool rental fees, pool maintenance and supply costs and safety and Red Cross registration fees. Funds also are established to help subsidize low income swimmers from the Seaside High School Swim Team who are interested in swimming year round. Related to the goals of recycling, clean-up and sustainability, the swim team participates in the annual Coastal Clean-up Day held each year in Monterey County and also recycles soda cans and plastic materials as a fundraiser for the team. Since they swim at Seaside High School they also participate in school clean up days after swim practices.

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

The Seaside Dolphins hold three major fund raisers each year to help support the team and to keep fees affordable so that everyone can participate including: 4th of July Fireworks sales, the annual Swim For Funds event, and volunteer participation in the Big Sur Marathon.

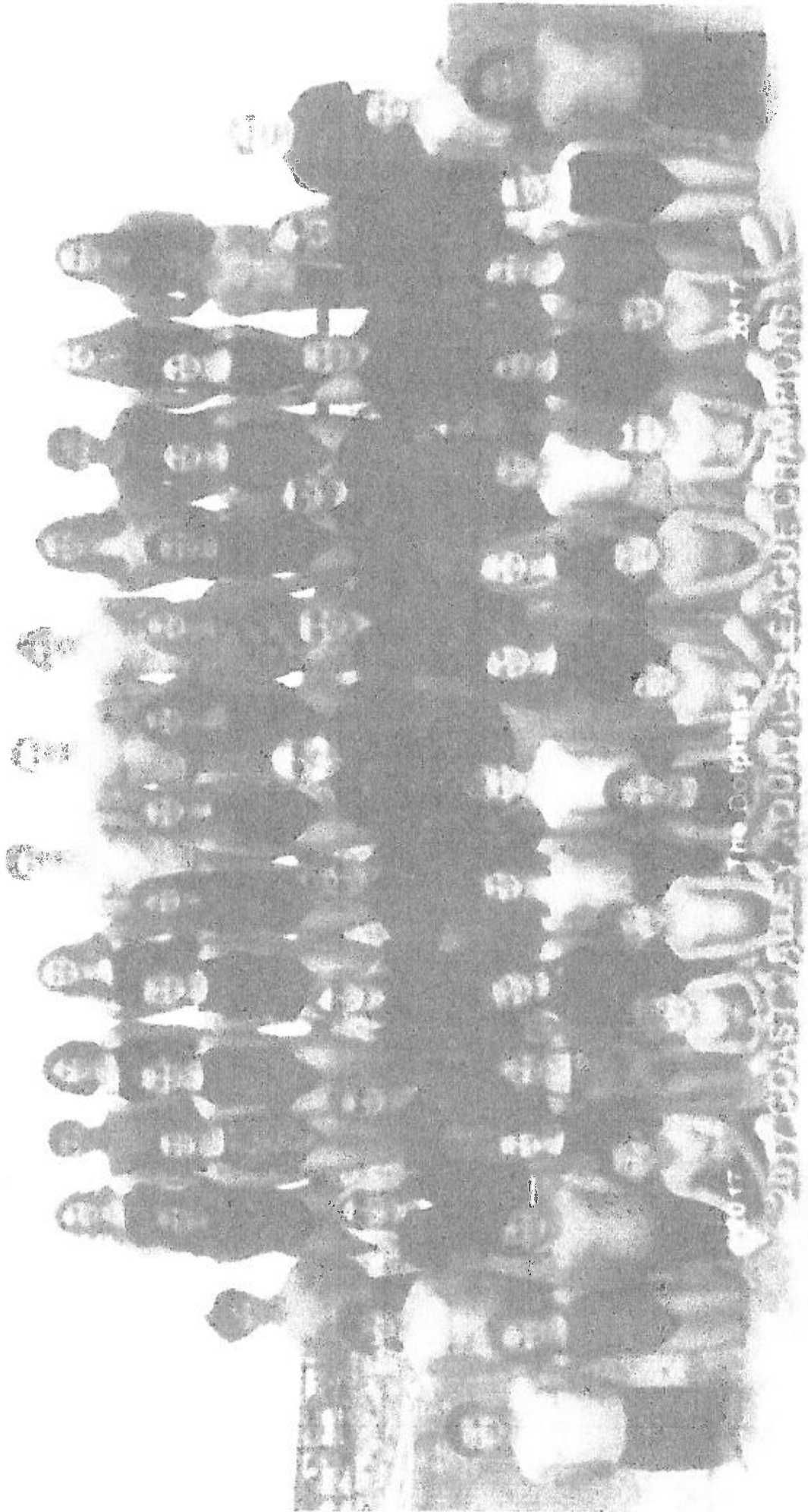
*Total Amount Requested: (See Contribution limits) \$3000.00

Funding Requirements

- Funding is limited to one contribution per year (every 12 months).
- The Mayor's Youth Fund Closing Report Form must be submitted to staff at least 60 days upon completion of the event, activity or program. Applicants that do not furnish the form may not apply for funds for the following year.

Closing Report was submitted July 1, 2019

SEASIDE ADULTS



SEASIDE AQUATICS CLUB - THE DOLPHINS

P.O. BOX 950

Seaside, CA 93955

Mayor Ian Oglesby
City of Seaside
440 Harcourt
Seaside, CA 93955

Dear Mayor Oglesby and Council Members:

Attached is an application for funding for the Mayor's Youth Fund for the Seaside Aquatic Club: The Dolphins. Our club has a long history in the City of Seaside and was started in 1994 at the Pattullo Swim Center under the City of Seaside and became a non-profit organization in early 1997. Starting with a handful of kids and have grown to over 100 strong. Currently we swim at pools on the Monterey peninsula including Pattullo Swim Center and Seaside High School. We believe that swimming is an equal opportunity sport and that anyone can participate and nobody should be excluded. It allows young people the opportunity to train individually and learn together as a team. Swimming fosters positive relationships and having a diverse team makes our community better. It is also the only sport that can save your life; particularly for minority and low-income youth. Public schools have cut PE aquatics classes and minority participation in aquatics is historically very low. Approximately 60%-70% of African-Americans and Hispanics have low to no swimming ability and minorities have a high drowning rate in the United States.

Our team has a special relationship with Seaside High School and as Head Coach for both the Seaside Aquatics Club and Seaside High Swim Team I work very hard to make sure our swimmers at Seaside High can continue swimming at the club level year round. We have provided swim scholarships for many swimmers over the years.

Our team relies on donations from a variety of sources but costs continue to rise. This donation will go towards expenses related to the team including pool rental fees, youth scholarships and Red Cross training materials. Many of our swimmers become strong swimmers and we provide training for them to become lifeguards. This training allows them to become employed as lifeguards at many of the local pools; particularly Pattullo Swim Center.

The team is a strong supporter of the goals related to recycle, cleanup and green sustainability. We recycle hundreds of pounds of bottles and cans year round and use those proceeds to help fund our program. Each year we also participate in the annual beach cleanups that are held at local beaches. We use this opportunity to teach our swimmers the importance of volunteering and stewardship of the beaches. One of our strongest activity is the Alcatraz Swims held each year. Many of our swimmers participate in these swims and practice for them in the Monterey

**Request for Taxpayer
Identification Number and Certification**

Give Form to the
requester. Do not
send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line, do not leave this line blank.
Seaside Aquatics Club, Inc.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification; check only **one** of the following seven boxes:
☐ Individual/sole proprietor or single-member LLC
☒ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate
☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶
Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.
☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
Exempt payee code (if any) _____
Exemption from FATCA reporting code (if any) _____
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.)
238 Mortimer Lane

6 City, state, and ZIP code
Marina, CA 93933

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number

				-						
--	--	--	--	---	--	--	--	--	--	--

or

Employer identification number

7	7	-	0	4	7	4	0	1	5
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here Signature of U.S. person ▶ *Tina Cieri*

Date ▶ *5/24/20*

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by council: June 20th, 2019

Name of Organization: Seaside Aquatic Club

Contact: Tina Cicci or Molly Fittro

Address: PO Box 950 Seaside, Ca 93955

Email/Phone: Mollyfittro@aol.com 831-917-7111

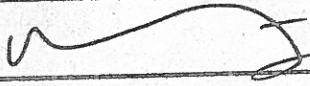
Amount of Donation Received: \$3,000

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

Pool chemicals, Equipment, Scholarships for Seaside High Swimmers who wanted to do Club.

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

The Seaside dolphins encourage reusable water bottles for the Club Swimmers, and take part in recycling plastic, glass and other materials.

Signature: 

Date: July 1st, 2019

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



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.G.

TO: City Council

BY: Craig Malin, City Manager

DATE: July 16, 2020

SUBJECT: ADOPT CIVIL GRAND JURY RESPONSE PROCEDURE

PURPOSE & RECOMMENDATION

Approve the procedure and response letter as presented.

BACKGROUND

The City was delayed in responding to the 2018/2019 Civil Grand Jury report, but quickly corrected the delay once notified. To avoid any further such delays, the City will adopt a procedure in which Civil Grand Jury Report responses are entered into the City's agenda management system, such that City officials will be reminded of the response due date at least twice a month.

ATTACHMENTS

1. Response to Civil Grand Jury Report Overdue Response
-

Reviewed for Submission to the
City Council by:

A handwritten signature in blue ink, appearing to be "Craig Malin", written over a horizontal line.

Craig Malin, City Manager

The Honorable Lydia M. Villarreal
Presiding Judge of the Superior Court of California
County of Monterey
240 Church Street
Salinas, CA 93901

July 16, 2020

Re: Overdue Responses to the 2018/2019 Civil Grand Jury Report

Dear Judge Villarreal,

This letter is written in response to the Monterey Civil Grand Jury Final Report - "Overdue Responses to the 2018/2019 Civil Grand Jury Report." As per the report dated June 24, 2020, this letter shall serve as the response to that report. The responses contained in this correspondence were approved by the City of Seaside City Council at their regular meeting on July 16, 2020.

The City agrees with Finding F2.

With regard to Recommendation R2, the City has implemented a procedure in which Civil Grand Jury Reports are entered into the City's agenda management system. Doing so will remind City officials, every two weeks, that a response is due by the date established in the report.

We trust this information addresses the Grand Jury's findings and recommendations.

Respectfully,

Ian Oglesby

Mayor



CITY OF SEASIDE STAFF REPORT

Item No.: 9.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Medina, Senior Planner

DATE: July 16, 2020

**SUBJECT: ADOPTION OF AN ORDINANCE TO AMEND THE TEXT OF
CHAPTER 17 OF THE SEASIDE MUNICIPAL TO ADD VEHICLE
SERVICES MINOR AS A USE PERMIT IN THE REGIONAL
COMMERCIAL (CRG) ZONING DISTRICT (SECOND READING-
ROLL CALL VOTE)**

PURPOSE & RECOMMENDATION

Adopt the draft ordinance adding Vehicles Services Minor as a use permit in the Regional Commercial Zoning District.

BACKGROUND

The project site consists of two parcels totaling 44,078 sq. ft. (1.01-acre site) is located at the southeast corner of the Del Monte Boulevard / Playa Avenue intersection. The project includes demolishing the existing 5,540 square-foot American Legion building and constructing a tire store with a total of 8,192 square feet of floor area with a 2,655 square-foot mezzanine. The American Legion will be re-built on the southern area of site in a new 2,999 square-foot building. The American Legion will be developed separately from the retail tire store.

The surrounding land uses consist of a shopping center to the north, a liquor store and 60-unit motel to east, a 40-unit motel to the south and auto repair service uses across Del Monte Boulevard to the west.

Planning Commission Role

In accordance with Section 17.60.030.A of the SMC, an applicant filing for a development project that requires more than one application shall file all related applications concurrently. The Planning Commission held a public hearing on May 27, 2020, to provide a recommendation to the City Council on the text amendment, use permit and CEQA findings. On July 2, 2020, the City Council approved the Use Permit, CEQA findings, and approved first reading of the requested Text Amendment.

Project Description

Text Amendment: The Text Amendment will consist of amending Section 17.14.030.B – Table 2-4 (Allowed land Uses) to add “Minor Vehicle Services Repair” as an allowed Land Use category to the Regional Commercial zoning district with the issuance of a use permit.

STAFF ANALYSIS

Findings:

1. The proposed text amendments to Section 17.14.030.B-Table 2-4 of the Seaside Municipal Code are consistent with the goals and policies of all elements of the General Plan.

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Regional Commercial (CRG). Regional Commercial uses are defined as large-scale commercial development with retail or service uses to serve a regional market.

The proposed project is consistent with the following General Plan Goals and Policies.

Land Use Element

Goal LU-1: Promote a mixture of land uses and a balance of jobs and housing to support a community in which people can live, work and play.

Policy LU-1.3: Encourage regional commercial and visitor serving commercial development that will enhance the identity of Seaside and attract visitors to the community.

Evidence: The proposed text amendment to allow minor vehicle services with a use permit would provide complimentary and compatible infill development within an

urbanized area of the City and is surrounded by urban uses, including regional shopping centers, auto dealerships, motels, and restaurants.

Evidence: Allowing minor vehicle services with a use permit would be consistent with and support the existing Regional Commercial General Plan land use category in that retail tire sales would diversify retail sales and services in the city and would increase City sales tax revenues that can be used to fund future City services.

Goal LU-2: Revitalize existing commercial areas.

Evidence: The inclusion of minor vehicle repair services in the Regional Commercial Zoning District would be compatible with surrounding land uses by maintaining and diversifying the focused auto retail services on a regional scale. The addition of a retail tire store would also enhance economic viability of the existing auto center and provide a new retail amenity that would be located along a major arterial commercial roadway, compatible with the City's circulation network and surrounding land uses that would improve regional identity of the auto center.

Goal LU-4: Ensure that new development complements existing land uses and enhances the character of the community and its neighborhoods.

Policy LU-4.1: Require that all new development is compatible with surrounding uses, the site and available infrastructure.

Evidence: The proposed project for a retail tire store with minor vehicle repair services would provide for infill development within the boundaries of an underdeveloped site located along a major arterial roadway in an urbanized area of the city's commercial corridor. The proposed project and text amendment would be consistent with the City's development standards, including obtaining the required use permit for a tire store with installation and disposal of tires in order to ensure compatibility with the land use characteristics of the local area and the adjacent existing development.

Goal LU8.1: Provide a level of flood control and protection that meets the needs of the community.

Policy LU-8.2: Ensure that developers provide stormwater retention/detention facilities and institute Best Management Practices that regulate runoff and siltation that meets local, State, and federal standards.

Evidence: The proposed development will be required to direct all on-site runoff to landscape swales or underground interceptors.

Goal ED-4: Attract and expand local serving retail and services in existing commercial areas.

Policy ED-4.1: Encourage the development of retail establishments that will reduce leakage of resident spending.

Evidence: The proposed text amendment to add minor vehicle repair services with a use permit will provide an additional revenue source within an infill site to capitalize on both local and visitor serving customers to enhance the City's long-term revenue.

Goal ED-5.1: Attract new regional and visitor-serving businesses.

Policy ED-5.1: Attract and support commercial and employment generating development that is consistent with the General Plan and City ordinances.

Evidence: The proposed text amendment to allow minor vehicle repair services will enable and support the attraction of regional serving commercial uses to provide an enhanced revenue source and encourage the redevelopment of underutilized commercial properties.

Goal C-4: Ensure adequate parking is provided throughout Seaside

Policy C-4.1: Require off-street parking in new development and redevelopment projects.

Evidence: A Transportation Impact Analysis was prepared to evaluate vehicle circulation and the intersections at Del Monte Boulevard and Playa Avenue and Fremont Boulevard and Playa Avenue related to allowing the construction of a new retail tire store and American Legion building at 1000 Playa Avenue. The TIA determined that the projected trips for the new development and adding minor vehicle repair services to Regional Commercial zoning district would not result in a significant impact and/or create any impact on the health, safety and general welfare of the community. The use permit process would further ensure that on-site parking is sufficient facilitate a minor vehicle repair service as a standalone site or under shared parking arrangement with another tenant or tenants.

2. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

Evidence: The granting of the Text Amendment would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other existing or future uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

3. The Text Amendment is exempt from the California Environmental Quality Act (CEQA).

Evidence: Pursuant to the requirements of the California Environmental Quality Act, the text amendment is exempt Section 15061. The activity is covered by General Rule that CEQA applies only to project, which have the potential for causing a significant effect on the environment. It can be seen with certainty that adding a minor vehicle service repair use with a use permit to the Regional Commercial zoning district there will be no significant impacts to the community that cannot be mitigated through project conditions.

The proposed amendments to Title 17 of the Seaside Municipal Code consist of the text amendments to Section 17.14.030.B – Table 2-4 of the Seaside Municipal Code as shown on Exhibit “A”.

* Proposed added text is shown with bold underline in Exhibit A

FISCAL IMPACT

No fiscal impact.

ATTACHMENTS

1. Attachment 1 - Draft Ordinance
2. Attachment 1 - Exhibit A

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

DRAFT ORDINANCE 20-XX

AN ORDINANCE OF THE CITY OF SEASIDE FOR PROPOSED TEXT AMENDMENT TO CHAPTER 17 OF THE SEASIDE MUNICIPAL CODE RELATED TO INCLUDE MINOR VEHICLE A CONDITIONALLY PERMITTED USE IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT.

Section 1: In accordance with Section 17.74.050 of the Seaside Municipal Code, it is the responsibility of the City Council to consider and weigh the merits of proposed text amendments to the Seaside Municipal Code and the public input received on the proposed text amendments in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

Section 2. On May 27, 2020, the Seaside Planning Commission held a public hearings to provide the Seaside City Council with a recommendation on the proposed text amendments and considered all oral comments and written information concerning the proposed Ordinance in making its recommendation to the Seaside City Council; and

Section 3. On July 2, 2020, the Seaside City Council introduced the first reading of the draft Ordinance and considered oral comments and written information concerning this Ordinance at a duly noticed public hearing; and on the basis of the record thereof finds the following facts to be true;

Findings:

1. The proposed text amendments to Section 17.14.030.B-Table 2-4 of the Seaside Municipal Code are consistent with the goals and policies of all elements of the General Plan.

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Regional Commercial (CRG). Regional Commercial uses are defined as large-scale commercial development with retail or service uses to serve a regional market.

The proposed project is consistent with the following General Plan Goals and Policies.

Land Use Element

Goal LU-1: Promote a mixture of land uses and a balance of jobs and housing to support a community in which people can live, work and play.

Policy LU-1.3: Encourage regional commercial and visitor serving commercial development that will enhance the identity of Seaside and attract visitors to the community.

Evidence: The proposed text amendment to allow minor vehicle services with a use permit would provide complimentary and compatible infill development within an urbanized area of the City and is surrounded by urban uses, including regional shopping centers, auto dealerships, motels, and restaurants.

Evidence: Allowing minor vehicle services with a use permit would be consistent with and support the existing Regional Commercial General Plan land use category in that retail tire sales would diversify retail sales and services in the city and would increase City sales tax revenues that can be used to fund future City services.

Goal LU-2: Revitalize existing commercial areas.

Evidence: The inclusion of minor vehicle repair services in the Regional Commercial Zoning District would be compatible with surrounding land uses by maintaining and diversifying the focused auto retail services on a regional scale. The addition of a retail tire store would also enhance economic viability of the existing auto center and provide a new retail amenity that would be located along a major arterial commercial roadway, compatible with the City's circulation network and surrounding land uses that would improve regional identity of the auto center.

Goal LU-4: Ensure that new development complements existing land uses and enhances the character of the community and its neighborhoods.

Policy LU-4.1: Require that all new development is compatible with surrounding uses, the site and available infrastructure.

Evidence: The proposed project for a retail tire store with minor vehicle repair services would provide for infill development within the boundaries of an underdeveloped site located along a major arterial roadway in an urbanized area of the city's commercial corridor. The proposed project and text amendment would be consistent with the

City's development standards, including obtaining the required use permit for a tire store with installation and disposal of tires in order to ensure compatibility with the land use characteristics of the local area and the adjacent existing development.

Goal LU8.1: Provide a level of flood control and protection that meets the needs of the community.

Policy LU-8.2: Ensure that developers provide stormwater retention/detention facilities and institute Best Management Practices that regulate runoff and siltation that meets local, State, and federal standards.

Evidence: The proposed development will be required to direct all on-site runoff to landscape swales or underground interceptors.

Goal ED-4: Attract and expand local serving retail and services in existing commercial areas.

Policy ED-4.1: Encourage the development of retail establishments that will reduce leakage of resident spending.

Evidence: The proposed text amendment to add minor vehicle repair services with a use permit will provide an additional revenue source within an infill site to capitalize on both local and visitor serving customers to enhance the City's long-term revenue.

Goal ED-5.1: Attract new regional and visitor-serving businesses.

Policy ED-5.1: Attract and support commercial and employment generating development that is consistent with the General Plan and City ordinances.

Evidence: The proposed text amendment to allow minor vehicle repair services will enable and support the attraction of regional serving commercial uses to provide an enhanced revenue source and encourage the redevelopment of underutilized commercial properties.

Goal C-4: Ensure adequate parking is provided throughout Seaside

Policy C-4.1: Require off-street parking in new development and redevelopment projects.

Evidence: A Transportation Impact Analysis was prepared to evaluate vehicle circulation and the intersections at Del Monte Boulevard and Playa Avenue and Fremont Boulevard and Playa Avenue related to allowing the construction of a new retail tire store and American Legion building at 1000 Playa Avenue. The TIA determined that the projected trips for the new development and adding minor vehicle repair services to Regional Commercial zoning district would not result in a significant impact and/or create any impact on the health, safety and general welfare of the community. The use permit process would further ensure that on-site parking is sufficient facilitate a minor vehicle repair service as a standalone site or under shared parking arrangement with another tenant or tenants.

2. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

Evidence: The granting of the Text Amendment would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other existing or future uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

3. The Text Amendment is exempt from the California Environmental Quality Act (CEQA) has been CEQA Guidelines

Evidence: Pursuant to the requirements of the California Environmental Quality Act, the text amendment is exempt Section 15061. The activity is covered by General Rule that CEQA applies only to project, which have the potential for causing a significant effect on the environment. It can be seen with certainty that adding a minor vehicle service repair use with a use permit to the Regional Commercial zoning district there will be no significant impacts to the community that cannot be mitigated through project conditions;

Section 4. The proposed amendments to Title 17 of the Seaside Municipal Code consist of the text amendments to Section 17.14.030.B – Table 2-4 of the Seaside Municipal Code as shown on Exhibit “A”.

*** Proposed added text is shown with bold underline**

Section 5. Severability.

A. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable.

B. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentences, clauses or phrases even if certain parts are held to be unconstitutional, invalid or unenforceable.

Section 6 Legal Construction. The provisions of this Ordinance shall be construed as necessary to effectively carry out its purposes, which are hereby found and declared to be in furtherance of public health, safety, and welfare.

Section 7. Effective Date. This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed text amendments.

Section 8. The City Clerk shall certify to the adoption of this Ordinance and shall, within thirty (30) days after passage, publish a summary of this Ordinance in accordance with Section 36933 of the Government Code of State of California with the names of City Council members voting for and against it.

INTRODUCED at a regular meeting of the City Council of the City of Seaside on the 2nd day of July, 2020, and

PASSED AND ADOPTED by the City Council of the City of Seaside on the 16th day of July, 2020, by the following roll call vote:

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

Ian Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk

Exhibit A – Text Amendment

CITY OF SEASIDE MUNICIPAL CODE – TITLE 17 – ZONING ORDINANCE

Commercial Zones

17.24.030

TABLE 2-4 (continued) Allowed Land Uses and Permit Requirements for Commercial Zones	P	Permitted Use, Zoning Clearance required					
	MUP	Minor Use Permit required (see Section 17.52.070)					
	UP	Use Permit required (see Section 17.52.070)					
	S	See cited Section for permit requirement					
	—	Use not allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	CD	CMX	CC	CRG	CA	CH	

SERVICES - GENERAL

Brewery with Restaurant		UP	UP	UP	—	UP	
Catering service	—	—	MUP	MUP	—	P	
Child day care center	UP(2)	UP(2)(6)	UP	UP	—	—	
Construction Contractor Base	—	—	—	—	—	P	
Drive-through service	—	—	UP(4)	UP(4)	—	—	
Kennel, animal boarding	—	—	—	—	—	UP	
Lodging - Hotel or motel	—	—	UP	UP	—	—	
Maintenance facility	—	—	—	—	—	UP	
Maintenance service - Client site services	—	—	—	—	—	P	
Mortuary, funeral home	—	—	UP	—	—	—	
Personal services	P(5)	P(5)	P(5)	P(5)	—	—	
Personal services - Restricted	—	—	—	—	—	UP	
Public safety facility	UP	UP	UP	UP	UP	UP	
Repair service - Equipment, large appliances, etc.	—	—	—	—	—	P	
Social service organization	—	UP	UP	—	—	—	
Therapeutic Massage	UP	UP	UP	—	—	—	
Vehicle services - Major repair/body work	—	—	—	—	UP	P	
Vehicle services - Minor maintenance/repair	—	—	—	UP	UP	P	
Youth Hostel		UP	—	—	—	—	

Proposed Text Amendment to add Minor Vehicle Services Repair with UP in CRG Zoning District

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Ambulance, taxi, or limousine dispatch facility	—	—	—	—	—	UP	
Broadcasting studio	MUP(2)	MUP(2)	MUP	—	—	MUP	
Parking facility, public or commercial	UP	UP	UP	UP	UP	UP	
Telecommunications facility	S	S	S	S	S	S	17.44
Transit station or terminal	UP	UP	—	UP	—	UP	
Utility facility	UP	UP	UP	UP	UP	UP	
Vehicle storage	—	—	—	—	—	UP	

Key to Zoning District Symbols

CD	Downtown Commercial	CRG	Regional Commercial
CMX	Commercial Mixed Use	CA	Automotive Regional Commercial
CC	Community Commercial	CH	Heavy Commercial

Notes:

- (1) See Article 7 for land use definitions.
- (2) Use allowed only on second or upper floors; Office - Business/service may be allowed on ground floor with Minor Use Permit.
- (3) Use allowed only on a site north of Light Fighter Drive.
- (4) Use limited to the establishments existing in the City as of December 4, 2006.
- (5) Beauty and nail salons limited to the existing as of December 4, 2006.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Scott Ottmar, Senior Engineer
Misty Bradshaw, Associate Engineer

DATE: July 16, 2020

**SUBJECT: ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL
CODE SECTION 13.10.020 "WATER RATES AND CHARGES" FOR
ADDITION OF CAPACITY FEE TO BE ADDED TO THE ADOPTED
FEE SCHEDULE (SECOND READING - ROLL CALL VOTE)**

PURPOSE & RECOMMENDATION

Adopt the draft Ordinance to amend the Seaside Municipal Code Section 13.10.020 "Water Rates and Charges" to include the addition of a capacity fee into the City of Seaside's annual adopted fee schedule.

BACKGROUND

The proposed connection fee is a one-time charge by the City on new development, redevelopment, and expansions, to recover the estimated reasonable cost of water infrastructure to the property being charged for new service connections within the existing service area. The fee will provide a source of revenue needed to mitigate the water related impacts of new development and redevelopment. Currently the City does not have a capacity fee.

The City retained Bartle Wells Associates (Bartle Wells) to provide professional services to conduct a Water Connection Fee Study. Bartle Wells conducted the study and prepared the 2020 Water Capacity Fee Study Draft Report, dated May 13, 2020.

In order to arrive at the revised capacity fees, Bartle Wells proposed an Average Cost

Methodology. Fees were calculated based on the estimated present value of the water system assets, 10 Year Water Capital Improvement Plan project costs, and growth projections over the next 10 years. BWA calculated the fees on a cost per meter equivalent unit (EDU), and for the average residential unit at ¾" or less, the proposed water capacity fee is \$8,631. As part of their efforts in preparing the report, Bartle Wells conducted a survey of the surrounding water agencies to compare. The average current fee of eight of the surrounding Agencies was \$18,403 per EDU.

The proposed amendment to the Seaside Municipal Code will address the addition of the Water Capacity Fee to the City of Seaside's Annual Fee Schedule. The text amendment will be for an addition of a new Paragraph E. under Section 13.10.020 - Water Rates and Charges. The proposed text amendment is attached hereto as Attachment 2.

ENVIRONMENTAL COMPLIANCE:

Per Title 14 of the California Code of Regulations, Section 15060 "Preliminary Review" an activity is not subject to CEQA if: "... (3) The activity is not a project as defined in Section 15378."

Evidence:

CEQA Guidelines Section 15378, states:

(b) Project does not include:

(4) The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

The addition of the water capacity fee is not a commitment to a project, but rather solely a mechanism to provide a source of revenue needed to mitigate the water service related impacts of new development and redevelopment.

FISCAL IMPACT

There is no fiscal impact to the City in adopting an amendment to the Municipal Code for the water connection capacity fees. The proposed ordinance provides the mechanism to allow the City to collect actual costs to the system imparted by new connections.

ATTACHMENTS

1. Draft Ordinance - 13.10.020
 2. Draft Muni Code Revision Redlines
 3. Draft Capacity Fee Report
 4. Capacity Fee Schedule
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

AMENDING SEASIDE MUNICIPAL CODE SECTION 13.10.020 "WATER RATES AND CHARGES" FOR ADDITION OF CAPACITY FEE TO BE ADDED TO THE ADOPTED FEE SCHEDULE (FIRST READING - ROLL CALL VOTE)

**THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS
FOLLOWS:**

SECTION 1. GENERAL PURPOSE AND FINDINGS.

The purpose of this Ordinance is to consider the following text amendments to the Seaside Municipal Code:

Proposed text amendments to Seaside Municipal Code Title 13, Chapter 10.020 Municipal Water System – Water Rates and Charges.

FINDINGS

WHEREAS the City of Seaside currently does not have a water capacity fee; and

WHEREAS, the Capacity Fee will provide a source of revenue needed to mitigate the water related impacts of new development and redevelopment; and

WHEREAS, the Seaside Municipal Code will be amended to include addition of the Water Capacity Fee in the Annual Fee Schedule with the addition of Paragraph E to Section 13.10.020 – Water Rates and Charges.

SECTION 2. ENVIRONMENTAL COMPLIANCE

The proposed changes to the Ordinance will not result in direct or indirect changes to the environment and do not meet the definition of a project under CEQA. (14 CCR 15378(b)).

SECTION 3. PROPOSED TEXT AMENDMENT ADDITION

This ordinance incorporates the following text amendments into Seaside Municipal Code Section 13.10.020 as the addition of paragraph E.

E. A water system capacity charge based upon meter size shall be adopted by the City Council in the annual schedule of fees and charges. Capacity fees are assessed with a new service connection or expansion of existing service. An expansion of existing service shall pay the difference between the existing meter size capacity fee and the larger meter size capacity fee. No credit will be given for a reduction in meter size. Capacity fees are separate from the City's rates for water service.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed text amendments.

