



A G E N D A

CITY OF SEASIDE

CITY COUNCIL/SUCCESSOR

AGENCY TO THE

REDEVELOPMENT AGENCY

REGULAR MEETING

440 HARCOURT AVE (COUNCIL CHAMBER)

Thursday, April 7, 2022

5:00 PM

NOTICE: *The City Council will hold its public meetings in person, with a virtual option for public participation based on availability. The City of Seaside utilizes Zoom tele-conferencing technology for virtual public participation; however, we make no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of public through this means is at their own risk.*

VIRTUAL PUBLIC PARTICIPATION INSTRUCTIONS

- 1.** To view this meeting: Please click on the following link to the City of Seaside YouTube Channel: <https://www.youtube.com/c/CityofSeasideCalifornia>
- 2.** To participate in this meeting: Using the Zoom application on your smart phone, laptop, tablet or desktop and click on this link: <https://ci-seaside-ca-us.zoom.us/j/81936832059>
WEBINAR ID: 819 3683 2059
- 3.** To participate by phone: Please call (669) 900-9128
Enter the meeting ID 819 3683 2059 when prompted. There is no participate code – press the pound sign # after the recording prompts you.
- 4.** To make 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 2:00 p.m. on the day of the meeting.

During the Meeting via Oral Comments: When the Chair calls for public comment, attendees can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9.

IN PERSON PARTICIPATION INSTRUCTIONS

Members of the public participating in person and wishing to address the City Council may approach the podium when the Chair calls for public comment.

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.

7. PRESENTATIONS

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

B. PRESENTATION FOR POLICE OFFICER, POLICE SUPPORT SERVICES, FIREFIGHTER AND RESERVE FIREFIGHTER OF THE YEAR AWARDS AND PROCLAMATIONS

C. PRESENTATION OF COMMENDATION FOR FORMER ART & HISTORY COMMISSIONER, STEVEN RUSSELL (ASSISTANT CITY MANAGER, ASHLEY COLLICK)

8. CONSENT AGENDA

A. APPROVE MINUTES FROM SPECIAL MEETINGS ON MARCH 16, MARCH 25 AND MARCH 28, 2022

RECOMMENDATION: Approve minutes as presented in the agenda packet.

B. APPROVE AND FILE CITY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of February 12, 2022, through February 25, 2022, including the payroll and benefits checks, direct deposits, and wired payments related to the pay period ending February 24, 2022. Total Accounts Payable and Payroll for the above referenced period is \$1,392,574.49.

C. APPROVE AND FILE SUCCESSOR AGENCY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of February 12, 2022, through February 25, 2022, including the payroll and benefits checks, direct deposits, and wired payments related to the pay period ending February 24, 2022. Total Accounts Payable and Payroll for the above referenced period is \$76.94.

D. ACCEPT AND FILE THE CASH AND INVESTMENTS REPORT FOR THE CITY OF SEASIDE AND THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF SEASIDE FOR THE QUARTER ENDING DECEMBER 31, 2021.

RECOMMENDATION: Accept and file the City of Seaside and the Successor Agency to the Redevelopment Agency of the City of Seaside Cash and Investment Report for the quarter ending December 31, 2021.

E. APPROVE APPOINTMENT TO THE COMMUNITY SAFETY ADVISORY COMMISSION

RECOMMENDATION: Approve the appointment of Guada Perez to the Community Safety Advisory Commission as recommended by the Mayor.

F. ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF DEL MONTE AVENUE TO THROUGH TRAFFIC FROM TIOGA AVENUE TO THE BEGINNING OF THE GRANITE ROCK BUILDING FOR THE CLASSIC PORSCHE EVENT ON AUGUST 15, 2022

RECOMMENDATION: Adopt a resolution permitting the closure of Del Monte Avenue to through traffic from Tioga Avenue to the beginning of the Granite Rock building to ensure public safety during the Classic Porsche Event on Monday, August 15, 2022.

G. ADOPT A RESOLUTION AUTHORIZING A MAINTENANCE AND RIGHT OF ENTRY AGREEMENT WITH SEASIDE HOUSING, L.P. FOR STORMWATER CONTROL AT HAMILTON, ELLIS & MARTIN (H.E.M.) PLAZA

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a Maintenance and Right of Entry Agreement with Seaside Housing, L.P. for the Hamilton, Ellis & Martin Apartments at 1466 Yosemite Street.

H. APPROVE REQUEST FOR CO-SPONSORSHIP AND FEE WAIVER FOR 2022 HOT CARS COOL NITES CAR SHOWS

RECOMMENDATION: Approve a request from Gold Coast Rods for Co-Sponsorship and to waive fees associated with four nights of the Hot Cars Cool Nites Classic Car Shows in the amount of \$11,902.20.

I. ADOPT A RESOLUTION CREATING THE CLASSIFICATION OF RISK MANAGEMENT TECHNICIAN AND FINANCIAL ANALYST AND MODIFYING THE POSITION ALLOCATION LIST TO REFLECT THE MID-YEAR BUDGET ADJUSTMENTS

RECOMMENDATION: Adopt a resolution authorizing the creation of the Financial Analyst and Risk Management Technician and modifying the Position Allocation List to reflect the Mid-Year Budget adjustments.

J. ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF CANYON DEL REY BOULEVARD FOR THE CITY OF SEASIDE'S RED, WHITE, AND BLUES EVENT ON JULY 4, 2022

RECOMMENDATION: Adopt a resolution authorizing the closure of Canyon Del Rey Boulevard for the City of Seaside's community event on July 4, 2022.

9. PUBLIC HEARING

A. SECOND READING OF AN ORDINANCE REPEALING AND AMENDING CHAPTER 17.52, SECTION 17.52.230 (RESIDENTIAL SECOND UNITS) OF THE SEASIDE MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR ACCESSORY DWELLING UNITS. THIS PROJECT IS CATEGORICALLY EXEMPT SECTION 15061(B)(3) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (SECOND READING - ROLL CALL VOTE)

RECOMMENDATION: Pass and adopt an ordinance of the City of Seaside repealing and amending section 17.52.230 of the Seaside Municipal Code to establish an ordinance for Accessory Dwelling Units.

**B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE
ADOPTING A MILITARY EQUIPMENT USE POLICY IN ACCORDANCE
WITH AB 481 LAW ENFORCEMENT AND STATE AGENCIES: MILITARY
EQUIPMENT: FUNDING, ACQUISITION, AND USE (FIRST READING –
ROLL-CALL VOTE)**

RECOMMENDATION: First reading of the proposed ordinance regarding the police department's acquisition and use of military equipment in accordance with State law (AB 481); and approve the military use policy.

10. BUSINESS ITEMS

**A. RECEIVE OVERVIEW OF THE COMMUNITY CHARRETTE PROCESS AND
CONCEPTUAL PLAN OPTIONS FOR THE POTENTIAL FUTURE
DEVELOPMENT OF SEASIDE EAST**

RECOMMENDATION: Receive the presentation from DPZ, and consider each conceptual plan. Select and approve one conceptual plan for DPZ to further develop in order to inform the General Plan update. Indicate whether to proceed under the City Vision process or the City Developer process.

**B. ADOPT A RESOLUTION APPROVING A LICENSE TO WOWEE CANNA TO
ESTABLISH A NEW MEDICAL/ADULT RECREATIONAL CANNABIS RETAIL
OPERATION LOCATED AT 1605/1609 SANTA BARBARA STREET**

RECOMMENDATION: Adopt a resolution approving a license to Wowee Canna to establish a new medical/adult recreational cannabis retail operation located at 1605/1609 Santa Barbara Street.

11. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

B. FOLLOW UP ON PREVIOUS REQUESTS

1. RESOLUTION TO OPPOSE INITIATIVE 21-0042A1 (WIZARD)
2. AB626 REGARDING MICRO KITCHENS (WIZARD)
3. LINCOLN-CUNNINGHAM BASKETBALL COURT COST ESTIMATE (PACHECO)
4. DISCUSSION REGARDING PROCESS OF FILLING POLICE CHIEF POSITION (OGLESBY)

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

This is a time specifically set aside for members of the City Council, the City Manager

and City Attorney to make brief comments of general interest to the community and report on committee assignments.

13. 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 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Properties Under Discussion:

1. The Property Commonly Referred to As Campus Town (Property bounded by Highway 1/1st Avenue, 7th Avenue, Lightfighter/Colonel Durham Street, and Gigling)

Negotiator for the City: Roberta Greathouse, City Manager, Negotiator for the Developer: Danny Bakewell Jr. et. al., Under Negotiation: Purchase and Sale Agreement Terms

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(GOVERNMENT CODE SECTION 54956.9)**

Monterey County Superior Court

Case Number: 20CV003118

Case Name: People v. Arzadon

14. ADJOURNMENT

Next Regularly Scheduled Meeting:

April 21, 2022

5:00 p.m.

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

<http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

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

City of Seaside PROCLAMATION



Benjamin Flores Firefighter of the Year 2022

WHEREAS, Firefighter Benjamin Flores is being honored today and recognized today for the Firefighter of the Year award; and

WHEREAS, the Firefighter of the Year award is presented to firefighters who exhibit actions and traits that go above and beyond the day-to-day duties; and

WHEREAS, this year the Seaside Fire Department has faced an unusually high amount of staffing challenges and Firefighter Flores routinely makes himself available and responds quickly to fulfill these vital staffing needs; and

WHEREAS, the Seaside Fire Department is a leader within Monterey County in regards to ensuring there is a sufficient quantity of COVID-19 vaccination clinics provided to the community and Firefighter Flores consistently participates in administering vaccines to the citizens of Seaside; and

WHEREAS, Seaside Fire Department's Public Education program is a major part of fire prevention and community involvement and Firefighter Flores has integrated himself seamlessly into the program since his arrival;

WHEREAS, Firefighter Flores was responsible for a well-attended and very successful 2021 Fire Department Open House. He spent six months coordinating with outside agencies as well as city staff to offer multiple displays and demonstrations for the community to enjoy and learn about fire safety; and

WHEREAS, Firefighter Flores always conducts himself with professionalism and pride. Firefighter Flores maintains an incredibly authentic attitude and humble attitude. The Fire Department feels Firefighter Flores is the definition of what the title of Seaside Firefighter of the Year entails.

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 recognize and congratulate **Benjamin Flores** on his many accomplishments, including his recognition for the Firefighter of the Year award.

