



AGENDA

CITY OF SEASIDE
CITY COUNCIL/SUCCESSOR
AGENCY OF THE
REDEVELOPMENT AGENCY

CONCURRENT MEETING
HYBRID (IN PERSON & VIRTUAL)
Thursday, October 21, 2021
5:00 PM

MASKS ARE REQUIRED FOR IN PERSON PARTICIPATION.

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. This meeting will be held in a hybrid format providing a physical location at 440 Harcourt Avenue, Council Chamber, Seaside, CA 93955.

DETAILS FOR PUBLIC PARTICIPATION IN THIS COUNCIL MEETING:

IN PERSON PARTICIPATION: Protective face coverings required at all times, including when speaking.

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 4:00 p.m. on the day of the meeting. All submitted comments will be provided to the City Council or the Board for consideration and compiled as part of the record.
- During the Meeting via Oral Comments: When the Mayor 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 Clerk will call speaker names and unmute speaker microphones (on the phone, press *6). You will have up to 3 minutes to provide your comments, with time set by the discretion of the Mayor. ***Please note, written comments will not be read but will be included in the final record.***

VIRTUAL MEETING ACCESS

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>

Or call in phone number: 669-900-9128

Webinar ID: 819 3683 2059

1. CALL TO ORDER

2. ROLL CALL – ESTABLISHMENT OF QUORUM

Ian N. Oglesby	Mayor/Chair
David R. Pacheco	Mayor Pro Tem/Vice Chair
Jason Campbell	Council/Agency Member
Jon Wizard	Council/Agency Member
Alexis Garcia-Arrazola	Council/Agency Member

3. INVOCATION AND PLEDGE OF ALLEGIANCE

4. REVIEW OF AGENDA

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

5. PUBLIC COMMENT

Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three (3) minutes. Public Comments for "Presentations" on this agenda are also taken at this time; 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.

A. REVIEW OF UPCOMING CITYWIDE EVENTS (ERNESTO ALTAMIRANO, COMMUNICATIONS AND COMMUNITY ENGAGEMENT SPECIALIST)

7. PRESENTATIONS

A. VACCINATION UPDATE (FIRE CHIEF MARY GUTIERREZ)

B. FIRST QUARTER FINANCIAL REPORT (VICTOR DAIMIANI, FINANCE DIRECTOR)

C. ENVIRONMENTAL COMMISSION AND FRIENDS OF SEASIDE PARKS ASSOCIATION JOINT PROJECTS UPDATE (LAURA MURPHY, ENVIRONMENTAL COMMISSIONER)

8. CONSENT AGENDA

A. APPROVE MINUTES FROM SEPTEMBER 29 & OCTOBER 7, 2021

RECOMMENDATION: Approve minutes as presented in agenda packet.

B. APPROVE AND FILE CITY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of September 11, 2021, through September 24, 2021, including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending September 23, 2021. Total Accounts Payable and Payroll for the above referenced period is \$1,784,826.03 (One Million Seven Hundred Eighty Four Thousand Eight Hundred and Twenty Six Dollars and Three Cents).

C. APPROVE AND FILE SUCCESSOR AGENCY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of September 11, 2021, through September 24, 2021, including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending September 23, 2021. Total Accounts Payable and Payroll for the above referenced period is \$29.57 (Twenty-Nine Dollars and Fifty-Seven Cents).

D. ACCEPT APPOINTMENTS TO COMMISSIONS

RECOMMENDATION: Accept an appointment to a Commission as recommended by the Mayor.

E. ADOPT A RESOLUTION GRANTING AN EASEMENT TO PACIFIC GAS & ELECTRIC COMPANY AT 630 MONTEREY ROAD (PARCELS WITH APNS 031-051-023 AND 031-051-020)

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute an easement deed to Pacific Gas & Electric Company to construct and operate electric, gas and communication facilities in support of the sanitary sewer facilities adjacent to Monterey Road at 630 Monterey Road (parcels with APNs 031-051-023 and 031-051-020).

F. ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF HARCOURT AVENUE TO THROUGH TRAFFIC AT CANYON DEL REY, ALLSTON, AND HILLSDALE FOR THE CITY OF SEASIDE'S TREE LIGHTING CEREMONY ON DECEMBER 10, 2021

RECOMMENDATION: Adopt a resolution permitting the closure of Harcourt Avenue to through traffic at Canyon Del Rey, Allston, and Hillsdale to ensure public safety during the City's Annual Tree Lighting Ceremony on Friday, December 10, 2021, between the hours of 2:00 p.m. to 10:00 p.m.

G. ADOPT A RESOLUTION TO AUTHORIZE A CONTRACT WITH ENVIRONMENTAL INNOVATIONS FOR THE COORDINATED IMPLEMENTATION OF THE PRIORITY IMPACT PLASTIC POLLUTION PREVENTION POLICY OF THE SEASIDE MUNICIPAL CODE FOR AN AMOUNT NOT TO EXCEED \$30,000.00

RECOMMENDATION: Authorize the Acting City Manager to enter into an agreement with Environmental Innovations for the coordinated implementation of the Priority Impact Plastic Pollution Prevention Policy of the Seaside Municipal Code (Chapter 8.60) for an amount not to exceed \$30,000.00 (Thirty Thousand Dollars).

H. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL CHEERLEADING TEAM

RECOMMENDATION: Approve a request from Seaside High School Cheerleading Team for a donation of \$3,000.00 (Three Thousand Dollars) from the Mayor's Youth Fund to help cover the costs for team uniforms and transportation to and from games and events.

I. APPROVE ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT (ESCA) QUARTERLY REPORT

RECOMMENDATION: Approve report as presented.

J. APPROVE PROCLAMATION DECLARING FREEDOM FROM WORKPLACE BULLIES WEEK FROM OCTOBER 17 - 23, 2021

RECOMMENDATION: Approve a proclamation declaring "Freedom from Workplace Bullies Week" from October 17-23, 2021, to encourage Seaside residents to break through the shame and silence enshrouding adult bullying at work.

K. APPROVE PROCLAMATION RECOGNIZING AMERICAN INDIAN HERITAGE MONTH FOR NOVEMBER 2021.

RECOMMENDATION: Approve a proclamation declaring November 2021, as American Indian Heritage Month to recognize that Native Americans have enriched our heritage and continue to add to all aspects of our society through their generosity of culture and the continued practice of teaching economic, environmental, and cultural sustainability.

L. APPROVE A FEE WAIVER REQUEST FROM PALENKE ARTS ORGANIZATION TO USE LAGUNA GRANDE HALL AND KITCHEN TO HOLD THEIR EVENT ON NOVEMBER 1, 2021

RECOMMENDATION: Approve the fee waiver request from Palenke Arts for the

use of Laguna Grande Hall and kitchen to hold their event "Dia de los Muertos Celebration (Day of the Dead)," in the amount of \$345.38 (Three Hundred, Forty-Five Dollars and Thirty-Eight Cents), the Organization to provide the City with the non-refundable portion of the deposit of \$92.25, (Ninety Two Dollars and Twenty-Five Cents) and provide the City with their insurance.

9. PUBLIC HEARING

A. PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE SEASIDE CITIZEN PARTICIPATION PLAN (CPP) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

RECOMMENDATION: 1) Consider amendments to the Citizen Participation Plan (CPP) for the Community Development Block Grant (CDBG) Program; and
2) Direct staff to make the draft amended CPP available for public comment for a period of 30 days and to return the draft CPP for Council consideration and adoption at the first City Council meeting in December.

10. COUNCIL MEMBER REQUESTS

A. REPORTS ON REQUESTS FROM PRIOR MEETING

1. Status report on General Plan Update (Wizard)
2. Presentation on form-based codes (Wizard)
3. Report on Statewide Integrated Traffic Records System (SWITRS) data (Wizard)
4. Discussion regarding budget appropriation for the Climate Action Plan (Wizard)
5. Follow up on requests for electrification, commercial linkage fees and nexus study (Wizard)

B. NEW COUNCIL MEMBER REQUESTS

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

This is a time specifically set aside for the City Manager, City Attorney and members of the City Council to make brief comments of general interest to the community and report on committee assignments.

12. CLOSED SESSION

Pursuant to Government Code Section 54956 et seq., the City Council and Successor Agency to Redevelopment Agency may adjourn to a Closed Session to consider specific matters dealing with litigation, certain personnel matters, property negotiations or to confer with the City Attorney. Public comments on these items are taken after being read by the City Attorney. For the public record, please state your name.

A. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE:

City Manager Recruitment

B. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9:

Potential Litigation (Two Matters)

C. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9:

Committee for Sound Water and Land Development of Fort Ord v. City of Seaside, et al, real parties in interest
Monterey County Superior Court Case No. 20 CV 001203

13. ADJOURNMENT

Next Regularly Scheduled Meeting:
November 4, 2021
5:00 PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, 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.



DRAFT MINUTES
CITY OF SEASIDE
CITY COUNCIL/SUCCESSOR
AGENCY TO THE
REDEVELOPMENT AGENCY

JOINT SPECIAL MEETING
VIRTUAL ONLY
Wednesday, September 29, 2021
5:00 PM

1. CALL TO ORDER

Mayor/Chair Oglesby called the meeting to order at 5:00 p.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: Campbell, Garcia-Arrozola, Oglesby, Pacheco, Wizard
ABSENT: None

3. PLEDGE OF ALLEGIANCE

Led by Council/Agency Member Garcia-Arrozola

4. PUBLIC COMMENT

None

5. CLOSED SESSION

Mayor Pro Tem/Vice Chair Pacheco arrived at 5:37 p.m.

City Attorney Sheri Damon read the closed session items and expected an announcement on at the end of the session.

**A. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 -
PUBLIC EMPLOYEE:**

Title: City Manager

Ms. Damon reported that a contract would be considered at the October 7 City Council/Successor Agency meeting.

**B. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT
CODE SECTION 54956.9:**

Regarding potential litigation (one case)

Ms. Damon indicated there was nothing to report.

6. ADJOURNMENT

With no further business, the meeting adjourned at 7:20 p.m.

Respectfully submitted,

Dominique L. Davis, City/Agency Clerk

Ian N. Oglesby, Mayor/Chair



DRAFT MINUTES
CITY OF SEASIDE
CITY COUNCIL

CONCURRENT MEETING
VIRTUAL ONLY
Thursday, October 7, 2021
5:00 PM

1. CALL TO ORDER

Chair/Mayor Oglesby called the meeting to order at 5:00 p.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard
ABSENT: None

3. INVOCATION AND PLEDGE OF ALLEGIANCE

A moment of silence was held for invocation and the Pledge was led by Council/Agency Member Campbell.

4. REVIEW OF AGENDA

No changes.

5. PUBLIC COMMENT

Peter Kaiser, Eloise Shim, Sarah Haller, Shelley Brown, Pastor Harold Lusk, Annalisa Mitchell.

6. PUBLIC AGENCY COMMUNICATIONS

A. REVIEW OF UPCOMING CITYWIDE EVENTS (ERNESTO ALTAMIRANO, COMMUNICATIONS AND COMMUNITY ENGAGEMENT SPECIALIST)

Mr. Altamirano provided a review of upcoming Citywide events.

7. PRESENTATIONS

A. CENTRAL COAST COMMUNITY ENERGY MEMBER AGENCY PRESENTATION (LINA WILLIAMS, ACCOUNT SERVICES MANAGER)

Ms. Williams provided a presentation and responded to questions from the Council.

B. VACCINATION UPDATE (FIRE CHIEF MARY GUTIERREZ)

Chief Gutierrez provided a presentation and responded to questions from the Council.

C. CAPITAL IMPROVEMENT PROGRAM UPDATE (NISHA PATEL, PUBLIC WORKS DIRECTOR/CITY ENGINEER)

Ms. Patel provided a presentation and responded to questions from the Council.

8. CONSENT AGENDA

Mayor/Chair Oglesby read the items on the Consent Agenda. The following were pulled for further discussion: 8B, 8F, 8H, 8K, 8M, 8N.

On motion by Council/Agency Member Campbell and second by Mayor Pro Tem/Vice Chair Pacheco and carried by the following roll call vote, the City Council/Successor Agency moved to approve the Consent Agenda except for the items pulled.

RESULT: 5-0-0-0

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard

NOES: None

ABSTAIN: None

ABSENT: None

A. APPROVE MINUTES FROM SEPTEMBER 16, 2021

ACTION: APPROVED

B. APPROVE AND FILE CITY CHECKS

ACTION: APPROVED & FILED

C. APPROVE AND FILE SUCCESSOR AGENCY CHECKS

Sarah Haller pulled the item and inquired about charges within the report concerning a payment made to Disaster Klean-up.

PUBLIC COMMENT: Sarah Haller

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency Member Garcia-Arrazola and carried by the following roll call vote, the City Council/Successor Agency moved to approve and file the accounts payable and wired payment made during the period of August 28, 2021 – September 10, 2021.

RESULT: 5-0-0-0

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard

NOES: None

ABSTAIN: None

ABSENT: None

ACTION: APPROVED & FILED

D. APPROVE PROCLAMATION RECOGNIZING OCTOBER 2021 AS NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

ACTION: APPROVED

E. ADOPT A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR CONTRACTOR SERVICES WITH DISASTER KLEENUP SPECIALISTS FOR ON-CALL AND PROACTIVE PROPERTY CLEAN-UP SERVICES FOR AN AMOUNT NOT TO EXCEED \$50,000.00, AND APPROPRIATING \$50,000.00 FROM THE GENERAL FUND AND AMENDING THE FISCAL YEAR 2021/22 BUDGET FOR THE PROJECT

ACTION: ADOPTED RESO # 21-90

F. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A MASTER EQUITY LEASE AGREEMENT WITH ENTERPRISE FM TRUST TO LEASE AS MANY AS 25 VEHICLES WITH A YEAR ONE NET COST NOT TO EXCEED \$215,000.00

Council/Agency Member Wizard pulled the item and asked questions regarding the overarching policy on the City's preference to purchase electric vehicles.

PUBLIC COMMENT: None

On motion by Mayor Pro Tem Pacheco/Council/Agency Member Garcia-Arrazola and carried by the following roll call vote, the City Council/Successor Agency moved to adopt a resolution authorizing the City Manager to sign a Master Equity Lease Agreement with Enterprise FM Trust to lease as many as 25 vehicles with a year one net cost not to exceed \$215,000.00

RESULT: 5-0-0-0

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard

NOES: None

ABSTAIN: None

ABSENT: None

ACTION: ADOPTED RESO # 21-91

G. ADOPT A RESOLUTION APPROVING AN ON-CALL CONSULTANT LIST FOR GEOTECHNICAL AND ENGINEERING TESTING SERVICES

ACTION: ADOPTED RESO # 21-92

H. ADOPT A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE ELLIS PARK IMPROVEMENTS PROJECT, APPROPRIATING \$390,818.00 FROM THE GENERAL FUND TO THE PROJECT, AND

**AWARDING A CONSTRUCTION CONTRACT TO MONTEREY PENINSULA
ENGINEERING FOR AN AMOUNT NOT TO EXCEED \$743,986.00 AND
TOTAL PROJECT CONSTRUCTION COST INCLUDING CONTINGENCY OF
\$868,986.00.**

Council/Agency Member Wizard pulled the item and inquired about the cost of the project.

PUBLIC COMMENT: Pastor Harold Lusk, Pastor Kenneth Murray, Tanja Roos, Susan Schiavone, Dianne Nielson, Sallomé Hralima

On motion by Council/Agency Member Wizard and second by Mayor Pro Tem/Vice Chair Pacheco and carried by the following roll call vote, the City Council/Successor Agency moved to adopt a resolution approving the plans and specifications for the Ellis Park Improvements Project.

RESULT: 5-0-0-0

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard

NOES: None

ABSTAIN: None

ABSENT: None

ACTION: ADOPTED RESO # 21-93

- I. ADOPT A RESOLUTION AUTHORIZING AN AMENDMENT TO THE
PROFESSIONAL SERVICE AGREEMENT WITH WALLACE GROUP FOR
CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE
ELLIS PARK IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED
\$80,800.00**

ACTION: ADOPTED RESO # 21-94

- J. ADOPT A RESOLUTION AUTHORIZING THE CITY OF SEASIDE AND THE
COORDINATED ASSESSMENT AND REFERRAL SYSTEM (CARS)
MEMORANDUM OF UNDERSTANDING**

ACTION: ADOPTED RESO # 21-95

- K. ADOPT A RESOLUTION AMENDING THE BUDGET FOR THE FISCAL YEAR
2022, APPROPRIATING \$1,240,000.00 FROM FUND BALANCE,
ALLOCATING IT TO THE ECONOMIC DEVELOPMENT DEPARTMENT,
APPROVING AN AGREEMENT FOR THE PURCHASE AND TEMPORARY
LEASE OF REAL PROPERTY AT 490 BROADWAY AVE, AND AUTHORIZING
THE EXECUTION OF AGREEMENTS**

Council/Agency Member Campbell pulled the item.

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency

Member Garcia-Arrazola and carried by the following roll call vote, the City Council/Successor Agency moved to adopt a resolution approving the lease to purchase agreement and appropriate funding necessary to execute the agreement for 490 Broadway Avenue.

RESULT: 4-1-0-0

AYES: Garcia-Arrazola, Oglesby, Pacheco, Wizard

NOES: Campbell

ABSTAIN: None

ABSENT: None

ACTION: ADOPTED RESO # 21-96

L. MODIFY POSITION CONTROL LIST TO ADD ONE ADMINISTRATIVE ASSISTANT IN THE HOUSING DIVISION, ONE ADMINISTRATIVE ASSISTANT IN THE PLANNING DIVISION, OVER HIRE ONE MAINTENANCE & UTILITIES WORKER II, CREATE THE PART-TIME CLASSIFICATION OF FIRE MARSHAL AND AUTHORIZE THE CITY'S FINANCE DIRECTOR TO AMEND THE FISCAL YEAR 2022 BUDGET TO INCREASE PERSONNEL COSTS BY \$22,919.00 IN FUND 246

ACTION: ADOPTED RESO # 21-97

M. APPROVE A FEE WAIVER REQUEST FROM THE NEIGHBORHOOD IMPROVEMENT COMMISSION FOR USE OF LAGUNA GRANDE PARK FOR A CELEBRATION OF LIFE FESTIVAL FOR LANNY OLIS

Alex Miller pulled the item.

PUBLIC COMMENT: Alex Miller, Mo Olis, Danny Olis, Darryl Choates

ACTION: APPROVED

N. PROCLAMATION HONORING THE LATE LANNY OLIS

Alex Miller pulled the item.

PUBLIC COMMENT: None

ACTION: APPROVED

O. ADOPT A RESOLUTION TO AUTHORIZE A CONTRACT WITH PECKHAM & MCKENNEY FOR THE EXECUTIVE SEARCH SERVICES OF CITY MANAGER FOR AN AMOUNT NOT TO EXCEED \$33,000.00

ACTION: ADOPTED RESO # 21-98

P. ADOPT A RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH AB361 AND GOVERNMENT CODE SECTION 54953(E) AUTHORIZING REMOTE TELECONFERENCE MEETINGS

ACTION: ADOPTED RESO # 21-99

9. PUBLIC HEARING

Mayor/Chair Oglesby called a recess from 8:09-8:26 p.m.

A. SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE REPEALING SEASIDE MUNICIPAL CODE SECTION 10.32.050, ADDING CHAPTER 12.52 TO ESTABLISH REGULATIONS FOR SIDEWALK VENDING, AND ADDING CHAPTER 10.48 TO ESTABLISH REGULATIONS FOR MOBILE FOOD VENDING IN THE PUBLIC RIGHT-OF-WAY (SECOND READING-ROLL CALL VOTE).

Senior Planner Beth Rocha provided a presentation and responded to questions from the Council.

PUBLIC COMMENT: Sallomé Hralima, Tanja Roos, Susan Schiavone, Sarah Haller

On motion by Mayor Pro Tem/Vice Chair Pacheco and second Council/Agency Member Garcia-Arrazola and carried by the following roll call vote, the City Council/Successor Agency moved to pass to print an ordinance repealing SMC 10.32.050, adding Chapter 12.52 and Chapter 10.48; and by resolution waive vendor fees until reevaluated for fiscal year 2022-2023 and set a cap of 10 food truck permits.

RESULT: 5-0-0-0

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard

NOES: None

ABSTAIN: None

ABSENT: None

ACTION: PASSED ORDINANCE #2010

10. BUSINESS ITEMS

A. CONSIDER A REQUEST TO CLOSE BROADWAY AVENUE FROM HILLSDALE STREET TO CONTRA COSTA STREET FOR THE REALITY LLC EVENT "WAR BY THE SHORE 3" ON SATURDAY, NOVEMBER 20, 2021

Recreation Director Dan Meewis presented the item and introduced the applicant to answer questions from the Council.

PUBLIC COMMENT: Andre, unnamed, Anthony Sky, unnamed, Barbara Richardson, Sallomé Hralima, Darryl Choates, Ollieanna Burke, Asia Smith, Daniel Gilbert, Karla Lobo, Eloise Shim, Victoria Mavricakis, Jessica Powell, Annalisa Mitchell, Sarah Haller, Raven, Peter Kaiser, Creekmore

On motion by Council/Agency Member Garcia-Arrazola and second by Council/Agency Member Campbell and carried by the following roll call vote, the City Council/Successor Agency moved to approve a request to close Broadway Avenue to through traffic from Hillsdale Street to Contra Costa Street to ensure public safety during the Reality LLC "War by the Shore 3" event on Saturday, November 20, 2021.

RESULT: 3-2-0-0

AYES: Campbell, Garcia-Arrazola, Oglesby

NOES: Pacheco, Wizard

ABSTAIN: None

ABSENT: None

ACTION: ADOPTED RESO #21-100

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Mayor/Chair Oglesby and carried by the following roll call vote, the City Council/Successor Agency moved to extend the meeting past 10:00 p.m.

B. ADOPT A RESOLUTION APPROPRIATING \$150,000.00 FROM SEASIDE'S ENTITLEMENT ALLOCATION FROM THE AMERICAN RESCUE PLAN ACT OF 2021 AND ALLOCATING IT TO THE ECONOMIC DEVELOPMENT DEPARTMENT FOR IMPLEMENTATION OF A SEASIDE ECONOMIC RECOVERY PROGRAM AND ADOPT ADMINISTRATIVE POLICIES AND PROCEDURES FOR A STOREFRONT IMPROVEMENT GRANT TO BENEFIT SMALL BUSINESSES IMPACTED BY COVID-19

Assistant to the City Manager/Economic Development Director Trevin Barber presented the item and responded to questions from the Council.

PUBLIC COMMENT: Darryl Choates, Asia Smith

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency Member Garcia-Arrazola and carried by the following roll call vote, the City Council/Successor Agency moved to adopt Administrative Policies and Procedures for the storefront improvement grant entitled "FLIP Seaside" and appropriate funding from Seaside's allocation of the American Rescue Plan Act of 2021 to implement the program.

RESULT: 5-0-0-0

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard

NOES: None
ABSTAIN: None
ABSENT: None

ACTION: ADOPTED RESO #21-101

C. ADOPT RESOLUTION TO APPROVE THE ARTICLES OF INCORPORATION AND BYLAWS OF THE SEASIDE HOUSING COLLABORATIVE

Housing Manager Ben Nurse presented the item and responded to questions from the Council.

PUBLIC COMMENT: Sarah Haller, Peter Kaiser

On motion by Council/Agency Member Campbell and second by Council/Agency Member Wizard and carried by the following roll call vote, the City Council/Successor Agency moved to adopt a resolution accepting the Articles of Incorporation and Bylaws to create the Seaside Housing Collaborative, and authorize the City Attorney to take necessary steps to register and organize the non-profit.

RESULT: 4-1-0-0
AYES: Campbell, Garcia-Arrazola, Oglesby, Wizard
NOES: Pacheco
ABSTAIN: None
ABSENT: None

ACTION: ADOPTED RESO #21-102

D. CONSIDER AND DISCUSS A POLICY TO REQUIRE THE COVID-19 VACCINE FOR ALL CITY EMPLOYEES, BOARD & COMMISSION MEMBERS, CONTRACTORS, AND VOLUNTEERS

Acting City Manager Roberta Greathouse presented the item and responded to questions from the Council.

PUBLIC COMMENT: Unnamed, Peter Kaiser, Sarah Haller

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency Member Garcia-Arrazola and carried by the following roll call vote, the City Council/Successor Agency moved to approve a policy that would require all City employees, Board & Commission members, contractors, volunteers, and interns, except those with an authorized exemption, to be fully vaccinated against COVID-19.

RESULT: 5-0-0-0
AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard
NOES: None
ABSTAIN: None
ABSENT: None

ACTION: APPROVED

11. COUNCIL MEMBER REQUESTS

A. REPORTS ON REQUESTS FROM PRIOR MEETING

1. Status report on General Plan Update (Wizard)
2. Presentation on form-based codes (Wizard)
3. Report on Statewide Integrated Traffic Records System (SWITRS) data (Wizard)
4. Discussion regarding budget appropriation for the Climate Action Plan (Wizard)
5. Follow up on requests for electrification, commercial linkage fees and nexus study (Wizard)

B. NEW COUNCIL MEMBER REQUESTS

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

13. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9:

14. ADJOURNMENT

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency Member Garcia-Arrazola, the City Council/Successor Agency moved to adjourn the meeting at 12:02 a.m.

The remaining agenda items (Council Member Request; Mayor, City Council, City Manager and City Attorney comments and reports on Committee Assignments and; Closed Session) were moved to the October 21 meeting.

This meeting was set to adjourn in the honor and memory of Lanny Olis, Kazia Blunt, Harvey Kuffner and Mark Morgan.

Respectfully submitted,

Dominique L. Davis, City/Agency Clerk

Ian N. Oglesby, Mayor/Chair



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.B.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Loreene Bermudez-Onate, Accountant II

DATE: October 21, 2021

SUBJECT: APPROVE AND FILE CITY CHECKS

RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of September 11, 2021, through September 24, 2021, including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending September 23, 2021. Total Accounts Payable and Payroll for the above referenced period is \$1,784,826.03 (One Million Seven Hundred Eighty Four Thousand Eight Hundred and Twenty Six Dollars and Three Cents).

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:

- \$11,145.00 to Monterey Bay Engineers, Inc. for Parcel Map Checking Services for the period of 7/14/21 - 9/8/21.
- \$24,982.50 to City of Monterey for Laguna Grande Park JPA - Trail Maintenance Strategy.

- \$41,265.50 to U.S. Bank-Calcard for City of Seaside purchase card transactions for the billing period of 7/22/2021 - 8/22/2021.
- \$91,083.02 to U.S. Bank St. Paul for Cutino Park Debt for the period of November 2021.
- \$202,049.59 to U.S. Bank St. Paul for Measure X Road Improvements for the period of November 2021.
- \$37,235.13 to Monterey One Water for SCSD Sewage Lift Station Maintenance for the period of April - June 2021.
- \$68,385.49 to K.J. Woods Construction Inc. for SCSD Del Monte Blvd Sewer Services through September 2021.
- \$21,938.00 to Granicus, LLC for Software for Economic Development for the period of 7/28/2021 - 7/27/2022.
- \$31,191.35 to A. Teichert & Son, Inc. for Construction services for the City Pavement Rehabilitation Project Phase 3 through 7/31/2021.
- \$60,797.84 to Garrett Miles for Harben Water Jetting Unit.

The remaining checks, totaling \$507,932.30 include payments to vendors for operating expenditures.

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

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

FISCAL IMPACT

There are no additional fiscal impacts.

ATTACHMENTS

None



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.C.

TO: Successor Agency to the Redevelopment Agency of the City of Seaside

FROM: Roberta Greathouse, Acting City Manager

BY: Loreene Bermudez-Onate, Accountant II

DATE: October 21, 2021

SUBJECT: APPROVE AND FILE SUCCESSOR AGENCY CHECKS

RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of September 11, 2021, through September 24, 2021, including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending September 23, 2021. Total Accounts Payable and Payroll for the above referenced period is \$29.57 (Twenty-Nine Dollars and Fifty-Seven Cents).

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:

- No checks exceeded \$10,000.

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

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

FISCAL IMPACT

There are no additional fiscal impacts.

ATTACHMENTS

None



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.D.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Dominique Davis, City Clerk

DATE: October 21, 2021

SUBJECT: ACCEPT APPOINTMENTS TO COMMISSIONS

RECOMMENDATION

Accept an appointment to a Commission as recommended by the Mayor.

BACKGROUND

The Mayor appoints members to the City's Boards, Commissions and Committees, which serve as advisory boards to the City Council. The purpose of the advisory boards is to supplement the City Council's skills and abilities to help guide the organization toward its mission. They also serve as an important link between the City Council and the Community by providing direct involvement in policy-making and communication of vital information.

The Mayor makes appointments to these advisory boards, while the City Manager designates Department Heads or other staff members to serve as staff liaisons that regularly attend meetings and provide technical support.

The Mayor has made the following appointment:

APPLICANT

Erica Wallace

ADVISORY BODY

Art & History Commission

FISCAL IMPACT

None.

ATTACHMENTS

1. Appointee Application - Erica Wallace

Reviewed for Submission to the City Council by:

A handwritten signature in black ink, appearing to read "R Greathouse", with a long horizontal flourish extending to the right.

Roberta Greathouse, Acting City Manager



City of Seaside

City Clerk's Office

Application for Appointment to a City Board/Commission/Committee

City Clerk's Office

SEP 27 2021

Received
City Clerk's Date Stamp

FORM IS FILLABLE ONLINE - IF FILLING BY HAND, PLEASE PRINT CLEARLY

To serve on: HOMELESS COMMISSION, NEIGHBORHOOD IMPROVEMENT
Please list the Board/Commission/Committee that you would like to be considered for

Name: ERICA WALLACE

Address: 525 HAMILTON AVE SEASIDE.

Email: EBWALLACE72@YAHOO.COM Telephone: 831-383-2198

Background/Education/Experience/Special Skills (attach additional pages if needed):

BORN AND RAISED ON PENINSULA. WORKED AND
RAN ST. VINCENT DE PAUL FOR 5 YRS. WORKING
DAILY W/ HOMELESS AND HELPING OTHERS IN NEED.
SEASIDE RESIDENT FOR 25 YRS. I RAISED MY
DAUGHTER (18) HERE. MY DAD WAS A DIRECTOR FOR MONT. BLUES
AND KNOWN IN COMMUNITY. FEST.

Briefly describe your desire to be appointed to the above Board Commission or Committee:

I CARE ABOUT THE RESIDENTS OF SEASIDE
AND WHAT HAPPENS HERE. I THINK WITH MY
DRIVE TO KEEP SEASIDE EVOLVING AND HOPE TO
CHANGE THE HOMELESS SITUATION I WOULD BE
AN ASSET TO ANY COMMITTEE.