INTRODUCED AND PASSED TO PRINT at a regular meeting of the City Council of the City of Seaside, State of California, on the 18th day of June, 2020.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the ___ day of July, 2020, by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

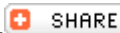
Lesley Milton, City Clerk

Chapter 13.10 MUNICIPAL WATER SYSTEM

Sections:

- 13.10.010 Definitions.**
- 13.10.020 Water rates and charges.**
- 13.10.030 Meter tests and adjustments of bills for meter error.**
- 13.10.040 Billing for and payment of water charges.**
- 13.10.050 Person responsible for payment to pay security deposits.**
- 13.10.060 Enforcement measures – Delinquencies.**
- 13.10.070 Effective date of water charges.**
- 13.10.080 Connections – Permits to connect.**
- 13.10.090 Duties of city engineer and water collector.**
- 13.10.100 Shortage of supply and service interruptions.**
- 13.10.110 Appeals.**

13.10.010 Definitions.



The following terms when used in this chapter shall have the following respective meanings:

“City” means the city of Seaside.

“Consumer” means any person, firm, company, corporation, partnership, association, any public corporation, political subdivision, city, county, district, the state of California or the United States of America, or any department or agency of any thereof, billed for water furnished by the municipal water system. The singular in each case shall include the plural.

“Municipal water system” means the city waterworks system for the production, transmission and distribution of water, including lands, easements, water rights, reservoirs, water mains, filtration works, wells, pumping station, water supply, storage and distribution facilities and equipment and other works, including the acquisition of any existing facilities used for or useful in obtaining, conserving, treating and disposing of water for the city.

“Premises” means any lot, piece or parcel of land, or any building or other structure or any part of any building or structure having a connection with the municipal water system.

“Water” means water furnished by the municipal water system.

“Water collector” means the person or department designated by the city manager to perform the services or make the determinations permitted or required under this chapter to be made by the water collector.

“Water service” means the services, facilities and water furnished or available to premises by the municipal water system. (Ord. [646](#), 1983)

13.10.020 Water rates and charges.



A. For the purpose of providing funds for the acquisition, construction, improving and financing of the municipal water system and for the purpose of defraying the cost of maintenance and operation of the municipal water system, there are levied and assessed upon all premises having any connections with the municipal water system monthly water rates and charges for the water furnished or available to such premises by the municipal water system. All water supplied to premises shall be measured by means of suitable standard water meters. A cubic foot shall be the unit of measurement. The water rates and charges, including monthly minimum charges and monthly quantity rates for water in excess of that furnished for the monthly minimum charges, shall be adopted by the city council in the annual schedule of fees and charges.

B. No water and no services or facilities of the municipal water system shall be furnished to any consumer except city parks, or to any person, free of charge.

C. The city shall determine the type and description of water services, including but not limited to size of service pipes, number of meters, and number of services per meter.

D. No consumer shall resell any water furnished by the city through the municipal water system without written prior approval of the city engineer. (Ord. [979](#) (Exh. A), 2009; Ord. [646](#), 1983)

E. A water system capacity charge based upon meter size shall be adopted by the City Council in the annual schedule of fees and charges. Capacity fees are assessed with a new service connection or expansion of existing service. An expansion of existing service shall pay the difference between the existing meter size capacity fee and the larger meter size capacity fee. No credit will be given for a reduction in meter size. Capacity fees are separate from the City's rates for water service.

City of Seaside

2020 Water Capacity Fee Study



Draft Report
May 13, 2020



BARTLE WELLS ASSOCIATES
INDEPENDENT PUBLIC FINANCE ADVISORS

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BARTLE WELLS ASSOCIATES
INDEPENDENT PUBLIC FINANCE ADVISORS

1889 Alcatraz Avenue
Berkeley, CA 94703
T: 510-653-3399
www.bartlewells.com

May 13, 2020

City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Attn: Scott Ottmar, Acting City Engineer

Re: 2020 Water Capacity Fee Study

Bartle Wells Associates (BWA) is pleased to submit to the City of Seaside the attached Water Capacity Fee Study. The results of the of the study are a product of extensive review of public information and input from City Staff.

This study presents BWA's analysis of the costs of the City's water infrastructure, assets and projects benefiting new development. The enclosed report recommends capacity fees calculated using an average cost methodology to recover the benefit associated with new development within the water system given the value of water assets, capital improvement plans, and projected number of customers through 2030. BWA finds that the proposed fees follow generally accepted fee design criteria and adhere to the substantive requirements of California government code.

We have enjoyed working with the City on this study. Please contact us with any future questions about this study and the recommended capacity fees.

Sincerely,

BARTLE WELLS ASSOCIATES

Doug Dove, CIPFA
Principal

Abigail Seaman
Financial Analyst

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1 Introduction, Objectives, and Government Code

1.1 Introduction and Objectives

Bartle Wells Associates (BWA) has been retained by the City of Seaside (City) to conduct a Water Capacity Fee Study. Key objectives of the study include (1) evaluating the City's current value of water assets, (2) assessing the marginal benefit of assets and short-term capital improvement projects on new development, and (3) developing a capacity fee that equitably recovers the cost of infrastructure and assets benefitting new development.

The City does not currently charge water capacity fees, but has the authority to levy capacity fees according to California Government Code. Capacity fees are one-time fees, paid up-front as a condition of new development or expansion. Capacity charges are separate from the City's rates for water service. New connections begin paying the City's water rates after they have paid their capacity fee and become ongoing customers.

BWA examined several fee calculation methodologies and ultimately recommends that the City use an average-cost methodology to establish water capacity fees. Fees were calculated based on the estimated present value of water system assets, 10-year Water Capital Improvement Plan project costs, and growth projections over the next 10 years (2020-2030). Proposed fees will be levied based on water meter size according to the maximum flow factor established by the American Water Works Association. BWA's recommended fees align with industry standards and regional trends and were developed with extensive input from Staff.

1.2 Government Code

Development impact fees are governed by California Government Code Section 66000 et. seq. This section of the Code was initially established by Assembly Bill 1600 (AB 1600) and is commonly referred to as the Mitigation Fee Act. Pursuant to the Code, a development impact fee is not a tax or special assessment but is instead a voluntary fee levied to defray the cost of public facilities needed to serve a new development.

Section 66013 of the Code specifically governs water and wastewater capacity fees. This section of the Code defines a “capacity charge” to mean “a charge for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged.” The Code distinguishes “capacity charges” from “connection fees” which are defined as fees for the physical facilities necessary to make a water or wastewater connection, such as costs related to installation of meters and pipelines from a new building to a water or wastewater main.

According to the Section 66013, a water or wastewater capacity fee “shall not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed” unless approved by a two-thirds vote. As such, the capacity fees calculated in this report represent the maximum fees that the City can levy. Section 66013 does not detail any specific methodology for calculating capacity fees.

Section 66016 of the Code identifies the procedural requirements for adopting or increasing water and wastewater capacity fees and Section 66022 summarizes the general process by which the fees can be legally challenged. The full text of Sections 66013, 66016 and 66022 are attached in Appendix B.

2 Capacity Fee Calculation Methodology

2.1 Standard Capacity Fee Calculation Methodologies

BWA reviewed the legal framework for establishing capacity fees, the latest information on the City's water system, and various methodologies for calculating capacity fees. Four widely accepted capacity fee calculation methodologies are summarized below.

1. Average Cost Approach – Recommended Method

Under this approach, the capacity fee is calculated based on the total costs of existing and future water facilities benefiting new development (in current dollars), divided by total projected benefit units in the 10-year capacity fee horizon. The resulting fee represents the average cost of water facilities benefiting growth.

$$\frac{\text{Existing Asset Value} + \text{Total CIP}}{\text{Total Units}}$$

2. Buy-In + Expansion Cost Approach

Under this approach, the capacity fee includes two components: a) a buy-in component to recover an equitable share of costs for existing facilities available to serve new development (in current dollars), plus b) an expansion component to recover the cost of capacity in future facilities needed to serve projected new development.

$$\frac{\text{Future Share Existing Assets}}{\text{Future Units}} + \frac{\text{Future User Share of CIP}}{\text{Future Units}}$$

3. Buy-In Cost Only Approach

Under this approach, the fee is based on the cost of existing facilities and assets (in current dollars) divided by current water system benefit units. The buy-in approach is more commonly used by agencies that are mostly built out with water systems that require minimal future facility improvements.

$$\frac{\text{Existing Asset Value}}{\text{Current Units}}$$

4. Expansion/Marginal Cost Only Approach

Under this approach, the fee is based on the cost of future expansion-related improvements (in current dollars) divided by the future development units associated with those improvements. Fees calculated under this approach represent the marginal cost of adding a unit of expansion. This approach excludes cost recovery for existing facilities and assets that provide benefit to new development.

$$\frac{\text{Future User Share of CIP}}{\text{Future Units}}$$

2.1.1 BWA Recommended Method: Average Cost Approach

BWA recommends that the City establish a capacity fee for based on the “Average Cost Approach”. The City’s water system has adequate capacity to meet future growth and does not need to expand capacity. New customers should pay an equitable fee to use the existing water system, including current assets and capital improvement projects planned within the 10-year planning period.

2.1.2 Current Customers & Meter Equivalent Units

The City’s current water customers are charged fixed water rates based on ¾” or less meter equivalent units. Demographic data is shown in Table 1 below. The City currently serves 772 water connections, equal to 999 meter equivalent units of ¾” or less water meters. Flow factors are determined by maximum flow factors established by the American Water Works Association (AWWA).

Table 1
2020 Customer Data

Water Meter Size	# Meters [1]	Max Flow Rate (GPM) [2]	Max Flow Ratio	¾" or less Meter Equivalent Units
¾" or less	737	30	1.00	737
1" or less	26	50	1.67	43
1.5"	1	100	3.33	3
2"	1	160	5.33	5
3"	1	300	10.00	10
4"	0	500	16.67	0
6"	6	1000	33.33	200
Total	772			999

[1] 2019 Water Rate Study Update, Bartle Wells Associates/SMWD

[2] American Water Works Association Standards, Manual M22, 2nd edition, 2004, page 62.

BWA recommends that water capacity fee benefit units align with AWWA meter flow ratios. All new connections with a water meter requirement of ¾” or less will pay a fee with a factor of 1.00. Larger meter size requirements will pay a higher fee according to the maximum flow ratio of the meter, since increased flow capacity is associated with a larger demand on the water system. This is a widely used method of assessing water capacity fees and will be simple for the City to administer since it aligns with the current water rate structure.

2.2 Buildout Growth Projection

The City of Seaside anticipates very little growth over the next 10 years according to population estimates and Staff projections of future development. As shown on Table 2, the City can anticipate 15 new meter equivalent units through 2030, representing a growth rate of about .15% per year.

Table 2

Buildout Growth Projections

2020 Meter Equivalent Units	999
Future Growth Meter Equivalents 2030 [1]	15
2030 Total Meter Equivalents	1,014
Annual Growth Rate	0.15%

[1] Seaside Staff Estimate

3 Water Capacity Fee Calculation

Under the methodology described in Section 2.1.1, water capacity fees are designed to recover the average cost of water facilities benefiting growth, including the present value of existing water system facilities and assets, and the cost of system upgrades and expansion needed to serve the City through 2030.

3.1 System Buy-In Component – Existing Assets

Since detailed asset value information was not available, BWA calculated the present value of the water system using asset listings provided by the City and an estimate of replacement cost less depreciation. Replacement costs were estimated using comparable data in the 2020 Water Master Plan developed by Marina Coast Water District nearby. Depreciation was estimated using BWA and Staff estimates, and purchase year data where available. The 2020 system asset value is summarized on Table 3 and provided in detail in Appendix A. This represents the buy-in portion of the capacity fee calculation.

Table 3

Estimated Water System Asset Value

Category	2020 Asset Value [1]
Pipelines (39,043 total ft)	\$220,805
Pumps (3)	\$850,000
Storage Tanks (2)	\$300,000
Groundwater Well (1)	\$1,200,000
Total Buy-In Portion - Existing Asset Value	\$2,570,805

[1] Asset listings provided by Seaside Staff

Replacement Cost: MCWD 2020 Master Plan, BWA & Staff Estimates

Depreciation: BWA & Staff Estimates

3.2 System Expansion Component – Capital Improvement Plan

The City's 10-year Capital Improvement Plan outlines projects needed to maintain the water system, including upgrades, expansions, regular maintenance, and new facilities. The Capital Improvement Plan is listed by project in Table 4. The total CIP cost is the expansion portion of the capacity fee.

Table 4

2020-2030 Capital Improvement Plan

Project Description	Total Project Cost
Water Security Upgrades	\$390,000
Well Replacement	\$1,950,000
Water System Improvements	\$390,000
Tank Improvements Project	\$1,200,000
Alternative Water Source	\$1,010,000
Arc Flash Hazard Mitigation	\$120,000
Misc. Improvements	\$430,000
Total Expansion Portion - Capital Improvement Plan	\$5,490,000

Source: 2019 Water Rate Study Update, Bartle Wells Associates/SMWD

3.3 Water Capacity Fee Calculation

Table 5 shows the detailed calculation of the proposed water capacity fee using the average cost methodology described in Section 2.1.1 and cost components described in Section 3. Fees were calculated using $\frac{3}{4}$ " or less meter equivalent units per the recommendation in Section 2.1.2.

Table 5

Proposed Water Capacity Fee Calculation

1 Total Buy-In Portion - Existing Asset Value	\$3,262,095
2 Total Meter Equivalent Units to 2030	1,014
3 Buy-In Portion of Capacity Fee \$/Meter Equivalent (1/2)	\$3,217
4 Total Expansion Portion - Capital Improvement Plan	\$5,490,000
2 Total Meter Equivalent Units to 2030	1,014
6 Expansion Portion of Capacity Fee \$/Meter Equivalent (4/5)	\$5,414
7 Proposed Capacity Fee - Average Cost \$/Meter Equivalent (3+6)	\$8,631

The proposed fee is designed to recover costs for:

- **System Buy-In Portion - Existing Facilities & Assets:** To be reasonable and conservative, capacity fee recovery accounts for the depreciated value of the City's water facilities escalated to current dollars using replacement cost estimates from Marina Coast Water District, a similar nearby water agency.
- **Expansion Cost Component - Capital Projects:** The capacity fee recovers capital improvement project costs according to the City's 10-year Capital Improvement Plan (2020-2030)

Buy-in and expansion costs are divided by total projected meter equivalent units through 2030. The resulting fee represents the average cost of water facilities benefiting growth.

3.4 Proposed Water Capacity Fees

Table 6 lists the FY 2020-21 proposed water capacity fee schedule by meter size. per the methodology and City information detailed in this report. BWA has calculated fees on a \$/meter equivalent unit basis using the proposed methodology described in Section 2.1.1 and calculated in Table 5.