Ian N. Oglesby, Mayor
April 7, 2022

City of Seaside PROCLAMATION



Michael Weisfuss Reserve Firefighter of the Year 2022

WHEREAS, Reserve Firefighter Michael Weisfuss is being honored and recognized today for the Volunteer Firefighter of the Year award; and

WHEREAS, he has been with the Seaside Fire Department since September 2019 and he continually demonstrates a strong work ethic, positive attitude and humble eagerness to build his skills at the Department; and

WHEREAS, Reserve Firefighter Michael Weisfuss' time commitment with Seaside Fire Department has been impeccable as he regularly shows up early and has not missed any work or training days; and

WHEREAS, Reserve Firefighter Michael Weisfuss constantly goes above and beyond the expected requirements; and

WHEREAS, As a Reserve Firefighter, Michael Weisfuss has administered hundreds of COVID-19 vaccines to the residents of Seaside and has done so in short notice and without hesitation. Michael assists when needed, while still balancing his full time job and normal daily commitments.

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 recognize and congratulate **Reserve Firefighter Michael Weisfuss** for his dedication and service to the community of Seaside and beyond.

Ian N. Oglesby, Mayor
April 7, 2022

City of Seaside PROCLAMATION



Joshua Parker Police Officer of the Year 2022

WHEREAS, Detective Joshua Parker is being honored today and recognized today for the Police Officer of the Year award; and

WHEREAS, the Police Officer of the Year award is presented to Police Officers who exhibit actions and traits that go above and beyond the day-to-day duties; and

WHEREAS, this year the Seaside Police Department has faced an unusually high amount of staffing challenges and Detective Parker routinely makes himself available and responds quickly to fulfill these vital staffing needs; and

WHEREAS, Detective Parker was responsible for bringing justice to a family pertaining to a 1995 cold case homicide; and

WHEREAS, Detective Parker helped the Seaside Police strengthen relationships with local investigators, to include; The Monterey County District Attorney's Office Cold Case Task Force, The Probation and Parole Department; and

WHEREAS, Detective Parker has opened up multiple cold case investigations and discovered new leads; and

WHEREAS, Detective Parker always conducts himself with professionalism and pride. Detective Parker maintains an incredibly authentic and humble attitude. The Police Department feels Detective Parker is the definition of what the title of Seaside Police Officer of the Year entails.

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 recognize and congratulate **Joshua Parker** on his many accomplishments, including his recognition for the Police Officer of the Year award.

Ian N. Oglesby, Mayor
April 7, 2022

City of Seaside PROCLAMATION



Angela Myers Support Staff of the Year 2022

WHEREAS, Support Staff Angela Myers is being honored today and recognized today for the Support Staff of the Year award; and

WHEREAS, the Support Staff of the Year award is presented to Support Staff who exhibit actions and traits that go above and beyond the day-to-day duties; and

WHEREAS, this year the Seaside Police Department has faced an unusually high amount of staffing challenges and Support Staff Myers routinely makes herself available and responds quickly to fulfill these vital staffing needs; and

WHEREAS, Support Staff Myers routinely brings a positive and fun attitude to her peers and supervisors; and

WHEREAS, Support Staff Myers is professional and helpful to all Seaside community members who come to or call the Police Department for assistance; and

WHEREAS, Support Staff Myers was recognized for honoring multiple employees for outstanding work and sharing their stories; and

WHEREAS, Support Staff Myers always conducts herself with professionalism and pride. Support Staff Myers maintains an incredibly authentic and humble attitude. The Police Department feels Support Staff Myers is the definition of what the title of Seaside Support Staff of the Year entails.

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 recognize and congratulate **Angela Myers** on her many accomplishments, including her recognition for the Support Staff of the Year award.

Ian N. Oglesby, Mayor
April 7, 2022



DRAFT MINUTES

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

SPECIAL MEETING
440 HARCOURT AVE (COUNCIL CHAMBER)
Wednesday, March 16, 2022
5:30 PM

1. CALL TO ORDER

Mayor/Chair Oglesby called the meeting to order at 5:30 p.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

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

3. PLEDGE OF ALLEGIANCE

Recited

4. PUBLIC COMMENT

None

5. CLOSED SESSION

City Attorney Sheri Damon read the Closed Session items. There were no comments from the public.

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

City Manager Recruitment

Upon return from Closed Session, Ms. Damon announced there was no action to report.

6. ADJOURNMENT

With no further business, the meeting adjourned.

Respectfully submitted,

Dominique L. Davis, City Clerk

Ian N. Oglesby, Mayor



DRAFT MINUTES

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

SPECIAL MEETING
440 HARCOURT AVE (COUNCIL CHAMBER)
Friday, March 25, 2022
6:00 PM

1. CALL TO ORDER

Mayor/Chair Oglesby called the meeting to order at 6:00 p.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

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

3. PLEDGE OF ALLEGIANCE

The pledge was led by Councilmember Campbell.

4. PUBLIC COMMENT

None

5. CLOSED SESSION

City Attorney Sheri Damon read the Closed Session items. There were no comments from the public.

**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 (1 MATTER)**

Potential Litigation (1 Matter)

Upon return from Closed Session, the City Attorney announced a Special Meeting on Monday, March 28, 2022 at 10:00 a.m.

6. ADJOURNMENT

With no further business, the meeting adjourned at 7:17 p.m.

Respectfully submitted,

Dominique L. Davis, City/Agency Clerk

Ian N. Oglesby, Mayor/Chair



DRAFT MINUTES

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

SPECIAL MEETING
440 HARCOURT AVE (COUNCIL CHAMBER)
Monday, March 28, 2022
10:00 AM

1. CALL TO ORDER

Mayor/Chair Oglesby called the meeting to order at 10:00 a.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: GARCIA-ARRAZOLA, PACHECO, OGLESBY
ABSENT: CAMPBELL, WIZARD

3. PLEDGE OF ALLEGIANCE

The pledge was led by Mayor Pro Tem/Vice Chair Pacheco.

4. PUBLIC COMMENT

None

5. BUSINESS ITEMS

None

6. CLOSED SESSION

City Attorney Sheri Damon read the Closed Session items. There were no comments from the public.

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 (1 MATTER)

Potential Litigation (1 Matter)

Upon return from Closed Session, there was no action to report from the City Attorney.

7. ADJOURNMENT

With no further business, the meeting adjourned at 12:55 p.m.

Respectfully submitted,

Dominique L. Davis, City/Agency Clerk

Ian N. Oglesby, Mayor



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: April 7, 2022

SUBJECT: APPROVE AND FILE CITY CHECKS

RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of February 12, 2022, through February 25, 2022, including the payroll and benefits checks, direct deposits, and wired payments related to the pay period ending February 24, 2022. Total Accounts Payable and Payroll for the above referenced period is \$1,392,574.49.

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 the checks can be inspected and confirmed. Each purchase has been reviewed and approved by the department making the purchase at the time of procurement. The invoices have been reviewed by the Finance Department prior to payment to ensure that they conform 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 \$10,000.00 are as follows:

- \$13,466.97 to Monterey Co. Convention & Visitor's Bureau for TID (Tourism Improvement District) remittance for the reporting period of December 2021 for the 13 Seaside motels/hotels.
- \$24,424.08 to Zap Manufacturing Inc. for Project to purchase & replace (191) street name signs & Area 5's (117) flat blades.

- \$14,430.00 to CSG Consultants, Inc. for Professional services for Enclave 2A & 2B Development Review for the period of December 2021.
- \$33,000.00 to Bear Electrical Solutions for Downtown-Factory modification to fixtures & General Jim Moore decorative streetlight poles.
- \$14,511.18 to California JPIA for Workers' Comp claim overpayment reimbursement.
- \$71,934.75 to Monterey One Water for FY 2021/22 Monterey Regional Stormwater Management program fees.
- \$38,000.63 to Huntington Public Capital Corp. for Quarterly lease contract payment for the period of 11/8/21 - 2/7/22 for: 1.) Vactor and Patch Trucks 2.) 3 pick-up trucks used by the water department, SCSD, and the parks/streets department & for Energy Project lease payment for the period of 12/15/21 - 3/14/22.
- \$13,200.00 to Monterey Bay Military Housing LLC for United Way rental assistance for 1 tenant for 6 months ending 4/1/2022.
- \$11,150.00 to Kaiser Premier LLC for the purchase of (1) crawler cradle + (4) wheels for inspecting storm water pipes.
- \$10,494.00 to Seaview Affordable Communities, L.P. for United Way rental assistance for 1 tenant for 11 months ending 2/1/2022.
- \$13,000.00 to William Henry Kroeger for United Way rental assistance for 1 tenant for 5 months ending 12/1/2021.

The Net Payroll and Payroll benefits total was \$763,467.13.

The remaining checks, totaling \$371,495.75, include payments to vendors for operating expenditures.

The check 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: April 7, 2022

SUBJECT: APPROVE AND FILE SUCCESSOR AGENCY CHECKS

RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of February 12, 2022, through February 25, 2022, including the payroll and benefits checks, direct deposits, and wired payments related to the pay period ending February 24, 2022. Total Accounts Payable and Payroll for the above referenced period is \$76.94.

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 check report is available on the City's website:

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

FISCAL IMPACT

There are no additional fiscal impacts.

ATTACHMENTS

1. 20220407 - SA Expense Approval Report
-



Seaside, CA

Expense Approval Report

By Vendor Name

Payment Dates 2/12/2022 - 2/25/2022

Vendor Name

Vendor: 0501 - CALIFORNIA-AMERICAN WATER

CALIFORNIA-AMERICAN WATER

Vendor: 3138 - SEASIDE EMPLOYEES ASSN

SEASIDE EMPLOYEES ASSN

Vendor: 7370 - UPEC, LOCAL 792

UPEC, LOCAL 792

Account Name

AFFORDABLE HOUSING

MISC PAYROLL PAYABLES

MISC PAYROLL PAYABLES

Account Number

973-9710-9526

973-2062

973-2062

Amount

75.51

0.26

1.17

Report Summary

Fund Summary

Fund

973 - SA MERGED - LMIHF

Payment Amount

76.94

Account Summary

Account Number

973-2062

973-9710-9526

Account Name

MISC PAYROLL PAYABLES

AFFORDABLE HOUSING

Payment Amount

1.43

75.51

Project Account Summary

Project Account Key

None

Payment Amount

76.94



CITY OF SEASIDE STAFF REPORT

Item No.: 8.D.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Jessica Riley, Assistant Finance Director
Victor Damiani, Finance Director

DATE: April 7, 2022

**SUBJECT: ACCEPT AND FILE THE CASH AND INVESTMENTS REPORT FOR
THE CITY OF SEASIDE AND THE SUCCESSOR AGENCY OF THE
REDEVELOPMENT AGENCY OF THE CITY OF SEASIDE FOR THE
QUARTER ENDING DECEMBER 31, 2021.**

RECOMMENDATION

Accept and file the City of Seaside and the Successor Agency to the Redevelopment Agency of the City of Seaside Cash and Investment Report for the quarter ending December 31, 2021.