Other private and non-profit affiliations:

If appointed, you will be subject to the following compliance requirements:

- File a Statement of Economic Interests (Form 700) to comply with the Fair Political Practices Commission.
- Undergo Ethics Training to comply with Assembly Bill 1234.
- Attend meetings when scheduled. NOTE: Most Boards and Commissions meet **after 5:00 p.m.**
- Review and Understand the Boards, Commissions and Committee's Handbook found online here: <http://bit.ly/BCCManual>
- Accept the position in the event you are appointed:

Signature

Date



CITY OF SEASIDE STAFF REPORT

Item No.: 8.E.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Nisha Patel, Public Works Director/City Engineer
Scott Ottmar, Senior Engineer

DATE: October 21, 2021

**SUBJECT: ADOPT A RESOLUTION GRANTING AN EASEMENT TO PACIFIC
GAS & ELECTRIC COMPANY AT 630 MONTEREY ROAD
(PARCELS WITH APNS 031-051-023 AND 031-051-020)**

RECOMMENDATION

Adopt a resolution authorizing the City Manager to execute an easement deed to Pacific Gas & Electric Company to construct and operate electric, gas and communication facilities in support of the sanitary sewer facilities adjacent to Monterey Road at 630 Monterey Road (parcels with APNs 031-051-023 and 031-051-020).

BACKGROUND

An existing sewer lift station operated by Marina Coast Water District (MCWD) called OVLS is located on the west side of Highway 1 within the Fort Ord Dunes State Park. The OVLS and associated sewer force main have exceeded their useful service life and require replacement. Since the areas served by the OVLS are within the City of Seaside on the east side of Highway 1, MCWD created a project to relocate the OVLS to the same side of Highway 1. Based upon existing gravity infrastructure, a location adjacent to Monterey Road within an existing lot dedicated to storm water infiltration basins for the Seaside Highlands was selected. The project also relocates the existing sewer force main into roadways and out of private property, such as the proposed Seaside Senior Living parcel. Once the new OVLS and force main project are completed, the former OVLS west of Highway 1 will be removed and the site will be restored to natural habitat. Attachment 1 provides a location map of the project and associated easements.

On December 5, 2019, the City Council approved resolution 19-110 granting an easement to Marina Coast Water District for construction of the new lift station,

associated access easement, and pipeline infrastructure. The new OVLS design was completed in December 2020, a contract for construction was awarded February 16, 2021, and pipeline work started in June of 2021. The lift station upgrades and associated force main work are anticipated to be complete by February 2022 and the old lift station west of Highway 1 is expected to be demolished by April 2022.

To complete the project, an easement (attachment 3) in favor of Pacific Gas and Electric Company is necessary to provide power to the new OVLS lift station. Staff recommends adopting a resolution authorizing the City Manager to execute an easement deed in favor of Pacific Gas & Electric Company in support of the OVLS lift station.

ENVIRONMENTAL COMPLIANCE

On November 18, 2019, the Marina Coast Water District (MCWD) adopted the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the OVLS Project. On November 20, 2019, the MCWD submitted the Notice of Determination (State Clearing House Number 2019099050) for the project.

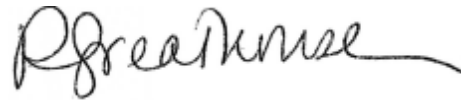
FISCAL IMPACT

There is no fiscal impact in approving the proposed easement.

ATTACHMENTS

1. Project & Easement Location Map
2. Resolution
3. Easement Deed

Reviewed for Submission to the City Council by:

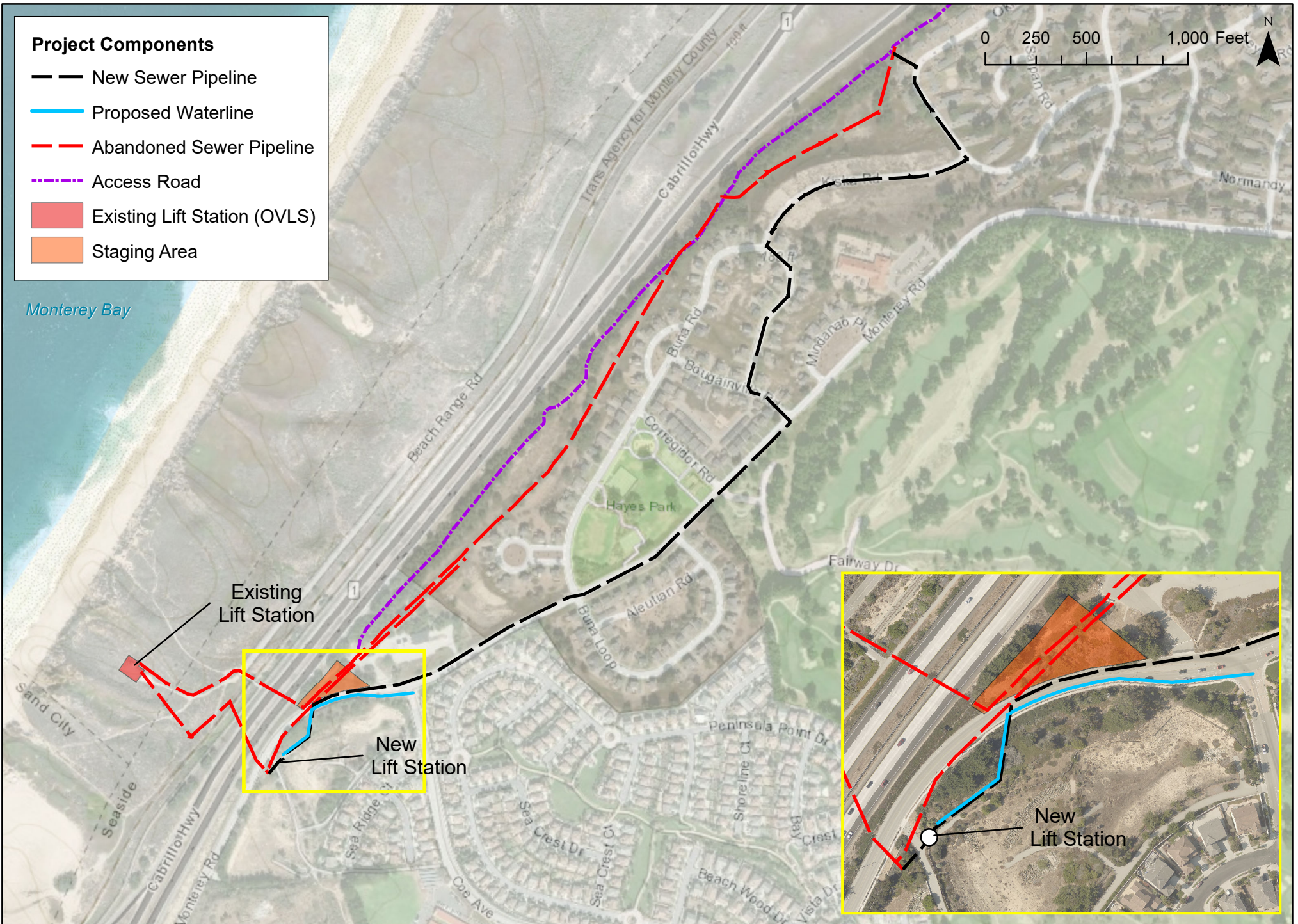


Roberta Greathouse, Acting City Manager

Project Components

-  New Sewer Pipeline
-  Proposed Waterline
-  Abandoned Sewer Pipeline
-  Access Road
-  Existing Lift Station (OVLS)
-  Staging Area

Monterey Bay



Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Project Location

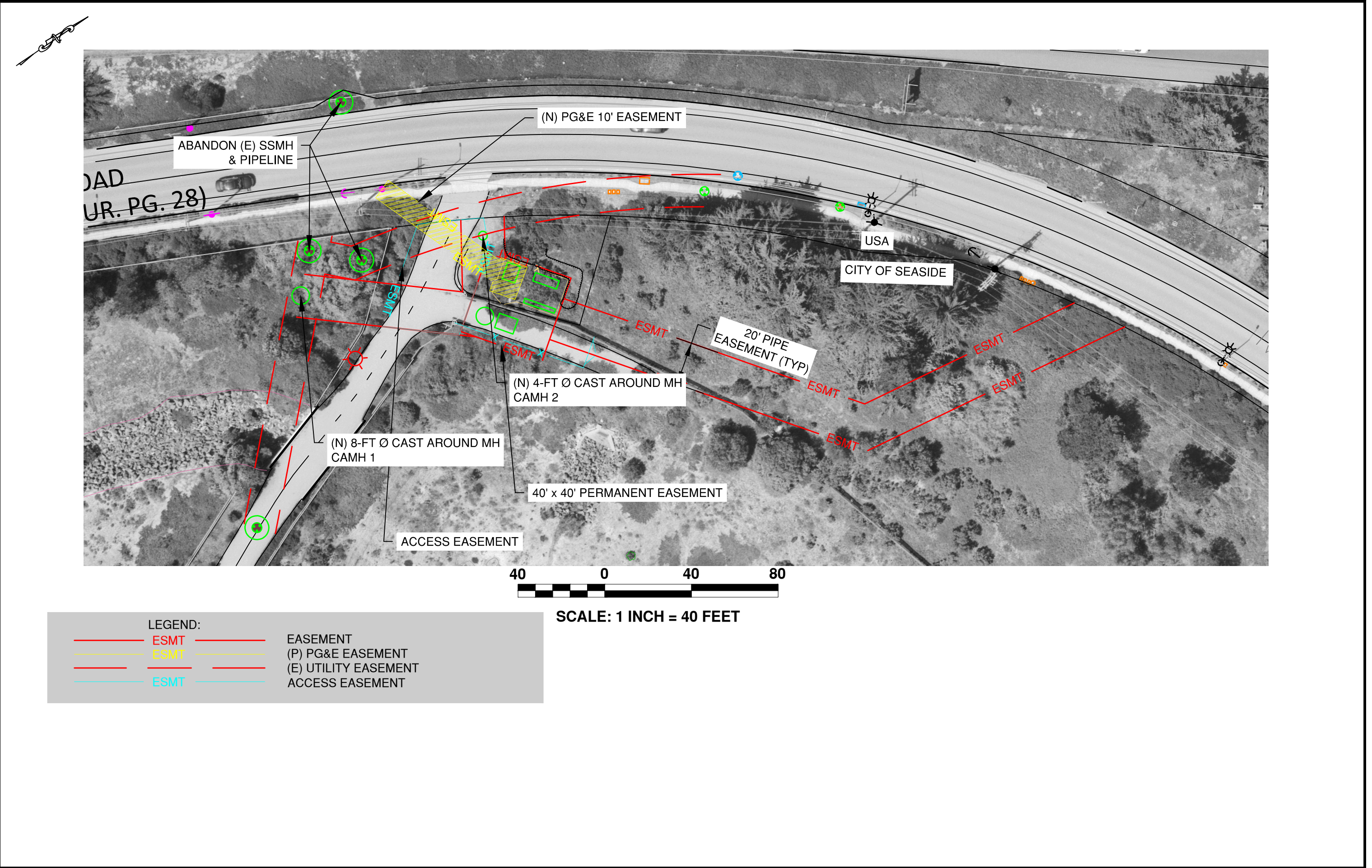
Date
8/2/2019

Scale
1 in = 606 ft

1

Packet Page 28

Figure 1: MCWD ORD VILLAGE SITE PLAN (AERIAL PHOTO)



RESOLUTION NO. 21-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT DEED ON PUBLIC PROPERTY AT 630 MONTEREY ROAD WITH APNS 031-051-020 & 031-051-023 TO PACIFIC GAS & ELECTRIC COMPANY

WHEREAS, the City of Seaside is the owner of that certain real property commonly known as the storm drain basins at Seaside Highlands in the City of Seaside, situated in the County of Monterey, State of California, currently identified as County of Monterey Assessor's Parcel Numbers (APNs) 031-051-020 and 031-051-023 (the "Property"); and

WHEREAS, the Marina Coast Water District (MCWD) operates a sewer lift station west of Highway 1 within Fort Ord Dunes State Park that has exceeded its useful life; and

WHEREAS, on December 5, 2019, the City Council adopted Resolution 19-110 granting easements to MCWD for the construction of a replacement sewer lift station and associated appurtenances within the Property; and

WHEREAS, the Marina Coast Water District (MCWD) has begun construction of the replacement sewer lift station to the east side of Highway 1 adjacent to Monterey Road within the Property (the "Project"); and

WHEREAS, the Project requires electrical power service to be provided by Pacific Gas & Electric Company (PG&E) to operate; and

WHEREAS, the City wishes to convey easements to PG&E for the purpose of providing power to the Project.

NOW, THEREFORE BE IT RESOLVED that the City of Seaside authorizes the City Manager to execute an easement deed on properties with APN 031-051-020 and APN 031-051-023 to Pacific Gas & Electric Company.

PASSED AND ADOPTED at a regular meeting of the City of Seaside duly held on the 21st day of October, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Ian N. Oglesby, Mayor

ATTEST:

Dominique L. Davis, City Clerk

RECORDING REQUESTED BY AND RETURN TO:

***PACIFIC GAS AND ELECTRIC COMPANY
245 Market Street, N10A, Room 1015
P.O. Box 770000
San Francisco, California 94177***

Location: City of Seaside

Recording Fee \$ _____

Document Transfer Tax \$ 0

☒ This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).

☐ Computed on Full Value of Property Conveyed, or

☐ Computed on Full Value Less Liens

& Encumbrances Remaining at Time of Sale

☐ Exempt from the fee per GC 27388.1 (a) (2); This document is subject to Documentary Transfer Tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

Signature of declarant or agent determining tax

LD# 2215-01-10026

EASEMENT DEED

CITY OF SEASIDE, a California municipal corporation,

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to excavate for, construct, reconstruct, replace (of initial or any other size), remove, maintain, inspect, and use facilities and associated equipment for public utility purposes, including, but not limited to electric, gas, and communication facilities, together with a right of way therefor, on, over, and under the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situated in the City of Seaside, County of Monterey, State of California, described as follows:

(APN 031-051-023)

PARCEL B as shown upon the map entitled "Tract 1396 Seaside Highlands Phase 1" filed for record August 22, 2003 in Volume 22 of Cities and Towns at page 33, Monterey County Records.

(APN 031-051-020)

PARCEL 5 as shown upon the Record of Survey Map filed for record January 2, 2003 in Volume 26 of Surveys at Page 28, Monterey County Records.

The easement area is described as follows:

The strip of land described and shown on Exhibit "A" attached hereto and made a part hereof.

Grantor further grants to Grantee the right, from time to time, to trim or to cut down, without Grantee paying compensation, any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations, provided that Grantee removes brush, tree and vegetation materials, including tree stumps, that are generated from such trimming, cutting and other maintenance activities.

Grantor also grants to Grantee the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the excavation, construction, reconstruction, replacement, removal, maintenance and inspection of said facilities.

Grantor hereby covenants and agrees not to place or construct, nor allow a third party to place or construct, any building or other structure, or store flammable substances, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground level within said easement area, or construct any fences that will interfere with the maintenance and operation of said facilities.

Grantor further grants to Grantee the right to apportion to another public utility (as defined in Section 216 of the California Public Utilities Code) the right to excavate for, construct, reconstruct, replace, remove, maintain, inspect, and use the communications facilities within said easement area including ingress thereto and egress therefrom.

Grantor acknowledges that they have read the “Grant of Easement Disclosure Statement”, Exhibit “B”, attached hereto and made a part hereof.

This document may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated: _____, _____.

CITY OF SEASIDE, a California municipal corporation,

By _____

Name

Title

By _____

Name

Title

I hereby certify that a resolution was adopted on the _____ day of _____, 20____,
by the _____ authorizing
the foregoing grant of easement.

By _____

Title _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____, before me, _____ Notary Public,
Insert name
personally appeared _____

_____ ,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Seal)

CAPACITY CLAIMED BY SIGNER

- ☐ Individual(s) signing for oneself/themselves
- ☐ Corporate Officer(s) of the above named corporation(s)
- ☐ Trustee(s) of the above named Trust(s)
- ☐ Partner(s) of the above named Partnership(s)
- ☐ Attorney(s)-in-Fact of the above named Principal(s)
- ☐ Other _____

EXHIBIT 'A'

SHEET 1 OF 2

LEGAL DESCRIPTION OF A PG&E EASEMENT

Certain real property in the City of Seaside, County of Monterey, State of California, being a portion of Parcel B as shown on the map entitled "Tract 1396 – Seaside Highlands Phase 1" filed for record August 22, 2003 in Volume 22 of Cities and Towns at Page 33 in the office of the County Recorder of said county, and a portion of Parcel 5 ("Monterey Road") as shown on the map filed for record January 2, 2003 in Volume 26 of Surveys at Page 28 in the office of the County Recorder of said county described as follows:

A strip of land of varying width beginning at a point within said Parcel 5 that bears North 75°02'44" West, 18.69 feet from a 1-1/2" Iron Pipe at the southerly terminus of the curve labeled as "C19" on the northwesterly boundary of said Parcel B as shown on Sheet 13 of said Map recorded in Volume 22 of Cities and Towns at Page 33; thence

- 1) A 10.00-foot-wide strip of land lying 5.00 feet on each side of a line running North 70°00'00" East, 65.00 feet; thence
- 2) A 16.10-foot-wide strip of land lying 6.60 feet on the left (northwesterly) side and 9.50 feet on the right (southeasterly) side of a line running thence North 53°30'00" East, 12.67 feet, to the terminus of said strip.

The sidelines at the northeasterly terminus of the hereinabove described course (1) are to be extended or shortened so as to terminate on a line running perpendicular to course (2).

As shown on the plat attached hereto and made a part hereof.

A bearing of North 26°08'45" East for the northwesterly boundary of said Parcel B as retraced from found monuments shown on said map recorded in Volume 22 of Cities and Towns at Page 33, is the basis of bearings cited in this description.

END OF DESCRIPTION

PREPARED BY:
WHITSON ENGINEERS



RICHARD P. WEBER, LS
L.S. No. 8002
Job No.: 3675

10/4/2021

DATE



30 0 30
SCALE: 1" = 30'

EXHIBIT 'A'

SHEET 2 OF 2



STATE ROUTE 1

PARCEL 5
VOL. 26 SUR. PG. 28
CITY OF SEASIDE
APN 031-051-020

LIFT STATION
EASEMENT
(BY SEPARATE
INSTRUMENT)

DESCRIBED LINE

EXISTING POLE

POINT OF
BEGINNING

N75°02'44"W
18.69' (TIE)

PROPOSED
TRANSFORMER

COURSE "C19"
22-C&T-33

1-1/2" IRON
PIPE PER
22-C&T-33

PARCEL B
VOL. 22 C&T PG. 33
CITY OF SEASIDE
APN 031-051-023

EXISTING
OVERHEAD
ELECTRIC

N26°08'45"E
(BASIS OF BEARINGS)

BASIS OF BEARINGS:

A BEARING OF NORTH 26°08'45" EAST FOR THE LINE SHOWN HEREON ALONG THE NORTHWESTERLY BOUNDARY OF PARCEL B, VOLUME 22 CITIES AND TOWNS, PAGE 33 IS THE BASIS OF BEARINGS SHOWN HEREON.



PLAT TO ACCOMPANY DESCRIPTION OF A PG&E EASEMENT

IN PROJECTED S.15, T.15S, R.1E
CITY OF SEASIDE, CALIFORNIA



Civil Engineering +
Land Surveying
6 Harris Court,
Monterey, California
831.649.5225
whitsonengineers.com

SEPTEMBER 7, 2021

PROJECT No.: 3675.00

T:\Monterey Projects\3675 - Ord Village Lift Station\SURVEY\3675-bdry.dwg

Pacific Gas and Electric Company



EXHIBIT B

GRANT OF EASEMENT DISCLOSURE STATEMENT

This Disclosure Statement will assist you in evaluating the request for granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate a utility service extension to PG&E's applicant. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project. Because this easement is an accommodation for a service extension to a single customer or group of customers, PG&E is not authorized to purchase any such easement.
- By granting this easement to PG&E, the easement area may be used to serve additional customers in the area and **may be used to install additional utility facilities**. Installation of any proposed facilities outside of this easement area will require an additional easement.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement in order to maintain proper clearances from energized electric lines or other facilities.
- The description of the easement location where PG&E utility facilities are to be installed across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized PG&E's applicant to perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, your consent may be requested by the applicant, or applicant's contractor, to work on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are voluntarily granting the easement to PG&E. Please return the signed and notarized Grant of Easement with this Disclosure Statement attached to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.

Attach to LD: 2215-01-10026

Area, Region or Location: 3

Land Service Office: Salinas

Line of Business: Electric Distribution (43)

Business Doc Type: Easements

MTRSQ: (22.15.01.15.11, 22.15.01.10.22, 22.15.01.11.33) Rancho Noche Buena

FERC License Number: N/A

PG&E Drawing Number: N/A

Plat No.: H0425

LD of Affected Documents: N/A

LD of Cross Referenced Documents: N/A

Type of interest: Electric Underground Easements (4), Communication Easements (6), Utility Easement (86)

SBE Parcel: N/A

% Being Quitclaimed: N/A

Order or PM: 35152738

JCN: N/A

County: Monterey

Utility Notice Number: N/A

851 Approval Application No: N/A ;Decision: N/A

Prepared By: BFF3

Checked By: TDMH

Approved By: MXK4

Revised by: BFF3 10/6/2021



CITY OF SEASIDE STAFF REPORT

Item No.: 8.F.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Molly Fittro, Recreation Supervisor

DATE: October 21, 2021

**SUBJECT: ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF
HARCOURT AVENUE TO THROUGH TRAFFIC AT CANYON DEL
REY, ALLSTON, AND HILLSDALE FOR THE CITY OF SEASIDE'S
TREE LIGHTING CEREMONY ON DECEMBER 10, 2021**

RECOMMENDATION

Adopt a resolution permitting the closure of Harcourt Avenue to through traffic at Canyon Del Rey, Allston, and Hillsdale to ensure public safety during the City's Annual Tree Lighting Ceremony on Friday, December 10, 2021, between the hours of 2:00 p.m. to 10:00 p.m.

BACKGROUND

The City of Seaside will be holding the City's Annual Tree Lighting Ceremony on Friday, December 10, 2021, from 6:00 p.m. to 9:00 p.m. The event will take place on the lawn at Seaside City Hall and will also need to utilize Harcourt Avenue for a portion of the programs. The closure of Harcourt Avenue will greatly enhance this event and will allow for greater safety for the participants and staff. Staff anticipate a large turnout, and extra space will be required for the City's Tree Lighting Ceremony. All the residents living in this portion of Harcourt will be contacted by department staff in advance of this event.

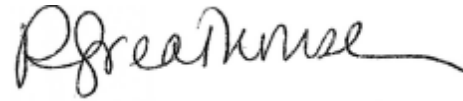
FISCAL IMPACT

There is no fiscal impact associated with the proposed action.

ATTACHMENTS

1. Resolution Tree Lighting 2021

Reviewed for Submission to the City Council by:

A handwritten signature in black ink, appearing to read "R Greathouse", with a long horizontal flourish extending to the right.

Roberta Greathouse, Acting City Manager

RESOLUTION NO 21-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**APPROVING THE CLOSURE OF HARCOURT AVENUE AT CANYON DEL REY TO
THROUGH TRAFFIC AT ALLSTON AND HILLSDALE**

WHEREAS, the City of Seaside sponsors the Annual Tree Lighting Ceremony on the lawn at Seaside City Hall that is open to the public;

WHEREAS, the closing of Harcourt Avenue at Canyon Del Rey, Allston, and Hillsdale Avenue is necessary between the hours of 2:00 p.m. and 10:00 p.m. on December 10, 2021, to ensure the safety of the public and staff;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby approves the closure of Harcourt Avenue at Canyon Del Rey, Allston, and Hillsdale Avenue to ensure the safety of the public using this portion of roadway during this event.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 21st day of October 2021, by the following vote:

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

APPROVED:

Ian N. Oglesby, Mayor

ATTEST:

Dominique L. Davis, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.G.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Beth Rocha, Senior Planner

DATE: October 21, 2021

SUBJECT: ADOPT A RESOLUTION TO AUTHORIZE A CONTRACT WITH ENVIRONMENTAL INNOVATIONS FOR THE COORDINATED IMPLEMENTATION OF THE PRIORITY IMPACT PLASTIC POLLUTION PREVENTION POLICY OF THE SEASIDE MUNICIPAL CODE FOR AN AMOUNT NOT TO EXCEED \$30,000.00

RECOMMENDATION

Authorize the Acting City Manager to enter into an agreement with Environmental Innovations for the coordinated implementation of the Priority Impact Plastic Pollution Prevention Policy of the Seaside Municipal Code (Chapter 8.60) for an amount not to exceed \$30,000.00 (Thirty Thousand Dollars).

BACKGROUND

The Community Development Department issued a Request for Qualifications (RFQ) on September 13, 2021, for a consulting firm to assist in the coordinated implementation of the Priority Impact Plastic Pollution Prevention Policy (PIP4) and other associated policies approved by the City Council on August 5, 2021, (effective enforcement date March 1, 2022). The deadline for submission of the statements of qualifications was September 24, 2021. The City received interest from Environmental Innovations.

Beth Rocha, Senior Planner, and Lacey Raak, Chairperson of the Environmental Commission, reviewed the proposal and conducted an interview with Environmental Innovations.

Based on their extensive experience, detailed approach to the outreach process, success, and availability, Environmental Innovations was selected as the consultant to:

- Develop communication strategies and create tools/outreach materials to distribute to businesses and citizens/customers, inform them of the policy and how to become compliant (this shall include a multilingual website and posters, and may include mailings and in-person contact, etc.);
- Provide resources for supporting compliance (for example – lists of acceptable products, funding sources to help with conversion to compliant materials or systems);
- Coordinate community groups, local organizations, and other stakeholders to build a collective that will support implementation by leveraging the skills and resources of such entities;
- Optional: create and administer a grant program.

FISCAL IMPACT

The not to exceed cost for the services provided by Environmental Innovations is \$30,000. The cost of this agreement was included in the 2021/2022 Adopted Budget.

ATTACHMENTS

1. Attachment 1: Proposal
2. Attachment 2: Contract
3. Attachment 3: Draft Resolution

Reviewed for Submission to the City Council by:



Roberta Greathouse, Acting City Manager



September 22, 2021

City of Seaside
Seaside, CA 93955

Re: Foodware Awareness Engagement Proposal

Dear Ms. Rocha:

[Environmental Innovations](#), Inc. (EI, a Public Benefit, recognized B Corp, woman-owned, and Certified Green Business) is pleased to present our qualifications to guide and manage the coordinated implementation of the Priority Impact Plastic Pollution Prevention Policy (PIP4) and other associated policies approved by the City Council on August 5, 2021 (effective enforcement date March 1, 2022). EI has extensive experience in public outreach and communication to both reduce waste and prevent pollution. In particular, EI has strong strategies to incentivize reducing waste and prevent pollution at the source in commercial establishments while also engaging the public. We often deploy prebates/rebates for businesses as part of our outreach strategies and have a strong marketing/graphics team to ensure that messaging is branded and caught in a manner that it will spread far. This strategy yields a positive government/business relationship and allows the public to demand compliance: an effective ally to enforcement. Key to EI's success is coordinating with community groups and organizations that collectively can leverage strengths to yield strong environmental outcomes.

EI is currently leading a "Foodware Aware" team in San Mateo County to develop, implement, and track the effectiveness of a comprehensive, standardized, and impactful community awareness and engagement program for the Disposable Food Service Ware Ordinance. We are also leading on foodware ordinance outreach in San Benito County and the City of Watsonville, leveraging our tools from Foodware Aware to benefit the Monterey Bay Area. As such, we have significant experience in this realm and the learnings and materials we are developing can be leveraged in other communities for cost savings and efficiency. Together, with our government, non-profit, and commercial partners, we built a Resource Guide, held a webinar, and are launching a comprehensive outreach program to all food facilities in the County of San Mateo. We are providing rebates for businesses through our own funding and through that of a third party non-profit, Plastic Free Restaurants. We coordinated discounts from manufacturers and vendors for compliant materials and wherever possible, we purchased reusable materials to replace disposables. We designed a Foodware Aware marketing campaign that has reached beyond San Mateo County even though it is in its infancy. We have done mailers, mass emails, and phone calls to all food facilities in Half Moon Bay, and are starting on the rest of the County of San Mateo. For businesses that wanted to do more or who were struggling with compliance (about 1/3 of them), we provided 1:1 assistance.

EI are staff to the California Green Business Network (CAGBN), a non-profit supporting forty-two (42) Green Business Programs (GBPs) with funding, marketing, data management, training and facilitated collaboration. Since EI now works on nine (9) GBPs throughout the State, and supports the remaining 33 through CAGBN, we are able to curate the best ideas and the best management practices to operate a highly successful program. EI has been leading Green Business Programs since its inception sixteen years ago, directing Green Business Programs on behalf of the Cities of Carlsbad, Watsonville, and the Counties of Santa Cruz, San Mateo, Alameda, Solano and San Benito. We have performed services for the San Francisco Department of the Environment, the City of Santa Cruz and California State University Monterey Bay, among others.

Bilingual team members are essential to EI. We are strong in Spanish language services and partner with community based groups that offer Asian language capabilities. But language translation is not the only focus. We strive to ensure that fieldwork is done by people who are the right cultural fit for a community. This often means hiring and training within a community, or subcontracting with a community based group that is well-known in the community. We have found that outreach materials must be the right linguistic and cultural fit to work. In addition, ensuring that resources benefit vulnerable individuals, businesses and communities ensures equity in our work. We strive hard to make sure that there are no unintended consequences that might create inequities, as environmental programs in the past have done.



EI has significant experience in creating environmental solutions that encompass deep collaborations and public/private partnerships that both heal and empower communities. We have designed an approach that will prioritize eliminating single-use plastics and related sources of waste and pollution, such as balloons, PLA's and PFAS, to improve the health and safety of Seaside community members, and keep our waterways clean and safe.

Please do not hesitate to reach out to us if you have any questions: Jo Fleming, jofleming@environmentalin.com / (831) 706-7384.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Fleming".

Josephine Fleming
President, Environmental Innovations and
Executive Director, California Green Business Network



Executive Summary

Environmental Innovations, Inc. (EI, a Public Benefit B Corp) is pleased to present this proposal to target food facilities throughout the City of Seaside with innovative, creative and effective ideas to develop, implement and track foodware alternatives that are either reusable or less likely to pollute the environment and more likely to reduce waste. EI is currently leading a “Foodware Aware” team in San Mateo County to develop, implement, and track the effectiveness of a comprehensive, standardized, and impactful community awareness and engagement program for the Disposable Food Service Ware Ordinance. As such, we have significant experience in this realm and the learnings and materials we are developing can be leveraged in other communities for cost savings and efficiency. Please see our References in Attachment 1 and feel free to contact any of our clients.