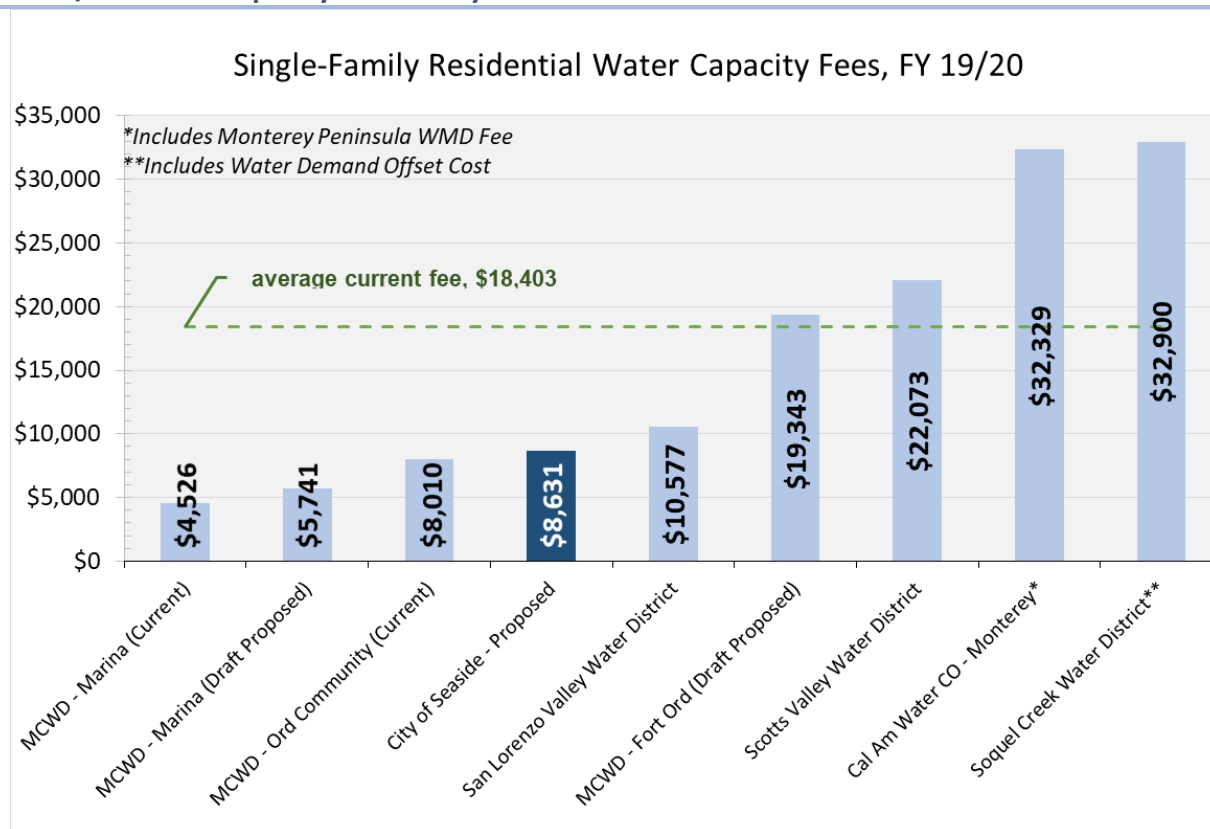
Table 6
Proposed Water Capacity Fees

Meter Size	Meter Ratio	FY 2020-21
		Proposed Fee
3/4" or less	1.00	\$8,631
1" or less	1.67	\$14,385
1.5"	3.33	\$28,771
2"	5.33	\$46,033
3"	10.00	\$86,313
4"	16.67	\$143,854
6"	33.33	\$287,709

3.5 Capacity Fee Survey of Surrounding Agencies

BWA conducted a capacity fee survey of surrounding water agencies to compare with the City's proposed fee. The new proposed water capacity fees would place the City in the middle range of single-family capacity fees in the region but far below the average fee, as shown in Figure 1.

Figure 1
2019/20 Water Capacity Fee Survey



4 Conclusion and Recommendations

4.1 Conclusion

BWA finds that the proposed fees follow generally accepted fee design criteria and adhere to the substantive requirements of California government code. The above proposed capacity fees, calculated using the average-cost methodology and levied based on water meter size, represent the most up to date and equitable distribution of cost for new development in the water enterprise. The proposed fees align with regional standards and equitably recover new development's share of costs for the water enterprise. BWA recommends that the City adopt the proposed FY 2020/21 fees enclosed in this report by following the procedure to increase capacity fees as follows:

1. Create a nexus study to determine equitable capacity fees (Done by BWA)
2. Set notice the date of a public hearing as required in Government Code
3. Send notice of hearing to developers if specifically requested in writing
4. Hold public hearing and adopt new capacity fees via Resolution
5. Fees may become effective not less than 30 days after adoption

4.2 Future Fee Adjustments

In future years, BWA recommends that the City update its capacity fees annually by adjusting the fees by the change in the Engineering News-Record Construction Cost Index (San Francisco) to account for future construction cost inflation. Additionally, the City should review and consider updating its capacity fees when substantial revisions are made to anticipated capital improvement costs or to substantial changes in projected demand. In general, BWA recommends that capacity fees be independently reviewed and/or updated approximately once every five years.

Appendix A – Detailed Capacity Fee Calculation

2020-21 Proposed Water Capacity Fees (Average Cost)				
Seaside Municipal Water District				
2020 Water Capacity Fee Study				
1. Buy-In Portion - Existing Assets (Estimated 2020 Value)				
A. Pipelines - By Diameter ¹	Total Length (ft)	\$/Foot ²	Est. Replacement Cost	% Depreciated
2"	301	\$32.92	\$9,908	80%
3"	0	\$49.38	\$0	80%
4"	5,402	\$65.83	\$355,632	80%
6"	17,099	\$98.75	\$1,688,526	80%
8"	10,651	\$131.67	\$1,402,382	80%
> 12"	5,590	\$197.50	\$1,104,025	80%
Total	39,043		\$4,560,473	
B. Other Assets		Purchase Date	Est. Replacement Cost	% Depreciated
Storage Tanks (2 @ 500,000 gal)		1960	\$3,000,000	90%
Groundwater Well (1 @ 0.72 MGD)		2001	\$3,000,000	60%
Pump (1 @ 75 hp)		2015	\$1,000,000	40%
Pump (1 & 5hp)		2018	\$250,000	10%
Pump (1 & 5hp)		1960	\$250,000	90%
Total			\$7,500,000	
Total Buy-In Portion - Existing Asset Value				\$3,262,095
2. Expansion Portion - 2020-2030 Capital Improvement Plan ³				
Capital Improvement Project				Est. Project Cost
Water Security Upgrades				\$390,000
Well Replacement				\$1,950,000
Water System Improvements				\$390,000
Tank Improvements Project				\$1,200,000
Alternative Water Source				\$1,010,000
Arc Flash Hazard Mitigation				\$120,000
Misc. Improvements				\$430,000
Total				\$5,490,000
Total Expansion Portion - Capital Improvement Plan				\$5,490,000
Total System Value - Buy-In + Expansion				\$8,752,095
3. Dividing Factor - Meter Equivalent Units				Meter Equivalent Units
Total Meter Equivalent Units - Current ⁴				999
Expected Growth (2020 - 2030) ⁵				15
Total Meter Equivalents - Growth				1,014
				Water Capacity Fee
				\$/Meter Equivalent
Average Cost Capacity Fee - Total System Value/ Total 2030 Meter Equivalent Units				\$8,631

Appendix B – Government Code Pertaining to Capacity Fees

California Government Code
Key Sections Pertaining to Water & Wastewater Capacity Fees
Sections 66013, 66016, & 66022

66013

(a) Notwithstanding any other provision of law, when a local agency imposes fees for water connections or sewer connections, or imposes capacity charges, those fees or charges shall not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed, unless a question regarding the amount of the fee or charge imposed in excess of the estimated reasonable cost of providing the services or materials is submitted to, and approved by, a popular vote of two-thirds of those electors voting on the issue.

(b) As used in this section:

(1) "Sewer connection" means the connection of a structure or project to a public sewer system.

(2) "Water connection" means the connection of a structure or project to a public water system, as defined in subdivision (f) of Section 116275 of the Health and Safety Code.

(3) "Capacity charge" means a charge for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged, including supply or capacity contracts for rights or entitlements, real property interests, and entitlements and other rights of the local agency involving capital expense relating to its use of existing or new public facilities. A "capacity charge" does not include a commodity charge.

(4) "Local agency" means a local agency as defined in Section 66000.

(5) "Fee" means a fee for the physical facilities necessary to make a water connection or sewer connection, including, but not limited to, meters, meter boxes, and pipelines from the structure or project to a water distribution line or sewer main, and that does not exceed the estimated reasonable cost of labor and materials for installation of those facilities.

(6) "Public facilities" means public facilities as defined in Section 66000.

(c) A local agency receiving payment of a charge as specified in paragraph (3) of subdivision (b) shall deposit it in a separate capital facilities fund with other charges received, and account for the charges in a manner to avoid any commingling with other moneys of the local agency, except for investments, and shall expend those charges solely for the purposes for which the

charges were collected. Any interest income earned from the investment of moneys in the capital facilities fund shall be deposited in that fund.

(d) For a fund established pursuant to subdivision (c), a local agency shall make available to the public, within 180 days after the last day of each fiscal year, the following information for that fiscal year:

(1) A description of the charges deposited in the fund.

(2) The beginning and ending balance of the fund and the interest earned from investment of moneys in the fund.

(3) The amount of charges collected in that fiscal year.

(4) An identification of all of the following:

(A) Each public improvement on which charges were expended and the amount of the expenditure for each improvement, including the percentage of the total cost of the public improvement that was funded with those charges if more than one source of funding was used.

(B) Each public improvement on which charges were expended that was completed during that fiscal year.

(C) Each public improvement that is anticipated to be undertaken in the following fiscal year.

(5) A description of each interfund transfer or loan made from the capital facilities fund. The information provided, in the case of an interfund transfer, shall identify the public improvements on which the transferred moneys are, or will be, expended. The information, in the case of an interfund loan, shall include the date on which the loan will be repaid, and the rate of interest that the fund will receive on the loan.

(e) The information required pursuant to subdivision (d) may be included in the local agency's annual financial report.

(f) The provisions of subdivisions (c) and (d) shall not apply to any of the following:

(1) Moneys received to construct public facilities pursuant to a contract between a local agency and a person or entity, including, but not limited to, a reimbursement agreement pursuant to Section 66003.

(2) Charges that are used to pay existing debt service or which are subject to a contract with a trustee for bondholders that requires a different accounting of the charges, or charges that are used to reimburse the local agency or to reimburse a person or entity who advanced funds under a reimbursement agreement or contract for facilities in existence at the time the charges are collected.

(3) Charges collected on or before December 31, 1998.

(g) Any judicial action or proceeding to attack, review, set aside, void, or annul the ordinance, resolution, or motion imposing a fee or capacity charge subject to this section shall be brought pursuant to Section 66022.

(h) Fees and charges subject to this section are not subject to the provisions of Chapter 5 (commencing with Section 66000), but are subject to the provisions of Sections 66016, 66022, and 66023.

(i) The provisions of subdivisions (c) and (d) shall only apply to capacity charges levied pursuant to this section.

(Amended by Stats. 2007, Ch. 94, Sec. 1. Effective January 1, 2008.)

66016

(a) Prior to levying a new fee or service charge, or prior to approving an increase in an existing fee or service charge, a local agency shall hold at least one open and public meeting, at which oral or written presentations can be made, as part of a regularly scheduled meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that the data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the local agency for mailed notice of the meeting on new or increased fees or service charges. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service. At least 10 days prior to the meeting, the local agency shall make available to the public data indicating the amount of cost, or estimated cost, required to provide the service for which the fee or service charge is levied, and the revenue sources anticipated to provide the service, including General Fund revenues. Unless there has been voter approval, as prescribed by Section 66013 or 66014, no local agency shall levy a new fee or service charge or increase an existing fee or service charge to an amount which exceeds the estimated amount required to provide the service for which

the fee or service charge is levied. If, however, the fees or service charges create revenues in excess of actual cost, those revenues shall be used to reduce the fee or service charge creating the excess.

(b) Any action by a local agency to levy a new fee or service charge or to approve an increase in an existing fee or service charge shall be taken only by ordinance or resolution. The legislative body of a local agency shall not delegate the authority to adopt a new fee or service charge, or to increase a fee or service charge.

(c) Any costs incurred by a local agency in conducting the meeting or meetings required pursuant to subdivision (a) may be recovered from fees charged for the services which were the subject of the meeting.

(d) This section shall apply only to fees and charges as described in Sections 51287, 56383, 65104, 65456, 65584.1, 65863.7, 65909.5, 66013, 66014, and 66451.2 of this code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, Section 41901 of the Public Resources Code, and Section 21671.5 of the Public Utilities Code.

(e) Any judicial action or proceeding to attack, review, set aside, void, or annul the ordinance, resolution, or motion levying a fee or service charge subject to this section shall be brought pursuant to Section 66022.

(Amended by Stats. 2006, Ch. 643, Sec. 19. Effective January 1, 2007.)

66022

(a) Any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge, or modifying or amending an existing fee or service charge, adopted by a local agency, as defined in Section 66000, shall be commenced within 120 days of the effective date of the ordinance, resolution, or motion.

If an ordinance, resolution, or motion provides for an automatic adjustment in a fee or service charge, and the automatic adjustment results in an increase in the amount of a fee or service charge, any action or proceeding to attack, review, set aside, void, or annul the increase shall be commenced within 120 days of the effective date of the increase.

(b) Any action by a local agency or interested person under this section shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

(c) This section shall apply only to fees, capacity charges, and service charges described in and subject to Sections 66013, 66014, and 66016.

(Amended by Stats. 2006, Ch. 643, Sec. 20. Effective January 1, 2007.)

Table A: Water Capacity Fee Schedule

Meter Size	Capacity Fee
¾" or Less	\$8,631
1"	\$14,385
1 ½"	\$28,771
2"	\$46,033
3"	\$86,313
4"	\$143,854
6"	\$287,709

See City of Seaside 2020 Water Capacity Fee Study



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: July 16, 2020

SUBJECT: ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 10.32 ESTABLISHING FOUR HOUR TIME LIMIT AT CITY PARK PARKING LOTS AND APPROVE A RESOLUTION ALLOWING OVERNIGHT PARKING ON MONDAY NIGHTS AT THE LAGUNA GRANDE LAKESIDE PARKING LOT. (SECOND READING - ROLL CALL VOTE)

PURPOSE & RECOMMENDATION

Adopt the draft Ordinance to amend the Seaside Municipal Code Section 10.32 "Stopping, Standing and Parking" to include the addition of a 4 hour time limit for parking at city parks, and adopt a resolution to allow overnight parking one night a week in the Laguna Grande Lakeside parking lot.

BACKGROUND

The City currently has two parks with dedicated parking lots. Laguna Grande Park has three dedicated parking lots with more than seventy parking spaces, while Robert's Lake has two parking lots with thirty two spaces. On any given day these lots can be full with cars and RV's that stay for longer periods of time than the average park user. Some are parked from sun up to sun down. This makes it difficult for Seaside residents and other visitors to the area to access these locations. Instituting a time limit will allow more residents and visitors to access these parks and the coastal trail on a daily basis.

Additionally, under the third supplement of the proclamation of local emergency, the City of Seaside the City Council ratified item E which is: Suspension of Sleeping in Vehicles Ordinances which applied only to the parking lot at Robert's Lake Park. Over the last eleven weeks both of the parking lots have been full on a consistent basis. There is an obvious need for overnight parking on the peninsula, and amending Seaside Municipal Code Section 10.32 to allow overnight parking one night a week by resolution could potentially lead the way for a regional effort to assist with individuals and families who are experiencing homelessness and living out of their vehicles.

At the May 21, 2020 City Council Meeting, staff presented the idea of amending Seaside Municipal Code Section 10.32 "Stopping, Standing, and Parking" to institute a four hour parking time limit for the parking lots located at Laguna Grande and Robert's Lake park. The amendment would also include allowing overnight parking one night a week in the Robert's Lake parking lot. The City Council directed staff to come back with the proposed amendments to the ordinance.

Staff originally proposed to have the one night a week parking at Robert's Lake, but after further discussion, staff decided that having the overnight parking at the Laguna Grande Lakeside parking lot would be easier to monitor than either of the lots at Robert's Lake.

At the July 2nd, 2020 City Council Meeting, presented the amendment to Seaside Municipal Code Section 10.32 "Stopping, Standing, and Parking" to institute a four hour parking time limit for the parking lots located at Laguna Grande and Robert's Lake park. The amendment also included allowing overnight parking one night a week at Laguna Grande Park, Lakeside parking lot. The City Council directed staff to adjust the hours of overnight night parking from 10pm - 6am to 8pm - 6am.