BACKGROUND

Section 53646 of the California State Government code requires the fiscal officer to prepare a quarterly report detailing the City's and the Agency's cash and investments. The City of Seaside's and the Successor Agency's Investment Policy requires a quarterly report. This report covers the Fiscal Year 2021-2022 first quarter beginning October 1, 2021, and ending December 31, 2021.

The December 31, 2021, report shows that approximately 99% of the portfolio is City of Seaside funds and 1% is Successor Agency Funds. 40% of the funds are invested in the Local Agency Investment Fund with the State of California.

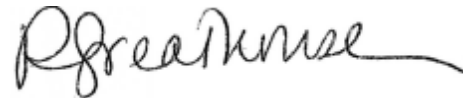
FISCAL IMPACT

No fiscal impact

ATTACHMENTS

1. LAIF Program Description
 2. LAIF Historical Interest Rates
 3. PMIA Performance Report 20211231
 4. Quarterly Investment Exhibits - 2Q quarter ended 12-31-21
-

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



LOCAL AGENCY INVESTMENT FUND

Program Description

The Local Agency Investment Fund (LAIF), a voluntary program created by statute, began in 1977 as an investment alternative for California's local governments and special districts and it continues today under Treasurer Fiona Ma's administration. The enabling legislation for the LAIF is Section 16429.1 et seq. of the California Government Code.

This program offers local agencies the opportunity to participate in a major portfolio, which invests hundreds of millions of dollars, using the investment expertise of the State Treasurer's Office professional investment staff at no additional cost to the taxpayer.

The LAIF is part of the Pooled Money Investment Account (PMIA). The PMIA began in 1955 and oversight is provided by the Pooled Money Investment Board (PMIB) and an in-house Investment Committee. The PMIB members are the State Treasurer, Director of Finance, and State Controller.

The Local Investment Advisory Board (LIAB) provides oversight for LAIF. The Board consists of five members as designated by statute. The State Treasurer, as Chair, or her designated representative, appoints two members qualified by training and experience in the field of investment or finance, and two members who are treasurers, finance or fiscal officers or business managers employed by any county, city or local district or municipal corporation of this state. The term of each appointment is two years or at the pleasure of the Treasurer.

All securities are purchased under the authority of Government Code Section 16430 and 16480.4. The State Treasurer's Office takes delivery of all securities purchased on a delivery versus payment basis using a third party custodian. All investments are purchased at market and a market valuation is conducted monthly.

Additionally, the PMIA has Policies, Goals and Objectives for the portfolio to make certain that our goals of Safety, Liquidity and Yield are not jeopardized and that prudent management prevails. These policies are formulated by Investment Division staff and reviewed by both the PMIB and the LIAB on an annual basis.

The State Treasurer's Office is audited by the Bureau of State Audits on an annual basis and the resulting opinion is posted to the State Treasurer's Office website following its publication. The Bureau of State Audits also has a continuing audit process throughout the year. All investments and LAIF claims are audited on a daily basis by the State Controller's Office as well as an internal audit process.

Under Federal Law, the State of California cannot declare bankruptcy, thereby allowing the Government Code Section 16429.3 to stand. This Section states that "moneys placed with the Treasurer for deposit in the LAIF by cities, counties, special districts, nonprofit corporations, or qualified quasi-governmental agencies shall not be subject to either of the following: (a) transfer or loan pursuant to Sections 16310, 16312, or 16313, or (b) impoundment or seizure by any state official or state agency."

During the 2002 legislative session, California Government Code Section 16429.4 was added to the LAIF's enabling legislation. This Section states that "the right of a city, county, city and county, special district, nonprofit corporation, or qualified quasi-governmental agency to withdraw its deposited moneys from the LAIF, upon demand, may not be altered, impaired, or denied in any way, by any state official or state agency based upon the state's failure to adopt a State Budget by July 1 of each new fiscal year."

The LAIF has grown from 293 participants and \$468 million in 1977 to 2,362 participants and \$26.7 billion at the end of December 2019.



California State Treasurer
Fiona Ma, CPA



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LOCAL AGENCY INVESTMENT FUND

Quarterly Apportionment Rates

	March	June	September	December
1977	5.68	5.78	5.84	6.45
1978	6.97	7.35	7.86	8.32
1979	8.81	9.10	9.26	10.06
1980	11.11	11.54	10.01	10.47
1981	11.23	11.68	12.40	11.91
1982	11.82	11.99	11.74	10.71
1983	9.87	9.64	10.04	10.18
1984	10.32	10.88	11.53	11.41
1985	10.32	9.98	9.54	9.43
1986	9.09	8.39	7.81	7.48
1987	7.24	7.21	7.54	7.97
1988	8.01	7.87	8.20	8.45
1989	8.76	9.13	8.87	8.68
1990	8.52	8.50	8.39	8.27
1991	7.97	7.38	7.00	6.52
1992	5.87	5.45	4.97	4.67
1993	4.64	4.51	4.44	4.36
1994	4.25	4.45	4.96	5.37
1995	5.76	5.98	5.89	5.76
1996	5.62	5.52	5.57	5.58
1997	5.56	5.63	5.68	5.71
1998	5.70	5.66	5.64	5.46
1999	5.19	5.08	5.21	5.49
2000	5.80	6.18	6.47	6.52
2001	6.16	5.32	4.47	3.52
2002	2.96	2.75	2.63	2.31
2003	1.98	1.77	1.63	1.56
2004	1.47	1.44	1.67	2.00
2005	2.38	2.85	3.18	3.63
2006	4.03	4.53	4.93	5.11
2007	5.17	5.23	5.24	4.96
2008	4.18	3.11	2.77	2.54
2009	1.91	1.51	0.90	0.60
2010	0.56	0.56	0.51	0.46
2011	0.51	0.48	0.38	0.38
2012	0.38	0.36	0.35	0.32
2013	0.28	0.24	0.26	0.26
2014	0.23	0.22	0.24	0.25
2015	0.26	0.28	0.32	0.37
2016	0.46	0.55	0.60	0.68
2017	0.78	0.92	1.07	1.20

LAIF Quarterly Apportionment Rates

	March	June	September	December
2018	1.51	1.90	2.16	2.40
2019	2.55	2.57	2.45	2.29
2020	2.03	1.47*	0.84	0.63
2021	0.44	0.33	0.24	0.23

*Revised 7/21/2020 per State Controller's Office

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PMIA/LAIF Performance Report as of 03/08/22



PMIA Average Monthly Effective Yields⁽¹⁾

Feb	0.278
Jan	0.234
Dec	0.212

Quarterly Performance Quarter Ended 12/31/21

LAIF Apportionment Rate ⁽²⁾ :	0.23
LAIF Earnings Ratio ⁽²⁾ :	0.00000625812849570
LAIF Fair Value Factor ⁽¹⁾ :	0.997439120
PMIA Daily ⁽¹⁾ :	0.22%
PMIA Quarter to Date ⁽¹⁾ :	0.21%
PMIA Average Life ⁽¹⁾ :	340

Pooled Money Investment Account Monthly Portfolio Composition ⁽¹⁾ 02/28/22 \$199.1 billion

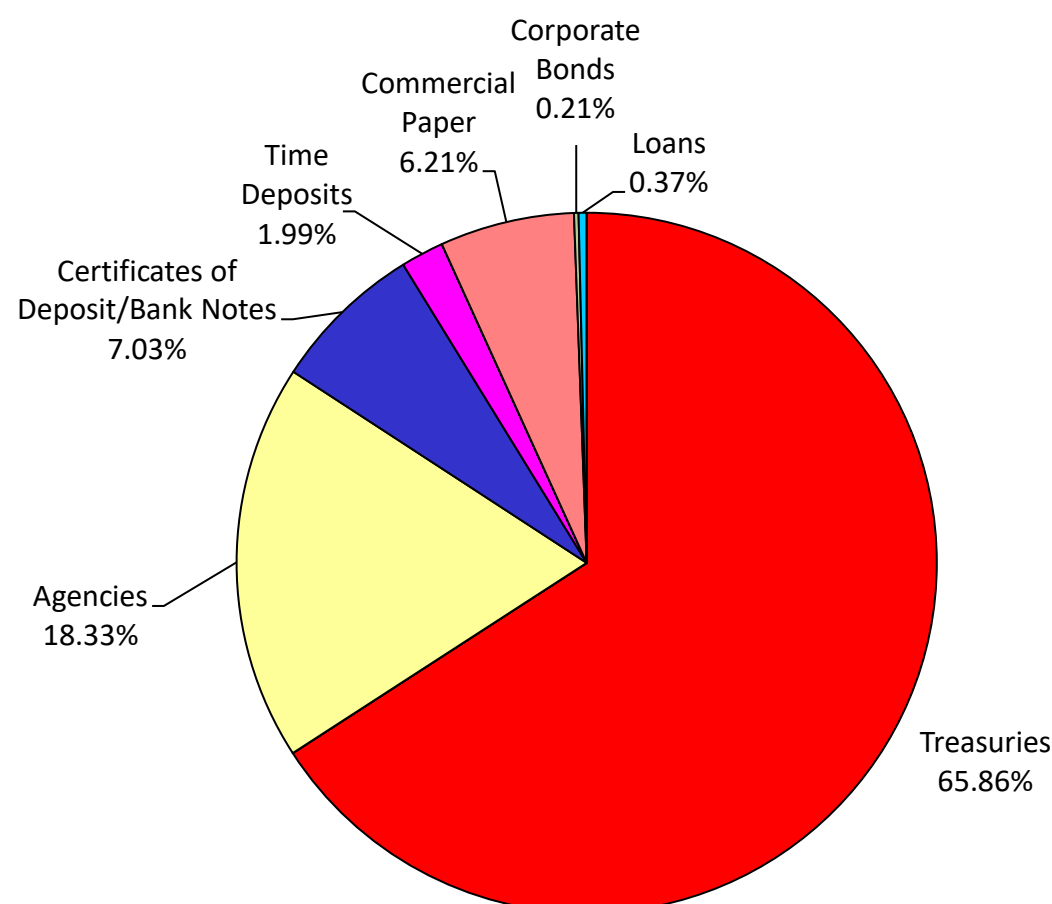


Chart does not include \$5,920,000.00 in mortgages, which equates to 0.003%. Percentages may not total 100% due to rounding.