In addition to Foodware, we will support businesses that will be impacted by the recently passed PIP4 policies, including those that sell or utilize balloons, those that sell styrofoam, and those impacted by the litter ordinance, requiring collection of litter from sidewalks and parking lots.

EI has significant experience in creating environmental solutions that encompass deep collaborations and public/private partnerships that both heal and empower communities. We have designed an approach that will prioritize eliminating single-use plastics and related sources of waste and pollution, such as PLA’s and PFAS, to improve the health and safety of Seaside community members, and keep our waterways clean and safe.



Sample foodware campaign slogans

We have designed an adaptable approach that will prioritize eliminating single-use plastics and related sources of waste and pollution, such as PLA’s and PFAS, to improve the health and safety of our community members and keep our waterways clean and safe. The products that will be targeted include accessories such as straws, utensils, cocktail/toothpicks, stirrers as well as larger items such as plates, bowls, cups, food trays, clamshells, boxes, and other foodware items. We will eliminate and reduce the consumption of single-use plastics and non-compostable bioplastics, encourage reusables wherever possible/feasible, and promote acceptable BPI certified compostable alternatives without PFAS, only if reusables are not feasible. We will assist restaurants to make the change to- in order of priority- reusable food service ware, compostable materials made from renewable resources such as paper, bamboo, and sugarcane that do not contain toxic chemicals; and recycled food service ware. Environmental Innovations proposes to work with ReThink Disposable to promote the use of reusable foodware. Both ReThink Disposable and Environmental Innovations have significant experience in working with food service facilities and waste reduction efforts in particular. In addition, EI has specialized in sustainability outreach to small businesses and knows the community-based social marketing tactics to deploy for highly specific pollution prevention activities such as eliminating the debris and adverse effects from balloons in commercial use.



Experience Summary

Clean Water Fund (CWF) is a national Section 501(c)(3) that has been working since 1974 to protect our nation's waterways, with 13 state offices and headquarters in Washington, D.C. CWF promotes the public interest in protection of natural resources, with a special emphasis on water issues. CWF's California program, founded in 1990, pursues initiatives that protect public health and the environment through improving water quality, with a focus on equitable opportunities and environmental justice. This includes working for remediation of contaminated waters, preventing pollution at the source, changing practices and policies that contribute to pollution, and improving the accountability of government agencies tasked with protecting water quality. CWF has a strong track record in educating the public about trash in waterways, eliminating plastic pollution in inland and coastal waterways, and reducing single-use packaging and disposable products that impact water quality and our communities.

Based on a study by CWF with five San Francisco Bay Area local jurisdiction partners in 2011, results showed that food and beverage packaging were the primary component of trash entering the San Francisco Bay and polluting local creeks. In response, CWF launched ReThink Disposable — an award winning and results driven program that works in partnership with municipal stormwater and zero waste agencies, local stakeholders, and other non-governmental organizations to engage food businesses, institutions (academic and corporate campuses), and consumers to stop disposable take-out food and beverage packaging at the source. This upstream pollution prevention approach conserves resources, prevents waste and greenhouse gas emissions, saves businesses money, and reduces plastics and trash that become litter and can pollute local streams and waterways.

ReThink Disposable creates win-win opportunities for businesses and the environment by identifying cost beneficial opportunities to reduce single-use food and beverage packaging. ReThink Disposable Business Specialists work with participating businesses and institutions to implement ReThink Disposable's Best Management Practices (BMPs) for source reduction. All disposable packaging targeted for reduction is tracked and measured through an audit process, and program impacts -- such as the number and percent of disposable packaging eliminated, waste prevention, greenhouse gas reductions, payback period and cost savings -- are calculated. To date, CWF has conducted three business community surveys to support local single-use food ware legislation, and certified over 240 small, locally owned and operated food businesses around the Bay Area and in Los Angeles, along with several larger institutions like Subway, Palo Alto Unified School District, University of San Francisco's Market Cafe, Genentech, and Microsoft. Collectively thus far, ReThink Disposable reduces disposable product usage by 21 million products every year, prevents over 131 tons of waste each year, and generates over half a million dollars of net savings across all ReThink Disposable participants on an annual basis.

RD is assisting local jurisdictions to implement new source reduction strategies and policies that benefit their waste reduction and stormwater pollution prevention programs. RD is partnering with local government agencies around the San Francisco Bay Area, currently including:

- City of San Francisco Department of the Environment
- City of Palo Alto, Public Works- Watershed Protection
- City of Berkeley
- City of Alameda
- Town of San Anselmo
- County of Alameda StopWaste
- County of San Mateo Department of Public Works and Office of Sustainability

Environmental Innovations is an environmental consulting firm that started in 2006 that provides businesses, local governments, and nonprofits throughout California with sustainability planning and program development, compliance support, waste management, and environmental certification and training. EI provides staffing and coordination for the state-wide California Green Business Network, which assists forty (42) municipal Green Business Programs to deliver certification and technical services related to energy, water, waste, pollution prevention, and community services. EI also contracts with nine municipalities to administer Green Business services on their behalf. This includes working with restaurants and other food



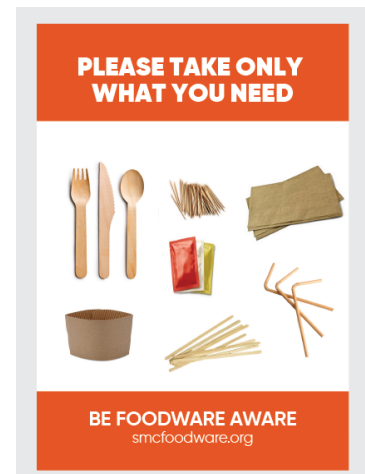
service facilities (caterers, schools, events, food manufacturers, etc) to minimize waste and move to more sustainable options for dining in and take-out food service ware. The program requires significant recruitment, marketing, and partnership development. In an effort to level the playing field and offer the Green Business advantage to businesses owned by underserved, vulnerable individuals and/or owned or operated by persons of color, EI enlisted a variety of trusted Community Based Organizations to recruit businesses into the Program.

EI also coordinates regulatory industrial environmental compliance for municipalities, coordinating all aspects of the fats, oil and grease (FOG) program for restaurants which plays heavily in food service ware when it comes to requirements for dishwashers and grease interceptors to use reusable ware. We also enforce polystyrene bans, mandatory recycling, and compost laws. In this sense, EI is accustomed to both voluntary outreach and education and regulatory enforcement and can work in both roles. The best way to enforce both is through the path of this proposed work, in a “soft enforcement” light and to provide incentives for businesses to rise to the requirements.

City of Seaside Approach Summary

To promote sustainable foodware in the City of Seaside, the Foodware Team has designed a strong approach and work plan based on previous experience, measuring environmental outcomes and adjusting the action plan and scope in real-time as needed. The main facets of the campaign and anticipated timing include:

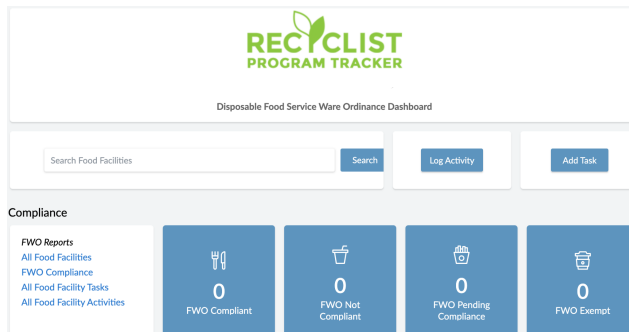
- 1) November 2021: Enlist, coordinate and work with local groups, organizations and agency partners to eliminate single use items and items identified in the ordinance to pollute the Seaside environment such as polystyrene and balloon sales in discount shops. Potential partners that could be partners and volunteers: Monterey One Water, Monterey Plastics Coalition, Schools Compost and Recycling Advocates - Monterey Bay Area (SCRAP - MBA), Save Our Shores, Sustainable Seaside, CSUMB Service Learning or Catalyst Center, the County of Monterey Sustainability Program, the Monterey Regional Waste Management District and the Monterey Bay Aquarium.
- 2) December 2021 and January 2022: Establish a branded campaign and web presence to house information, materials and resources. Together, with the City of Seaside and enlisted partners, brand the PIP4 effort and come up with an effective slogan and marketing presence that will resonate. See the [Foodware Aware](#) website for an example.
- 3) January 2022: Create a printed 1/3 page rack card explaining the requirements of the program, its benefits and incentives. Include as “ad-on” information for wastewater and consumer protection inspectors visiting businesses. Rack card could include possible rebates/prebates, how to be certified as a Green Business (and take advantage of resources including a \$500 rebate) and links to more information on the website. A separate rack card will be produced for retail businesses. Printed rack cards will be used in mailers but also made available for the City to disperse during business licensing and other business outreach activities. See the [Foodware Aware summary sheet](#) for an example.
- 4) January 2022: Resource Guide: a previously developed resource guide will be reviewed and made more locally specific for the City of Seaside. The guide will be provided on the website.
- 5) Late January/Early February 2022: Mailers will be sent to all 55 food facilities with the rack card explaining the details of the ordinance, the resources and incentives available to them. A separate rack will be developed for the 127 retail establishments regarding balloon waste elimination and other pertinent information regarding the PIP4 effort.
- 6) February 2022: Virtual outreach by phone and email to all 55 food facilities in Seaside and the 127 retail establishments that may be impacted by certain aspects of the ordinance as well.





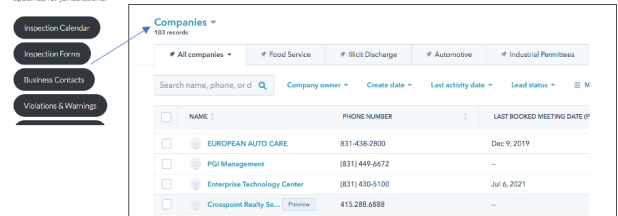
- 7) March 2022: Direct 1:1 technical assistance to bring food businesses into ordinance compliance and beyond with reusable foodware and BPI compliant compostables.
- 8) April 2022: Case studies and highlights for businesses that went above and beyond that could possibly be presented to and recognized by City Council. This timing should be aligned with Earth Day, if at all possible.
- 9) Throughout the year-long Contract: Process up to \$7,000 in prebates and rebates for businesses.
- 10) May-August 2022: Measure Environmental Outcomes and adjust and fill gaps.
- 11) September 2022: Final report provided to the City of Seaside and partners.

Up to three iterations of all materials will be produced with substantial input from the City of Seaside staff (first and foremost) and partners to ensure a uniformed message for greater impact.



The focus on waste diversion and GHG reduction through an increase in recycling in CA has heralded many new compliance requirements. This section tracks those requirements as specified for jurisdictions.

Recovery & Recycling



Together, RD and EI have two web-based tools to measure environmental outcomes. We will couple these tools to deploy community-based social marketing strategies using key performance indicators that will guide our strategies throughout the duration of the project. In this sense, we will quickly pivot toward tested strategies that work. We will also use incentive-based strategies to ensure involvement. RD will provide certification of businesses that implement reusable foodware and other source reduction strategies with “one-change” to “full-transition” certifications and the Monterey Bay Area Green Business Program will provide Green Business recognition at either the Efficiency, Certified, or Innovator tier. These certifications will also provide rebates and prebates to businesses that need them; \$500 per business from CalEPA for the Green Business Program, and the \$300 per business that is proposed as part of this work plan. Other rebates could come from a non-profit called Plastic Free Restaurants that has partnered closely with the EI/RD team in the past. Rebates and prebates will be laser targeted toward BBIPOC and women-owned businesses and/or businesses experiencing hardship by partnering with community-based organizations in underserved regions that know their community well and are trusted in both cases. Prebates will be doubled for businesses owners/managers from vulnerable communities and for schools trying to comply with the ordinance. Where possible, the Foodware team will work with PlasticFreeRestaurants.org who will subsidize the cost of more sustainable foodware transitions for food service facilities.

A report will be provided at the end of the project detailing environmental outcomes and case studies.

The Foodware Team is best equipped and experienced to launch the awareness and engagement aspects of the City of Seaside’s Single Use Plastic Ordinance. EI is a certified B Corp and carries the necessary insurance requirements for its public agency clients. RD is part of the Clean Water Fund, a 501.c.3 organization.

**Project Tasks and Estimated Costs:**

Foodware Outreach City of Seaside	Estimated Hours	Cost
Website/Campaign	48	5280
Resource Guide	12	1320
Rack Card: staff time	10	1100
Virtual Outreach	40	3400
Direct Technical Assistance for outliers	60	5700
Case studies and Report	20	2200
Partner Org/Agency Coordination	40	4400
Meetings with Seaside Staff	9	990
Mileage and expenses		610
	Subtotal	\$25,000
Rebates/Prebates for Businesses approx. \$300ea for 23 businesses		\$5,000
	Total	\$30,000

* If deemed more necessary and applicable, utilize part of this \$5,000 to pay a community-based organization to do the outreach to a certain demographic. Additionally, external rebates from the California Green Business Network and Plastic Free Restaurants will be utilized at every opportunity. It is estimated that an additional \$3,000 in rebates could come from these outside sources.

Assurances: EI services are done with Professional and General Liability insurance up to \$2,000,000, Workers' Compensation, and automobile insurances of up to \$1,000,000. Although EI maintains the extensive insurances often required by government and institutional clients, EI has never been involved in any lawsuit or litigation for any of its work. EI will provide a Certificate of Insurance, naming the City of Seaside as additional insured upon request.

Rates: It is expected that this project will be completed by the Senior Scientist and Compliance Inspector. However, if speed or budget requires, a Staff Scientist or Student Intern could be utilized.

Labor Rate Sheet

Staff Position	Hourly Rate
Senior Scientist, Marketing and Graphics	110
Staff Scientist (Virtual Outreach)	85
Staff Scientist (Field Outreach)	95



Attachment 1: References

Environmental Innovations, Inc.

References: EI delivers programs successfully within the budget and schedule indicated on the contract. Following is a table detailing most recent and relative clients. Any client may be contacted for references for verifying the quality of work provided.

Project Name	Client/Contact	Description of Work Performed
Environmental Compliance Regulator, NPDES Permit Compliance Management, Transportation Grants Management, EAR and Organics Recycling	City of Scotts Valley, Scott Hamby, (831) 438-0732	Conduct Environmental Compliance Inspections of SIU and light industrial users of the sewer systems. Update regulations, assist with stormwater compliance of a NPDES permit. Obtained STBG funding for 2017.
Green Business Program Administration	County of Santa Cruz, Beau Hawksford, (831) 454-2358	Coordinate all aspects of the GBP for the County of Santa Cruz.
Green Business Assistance	City of Watsonville, Hilda Peralta, (831) 768-3164	Coordinate all aspects of the GBP and Foodware Ordinance Outreach for the City of Watsonville.
Green Business Assistance and Foodware Aware Program	County of San Mateo, Office of Sustainability Hannah Doress, (650) 599-1468 Eun-Soo Lim (650) 599-1498	Coordinate all aspects of the GBP in concert with county staff. Lead on the Foodware Aware Program for 21 Cities and up to 4,000 food facilities.
California State University Monterey Bay (CSUMB)	Lacey Raak, (831) 582-5508, and Anya Spear, (831) 582-5098	Performed detailed Scopes of Work for Custodial and Landscaping Services to ensure sustainable operations. Assisted with STARS reporting for recognition and stormwater compliance. Drafted a Materials Management and Conservation Plan to reach required diversion goals.
California Green Business Network (CAGBN) Oversight and Direction	Multiple program sponsors and partners throughout the State of California. Pam Evans, Chair of the Board of Directors (510) 452-7638	Executive Director of the centralized aspects of CAGBN, including facilitation of meetings, committees, and funding partners. Main tasks are the operation of the web-based tracking tool GreenBizTracker, marketing, training and funding development.



ReThink Disposable

Project Name	Client/Contact	Description of Work Performed
San Anselmo ReThink Disposable	Elise Semonian, Planning Director at Town of San Anselmo, (415) 258-4636	Engaged local food businesses on ReThink Disposable and new foodware reduction ordinance for San Anselmo businesses, and currently updating foodware ordinance collateral with new look and messaging.
National Reuse Network, SF Reuse Committee, and other partnership projects	Miriam Gordon, Policy Director for UPSTREAM, (415) 902-5196	Participate in working groups to offer expert opinion and technical input on the City of San Francisco's Reuse Ordinance and other circular reuse projects.
StopWaste ReThink Disposable	Justin Lehrer, Operations Manager with StopWaste, (510) 891-6529	Provides technical assistance to food businesses across the County of Alameda on the foodware reduction, executed a food facility survey on foodware packaging habits, knowledge, and perceptions during the COVID-19 pandemic, and will be hosting a county-wide webinar on the safety of reusables.
San Francisco Department of the Environment city-wide ReThink Disposable campaign	Jack Macy, Commercial Zero Waste Senior Coordinator at the San Francisco Department of the Environment, (415) 355-3751	Provide technical assistance to food businesses across all of San Francisco on transitioning from non-reusable to reusable food and beverage packaging with the goal of providing outreach/education to 1,200 businesses and completing partial to full packaging transitions with 55 businesses participants.
National Reuse Network, SF Reuse Committee, and other partnership projects	Miriam Gordon, UPSTREAM, (415) 902-5196	Participate in working groups to offer expert opinion and technical input on the City of San Francisco's Reuse Ordinance and other circular reuse projects.
Unpackaging Alameda	Kerry Parker, City of Alameda Public Works Department, (510) 298-2984	Provided technical assistance to food businesses across the City of Alameda on the food ware reduction ordinance and converted 80 businesses to re-use centric food operations.



Attachment 2: Team Bios and Availability



Josephine (Jo) Fleming

Executive Director, California Green Business Network
President, Environmental Innovations

Jo will provide Project Oversight and Guidance and is available for up to 20% full-time equivalent (FTE). It is anticipated that her role will be a leadership role.

Jo has nearly 30 years experience in the environmental realm in a wide breadth of scientific research, environmental remediation, commercial/industrial pollution prevention, environmental outcome data and community-based social marketing programs to address some of the most pressing environmental problems of our time. She has a Bachelor of Science in Environmental Science and a Minor in Spanish Literature. She has worked to establish numerous Green Business Programs, green hundreds of businesses, and serves as the Executive Director of the California Green Business Network.

Jo began her career in research on constructed wetlands, compost, and field application of biosolids, and then moved into environmental site assessment and environmental remediation. From there, she began assisting individual companies with environmental compliance and policy, such as Seagate Technologies and other large biotechnology and microelectronic companies. She soon wanted to help more than one company at a time and therefore took a public position with the County of Santa Cruz, where she started the Monterey Bay Area Green Business Program as well as a substantive industrial pollution prevention outreach program. Soon, several Cities were requesting her services to coordinate the Green Business Programs in their jurisdictions. Jo started Environmental Innovations to be able to serve more of the community. As of 2017, Ms. Fleming and her team have assisted over 500 businesses to go Green, held over 20 industry-specific workshops, and have sparked over 20 new Green Business Programs across the state, and 5 states throughout the Nation. Jo currently serves as the Executive Director of the California Green Business Network, coordinating a network of 40 Green Business Programs, designed and built a web-based database that tracks businesses through the program and measures metric outcomes throughout the State of California, and nationally. The Network was recently inducted into the Green Hall of Fame and awarded the Business Intelligence Group Sustainability Award. Other groundbreaking programs that have been started and coordinated by Jo's team in the past include the Fryer to Fuel Program and the Sharp Solutions for Home Medicines Program. Ms. Fleming has won several awards including the Western Regional Pollution Prevention Network Pollution Prevention Champion 2003 and 2012, the County of Santa Cruz "Gold" Employee of the Year Award 2004, California Water Environment Association Pretreatment, Pollution Prevention and Stormwater Person of the Year 2003, Department of Toxic Substances Control Office of Pollution Prevention Recognition for exemplary work in promoting Pollution Prevention 2003 and 2006.



Lawrence Nussbaum

**Green Business Program Director
Foodware Aware Project Manager**

Lawrence Nussbaum, EI Senior Consultant, currently serves the County of San Mateo Office of Sustainability as their Green Business Program Director. It is expected that Lawrence will be a pro bono advisor on this project since he led the Foodware Aware team in San Mateo County. Lawrence holds a Masters in Environmental Management from Yale University and has over 20 years of experience working with sustainability certification programs and market-based sustainability in a variety of sectors. Lawrence was a leader in the development of Forest Stewardship (FSC) certification for the wood products industry, built out the regional Salmon-Safe certification program for watershed friendly land-use practices in the Pacific Northwest, and managed several market-based sustainability initiatives in agriculture and biofuels, textiles, furniture, manufacturing and green building for a variety of clients. At SCS Global Services, Lawrence managed client services, communications, and training for LCA based products (Environmental Product Declarations, Environmentally Preferable Product certification), indoor air quality certification ('Indoor Advantage' Low VOC, Formaldehyde Free), certified recycled content and certified biodegradable, as well as several industry sustainability standards including Business and Institutional Furniture Manufacturers Association (BIFMA) certification, Association for Contract Textiles' (ACT) FACTS certification, and the Resilient Floor Covering Institute (RFCI) FloorScore certification. Lawrence has conducted hundreds of environmental audits and has consulted with multinational corporate clients, private landowners, NGOs, and government agencies on implementation of sustainable management systems and related communications strategies.



Shawn Orgel-Olson

Sustainability, Marketing and Performance Standards Director

Shawn Orgel-Olson, Director of Sustainability, focuses on marketing, program operations, recruitment strategy, and standards development. He also advises the Performance Standards and Marketing Committees of the California Green Business Network. It is suspected that Shawn will spend approximately 5% FTE overseeing the resources required to execute the marketing portions of this work.

Prior to joining EI and the California Green Business Network, Mr. Orgel-Olson worked for the City of Santa Cruz on their Operations and Resource Recovery teams where he focused on energy efficiency, resource recovery and oversaw the City's Green Business Program. The City of Santa Cruz boasts some of the highest numbers of certified Green Businesses per capita. His experience working at Disney Consumer Products in their Sustainable Business Practices and International Labor Standards groups provides invaluable corporate sustainability experience. Shawn is actively involved in our San Mateo County and Cupertino food ware projects.



Maria (Corona) Corona

Social Equity and Social Media Outreach Coordinator

Corona is a sustainability professional with an emphasis on social media marketing, graphic design and environmental justice. She does community outreach and marketing efforts for the 40 programs in the California Green Business Network (CAGBN) and is the City of Watsonville Green Business Coordinator, offering assistance to businesses in both English and Spanish. Corona works specifically with Community-Based Organizations to increase participation in vulnerable communities so that the Green Business advantage is uniform and equitable in the State of California. It is expected that Corona will be available as a pro bono advisor to assist with outreach to Latinx communities and advice in working with food facilities.

Before joining EI, Corona was part of a team at Ecology Action that helped increase Spanish-speaking business registration within the six Monterey Bay Area Green Business Programs and create an outreach strategy for working with underrepresented communities. As Co-chair for the Education for Sustainable Living Program at UC Santa Cruz, Corona helped provide a student-organized, student-facilitated forum to bring topics such as environmental justice, waste reduction, green purchasing, food sovereignty, and other environmental issues to the wider Santa Cruz community. She graduated from the University of California, Santa Cruz with an Environmental Studies B.A. and Latin American Latino Studies & Sociology B.A.



Grace Lee

Program Director of ReThink Disposable

Grace Lee joined the ReThink Disposable program team in 2018 and is the ReThink Disposable Program Director. Ms. Lee has worked with nearly 100 Bay Area and Los Angeles businesses in source reduction, including food vendors, schools, catering businesses, and institutions like Google. Before working with Clean Water Fund, Ms. Lee was the Outreach Programs Director at The Bay Foundation, a National Estuary Program charged with restoring Santa Monica Bay. Ms. Lee has over 14 years of experience in public engagement, grant management, staff supervision, and program implementation for projects centered around water quality improvement and behavior change. Grace holds a bachelor's degree in Applied Ecology from the University of California, Irvine and a Master's Degree in Environmental Studies from the University of Southern California. Grace Lee will orchestrate the ReThink Disposable work and is available for up to 5% full-time equivalent (FTE).





Jamie Griffiths

ReThink Disposable Associate

Jamie Griffiths is a United Kingdom native who took root in California during his junior year of high school. Jamie graduated from UC Santa Cruz with a B.A. in Sociology, maintaining Dean's List status for the majority of his college career. At UC Santa Cruz, Jamie co-founded a student-led organization aimed at raising awareness and funds for research and treatment pertaining to Type 1 Diabetes and completed his Community Research Practicum on housing and residential struggles experienced by residents throughout Santa Cruz County. In Jamie's professional career, he's traveled extensively throughout Asia, was a food rescuer and helped to feed people suffering from food insecurity, served as a Federal and state-certified financial consultant for one of the nation's top three independent advisory firms, and was a laser tag Game Master for many years. In 2021, Jamie joined Clean Water Fund as the ReThink Disposable Engagement Specialist, helping Bay Area restaurants and institutions delete single-use food and beverage packaging. When Jamie is not combating plastic pollution, he's most likely traveling, snowboarding, playing the cello, or listening to incredibly loud music.

Jamie will assist with the ReThink Disposable work and is available for up to 10% full-time equivalent (FTE).





Attachment 3: Example Foodware Marketing Materials

Point of Sale Cards



Quicksheet Graphic

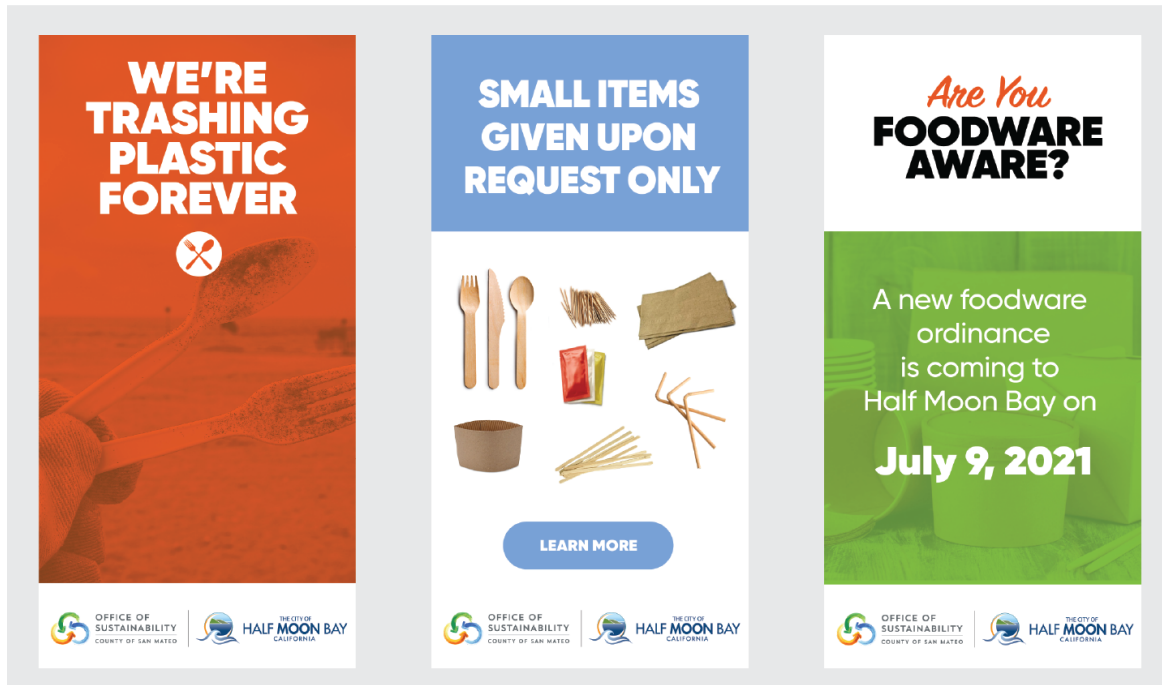




KHMB Radio Station Foodware Interview



General Public Awareness: Google Ads



General Public Awareness: Website

WHAT YOU CAN DO TO BE PART OF THIS IMPORTANT EFFORT!



1. **Understand** what the new [Ordinance](#) requires ([Spanish translation](#)).



2. **Request** disposable accessories like straws, stirrers, napkins, and condiment packets only when absolutely needed.



3. Take **only** what you really need at self-serve stations and dispensers.



4. Bring and use your own **reusables** (utensils, straws, to-go mugs, leftover containers, etc.) instead of single-use disposables.



5. **Properly sort and dispose** of foodware (check your [local recycling and composting](#) hauler/facility's guidelines).



6. Make sure your favorite restaurants and other food facilities are **in compliance** with the Ordinance ([let us know if they aren't](#)). See our [main page](#) for the dates and areas in San Mateo County where the Ordinance will be enforced.



General Public Awareness: Restaurant Window Cling





**CITY OF SEASIDE
PROFESSIONAL SERVICES AGREEMENT
PRIORITY IMPACT PLASTIC POLLUTION PREVENTION**

This agreement is made by and between the City of Seaside (City), and Environmental Innovations, Inc. (Consultant).

- A. Engagement: The City agrees to engage the Consultant to provide coordinated implementation of the Priority Impact Plastic Pollution Prevention Policy ("PIP4," Seaside Municipal Code 8.60) and other associated policies approved by the City Council on August 5, 2021, as described in Exhibit A, attached hereto and, hereinafter referred to as "the Project."
- B. Relationship: The Consultant is an independent contractor and is not to be considered an agent or employee of the City.
- C. Compensation: The City shall pay consultant on a time and materials basis in accordance with the standard billing rates shown in Exhibit B, attached hereto, not to exceed \$30,000.00 dollars (Thirty thousand dollars).
- D. Expense Reimbursement: City will reimburse for professional services and expenses at cost upon submission of receipts.
- E. Method of Payment: The City shall pay within 30 days in accordance with Consultant's Fee Schedule, attached hereto, upon receipt of a written invoice from Consultant detailing services rendered.
- F. Term: The term of this agreement shall commence on October 22, 2021, and terminate on November 1, 2022.
- G. Termination: This agreement may be terminated; (a) by either party at any time for failure of the other party to comply with the terms and conditions of this Agreement; (b) by either party upon 10 days prior written notice to the other party; or (c) upon mutual written agreement of both parties. In the event of termination, the Consultant shall stop work immediately and shall be entitled to compensation for professional fees and expense reimbursement to the date of termination and for any work necessitated by that termination.
- H. Indemnity: To the fullest extent permitted by law, Consultant shall indemnify and hold harmless Agency and any and all of its officials, employees and agents ("Indemnified Parties") from and against any and all losses, liabilities, damages, costs and expenses, including legal counsel's fees

and costs, caused in whole or in part by the negligent or wrongful act, error or omission of Consultant, its officers, agents, employees or subconsultants (or any agency or individual that Consultant shall bear the legal liability thereof) in the performance of services under this agreement. Consultant's duty to indemnify and hold harmless Agency shall not extend to the Agency's sole or active negligence.