FISCAL IMPACT

There is no fiscal impact associated with amending the Seaside Municipal Code.

ATTACHMENTS

1. Draft Parking Ordinance 1
 2. Draft Resolution
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AMENDING CHAPTER 10.32 OF THE SEASIDE MUNICIPAL CODE
ESTABLISHING A FOUR HOUR TIME LIMIT AT CITY PARK PARKING LOTS
AND ALLOWING OVERNIGHT PARKING ONE NIGHT A WEEK AT LAGUNA
GRANDE LAKESIDE PARKING LOT.**

WHEREAS, The City desires to increase the ability for more residents and visitors to have access to specific parks, parking lots and coastal access points in the Coastal Zone; and

WHEREAS, The City also recognizes that there is a lack of parking available for members of the public that may be experiencing homelessness and wants to provide a parking solution.

Section 1. GENERAL PURPOSE AND FINDINGS.

- A. The purpose of this Ordinance is to amend the Chapter Section 10.32 of the Seaside Municipal Code to establish a four-hour time limit for parking lots at City parks, and to allow overnight parking one night a week at the Lakeside parking lot at Laguna Grande Park.

Now therefore the City Council of the City of Seaside, California does ordain as follows:

Section 2. SUB-SECTION 10.32.031 AMENDED.

Municipal Code Sub-Section 10.32.031 related to definitions is hereby repealed and restated to read as follows:

10.32.031 Overnight parking at Laguna Grande Park, Robert's Lake, Oldemeyer Center and Seaside City Hall parking lots.

- A. Unlawful. It is unlawful for the operator of any vehicle to park said vehicle in Laguna Grande Park, Roberts Lake Park and the Seaside City Hall parking lot between the hours of eight p.m. and six a.m. Mondays through Sundays
- B. Exemptions:
 - 1) Persons are allowed to park overnight in the Laguna Grande Lakeside parking lot one night a week, which is designated by resolution and approved by the City Council.
 - 2) Persons participating in activities sponsored by the city and Seaside city employees or officials who are working or are on official city business are exempt from the provisions of subsection A of this section.

Section 3. SUB-SECTION 10.32.035 ADDED.

Municipal Code Sub-Section 10.32.035 is hereby added to read as follows:

10.32.035 Parking time limited at Laguna Grande Park and Robert's Lake.

- A. When authorized signs are in place giving notice thereof, no person shall park any vehicle in the parking lots at Laguna Grande Park or Robert's Lake for a period longer than four hours on any day.
- B. Exemptions. Persons participating in activities sponsored by the City and Seaside, or attending a permitted park rental, or city employees or officials who are working or are on official city business are exempt from the provisions of subsection A of this section.

SECTION 4. ENVIRONMENTAL COMPLIANCE

The proposed changes to the Ordinance will not result in direct or indirect changes to the environment and do not meet the definition of project under CEQA. (14 CCR 15378(b))

Section 5. SEVERABILITY.

- A. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable.
- B. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of

the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be held unconstitutional, invalid or unenforceable.

Section 8. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after its final passage and adoption.

INTRODUCED by the City Council of the City of Seaside this 18th day of June, 2020.

PASSED AND ADOPTED by the City Council of the City of Seaside this _____ day of _____, 2020, by the following roll call vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

APPROVED:

Ian Oglesby, Mayor

ATTEST:

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**ESTABLISHING OVERNIGHT PARKING AT LAGUNA GRANDE LAKESIDE
PARKING LOT**

WHEREAS, the City recognizes that there is a lack of parking available for members of the public that may be experiencing homelessness and wants to provide a parking solution.

WHEREAS, the City adopted Ordinance No. _____ amending Section 10.32 of the Seaside Municipal Code on July 16, 2020 which allows for overnight parking at the Laguna Grande Lakeside parking lot on one-night per week. Ordinance No. _____ provides that the date and time of such overnight parking may be established by resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby establishes the initial Overnight Parking at Laguna Grande Lakeside parking lot to be Monday starting at 8:00 p.m. to the hour of 6:00 a.m. The Council further provides the City Manager may administratively modify the initial day of the week by administrative order and posting of such information on the Lot.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 16th day of July, 2020 by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk

APPROVED AS TO FORM:

CITY ATTORNEY



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: July 16, 2020

**SUBJECT: ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL
CODE SECTION 15.34 DIGGING AND EXCAVATION ON THE
FORMER FORT ORD, PROHIBITING THE USE OF METAL
DETECTION ON FORT ORD LANDS THAT PREVIOUSLY HAD
MUNITIONS AND EXPLOSIVES OF CONCERN (SECOND READ-
ROLL CALL VOTE)**

PURPOSE & RECOMMENDATION

Adopt the draft ordinance establishing provisions prohibiting the use of metal detection on specific former Fort Ord Lands for health and safety purposes.

BACKGROUND

This revision arises from a recent incident involving a trespasser on County lands using metal detection devices. During the review of the matter with the Bureau of Land Management, The U.S. Army, Department of Toxics and Substance Control (DTSC) and the Environmental Protection Agency (EPA), it was discovered that although excavation is prohibited in the digging and excavation ordinances, metal detection was not specifically prohibited. As proposed the revision prohibits metal detection and provides for an infraction offense and administrative fine.

All agencies listed above determined that this was necessary as a deterrent to protect the public health on lands within the jurisdiction of the City of Seaside.

FISCAL IMPACT

There is no fiscal impact to the City beyond the codification costs for this ordinance.

ATTACHMENTS

1. Draft Ordinance
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

MODIFYING SEASIDE MUNICIPAL CODE SECTION 15.34 PROHIBITING THE ACTIVITY OF METAL DETECTING ON LANDS KNOWN TO HAVE MUNITIONS AND EXPLOSIVES OF CONCERN (MEC)

WHEREAS, the City of Seaside has agreements between, the Fort Ord Reuse Authority ("FORA") and the California Environmental Protection Agency, Department of Toxic Substances Control ("DTSC"), related to digging and excavation on approximately one thousand five hundred eighty-one acres of the former Fort Ord military installation ("Fort Ord") that are known or suspected to be contaminated with ordnance and explosives ("OE"); and

WHEREAS, the United States Army has or will transfer portions of the former Fort Ord to the City, some of which were contaminated with OE and is possible that some OE materials may remain on those parcels; and

WHEREAS, recently there have been incidents of metal detecting by individuals on parcels that have been known to have OE; and

WHEREAS, the City, The U.S. Army and the DTSC and the EPA all have an interest in ensuring the highest level of public safety.

THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS FOLLOWS:

SECTION 1. GENERAL PURPOSE AND FINDINGS.

The purpose of this Ordinance is to modify the Seaside Municipal Code to add provisions prohibiting the action of metal detecting on any lands having been contaminated with ordnance and explosives (OE) or Munitions and Explosives of Concern (MEC) in order to protect the public health.

SECTION 2. ENVIRONMENTAL COMPLIANCE

The proposed changes to the Ordinance will not result in direct or indirect changes to the environment and do not meet the definition of project under CEQA. (14 CCR 15378(b))

SECTION 3. REVISIONS TO CHAPTER 15.34

Text amendment to the Seaside Municipal Code Chapter 15.34 adding the below section into the code.

15.34.051 Metal detecting restrictions.

It is unlawful for any person, to engage in metal detection activities on any property located within an ordinance remediation district. Any violation of this restriction is considered an infraction and may result in an administrative citation as set by the annual fee schedule.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed text revisions.

INTRODUCED AND PASSED TO PRINT at a regular meeting of the City Council of the City of Seaside, on the 18 day of June, 2020.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the ____ day of ____, 2020 by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk



CITY OF SEASIDE STAFF REPORT

Item No.: 9.E.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: July 16, 2020

**SUBJECT: ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL
CODE SECTION 2.14 BOARDS AND COMMISSIONS (SECOND
READING - ROLL CALL VOTE)**

PURPOSE & RECOMMENDATION

Adopt the draft ordinance amending frequency of meetings, elimination of inactive commissions and combining commissions for efficiencies.

BACKGROUND

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

Cities should strive at all possible times to make decisions with its residents, not merely for them. As the needs of a city change, so too should its Commissions to reflect the mission and vision, relevant to its staffing capacity.

The City of Seaside mission is "Include, Innovate and Inspire" and the City desires to keep the element of inclusiveness present with the continued facilitation of our Boards and Commissions. However, the changing environment that COVID-19 has presented to the City budget has resulted in a severe reduction in programming and a loss of city staff to facilitate boards and commission meetings, activities and record management.

Re-balancing the Board and Commission responsibilities among the remaining staff, the

proposed changes to the Municipal Code include:

- Board and Commissions will meet quarterly, and/or as needed for city business. Meeting dates and time will be established by resolution, for flexibility of commissioners.
- Modification of the Planning Commission purview to reassign and absorb all responsibilities of the Board of Architectural Review (BAR). The existing appointed members of the BAR would become members of the Planning Commission, temporarily increasing membership to 10 members, and through attrition only will return to 7.
- Oversight of Mural approvals would be assigned to the Art and History Commission, consistent with the recently adopted Art in Public Places Policy.
- Elimination of the non-active commissions codified into code; Human Relations Commission and the Youth Commission at this time, always subject to reinstatement at a later date if directed.

During the first reading, the City Council provided direction to maintain the "Youth Commission" in the current code. That section has been removed from the proposed ordinance.

FISCAL IMPACT

There is no fiscal impact associated with this section beyond codification of the ordinance.

ATTACHMENTS

1. Draft Ordinance

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE AMEND CHAPTER 2.14 BOARD AND COMMISSIONS MODIFYING MEETING DATES, TIMES, ELIMINATING NON-FUNCTIONING COMMISSIONS AND REORGANIZING DUTIES OF THE PLANNING COMMISSION

WHEREAS, Cities should strive at all possible times to make decisions with its residents, not merely for them; and

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

WHEREAS, As the needs of a city change, so too should its Commissions to reflect the mission and vision, as well as staffing capacity; and

WHEREAS, the changing environment that COVID-19 has presented to the City budget, including loss of city staff to facilitate boards and commission meetings, activities and records, and changes are need to continue the ability for staff to facilitate the public's business, with the appropriate public involvement on the Boards, Commissions and Committees.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS FOLLOWS:

SECTION 1. Purpose and Intent

The purpose of this ordinance is to modify the existing regulations for Boards, Commissions and committees, making it responsive to the staff capacity and community needs at this time.

SECTION 2. Revisions to Chapter 2.

The following sections of the Seaside Municipal code are hereby amended to be restated as follows:

SMC 2.14 BOARDS AND COMMISSIONS

2.14.080 Meetings.

Commissions shall meet on an as needed basis, as called by the chair or staff, but not less than quarterly, on the day and time approved by resolution of the city council.

2.14.140 Residency.

All commission members shall be residents of the city.

Chapter 2.26 Planning Commission

2.26.020 Composition and terms of office.

The planning commission shall consist of seven members regularly. There is an allowable, temporary, increase to 10 members to allow for the existing Board of Architectural Review members to be added to the Planning Commission. Through attrition, the number will be no more than 7 members. The appointed members shall hold office for four years.

2.26.030 Powers and duties.

The planning commission shall have all the powers and perform duties as provided in Government Code Section 65103. It shall be the function and duty of the planning commission to prepare, periodically review and revise, as necessary, the general plan of the city and to implement the general plan through actions including, but not limited to, the administration of specific plans and zoning and subdivision ordinances. The Planning Commission will also act as the Board of Architectural Review, as it pertains to all references in Chapter 17.70.070 of the Seaside Municipal Code.

SECTION 3: Additions to Chapter 2

The following text is to be added to Chapter 2 of the Seaside Municipal Code:

Chapter 2.16 Art and History Commission

2.16.040 Responsibilities

L. Make recommendations to the City Council regarding public art and murals on city buildings, city property or funded by the city and responsible for approval of all public art and murals on non-city facilities, viewable by the public.

SECTION 4: Deletions from Chapter 2

SMC CHAPTER 2 ADMINISTRATION AND PERSONNEL

The following sections of the Seaside Municipal Code here hereby deleted but the headings and code sections be preserved in perpetuity:

~~Chapter 2.32 Youth Commission~~

Chapter 22.2 Human Relations Commission

19.11.010. Severability. If any word, phrase, sentence, part, section, subsection, or other portion of this Chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City Council hereby declares that it would have passed this title, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional."

SECTION 3. Effective date. This Ordinance shall take effect thirty (30) days after its final passage and adoption by the Council.

INTRODUCED AND PASSED TO PRINT at a regular meeting of the City Council of the City of Seaside held on ____, 2019.

ADOPTED as an Ordinance of the City Council of the City of Seaside at a regular meeting of the City Council held on _____ 2019, by the following vote:

AYES:	Council members:
NOES:	Council members:
ABSENT:	Council members:
ABSTAIN:	Council members:

Ian N. Oglesby, Mayor

Attest:

Lesley Milton, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: July 16, 2020

**SUBJECT: REQUEST BY COUNCIL MEMBER PACHECO TO PASS AN
ORDINANCE PROHIBITING ALL FIREWORKS**

PURPOSE & RECOMMENDATION

Consider request and provide direction.

BACKGROUND

During the July 2, 2020 City Council meeting, Council Member Pacheco requested the Council to consider passing an ordinance prohibiting the sale and use of all fireworks throughout the City of Seaside. Despite increased enforcement efforts, the July 4th, 2020 holiday had an increase of illegal fireworks which likely was attributable to the holiday being on a Saturday, COVID-19 restrictions leading to pent up demand for celebration and the City's inability to host the Community Fireworks celebration.

The City attempted to curb illegal fireworks over the last several years with enforcement mechanisms as well as through the establishment of a community 4th of July and fireworks event. Regaled as a successful, festive, family event, it was intended as an alternative to provide a scheduled and safe professional fireworks show.

Council discussions in previous years regarding prohibitions on fireworks focused on concerns that the sale of safe and sane fireworks was the largest funding mechanism for local non-profit organizations. These organizations receive 50% of retail sales of safe and sane fireworks. From 2015-2019 the average total sales from all firework booths was \$118,573. Staff is recommending that if the Council chooses to prohibit

fireworks of all kinds, that they consider establishing a mechanism that would allow the non-profit organizations participate at the annual event in a fundraising capacity.

FISCAL IMPACT

Should the Council choose to prohibit fireworks by adopting an ordinance, the only cost associated is the legal noticing requirements and codification costs, which would be less than \$300.

Regarding timing, to adopt an ordinance, it requires a 10 day notice requirement, two public hearing readings and a 30 day cure period.

ATTACHMENTS

None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: July 16, 2020

**SUBJECT: REQUEST BY COUNCIL MEMBER WIZARD TO ADD TO THE
NOVEMBER 3, 2020 BALLOT A PROHIBITION AGAINST ALL
FIREWORKS**

PURPOSE & RECOMMENDATION

Consider request and provide direction.

BACKGROUND

During the July 27, 2020 City Council meeting, Council Member Wizard requested the Council to consider adding to the November 3, 2020 ballot, a ballot measure to prohibit the sale and use of all fireworks throughout the City of Seaside. Despite increased enforcement efforts, the July 4th, 2020 holiday had an increase of illegal fireworks which likely was attributable to the holiday being on a Saturday, COVID-19 restrictions leading to pent up demand for celebration and the City's inability to host the Community Fireworks celebration.

The City attempted to curb illegal fireworks over the last several years with enforcement mechanisms as well as through the establishment of a community 4th of July and fireworks event. Regaled as a successful, festive, family event, it was intended as an alternative to provide a scheduled and safe professional fireworks show.