Daily rates are now available here. [View PMIA Daily Rates](#)

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

Source:

⁽¹⁾ State of California, Office of the Treasurer

⁽²⁾ State of California, Office of the Controller

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF DECEMBER 31, 2021**

DESCRIPTION	INSTITUTION	VALUATION	AMOUNT
LAIF - City Funds	State Treasurer	Market	\$ 23,575,127.78
General Checking	Bank of West	Market	\$ 336,069.40
General Checking	Mechanics Bank	Market	\$ 23,622,889.23
Money Market	Bank of West	Market	\$ 6,439,037.66
Money Market	Mechanics Bank	Market	\$ 0.00
PARS Retirement Account	US Bank	Market	\$ 16,156.65
York Tail Claims	Bank of America	Market	\$ 25,875.35
Bond 2018 Cutino Reserve account	US Bank	Market	\$ 1,028,681.40
Bond 2018 Measure X Reserve account	US Bank	Market	\$ 3,372,014.47
Bond 2014 Reserve account	US Bank	Market	\$ 33,131.25
Bond 2006 Reserve & Installment accounts	US Bank	Market	\$ 448,213.79
Pension Obligation Bond Program Reserve account	Wells Fargo Bank	Market	\$ 714,841.58
Total			<u>\$ 59,612,038.56</u>

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the City's and the Agency's anticipated expenditure requirements for the next six months.
(California Code Section 53646)

Investments in this report meet the requirements of the City of Seaside's and the Successor Agency's Investment Policy.

Respectfully submitted,

Roberta Greathouse
City Manager

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF DECEMBER 31, 2021**

	Yield	Book Value	% of Total	Market Value
<u>Investments</u>				
State Treasurer LAIF - City Account	0.12%	23,575,127.78	39.55%	23,575,127.78
<u>Checking Account</u>				
Bank of West - General Checking	0.00%	336,069.40	0.56%	336,069.40
Mechanics - General Checking	0.00%	23,622,889.23	39.63%	23,622,889.23
Bank of West - Money Market	0.00%	6,439,037.66	10.80%	6,439,037.66
Mechanics - Money Market	0.04%	0.00	0.00%	0.00
PARS Retirement Account	0.00%	16,156.65	0.03%	16,156.65
Bank of America-York Checking	0.00%	25,875.35	0.04%	25,875.35
<u>US Bank - Cutino Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.00%	1,028,681.40	1.73%	1,028,681.40
<u>US Bank - Measure X Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.00%	3,372,014.47	5.66%	3,372,014.47
<u>US Bank - Redevelopment Agency Merged Area Refunding 2014 Bonds</u>				
Installment Payment, Reserve	0.00%	33,131.25	0.06%	33,131.25
<u>US Bank - Golf Course 2006 Bonds</u>				
Installment Payment, Reserve	0.00%	448,213.79	0.75%	448,213.79
<u>US Bank - PNC Equipment Lease Escrow Account</u>	0.00%	-	0.00%	-
<u>Wells Fargo Bank</u>				
Pension Obligation Bond Program Reserve Account	0.01%	714,841.58	1.20%	714,841.58
Total Cash and Investments		59,612,038.56	100.00%	59,612,038.56

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
CASH AND INVESTMENT ACTIVITY REPORT FOR THE PERIOD
OCTOBER 1, 2021 THROUGH DECEMBER 31, 2021**

<u>INSTITUTION</u>	<u>ACCOUNT STATUS</u>	<u>BEGINNING BALANCE</u>	<u>DEPOSITED</u>	<u>EXPENDED or TRANSFERRED</u>	<u>INTEREST EARNED</u>	<u>ENDING BALANCE</u>
INVESTMENTS						
LAIF - City	OPEN	\$ 23,561,210.63	-		13,917.15	\$ 23,575,127.78
CHECKING ACCOUNT						
Bank of West - General Checking	OPEN	\$ -	340,679.54	4,610.14		\$ 336,069.40
Rabobank - General Checking	OPEN	\$ 23,902,895.19	18,850,819.74	19,130,825.70		\$ 23,622,889.23
Bank of West - Payroll Checking	OPEN	\$ -	3,885.14	3,885.14		\$ -
Mechanics - Payroll Checking	OPEN	\$ -	6,400,574.89	6,400,574.89		\$ -
Bank of West - Money Market	OPEN	\$ -	6,439,035.02	15.00	17.64	\$ 6,439,037.66
Mechanics - Money Market	OPEN	\$ 6,438,399.98	-	6,439,035.02	635.04	\$ 0.00
PARS Retirement Account	OPEN	\$ 11,959.15	16,080.00	11,882.75	0.25	\$ 16,156.65
York Tail Claims	OPEN	\$ 24,852.87	21,416.54	20,394.06	-	\$ 25,875.35
<i>BOND RESERVE ACCOUNT - HELD BY TRUSTEES</i>						
Bond 2018 Cutino Accounts - Reserve, Interest	OPEN	\$ 1,028,669.59	91,083.02	91,084.39	13.18	\$ 1,028,681.40
Bond 2018 Meas X Accounts - Reserve, Interest	OPEN	\$ 3,371,949.76	202,049.59	202,050.01	65.13	\$ 3,372,014.47
Bond 2014 Accounts - Reserve, Interest	OPEN	\$ 0.00	33,131.25	-	-	\$ 33,131.25
Bond 2006 Accounts - Reserve, Installment	OPEN	\$ 339,564.27	108,644.86	-	4.66	\$ 448,213.79
Wells F Pension Obligation Bond Prog-Reserve Acct.	OPEN	\$ 789,952.66	75,130.80	150,261.60	19.72	\$ 714,841.58
		\$ 59,469,454.10	32,582,530.39	32,454,618.70	14,672.77	\$ 59,612,038.56



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.E.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Dominique Davis, City Clerk

DATE: April 7, 2022

**SUBJECT: APPROVE APPOINTMENT TO THE COMMUNITY SAFETY
ADVISORY COMMISSION**

RECOMMENDATION

Approve the appointment of Guada Perez to the Community Safety Advisory 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

Guada Perez

ADVISORY BODY

Community Safety Advisory Commission

FISCAL IMPACT

None

ATTACHMENTS

1. Appointee Application - Guada Perez
-

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

MAR 04 2022

Received
City Clerk's Date Stamp

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

To serve on: City of Seaside - Community Safety Advisory Commission
Please list the Board/Commission/Committee that you would like to be considered for

Name: Guada Pérez

Address: 29 Primrose Circle, Seaside CA 93955

Email: pguad46@gmail.com Telephone: (831) 582-7108

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

Retired Educator

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

I would like to help bring a voice to committee representing the elderly ~~to~~ LatinX residents as well as other underrepresented groups.

Other private and non-profit affiliations:

NAACP member TVPI volunteer

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:

Guada Pérez
Signature

3-4-22
Date



CITY OF SEASIDE STAFF REPORT

Item No.: 8.F.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Dan Meewis, Recreation Director

DATE: April 7, 2022

SUBJECT: ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF DEL MONTE AVENUE TO THROUGH TRAFFIC FROM TIOGA AVENUE TO THE BEGINNING OF THE GRANITE ROCK BUILDING FOR THE CLASSIC PORSCHE EVENT ON AUGUST 15, 2022

RECOMMENDATION

Adopt a resolution permitting the closure of Del Monte Avenue to through traffic from Tioga Avenue to the beginning of the Granite Rock building to ensure public safety during the Classic Porsche Event on Monday, August 15, 2022.

BACKGROUND

Porsche Monterey will be holding their Classic Porsche Event on Monday, August 15, 2022, from 1:00 p.m. to 10:00 p.m. The majority of the event will take place on Porsche property. However, they are requesting the closure of Del Monte Avenue from Tioga Avenue to the beginning of the Granite Rock building for their Porsche display. The closure of Del Monte Avenue will greatly enhance this event and will allow for greater safety for the participants.

If the City Council approves the request for closure of Del Monte Avenue from Tioga Avenue to the beginning of the Granite Rock building on Monday, August 15, 2022, between the hours of 1:00 p.m. to 10:00 p.m., staff recommends the following conditions be met:

1. Obtain an ABC License for the event. (Alcohol will only be allowed inside the building and they will have security)
2. Submit a temporary traffic control plan and traffic detour plan prepared by a registered traffic engineer to be reviewed and approved by Public Works.
3. Provide proof of insurance coverage for the event.

4. Pay all city-related costs (see cost estimate.)

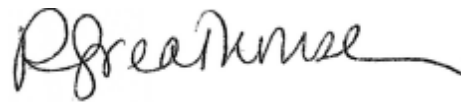
FISCAL IMPACT

The estimated cost for staff time and resources is \$3,811.00, and the event organizers will pay all associated costs.

ATTACHMENTS

1. Special Event Application - Porsche Monterey - Classic Porsche Event 2022
 2. Map of Del Monte Avenue Closure 2022
 3. Porsche Event Insurance 2022
 4. Temporary Street Closure Policy- Porsche Monterey 2022
 5. Resolution Porsche Monterey Classic Porsche Event 2022
-

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



**SEASIDE
CALIFORNIA**

Special Event Application

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

CONTACT INFORMATION:

Organization: PORSCHE MONTEREY

Name of Applicant: Aaron Zielinski

Address: 1781 Del Monte Blvd. City: Seaside State: CA

Phone: (831) 583-4840 Email: azielinski@lithia.com

Day of Event Contact Name and Phone: Aaron Zielinski (708) 212-5557 mobile
Cecily Gambrell (831) 583-4898

EVENT INFORMATION:

Event Title: PORSCHE MONTEREY CLASSIC

Event Category:

- ☐ Athletic / Recreation
☒ Celebration / Festival
☐ Carnival

- ☐ Concert / Performance
☐ Parade / March / Procession
☐ Other: _____

- ☐ Circus
☐ Dance

Event Date and Time: 08/15/2022

Setup: 8:30am Event Start: 4pm Event End: 7pm Clean up: 7pm-10pm

Event Location: In front of Porsche Monterey, requiring temporary closure of proximal portion of Del Monte Blvd.

EVENT DESCRIPTION:

Please provide detailed description of your event. Include details regarding any components of your event such as the use of vehicles, animals, rides, sanitation provisions or any other pertinent information about the event.

Car week auto show/exhibit. Annual Porsche Monterey event highlighting the history of Porsche cars. This is our fourth, annual event and will be similar in scope and nature to our previous Porsche Monterey Classic events previously held (2021, 2019, 2018).