- I. **Duty to Defend:** In the event the Agency, its officers, employees, agents and/or volunteers are made a party to any action, lawsuit, or other adversarial proceeding arising from the performance of the services encompassed by this agreement, and upon demand by Agency, Consultant shall defend the Agency at Consultant's cost or at Agency's option, to reimburse Agency for its costs of defense, including reasonable attorney's fees and costs incurred in the defense of such matters to the extent the matters arise from, relate to or are caused by Consultant's negligent acts, errors or omissions. Payment by Agency is not a condition precedent to enforcement of this provision. In the event of any dispute between Consultant and Agency, as to whether liability arises from the sole or active negligence of the Agency or its officers, employees, or agents, Consultant will be obligated to pay for Agency's defense until such time as a final judgment has been entered adjudicating the Agency as solely or actively negligent. Consultant will not be entitled in the absence of such a determination to any reimbursement of defense costs including but not limited to attorney's fees, expert fees and costs of litigation.
- J. **Insurance:** Consultant shall maintain prior to the beginning of and for the duration of this Agreement insurance coverage as follows;

Professional liability (errors & omissions) insurance. Consultant shall maintain professional liability insurance that covers the Services to be performed in connection with this Agreement, in the minimum amount of \$1,000,000 per claim and in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this agreement and Consultant agrees to maintain continuous coverage through a period no less than three years after completion of the services required by this agreement.

General liability insurance. Consultant shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

Automobile liability insurance. Consultant shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering

bodily injury and property damage for all activities of the Consultant arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than 1,000,000 combined single limit for each accident.

Workers' compensation insurance. Consultant shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000).

Consultant shall submit to Agency, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of Agency, its officers, agents, employees and volunteers.

K. Project Management. The Contract Manager will represent the City for all purposes under this Agreement. Beth Rocha, Senior Planner, is designated as the Project Manager for the City. The Project Manager will be Consultant's point of contact with respect to performance, progress and execution of the Services. The City may designate an alternate Project Manager from time to time.

L. Ownership of Work Product:

- a. Upon completion of, or in the event of termination or suspension of this Agreement, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, computer discs, and reports prepared by the Contractor under this Agreement shall become the sole property of City and may be used, reused, or otherwise disposed of by City without the permission of Contractor. With respect to computer files, Contractor shall make available to City, at City's office and upon reasonable written request by City, the necessary computer software and hardware for purposes of accessing, compiling, transferring, and printing computer files.
- b. The City agrees to hold Consultant harmless from all damages, claims, expenses, and losses arising out of any reuse of the plans, specifications, drawings, maps, models, computer files and other documents for purposes other than those described in this Agreement, unless written authorization of Consultant is first obtained.

M. Assignment

- a. The Consultant shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without prior written consent of the City. Because of the personal nature of the services to be rendered pursuant to this Agreement, Environmental Innovations, Inc. shall perform the services described in this Agreement.

N. Conflict of Interest

- a. Consultant shall at all times avoid conflicts of interest, or the appearance of conflicts of interest, in the performance of this Contract.
- b. If City determines Consultant comes within the definition of Consultant under the Political Reform Act (Government Code §87100 et seq.) Consultant shall complete and file and shall require any other person doing work under this Agreement to complete and file a "Statement of Economic Interest" with City disclosing Consultant's and/or such other person's financial interests.

O. Miscellaneous:

- a. The entire agreement between the parties with respect to the subject matter hereunder is contained in this agreement.
- b. Neither this agreement nor any rights or obligations hereunder shall be assigned or delegated by the Consultant without the prior written consent of the City.
- c. This agreement shall be modified only by written agreement duly executed by the City and the Consultant.
- d. Should any of the provisions hereunder be found to be invalid, void or voidable by a court, the remaining provisions shall remain in full force and effect.
- e. This agreement shall be governed by and construed in accordance with the laws of the State of California.
- f. All notices required or permitted under this agreement shall be deemed to have been given if and when deposited in the United States mail, properly stamped and addressed to the party for whom intended at such party's address listed below, or when delivered personally to such party. A party may change its address for notice hereunder by giving written notice to the other party.

Wherefore, the parties have entered into this agreement as of the later of the dates stated below.

Approved:

Dated: 10/13/21

Josephine Fleming

Consultant: Environmental Innovations, Inc.

By: Josephine Fleming

Title: President

Address: 307 Laguna Street, Santa Cruz, CA 95060

Dated: _____, 2021

City of Seaside:

By: Roberta Greathouse
Title: Acting City Manager

Attachments:	Exhibit A	Scope of Work
	Exhibit B	Billing Rates
	Exhibit C	Insurance

Exhibit A: SCOPE OF SERVICES REQUESTED

To promote sustainable foodware in the City of Seaside, the Foodware Team has designed a strong approach and work plan based on previous experience, measuring environmental outcomes and adjusting the action plan and scope in real-time as needed. The main facets of the campaign and anticipated timing include:

- 1) November 2021: Enlist, coordinate and work with local groups, organizations and agency partners to eliminate single use items and items identified in the ordinance to pollute the Seaside environment such as polystyrene and balloon sales in discount shops. Potential partners that could be partners and volunteers: Monterey One Water, Monterey Plastics Coalition, Schools Compost and Recycling Advocates - Monterey Bay Area (SCRAP - MBA), Save Our Shores, Sustainable Seaside, CSUMB Service Learning or Catalyst Center, the County of Monterey Sustainability Program, the Monterey Regional Waste Management District and the Monterey Bay Aquarium.
- 2) December 2021 and January 2022: Establish a branded campaign and web presence to house information, materials and resources. Together, with the City of Seaside and enlisted partners, brand the PIP4 effort and come up with an effective slogan and marketing presence that will resonate. See the [Foodware Aware website](#) for an example.
- 3) January 2022: Create a printed 1/3 page rack card explaining the requirements of the program, its benefits and incentives. Include as "ad-on" information for wastewater and consumer protection inspectors visiting businesses. Rack card could include possible rebates/prebates, how to be certified as a Green Business (and take advantage of resources including a \$500 rebate) and links to more information on the website. A separate rack card will be produced for retail businesses. Printed rack cards will be used in mailers but also made available for the City to disperse during business licensing and other business outreach activities. See the [Foodware Aware summary sheet](#) for an example.
- 4) January 2022: Resource Guide: a previously developed resource guide will be reviewed and made more locally specific for the City of Seaside. The guide will be provided on the website.
- 5) Late January/Early February 2022: Mailers will be sent to all 55 food facilities with the rack card explaining the details of the ordinance, the resources and incentives available to them. A separate rack will be developed for the 127 retail establishments regarding balloon waste elimination and other pertinent information regarding the PIP4 effort.

6) February 2022: Virtual outreach by phone and email to all 55 food facilities in Seaside and the 127 retail establishments that may be impacted by certain aspects of the ordinance as well.

7) March 2022: Direct 1:1 technical assistance to bring food businesses into ordinance compliance and beyond with reusable foodware and BPI compliant compostables.

8) April 2022: Case studies and highlights for businesses that went above and beyond that could possibly be presented to and recognized by City Council. This timing should be aligned with Earth Day, if at all possible.

9) Throughout the year-long Contract: Process up to \$7,000 in prebates and rebates for businesses.

10) May-August 2022: Measure Environmental Outcomes and adjust and fill gaps.

11) September 2022: Final report provided to the City of Seaside and partners.

Together, ReThink Disposable (RD) and EI have two web-based tools to measure environmental outcomes. We will couple these tools to deploy community-based social marketing strategies using key performance indicators that will guide our strategies throughout the duration of the project. In this sense, we will quickly pivot toward tested strategies that work. We will also use incentive-based strategies to ensure involvement. RD will provide certification of businesses that implement reusable foodware and other source reduction strategies with "one-change" to "full-transition" certifications and the Monterey Bay Area Green Business Program will provide Green Business recognition at either the Efficiency, Certified, or Innovator tier. These certifications will also provide rebates and prebates to businesses that need them; \$500 per business from CalEPA for the Green Business Program, and the \$300 per business that is proposed as part of this work plan. Other rebates could come from a non-profit called Plastic Free Restaurants that has partnered closely with the EI/RD team in the past. Rebates and prebates will be laser targeted toward BBIPOC and women-owned businesses and/or businesses experiencing hardship by partnering with community-based organizations in underserved regions that know their community well and are trusted in both cases. Prebates will be doubled for businesses owners/managers from vulnerable communities and for schools trying to comply with the ordinance. Where possible, the Foodware team will work with PlasticFreeRestaurants.org who will subsidize the cost of more sustainable foodware transitions for food service facilities. A report will be provided at the end of the project detailing environmental outcomes and case studies.

EXHIBIT B: BILLING RATES

Foodware Outreach City of Seaside	Estimated Hours	Cost
Website/Campaign	48	5280
Resource Guide	12	1320
Rack Card: staff time	10	1100
Virtual Outreach	40	3400
Direct Technical Assistance for outliers	60	5700
Case studies and Report	20	2200
Partner Org/Agency Coordination	40	4400
Meetings with Seaside Staff	9	990
Mileage and expenses		610
	Subtotal	\$25,000
Rebates/Prebates for Businesses approx. \$300ea for 23 businesses		\$5,000
	Total	\$30,000

EXHIBIT C: INSURANCE



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 10/11/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Jerry Seagreaves Insurance 2425 Porter St, Ste 17 Soquel, CA 95073		CONTACT NAME: Jerry Seagreaves PHONE (A/C, No, Ext): (831) 464-1870 FAX (A/C, No): (831) 475-5045 E-MAIL ADDRESS: office@seagreaves.net	
		INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A: Hiscox	10200
		INSURER B: Farmers Ins Exch	21652
		INSURER C: State Compensation Insurance Fund	35076
		INSURER D: Lloyd's Of London	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 1410** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:	X		UDC-4496981-CGL-21	06/15/21	06/15/22	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$	X		606766914	10/18/21	10/18/22	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ EACH OCCURRENCE \$ AGGREGATE \$ \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	N/A	9160962-21	06/16/21	06/16/22	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Professional Liability	X		PSJ0531151851	04/20/21	04/20/22	Aggregate \$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is Listed as Additional Insured.

CERTIFICATE HOLDER

CANCELLATION

City of Seaside
 440 Harcourt Ave, Seaside CA. 93955

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ENVIROMENTAL INNOVATIONS THE COORDINATED IMPLEMENTATION OF THE PRIORITY IMPACT PLASTIC POLLUTION PREVENTION POLICY OF THE SEASIDE MUNICIPAL CODE FOR AN AMOUNT NOT TO EXCEED \$30,000.00

WHEREAS, the City's Community Development Department issued a Request for Qualifications; and

WHEREAS, Environmental Innovations responded to a Request for Qualifications released by the Department; and

WHEREAS, Environmental Innovations was selected based on their extensive experience, detailed approach to the outreach process, success, and availability; and

WHEREAS, council budgeted for the expenses in the FY 2021/2022 account 100-7110-8185; and

WHEREAS, the not to exceed value of the contract is \$30,000.00, which exceeds the City Managers' purchasing authority.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby authorizes the City Manager to sign a contract with Environmental Innovations for executive recruitment services and the value of the agreement does not exceed \$30,000.00

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 21st day of October 2021, by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Dominique L. Davis, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.H.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Dan Meewis, Recreation Director

DATE: October 21, 2021

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST
FROM SEASIDE HIGH SCHOOL CHEERLEADING TEAM**

RECOMMENDATION

Approve a request from Seaside High School Cheerleading Team for a donation of \$3,000.00 (Three Thousand Dollars) from the Mayor's Youth Fund to help cover the costs for team uniforms and transportation to and from games and events.

BACKGROUND

The Seaside High School Cheerleading Team is requesting a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the cost of team uniforms, cheerleading camp and transportation to and from games and special events. The cheerleading team is currently soliciting donations from a variety of sources to help with costs associated with these items. By being able to attend the events and games, the Seaside High Cheerleaders can continue to positively represent their school and the Seaside Community.

The Seaside High School Cheerleading team continuously volunteer at many events along the Peninsula, which include: Winter Wonderland, Golden Egg Hunt, Jacob's Heart, Big Sur Half Marathon, West End Celebration, and National Night Out to name a few. At these events, the team helped with setup, maintaining of cleanliness, collecting trash and debris and putting them in the correct receptacles. They also helped as part of the "green team" in the West End, helping educate the public on the proper disposal of their waste. Due to COVID, the team has only been able to participate in one activity so far, which was National Night Out, where they helped setup, dispose of waste, coordinate and run the kids' game zone and break down after the event.

Based on the information provided in the application, the request meets the criteria for

a donation from the Mayor's Youth Fund. The team was granted \$3,000.00 at the March 5, 2020, City Council Meeting. They submitted their 2020 Mayor's Youth Fund Closing Report within the 60 day time frame.

FISCAL IMPACT

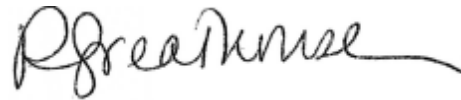
This request would be funded by a donation from the Green Waste Recovery's donation to the Mayor's Youth Fund. The current balance in the Mayor's Youth Fund Account is \$45,100.73. If the City Council approves this request, the balance will drop down to \$42,100.73.

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 Request SHS Cheer 2021
 2. Seaside High School W-9 2021
 3. Mayor's Youth Fund Closing Report - Seaside High School Cheerleading 2020
-

Reviewed for Submission to the City Council by:



Roberta Greathouse, Acting City Manager



**SEASIDE
CALIFORNIA**

Mayor's Youth Fund

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

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
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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: SEASIDE HIGH SCHOOL CHEERLEADING

Name of Applicant: KENNEDY PARKER/KIARA THOMAS/MARISOL PEREZ

Address: 2200 NOCHE BUENA STREET City: SEASIDE State: CA

Phone: 831-601-1071 Email: KENNEDY.PARKER96@GMAIL.COM

Number of Participants: 22 Seaside Residents / Students: 100 % Ages: 14-18

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)*

SHS CHEER IS AN EXTRACURRICULAR ACITIVITY FOR STUDENTS WHERE THE MAIN
FOCUS IS TO PROMOTE POSITIVE SCHOOL SPIRIT AND COMMUNITY LEADERSHIP.

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 MAIN FOCUS OF THE FUNDS WOULD TO BE FOR TRANSPORTATION. THE SECOND USE OF THE FUNDS WOULD BE TO OFFSET
THE COSTS OF THE UNIFORMS AND SPIRIT WEAR. LASTLY WOULD BE TO ALLOW THE ATHLETES TO GO TO CHEERLEADING CAMP.
THE TEAM TEAM VOLUNTEERED AT NATIONAL NIGHT OUT HELPING WITH THE SETUP OF THE EVENT, CHILDREN'S ACTIVITIES,
AND THE CLEENUP OF MATERIALS, DEBRIS AND TRASH AT THE CONCLUSION OF THE EVENT. NORMALLY THE TEAM WOULD DO THIS
AT MULTIPLE EVENTS THROUGHOUT THE SEASON BUT DUE TO COVID THIS HAS BEEN THE ONLY ONE SO FAR. MORE ARE PLANNED.

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

OTHER FUNDRAISERS THE TEAM
HAS PARTICIPATED IN ARE POPCORN FUNDRAISERS, COOKIE DOUGH FUNDRAISERS AND
RAFFLE TICKET FUNDRAISERS.

Total Amount Requested: *(See contribution limits)* \$ 3,000.00

Applicant Signature: KENNEDY PARKER

Date: 10/8/2021

Updated.

The SHS Cheerleaders continuously volunteer at many events along the Peninsula to include: Winter Wonderland, Golden Egg Hunt, Jacob's Heart, Big Sur Half Marathon, West End Celebration and National Night Out to name a few. At these events the team helps with setup, maintaining of cleanliness collecting trash and debris and putting them in the correct receptacle. They also help as part of the "green team" at West End helping educate the public on the proper disposal of their waste. Due to COVID, the team has only been able to participate in one activity so far which was National Night Out where they helped setup, dispose of waste, coordinate and run the kids zone game area and break down after the event.



**SEASIDE
CALIFORNIA**

Mayor's Youth Fund

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

MAYOR'S YOUTH FUND CLOSING REPORT

CONTACT INFORMATION:

Organization: _____

Name of Applicant: _____

Address: _____ City: _____ State: _____

Phone: _____ Email: _____

DONATION INFORMATION:

Date the Mayor's Youth Fund was approved by City Council: _____

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

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

Applicant 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.

JUN-18-2008 14:07

P.001

Form **W-9**
(Rev. October 2007)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

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

See Specific Instructions on page 3

Name (as shown on your income tax return) **monterey Peninsula Unified School District**

Business name, if different from above

Check appropriate box: ☐ Individual sole proprietor ☐ Corporation ☐ Partnership
☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ ☐ Exempt payee
☐ Other (see instructions) ▶

Address (number, street, and apt. or suite no.) **700 PACIFIC ST**

City, state, and ZIP code **MONTEREY CA 93940**

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 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

or

Employer identification number
77-0320712

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).

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, payment 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 4.

Sign
Here

Signature of
U.S. person ▶

Date ▶

General Instructions

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

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, 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.

Note. If 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 on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the 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 withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by

council: March 5, 2020

Name of

Organization: Seaside High School Cheerleading

Contact:

Jasmine Dolan & Kennedy Parker

Address:

2200 Noche Buena Street, Seaside, Ca 93955

Email/Phone:

jasmineamberparker@gmail.com

Amount of Donation

Received: \$3,000

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

Funds will be used to purchase uniform items and transportation when the season resumes.

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.

West End Green Team August 2019 encouraging recycling and directing patrons to the appropriate receptacles
, National Night out August 2019

Signature: Jasmine Dolan

Date: September 11, 2020

***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.I.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Melissa Broadston, ESCA Program Manager

DATE: October 21, 2021

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

RECOMMENDATION

Approve report as presented.

BACKGROUND

The Fort Ord Reuse Authority (FORA) officially closed all operations on June 30, 2020. Prior to 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 (Successor). Seaside is now responsible for performing the remaining Long-Term Obligations (LTO) management responsibilities related to U.S. Army (Army) Munitions and Explosives of Concern (MEC) on ESCA property until June 30, 2028. A summary of the ESCA remediation program to date is provided below. A quarterly report is required to be prepared and submitted to the Army after review and acceptance by the City Council.

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 also entered into the Administrative Order on Consent (AOC) with the 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 properties received Records of Decision (ROD) documenting controls required to protect public health and safety and Land Use Control Implementation Plan/Operation and Maintenance Plan (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. These ESCA properties received the last EPA Remedial Action Completion letter in February 2019. The EPA issued a site-wide ESCA remedial completion certificate in April 2020.

Remedial Action Completion initiated the Army's long-term obligations on ESCA properties. To complete the ESCA and the AOC obligations, the Successor In interest (Seaside) is required to complete a truncated series of tasks until the expiration in 2028 to include site investigation and monitoring, ensuring compliance with the land use controls for ESCA parcels by land holding jurisdictions, mitigation, monitoring, reporting for any potential or found munitions and explosives of concern, and public information and outreach regarding land use. Should any instances of MEC occur, the contractors of Arcadis, Inc., Weston Solutions, Inc. and Westcliffe Engineers, Inc. will assist with providing LTO support services.

ESCA QUARTERLY UPDATE – Q2 2021

Staffing Updates

The City hired two new staff members to manage the ESCA Program. The two previous ESCA staff members resigned over the summer. Melissa Broadston is the ESCA Program Director as of October 11, 2021. The second Administrative Analyst has accepted the employment offer and is expected to join in November 2021. ESCA management and all reporting requirements were fulfilled by Seaside staff for the interim period. Training by the Weston and Westcliffe engineers on ESCA clean-up, MEC identification, and ESCA reporting requirements and responsibilities will be scheduled upon the arrival of the second staff member.

Jurisdiction Coordination

ESCA property could not be transferred to the jurisdictions until Army deed modifications and issuance of the Army CERCLA Warranties/Deed Amendments were completed. The ESCA property Army CERCLA Warranty and Deed modification documents were signed by FORA at Army Headquarters in Washington, D.C. and Recorded in Monterey County on June 26, 2020. The receiving jurisdictions signed and recorded these deeds and have final ownership of their ESCA properties. During a file audit, staff discovered that the ESCA properties were still showing FORA as the owner on the County Recorder's website. Coordination with the recorder/assessor's office continues for corrections. Staff held coordination meetings with all land holding jurisdictions to discuss land use controls of their newly owned parcels, security issues,

inspection requirements, signage and public access. ESCA staff also conducted the quarterly teleconference with EPA, DTSC, and Army jurisdiction management. Additional coordination activities for this quarter include meeting with the jurisdictions to continue the discussion on signs around the ESCA lands, sending reminders for all jurisdictions to complete the Annual Land Use Control Report, and participating in the tailgate munitions safety meetings for the on-going construction activities in the Seaside Munitions Response Area.

Land Transfer Status

In Seaside's role as the LRA, staff has been actively involved in the final land transfers of Fort Ord lands to local land holding jurisdictions. We are still actively working with the US Army and regulators to get the final parcels released by the Army.

Next Quarter Goals

During the third quarter of 2021, the ESCA Program will be focusing on the following tasks:

- Introduction of new staff members to the regulatory agencies, jurisdictional contacts and community stakeholders
- Submission of the Annual Land Use Control Report to the regulatory agencies
- Replacement of signs around the Seaside Munitions Response Area
- Participation in tailgate munitions safety meeting(s) for new construction projects
- Continued facilitation of a multi-jurisdictional subcommittee for the development of consistent and bilingual wayfinding and public safety signage
- Coordination with jurisdictions and extensive public outreach on the Munitions Recognition and Safety Training which is available at <http://www.fortordsafety.com/>
- Continued inspection and monitoring of activities on ESCA parcels
- Continued follow-up on incidents of concern (i.e. pump track or BMX track)

FISCAL IMPACT

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

ATTACHMENTS

None

Reviewed for Submission to the City Council by:



Roberta Greathouse, Acting City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.J.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Ernesto Altamirano, Communications & Community Engagement Specialist

DATE: October 21, 2021

**SUBJECT: APPROVE PROCLAMATION DECLARING FREEDOM FROM
WORKPLACE BULLIES WEEK FROM OCTOBER 17 - 23, 2021**

RECOMMENDATION

Approve a proclamation declaring "Freedom from Workplace Bullies Week" from October 17-23, 2021, to encourage Seaside residents to break through the shame and silence enshrouding adult bullying at work.

BACKGROUND

The Commission on Labor has been interested in the issue of Workplace Bullying since 2006. On April 27, 2006, the Commission held a special meeting to address this very important issue that was becoming a hot topic at the time. Gary Namie, PhD, of the Workplace Bullying & Trauma Institute, facilitated a workshop on the subject of workplace bullying and 33 members of the public were present. More recently, in 2015-2016, 148 California Cities passed Freedom from Workplace Bullying proclamations.

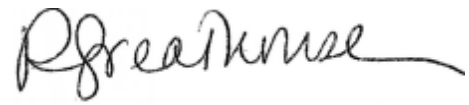
FISCAL IMPACT

None

ATTACHMENTS

1. Freedom from Workplace Bullies Week 2021 Proclamation
-

Reviewed for Submission to the City Council by:

A handwritten signature in black ink, appearing to read "R Greathouse", with a long horizontal flourish extending to the right.

Roberta Greathouse, Acting City Manager

City of Seaside PROCLAMATION



Freedom From Workplace Bullies Week

Commemorative Observance

WHEREAS, the City of Seaside has an interest in promoting the social and economic well-being of its employees and citizens; and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments; and

WHEREAS, Bullying is a systematic campaign of interpersonal destruction that jeopardizes employee health, shatters careers and strains families; and

WHEREAS, Bullying is a non-physical, non-lethal workplace violence and it is abusive, causing psychological injuries and stress-related diseases; and

WHEREAS, Freedom from Workplace Bullies Week is a chance to break through the silence and secrecy and to do the right thing; and

WHEREAS, Everyone deserves a safe, healthy, and dignified workplace;

NOW THEREFORE, BE IT PROCLAIMED, that I, The Honorable Ian N. Oglesby, Mayor of the City of Seaside, on behalf of the City Council, do hereby proclaim October 17-23, 2021 as Freedom from Workplace Bullies Week and commend the California Healthy Workplace Advocates and the Workplace Bullying Institute, which raise awareness of the impacts of, and solutions for, workplace bullying in California and the

U.S. and encourage citizens to mark this week with special activities and programs to break through the shame and silence enshrouding adult bullying at work.

Ian N. Oglesby, Mayor
October 21, 2021



CITY OF SEASIDE STAFF REPORT

Item No.: 8.K.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Ernesto Altamirano, Communications & Community Engagement Specialist

DATE: October 21, 2021

SUBJECT: APPROVE PROCLAMATION RECOGNIZING AMERICAN INDIAN HERITAGE MONTH FOR NOVEMBER 2021.

RECOMMENDATION

Approve a proclamation declaring November 2021, as American Indian Heritage Month to recognize that Native Americans have enriched our heritage and continue to add to all aspects of our society through their generosity of culture and the continued practice of teaching economic, environmental, and cultural sustainability.

BACKGROUND

On June 3, 2021, the City Council approved the Library of Congress' Commemorative Observances. November is Native American Heritage Month, or as it is commonly referred to, American Indian and Alaska Native Heritage Month. The month is a time to celebrate rich and diverse cultures, traditions, and histories and to acknowledge the important contributions of Native people. Heritage Month is also an opportune time to educate the general public about tribes, to raise a general awareness about the unique challenges Native people have faced both historically and in the present, and the ways in which tribal citizens have worked to conquer these challenges.

FISCAL IMPACT

None

ATTACHMENTS

1. American Indian Heritage Month 2021
-

Reviewed for Submission to the City Council by:

A handwritten signature in black ink, appearing to read "R Greathouse", with a long horizontal flourish extending to the right.

Roberta Greathouse, Acting City Manager

City of Seaside PROCLAMATION



American Indian Heritage Month

Commemorative Observance

WHEREAS, during the month of November, we honor our native peoples in this, their ancestral homes, and recognize their continued contributions in strengthening the diversity of our society; and

WHEREAS, Native Americans are descendants of the original, indigenous inhabitants of what is now the United States; and

WHEREAS, Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations; and

WHEREAS, Native Americans have enriched our heritage and continue to add to all aspects of our society through their generosity of culture and the continued practice of teaching economic, environmental, and cultural sustainability;

NOW THEREFORE, BE IT PROCLAIMED, that I, The Honorable Ian N. Oglesby, Mayor of the City of Seaside, on behalf of the City Council, do hereby proclaim November 2021 as American Indian Heritage Month.

Ian N. Oglesby, Mayor
October 21, 2021



CITY OF SEASIDE STAFF REPORT

Item No.: 8.L.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Kee Hyon Higgins, Recreation Supervisor

DATE: October 21, 2021

**SUBJECT: APPROVE A FEE WAIVER REQUEST FROM PALENKE ARTS
ORGANIZATION TO USE LAGUNA GRANDE HALL AND KITCHEN
TO HOLD THEIR EVENT ON NOVEMBER 1, 2021**

RECOMMENDATION

Approve the fee waiver request from Palenke Arts for the use of Laguna Grande Hall and kitchen to hold their event "Dia de los Muertos Celebration (Day of the Dead)," in the amount of \$345.38 (Three Hundred, Forty-Five Dollars and Thirty-Eight Cents), the Organization to provide the City with the non-refundable portion of the deposit of \$92.25, (Ninety Two Dollars and Twenty-Five Cents) and provide the City with their insurance.

BACKGROUND

Palenke Arts is a non-profit organization. Palenke Arts is requesting a fee waiver to help cover the cost associated with their event "Dia de los Muertos Celebration (Day of the Dead)" on Monday, November 1, 2021, from 3:00 p.m. to 8:30 p.m. in the Laguna Grande Hall at the Oldemeyer Center.

Staff recommends that the fees be waived for rental cost of the facility and that the organization provide liability coverage and pay only the non-refundable portion of the deposit of \$92.25 to go towards the building maintenance fund.

FISCAL IMPACT

The approximate fees which are applicable to this request are:

Laguna Grande Hall & Kitchen Fee 4.5 Hours @ \$56.25 \$253.13

per hour

Deposit Non Refundable Portion

\$ 92.25

TOTAL

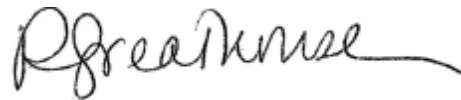
\$345.38

Should the City Council approve the request with the staff recommendation to waive all rental fees but require payment for the insurance and the non-refundable deposit only, the fiscal impact is \$253.13.

ATTACHMENTS

1. Palenke Arts Fee Waiver Request Dia de los Muertos Celebration (Day of the Dead) 2021
-

Reviewed for Submission to the City Council by:



Roberta Greathouse, Acting City Manager



SEASIDE CALIFORNIA

Fee Waiver Request Form

Parks and Recreation Division
986 Hilby Avenue, Seaside CA 93955
831-899-6800

CONTACT INFORMATION:

Organization: Talent Arts
Name of Applicant: Juan L. Sanchez
Address: 1713 Broadway Ave. City: Seaside State: CA
Phone: 831-333-6612 Email: juansanchez@hotmail.com

EVENT INFORMATION:

Event Title: Día de los Muertos Celebration (Day of the Dead)
Event Description: We will put up an altar, present music + dance + flower
Event Date: Nov. 1, 2021 Room(s) Requested: Laguna Grande Hall offering
Time (including set-up): 3:00 - 8:30 pm Approximate Number of Guests: 150

ADDITIONAL INFORMATION:

Reason for Requesting Fee Waiver: This is a free event for the community of Seaside, a celebration deeply rooted in the Mexican /
Have you received a Fee Waiver in the past? ☒ Yes, the event was on 6/18/2021 ☐ No Mesoamerican
What is your organization's tax identification number? 82-178648 Culture
What percentage of your members or participants resides in Seaside? 95%
Is your organization based in Seaside? ☒ Yes ☐ No
Is your organization able to provide liability insurance? ☒ Yes ☐ No
Will alcohol be served or sold at your event? ☐ Yes ☒ No

Applicant Signature: _____

Date: 10/11/21

(For Office Use Only)

Fee Waiver Request: ☐ Approved ☐ Denied ☐ Appealed

Security Deposit Required? ☐ Yes ☐ No

Staff Signature: _____

Date: _____

Notes: _____



**SEASIDE
CALIFORNIA**

Fee Waiver Request Form

Parks and Recreation Division
986 Hilby Avenue, Seaside CA 93955
831-899-6800

POLICY REGARDING ROOM RENTAL FEES AND WAIVERS

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

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

FEE WAIVERS FOR MEETING ROOMS

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

AUDITORIUM RENTAL FEE WAIVER

Organizations requesting the use of the Auditorium must:

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

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

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



SEASIDE CALIFORNIA

Facility Use Request Form

Parks and Recreation Division
440 Harcourt Avenue, Seaside CA 93955
831-899-6800

CONTACT INFORMATION:

ROOM: Oldemeyer C. Main Hall

Organization: Palenke Arts

Name of Applicant: Juan L. Sanchez

Address: 1713 Broadway Ave City: Seaside Zip: 93955

Phone: 831-333-6612 Email: juansanchez@hotmail.com

Day of Event Contact Name and Phone: Juan L. Sanchez

☒ Resident ☐ Non-Resident

EVENT INFORMATION:

Event Title: Día de Muertos Celebration (Day of the Dead)
*Please attach invitation or flyer if available.