Council discussions in previous years regarding prohibitions on fireworks focused on concerns that the sale of safe and sane fireworks was the largest funding mechanism for local non-profit organizations. Staff is recommending that if the Council chooses to

prohibit fireworks of all kinds, that they consider establishing a mechanism that would allow the non-profit organizations participate at the annual event in a fundraising capacity.

FISCAL IMPACT

Should the Council choose to prohibit fireworks by adding a measure to the November 3, 2020 Ballot, the costs associated would be nominal due to the fact the City has already called to consolidate the 2020 General Municipal election for electing Council Members and Mayor. Seaside's November 3, 2020 election costs are estimated between \$6 to \$8 per registered voter, or \$76,000 to \$101,600. If the Council chooses to add a ballot measure to the current election, additional costs would be only the additional printing costs for inclusion into the voter guide, which is estimated to be approximately \$2,000. If the Council chooses to hold a special election at a later date, Seaside would be responsible for the full cost of the election.

Regarding timing, to add a ballot measure to the November election, the timing and process is dictated by the California Elections's code.

Date	E Minus	Action
30-Jul	96	Council to adopt resolutions calling for an election presenting the proposed ordinance to be voted on
31-Jul	95	Last day to post legal notice for filing arguments and impartial analysis
5-Aug	90	Last day to publish legal notice of election
7-Aug	88	Last call for ballot measures to be submitted to Elections Department
12-Aug	83	Last day to file arguments & impartial analysis
27-Oct	7	Last date to publish Legal notice of measures to be voted on for voter information

Due to publication deadlines for our adjudicated newspaper, the City Council would need to adopt a resolution calling for an election and ballot measure initiative prior to July 28, 2020 in order to meet the above deadlines to qualify a ballot measure for November 2020.

ATTACHMENTS

None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.C.

TO: City Council

BY: Craig Malin, City Manager

DATE: July 16, 2020

**SUBJECT: REQUEST BY COUNCIL MEMBER WIZARD TO ADOPT A
RESOLUTION SUPPORTING PROPOSITION 15, THE
CALIFORNIA SCHOOLS AND LOCAL COMMUNITIES FUNDING
ACT OF 2020**

PURPOSE & RECOMMENDATION

Adopt resolution as presented.

BACKGROUND

The California Schools and Local Communities Funding Act of 2020 is expected to be on the November 2020 ballot. If approved, the Act would close loopholes in the State's property tax law, resulting in increased property taxes paid by major commercial and industrial properties. The Act exempts small business owners with property worth less than \$3 million.

ATTACHMENTS

1. Draft Resolution
-

RESOLUTION NO. 20-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

IN SUPPORT OF THE CALIFORNIA SCHOOLS AND LOCAL COMMUNITIES FUNDING ACT OF 2020

WHEREAS, for the last four decades, cities and counties in California have experienced underinvestment and devastating cuts to critical services and infrastructure that residents rely on; and

WHEREAS, the lack of adequate local funding is the result of an inequitable tax system in which corporations and wealthy investors do not pay their fair share in property taxes; and

WHEREAS, loopholes in California's property tax system allow a fraction of major commercial and industrial properties to avoid regular reassessment to hide change in ownership; and

WHEREAS, these loopholes and tax schemes result in many millions of local dollars going to corporations and wealthy investors rather than to communities for essential services; and

WHEREAS, the property tax is one of the few discretionary sources of revenue for cities and counties; and

WHEREAS, experts estimate that the *California School and Local Communities Funding Act* reclaims \$12 billion in property tax revenue every year by closing loopholes in California's property tax system; and

WHEREAS, the *California Schools and Local Communities Funding Act* does not affect property taxes for homeowners or renters because the initiative exempts all residential property; and

WHEREAS, allocation of revenues to cities, counties, and special districts will follow current property tax allocation; and

WHEREAS, the measure will provide billions in locally controlled property tax funding yearly for cities, counties, and special districts; and

WHEREAS, researchers at the University of Southern California (USC) have identified that the vast majority of reclaimed revenue will come from a fraction of large commercial and industrial corporations' properties; and

WHEREAS, USC research shows that a majority of commercial owners already pay close to market value, making the current system inequitable among businesses by benefitting large owners who have held land for a long period of time, thus distorting market forces; and

WHEREAS, the current failure to close the commercial property tax loophole has led to the undesirable use of land and inflated land values, particularly affecting the ability to provide adequate affordable housing; and

WHEREAS, the Act incentivizes the development of and provides more funding for communities to invest in affordable housing; and

WHEREAS, the Act also exempts all small business owners whose property is worth \$3 million or less; and

WHEREAS, the measure levels the playing field for businesses that already pay their fair share of property taxes in our communities; and

WHEREAS, the *California Schools and Local Communities Funding Act of 2020* is expected to be on the November 2020 ballot;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside hereby endorses the *California Schools and Local Communities Funding Act of 2020* for a ballot measure in November 2020.

PASSED AND ADOPTED at a <<regular/special>> meeting of the City Council of the City of Seaside duly held on the <<ordinal day>> day of <<month, year>>, by the following vote:

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

Attest: _____
Lesley Milton, City Clerk

Ian N. Oglesby, Mayor



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Judy Veloz, Deputy Chief

DATE: July 16, 2020

**SUBJECT: RECEIVE REPORT ON ENFORCEMENT ACTIVITIES AT 595
BROADWAY AVENUE**

PURPOSE & RECOMMENDATION

Receive report.

BACKGROUND

Since January 1, 2020, the Seaside Police Department has responded to fifteen calls for service in close proximity to 594 Broadway Avenue. The following is a list of the available details for the calls:

One Welfare check on a subject in the area
Two Medical related calls
Two Firework related calls without specific identifiable suspect information
Three Lost property/theft incidents
Seven calls related to possible Shelter Order violations - no violations identified - warnings given.

Seaside officers frequent the alley to the rear of 594 Broadway, especially during nighttime hours, checking for subjects loitering, or committing alcohol or drug related law violations. It should be noted there are often transients loitering in the alley to the south of the 500 Block of Broadway Avenue, not just to the rear of this address. Patrons of 594 Broadway Avenue often gather in the alley behind the business. There have been no arrests made, or no citations issued at 594 Broadway Avenue in the last

six months.

Based on recent complaints Seaside police officers have been tasked with enhancing patrols in the area. It is important that members of the public call police when they see possible suspicious activity to include drinking or drug use in public. As of yesterday, July 8, 2020, the business located at 594 Broadway has been ordered to close based on the most recent Monterey County Shelter Order requiring bars to close for a minimum of three weeks and until the Order is revised.

FISCAL IMPACT

None.

ATTACHMENTS

None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



CITY OF SEASIDE STAFF REPORT

Item No.: 10.E.

TO: City Council

BY: Craig Malin, City Manager

DATE: July 16, 2020

**SUBJECT: APPROVE RECOMMENDATIONS FOR COMMUNITY INPUT ON
ALLOCATION OF \$500K FOR COMMUNITY/SOCIAL SERVICES
INCLUDING WITHIN FISCAL YEAR 2020-2021 BUDGET**

PURPOSE & RECOMMENDATION

Approve recommendation as presented.

BACKGROUND

Following discussion of the capabilities and limitations of meeting critical community needs through traditional public safety service delivery, the City Council approved a \$500,000 line item for enhanced community / social services in the FY 2020 – 2021 budget, and asked for a plan to allocate the funds.

The origin of the \$500,000 line item was a \$180,000 line item in the City Manager's proposed budget to fund social work and / or mental health services to assist Seaside residents. Whether by employment or contract, the idea within the proposed budget was to have a social worker available eight to sixteen hours a day. To that budgetary capability, the City Council added another \$320,000. To maximize community involvement in the creation and submission of a recommendation on how best to allocate the budgeted funds, staff recommends a 5 step process, outlined as follows:

1. Conduct Listening Sessions - Advertise and conduct two listening sessions, one in English and one in Spanish, the week of July 27th. The listening sessions will be held via Zoom and will be facilitated as brain-storming sessions, seeking to include the broadest array of ideas on community needs which may be addressed through enhanced City efforts.
2. Create an Ad-Hoc Committee – Staffed by the Recreation Department, solicit interest from local professionals to serve on a not to exceed 90 day Ad-Hoc Committee to review community needs, issue a request for proposals, and make recommendations to the City Council on final allocations from the budgeted

funds. Eleven to fifteen local professionals in the fields of education, recreation, social work, faith-based services, public health, mental health services and homeless and housing advocacy will be asked to serve on the panel.

The Ad-Hoc Committee will; 1) review the input from the listening sessions, 2) issue a Request For Proposals for enhanced Community / Social Services, 3) interview all proposal applicants and 4) make recommendations to the City Council. Ad-Hoc Committee members will be appointed by the City Manager and may not be paid by any organization that ultimately receives funds as approved by the City Council. All Committee meetings shall be public. The Committee will disband after the City Council takes action on their recommendations.

3. Issue A Request For Proposals – The City will issue a request for proposals, as drafted and approved by the Ad-Hoc Committee, not later than August 17. The due date for proposals will be not later than September 7.
4. Interviews and Recommendations – The Committee will conduct interviews of all proposal submitters, and will make recommendations to the City Council not later than October 19.
5. City Council Review – The City Council will review the Ad-Hoc Committee's recommendations at a City Council meeting in November.

ATTACHMENTS

None



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.F.

TO: City Council

BY: Craig Malin, City Manager

DATE: July 16, 2020

**SUBJECT: ADOPT RESOLUTION RATIFYING FIFTH SUPPLEMENT TO
PROCLAMATION OF LOCAL EMERGENCY**

PURPOSE & RECOMMENDATION

Adopt the draft resolution ratifying the fifth supplement to the proclamation of local emergency.

BACKGROUND

This is the fifth supplement to the emergency proclamation ratified on March 19, 2020 that is intended to alleviate challenges identified as a result of COVID-19.

Three orders are included in this regulation, including the licensing of restaurants and beverage shops to establish temporary curbside pickup in specific areas, the allowance of public spaces and or parking spaces for outdoor dining and a termination of temporary parking enforcement for sleeping in vehicles at Robert's Lake.

It is recommended that the City Council adopt the fifth supplement as attached to this report.

ATTACHMENTS

1. Resolution 2020-Fifth Proclamation
 2. 5th Supplement -FINAL
 3. NACTO Streets 6.20
-

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**RATIFYING THE FOURTH SUPPLEMENT TO PROCLAMATION OF LOCAL
EMERGENCY AND PROVIDING ADDITIONAL DIRECTION**

WHEREAS, Government Code §8630 and Seaside Municipal Code Chapter 2.40 authorize the City Manager, acting as the Director of Emergency Services, to proclaim a local emergency as defined by Government Code §8558, subdivision (c) when the City of Seaside City Council is not in session; and

WHEREAS, on March 19, 2020, the City of Seaside ratified the Director of Emergency Services Proclamation of Local Emergency by adopting Resolution 20-13; and

WHEREAS, on the City Council ratified the Director of Emergency Services First and Revised Second Supplement, Third Supplement and Fourth Supplement to the Proclamation of Local Emergency by adopting Resolutions 20-16, 20-21, and 20-26, respectively; and

WHEREAS, on July 16, 2020, the City Council adopted Resolution 20-xx establishing its overnight parking regulations for overnight parking at the Laguna Grande Lakeside parking lot; and

WHEREAS, the City Council does hereby find that the circumstances of the pandemic spread of COVID-19 do constitute a risk of extreme peril and support and justify the additional regulations promulgated by the Fourth Supplement of the Proclamation of Local Emergency; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby adopts the declarations to the Director's Fifth Supplement and ratifies the Director's Fifth Supplement to his Declaration of Local Emergency, attached hereto and incorporated herein as Exhibit A, effective immediately upon the adoption of this resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 16th day of July, 2020 by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton, City Clerk

APPROVED AS TO FORM:

CITY ATTORNEY



FIFTH SUPPLEMENT TO THE PROCLAMATION OF LOCAL
EMERGENCY THE CITY OF SEASIDE (GOV. CODE §8630)

WHEREAS, Government Code §8630 and Seaside Municipal Code Chapter 2.40 authorize the City Manager, acting as the Director of Emergency Services, to proclaim a local emergency as defined by Government Code §8558, subdivision (c) when the City of Seaside City Council is not in session; and

WHEREAS, the City Manager has issued prior Supplements to the Proclamation of Local Emergency; the factual recitals contained in the original Proclamation of Local Emergency and each subsequent to that proclamation are incorporated into this Supplement by reference; and

WHEREAS, on May 30, 2020, the State of California approved a Stage 2 variance application which outlined monitoring metrics the County of Monterey would follow in order to allow Monterey County to begin a staged re-opening process; and

WHEREAS, on June 11 and 12, 2020, the County of Monterey began the process of opening business sectors, which allowed restaurants, bars and breweries among other businesses to reopen pursuant to new reopening guidelines which provided for modified operations; and

WHEREAS, the State of California has established monitoring metrics for sustaining the re-opening process; and

WHEREAS, in the last week of June 2020, COVID 19 cases have surged in Monterey County and on July 2, 2020 Monterey County was placed upon the State of California "watch list" because it no longer met the metrics required to meet the Stage 2 variance process for re-opening; and

WHEREAS, on July 7, 2020, the number of confirmed cases in Monterey County 2,270 confirmed cases, 155 hospitalizations, and 17 deaths; and

WHEREAS, in the 93955 zipcode, the number of cases of COVID-19 has increased to over 103 cases on July 7, 2020; and

WHEREAS, on July 7, 2020, the County of Monterey was forced to prohibit indoor dining and operation at restaurants, bars and breweries and other businesses; and

WHEREAS, pursuant to SMC Section 2.40.060 A.6.a, the Director of

Emergency Services is empowered to issue rules and regulations to be confirmed by the City Council at the earliest practicable time; and

WHEREAS, in the interest of health and safety, as affected by the emergency caused by the COVID-19 pandemic, it is necessary to exercise my authority to issue these rules related to the protection of life and property.

IT IS HEREBY ORDERED THAT:

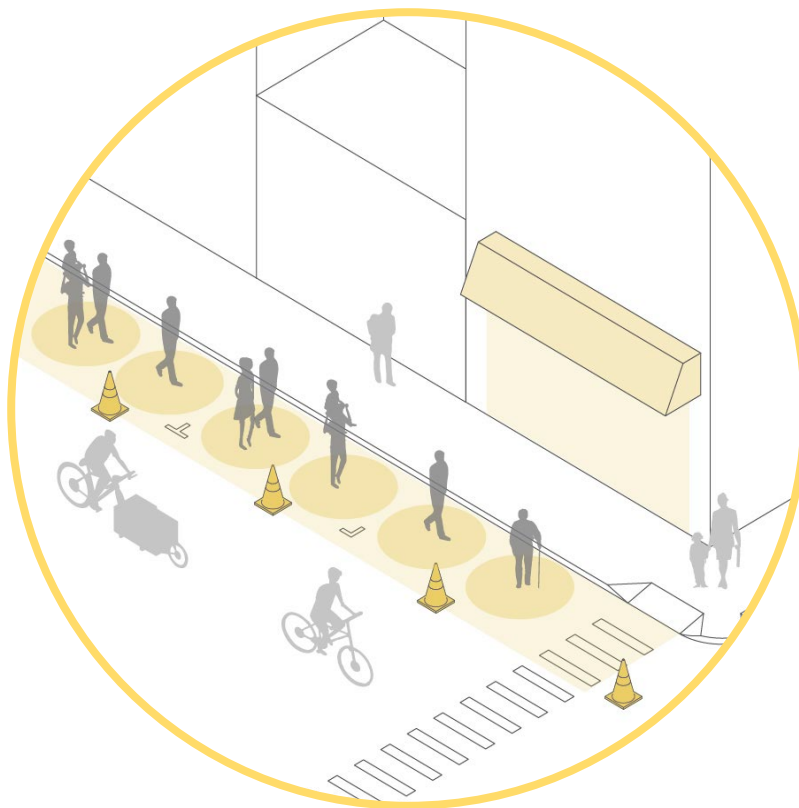
- A. Temporary Curbside Pick Up. The City Manager hereby authorizes licensed restaurants and beverage shops to convert the use of a single parking space located directly in front of their place of business as a temporary curbside pick-up zone. The area may be marked by orange cones or other temporary safety markers with the following information: No Parking, Curbside Pick Up Only for [Business Name]. Service to the vehicle must be provided on the non-traffic side of the vehicle.
- B. Temporary Use of Parking spaces/Public Space. The City Manager hereby authorizes licensed restaurants and beverage shops to apply for a no-cost permit that allows temporary use of the sidewalk and/or parking space in front of their restaurant and/or private parking lot to be converted to outdoor operations of restaurant, which may include outdoor cooking and/or outdoor dining, while following social distancing protocols and in accord with NACTO guidelines. If a sidewalk is used for dining, a 4 foot clearance must be available for pedestrians. Outdoor cooking is not allowed on sidewalks.
- C. Roberts Lake Enforcement Suspension Terminated. The City Manager hereby terminates the suspension of enforcement of Chapter 9.20, regarding sleeping in vehicles at Roberts Lake, adopted in the 3rd Supplement to the Emergency Proclamation, effective July 12, 2020.