Number of Participants: 2000 Event Benefiting: _____

Federal ID # (if applicable): _____

☐ 501 C(3) ☐ 501 C(6) ☐ Commercial-For Profit ☐ Other: _____

Will admission be charged? ☐ Yes, tickets cost: N/A ☒ No



**SEASIDE
CALIFORNIA**

Special Event Application

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

Is the event open to the public? ☒ Yes ☐ No

If no, how will the event be restricted? Indicate plan on detailed schematics:

How will the event be advertised and promoted? Local media including print, television, radio and
area tourism and event listing websites; Internet social platforms

Signs posted:

Special equipment to be used for proposed event: *(List all electrical needs you may require)*

- | | | |
|---|---------------------------------------|---|
| ☐ P.A. System | ☐ Generator(s) | ☒ Amplified sound / music |
| ☐ Booths | ☐ Bleachers | ☐ Cooking fuel |
| ☐ Tents | ☐ Banners | ☐ Barricades |
| ☐ Other: <u></u> | | |

Will the event include music or live performances?

☒ Yes ☐ No

Will film, video, or photography be involved with the production of event?

☒ Yes ☐ No

Do you intend to sell food or beverage?

☐ Yes ☒ No

(If yes, please attach Health Department Food Vendor Certificate)

Do you intend to sell other merchandise?

☐ Yes ☒ No

Number of Vendors? *(For-profit vendors must have business license on file with the City)*

Vendor Name

Vendor Address

Describe Merchandise

Will alcohol be served?

☒ Yes ☐ No

Will alcohol be sold? *(If yes, please attach ABC license)*

☐ Yes ☒ No

Parking arrangements:



**SEASIDE
CALIFORNIA**

Special Event Application

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

Safety / Security / Accessibility (please describe your procedures for crowd control and internal security):

Valet parking and parking attendants; Porsche Monterey staff 'docents' to provide directional support/guidance; Cones

Security Organization (if required - please attach security contract):

What City services do you anticipate you will need? (i.e. Police, Fire, Public Works, etc.)

Public Works for street closure

Method of trash collection/disposal and provision for additional sanitary facilities:

All handled in house/by Porsche Monterey

Other pertinent information or special requests:

APPLICANT AGREEMENT

All applicable fees must be paid 30 days prior to event date. No permit revisions will be accepted less than 14 days prior to the event date. The City of Seaside retains the right to terminate the event at any time should a responsible city official determine any activity related to the event is a threat to public safety and/or property. I (we) agree to abide by all laws, rules and regulations which may apply to this area. I (we) accept specific responsibility for other members of my group and for any damage done to city property and/or facilities, and agree to clean and restore the site to the condition in which it was found prior to the holding of the specific event. I certify under penalty of perjury that all the preceding information is true to the best of my knowledge. Completed and signed special event form must be submitted to Recreation and Community Activities Director within seven working days of receipt of form.

Applicant Signature: _____

Date: _____



**SEASIDE
CALIFORNIA**

Special Event Application

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

APPLICATION MUST INCLUDE: Detailed schematic of event location indicating specific activity sites. For non-profit organizations, a copy of non-profit status must be submitted.

Attach to application and mail to:

**City of Seaside Recreation Services
Attn: Recreation Director
986 Hilby Avenue
Seaside, CA 93955**

SPECIFIC EVENT CONDITIONS OF APPROVAL

- ✓ Event organizers must clean up any event-related trash.
- ✓ All event noise or sound must be kept to a minimum, particularly before 9:00 a.m. and must not create an annoyance to co-existing events.
- ✓ Permittee is responsible for the actions of all vendors and participants during the event.
- ✓ No activities are permitted onsite that are not included on your permit application.
- ✓ All City ordinances will be strictly enforced (alcohol, dogs, etc.).
- ✓ Permit must be kept on location at all times.

Failure to comply with the above conditions may result in immediate closure of the event and a ban on future events by the organizer in the City of Seaside.

PROVISIONS

Permittee waives all claims against the City, its officers, agents and employees, for loss or damage caused by, arising out of, or in any way connected with, the exercise of this permit and permittee agrees to save harmless, indemnify and defend City, its officers, agents and employees, from any and all loss, damage or liability which may be suffered or incurred by City, its officers, agents and employees caused by, arising out of or in any way connected with exercise by permittee of the rights hereby granted, except those arising out of the sole negligence of the City.

City shall have the privilege of inspecting the premises covered by this permit any and all time. This permit shall not be assigned. City may terminate this permit at any time if permittee fails to perform and covenant herein contained at the time and in the manner herein provided. City agrees it will not unreasonably exercise this right of termination.

The parties hereto agree that the permittee, its officers, agents and employees, in the performance of this permit shall act in an independent capacity and not as officers, employees or agents of the City. No alteration or variation of the terms of this permit shall be valid unless made in writing and signed by the parties hereto.

Permittee will not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex, sexual orientation, age national origin or physical handicaps. Permittee agrees to comply with the terms and conditions contained herein and all rules and regulation of the City subject to this permit.

Applicant Signature: _____

Date: 2/8/22



**SEASIDE
CALIFORNIA**

Special Event Application

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

INDEMNIFICATION, DEFENSE, HOLD HARMLESS

Applications must furnish the city with a certificate of insurance in an amount no less than \$1 million naming the City of Seaside as an additional insured. The amount of insurance is subject to increase at the discretion of the Finance Director who is the Risk Manager, depending upon the nature of the event. Such insurance must be primary to any city insurance and the city must have at least ten days' notice of cancellation.

For final event approval, you will need commercial general liability insurance that names "the City of Seaside, its officers, employees and agents" as an additional insured and any other public entities impacted by this event. Insurance coverage must be maintained for the duration of the event. To determine the amount of insurance coverage necessary, please contact Risk Manager. Please obtain the required insurance and mail an original insurance certificate to City of Seaside, Recreation and Community Activities Department, P.O. box 810, Seaside, CA 93955.

Insurance Agency: (Please See Attached Insurance Certificate) Insurance Agent: _____
Phone Number: _____ Policy Number: _____

PERMIT HOLDER hereby agrees to protect, defend, indemnify and hold and save harmless **CITY**, its officers, and employees against any and all liability, claims, judgements, costs and demands, however caused, including those resulting from death or injury to **PERMIT HOLDER'S** employees and damage to **PERMIT HOLDER'S** property, arising directly or indirectly out of the obligations or operations herein undertaken by **PERMIT HOLDER**, including those arising from the passive concurrent negligence of **CITY** but save and except those which arise out of the active concurrent negligence, sole negligence, or the sole willful misconduct of **CITY**. **PERMIT HOLDER** will conduct all defense at its sole cost and expense. **CITY** shall be reimbursed by **PERMIT HOLDER** for all costs or attorney's fees incurred by **CITY** in enforcing this obligation.

Applicant Signature: _____

Date: 2/28/22

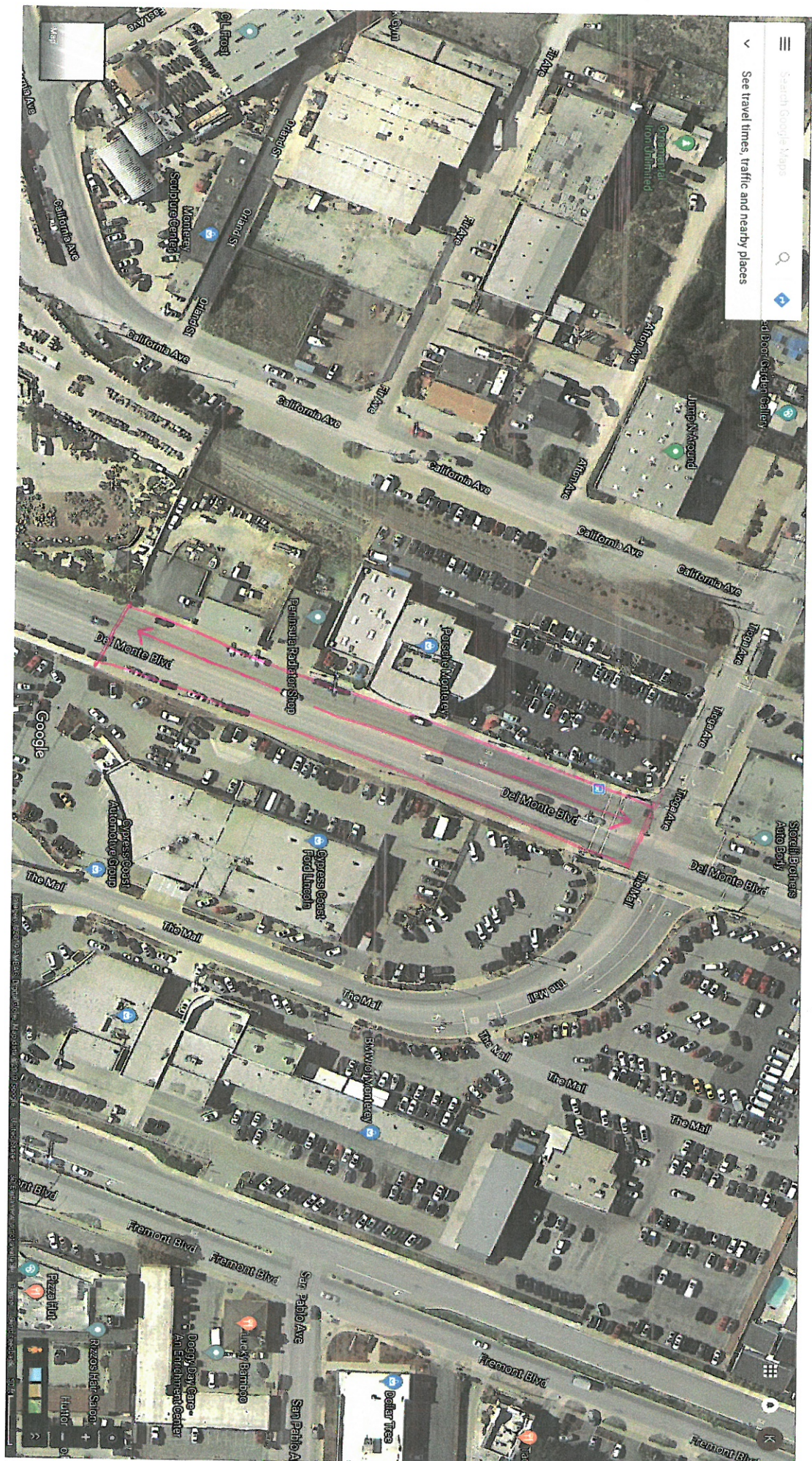
(For Office Use Only)