Event Date: Nov. 1, 2021 Approximate Number of Guests: ~~100~~ 150

Reservation Time: 3:00 - 4:00 pm Event Time: 6:00 - 7:30 pm

*Laguna Grande Hall & Soper: Security guard(s) must be present for entire event time! See next page.

Special Instructions: we would like to have chairs set up + projector

Request to use the City's: ☐ Podium ☐ Microphone ☒ Projector Screen

*Subject to availability

**Projectors and other electronic equipment will not be provided

if available - we can

	Yes	No		Yes	No
Is the event open to the public?	☒	☐	Will refreshments be served?	☒	☐
Will admission be charged?	☐	☒	Will refreshments be sold?	☐	☐
Are you a non-profit organization?	☒	☐	Will you be using the kitchen?	☐	☐
Will there be music?	☒	☐	Will alcohol be served?	☐	☒
Will there be live music and/or DJ?	☒	☐	Will alcohol be sold?	☐	☒
Name of band or DJ: <u>Palenke Arts Chorus</u>			*Alcohol is prohibited at youth oriented events		

APPLICANT WILL PROVIDE THE FOLLOWING ITEMS 30 DAYS PRIOR TO THE EVENT:

1. Full payment of all applicable fees
2. Copy of event security contract by licensed company (if applicable)
3. Proof of liability insurance
4. Copy of ABC license (if applicable)

I have read and agree to all pages in the rental agreement forms

Applicant Signature: [Signature]

Date: 10/11/21

(For Office Use Only)

Permit Fee: _____ Authorized Agent: _____ Date: _____

Note: Original to Resource Management/Recreation Department



SEASIDE CALIFORNIA

Facility Use Rental Request Form

Parks and Recreation Division
986 Hilby Avenue, Seaside CA 93955
831-899-6800

FACILITY SELECTION

☐ LAGUNA GRANDE HALL

Capacity: Dining: 225 / Theatre: 300
Dimensions: 128' X 120'

	Resident	Non-Res
Hourly Rate	\$56.25	\$145.00
Deposit	\$615.00	\$769.00
(Refundable)	(\$522.75)	(\$633.65)
Alcohol Deposit	\$599.00	\$769.00
(Refundable)	(\$389.35)	(\$499.85)

Liability Insurance: \$81-\$207

Security Guards: required 1 per 50 guests

- ☐ I will be using Hall only
- ☐ I will be using Hall & Kitchen only
- ☐ I will be using Hall, Kitchen & Dance Studio

☐ BAYONET MEETING ROOM

Capacity: Classroom: 30 / Theatre: 40
Dimensions: 24' X 20'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr.	\$43.75 /hr.	\$57 /hr.
After 3 hrs.	\$20 /hr.	\$26.00 /hr.

☐ BLACKHORSE MEETING ROOM

Capacity: Classroom: 40 / Theatre: 50
Dimensions: 28' X 26'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hrs.	\$43.75 /hr.	\$68 /hr.
After 3 hrs.	\$20 /hr.	\$29.75 /hr.

☐ DANCE STUDIO

Capacity: Classroom: 35 / Theatre: 70
Dimensions: 26' X 24'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr.	\$68 /hr.	\$71.00 /hr.
After 3 hrs.	\$31.25 /hr.	\$31.00 /hr.

☐ SEAHORSE CONFERENCE ROOM

Capacity: 20 / Dimensions: 28' X 16'

	Resident	Non-Res
Rate 0-3 hrs.	\$43.75 /hr.	\$57 /hr.
After 3 hrs.	\$20 /hr.	\$26.00 /hr.

☐ SEASIDE MEETING ROOM

Capacity: Classroom: 40 / Theatre: 60
Dimensions: 32' X 26'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr.	\$43.75 /hr.	\$57 /hr.
After 3 hrs.	\$20 /hr.	\$26.00 /hr.

☐ SEASIDE COMMUNITY CENTER (SOPER)

Capacity: Dining: 85 / Theatre: 100
Dimensions: 128' X 120'

	Resident	Non-Res
Hourly Rate	\$59.25	\$78.00
Deposit	\$327.00	\$409.00
(Refundable)	(\$277.95)	(\$347.65)
Alcohol Deposit	\$599	\$749.00
(Refundable)	(\$389.35)	(\$486.85)

Liability Insurance: \$81-\$207

Security Guards: required 1 per 50 guests

- ☐ I will be using the Large Room only
- ☐ I will be using the Kitchen only
- ☐ I will be using the Large Room & Kitchen

☐ YOUTH EDUCATION CENTER

Two hour rentals: available Fridays and Saturdays
7:30-9:30 PM, and Sundays for any two hours
between 8 AM - 9 PM.

	Resident	Non-Res
Deposit	\$83	\$103.50
(Non Refundable)	(\$21)	(\$26)
0-25 Guests	\$172	\$215
26-50 Guests	\$187.00	\$234
51-75 Guests	\$205.00	\$257.00
Mini Golf	\$25	\$31
Extra 1/2 Hour	\$38	\$47.50

Non-Profit Rate: For Laguna Grande Hall, Seaside Community Center, and the Youth Education & Resource Center, non-profits may use the resident rate. For all other meeting rooms, non-profits may have up to 4 hours for \$33.75/\$42.50. Proof of 501(c)(3) required.

Security Guards: If required, security guards must be present for entire duration of event. Failure to comply or late security guards may result in deposit forfeited or event shut down completely.

SEATING CONFIGURATION

Review and select a seating configuration below. If you would like a different layout, please sketch your preferred layout in the box marked "other" or on the back of this sheet.

☐ Classroom ☐ Conference ☐ U-Shaped ☐ Pods ☐ Theater ☐ Banquet ☐ Empty ☐ Other

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



**SEASIDE
CALIFORNIA**

Facility Use Rental Request Form

Parks and Recreation Division

986 Hilby Avenue, Seaside CA 93955

831-899-6800

1. **OVERTIME:** Use of the facilities in excess of the time set forth above may result in overtime fee being charged.
2. **CANCELATION BY PERMITTEE:** Permittee must submit written notice of cancellation to the calendaring agent in order to be eligible for a refund. Refund requests made forty-five (45) days in advance will receive a full refund less a seven dollar (\$7) surcharge. Refund requests made thirty (30) - forty-five (45) days in advance will receive a full refund less the non-refundable portion of the security deposit. Refund requests made less than thirty (30) days in advance will receive a full refund less the entire security deposit.
3. **CANCELATION BY CITY:** This permit may be canceled without liability to the City under any of the following conditions: a) It is found to contain false or misleading information, (b) The Department finds that the proposed use will be detrimental to the public's health, (c) Any individual or group (members or guests) willfully or through negligence mistreats the equipment or violates any of the regulations, terms, and conditions established for use of the facilities, (d) Average attendance of scheduled activities falls below the standard established for each use area with the Center, (e) For failure to notify Center of cancellation of any date or dates covered by this permit, (f) Permittee defaults on or has not completed all conditions and requirements for use of facilities, (g) In case the Center or any part thereof shall be destroyed or damaged by fire or any other cause, or if other unforeseen occurrence, including strikes, labor disputes, war, or acts of military authorities shall render fulfillment of the permit difficult or impossible of performance, (h) The facility is needed by public necessity or emergency use, (i) Upon thirty (30) calendar days written notice to Permittee. Refund of rental fees shall be made where City cancels permit at least thirty (30) days prior to the date reserved, except when cancellation occurs under items (g) or (h) above.
4. **TRANSFERRING PERMIT:** Permit cannot be transferred, assigned, or sublet unless approved by the City in writing.
5. **ADVERTISING, SOLICITATION AND SALES:** No advertising or signs shall be exhibited and no sales made at the Center without the written permission of the City.
6. **COMPLETION OF REQUIREMENTS FOR USE OF FACILITIES:** Permittee must complete all requirements relating to use of the facilities within the time requirements specified.
7. **COMPLIANCE TO CONDITIONS OF USE:** The Permittee shall observe, obey, and comply with all applicable City, County, and Federal laws; and the policies, rules, regulations, terms, and conditions governing use of Center facilities. Permittee will forfeit all rents or other fees paid if evicted from premises for violation of it. Eviction shall not release Permittee from any obligations for the payment of the rents or other fees required to be paid under this permit for the term thereof.
8. **CONCESSION SALES:** Permittee will not engage in concession operations unless authorized in writing by Director/authorized staff.
9. **CONDUCT OF PERSONS:** Permittee shall be solely responsible for the orderly conduct of all persons using the premises by its invitation, either express or implied, during all times covered by the permit. The Department reserves the right to eject or cause to be ejected from the premises any person or persons objectionable due to unlawful conduct.
10. **DAMAGE TO FACILITY OR EQUIPMENT:** All property, equipment, and furnishings must be kept clean and undamaged, fair wear and tear accepted. Permittee causing damage or loss will be required to pay for same at current costs.
11. **EXITS:** At no time shall exits be covered or obstructed.
12. **FACILITIES CAPACITY:** Permittee shall not admit a larger number of persons than can be safely and freely moved about therein as determined by Building and Fire Codes.
13. **FLAMMABLE MATERIALS:** No flammable materials will be permitted to be used for decorations. All materials used for decorative purposes must be treated with flame proofing and be approved by the Fire Department.
14. **INDEMNITY:** Permittee shall indemnify and hold harmless by the City, its officers, employees, and agents, against any and all claims, demands, causes of action, personal injuries or death, damages whatsoever, directly or proximately resulting or caused by the use and occupation of the facilities described in the permit, whether such use is authorized or not or from act or omission of Permittee or any of its officers, agents, employees, guests, patrons, or invitees, and the Permittee shall, at its sole risk and expense, defend any and all suits, actions, or other legal proceedings which may be brought or instituted against City, its officers and employees, on any such claim, demand, or cause of action, and the Permittee shall pay any judgment or decree which may be rendered against the city, its officers, employees, and agents in any suit, action or other legal proceedings, and Permittee shall pay for any and all damages to the property of the City or of others, the loss or theft of such property, done or caused by Permittee, its officers, agents, employees, guests, patrons, and invitees.
15. **PAYMENT OF TAXES:** Payment of all Federal, and City taxes in connection with the event shall be the liability and responsibility of the Permittee.
16. **PERMITTEE RESPONSIBLE FOR CLEANLINESS OF FACILITY:** Facilities used by Permittee must be left in a clean and orderly condition. If additional maintenance is required, other than normal cleaning process, the Permittee will be charged for same.
17. **PERMITTEE RESPONSIBLE FOR PERMITS AND LICENSES:** The Permittee shall procure at his own expense all the required licenses and permits necessary for the intended use or activity covered by this permit.
18. **ALCOHOL:** No alcohol can be served to minors or at any youth-related event at the Oldemeyer Center or Seaside Community Center and can result in immediate closure of the event and loss of deposit. ALL alcohol is prohibited at ALL youth oriented events.
19. **SMOKING:** Smoking is prohibited within twenty (20) feet of entrances, exits and windows.
20. **USE OF RESERVED FACILITIES AND EQUIPMENT:** Permittee may use only those facilities and equipment specifically designated on this permit.
21. **CONSTRUCTION OF PERMIT:** In case of any doubts as to the interpretation of any provisions of this permit, the interpretation by the Recreation and Community Activities Director shall prevail. In addition, the Recreation and Community Activities Director shall have the sole power to decide and resolve matters not covered by this permit.
22. **SEVERABILITY:** If any part of this permit is for any reason held to be illegal, inapplicable, unenforceable, or unconstitutional, such decision shall not affect the validity of the remaining portions of the permit.
23. **SECURITY AND CLEANING DEPOSIT:** A deposit is required from any person or organization renting a room at the Center (according to current fees and charges). A portion of the deposit is non-refundable (according to current fees and charges) and



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the remaining deposit is refundable in whole or in part depending upon the condition of the room, walls, floors, carpets; whether any breakage occurred or whether overtime was incurred beyond stated setup, cleanup or activity time. The City reserves the right to close down any party or activity that may in any way endanger the health or safety of any person or property. Any early closure of the facility may result in loss of deposits. Refundable deposits will be returned within thirty (30) days following the event date.

24. **SUPPLIES:** City staff is not authorized to provide supplies for your event. 25. **SECURITY GUARDS:** One guard per fifty participants is required for events that serve alcohol and/or have live/DJ music or dancing. The City reserves the right to require security for events.

IMPORTANT THINGS TO NOTE

- ✓ In order to secure a reservation, this form must be completed and submitted along with full payment to the Oldemeyer Center front desk.
- ✓ Reservations for the conference rooms must be made at least 7 days in advance and 30 days in advance for all other facilities.
- ✓ Please include a sketch of how you would like the room to be set up if it is different than the diagrams provided on this form. Our facility staff will do their best to prepare the room as shown in your diagram. Do not write "same as before."
- ✓ Food and beverage are allowed in certain rooms; please ask staff prior to providing refreshments.
- ✓ Do not move furniture from one room to another. If you have additional needs, please contact the facility staff.
- ✓ Please do not change rooms. If a different room is preferred and empty upon arrival, please check with the facility staff.
- ✓ Come prepared. Our staff is not authorized to provide supplies for your meeting.
- ✓ If you tape signs up regarding your meeting, please remove them upon your departure.
- ✓ Smoking is prohibited within 20 feet of entrances, exits and windows.
- ✓ In case of cancelation, please notify the Oldemeyer Center Front Office as soon as possible. Please see refund policy schedule below:

45 days in advance	Full refund, less a \$7 surcharge
30-45 days in advance	Full refund, less the non-refundable part of security deposit
Less than 30 days in advance	Full refund, less the entire security deposit
Less than 48 hours in advance ...	No refund
- ✓ *If alcohol is found on the premises (including the parking lot, stage, kitchen, etc.) and your contract prohibits the consumption of alcohol, the City of Seaside has the right to cancel your event and deposits and fees will NOT be refunded.
- ✓ *A one million dollar (two million aggregate) liability insurance policy is required. You can either purchase it through the city, or through another insurance company and provide us a copy of the policy naming the City of Seaside as co-insured.
- ✓ Use of our facilities requires you to provide licensed and bonded security guards. You must hire one guard per every fifty guests. A copy of the contract must be provided to the city at least 30 days prior to your event. Renters exceeding their stated attendance risk losing their deposit.



CITY OF SEASIDE STAFF REPORT

Item No.: 9.A.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Haroon Noori, Administrative Analyst II

DATE: October 21, 2021

SUBJECT: PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE SEASIDE CITIZEN PARTICIPATION PLAN (CPP) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

RECOMMENDATION

- 1) Consider amendments to the Citizen Participation Plan (CPP) for the Community Development Block Grant (CDBG) Program; and
- 2) Direct staff to make the draft amended CPP available for public comment for a period of 30 days and to return the draft CPP for Council consideration and adoption at the first City Council meeting in December.

BACKGROUND

The City of Seaside (City) is a recipient of Federal entitlement grant funding from the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grants (CDBG). As a recipient of these funds, the City is required (pursuant to Federal Regulation Code 24 CFR 91.105 - **Attachment A**) to adopt and follow a detailed Citizen Participation Plan (CPP) that sets forth policies and procedures for engaging the public in the development, implementation, and evaluation of the City's CDBG and related HUD programs, including efforts to affirmatively further fair housing.

The City's current CPP was adopted in 1978 (**Attachment B**) and updated in January 2012 (**Attachment C**). The 2012 CPP update involved the restructuring of the Community Development Advisory Committee (CDAC) from 15 members to 5 members and 5 alternates. The 2012 CPP update also established a revised CDAC membership and selection criteria, and roles and responsibilities.

DISCUSSION:

Since the 2012 CPP update, the HUD regulation 24 CFR § 91.105 pertaining to citizen participation has been updated four times (76 FR 75967, Dec. 5, 2011; 80 FR 42360, July 16, 2015; 81 FR 91011, Dec. 16, 2016; 85 FR 47906, Aug. 7, 2020). These new updates require the City to amend its CPP to comply with the provisions of 24 CFR § 91.105.

Using the HUD CPP compliance checklist (**Attachment D**), staff reviewed the current CPP and are recommending adopting a new CPP. The draft proposed CPP (**Attachment E**) builds upon the City's current CPP, satisfies HUD requirements, and offers a streamlined content structure that is easy to reference by staff, citizens, CDAC, and the City Council. Moreover, the draft proposed CPP provides additional clarity on minimum HUD requirements for notice, public comment periods, and the number of public hearings the City must hold for considering, developing, implementing, and evaluating new CDBG programs or amending existing CDBG programs.

Additionally, staff recommends removing certain sections of the current CPP (indicated below) and moving that content into other, more appropriate, documents. This will allow the City to change or update any of these sections as needed without having to amend the CPP per HUD's requisite process. As a best practice, HUD recommends that only applicable provisions of the law be addressed in the CPP and that the inclusion of any additional information (such as the sections outlined below) be carefully considered for inclusion. Once a CPP is adopted, the jurisdiction must strictly follow it and any deviation from the adopted CPP may result in non-compliance, which may be subject to penalties and sanctions by HUD.

The following sections of the current CPP will be incorporated into the CDAC Membership Guide:

- Community Development Advisory Committee
- Purpose
- Membership and Criteria
- Committee Composition
- Selection Method
- Job Descriptions
- Terms of Office and Vacancies
- Meeting Time and Places

Staff will bring the CDAC Membership Guide before City Council at the first City Council meeting in December 2021.

The following sections of the current CPP will be incorporated into the CDBG Policies and Procedures and/or CDAC work plan as appropriate.

- CDBG Program Meeting Cycle
- Chronology of Events in the CDBG Program Year

Staff are currently working on the CDBG Policies and Procedures and anticipate completing the document by the end of 2021. Once CDAC vacancies are filled and meetings resume, staff will work with CDAC to develop a work plan, which may include a schedule of meetings and a list of events.

PUBLIC NOTICE AND CITIZEN PARTICIPATION

A notice regarding the availability of the draft Citizen Participation Plan and upcoming public hearing will be published on October 28, 2021. The Plan will be available for public review and comment from October 28 to November 29, 2021. City staff will submit the approved CPP to HUD along with a summary of all comments received during the review period and during the public hearing, responses from the City, and proof of compliance with the minimum 30-day public review and comment period requirement. A summary of any comments or views not accepted and the reasons therefore will also be supplied to HUD.

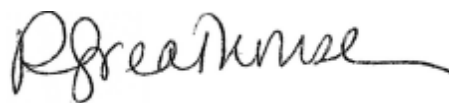
FISCAL IMPACT

The City receives approximately \$350,000 annually in CDBG funding. A portion of the funding is set aside for administering the grant. Administrative functions include costs associated with updating the Citizen Participation Plan and carrying out the requirements therein, including noticing. The CDBG program requires no funding from the General Fund in order to meet the administrative requirements of the grant.

ATTACHMENTS

1. Attachment A - 24 CFR § 91.105 - Citizen participation plan
2. Attachment B - 1978 CPP
3. Attachment C - 2012 CPP
4. Attachment D - HUD CPP Compliance Checklist
5. Attachment E - Draft Proposed CPP

Reviewed for Submission to the City Council by:



Roberta Greathouse, Acting City Manager

LII > Electronic Code of Federal Regulations (e-CFR) > Title 24 - Housing and Urban Development
> Subtitle A - Office of the Secretary, Department of Housing and Urban Development
> PART 91 - CONSOLIDATED SUBMISSIONS FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS
> Subpart B - Citizen Participation and Consultation
> **§ 91.105 Citizen participation plan; local governments.**

24 CFR § 91.105 - Citizen participation plan; local governments.

CFR Table of Popular Names

§ 91.105 Citizen participation plan; local governments.

(a) *Applicability and adoption of the citizen participation plan.*

(1) The jurisdiction is required to adopt a citizen participation plan that sets forth the jurisdiction's policies and procedures for citizen participation. (Where a jurisdiction, before August 17, 2015, adopted a citizen participation plan it, will need to amend the citizen participation plan to comply with provisions of this section.)

(2) *Encouragement of citizen participation.*

(i) The citizen participation plan must provide for and encourage citizens to participate in the development of the consolidated plan, any substantial amendment to the consolidated plan, and the performance report. These requirements are designed especially to encourage participation by low- and moderate-income persons, particularly those persons living in areas designated by the jurisdiction as a revitalization area or in a slum and blighted area and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, as defined by the jurisdiction. A jurisdiction must take appropriate actions to encourage the participation of all its citizens, including minorities and non-English speaking persons, as provided in paragraph (a)(4) of this section, as well as persons with disabilities.

(ii) The jurisdiction shall encourage the participation of local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) in the process of developing and implementing the consolidated plan.

(iii) The jurisdiction shall encourage, in conjunction with consultation with public housing agencies, the participation of residents of public and assisted housing developments (including any resident advisory boards, resident councils, and resident management corporations) in the process of developing and implementing the consolidated plan, along with other low-income

residents of targeted revitalization areas in which the developments are located. The jurisdiction shall make an effort to provide information to the PHA about affirmatively furthering fair housing strategy, and consolidated plan activities related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan.

(iv) The jurisdiction should explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance; e.g., use of focus groups and the Internet.

(3) *Citizen comment on the citizen participation plan and amendments.* The jurisdiction must provide citizens with a reasonable opportunity to comment on the original citizen participation plan and on substantial amendments to the citizen participation plan, and must make the citizen participation plan public. The citizen participation plan must be in a format accessible to persons with disabilities, upon request.

(4) The citizen participation plan shall describe the jurisdiction's procedures for assessing its language needs and identify any need for translation of notices and other vital documents. At a minimum, the citizen participation plan shall require that the jurisdiction take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English-speaking residents of the community.

(b) *Development of the consolidated plan.* The citizen participation plan must include the following minimum requirements for the development of the consolidated plan:

(1)

(i) The citizen participation plan must require that at or as soon as feasible after the start of the public participation process the jurisdiction will make the HUD-provided data and any other supplemental information the jurisdiction plans to incorporate into its consolidated plan available to its residents, public agencies, and other interested parties. The jurisdiction may make the HUD-provided data available to the public by cross-referencing to the data on HUD's website.

(ii) The citizen participation plan must require that, before the jurisdiction adopts a consolidated plan, the jurisdiction will make available to residents, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income. The citizen participation plan also must set forth the jurisdiction's plans to minimize displacement of persons and to assist any persons displaced, specifying the types and levels of assistance the jurisdiction will make available (or require others to make available) to persons displaced, even if the jurisdiction expects no displacement to occur.

(iii) The citizen participation plan must state when and how the jurisdiction will make this information available.

(2) The citizen participation plan must require the jurisdiction to publish the proposed consolidated plan in a manner that affords its residents, public agencies, and other interested parties a reasonable opportunity to examine its content and to submit comments. The citizen participation plan must set forth how the jurisdiction will publish the proposed consolidated plan

and give reasonable opportunity to examine each document's content. The requirement for publishing may be met by publishing a summary of each document in one or more newspapers of general circulation, and by making copies of each document available on the internet, on the jurisdiction's official government website, and as well at libraries, government offices, and public places. The summary must describe the content and purpose of the consolidated plan and must include a list of the locations where copies of the entire proposed document may be examined. In addition, the jurisdiction must provide a reasonable number of free copies of the plan to residents and groups that request it.

(3) The citizen participation plan must provide for at least one public hearing during the development of the consolidated plan. See paragraph (e) of this section for public hearing requirements, generally.

(4) The citizen participation plan must provide a period, not less than 30 calendar days, to receive comments from residents of the community on the consolidated plan.

(5) The citizen participation plan shall require the jurisdiction to consider any comments or views of residents of the community received in writing, or orally at the public hearings, in preparing the final consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the final consolidated plan.

(c) Consolidated plan amendments.

(1) The citizen participation plan must specify the criteria the jurisdiction will use for determining what changes in the jurisdiction's planned or actual activities constitute a substantial amendment to the consolidated plan. (See § 91.505.) The citizen participation plan must include, among the criteria for a substantial amendment, changes in the use of CDBG funds from one eligible activity to another.

(2) The citizen participation plan must provide community residents with reasonable notice and an opportunity to comment on substantial amendments to the consolidated plan. The citizen participation plan must state how reasonable notice and an opportunity to comment will be given. The citizen participation plan must provide a period, of not less than 30 calendar days, to receive comments on the consolidated plan substantial amendment before the consolidated plan substantial amendment is implemented is submitted to HUD for review.

(3) The citizen participation plan shall require the jurisdiction to consider any comments or views of residents of the community received in writing, or orally at public hearings, if any, in preparing the substantial amendment of the consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the substantial amendment of the consolidated plan.

(d) Performance reports.

(1) The citizen participation plan must provide citizens with reasonable notice and an opportunity to comment on performance reports. The citizen participation plan must state how reasonable notice and an opportunity to comment will be given. The citizen participation plan must provide a period, not less than 15 days, to receive comments on the performance report that is to be submitted to HUD before its submission.

(2) The citizen participation plan shall require the jurisdiction to consider any comments or views of citizens received in writing, or orally at public hearings in preparing the performance report. A summary of these comments or views shall be attached to the performance report.

(e) **Public hearings** - (1)(i). *Consolidated plan*. The citizen participation plan must provide for at least two public hearings per year to obtain residents' views and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year. Together, the hearings must address housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing, and a review of program performance.

(ii) **Minimum number of hearings**. To obtain the views of residents of the community on housing and community development needs, including priority nonhousing community development needs and affirmatively furthering fair housing, the citizen participation plan must provide that at least one of these hearings is held before the proposed consolidated plan is published for comment.

(2) The citizen participation plan must state how and when adequate advance notice will be given to citizens of each hearing, with sufficient information published about the subject of the hearing to permit informed comment. (Publishing small print notices in the newspaper a few days before the hearing does not constitute adequate notice. Although HUD is not specifying the length of notice required, it would consider two weeks adequate.)

(3) The citizen participation plan must provide that hearings be held at times and locations convenient to potential and actual beneficiaries, and with accommodation for persons with disabilities. The citizen participation plan must specify how it will meet these requirements.

(4) The citizen participation plan must identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

(f) **Meetings**. The citizen participation plan must provide residents of the community with reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements, in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as applicable.

(g) **Availability to the public**. The citizen participation plan must provide that the consolidated plan as adopted, consolidated plan substantial amendments, and the performance report will be available to the public, including the availability of materials in a form accessible to persons with disabilities, upon request. The citizen participation plan must state how these documents will be available to the public.

(h) **Access to records**. The citizen participation plan must require the jurisdiction to provide residents of the community, public agencies, and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's consolidated plan and use of assistance under the programs covered by this part during the preceding 5 years.

(i) **Technical assistance**. The citizen participation plan must provide for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals for funding assistance under any of the programs covered by the

consolidated plan, with the level and type of assistance determined by the jurisdiction. The assistance need not include the provision of funds to the groups.

(j) *Complaints.* The citizen participation plan shall describe the jurisdiction's appropriate and practicable procedures to handle complaints from its residents related to the consolidated plan, amendments, revisions, and the performance report. At a minimum, the citizen participation plan shall require that the jurisdiction must provide a timely, substantive written response to every written resident complaint, within an established period of time (within 15 working days, where practicable, if the jurisdiction is a CDBG grant recipient).

(k) *Use of citizen participation plan.* The jurisdiction must follow its citizen participation plan.

(l) *Jurisdiction responsibility.* The requirements for citizen participation do not restrict the responsibility or authority of the jurisdiction for the development and execution of its consolidated plan or AFH.

(Approved by the Office of Management and Budget under control number 2506-0117)

[60 FR 1896, Jan. 5, 1995; 60 FR 10427, Feb. 24, 1995, as amended at 71 FR 6962, Feb. 9, 2006; 76 FR 75967, Dec. 5, 2011; 80 FR 42360, July 16, 2015; 81 FR 91011, Dec. 16, 2016; 85 FR 47906, Aug. 7, 2020]

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RESOLUTION NO. 78- 51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE ADOPTING THE CITIZEN PARTICIPATION PLAN AND DECLARING VACANCIES THEREON

WHEREAS, pursuant to the Federal Register dated March 1, 1978 (Part IV), the City of Seaside is required to prepare a Written Citizen Participation Plan; and

WHEREAS, said Plan shall go into effect no later than August 1, 1978; and

WHEREAS, the City of Seaside and the existing Community Development Advisory Committee conducted three widely-advertised public workshops on June 20, 1978, June 27, 1978, and July 10, 1978, to solicit input, recommendations and comment on the development of said Plan; and

WHEREAS, at the July 10, 1978, public workshop, a consensus of persons present was to recommend to the City Council the attached draft Citizen Participation Plan including Addendum; and

WHEREAS, the existing Community Development Advisory Committee has been in existence since October, 1974, and involved in the preparation of the attached draft; and

WHEREAS, said Committee has been involved in the community development decision-making process since its inception, providing invaluable assistance to the City Council on community development issues; and

WHEREAS, in order to solicit further input, the City Council held a public hearing on July 20, 1978, on the draft Written Citizen Participation Plan and Addendum.

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

- (1) Having considered recommendations of the existing Community Development Advisory Committee, public input at workshops, and input received at the public hearing on July 20, 1978, the City Council of the City of Seaside hereby adopts the attached Citizen Participation Plan including Addendum.
- (2) Staff is hereby directed to prepare the required notices declaring the 15 new Committee positions and alternates as called for in the Citizen Participation Plan adopted herein, as vacant, and to solicit applications to fill the vacancies City-wide.
- (3) The existing Community Development Advisory Committee is hereby dissolved and replaced by the Committee as set forth in this Citizen Participation Plan.
- (4) Finally, that staff be directed to prepare letters of appreciation to all Members of the existing Community Development Advisory Committee.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 20th day of July, 1978, by the following vote:

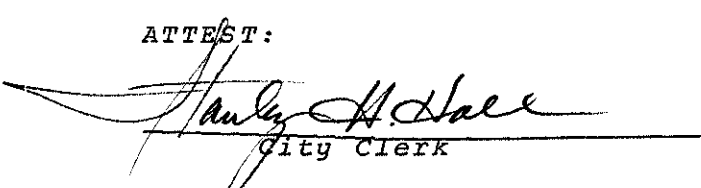
AYES: Councilmen Bowser, Haddad, Houser, Olea, and Mayor Ross

NOES: None

ABSENT: None

ATTEST:


Mayor


City Clerk

FINAL REPORT

CITIZEN PARTICIPATION PLAN

Prepared for the
CITY OF SEASIDE, CALIFORNIA

28 July 1978



DUNCAN & JONES
Urban & Environmental Planning Consultants

22 ✓

CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. COMMUNITY DEVELOPMENT ADVISORY COMMITTEE	2
Scope of Participation	2
Membership and Criteria	2
Selection Method	3
Term of Office and Vacancies	4
Meeting Times and Places	4
III. THE CITIZEN PARTICIPATION PROCESS	
Meeting Cycle	6
Outreach and Technical Assistance	7
Chronology of Events in CDBG Program Year	8
Application and Amendment Process	9
Summary Chronology of CDBG Program Year	11
Summary of Citizen Participation Plan	13
FIGURES	
1. Seaside 1970 Census Tracts	5
APPENDICES	
A. HUD Regulations for Citizen Participation (March 1, 1978)	14
B. Memorandum of Transmittal from Acting CD Director to City Manager/City Council (July 14, 1978)	17
C. Resolution No. 78-51 of the City Council of the City of Seaside Adopting the Citizen Participation Plan (July 20, 1978)	19

I. INTRODUCTION

All cities applying for and receiving Community Development Block Grant (CDBG) funds are required by the U.S. Department of Housing and Urban Development (HUD) to document in writing the process of citizen participation they intend to follow. A written Citizen Participation Plan must go into effect no later than August 1, 1978.