DATED: July 9, 2020

By: 
Craig Malin, City Manager
Director of Emergency Services

APPROVED AS TO FORM:


City Attorney



Streets for Pandemic Response & Recovery



Global
Designing
Cities
Initiative

Foreword

Even 10 years ago, reclaiming streets from cars to create space for people to walk and to bike was considered a radical—almost revolutionary—act. Today, people-focused streets are a proven global best practice and the first-line response for transportation and transit agencies during the COVID-19 crisis, from Berlin to Brussels to Bogotá and from Minneapolis to Mexico City to Milan.

This is a historic moment when cities can change course. There may be limited mobility options as the crisis has slashed traffic volumes and transit service and people shelter at home. But these empty lanes provide new possibilities for people to use streets for essential trips and healthy activity right now, and they form the outline of the future cities we need to build. Creating safe, walkable streets and choices for getting around are critical during the initial crisis response, and also to achieving a long-term economic recovery that is equitable, sustainable, and enduring.

Transportation and transit agencies around the world are leading the response with bold, creative, and rapid steps to reshape their streets, and by using their existing assets differently. This resource reflects the vast output of these tireless public servants during an incredibly trying time and often at great personal risk, and provides the just-in-time direction that mayors, leaders, and planners around the world need to decide their next steps. Adaptive use of streets can lead the global response and recovery to this crisis, keeping people safe and moving while holding cities together.

Janette Sadik-Khan

Chair, National Association of City
Transportation Officials

Principal, Bloomberg Associates

Introduction

During a few short weeks, much of the world as we know it changed. The COVID-19 pandemic has radically altered how most people go about their daily lives with huge shifts to how we move in the world, how we get groceries and food, whether we go outside, where we go, who we see, and what we do. The requirement of “social or physical distancing”—maintaining at least 6’ (2 m) distance between people, with significant reductions or bans on group gatherings and crowds—combined with what we know today about the transmission of this coronavirus and its increased communicability in indoor settings, requires that we reallocate our streets and sidewalks for public use during this crisis and for the future.

The need is now. Cities across the world are working in real time to grapple with the horrific death toll of COVID-19 and its devastating economic and social impacts. To meet our immediate health needs and to chart a safe course to allow businesses, institutions, and services to re-open, cities are innovating and adapting. They are changing their streets over the course of days to help their residents stay safe in a time of crisis and to prepare people and societies for the health, social, and economic recovery ahead. These emerging street design and transportation practices are at the front lines of cities’ defense against this coronavirus, essential to preventing future outbreaks and an integral part of our total public health response.

The impacts of COVID-19 are vast and will be long-lasting. As cities around the world are noting, changing our streets now—shifting how space is allocated or shared and which uses are prioritized—is a key tool for mitigating COVID-19’s mortality, health, economic, and social impacts. As we recover, we must continue to align street design and recovery strategies to ensure that the existing inequalities and challenges that this virus is magnifying are not exacerbated in the world we build in the months and years to come.

About This Document

This resource aggregates and synthesizes emerging practices in transportation and street design in response to the COVID-19 pandemic. It highlights cities’ current efforts to re-organize streets to best manage this crisis and support economic recovery. This evolving resource is not a comprehensive list of options, nor is it calibrated for the needs of a specific community; every city should assess local context and need, as well as the trajectory of the pandemic in the community, to inform a response and implementation strategy.

These emerging practices are organized into stand-alone implementation sheets. Additional sheets will be released as they are developed in order to help cities rapidly innovate, and this resource will be continually updated and expanded over the coming weeks and months based on evolving practices.

This resource was funded by **Bloomberg Philanthropies** and developed by **NACTO + GDCI** with support from **Bloomberg Associates, Street Plans**, and **Sam Schwartz Consulting**.

Streets for **Response** Streets for **Recovery**

Rethinking Streets in a Time of Physical Distance

In a time when we're required to maintain physical distance to protect public health, streets need to do more than ever.

Streets must be configured so that people are able to **move safely** around the city. The mobility needs of essential workers are paramount; we must ensure that the people who provide medical care, food, and the services that allow most of us to stay at home can move safely and efficiently. As we transition slowly from crisis to recovery, our streets must provide better, safer options for everyone. Configuring our streets to support walking, biking, and high-frequency transit will be essential to our economic recovery. These policies are key to ensuring that our streets do not become gridlocked and that we can continue our efforts to reduce roadway fatalities and greenhouse gas emissions.

But, as COVID-19 has made clear, our streets support more than just movement. Around the world, streets are providing space so people can safely **access food and essential services**. Our streets provide places for queuing outside grocery stores, markets, and essential businesses. As restrictions are lifted, especially prior to full disease containment or the development of a vaccine, streets can provide room for restaurants,

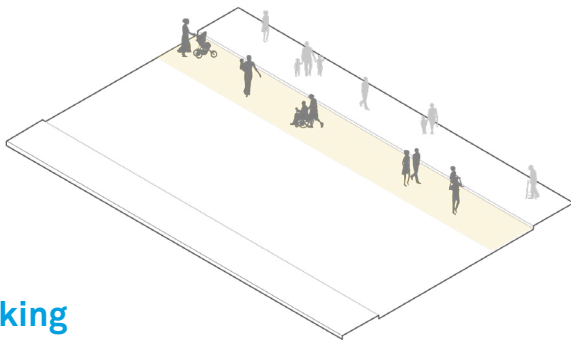
vendors, and shops to serve customers outdoors, and for schools and daycares to resume care, allowing businesses to re-open and more people to return, safely, to work.

Our streets are key to our mental, physical, and immunological **health**. In cities across the globe, streets are places for essential outdoor respite for people without yards or balconies. Streets are fundamental tools in a risk-reduction public health approach that creates space for people to exercise and play in close proximity to their homes, and provides them with the resources they need to realistically comply with physical distancing guidelines. When the first wave of this pandemic wanes, policies that re-envision streets as public spaces can help people safely gather and reduce the traffic injuries and fatalities that will come with increased vehicle use.

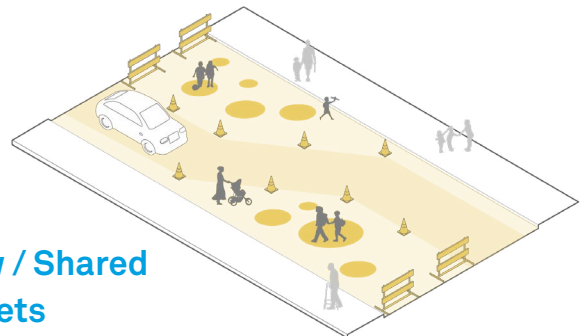
Finally, streets in the COVID-19 era provide space for the **social services** that will allow cities to safely re-open sooner. Streets provide space for pop-up medical and testing locations and distribution points for food and potable water. Streets provide space for WiFi hotspots so children can attend school remotely and people can work from home. As we plan for recovery, streets can be a place where our social supports—schools, libraries, religious and cultural institutions—can safely resume the services and programs that people need.

The streets and cities we see on the other side of the pandemic will be different from the ones we knew a few short months ago. As city and transportation leaders, our job is not to return to the inequitable, dangerous, unsustainable patterns of the past, but to help shape a better future. The streets we create today will provide the foundation for our recovery for years to come.

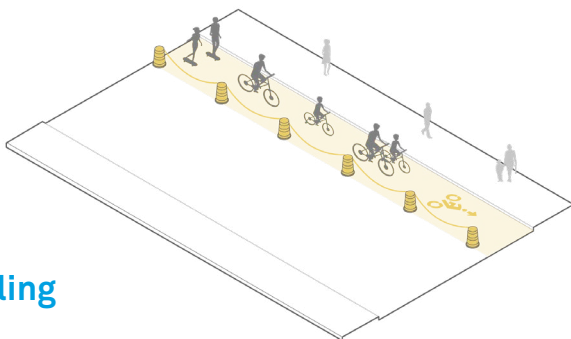
Walking



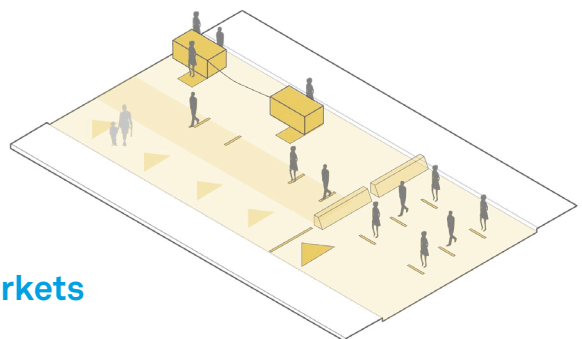
Slow / Shared Streets



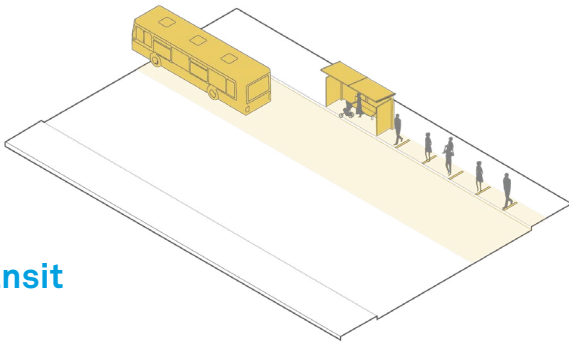
Cycling



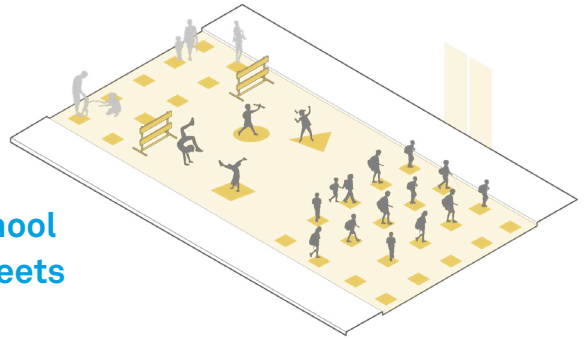
Markets



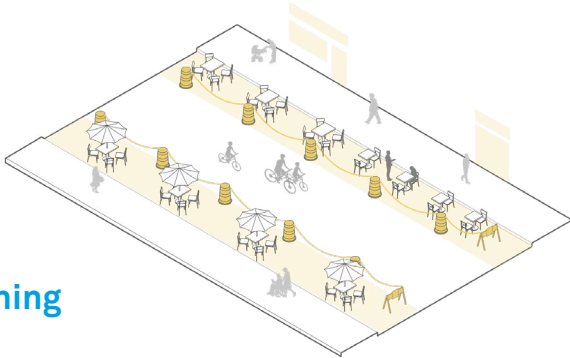
Transit



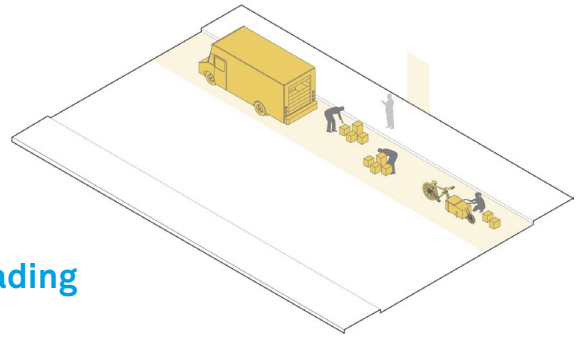
School Streets



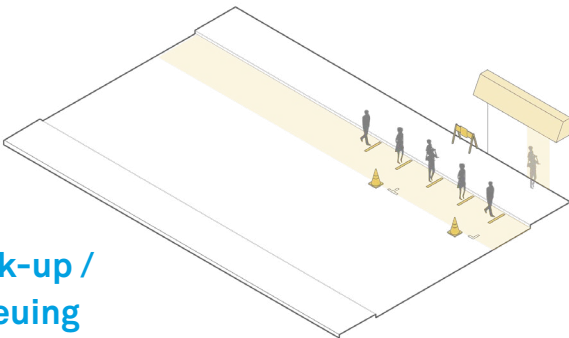
Dining



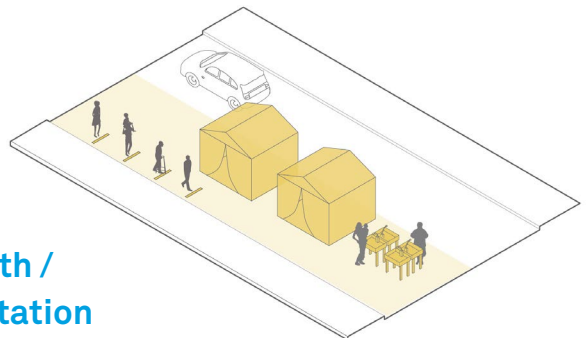
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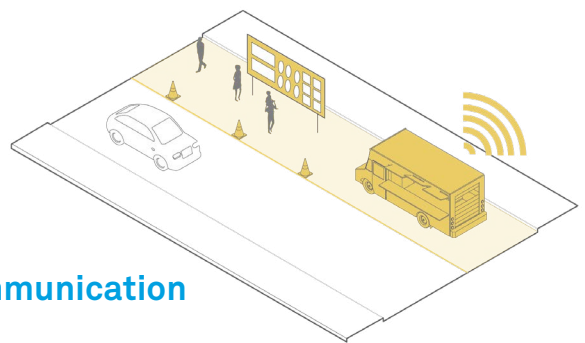
Health /
Sanitation



Open / Play
Streets



Communication



Principles to Guide COVID-19 Response & Recovery

Given the serious and acute impacts of COVID-19, cities should establish principles to guide investments and decision making. Each city's principles should be grounded in local context, history, and need, and should be shared publicly, as well as across departments and partner organizations. Below is a **sample approach** that includes six principles that could be used to inform ongoing response and recovery phases.

1 Support the most vulnerable people first.

COVID-19 is amplifying existing racial and socioeconomic inequities, and is disproportionately impacting society's most marginalized. Planners and decision-makers should consider systemic inequities, unequal levels of risk and exposure, and disparate financial and social resources available to their residents, and work to ensure that support is provided first to the people who need it most.

2 Amplify & support public health guidance.

Physical distancing is a core public health strategy to reduce the transmission and potential resurgence of COVID-19 outbreaks. In particular, increasing the amount of outdoor space available to people can make it easier for them to comply with public health guidance for longer periods of time, aiding in efforts to reduce the spread of the virus. As cities move into long-term recovery phases, streets offer unique opportunities to foster public health and improve health outcomes for everyone.