Authorization

☐ Building _____
☐ Planning _____
☐ Police _____
☐ Fire _____
☐ Finance _____

☐ Recreation _____
☐ Redevelopment _____
☐ Public Works _____
☐ County Health _____

Comments: _____





CERTIFICATE OF GARAGE INSURANCE

DATE (MM/DD/YYYY)

3/18/2022

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 Beecher Carlson Insurance Services 21650 Oxnard Street, Suite 1600 Woodland Hills, CA 91367 www.beechercarlson.com	CONTACT NAME: Beecher Carlson Insurance Services PHONE (A/C, No, Ext): 404-460-1400 FAX (A/C, No): 770-870-3043 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Safety National Casualty Corporation INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 15105
--	---	------------------------

COVERAGES PROD / CUSTOMER ID:**CERTIFICATE #:** 67272976**REVISION #:**

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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ GARAGE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☒ Other Than Auto - Agg Per Loc	☒	☒	CAA4057774	11/1/2021	11/1/2022	AUTO ONLY (Ea accident) \$5,000,000 OTHER THAN AUTO ONLY EA ACCIDENT \$2,000,000 AGGREGATE \$2,000,000
A	☐ GARAGE KEEPERS LIABILITY ☐ LEGAL LIABILITY ☒ DIRECT BASIS ☒ PRIMARY ☐ EXCESS			CAA4057774	11/1/2021	11/1/2022	☒ COMP / OTC LOC \$1,000,000 ☐ SPECIFIED PERILS LOC \$ ☒ COLLISION LOC \$1,000,000 ☐ LOC \$
	☐ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			Included in Garage Liab.			EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under REMARKS below	☒	☒	LDC4057775 (AOS) PS 4065470 (WI)	11/1/2021 11/1/2021	11/1/2022 11/1/2022	☒ 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

REMARKS (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

See SCHEDULE OF LOCATION(S) for detailed Property Location / Named Insured information. re: Off Site Event
If additional insured (ADDL INSR) and/or subrogation waived (SUBR WVD) boxes are checked above, applicable blanket policy endorsements apply in favor of the DESIGNATED ENTITY, as required by written contract, subject to the policy terms, conditions and exclusions.
re: Porsche Classic Event on August 15, 2022
DESIGNATED ENTITY: City of Seaside, its officers, employees and agents.

CERTIFICATE HOLDER

The City of Seaside
its officers, agents, and employees
440 Harcourt Ave
Seaside CA 93955

CANCELLATION

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

Pam Brooskin

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ACORD 30 (2016/03)

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SCHEDULE OF LOCATION(S)

DATE ISSUED

3/18/2022

NAMED INSURED:

Lithia Motors, Inc. and Subsidiaries
150 N. Bartlett Street
Medford OR 97501

CERTIFICATE HOLDER:

The City of Seaside
its officers, agents, and employees
440 Harcourt Ave
Seaside CA 93955

Loc #	Named Insured	DBA	Address	City	State	Zip
L184	Lithia Sea P, Inc.	Porsche Monterey	1781 Del Monte Blvd	Seaside	CA	93955



TEMPORARY STREET CLOSURE POLICY

I. Purpose

- A. It is the policy of the City of Seaside to encourage neighborhood, business, and community activities that promote the health, welfare, safety, and harmony of its citizens. Temporary street closures for such activities will be authorized when those closures are not anticipated to cause harm to or be a significant disruption to the general public.
- B. The purpose of this policy to the define parameters under which requests for temporary street closures for community and special events will be considered and processed. Except as otherwise provided by law, it shall be unlawful to close any public street unless a Street Closing Permit has been issued by the City of Seaside in accordance with this policy.

II. Scope

This policy applies to all roads and streets in the City of Seaside road system.

- A. **City Manager's Administrative Approval:** The City Manager, with recommendation of City staff, is authorized to approve:
 - 1. City sponsored events and community events that occur on an annual or routine basis, and have been previously approved by the City Council (i.e., Hot Cars Cool Nights, Red White and Blues, Farmer's Market, Fire Department Open House, etc.); and
 - 2. Closures lasting for eight hours or less where the majority of residents / businesses within 500 feet of the proposed closure support the closure (i.e. a neighborhood block party).
- B. **City Council Approval:** City Council approval is required for:
 - 1. Special events of a non-routine nature;
 - 2. Events lasting longer than eight hours; and
 - 3. Requests for closure of traffic arteries or streets with a speed limit that exceeds 30 miles per hour.

III. Policy Criteria

- A. Disposition of Temporary Street Closure Requests is administrative in nature under the authority of the City Manager and the Seaside City Council.
- B. A notice of application for street closure must be distributed to residents and business affected by the potential closure sample form attached.
- C. Fire hydrants on the specified street closure shall not be obstructed by vehicles, temporary structures, tents or other obstacles that impede the fire departments ability to access the hydrant in the event of an emergency. A minimum of 20-foot unobstructed path must be maintained for emergency vehicle access to the street if the event is not a complete, hard closure. If the event plans on having a hard closure, both the fire and police departments must be made aware of the closure in advance so alternative routes of response can be planned. An Emergency Access plan must be submitted and approved by the Fire Department and Police Department.



- D. The applicant shall conduct all activities in such a manner that the health and safety of the public are not negatively impacted.
- E. Promptly following the conclusion of the event, the applicant shall clean the right-of-way equivalent to its condition prior to the temporary closure.
- F. Approval of the request is subject to other conditions that may be specified by the City Manager or City Council.
- G. Conditions considered for all street closures include (but are not limited to):
 - 1. Impact of the proposed closure on residents, occupants, or businesses.
 - 2. Impact of the proposed closure on the accessibility of emergency vehicles into the closure areas.
 - 3. Impact of the proposed closure on vehicular traffic such as circulation, site lines, traffic movement, and availability of alternate routes for traffic.
 - 4. Potential interference with commercial and business activities in the immediate vicinity.
 - 5. Conditions existing within the surrounding area that, when occurring in conjunction with a street closure, might create a hardship or an unnecessary inconvenience to the public or persons residing in the area.
- H. The applicant is responsible for all costs associated with establishing, running, or maintaining the closure, including reimbursing the City for any costs associated with the closure, unless a fee waiver is approved by the City Council.
- I. The proposed street closure must be compatible with the neighborhood / commercial area of the requested street or road.
- J. The location must be large enough for the anticipated the crowd capacity as determined by the City's Police Chief, Fire Chief, City Engineer, and Risk Manager.
- K. The temporary street closure shall be for a period less than eight (8) hours, including any set up time and breakdown time, unless approved by City Council.
- L. The City of Seaside maintains the right to cancel approval of the street closure at any time.
- M. The City reserves the right to limit the number of street closures in particular areas in order to limit disruption to residents and businesses.
- N. The City Manager will maintain and update the application and other forms to support this policy.

IV. Application Procedure

- A. The applicant shall submit a Seaside Application for Temporary Street Closing Permit at least 90 days prior to the date of the proposed street closure. Applications submitted less than 90 days cannot be guaranteed a response for approval or denial.
- B. A site map must be included with the application detailing a 20-foot emergency vehicle access lane through closure, or alternative emergency vehicle access in accordance with an approved Emergency Access Plan.



- C. All applicable documents shall be attached to the Application for Temporary Street Closing Permit (consult with City staff to determine which documents are required):
 - 1. Special Event Application;
 - 2. Detailed site map;
 - 3. Traffic control plan;
 - 4. Emergency Access Plan;
 - 5. Temporary detour plan;
 - 6. Petition with signatures of affected residents / businesses; and
 - 7. Proof of insurance.
- D. Incomplete applications will be denied.
- E. The City's Police Chief, Fire Chief, City Engineer, and Risk Manager will review application materials and make recommendations regarding the closure to the City Manager and/or City Council.
- F. In the event an application is denied by the City Manager, the applicant may appeal to the City Council.

V. Road Closure / Barricade Equipment:

- A. Barricade equipment is required and can be provided by the City. City Staff will contact the Maintenance & Utilities Superintendent to schedule the delivery of the barricade equipment.
- B. Barricades will be delivered by the Maintenance & Utilities Division the last working day before the event and will be picked up the first working day after the event.
- C. Depending on the proposed closure, the City may require City staff or a bonded and insured traffic control company to be responsible for opening and closing the roadway.

VI. Public Notification

- A. At the applicant's expense, and prior to approval of the potential closure, the City will notify all residents/tenants directly affected by the street closure and provide them with the means to comment on the proposed closure.
- B. At a minimum, notices will be distributed to all who live or own/manage businesses within a 500-foot radius of the event location.
- C. The applicant may submit a petition demonstrating support of the affected residences / businesses which may be accepted in lieu of the City's noticing process. Upon request, the City will provide the applicant of a list of businesses and residences within the 500-foot radius.



VII. Fees and Charges

- A. The applicant will be responsible for all applicable fees and costs associated with the street closure, including but not limited to:
 - 1. Public Noticing;
 - 2. Use of City barricades;
 - 3. Staff time to shut down and reopen the street;
 - 4. Permit fee as established by the City Council in the adopted fee schedule;
 - 5. Cost of any required traffic plans and Emergency Access Plans; and
 - 6. Police, Fire, and other staff time as deemed necessary by the City
- B. The City Council may waive the fees associated with street closures.

VIII. Additional Event Requirements

- A. No stakes or penetrations may be made through the street surface.
- B. No disposal of anything in storm sewers.
- C. Any marking on the street can be done in chalk or washable material. No paint or permanent markings can be used.
- D. No loud speaker system shall be used which is audible beyond the designated event location. Event organizers and guests shall be in compliance with public peace statutes and ordinances.
- E. Alcoholic beverages are prohibited on City streets or public right of way unless the applicant has obtained a permit from the City. Proof of ABC license must be submitted to the City prior to the event in accordance with the Special event application.
- F. If alcoholic beverages are dispensed, event organizers may be subject to criminal penalties if under-aged persons are consuming or possessing such beverages.

IX. Damages & Insurance

- A. Any person or persons to whom a Street Closing Permit has been Issued shall be liable for any loss or damage to any City of Seaside property arising out of the issuance or exercise of said permit.
- B. As a condition to the issuance of any Street Closing Permit, the permittee or permittees may be required to provide insurance to indemnify the City from any and all damages and costs of litigation arising out of the issuance and use of such permit.
- C. As a condition to the Issuance of any Street Closing Permit, the City may require the permittee to indemnify and hold the City harmless from any claims for damages arising out of the street closing.