The Plan sets forth the procedures that the City of Seaside will follow in order to continue to provide citizens with the opportunity to take part, in an advisory role, in the planning, implementation, and evaluation of the City's CDBG program. These procedures are designed to comply with the HUD requirements spelled out in the Federal Register of March 1, 1978, included as Appendix A of this report.

The content and character of a Citizen Participation Plan for the City of Seaside has been the subject of three public meetings and workshops as follows:

- June 20, 1978 Open public meeting held in the Public Library. Consultant and staff describe program requirements and current status of the Community Development Advisory Committee (CDAC). Initial Draft report on the Citizen Participation Plan distributed.
- June 27, 1978 Open public meeting held in the City Council Chambers. Consultant and staff receive public comments on the Initial Draft report.
- July 10, 1978 Open public meeting held in the City Council Chambers. Consultant and staff receive public comments on the Revised Draft report (distributed on July 6).

An Addendum to the Revised Draft report was prepared reflecting the comments and recommendations of the persons attending the workshop of July 10, together with comments from the staff of HUD, city staff and the consultants. The Revised Draft together with the Addendum constituting the proposed Citizen Participation Plan was submitted to the City Council, and the staff memorandum transmitting these materials is included as Appendix B of this report. The City Council held a Public Hearing on July 20, and officially adopted the Plan as submitted on that day. The City Council Resolution adopting the Citizen Participation Plan is included in this document as Appendix C. This document incorporates in full the text of the Citizen Participation Plan as adopted by the City Council for implementation in the Community Development and Housing program funded by HUD.

II. COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

SCOPE OF PARTICIPATION

The Community Development Advisory Committee (CDAC), a citywide advisory committee, has been in existence in Seaside since the first CDBG program year started in April of 1975. The role of the CDAC is to provide a focal point and a forum for citizens of Seaside to become familiar with community development and housing needs, priorities and programs in the City. Through the CDAC, citizens have the opportunity to advise the City Council on how well the current programs and projects are meeting Seaside's needs and to assist in the selection of further projects that reflect high priority needs in their neighborhoods.

The CDAC advises the City Council on the following:

- the Citizen Participation Plan;
- the Three-Year Community Development and Housing (CD/H) Plan;
- the City's performance on CDBG funded projects;
- annual applications for CDBG funds;
- the Housing Assistance Plan (HAP);
- subsequent amendments to any of the above; and
- use of contingencies/unspecified option funds.

MEMBERSHIP AND CRITERIA

The CDAC is a working committee of fifteen people composed of the following:

- 5 members appointed by individual City Council members;
- 2 members representing business and financial leadership of Seaside;
- 6 members representing each of the six neighborhoods (1970 Census Tracts); and
- 2 members representing community leadership at large.

Fifteen alternate members will be appointed at the same time and in the same manner as the fifteen members of the CDAC. Each alternate will participate fully and vote on decisions that arise in those meetings that the corresponding CDAC member is unable to attend.

The CDAC will be reorganized with the intent of encouraging participation of lower income persons, elderly or handicapped persons and persons of ethnic background in the planning process for housing and community development programs.

Criteria for membership on the CDAC are primarily an active role in community and/or business leadership and an interest in participating in CDAC activities. Residence in Seaside is required. Every effort will be made to reflect the demographic characteristics of the City and to balance the 15 member committee by obtaining participation of at least ten members of lower income,^{a/} eight members of ethnic minority background (five black, three others), eight women, one elderly member (over 65 years of age), one handicapped, and one youth.^{b/}

SELECTION METHOD

Each of the City Council members will select one CDAC member and one alternate. The two CDAC members and two alternates who represent Seaside's business and financial leadership will be appointed by City Council from a list of nominations supplied by the Chamber of Commerce, local banks and savings and loan associations, local men's and women's service clubs, and any persons interested in self nomination. The neighborhood representatives, six members and six alternates, and the community leaders at large, two members and two alternates, will be appointed by the City Council from a list of nominations from residents and community organizations. Individuals who are interested in participating are encouraged to nominate themselves.

a/ Lower income limits as defined in accordance with HUD definitions.

b/ As a point of reference used in determining the composition of the CDAC, the population of the City in 1976 reflected the following distribution:

Lower income	58.0% of total
Minorities	50.4%
Female	51.5%
Male	48.5%
60 and over	8.7%
65 and over	5.0%
Handicapped	3.3%

Appointments will be made on the basis of the criteria for membership and, in the case of neighborhood representatives, according to the neighborhood of residence. Overall, not more than four CDAC members may be appointed from any single census tract. The six neighborhoods, coinciding with the 1970 U.S. Census tracts are illustrated in Figure 1.

TERM OF OFFICE AND VACANCIES

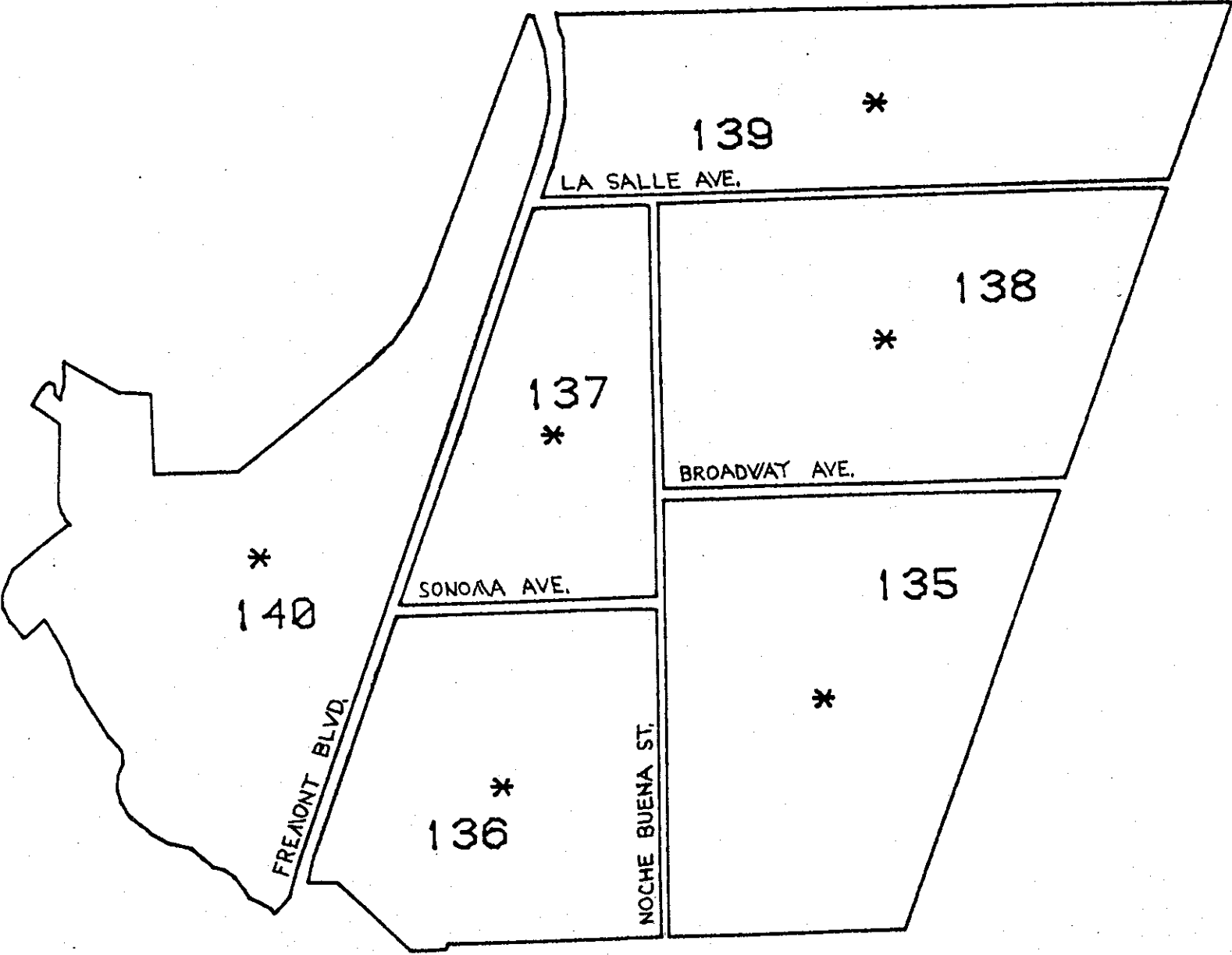
Appointments will be made at the first City Council meeting in June of each year to fill any positions (full or alternate member) the terms of which have expired. In the first year of the reorganized CDAC, the 15 appointed members will draw lots for one-, two-, and three-year terms. In subsequent years, the terms of five members will expire and five new or reappointed members along with their five alternates will be appointed for three-year terms. The five members and five alternates selected directly by individual City Council members provide an exception to the general term of office. The term of office of persons selected directly by Council members will end at the same time as the term of the appointing Council member, if that date comes earlier than the CDAC member's term (as determined by lot) would otherwise expire. At that time, the new or reelected Council member will have the opportunity to select a new candidate for CDAC membership, and a new alternate.

If, at any point in his or her term, a committee member becomes inactive to the extent of incurring three consecutive unexcused absences from CDAC meetings, or fails to attend at least two-thirds of the meetings over a 12-month period, his or her position will be considered vacant. Vacancies will be filled by the appointment of the alternate committee member for the duration of the unexpired term. If this person is unavailable, the new appointment will be made in the same manner as the original position was filled. The requirements for attendance do not apply to the alternates, who will, however, receive the minutes and agenda of all CDAC meetings.

MEETING TIMES AND PLACES

All meetings of the CDAC will be open to the public, will be held at regular times and at places conducive to public attendance, including neighborhood locations if possible, and will be conducted according to Robert's Rules of Order. At one of the first meetings of the newly appointed CDAC, the Committee will select two officers - a chairperson, vice-chairperson, and a recorder.

FIGURE 1:
SEASIDE 1970 CENSUS TRACTS



- 5 -

III. THE CITIZEN PARTICIPATION PROCESS

MEETING CYCLE

The Citizen Participation Plan is designed to provide processes through which citizens can take part in planning, implementing and evaluating the CDBG program in Seaside. Three rounds of meetings are scheduled throughout the year in order to provide continuous and ample opportunities for citizens to get involved in the process. The CDAC will hold regularly scheduled and well publicized open meetings and workshops at places conducive to public attendance, including neighborhood locations if possible, and the City Council will hold a number of public hearings.

Starting in late summer, the meeting focus will be on community development needs and priorities and on evaluating the extent to which current CDBG projects are meeting these needs. At a CDAC workshop in August, the City staff will present information on housing, community development, and economic development needs in the City as well as on assessment of performance of ongoing projects. In September, the City Council will hold a public hearing on the same subjects.

The second round of meetings in September, October, and November provides citizens with the opportunity to submit their views and proposals for new projects and to assist in the selection of projects for CDBG funding. Community-based non-profit groups may be funded to carry out certain neighborhood revitalization and economic development activities. Such groups will be invited to submit proposals to the CDAC for funding consideration. The CDAC will hold a workshop in September to provide assistance to groups wishing to present proposals. In October citizens have the opportunity to assist the CDAC in evaluating all of the projects submitted by the City and by community groups and participating in the process of recommending to the City Council those which appear to deserve the highest priority ratings for the next CDBG program year. In October and November, the CDAC and the City Council will hold public meetings on the proposed Annual Application.

The third round of meetings in January through March will focus on implementation of projects and assessment of performance. At a workshop in January, the CDAC will consider reports from City staff on the status, implementation policies and criteria, and performance of each project. At this workshop and subsequent meetings, citizens will have the opportunity to become familiar with and comment on the ways in which projects are actually carried out.

Any time during the program year the CDAC may hold one or more workshops to formulate recommendations to the City Council regarding new project activities using contingencies/unspecified option funds or any proposed amendments to the Annual Program.

OUTREACH AND TECHNICAL ASSISTANCE

All CDAC meetings and Council hearings will be advertised in local papers, through posting in public places, and through direct invitation. A mailing list of interested citizens and organizations will be compiled and maintained by City staff and periodic mailings will be made to persons on the list concerning the chronology of public meetings during the year, availability of documents, and specific meeting times and places. Continuing efforts will be made to expand the mailing list to include more neighborhood people, especially those who are representative of segments of the population with unmet needs that might be addressed through the use of the CDBG program.

A repository of public documents will be maintained in the Planning Department in the City Hall and the City Library for examination by interested citizens during normal working hours. Persons using the repository will be invited to add their names to the mailing list in order to receive continuous information about the program. The following documents will be included in the repository:

- the Citizen Participation Plan (one free copy will be made available on request);
- the Three-Year Community Development and Housing (CD/H) Plan;
- Annual Performance reports;
- Annual Applications for CDBG funds;
- the Housing Assistance Plan;
- subsequent amendments to any of the above;
- current mailing list; and
- Records of CDAC meetings.

City staff will be available at all CDAC meetings and City Council hearings to provide relevant background information through written reports and presentations, and to answer technical questions about the program. Community groups who wish to propose projects for funding may request technical assistance through the Community Development Director.

Citizens may object formally to approval of the City's Application by submitting their comments directly to HUD. Grounds for objection at this level are: inconsistency with known facts or with needs identified by the City or with federal regulations or laws. Complaints may also be addressed directly to the City with response to written complaints required within 15 working days.

CHRONOLOGY OF EVENTS IN THE CDBG PROGRAM YEAR

July	<u>CDAC</u> formation meetings.
Mid August	<u>Staff</u> prepares: a summary of current and completed projects funded by CDBG; summary of housing and community development needs assessment; amount of CDBG funds available for the next program year, and list of eligible activities.
Late August	<u>CDAC</u> public workshop on: assessment of performance of CDBG funded projects; housing and community development needs and priorities; and application process as outlined in the Citizen Participation Plan.
Early September	<u>City Council</u> Public Hearing on: community development and housing needs and priorities; performance of CDBG funded projects; Three-Year Community Development and Housing (CD/H) Plan; ^{a/} and Action to approve/adopt Three-Year CD/H Plan. ^{a/}
Mid September	<u>CDAC</u> public workshop for community organizations on presentation of proposals for funding in the next CDBG program year.
Early October	Proposals for funding due from <u>City departments</u> and <u>community groups</u> .
Mid October	<u>CDAC</u> identifies projects which have priority for next CDBG program year. <u>Staff</u> prepares draft of the Annual Application and submits it to CDAC members.
End October	<u>CDAC</u> public workshop on the proposed Application. <u>CDAC</u> prepares recommendations on the Application for City Council.

^{a/} Prior to 5th and 8th program years (i.e., in August 1978 and 1981 respectively).

Staff submits: recommended Application to City Council after consultation with CDAC; and

Newspaper Notice of Public Hearing.

Mid
November

City notifies regional and state clearinghouses of its intent to file for Federal assistance.

City Council Public Hearing on the proposed Application;
Action on Annual Application;

Staff prepares Annual Performance Report for the period from October 1 through September 30, including citizens comments, the City's response to comments, and action taken; and

Staff prepares final Annual Application and Environmental Impact Report.

December 1

Submit Annual Application/EIR for A-95 review.

Early
December

City submits: Annual Performance Report to HUD, A-95 clearinghouse, and public; and

Notice of availability of Report.

Mid January

CDAC public workshop on assessment of performance.

Submit Application to HUD; and

Issue public notice that Application has been submitted.

March 31

HUD approval of Application.

April 1

CDBG Program year begins.

Mid April

CDAC public workshop on assessment of performance.

APPLICATION AND AMENDMENT PROCESS

This process, if necessary and/or appropriate may be undertaken at any time during the program year.

April

Staff prepares report for CDAC on the amount of money available for reprogramming and the amendment process.

Early May

CDAC workshop on current programs and the amendment process.

Mid May

Staff prepares draft amendment for CDAC.

Late May

CDAC public workshop on proposed amendment; and

CDAC prepares recommendations for City Council.

Early June City Council Public Hearing on Amendment Application; and
 Council action on Amendment.
 Council makes new appointments to CDAC.

Mid June Staff submits Application/EIR for A-95 review.
 Staff submits Amended Application to HUD

SUMMARY CHRONOLOGY OF CDBG PROGRAM YEAR

City of Seaside, California

Month	Inputs, Actions		
	CDAC	City Council	Other
June	New terms begin	New appointments to CDAC	
July	Formation meeting		
August	Workshop- needs, priorities, and assessment of project performance		
September	Workshop- presentation of proposals	Public Hearing- performance, needs, priorities	
October	Workshop- Identify priority projects for annual funding Workshop - draft Application		Proposals for funding due in early Oct.
November	Regular meeting	Public Hearing- proposed Application Approves Application and authorizes its filing with HUD	City notifies clearinghouses of intent to file for Fed. Assist.

Month	Inputs, Action		
	CDAC	City Council	Other
December	Regular meeting		Annual Application with Envir. Impact due for A-95 review Performance report, A-95 due to HUD
January	Workshop- Assessment of performance		Application due to HUD - mid January
February	Regular meeting		
March	Regular meeting		HUD approval of application - March 31
April	Workshop- Assessment of performance	Council authorization to execute CDBG contract with HUD	CDBG program year begins - April 1
May	Workshop- reprogram unused funds, if any		
June	New term begins Regular meeting	New appointments to CDAC	

SUMMARY OF CITIZEN PARTICIPATION PLAN

Mandated Element

Open Process of citizen participation

Substantial representation

Continuity of involvement

Adequate and timely information

Application development

Program Implementation

Performance assessment

Submission of views and proposals

Response to complaints

Technical assistance

Public hearings on:

Performance

Application

Program amendments

Implementation

CDAC

City Council

CDAC criteria for membership

CDAC staggered terms

CDAC

City staff reports

Public repository

CDAC

City Council

CDAC

City staff reports

CDAC

City Council

CDAC

City - within 15 working days

CDAC

City staff

City Council - September

City Council - November

CDAC

City Council

**CITY OF SEASIDE
STAFF REPORT**

TO: Honorable Mayor and City Council

FROM: Ray Corpuz, City Manager

BY: Diana Ingersoll, Deputy City Manager, Resource Management Services
Lisa Brinton, Redevelopment Project Manager
Kelly Ann Morrow, Administrative Analyst

DATE: January 19, 2012

SUBJECT: UPDATE OF SEASIDE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM CITIZEN PARTICIPATION PLAN

PURPOSE

The purpose of this item is for the City Council to consider adoption of an updated Citizen Participation Plan for the City's Community Development Block Grant (CDBG) Program.

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution approving the 2011 Seaside Citizen Participation Plan (SCPP).

BACKGROUND

The U.S. Department of Housing and Urban Development requires that each entity receiving Community Development Block Grant (CDBG) funds implement a Citizen Participation Plan in accordance with The Housing and Community Development Act of 1974, as amended. HUD has a strong belief that citizen participation is more than legality, "it is the heart of the community development process".

One of the Seaside City Council's Three-Year Goals (2011-2014) is to "Enhance engagement with the Public." The City of Seaside currently encourages and supports citizen participation through quarterly newsletters, neighborhood meetings, boards and commissions and public hearings. The Seaside Citizen Participation Plan (SCPP) describes how the City will involve citizens in the planning, implementation and assessment of the use of its federally funded CDBG Program. The 2011 Seaside Citizen Participation Plan (SCPP) was developed by the City's Resource Management Services staff under the guidance and requirements of 24 CFR Part 91.105 and complying with Section 104(a)(3) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(A)(3)). The 2011 SCPP is an update of the 1978 SCPP, as amended. For the past 20 plus years the City has operated under a Citizen Participation Plan originated in 1978, and amended through the years. The 2011 Seaside Citizen Participation Plan is designed

to update and consolidate the past Citizen Participation Plans and create a Plan which more accurately addresses the current needs of the community. The streamlining of multiple documents provides decision makers, staff and citizens with a single source document to guide citizen participation in the City's CDBG program.

KEY ELEMENTS OF UPDATE

The primary update to the SCPP is the re-establishment and the modification of the Community Development Advisory Committee (CDAC). The SCPP describes the composition of the CDAC committee, how members are selected and approved, provides a brief job description for the position of Chairman and Vice Chairman, and outlines how the public can provide input throughout the CDBG program implementation process.

The original SCPP called for a fifteen (15) member Community Development Advisory Committee, a city with our population generally has a smaller committee. It is staff's recommendation that the CDAC be comprised of five (5) members and five (5) alternates. With the changing economy and the increased reduction in federal dollars as well as program income, a smaller committee is a better fit with our community needs. The reorganization of the CDAC continues to allow enhanced citizen participation. It will allow citizens who live and work within the City to have an "advisory" role in the Community Development Block Grant Program. The City Council still maintains full responsibility and authority for the CDBG program and the annual approval of the CDAC membership.

The CDAC will be comprised of five (5) members and five (5) alternates approved by the Seaside City Council who broadly represent the diversity of the community. Members and alternates shall reside in the City of Seaside and have an active role in their community. The committee is to include residents of low- and moderate-income areas. The diversity of the CDAC is to reflect the diversity of the City; therefore the following criteria will be taken into consideration during the selection process.

- committee members shall be from different ethnic communities
- the committee shall consist of at least one senior citizen or handicapped person
- the committee shall consist of at least three members that reside in the low income neighborhoods
- at least one member shall be a representative from the business and/or financial leadership in Seaside
- one member shall represent the City at large

Resource Management staff will advertise CDAC membership positions. All applications will be reviewed by a five (5) person committee comprised of staff and community representatives. Committee membership recommendations will then be submitted to City Council for approval.

If approved by the City Council, the 2011 Citizen Participation Plan will be submitted to the U.S. Department of Housing and Urban Development and will be included in the City's current 2010-2015 Consolidated Plan. The 2011 SCPP will be implemented commencing with the next CDBG funding cycle (2013-2014).

FISCAL IMPACT

There is no fiscal impact associated with the adoption of this resolution.

ATTACHMENTS

1. Resolution adopting the 2011 Seaside Citizen Participation Plan
2. Citizen Participation in the Community Development Block Grant Program – A Guidebook
3. Federal Register CFR 570.303

Reviewed for Submission to the
City Council by:



Ray Corpuz, City Manager

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE APPROVING
THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
2011 SEASIDE CITIZEN PARTICIPATION PLAN**

WHEREAS, the U. S. Department of Housing and Urban Development (HUD) under 24 CFR Part 91.105 and Section 104(a)(3) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(A)(3)), mandates that local entitlement communities receiving Community Development Block Grant (CDBG) funds adopt and implement a Citizen Participation Plan; and

WHEREAS, the City of Seaside has a grant agreement with HUD as a recipient of Community Development Block Grant (CDBG) funds; and

WHEREAS, for the past 20 plus years the City has operated under a Citizen Participation Plan originated in 1978, and amended through the years; and

WHEREAS, the 2011 Seaside Citizen Participation Plan (SCPP), is designed to update and consolidate past Citizen Participation Plans and create a new Plan which more accurately addresses the current needs of the community; and

WHEREAS, the streamlining of multiple documents provides decision makers, staff and citizens with a single source document to guide citizen participation in the City's CDBG program.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Seaside that the 2011 Seaside Citizen Participation Plan for the Community Development Block Grant Program, marked Attachment "1" and made a part hereof, is hereby approved, and that the City Manager is hereby authorized to submit the updated 2011 SCPP to the U.S. Department of Housing and Urban Development.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside held on the 19th day of January 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Felix H. Bachofner, Mayor
City of Seaside

ATTEST:

Maricela Hernandez, MMC
City Clerk, City of Seaside

CITY OF SEASIDE

2011 CITIZEN PARTICIPATION PLAN

**REQUIRED BY U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

FOR THE ADMINISTRATION OF THE

**COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM**



TABLE OF CONTENTS

Purpose for a Citizen Participation Plan	3
Citizens' Roles and Opportunities for Engagement	3
Community Development Advisory Committee (CDAC)	4
CDAC Membership and Criteria	5
The Citizen Participation Process	7
Meeting Cycle	8
Chronology of Events in the CDBG Program Year	9
Outreach and Technical Assistance	10
Entitlement Application and Amendment Process	11
Summary of Citizen Participation Plan	12
Appendix	
Staff Report	
Resolution	
A Guidebook to Citizen Participation Plan	

PURPOSE FOR A CITIZEN PARTICIPATION PLAN

The U.S. Department of Housing and Urban Development requires that each entity receiving Community Development Block Grant (CDBG) funds implement a Citizen Participation Plan (CPP) in accordance with The Housing and Community Development Act of 1974, as amended. HUD has a strong belief that citizen participation is more than legality, “it is the heart of the community development process. (HUD CPP Guidebook)

The Citizen Participation Plan is to provide for and encourage participation of low or moderate-income individuals, particularly residents of predominantly low and moderate-income neighborhoods, slum or blighted areas, and areas in which the grantee proposes to use CDBG funds. Specifically, HUD requires that the CPP:

- provide citizens with reasonable and timely access to local meetings, information, and records related to the grantee's proposed and actual use of CDBG funds;
- provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including the development of needs, the review of proposed activities, and review of program performance;
- provide for timely written answers to written complaints and grievances; and
- describe how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

One of the Seaside City Council's Three-Year Goals (2011-2014) is to “Enhance engagement with the Public.” The City of Seaside currently encourages and supports citizen participation through quarterly newsletters, neighborhood meetings, boards and commissions and public hearings.

The Seaside Citizen Participation Plan (SCPP) describes how the City will involve citizens in the planning, implementation and assessment of the use of its federally funded CDBG Program. The 2011 Seaside Citizen Participation Plan (SCPP) was developed by the City's Resource Management Services staff under the guidance and requirements of **24 CFR Part 91.105** and complying with **Section 104(a)(3)** of the **Housing and Community Development Act of 1974 (42 U.S.C. 5304(A)(3))**. The 2011 SCPP is an update of the 1978 SCPP, as amended. The SCPP was approved by the Seaside City Council on _____ and accepted by HUD as part of Seaside's the 2010-2015 Consolidated Plan on _____.

CITIZENS' ROLES AND OPPORTUNITIES FOR ENGAGEMENT

The Community Development Block Grant (CDBG) Program requires that citizens are involved in the planning, implementing and assessment of the CDBG program each year. A key component of this requirement is the flow of communication between citizens, city staff and public officials. HUD requires that at a minimum, an exchange of ideas must take place in identifying, soliciting and selecting program activities for the each new

fiscal year, preparing the Annual Plan or Consolidated Plan and preparing the Consolidated Annual Performance Report (CAPER).

The City of Seaside encourages the participation of all citizens, including minorities, non-English speaking persons, persons with disabilities and the elderly. Citizens requiring additional services to be able to participate in such discussions must contact the City of Seaside Resource Management Services Staff at 831-899-6700. The following services are available:

- Translators for non-English speaking individuals;
- Translators for the Hearing Impaired;
- Ramps and elevators at the site of meeting for mobility impaired individuals;
- Resource information for bus routes for individuals who do not drive due to age or disability.

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

To assist RMS Staff with community outreach, a Community Development Advisory Committee will be formed to assist in the facilitation of citizen participation relating to the CDBG program.

PURPOSE

Community Development Advisory Committee (CDAC)- The CDAC is comprised of a five (5) members, and five (5) alternates, of Seaside community representatives approved by the Seaside City Council who broadly represent the diversity of the community.

Insofar as practical, the committee includes residents of low- and moderate-income areas. General duties of the Community Development Advisory Committee include the following:

1. conduct neighborhood-planning workshops to solicit community input and assess needs;
2. participate in the assessment and determination of community needs at both citywide and neighborhood levels and to develop realistic goals and objectives to meet identified needs;
3. assist in the evaluation and recommendation of proposals from city departments and community organizations requesting funding for assistance;
4. participate in the development of specific project proposals for community development in the Consolidated Plan and Annual Action Plans.
5. participate in the development of goals for housing assistance by type and location and make recommendation to the City Council;
6. assist in the monitoring of current program activities and the evaluation of past program performance.;

7. assist in the implementation of the CDBG program and any modifications as determined by community assessment and HUD program requirements.

MEMBERSHIP AND CRITERIA

Committee Composition

The CDAC is a working committee of five members and five alternates serving two and three year terms. Members and alternates shall:

1. reside in the City of Seaside;
2. have an active role in their community;
3. serve in the capacity of a volunteer
4. be approved by the City Council.

The diversity of the CDAC shall reflect the diversity of the city; therefore the following criteria will be taken into consideration during the selection process:

1. committee members shall be from different ethnic communities;
2. the committee shall consist of at least one senior citizen or handicapped person;
2. the committee shall consist of at least three members that reside in the low income neighborhoods;
3. at least one member shall be a representative from the business and/or financial leadership in Seaside;
4. one member shall represent the City at large.

In order to maintain continuity during committee member absences, five (5) alternate member volunteers will be appointed at the same time and in the same manner as the 5 volunteer members of the CDAC. Each alternate will participate fully and vote on decisions that arise in those meetings that the corresponding CDAC member is unable to attend.

Selection Method

Resource Management staff will advertise CDAC membership positions in the following publications/sites:

- City Hall
- City Website
- Local Newspaper(s)
- Library
- Local Non-profits
- Chamber of Commerce
- Community Center
- Neighborhood- Associations
- Other Government Offices

Applications will be provided to interested individuals to complete and return to:

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE
C/O RESOURCE MANAGEMENT SERVICES
CITY OF SEASIDE
440 HARCOURT AVENUE
SEASIDE, CA 93955-0810

All applications will be reviewed by a five (5) person committee comprised of the following positions:

1. City of Seaside Deputy City Manager - Resource Management Services or his/her appointee
2. City of Seaside Administrative Analyst – CDBG
3. Representative from a local advocacy group with a working knowledge of non-profit agencies and a working knowledge of the housing, community development and economic development needs of the City of Seaside.
4. Representative from the Business/Financial Community (not applying for a position on the committee)
5. Representative from the Neighborhood Improvement Program Commission (not applying for a position on the committee)

Committee recommendations will then be submitted to City Council for approval. At one of the first meetings of the newly appointed CDAC, the committee will select two officers – a chairperson and a vice chairperson. RMS staff will serve as recorder.