3 Safer streets for today and tomorrow

Especially during periods of COVID-19 outbreak, essential workers need to travel and must be able to do so safely. Emergency street changes must ensure that vehicles travel at safe speeds, even with fewer vehicles on the road. As stay at home restrictions ease, trips will increase. To ensure that recovery does not come with economy-choking gridlock and increased traffic fatalities and carbon emissions, cities must prioritize streets for public transportation, cycling, and walking today.

4 Support workers and local economies.

Stores, restaurants, markets, and schools and daycares are essential to our economic health. Unemployment rates have increased dramatically and local businesses have weathered devastating impacts. Ensuring that businesses can re-open safely and that people have job opportunities is key to our overall recovery. As public health restrictions ease, cities must ensure that street design supports economic policy goals by providing space for businesses, schools, and institutions to safely re-open. Without this, broad economic recovery may not be achieved.

5 Partner with community based organizations.

The rapid project implementation that is necessary during emergency, stabilization, and recovery requires open and frequent communication, transparent decision making with clear metrics and timelines, established channels for feedback, and regular coordination with communities and community groups. Ensuring the voices of a wide variety of local stakeholders is essential to project development and implementation. Local groups can provide key information to ensure projects meet community needs and help disseminate information wider and deeper than government channels typically can.

6 Act now and adapt over time.

Action is needed now. Adopting an open and iterative approach to transportation planning will allow for rapid implementation, phased roll-out, continuous feedback, and course correction that will enable cities to respond better and faster to future COVID-19 outbreaks. Quick-build strategies today can inform lasting improvements over the course of recovery and beyond. Regular dialogue with local groups can provide essential on-the-ground information about how efforts are working and what should be modified over time.

A Public Health Perspective

People of all ages, races, and ethnicities deserve access to safe outdoor spaces. Especially now, when data suggests that COVID-19 transmission rates may be significantly lower outdoors than indoors, and when safe, distanced exercise is encouraged by public health officials as a part of COVID-19 response efforts, we must strive to support our communities with public policy and urban design that create opportunities for healthy outcomes.

To reduce the further spread and resurgence of COVID-19 and to help individuals better manage their personal risk as societies and commerce re-open, city governments can provide infrastructure that supports safety and the ability for individuals to comply more easily with public health guidelines around physical distancing. These efforts are critical during the pandemic and into the future because of the tremendous benefits of physical activity for reducing the risk of heart disease, improving mood, mental health, and weight control, along with significant benefits for one's immune system.

Healthy, safe, and equitable communities are possible—communities where everyone who wants to walk has access to well-maintained sidewalks, where bicyclists have access to dedicated bicycle lanes that are part of city-wide networks, where kids can play in the road, and where transit users can travel safely and reliably. These strategies can be adopted and implemented by city leaders who embrace the urgent need for lasting change during this unprecedented time.

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Street Policies for an Evolving Crisis

What we need from our streets will change at different moments throughout the COVID-19 crisis.

We will use our streets differently during moments of emergency response than we may as restrictions are changed. Underlying structural vulnerabilities in different neighborhoods may require governments to provide more or more-specialized services in some areas than in others. Needs will differ on neighborhood streets with primarily houses or apartments and schools compared with needs on major thoroughfares where office, retail, or institutional uses may predominate. The phases of this pandemic may not follow a predictable sequence and cities should be prepared to employ different strategies in non-linear fashions as necessary. Considering all these factors will be key to nimble, strategic policy response today, tomorrow, and throughout our recovery.

For example, **strategies that allow people to safely access essential services without traveling long distances are paramount**. During emergency response phases and in the long-term recovery phases to come, cities can support their residents by rapidly reconfiguring streets to slow motor vehicle speeds in residential areas and along neighborhood commercial corridors. These changes ensure that people can safely get the goods and services they need while staying in close proximity to their homes. Streets can transform into new spaces, helping people to access food, information, local options for play and exercise, and medical and testing services, without requiring them to get on transit or drive. Quick-build materials—for example, signs, cones, and saw-horse barricades—will be essential tools to roll out these types of projects as

quickly as needed.

During periods of stabilization and long-term recovery, when restrictions are relaxed and businesses are starting to re-open but a vaccine is not yet developed or widespread, cities will need to focus on how to **help people maintain physical distance while moving around the city**. Transit-only lanes will be essential to ensure that buses can move freely and frequently, allowing people to use transit without fear of overcrowding. Expanded sidewalks, speed management strategies, and protected bike lane networks will be necessary to keep people safe as vehicular traffic returns. Stores, markets, and restaurants will need outdoor space for seating and queuing in order to stay financially solvent. Schools, libraries, venues, and religious and cultural institutions may need outdoor space to safely conduct classes and programming or provide essential social services. Interim and permanent materials—for example, rubber and precast concrete curbs, paint, delineators, planters,

Types of Policies to Consider

Public Health Response	Neighborhood Streets (local/residential)	Neighborhood Main/High Streets (small retail/office, residential, schools, institutions)	Major Urban Streets (transit, retail/ offices, institutions, schools)	Edge Streets & Boulevards (in/alongside parks, waterfronts, etc.)
Stay-at-home orders in place	• “open streets” (pop-up parks) • slow streets or local access only • speed management (movable barriers, gateway treatments, signs) • WiFi hotspots • open-air cooling zones/sanitation	• sidewalk expansions for queuing, outdoor markets, & access • pop-up bike and roll lanes • temporary pick-up/ drop-off delivery zones	• sidewalk expansions for access & queuing • temporary pick-up/ drop-off zones • shorten signal cycles • put pedestrian signals on recall	• street closures to vehicular traffic, for medical services, recreation, markets, etc.
Pre-vaccine re-opening	• local-access only treatments • lane removal/street closures for schools & religious/cultural service providers	• tactical lane/parking space removal, street closures for outdoor restaurant seating, outdoor markets, etc. • sidewalk expansions for queuing & access • tactical bike lanes • designated pick-up/ drop-off delivery zones • bike & shared micromobility parking corrals • lane removal/street closures for schools & religious/cultural service providers	• bus-only lane, tactical islands/in-lane stops, bus priority signals, expanded bus stops • lane removal/parking space removal for outdoor restaurant seating, outdoor markets • sidewalk expansions for queuing & access • protected bike lanes • speed management	• street closures to vehicular traffic, e.g. for recreation, markets, schools, etc. • expanded bike lanes & bike/shared micromobility parking zones • speed management
Vaccine/post-COVID-19	• speed management (e.g. speed limit changes & geometry) • play streets, slow streets, and local-access-only policies & design	• sidewalk widenings • speed management (e.g. speed limit changes & geometry) • expanded bike lanes & bike/shared micromobility parking zones	• bus-only lanes with offboard fare collection, bus islands, and amenities • high frequency bus service • expanded bike lanes & bike/shared micromobility parking zones • sidewalk widenings • speed management	• open space expansions • expanded bike lanes & bike/shared micromobility parking zones • speed management

Emerging Practices for Implementation

Emerging Practices, Planning and Engagement

Rapid-response infrastructure can be implemented as temporary traffic control under the authority of most roadway-owning agencies. Cities can use those powers now to support public health guidance on physical distancing; to help essential workers move safely and efficiently; to protect the needs of more vulnerable users, including children; and to access goods and essential services during the COVID-19 pandemic and recovery. The following sections document ongoing and emerging practices for rapid response mobility improvements, whether temporary or permanent, while maintaining accessibility for all in cities around the world.

Finding Space

There is often enough room for physical distancing on streets, but much of this space is currently assigned to motor vehicles by default. Most cities can find space for safe mobility and physical distancing through one or more of the following space reassignments:

- **Remove individual parking space(s)** or a curbside parking lane.
- **Narrow** motor vehicle lanes.
- **Shift parking or loading** away from the curb, even where it requires closing a vehicle lane.
- **Designate a street as local access only** to reduce vehicle volumes and speed to levels where street space can be shared.
- **Close motor vehicle lane(s)**, or the entire street, to enable adequate physical distancing or improve accessibility and safety for other road users.

Planning & Evaluation

- **Use an on-call or general contractor**, in-house staff, and supplies on hand. City leaders can support this work by approving the use of operational funds or staff in other divisions.
- **Establish clear project goals and metrics**, and ensure that agency partners understand project, evaluation, and enforcement objectives.
- **Monitor projects** every day or twice daily at first, then weekly, to ensure that barriers remain in place and signs are understood.
- **Align projects with ongoing plans** for sustainability, accessibility, or public health to facilitate next steps or scaling up projects and programs.

Engagement

- **Engage with stakeholders** through community groups, social service providers, business associations, local shops; reach workers through employers and advocates.
- **Ask stakeholders and advocates** to place flyers, circulate notices to local/hyper-local online networks, or safely contact local residents.
- **Work with community groups** to identify key obstacles or issues affecting design.
- **Encourage feedback** from neighbors and stakeholders to inform adjustments, modifications, and future phases.
- **Convey clear goals**; periodically solicit feedback via brief survey(s) to users, businesses and residents, to ensure input in refinements or any future phases of work.
- **Use the street** at the location of the project to support communication of project goals or public health updates, with posters, banners, and boards. Consider offering wifi access for communities without access.

Emerging Practices, Materials and Design

Materials & Design

The initial wave of the COVID-19 pandemic significantly reduced traffic volumes, which allows traffic engineers to use a wider palette of materials in reconfiguring streets. In addition, narrowing or re-assigning motor vehicle lanes typically results in slower speeds, enabling engineers to use lighter separation materials. Cities should align materials to project duration, maintenance and stewardship capacity, and key conditions, such as observed speeds. Lighter materials can be used for temporary implementation. More durable materials should be examined for lengthier deployment.

In the months or years prior to development and widespread distribution of a reliable treatment or vaccine, it may be in the public interest to transition some projects from short-term or pop-up into interim or permanent by using more durable materials as needed and adjusting designs to reflect evaluation results, evolving virus mitigation strategies, and more robust community dialogue. Cities should consult existing design guidance including NACTO's *Transit Street Design Guide*, *Urban Street Design Guide*, *Urban Bikeway Design Guide*, and *Global Street Design Guide*.

Placement & Visibility

- Place barriers and signs **at the points along the street where drivers and riders need to do something new.**
- **All-conditions visibility and reflective surfaces** can be provided by conventional construction zone material or temporary traffic control devices.

Signs & Markings

- **Signs** can be made of paper, coroplast, or other temporary material and can be combined with plywood or metal regulatory signs (such as “Local Traffic Only”) if available.

- **Spray paint, acrylic latex, spray chalk, or traffic tape** can be used create a temporary lane line if needed or otherwise outline expanded/alterd space for walking, cycling and merchant or public transport.
- **Consult local guidance** and state/provincial/national standards for official colors, signs, and symbols. Standards documents may be insufficient for pedestrian and bicycle needs but can be helpful for familiar motor vehicle traffic control.

Separation

- **Light separation:** for visibility and to emphasize the new edge of the motor vehicle roadway. Light separation can also be used for projects that are limited to specific times of day or days of the week. Light separation includes: [traffic cones](#), [free-standing delineator posts](#), traffic barrels, sawhorses, movable parade barricades (“French barricades”), small planters, and [traffic control barricades](#) such as A-frames.
- **Heavy separation:** for the most sensitive locations such as the beginning of lane closure on high-volume streets. Heavy separation includes: water-filled barriers, concrete barriers, filled barrels, large planters, flexible posts and delineators, and armadillos.
- Spray-chalk or spray-paint the preferred locations of barriers to ease implementation.

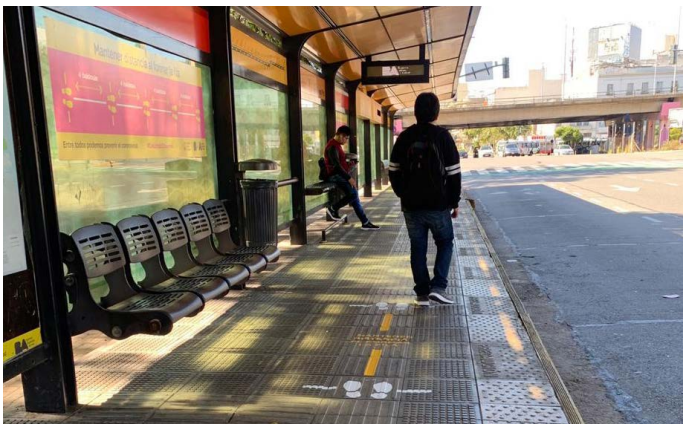


Berlin, Germany

Credit: Joerg Carstensen/dpa via AP

Emerging Practices, Network Strategies

Coordinated planning is necessary for successful transit/bus, biking, walking, and public space networks. In some places modal plans and priorities will overlap. To ensure the appropriate space allocation, cities should first prioritize the needs of the most vulnerable segments of their population and consider the new spatial requirements caused by this coronavirus in addition to consulting pre-existing modal plans. Cities may need to reevaluate their current transit, biking, and walking networks to reflect and support new work patterns and to ensure that vulnerable and transit-dependent communities do not get stranded. In commercial districts, where demands are high across multiple modes, cities should identify opportunities to combine multiple facilities - e.g. include parklets or streateries into expanded bus boarding areas - to maximize options in the street.



Buenos Aires, Argentina

Credit: Secretary of Transportation and
Public Works of Buenos Aires

Transit Priority Networks

On most major streets, transit networks should take priority. Many essential service workers are reliant on transit. They must be able to get to work reliably, safely, and efficiently. As cities begin to reopen and people return to offices and stores, prioritizing street space for buses will be essential to avoid economy-crushing gridlock that will stymie our recovery and exacerbate health externalities. Congestion will overwhelm us if cities do not take action.

The initial response to COVID-19 in many cities included reduction in transit use and service. However, our current understanding of the virus transmission and its economic impacts suggest that in order for our COVID-19 response strategies to be effective and sustainable, cities and transit agencies should expand and prioritize transit networks. To date, preliminary studies and data from Paris, Austria, Seoul, Hong Kong, and Tokyo have not shown transit to be hotspots of contagion.

In developing transit networks, cities should consult [existing transit network design guidance](#) and focus on providing service to transit-dependent neighborhoods, high volume corridors, and essential institutions, in addition to current transit plans. In many places, current transit networks focus on bringing workers to downtown cores. Revised plans should take into account the fact that many office buildings are now largely empty and may remain at reduced capacity until reliable COVID-19 treatment or a vaccine is available. Grid-based transit networks that offer reliable service between neighborhoods may be particularly valuable at this time.

Bike/Walk Networks

Many cities have noted significant increases in biking and walking in response to COVID-19. These ridership increases should be supported with the expansion of bike lane and sidewalk networks, especially in areas that serve populations with limited access to mobility options. Cities should consult existing [guidance on all-ages-and-abilities bike networks](#), pre-COVID traffic crash data, and pre-and-current speed data in planning bike and walk networks.

Slow/Play/Open Streets

The physical distancing requirements, bans on large gatherings, and growing scientific understanding that outdoor spaces typically pose fewer transmission risks than indoor ones, necessitates a significant expansion of outdoor public spaces. Public spaces should be equitably distributed in residential and mixed-use neighborhoods throughout the city. In determining where slow, play, or open streets should go, cities should prioritize communities that lack official park or recreation areas, neighborhoods with high concentrations of children or multi-family housing, and neighborhoods where residents typically lack yards or other personal outdoor space. Cities should avoid compromising transit service. In developing these spaces, cities should consult [existing tactical street design guidance](#). In some places, slow and open streets can serve as portions of bike/walk networks.



Paris, France

Credit: @C_Najdovski



Denver, CO, USA

Credit: City and County of Denver