February 2022

STREET CLOSURE NOTIFICATION (SAMPLE)

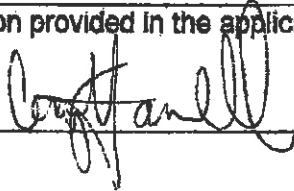
Notice Application for Street Closure	
This notice serves as notification that a request for street closure has been submitted to the City of Seaside and includes a request to close a portion of: (insert street)	
Noticing Date: 3/7/22	
Name of Applicant: Porsche Monterey	
Name of the Event / Purpose of Closure: 5th Annual Porsche Monterey Classic	
Date of Closure: 8/15/2022	
Start Time of Closure: 1pm	End Time of Closure: 10pm
Streets to be closed:	
A: Del Monte Avenue from to Tinian Ave to the beginning of the Granite Rock Building	
B: from to	
C: from to	
Map of Closure:	
Map of Street Closure: 	
To provide input on this application:	
Provide written comment to city clerk@ci.seaside.ca.us , include the following in the subject line "Public comment item # (insert the agenda item number relevance to your comment). Written comments must be received by 3pm of the day of the meeting	
Provide public comment in person at the meeting.	
Meeting Date/Time: April 7, 2022 5pm	Meeting Information:



February 2022

TEMPORARY STREET CLOSURE APPLICATION

Applicant Information	
Name of Applicant: PORSCHE MONTEREY	Date: 03/07/2022
Mailing Address: 1781 Del Monte Blvd.	City/ State: Seaside, California 93955
Email: cecilygambrell@lithia.com	Phone: 831-583-4898

Street Closure Details	
Name of the Event / Purpose of Closure: 5th Annual Porsche Monterey Classic	
General Description: Car week auto show. Our 5th annual event celebrating the history of Porsche Classic vehicles, and our 4th project car entry in the Porsche Restoration Challenge.	
Event Start and End Time: 4:00PM - 7:00PM	Estimated number of people in attendance: 2500
Date of Event: Monday 08/15/2022	Total Number of streets to be closed: One segment of Del Monte Blvd.
Will alcohol be served? Yes	Will the event include live or amplified music? There will be marginally amplified music on site (Porsche lot) but not as part of street closure environment
Streets to be closed (please attach a detailed site map of closure location): A: Del Monte Blvd. from to Tioga Ave. B: Del Monte Blvd. from to Lithia Detail Building C: from to	
Street close time: 1:00PM	Street opening time: 10:00PM (possibly/likely earlier)
Supplementary questions	Yes No
Will vehicles be allowed inside the closure?	X
If yes, please explain why and provide their locations: Vehicles registered for display during event will be parked within the closure area.	
Are you planning to hire a security company for the planned closure?	X
If yes, provide the Company name, phone number, name of Supervisor, and locations for where security will be placed: TO BE DETERMINED	
I certify that the information provided in the application is true and correct to the best of my knowledge.	
Applicant Signature: 	Date: Monday, 03/07/2022



February 2022

For Official Use Only

Engineering / Public Works Department		
Application Review Questions	Yes	No
Has the traffic control plan been submitted?		
Is the traffic control plan approved?		
Per the approved traffic control plan, is security being required for traffic control?		
Is the street closure application approved by the Engineering / Public Works Dept?		
If no, what is the reason for denial:		
Is the street closure approved with conditions?		
If yes, what are the approval conditions?		
Name of Dept. Head:	Title:	
Signature:		

Police Department		
Application Review Questions	Yes	No
Based on the information provided, does the applicant need to have Security assigned to assist traffic around the street closure?	X	
If yes, please identify the areas where security is required: DEL MONTE BLVD. AT LITHIA DETAIL BUILDING		
Is the street closure application approved by the Police Dept?	X	
If no, what is the reason for denial:		
Is the street closure approved with conditions?	X	
If yes, what are the approval conditions? SECURITY ASSIGNED TO THE ABOVE INTERSECTION.		
Name of Dept. Head:	Title:	
JUSTIN PASCHKE	ACTING COMMANDER	
Signature:		



Porsche
Del Monte

February 2022

Fire Department		
Application Review Questions	Yes	No
Does the site plan show obstructions on the road way?		X mg
Does the site plan does provide for a 20' wide fire lane for emergency vehicle access?	unknown	
Is the street closure application approved by the Fire Dept?	X mg	
If no, what is the reason for denial:		
Is the street closure approved with conditions?		
If yes, what are the approval conditions?		
Name of Dept. Head:	Title:	
Mary Gutierrez	Fire Chief	
Signature:		3/25/22
Risk Management		
Application Review Questions	Yes	No
Does the proposed street closure meet the requirements of this policy with respect to size, compatibility, etc.?		
If required, has the applicant submitted Liability Insurance?		
Is the street closure application approved by Risk Management?		
If no, what is the reason for denial:		
Is the street closure approved with conditions?		
If yes, what are the approval conditions?		
Name of Dept. Head:	Title:	
Signature:		

Status of Application

The street closure request is: APPROVED _____ DENIED _____ DATE: _____

City Manager's Signature / Date: _____

If applicable, scheduled for City Council consideration on: _____

RESOLUTION 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING THE CLOSURE DEL MONTE AVENUE TO THROUGH TRAFFIC FROM TIOGA AVENUE TO THE BEGINNING OF THE GRANITE ROCK BUILDING

WHEREAS, Porsche Monterey will be holding their Classic Porsche Event that is open to the public;

WHEREAS, the closing of Del Monte Avenue from Tioga Avenue to the beginning of the Granite Rock building is necessary between the hours of 1:00 p.m. and 10:00 p.m. on August 15, 2022, to insure the safety of the public;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby approves the closure of Del Monte Avenue from Tioga Avenue to the beginning of the Granite Rock building 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 07th day of April 2022 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

APPROVED AS TO FORM:

Sheri L. Damon, City Attorney



CITY OF SEASIDE STAFF REPORT

Item No.: 8.G.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Nisha Patel, Public Works Director/City Engineer

DATE: April 7, 2022

**SUBJECT: ADOPT A RESOLUTION AUTHORIZING A MAINTENANCE AND
RIGHT OF ENTRY AGREEMENT WITH SEASIDE HOUSING, L.P.
FOR STORMWATER CONTROL AT HAMILTON, ELLIS & MARTIN
(H.E.M.) PLAZA**

RECOMMENDATION

Adopt a resolution authorizing the City Manager to execute a Maintenance and Right of Entry Agreement with Seaside Housing, L.P. for the Hamilton, Ellis & Martin Apartments at 1466 Yosemite Street.

BACKGROUND

The Hamilton, Ellis & Martin Plaza Apartments, formerly known as the Del Monte Manor, recently completed renovations to the property. The Project renovated 23 multifamily apartment buildings, a community and maintenance building, an office and laundry building and associated parking, walkways and landscaping. The property, with APN 012-631-002 and more commonly known as 1466 Yosemite Street, is owned by Seaside Housing, L.P. To satisfy the requirements of the City's stormwater permit, the Project was required to develop and implement a Storm Water Control Plan (SWCP) and enter into Maintenance and Right of Entry Agreement (MROE) with the City.

A Storm Water Control Plan for the Project was reviewed and approved on November 19, 2019. Minor changes were required throughout the project to address unforeseen conditions encountered during construction. A revised Stormwater Control Plan was submitted on January 28, 2022, and reflects the minor changes encountered during the project. As certified by the project engineer and verified by City Engineering staff, the project has constructed structural storm water control measures (SCMs) consistent with the revised SWCP.

To insure ongoing maintenance of SCMs, the property owner is required to enter into an MROE to be recorded at the Monterey County Records Office. The MROE includes a site specific operation and maintenance plan and requires that an inspection by a qualified professional be conducted by September 30th of each year and the associated certificate be submitted to the City. Staff recommends adopting a Resolution authorizing the City Manager to execute the Maintenance and Right of Entry Agreement with the Seaside Housing, L.P.

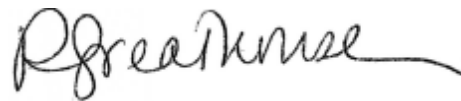
FISCAL IMPACT

There is no fiscal impact associated with entering into the Maintenance and Right of Entry Agreement.

ATTACHMENTS

1. Resolution
 2. Maintenance & Right of Entry Agreement
-

Reviewed for Submission to the City Council by:

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

Roberta Greathouse, Acting City Manager

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE AND
RIGHT OF ENTRY AGREEMENT WITH SEASIDE HOUSING L.P. FOR THE
HAMILTON, ELLIS & MARTIN HOUSING COMPLEX**

WHEREAS, Seaside Housing, L.P., Property Owner (hereinafter Applicant), filed Board of Architecture permit BAR 19-16 for the renovation of 23 multifamily apartments at parcel APN 012-631-002 more commonly known as 1466 Yosemite Street; and

WHEREAS, BAR 19-16 required Applicant to develop a Storm Water Control Plan (SWCP) to construct storm water control measures and enter into a Maintenance and Right of Entry Agreement with the City; and

WHEREAS, Applicant has developed a SWCP dated November 14, 2019 that was reviewed and approved by city engineering staff on November 19, 2019; and

WHEREAS, minor revisions to the SWCP were required to address unforeseen conditions during construction; and

WHEREAS, a revised SWCP dated January 28, 2022 prepared in conformance to City's storm water permit was submitted to document the as-built conditions; and

WHEREAS, Applicant has constructed the storm water control measures, and executed a Maintenance and Right of Entry Agreement committing to maintain the stormwater control measures.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby authorize the City Manager to execute the Maintenance and Right of Entry Agreement with Seaside Housing L.P. attached hereto.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 7th day of April, 2022, 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

WHEN RECORDED MAIL TO:

City Clerk,
City of Seaside
440 Harcourt Avenue
Seaside, CA. 93955

THIS SPACE FOR RECORDERS USE ONLY

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT FOR STORMWATER CONTROL
FOR DEL MONTE MANOR MAINTENANCE IMPROVEMENT
APN 012-631-002**

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR DEL MONTE MANOR MAINTENANCE IMPROVEMENTS APN 012-631-002**

THIS MAINTENANCE AND RIGHT OF ENTRY AGREEMENT FOR STORMWATER CONTROL ("Agreement") is made and entered into in the City of Seaside, California, this ____ day of _____, 2022 by and between Seaside Housing, L.P., hereinafter referred to as "Owner" and the City of Seaside ("City"), a municipal corporation. This Agreement applies to properties in the County of Monterey, State of California, referred to as _____.