Job Descriptions

Chairman: the primary role of the Chairman will be to lead the CDAC meetings. The Chairman will be responsible for ensuring that the committee functions in accordance with federal and local policy. The Chairman will work closely with RMS staff to ensure compliance with local and federal CDBG rules and regulations.

Vice Chairman: the primary role of the Vice Chairman will be to lead the CDAC meetings in the absence of the Chairman; this role will not fall to an alternate. The Vice Chairman will work closely with the Chairman to assist in the overall function of the committee.

Recorder: RMS will provide a recorder at each meeting to take meeting notes. Notes will be made available to committee members and citizens in a timely manner.

Other duties may be added as needed and agreed upon by City Staff and committee members.

Term of Office and Vacancies

Appointments will be made at the first City Council meeting in June of each year. At the first CDAC meeting, members will draw for length of term; three members will serve three year terms and 2 members will serve two year terms. Respective alternates will serve the same term as primary member. Every 15 months, or less if needed, the application process will be conducted to prepare for vacancies.

If at any point in his or her term, a committee member becomes inactive to the extent of incurring three consecutive unexcused absences from CDAC meetings, or fails to attend at least two-thirds of the meetings over a 12 month period; his or her position will be considered vacant. Vacancies will be filled by the appointment of the alternate committee member for the duration of the unexpired term. If the alternate is unavailable, a new appointment will be made in the same manner as the original position was filled. The requirements for attendance do not apply to the alternates, who will, however receive the minutes and agenda of all CDAC meetings.

Meeting Time and Places

All meetings of the CDAC will be open to the public, and properly noticed. Please refer to the Appendix for a general meeting schedule. An annual meeting calendar will be published 15 days prior to the CDAC's first meeting held each year.

Meetings will be held at regular times and at places conducive to public attendance, including neighborhood locations if possible, and will be conducted according to Robert's Rules of Order.

THE CITIZEN PARTICIPATION PROCESS

The Citizen Participation Plan is designed to provide processes through which citizens can take part in planning, implementing and evaluating the CDBG program in Seaside. Three rounds of meetings are scheduled throughout the year in order to provide continuous and ample opportunities for citizens to get involved in the process. The CDAC will hold regularly scheduled and well publicized open meetings and workshops at places conducive to public attendance, including neighborhood locations if possible, and the City Council will hold a number of public hearings.

The neighborhood planning workshops are to be held at designated locations within the community to receive suggestions from citizens for projects/programs and to obtain the citizens views. Written and oral suggestions are accepted, presented, and discussed. General information is also to be provided at the meetings in the form of brochures/handouts and or an audio/visual presentation with translation in Spanish or interpreting by a Spanish speaking person. A sign-in list of all persons attending the meetings will be kept and minutes of the meetings will be recorded and posted by City staff.

MEETING CYCLE

The City of Seaside operates its CDBG Program on its fiscal year, which begins July 1 and ends on June 30; therefore the meeting cycle is as follows:

The first round of meetings begins in July with the evaluation of the previous fiscal year projects and how those projects met the identified needs of the community. The first round of meetings conclude with the submission of the Consolidated Annual Performance Report (CAPER) to the US Department of Housing and Urban Development.

The second round of meetings are held in October, November and December. This is when the CDAC will hold neighborhood workshops to identify any new community development needs and priorities. The CDAC will provide the summary of the program evaluation which was completed in the first round of meetings. The second round of meetings will conclude with a Public Hearing before City Council to present the identified needs to the community.

The third and final round of meetings will be held January through May to provide citizens with the opportunity to submit their views and proposals for new projects and to assist in the selection of projects for CDBG funding. City departments and community-based non-profit groups may be funded to carry out certain neighborhood revitalization and economic development activities. Such groups will be invited to submit proposals to the CDAC for funding consideration.

The CDAC will hold a Request for Proposal workshop in January to provide assistance to groups wishing to apply for funding.

In February and March citizens shall have the opportunity to assist the CDAC in the evaluation of all of the projects submitted by the City and by community groups and to participate in the process of recommending to the City Council those activities which closely meet the needs of the community will be given the highest priority ratings for the next CDBG program year.

In April and May, the CDAC and the City Council will hold public meetings on the proposed Annual Application.

The third and final round of meetings will conclude with the submission of the Consolidated (5 year) Plan and or the Annual Plan to HUD in May.

Any time during the program year the CDAC may hold one or more workshops to formulate recommendations to the City Council regarding new program/project activities using reprogrammable funds or any proposed amendments to the Annual Action Plan.

CHRONOLOGY OF EVENTS IN THE CDBG PROGRAM YEAR

It is important to understand that the CDBG process is a multifaceted process. At the beginning of a fiscal program year, an entity will be managing three program years simultaneously:: closing the previous program year, managing the current program year and planning for the next program year.

June – September: Evaluation Phase

- June - CDAC formation meetings.
- July - RMS Staff prepares a summary of current and completed projects.
- August
 - CDAC public workshop held to assess the performance of current and completed projects funded with previous fiscal CDBG projects.
 - Assess the housing and community development needs and priorities associated these projects.
- September:
 - City Council Public Hearing held regarding the performance of CDBG funded projects
 - Submit CAPER to HUD (due September 30th)
 - Announce to Public the Submission of the CAPER

The submission of the CAPER signals the close of the 1st round of meetings/workshops and the second round of meetings is the planning phase for the next program year and is the foundation for a CDBG program year. It is where you identify and begin to design a road map in order to maximize a communities' CDBG dollars.

October – December: Planning Phase

- October - Conduct the first round of citizen workshops*
- November - Conduct the second round of citizen workshops*
- December
 - Conduct final citizen workshops*
 - The CDAC and RMS staff will meet to consolidate and finalize their findings on housing, community development, and economic development needs.

*RMS staff and the CDAC will coordinate the number of meetings to be held in the community.

January – May: Development Phase

- January - The CDAC will take the final findings and recommendations to City Council and the community. It is at this point that a “state of the program”, which addresses the current performance of ongoing projects

can be announced to assist in the preparation for the next cycle of CDBG funding.

- Announce the CDBG program dollars available for the next program year.

- The amount of CDBG funds available for the next program year, and list of eligible activities will be provided to the community via a Request for Proposals workshop with local community organizations and city departments interested in requesting CDBG funds.

February - Applications for funding will be due no later than the 2nd Thursday of February at 5:00pm.

- CDAC public workshop for city department and community organizations to present their applications and answer questions of the CDAC and public.

- CDAC Votes on proposed program/project applications and develops recommendations to present to City Council

March - City Council to hold Public Hearing for city department and community organizations to present their applications and answer questions of the City Council and public.

- City Council votes on program/project applications.

April - Staff prepares draft of the Annual CDBG Application and Consolidated Plan/Action Plan and submits it to CDAC members and City Council for their review and approval of draft Application/Annual Plan.

May - Annual Application (Application and Consolidated Plan/Annual Plan) Public Hearing at City Council for Final approval and submission to HUD. Due to HUD May 15th.

OUTREACH AND TECHNICAL ASSISTANCE

All CDAC meetings and Council hearings will be advertised in local papers, through posting in public places, and through direct invitation. A mailing list of interested citizens and organizations will be compiled and maintained by City staff and periodic mailings will be made to persons on the list concerning the chronology of public meetings during the year, the availability of documents, and specific meeting times and places. Continuous efforts will be made to expand the mailing list to include more neighborhood participation, especially in neighborhoods where the population has unmet needs that might be addressed through the use of the CDBG program.

A repository of public documents will be maintained in the Resource Management Services Department in City Hall and at the Seaside Branch of the Monterey County Free Libraries for examination by interested citizens during normal working hours. Persons using the repository will be invited to add their names to the mailing list in order

to receive continuous information about the program. The following documents will be included in the repository:

- The Seaside Citizen Participation Plan (one free copy will be made available on request);
- The Five Year Consolidated Plan;
- Annual Performance reports;
- Annual Applications for CDBG funds;
- Subsequent amendments to any of the above;
- Current mailing list; and
- Records of CDAC meetings.

City staff will be available at all CDAC meetings and City Council hearings to provide relevant background information through written reports and presentations, and to answer technical questions about the program. Community groups who wish to propose program/project activities for funding may request technical assistance through Resource Management Staff.

Citizens may object formally to approval of the City's Annual Application by submitting their comments directly to HUD at:

U.S Department of Housing and Urban Development
San Francisco Region IX
Community Planning and Development
600 Harrison Street, 3rd Floor
San Francisco, CA 94107-1300

Grounds for objection at this level are: inconsistency with known facts or with needs identified by the City or with federal regulations or laws. Complaints may also be addressed directly to the City with response to written complaints required within 15 working days.

ENTITLEMENT APPLICATION AND AMENDMENT PROCESS

This process, if necessary and/or appropriate may be undertaken at any time during the program year. The steps for the amendment process are as follows:

1. Staff prepares report for CDAC on the amount of money available for reprogramming and the amendment process.
2. CDAC conducts citizen workshop(s) on current programs and the amendment process.
3. Staff prepares draft amendment for CDAC.
4. CDAC conducts citizen workshop(s) on proposed amendment; and CDAC prepares recommendations for City Council.
5. City Council conducts a Public Hearing on Amendment Application, followed by Council action on Amendment and submitted to HUD for approval.

SUMMARY OF CITIZEN PARTICIPATION PLAN

Mandated Element	Implementation
Open Process of citizen participation	CDAC City Council
Substantial representation	CDAC criteria for membership
Continuity of involvement	CDAC staggered terms
Adequate and timely information	CDAC City staff reports Public repository
Application development	CDAC City Council
Program Implementation	CDAC City staff reports
Performance assessment	CDAC City staff reports
Submission of views and proposals	CDAC City– Response to complaints within 15 working days
Technical assistance	CDAC City staff
Public hearings on: Performance Application	City Council – September City Council – May
Program amendments	CDAC City Council

Guide for Completeness Review of Local Government Citizen Participation Plan			
Name of Program Participant:			
Staff Consulted:			
Date Plan Was Adopted or Last Amended:			
Name(s) of Reviewer(s):		Date:	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

Instructions: This Exhibit is designed to review the local government's compliance with the Citizen Participation Plan requirements per the Consolidated Plan regulations at 24 CFR Part 91, Subpart B. This review may be used to review both individual local government and consortium plans. The Exhibit is divided into seven sections: General Aspects of the Citizen Participation Plan; Development of the Citizen Participation Plan and Any Amendments; Development of the AFH and the Consolidated Plan; Consolidated Plan Amendments and AFH Revisions; Performance Reports; Public Hearings; and Miscellaneous Citizen Participation Requirements.

AFH Note: The requirements for affirmatively furthering fair housing in 24 CFR Part 5 are not covered by this Exhibit. Before conducting community participation for its first AFH, the local jurisdiction must amend the Citizen Participation Plan, but there is no specific date by which this amendment must occur. The new requirements are bracketed in the questions.

Questions:

A. GENERAL ASPECTS OF THE CITIZEN PARTICIPATION PLAN

1.

Does the local government have a Citizen Participation Plan? [24 CFR 91.105(a)(1)]	☐	☐	☐
	Yes	No	N/A
Describe Basis for Conclusion:			

2.

a. Was the Plan adopted by the local government? [24 CFR 91.105(a)(1)]	☐	☐	☐
	Yes	No	N/A
Describe Basis for Conclusion:			
b. [AFFH Requirement, as applicable: If the plan was adopted prior to August 17, 2015, has it been amended to comply with the citizen participation requirements related to Assessment of Fair Housing (AFH) added by the July 16, 2015 final rule?] NOTE: Before conducting community participation for its first	☐	☐	☐
	Yes	No	N/A

Exhibit 19-1
Citizen Participation Plan

AFH, the local jurisdiction must amend the Citizen Participation Plan before the but there is no specific date by which this amendment must occur. [24 CFR 91.105(a)(1)]	
Describe Basis for Conclusion:	

**B. DEVELOPMENT OF THE CITIZEN PARTICIPATION PLAN [FOR NEW GRANTEEES]
AND ANY AMENDMENTS [FOR ALL GRANTEEES]**

3.

For new grantees only: Did the local government provide citizens an opportunity to comment on the original Citizen Participation Plan and on substantial amendments to it? [24 CFR 91.105(a)(3)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

4.

a. Are specific, appropriate actions described in the Citizen Participation Plan to encourage participation by minorities, non-English speaking persons, and persons with disabilities? [24 CFR 91.105(a)(2)(i)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	
b. Is the local government prepared to provide the Citizen Participation Plan in a format accessible to persons with disabilities, upon request (e.g., providing oral, Braille, electronic, or large print copies for the visually impaired)? [24 CFR 91.105(a)(3)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	
c. Does the Citizen Participation Plan describe the local government's procedures for assessing its language needs and identify any need for translation of notices and other vital documents? [24 CFR 91.105(a)(4)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	
d. Does the Citizen Participation Plan require that the local government take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English –speaking residents of the community? [24 CFR 91.105(a)(4)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

Exhibit 19-1
Citizen Participation Plan

6509.2 REV-7

5.

a. Does the Citizen Participation Plan provide for and encourage citizens to participate, including low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where CDBG funds are proposed to be used and by residents of predominantly low- and moderate income neighborhoods in the Consolidated Plan, any substantial amendment to the Consolidated Plan and the performance report, [in the development of the AFH, any revisions to the AFH, as applicable]? [24 CFR 91.105(a)(2)(i).]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	
b. Does the Plan include a definition of residents of “predominantly low- and moderate-income neighborhoods?” [24 CFR 91.105(a)(2)(i)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

6.

Does the Citizen Participation Plan encourage the participation of local and regional institutions, the Continuum of Care and other organizations (including businesses, developers, non-profit organizations, philanthropic organizations, and community and faith-based organizations) in the process of developing and implementing the Consolidated Plan and [the AFH, as applicable]? [24 CFR 91.105(a)(2)(ii)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

7.

a. Does the Plan encourage participation by residents of public and assisted housing (including any resident advisory boards, resident councils, and resident management corporations) and by other low- income residents of targeted revitalization areas in which public and assisted housing is located in developing and implementing the Consolidated Plan [and the AFH, as applicable]? [24 CFR 91.105(a)(2)(iii)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	
b. Does the Plan require that the local government will provide information to the PHA about the Consolidated Plan activities [and the AFH and AFFH strategy, as applicable] related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan? [24 CFR 91.105(a)(2)(iii)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

Exhibit 19-1
Citizen Participation Plan

8.

<u>For new grantees only:</u> Is the opportunity to comment on the original Citizen Participation Plan and on substantial amendments to this Plan not clearly unreasonable? (A “no” conclusion would be the basis of the Finding that the local government did not provide a reasonable opportunity to comment.) [24 CFR 91.105(a)(3)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

9.

Is the Citizen Participation Plan made available to the public? (If “yes,” describe how in response below.) [24 CFR 91.105(a)(3)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	

C. DEVELOPMENT OF THE CONSOLIDATED PLAN [AND THE AFH]

10.

a. [AFFH Requirement, as applicable: Does the Citizen Participation Plan require that at or, as soon as feasible, after the start of the public participation process, the local government will make available the HUD-provided data and any other supplemental information the local government plans to incorporate into the AFH to its residents, public agencies, and other interested parties? NOTE: The local government may make the HUD-provided data available to the public by cross-referencing to the data on HUD’s Website.] [24 CFR 91.105(b)(1)(i)]	☐ Yes ☐ No ☐ N/A
Describe Basis for Conclusion:	
b. Does the Citizen Participation Plan require that, before the local government adopts a Consolidated Plan, the local government will make available to citizens, public agencies, and other interested parties information that includes: - the amount of assistance the local government expects to receive (including grant funds and program income); - the range of activities that may be undertaken; - the estimated amount of funding that will benefit persons of low- and moderate-income; - the local government’s plans to minimize displacement of persons and to assist any persons displaced, specifying the types and levels of assistance the local government will make available (or require others to make available) to persons displaced, even if the local government expects no displacement to occur; and	☐ Yes ☐ No ☐ N/A

Exhibit 19-1
Citizen Participation Plan

6509.2 REV-7

when and how the local government will make this information available? [24 CFR 91.105(b)(1)(ii)-(iii)]	
Describe Basis for Conclusion:	

11.

a. Does the Citizen Participation Plan describe how the local government will publish the proposed Consolidated Plan [and the proposed AFH, as applicable] in a manner that affords residents, public agencies, and other interested parties an opportunity to examine its contents and to submit comments? [24 CFR 91.105(b)(2)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	
b. Does the Citizen Participation Plan require the local government to publish the proposed Consolidated Plan [and proposed AFH, as applicable]? This requirement may be met by publishing a summary of each document in one or more newspapers of general circulation [AFFH specific, as applicable; and by making copies of each document available on the Internet, on the local government's official government Website, as well as at libraries, government offices, and public places]. [24 CFR 91.105(b)(2)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

12.

If the Citizen Participation Plan states the local government will publish a summary of the proposed Consolidated Plan [and the proposed AFH, as applicable], does the Citizen Participation Plan require the summary to include: - a description of the contents and purpose of the Consolidated Plan [or the AFH, as applicable]; and - a list of the locations where copies of the entire proposed Consolidated Plan may be examined? [24 CFR 91.105(b)(2)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

13.

Does the Citizen Participation Plan state that the local government will provide a reasonable number of free copies of the Consolidated Plan [or the AFH, as applicable,] to citizens and groups that request it? [24 CFR 91.105(b)(2)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

Exhibit 19-1
Citizen Participation Plan

14.

Does the Citizen Participation Plan provide for at least one public hearing during the development of the Consolidated Plan [or the AFH, as applicable]? [24 CFR 91.105(b)(3)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

15.

Does the Citizen Participation Plan provide a period of not less than 30 calendar days to receive comments from residents of the community on the Consolidated Plan [or the AFH, as applicable]? [24 CFR 91.105(b)(4)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

16.

Does the Citizen Participation Plan specify that the jurisdiction consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the final Consolidated Plan [or the final AFH as applicable]? [24 CFR 91.105(b)(5)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

D. CONSOLIDATED PLAN AMENDMENTS [AND AFH REVISIONS]

17.

a. Does the Citizen Participation Plan specify the criteria the local government will use for determining what changes in the local government's planned or actual activities constitute a substantial amendment to the Consolidated Plan? [24 CFR 91.105(c)(1)(i)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	
b. <u>For CDBG entitlements only:</u> Does the criteria for a substantial amendment include changes in the use of CDBG funds from one eligible activity to another? [24 CFR 91.105(c)(1)(i)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	
c. [AFFH Specific, as applicable: Does the Citizen Participation Plan specify the criteria the local government will use for determining when revisions to the AFH will be required? NOTE: At a minimum, the specified criteria must include the situations described in 24 CFR 5.164.] [24 CFR 91.105(c)(ii)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

Exhibit 19-1
Citizen Participation Plan

6509.2 REV-7

18.

a. Does the Citizen Participation Plan state that citizens will be given reasonable notice and an opportunity to comment on substantial amendments to the Consolidated Plan [and revisions to the AFH, as applicable] and state how they will be given notice? [24 CFR 91.105(c)(2)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	
b. Does the Citizen Participation Plan provide a period of not less than 30 calendar days to receive comments on any substantial amendments to the Consolidated Plan [or any revision to the AFH, as applicable] before such amendments are implemented or the revision to HUD is submitted to HUD for review? [24 CFR 91.105(c)(2)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

19.

a. Does the Citizen Participation Plan specify that the local government consider any comments or views of residents of the community received in writing, or orally at the public hearings, in preparing substantial amendments to the Consolidated Plan [or significant revision to the AFH, as applicable]? [24 CFR 91.105(c)(3)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	
b. Does the Citizen Participation Plan specify that the local government will attach to the substantial amendment of the Consolidated Plan [or revision to the AFH, as applicable] a summary of any comments or views, and a summary of any comments or views not accepted and the reasons why? [24 CFR 91.105(c)(3)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

E. PERFORMANCE REPORTS

20.

Does the Citizen Participation Plan state that citizens will be given notice and an opportunity to comment on performance reports and state how they will be given notice? [24 CFR 91.105(d)(1)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

Exhibit 19-1
Citizen Participation Plan

21.

Does the Citizen Participation Plan provide for a period of not less than 15 days to receive comments on performance reports before the reports are submitted to HUD? [24 CFR 91.105(d)(1)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

22.

Does the Citizen Participation Plan specify that the local government consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the Consolidated Annual Performance and Evaluation Report? [24 CFR 91.105(d)(2)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

F. PUBLIC HEARINGS

23.

Does the Citizen Participation Plan provide for at least two public hearings per year to obtain citizens' views and to respond to proposals and questions? [24 CFR 91.105(e)(1)(i)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

24.

a. With respect to timing, are the public hearings conducted at a minimum of two different stages of the program year? [24 CFR 91.105(e)(1)(i)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	
b. Does the Citizen Participation Plan provide for at least one of these hearings to be held before Consolidated Plan [or the proposed AFH as applicable,] is published for comment? [24 CFR 91.105(e)(1)(ii); 24 CFR 91.105(e)(1)(iii)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

25.

Do the public hearings, together, address: a. housing and community development needs, b. development of proposed activities, c. proposed strategies and actions for affirmatively furthering fair housing consistent with the AFH, and d. review of program performance? [24 CFR 91.105(e)(1)(i); 24 CFR 91.105(e)(1)(ii)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion:	

Exhibit 19-1
Citizen Participation Plan

6509.2 REV-7

26.

Does the Citizen Participation Plan state how and when adequate notice will be given to citizens of each public hearing? [24 CFR 91.105(e)(2)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion: 	

27.

Does the local government publish sufficient information about the subject of the public hearing to permit informed comment? NOTE: Publishing small print notices in the newspaper a few days before the hearing does not constitute adequate notice. Although HUD does not specify the length of notice required, two weeks is considered adequate. [24 CFR 91.105(e)(2)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion: 	

28.

a. Does the Citizen Participation Plan provide that public hearings be held at times and locations convenient to potential and actual beneficiaries? [24 CFR 91.105(e)(3)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion: 	
b. Does the Citizen Participation Plan provide that hearings be held with accommodation for persons with disabilities? [24 CFR 91.105(e)(3)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion: 	
c. Does the Citizen Participation Plan describe how the local government will meet the requirements of 28.a and 28.b above? [24 CFR 91.105(e)(3)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion: 	

29.

Does the Citizen Participation Plan identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate? [24 CFR 91.105(a)(4)]	☐ ☐ ☐ Yes No N/A
Describe Basis for Conclusion: 	

G. MISCELLANEOUS CITIZEN PARTICIPATION REQUIREMENTS

30.

Does the Citizen Participation Plan provide citizens with reasonable and timely access to local meetings? Is this access consistent with accessibility and reasonable accommodation requirements? [24 CFR 91.105(f)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

31.

a. Does the Citizen Participation Plan provide that the Consolidated Plan, as adopted, substantial amendments, and the performance report [and HUD-accepted AFH, revisions to the AFH, as applicable] will be available to the public, including the availability of materials in a form accessible to persons with disabilities, upon request? [24 CFR 91.105(g)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			
b. Does the Citizen Participation Plan state how the documents identified in 31.a above will be available to the public? [24 CFR 91.105(g)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

32.

Does the Citizen Participation Plan require the local government to provide residents of the community, public agencies, and other interested parties with reasonable and timely access to information and records relating to the local government's Consolidated Plan [and AFH, as applicable] and the local government's use of assistance under the programs covered in the Consolidated Plan during the preceding five years? [24 CFR 91.105(h)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

33.

Does the Citizen Participation Plan provide for technical assistance to groups representative of persons of low- and moderate-income that request help in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan [and in commenting on the AFH, as applicable?] NOTE: The assistance need not include the provision of funds to the groups. [24 CFR 91.105(i)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

Exhibit 19-1
Citizen Participation Plan

6509.2 REV-7

34.

Does the Citizen Participation Plan describe the local government's appropriate and practicable procedures to handle complaints from citizens related to the Consolidated Plan, amendments, and the performance report [AFH revisions, as applicable,] which, at a minimum, require the local government to provide a timely, substantive written response to every written citizen complaint within an established period of time? [24 CFR 91.105(j)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			

35.

<u>For CDBG entitlement grantees only:</u> Is the specified time period “within 15 working days, where practicable?” [24 CFR 91.105(j)]	☐ Yes	☐ No	☐ N/A
Describe Basis for Conclusion:			



CITY OF SEASIDE

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM DRAFT CITIZEN PARTICIPATION PLAN

Public Comment Period: October 28 – November 29, 2021

Submit Comments to CDBG@ci.seaside.ca.us

Prepared by:

Community Development Department
440 Harcourt Ave, Seaside, CA 93955
www.ci.seaside.ca.us/CDBG
(831) 899-6726



Table of Contents

A. Introduction.....	3
B. Definitions	3
C. Roles and Responsibilities.....	4
D. Encouragement of Citizen Participation.....	5
E. Citizen Participation Plan	6
E.1 Plan Development.....	6
E.2 Amendments	7
F. Five-Year Consolidated Plan.....	8
F.1 Plan Development.....	8
F.2 Consolidated Plan Amendment	10
G. Annual Action Plan	11
G.1 Plan Development.....	11
G.2 Annual Action Plan Amendment.....	12
H. Consolidated Annual Performance and Evaluation Report (CAPER)	13
H.1 Plan Development.....	13
I. Analysis of Impediments or Assessment of Fair Housing (AI or AFH)	13
I.1 Plan Development.....	14
I.2 AI or AFH Amendment	14
J. Public Hearings, Notification and Access.....	15
J.1 Public Meetings and Hearings	15
J.2 Documents for Public Review.....	16
J.3 Access to Meetings	17
J.4 Access to Consolidated Plan Documents and Records.....	17
K. Technical Assistance	18
L. Comments and Complaints	19
L.1 Comments	19
L.2 Complaints	19
M. Language Access	19
N. Appeals	20
O. Disaster.....	20
P. Displacement Policy	20

A. Introduction

The City of Seaside (City) is a recipient of federal entitlement grant funding from the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grants (CDBG). As a recipient of these funds, the City is required to prepare a Consolidated Plan to assess the City's affordable housing and community development needs, and develop data-driven funding strategies and program goals. The Consolidated Plan is carried out through Annual Action Plans, which provide a summary of the specific activities and resources that will be used each year to address the needs and goals identified by the Consolidated Plan. Accomplishments and progress toward meeting the City's goals are reported in the Consolidated Annual Performance and Evaluation Report (CAPER). As part of the Consolidated Plan, the City is also required to conduct an Analysis of Impediments to Fair Housing to review laws, regulations, conditions and other possible obstacles, both public and private, which could affect an individual's access to housing in Seaside.

Additionally, the City must adopt a Citizen Participation Plan (CPP) that sets forth the City's policies and procedures for citizen participation in the development of the Consolidated Plan and the other aforementioned HUD-mandated documents. The citizen participation process outlined in this plan was developed in accordance with Federal regulations 24 CFR 91.105, and requires outreach, public hearings, community meetings, and opportunities for comment. The plan provides for citizen input and emphasizes participation by low- and moderate-income residents, particularly residents of predominantly low- and moderate-income neighborhoods, regional stakeholders and Continuums of Care, and residents of areas in which the City proposes to use CDBG funds. It also outlines the practicable procedures to handle complaints from residents regarding its Consolidated Plan and other HUD-mandated documents.

Ultimate responsibility and authority for final decisions regarding the Consolidated Plan and related documents resides with the Seaside City Council. Nothing herein shall be construed to restrict the responsibility or authority of the City for the development and execution of its community development programs and execution of its Consolidated Plan.

This CPP supersedes and replaces all previous plans adopted or amended for the CDBG Program. The CPP shall be available to the public on the City website, and, upon request, will be made in a format accessible to persons with disabilities. The City will review its CPP annually in conjunction with the development of the City's Annual Action Plan. If it is determined that the CPP needs to be updated or revised, the City will provide citizens with a reasonable opportunity to comment on proposed changes to the CPP in accordance with the Public Review requirements for the amendment of documents described further in this document.

B. Definitions

Annual Action Plan (AAP): The AAP outlines the activities that will be undertaken during the program year to meet the goals stated in the City's 5-year Consolidated Plan (defined below).

Affirmatively Furthering Fair Housing (AFFH): AFFH is a legal requirement for local governments that receive federal grants to further the purposes of the Fair Housing Act by undertaking actions that combat discrimination, overcome patterns of segregation, and foster inclusive communities free from barriers that restrict access to housing.

Analysis of Impediments to Fair Housing Choice (AI): The AI is a comprehensive review of a community's laws and administrative policies and practices (both public and private), and an analysis of how they affect the location, availability, and accessibility of housing choice for various protected classes (e.g. race, color, religion, sex, disability, familial status, or national origin). The AI is required to be updated every five years in conjunction with the Consolidated Plan.

Citizen Participation Plan (CPP): The Citizen Participation Plan (CPP) outlines the procedures the City will undertake to ensure public involvement during the development of the City's Consolidated Plan and Annual Performance Report, and Analysis of Impediments to Fair Housing Choice.

Community Development Block Grant (CDBG): The CDBG program provides formula grants to create viable urban communities by providing decent housing, suitable living environments and expanded economic opportunities, principally for low and moderate-income persons.

Consolidated Annual Performance Evaluation Report (CAPER): The CAPER provides the federal government, Congress and the public with necessary information to assess the City's progress in meeting its CDBG program goals.

Department of Housing and Urban Development (HUD): HUD is the federal agency that oversees the CDBG program, among various other programs. HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all.

Displacement: The relocation of individuals from their residences resulting from housing development and rehabilitation activities paid for by federal funds.

Eligible Activity: Activities that may be supported in whole or in part with CDBG funds as defined in the Code of Federal Regulations Title 24.

Entitlement Community: A metropolitan city or urban county entitled to receive a formula allocation of CDBG funds.

Five-Year Consolidated Plan (ConPlan): The ConPlan identifies the City's housing and community development needs and details the City's 5-year strategy and goals for addressing those needs with HUD-allocated funds.

Public Services Grant: General Funds made available by the Seaside City Council to grant to local non-profit organizations that provide direct social and human services to low- and moderate-income City residents.

Low-and moderate-income: Households with income that do not exceed 80 percent of the Area Median Income (AMI) as defined by HUD.

C. Roles and Responsibilities

City Council: The Mayor and Councilmembers comprise the nonpartisan City Council, and are elected at large. Under the City Charter, City Council's duties include: approval of the City budget and financial oversight of the City. The City Council has the power to adopt ordinances and resolutions, make appointments to advisory boards, establish policy and approve programs, act on recommendations of City staff, appropriate funds, approve contracts, and respond to concerns and needs of residents.

The City Council reviews and adopts the City's ConPlan, AI and AAP activities, and authorizes City staff to administer the programs.

City Manager: The City Manager reports directly to the City Council and provides for the management of all affairs of City government and services, as well as oversight and direction of all City departments. The City Manager is the City's representative authorized to sign the necessary documents required by HUD.

Community Development Department (CDD) staff: The CDD staff are responsible for the day-to-day coordination and administration of the CDBG. The administrative policies for the City's CDBG program are outlined in two policy documents entitled CDBG Policies and Procedures and Davis-Bacon Act Manual. Both documents can be found at www.ci.seaside.ca.us/CDBG.

Community Development Advisory Committee (CDAC): CDAC members are appointed by the Seaside City Council and serve in an advisory capacity to the City Council, City Manager, and CDD staff on policy issues related to HUD's Consolidated Plan and the allocation of CDBG funds. The CDAC's charge includes advocating for low- and moderate-income Seaside residents for housing and community development needs and assuring resident input in determining the use of funds. The CDAC coordinates its efforts with neighborhood-based organizations to increase participation by low- and moderate-income households.

CDAC meetings are called as needed. CDAC meetings are noticed in accordance with the Brown Act and are open to the public. Additional information regarding CDAC can be found in the CDAC Membership Guide, which is available at www.ci.seaside.ca.us/CDBG.

D. Encouragement of Citizen Participation

The City of Seaside provides for and encourages citizens to participate in the development of the CPP, Consolidated Plan, AFH or AI, Action Plan, and CAPER. The City encourages participation by low- and moderate-income persons, particularly those living in slum and blighted areas (if any such areas are formally designated) and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods. The City will also take appropriate actions to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

The City will make a concerted effort to notify and encourage the participation of

- Citizens;
- Local and regional institutions;
- Continuum of Care organization addressing homelessness,
- Public and private organizations including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations;
- Broadband internet service providers
- Organizations engaged in narrowing the digital divide;
- Agencies whose primary responsibilities include the management of flood prone areas;
- Public land or water resources agencies;
- Emergency management agencies;
- State and local health service providers;

- Social service providers;
- Fair housing organizations;
- State and local governments;
- Public housing agencies;
- Affordable housing developers; and
- Other stakeholders in the amendment of the Citizen Participation Plan or the development of the AI or AFH, Consolidated Plan, Annual Action Plans.

Participating will be notified through mailings (including electronic mailings), online postings and public notices in the newspaper.

The City may also explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance as directed by the CDAC. All communication, public comments, and complaints concerning the Citizen Participation Plan and the Consolidated Plan Documents should be directed to:

CDBG Administrator
Community Development Department
440 Harcourt Ave, Seaside, CA 93955
Phone: (831) 648-6726
Email: CDBG@ci.seaside.ca.us

E. Citizen Participation Plan (CPP)

The City recognizes the importance of public participation in both defining and understanding current housing and community development needs and prioritizing resources to address those needs. The City's CPP is designed to encourage Seaside residents' equal access and involvement each year. The following describes the process and procedures related to the development of the CPP.

E.1 Plan Development

The City's CPP development procedures are outlined below.

a) *Plan Considerations*

The City is required to adopt a CPP that sets forth the jurisdiction's policies and procedures for citizen participation. The City must provide citizens with a reasonable opportunity to comment on the original CPP and any substantial amendments to the citizen participation plan, and must make the CPP publicly available. The CPP must be made available in a format accessible to persons with disabilities, upon request.

The CPP shall describe the jurisdiction's procedures for assessing its language needs and identify any need for translation of notices and other vital documents. At a minimum, the CPP shall require that the jurisdiction take reasonable steps to provide language assistance to ensure meaningful access by non-English-speaking residents of the community.

The City should explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation (e.g., use of focus groups and online engagement tools).

b) *Plan Review and Comment*

The draft CPP shall be made available for public review for a 30-day period. The CPP shall be provided in a format accessible to persons with disabilities upon request. This may include, but is not limited to providing oral, Braille, electronic or large print versions of the plan to those visually impaired, and delivering copies to those who are homebound. The CPP will encourage comment and participation by minority and non-English speakers. Publication of the plan will be advertised in non-English languages to the extent practical and translation services will be available upon request.

Written comments will be accepted by the Community Development Department CDBG Administrator or designee during the public review period. A summary of all written comments and those received during the public hearing as well as the City's responses will be attached to the CPP prior to submission to HUD.

c) *Public Hearing*

The City Council shall conduct a public hearing to accept oral public comments on the draft CPP. The City Council may approve or reject the CPP.

d) *Submittal to HUD*

The CPP shall be approved as a stand-alone document. The City shall then submit to HUD: the approved document, a summary of all comments received during the review period and during the public hearing, responses from City, and proof of compliance with the minimum 30-day public review and comment period requirement. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD.

E.2 Amendments

The City shall amend the CPP using the following procedures, as needed:

a) *Amendment Considerations*

The City shall amend the CPP, as necessary, to ensure adequate engagement and involvement of the public in making decisions related to the programs and documents governed by Federal Regulation 24 CFR Part 91. Formal amendment of the CPP may be required should a provision of the CPP be found by the City to conflict with HUD regulations.

b) *Public Review and Comment*

Amendments to the CPP shall be made available for public review for a 30-day period. A public hearing shall be conducted by the City Council at a regularly scheduled meeting so that citizens may express their views. Written comments will be accepted by the Community Development Department CDBG Administrator or designee during the public review period. A summary of all written comments and those received during the public hearing as well as the City's responses will be attached to the amended CPP prior to submission to HUD.

Minor edits to the CPP, such as updating contact information or technical details about schedules and publications, will not constitute a "Substantial Amendment", and therefore, will not be released for public review and comment. Copies will be made available following the process described in Section J of this document.

c) Public Hearing

The City Council shall conduct a public hearing to review and accept public comments on the draft amendment to the CPP.

d) Submittal to HUD

A copy of the Amended CPP, including a summary of all comments received during the review period and during the public hearing, responses from City, and proof of compliance with the minimum 30-day public review and comment period requirement shall be submitted to HUD for their records. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD as applicable.

F. Five-Year Consolidated Plan

The following paragraphs describe the policies and procedures for the development of the Five-Year Consolidated Plan. To comply with Federal Regulation 24 CFR Part 91.105(b), the information supplied in the draft Consolidated Plan for public review will include:

- Amount of assistance the City expects to receive (grant funds and program income)
- Range of activities that may be undertaken
- Estimated amount of funding that will benefit low- and moderate-income persons

The City shall also provide an assessment of community development and housing needs and identify short-and long-term community development objectives directed toward the provision of decent housing and the expansion of economic opportunities primarily for persons of low- and moderate-income.

The City will make this information available in the Consolidated Plan published for comment and review.

F.1 Plan Development

The City encourages the participation of residents and stakeholders in the development of the Consolidated Plan. The City shall follow the following procedure to prepare and adopt the Consolidated Plan:

a) Plan Considerations

When preparing the Consolidated Plan, the City must consult with:

- The Monterey County Continuum of Care (COC);
- Public and private agencies that address housing, health, social services, victim services, employment, or education needs of low-income individuals and families; homeless individuals and families (including homeless veterans); youth; and/or other persons with special needs;
- Publicly funded institutions and systems of care that may discharge persons into homelessness (such as health-care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and
- Business and civic leaders.

When preparing the portion of the Consolidated Plan concerning lead-based paint hazards, the City shall consult with state or local health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.

When preparing the description of priority non-housing community development needs, the City must notify adjacent units of general local government, to the extent practicable. The non-housing community development plan must be submitted to the state and to the county.

The City will also consult with adjacent units of general local government, including local government agencies with metropolitan-wide planning responsibilities, particularly for problems and solutions that go beyond the City's jurisdiction.

The City will consult with the Monterey County Housing Authority, the local public housing agency (PHA) concerning consideration of public housing needs and planned programs and activities.

If the City becomes eligible to receive Emergency Solutions Grants (ESG), the City will consult with the Continuum of Care in determining how to allocate its ESG grant for eligible activities; in developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and in developing funding, policies, and procedures for the operation and administration of the Homeless Management Information System (HMIS).

A variety of mechanisms may be utilized to solicit input from these persons/service providers/agencies. These include telephone or personal interviews, focus groups, surveys, and consultation and community workshops.

b) Plan Review and Comment

The complete, draft Consolidated Plan shall be made available for public review for a 30-day period. The Consolidated Plan shall be provided in a format accessible to persons with disabilities upon request. Such formats may include, but are not limited to, providing oral, Braille, electronic or large print versions of the plan to those visually impaired and delivering copies to those who are homebound.

The plan will encourage comment and participation by minority and non-English speakers. Publication of the plan will be advertised in non-English languages as needed and translation services will be available upon request.

The plan will encourage comment and participation by low- and moderate-income residents, especially those living in low- and moderate-income neighborhoods, in areas where CDBG funds are proposed to be used and residents of public and assisted housing. Activities to encourage participation may include, but are not limited to, advertising publication of the Consolidated Plan in target areas, hosting community meetings in target areas, and making copies of the plan available in these neighborhoods. Copies will be made available following the process described in Section J of this document.

Written comments will be accepted by Community Development Department CDBG Administrator or designee during the public review period. A summary all comments received during the review period and during the public hearing as well as the City's responses will be attached to the Consolidated Plan prior to submission to HUD.

c) Public Hearing

The City Council shall conduct a public hearing to accept public comments on the draft Consolidated Plan. Section J describes the process for publishing the notice and conducting public hearings.

d) *Submittal to HUD*

The Consolidated Plan shall be submitted to HUD with a summary of all comments received during the review period and during the public hearing, responses from City, and proof of compliance with the minimum 30-day public review and comment period requirement.. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD as applicable. The Consolidated Plan will be submitted to HUD 45 days before the program year pursuant to regulations, unless otherwise directed by HUD.

F.2 Consolidated Plan Amendment

The City shall follow the below procedure to complete substantial and minor amendments to the Consolidated Plan, as needed:

a) *Amendment Considerations*

The City shall substantially amend the Consolidated Plan if a “substantial change” is proposed by City staff or the City Council. For the purpose of the Consolidated Plan, a “substantial change” is defined as:

- The City adds or removes Consolidated Plan - Strategic Plan goals.

The City may make minor changes to the Consolidated Plan, as needed, so long as the changes do not constitute a substantial amendment as described above. Changes to numeric accomplishment goals within an existing strategic plan goal shall not constitute a substantial amendment. Such changes to the Consolidated Plan will not require public review or a public hearing.

b) *Public Review and Comment*

The City encourages residents and stakeholders to participate in the development of substantial amendments. Substantial Amendments to the Consolidated Plan shall be made available for public review for a 30-day period. Written comments will be accepted by the Community Development Department CDBG Administrator or designee during the public review period. A summary of the comments and the City’s responses to the comments will be attached to the Consolidated Plan Substantial Amendment.

The City will encourage participation from all residents, especially low- and moderate-income residents, minorities, non-English speakers and those with disabilities. The City will take efforts to make the plan accessible to all such groups. Copies will be made available following the process described in Section J of this document.

c) *Public Hearing*

The City Council shall conduct a public hearing to accept public comments on the draft amendment to the Consolidated Plan. Section J describes the process for publishing the notice and conducting public hearings.

d) *Submittal to HUD*

A copy of the Amended Consolidated Plan, including , a summary of all comments received during the review period and during the public hearing, responses from City, and proof of compliance with the minimum 30-day public review and comment period requirement shall be

submitted to HUD for their records. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD as applicable.

G. Annual Action Plan (AAP)

The following describes the process and procedures related to the development of the AAP.

G.1 Plan Development

The City's procedures for preparing and adopting the AAP include:

a) *Plan Considerations*

In addition to local residents, the City will ensure that public (including City staff) and private agencies that provide the following services will be consulted in the development of the AAP:

- Health Services Providers
- Social Services for: Children, Elderly, Disabled, Homeless, Persons With AIDS
- State and Local Health Agencies
- Adjacent Local Governments
- Economic Development Interests
- Community and faith-based organizations
- Monterey County Housing Authority
- Housing developers

These persons/service providers/agencies will be contacted and brought into the process in the following manner:

- Every two years, the City will send a written Notice of Funding Availability (NOFA) to each cooperating department and nonprofit agency advising them that the planning cycle has begun for CDBG funds, and that the City is accepting project proposals.
- City staff will conduct outreach to special interest groups in Seaside, such as senior citizens and the disabled, and make presentations on the AAP to these groups where necessary.
- The City will conduct an eligibility analysis on all project proposals submitted and review the eligible proposals for service provider grants. The review for funding consideration will be conducted by the CDAC.

b) *Plan Review and Comment*

The draft AAP, incorporating the City's proposed uses of CDBG funds, shall be made available for public review for a 30-day period. The City will encourage participation from all residents, especially low- and moderate-income residents, minorities, and those with disabilities. The City will make the plan accessible to all such groups. Copies will be made available following the process described in Section J of this document.

Written comments will be accepted during public review period by the Community Development Department CDBG Administrator or designee. A summary of the comments and the City's responses to the comments will be attached to the draft Action Plan.

c) *Public Hearing*

The CDAC may hold a public meeting to discuss the eligible project proposals and funding recommendations to the City Council for both public service grant and capital outlay projects.

The City Council shall conduct one (1) public hearing to accept comments on the draft AAP which will be provided for public review for a 30-day period (see above).

The City Council shall approve or reject the AAP. Section J describes the process for publishing notice and conducting public hearings.

d) *Submittal to HUD*

Upon adoption of the AAP pursuant to HUD regulations, the City Council shall direct City staff to submit the Action Plan to HUD. Documents related to the public participation process, including copies of public notices and a summary of all public comments received, shall be attached to Action Plan. The Action Plan will be submitted to HUD at least 45 days before the program year pursuant to regulations, or as otherwise allowed or required by HUD.

G.2 Annual Action Plan Amendment

The City shall follow the following procedure to complete substantial and minor amendments to the AAP, as needed:

a) *Amendment Considerations*

The City shall substantially amend the AAP if a “substantial change” is proposed by City staff or the City Council. For the purpose of the Action Plan, a “substantial change” is defined as:

- Carrying out an activity not previously described in the AAP;
- Canceling an activity previously described in the AAP;
- Increasing or decreasing the amount to be expended on a particular activity from the amount stated in the AAP by more than 20 percent of the CDBG grant allocation for the program year; or
- Substantially changing the purpose, scope, location, or beneficiaries of an activity.

Changes in funding for an existing activity not amounting to more than 20 percent of the CDBG grant allocation for the program year will not be considered as a substantial change to the AAP; no formal amendment to the AAP requiring public review and comment will be warranted. However, City Council approval of the activity funding changes is still required.

b) *Public Review and Comment*

The City encourages citizen participation in the development of substantial amendments. Substantial Amendments to the AAP shall be made available for public review for a 30-day period. Written comments will be accepted during public review period. Comments should be directed to the Community Development Department CDBG Administrator or designee. A summary of the comments and the City’s responses to the comments will be attached to the Action Plan Substantial Amendment.

The City will encourage participation from all residents, especially low- and moderate-income residents, minorities, and those with disabilities. The City will take efforts to make the plan accessible to all such groups. Copies will be made available following the process described in Section J of this document.

c) *Public Hearing*

The City Council shall conduct a public hearing to review and consider the Substantial Amendment to the AAP. The City Council shall accept public comments on the Substantial Amendment to the Action Plan at the public hearing. After public comments are heard and considered by the City Council, the City Council shall approve, approve with modifications, or deny the request for a substantial amendment to the AAP. Section J describes the process for publishing the notice and conducting public hearings.

d) *Submittal to HUD*

A copy of the Substantial Amendment to the AAP along with documentation of the public participation process (i.e. public notices and public comments) shall be submitted to HUD for their records.

H. Consolidated Annual Performance and Evaluation Report (CAPER)

The following describes the process and procedures related to the development of the Consolidated Annual Performance and Evaluation Report (CAPER):

H.1 Plan Development

The City shall follow the following procedure in the drafting and adoption of the CAPER :

a) *Plan Considerations*

Staff will evaluate and report the accomplishments of the previous program year for CDBG, and will summarize expenditures that took place during the previous program year.

b) *Plan Review and Comment*

The City encourages citizen participation in the development of the CAPER. The draft CAPER shall be made available for public review for a 15-day period. Written comments will be accepted during public review period by the Community Development Department CDBG Administrator or designee. A summary of all comments received during the review period and during the public hearing and responses from City will be attached to the draft CAPER. Copies will be made available following the process described in Section J of this document.

c) *Submittal to HUD*

Upon completion of the public review period, City staff shall submit the CAPER to HUD. Documentation of the public participation process, including copies of public notices and a summary of all public comments received, shall be attached to the CAPER. The CAPER shall be submitted to HUD within 90 days following the end of the program year pursuant to regulations.

I. Analysis of Impediments (AI) or Assessment of Fair Housing (AFH)

The Analysis of Impediments to Fair Housing Choice (AI) or Assessment of Fair Housing (AFH) is a five-year plan completed by the City individually or as part of a local consortium of other HUD grantees pursuant to HUD guidance for the evaluation of local housing conditions, economics, policies and

practices and the extent to which these factors impact the range of housing choices and opportunities available to all residents in an environment free from discrimination. The following describes the process and procedures related to the development of the AI or AFH.

I.1 Plan Development

The City shall follow the following procedure in the drafting and adoption of the AI or AFH:

a) *Plan Considerations*

As soon as feasible after the start of the public participation process for the AI or AFH, the City will make the HUD-provided data and any other supplemental information available to residents, public agencies and other interested parties by posting the data on the City's website and referencing this information in public notices.

b) *Plan Review and Comment*

The draft AI or AFH shall be made available for public review for a 30-day period. Written comments will be accepted during public review period by the Community Development Department CDBG Administrator or designee. A summary of the comments and the City's responses to the comments will be attached to the draft AI or AFH. Copies will be made available following the process described in Section J of this document.

c) *Public Hearing*

The City Council shall conduct a public hearing to accept public comments on the draft AI or AFH. The City Council shall approve or reject the AI or AFH. Section J describes the process for publishing the notice and conducting public hearings.

d) *Submittal to HUD*

Upon adoption of an AI, the City shall retain the AI in its records and annually report on the status and disposition of the Fair Housing Plan recommendations.

Upon adoption of an AFH, the City shall submit the AFH to HUD for review and acceptance or rejection. The goals of the AFH shall be incorporated into the Consolidated Plan prior to submission of the Consolidated Plan to HUD.

I.2 AI or AFH Amendment

The City shall follow the following procedure to complete substantial amendments to AI or AFH, as needed.

a) *Amendment Considerations*

The City shall substantially amend the AI if a "substantial change" is proposed by City staff or the City Council. For the purpose of the AI, a "substantial change" is defined as the addition or deletion of Fair Housing Plan recommendations.

The City shall substantially amend the AFH if a "substantial change" is proposed by City staff, the City Council, or as otherwise required by HUD. An AFH that was previously accepted by HUD must be revised and submitted to HUD for review if a material change occurs. A material change is a change in circumstances in the jurisdiction of a program participant that affects the information on which the AFH is based to the extent that the analysis, the fair housing

contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances. Examples include

- Presidentially declared disasters (under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act -42 U.S.C. 5121 et seq.) in the program participant's area that significantly impact the steps a program participant may need to take to affirmatively further fair housing;
- Significant demographic changes;
- New significant contributing factors in the participant's jurisdiction; and
- Civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders, or upon HUD's written notification specifying a material change that requires the revision.

A revision to the AFH consists of preparing and submitting amended analyses, assessments, priorities, and goals that take into account the material change, including any new fair housing issues and contributing factors that may arise as a result of the material change.

b) Public Review and Comment

The City encourages residents and stakeholders to participate in the development of substantial amendments. Substantial Amendments to the AI or AFH shall be made available for public review for a 30-day period. Written comments will be accepted by the Community Development Department CDBG Administrator or designee during the public review period. A summary of the comments and the City's responses to the comments will be attached to the Consolidated Plan Substantial Amendment.

The City will encourage participation from all residents, especially low- and moderate-income residents, minorities, and those with disabilities. The City will take efforts to make the plan accessible to all such groups. Copies will be made available following the process described in Section J of this document.

c) Public Hearing

The City Council shall conduct a public hearing to accept public comments on the draft amendment to the AI or AFH. The City Council may approve or reject the amendment to the AI or AFH. A revised AFH must be submitted within 12 months of the onset of a material change that triggers a "Substantial Amendment," or at such later date as HUD may specify. Section J describes the process for publishing the notice and conducting public hearings.

J. Public Hearings, Notification and Access

The following policies and procedures outlining the public hearing process and public hearing notification apply to the development and substantial amendment of the Consolidated Plan, CPP, AAP, CAPER, and AI or AFH.

J.1 Public Meetings and Hearings

a) Public Hearing Process

In accordance with the regulations, the minimum annual number of public hearings at which citizens may express their views concerning the Consolidated Plan Documents shall be two (2) public hearings. These public hearings shall occur at two different points during the program

year. Additional public hearings and comment periods will be held in the development of the AFH or AI and the Consolidated Plan for 2025-2029 and in the event of substantial amendments to the CPP, Consolidated Plan, AFH or AI, or AAP become necessary as described later in this document.

The City, at its discretion, may conduct additional outreach, public meetings or public hearings as necessary to foster citizen access and engagement.

b) Public Hearing Notification

Staff will ensure adequate advance notice of all public meetings and hearings. Notices will be printed/posted at least 10 calendar days prior to the meeting date. Adequate noticing will include:

- Printing a public notice in a newspaper(s) of general circulation in the City;
- Display copies of notices on the City's website; and
- Posting notices at City Hall and at the Seaside Public Library.

Notices will include information on the subject and topic of the meeting including summaries when possible and appropriate to properly inform the public of the meeting. Notices will be published in other non-English languages as needed and will be accessible to those with disabilities. Meeting locations and access is described below.

J.2 Documents for Public Review

Staff will ensure adequate advanced notice of all public review/comment periods. Notices will be printed/posted prior to the commencement of the public review period alerting residents of the documents for review and providing a summary of the contents of the documents to include information on the content and purpose of the document and the list of locations where copies of the entire draft document(s) may be reviewed. The public comment period for each Consolidated Plan document and substantial amendment to each document subject to public review is listed below:

Document	Length of Public Comment Period
Consolidated Plan	30 Days
AAP	30 Days
CAPER	15 Days
AI or AFH	30 Days
CPP	30 Days

The City will ensure that documents are available for disabled and non-English speaking residents upon request. Adequate noticing will include:

- Printing a public notice in a newspaper(s) of general circulation in the City;
- Display copies of notices on the City's website; and
- Posting notices at City Hall and at the Seaside Public Library.

The City will place an adequate supply of draft copies of each document and substantial amendments to each document subject to public review at the following locations:

City Hall - Community Development Department 440 Harcourt Ave Seaside, California 93955	Seaside Public Library 550 Harcourt Ave Seaside, California 93955
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Materials will also be posted to the City website at: www.ci.seaside.ca.us/CDBG. All printed reports and materials shall be made available in a form accessible to persons with disabilities, upon request.

J.3 Access to Meetings

Unless otherwise noted, Public Hearings requiring City Council action will be conducted at a Seaside City Council Meeting on the 1st and 3rd Thursday of the month at 5:00 P.M. at the Seaside City Hall Council Chambers (440 Harcourt Ave, Seaside, California 93955). For public hearings not requiring City Council participation, the City will make every reasonable effort to conduct such hearings in the low- and moderate-income target areas and at times accessible and convenient to potential and actual beneficiaries.

Efforts to ensure this may include, but are not limited to, scheduling meetings in target neighborhoods, scheduling meetings during the evening and on weekends and requesting feedback from neighborhood groups and stakeholders for guidance in effective meeting scheduling. Such hearings will be posted and advertised to allow sufficient notice to all interested persons.

Translations may be available at all public hearings if the Community Development Department CDBG Administrator receives such a request at least 48 hours prior to the public hearing.

It is the intention of the City to comply with the Americans with Disabilities Act (ADA) in all respects. If an attendee or participant at a public hearing needs special assistance beyond what is normally provided, the City will attempt to accommodate these people in every reasonable manner. Efforts may include, but are not limited to, accessible seating, video recording for those homebound, sign language services and production of written transcripts. The City's Community Development Department CDBG Administrator must be notified at least 48 hours prior to the public hearing. The Community Development Department CDBG Administrator may be reached at:

CDBG Administrator
Community Development Department
440 Harcourt Ave
Seaside, CA 93955
Phone: (831) 648-6726
Email: CDBG@ci.seaside.ca.us

J.4 Access to Consolidated Plan Documents and Records

All approved Consolidated Plan Documents, and any approved amendments thereto, will be kept on file by the City at the City Hall Community Development Department (440 Harcourt Ave, Seaside, California 93955), online at: www.ci.seaside.ca.us/CDBG and can be made available to those requesting the plan. The Consolidated Plan Documents shall be provided in a format accessible to persons with disabilities upon request. Such formats may include, but are not limited to, providing oral, Braille, electronic or large print versions of the plan to those visually impaired and delivering copies to those who are homebound. Upon request, the Consolidated Plan Documents or summaries of those documents will be made available in an accessible manner to those with disabilities.

The City will ensure timely and reasonable access to information and records related to the development of the Consolidated Plan Documents, and the use of HUD CPD funds from the preceding five years. Information to be made available will include budget and program performance information, meeting minutes, and comments received by the City during the development of the Consolidated Plan and its supporting documents.

Requests for information and records must be made to the City in writing. Staff will respond to such requests within 15 working days or as soon as possible thereafter.

K. Technical Assistance

Upon request, staff will provide technical assistance to groups representing extremely-low, low-, and moderate-income persons to develop funding requests for HUD eligible activities. Technical assistance will be provided as follows:

- Establish an annual project proposal submission and review cycle (Notice of Funds Availability, or "NOFA") that provides information, instructions, forms and advice to interested extremely low-, low- and moderate-income citizens or representative groups so that they can have reasonable access to the funding consideration process.
- Provide self-explanatory project proposal forms and instructions to all persons who request them whether by telephone or by letter. The City's funding application form is designed to be easily understood and short, while still addressing all key items necessary to assess the proposed project. Statistics concerning specific areas of the City are furnished by City staff upon request.
- Answer, in writing, all written questions and answer verbally all verbal inquiries received from citizens or representative groups regarding how to write or submit eligible project proposals.
- Meet with groups or individuals as requested, to assist in identifying specific needs and to assist in preparing project proposal applications.
- Obtain information in the form of completed project proposal forms from citizens or non-profit agencies and assemble a list of proposals available for public review.
- Conduct a project eligibility analysis to determine, at an early stage, the eligibility of each project. In cases where only minor adjustments are needed to make proposals eligible or otherwise practical, City staff will advise the applicants on the options available and desired changes to the proposals.
- Provide bilingual translation on an as needed basis.

To request technical assistance, please contact the Community Development Department CDBG Administrator at:

CDBG Administrator
Community Development Department
440 Harcourt Ave, Seaside, CA 93955
Phone: (831) 648-6726
Email: CDBG@ci.seaside.ca.us

L. Comments and Complaints

L.1 Comments

Citizens or the City government, as well as agencies providing services to the community, are encouraged to state or submit their comments in the development of the Consolidated Plan Documents and any amendments to the Consolidated Plan. Written and verbal comments received at public hearings or during the comment period, will be considered and summarized, and included as an attachment to the City's final Consolidated Plan. Written comments should be addressed to:

CDBG Administrator
Community Development Department
440 Harcourt Ave, Seaside, CA 93955
Phone: (831) 648-6726
Email: CDBG@ci.seaside.ca.us

A written response will be made to all written comments within ten working days, acknowledging the letter and identifying a plan of action, if necessary. Every effort will be made to send a complete response within 15 working days to those who submit written proposals or comments.

Copies of the complete final Consolidated Plan and amendments to it will be available to residents at the following locations:

CDBG Administrator
Community Development Department
440 Harcourt Ave, Seaside, CA 93955
Phone: (831) 648-6726
Email: CDBG@ci.seaside.ca.us

L.2 Complaints

A complaint regarding the Consolidated Planning process and Consolidated Plan amendments must be submitted in writing to the Community Development Department CDBG Administrator. A written response will be made to written complaints within 15 working days, acknowledging the letter and identifying a plan of action, if necessary.

The City will accept written complaints provided they specify:

- The description of the objection, and supporting facts and data; and
- Provide name, address, telephone number, and a date of complaint.

M. Language Access

When a significant number of people speak and read a primary language other than English, translation services at public hearings will be provided in such language if translation services are requested in advance at least 48 hours prior to the public meeting. Requests should be addressed to the Community Development Department CDBG Administrator. The Community Development Department CDBG Administrator may be reached at:

CDBG Administrator
Community Development Department
440 Harcourt Ave, Seaside, CA 93955
Phone: (831) 648-6726
Email: CDBG@ci.seaside.ca.us

N. Appeals

Appeals concerning the Consolidated Plan, statements, or recommendations of the staff should be made to the following persons in the order presented:

- Community Development Director
- City Manager
- City Council
- San Francisco Area Office of HUD (if concerns are not answered)

O. Disaster

It may be necessary to make expedited amendments to the ConPlan and/or Annual AP in the event of a declared disaster or emergency. There are three types of disasters/emergency events identified by HUD that may necessitate an expedited substantial amendment process including:

1. Man-Made-disasters - can include, but are not limited to, chemical spills, mass rioting, power outages, plant explosions, etc.
2. Natural disasters - can include, but are not limited to, earthquakes, tsunamis, wild fires, flooding and public health concerns, such as wide-spread disease including the recent coronavirus disease 2019 (COVID-19).
3. Terrorism events - include, but are not limited to, bomb threats, biochemical attacks, cyberattacks, phishing, and virus distribution, etc.

Such expedited amendments may include funding new activities, and/or reprogramming funds, and/or canceling existing activities to meet the needs resulting from a declared disaster or emergency. Therefore, the City may make substantial amendments to its CDBG and HOME programs with a 5-day public review/comment period instead of the normal 30-day period. Any substantial amendments shall be available for public review electronically at www.ci.seaside.ca.us/CDBG, or will be emailed upon request. Hard copies will not be available if City buildings are closed to the public due to an emergency

P. Displacement Policy

The City intends to avoid, to the greatest extent feasible, the involuntary displacement of any persons, property or businesses as a result of CDBG activities. All efforts to minimize involuntary displacement will be carried out by designing activities in such a way that displacement is avoided, except in extraordinary circumstances where no feasible alternatives to displacement are available if the City's community development objectives are to be met. Should involuntary displacement become necessary under such circumstances, relocation will be administered in accordance with (a) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) and 24 CFR 570.606(b); and (b)

the requirements of 24 CFR 570.606(c) governing the Residential Antidisplacement and Relocation Assistance Plan under Section 104(d) of the HUD Act. The policies and requirements of these laws are described in HUD handbook 1378.

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