The Agreement is subject to the following recitals:

RECITALS

WHEREAS, the Owner owns real property ("Property") in the City of Seaside, County of Monterey, State of California, more specifically described in Exhibit "A" attached hereto and incorporated herein by this reference;

WHEREAS, the Board of Architectural Review of the City of Seaside approved Architectural Review Application No B A R 1 9 - 1 6 hereinafter referred to as "Permit", for the subject property attached hereto as Exhibit B;

WHEREAS, at the time of initial approval of said Permit, the City required the project to employ post-construction Stormwater Control Measures, hereinafter referred to as "SCMs," in accordance with Resolution R3-2013-0032 of the Central Coast Regional Water Quality Control Board (CCRWQCB) and Seaside Municipal Code Chapter 8.46, "Urban Storm Water Quality Management and Discharge Control" to minimize the adverse effects of urbanization and development on watershed processes and beneficial uses, and to protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. § 1251 et seq.);

WHEREAS, the City of Seaside Municipal Code Chapter 8.46, "Urban Stormwater Quality Management and Discharge Control," regulates urban stormwater quality and provides requirements, known as Best Management Practices (BMPs) for managing and controlling stormwater quality and non-stormwater discharges to the storm drain system;

WHEREAS, the Permit requires the Owner to record a deed restriction requiring the approved SCMs not to be removed, relocated, covered, or hampered with in any way which may prevent them from performing their intended function, and to provide for ongoing maintenance and verification of ongoing maintenance of the SCMs by Owner and the Owner's successors in interest.

WHEREAS, the Owner has chosen to install and/or implement SCMs as shown on the amended Stormwater Control Plan, dated an a _____ attached hereto as Exhibit C, hereinafter referred to as "SWCP", to comply with CCRWQCB Resolution R3-2013-0032 and Seaside Municipal Code Chapter 8.46;

WHEREAS, the SWCP has been certified by a licensed professional and reviewed and approved by the City;

WHEREAS, the SCMs, with installation and implementation on private property and draining only private property, are part of a private facility with all maintenance or replacement, therefore, the sole responsibility of the Owner in accordance with the terms of this Agreement;

WHEREAS, the Owner is aware that periodic maintenance is required to assure peak performance of all SCMs, furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR DEL MONTE MANOR MAINTENANCE IMPROVEMENTS APN 012-631-002**

disposal methods, in effect at the time such maintenance occurs;

NOW, THEREFORE, in consideration of the foregoing premises, the mutual stipulations and agreements contained herein, and the following terms and conditions, the parties hereto agree as follows:

Responsibility for Operation and Maintenance of SCMs: Owner shall diligently maintain all SCMs in a manner that maintains the original flow and treatment requirements at all times. An Operation and Maintenance Plan is included as Exhibit "D". All reasonable precautions shall be exercised by Owner and Owner's representative or contractor in the removal and extraction of any material(s) from the SCMs and the ultimate disposal of the material(s) in a manner consistent with all relevant laws and regulations in effect at the time. As may be requested from time to time by the City, the Owner shall provide the City with documentation identifying the material(s) removed, the quantity, and disposal destination.

Owner consents and agrees to inspect and maintain the SCMs based on the schedule and procedures identified in the Operation and Maintenance Plan (Exhibit "D"). Each year during a period beginning on September 1 and ending no later than September 30, and at the time of any sale or other transfer of title to the Property, Owner shall provide the City with a Maintenance Certificate in the form attached hereto marked Exhibit "E" and by this reference incorporated herein certifying that the SCMs have been recently inspected and are functioning in compliance with the Operation and Maintenance Plan or, if such SCMs were not in compliance with the Operation and Maintenance Plan, what measures have been taken to bring the SCMs and the maintenance thereof into compliance with the Operation and Maintenance Plan. Proof of maintenance, such as copies of maintenance records and/or receipts shall be included with the Maintenance Certificate. Certificate shall be completed and signed by a licensed engineer or a duly authorized representative of the Owner.

Right of Access: Owner hereby provides the City or City's agent complete access, of any duration, to the SCMs and their immediate vicinity, excluding any buildings, at any time, upon reasonable notice, or in the event of emergency, as determined by the City Engineer, with no advance notice, for the purpose of inspection, sampling, testing of the SCMs, and in case of emergency, to undertake, in the City's sole discretion, necessary repairs or other preventative measures at Owner's expense as provided in paragraph 4 below. City shall make every effort at all times to minimize or avoid interference with Owner's use of the Property.

Penalty: In the event Owner, or its successors or assigns, fails to accomplish the necessary maintenance contemplated by this Agreement or if the BMP's and/or SCM's do not perform in a manner that maintains the original treatment requirements at all times, then the Owner shall be subject to monetary fines per day or per occurrence in accordance with Chapter 8.46, "Urban Storm Water Quality Management and Discharge Control" of the Seaside Municipal Code.

Recording: This Agreement shall be recorded in the Office of the Recorder of Monterey County, California, at the expense of the Owner and shall constitute notice to all successors and assigns of the title to said Property of the obligation herein set forth, and also a lien in such amount as will fully reimburse the City, including interest as herein above set forth, subject to foreclosure in event of default in payment.

Attorney's Fees: In event of legal action occasioned by any default or fault of the Owner, or its successors or assigns, the Owner and its successors or assigns agree(s) to pay all costs

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR DEL MONTE MANOR MAINTENANCE IMPROVEMENTS APN 012-631-002**

incurred by the City in enforcing the terms of this Agreement, including attorney's fees and costs. In the event of legal action occasioned by any default of the City, the City agrees to pay all costs incurred by the Owner and its successors or assigns in enforcing the terms of this Agreement, including attorneys' fees and costs.

7. **Covenant:** It is the intent of the parties hereto that burdens and benefits herein undertaken shall constitute covenants that run with said Property and constitute a lien there against.
8. **Binding on Successors:** The obligations herein undertaken shall be binding upon the heirs, successors, executors, administrators and assigns of the parties hereto. The term "Owner" shall include not only the present Owner, but also its heirs, successors, executors, administrators, and assigns. Owner shall notify any successor to title of all or part of the Property about the existence of this Agreement. Owner shall provide such notice prior to such successor obtaining an interest in all or part of the Property. Such notice shall include the Stormwater Control Plan and the Operations and Maintenance Plan. The transfer of this information shall also be required with any subsequent sale of the property. Owner shall provide a copy of such notice to the City at the time of property transfer.
9. **Indemnity and Insurance:** The Owner, its heirs, successors, executors, administrators and assigns agree to defend, indemnify and hold harmless the City, its officials, employees and its authorized agents from any and all damages, accidents, casualties, occurrences or claims (collectively, "Claims") which might arise or be asserted against the City and which are connected with the construction, operation, presence, existence or maintenance of the BMP and/or SCM by the Owner, or from any personal injury or property damage that may result from the City or other public entities entering the Property under Section 3 of this Agreement; provided, however, that notwithstanding the foregoing, the Owner, its heirs, successors, executors, administrators and assigns shall have no obligation to defend, indemnify or hold harmless pursuant to this Section 9 for any Claims arising from the willful acts or omissions, or negligence, of the City or any other public entities, their officials, employees, or agents. The Owner shall maintain liability insurance with amounts not less than Two Million Dollars (\$2,000,000.00) per occurrence and Four Million Dollars (\$4,000,000.00) in the annual aggregate covering occurrences at the Property, and shall name City, its officers and employees as an additional insured on such liability policy. The Owner shall provide the City with proof of insurance as required by the City.
10. **Notice:** Any notice to a party required or called for in this Agreement shall be served in person, or by deposit in the U.S. Mail, first class postage prepaid, to the address set forth below. Notice(s) shall be deemed effective upon receipt, or seventy-two (72) hours after deposit in the U.S. Mail, whichever is earlier. A party may change a notice address only by providing written notice thereof to the other party.

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR DEL MONTE MANOR MAINTENANCE IMPROVEMENTS APN 012-631-002**

IN WITNESS THEREOF, the parties hereto have affixed their signatures as of the date first written above.

_____ na e Name: e a ea e Title: <u>City Manager</u>	By: _____ Signature Name: <u>Darryl Choates</u> Title: <u>President</u> <u>Del Monte Manor, LLC</u> _____ _____
---	--

List of Exhibits

- A. Plat and Legal Description
- B. Planning or BAR Approval resolution
- C. Exhibit of Stormwater Control Measures
- D. Operations and Maintenance Plan
- E. Maintenance Certificate

EXHIBIT A

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA,
DESCRIBED AS FOLLOWS:

PARCEL C, TRACT 531, DEL MONTE HEIGHTS UNIT "E", IN THE CITY OF SEASIDE, COUNTY OF
MONTEREY, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED FEBRUARY 1, 1967,
IN VOLUME 9 OF MAPS, "CITES AND TOWNS" AT PAGE 4, IN THE OFFICE OF THE RECORDER
OF SAID COUNTY.

APN: 012-631-002-000

END OF DESCRIPTION

Job No. 4053



COMMENT SHEET PUBLIC WORKS-ENGINEERING DIVISION

Project Address: 1466 Yosemite. Date Applied: October 3, 2019
 Project Number: BAR-19-16 APN: 012-631-002
 Applicant: Terrex Development Corp/Steve Madison
 Description: Repairs to interior and exterior of 192 unit apartment complex including existing stairways, decks, balconies, colors and landscaping.

APPROVED - with CONDITIONS

Post Construction Requirement Initial Review (LID)	Single Family Dwelling ☐ or Commercial ☒
Impervious Area: ($\geq 2,500$ sf-new/replaced) ☐ ($\geq 5,000$ sf-net) ☐ ($\geq 15,000$ sf-net) ☒ ($\geq 22,000$ sf-net)	
Performance Requirement: Exempt ☐ #1 ☐ #2 ☐ #3 ☐ #4 ☒ (#2-#4 require stormwater plan)	
Erosion Sediment Control Plan ☒ (addition?)	

The Public Works Department, Engineering Division, has completed a review of plans of the above project. The following Required Action shall be listed on the first sheet and/or delineated within your building plans.

REQUIRED ACTION

1. Proposed project must implement storm water best management practices (BMPs) during construction.(SMC 8.46)
 - a. Complete and submit the Storm water Compliance Tracking Form, with signature with building permit application.
 - b. A project specific Erosion and Sediment Control Plan (ESCP) is required of the applicant as part of building permit application.
 - c. If the disturbed area is greater than one (1) acre, a Storm water Pollution Prevention Plan (SWPPP) shall be prepared and a WDID obtained by the applicant from the State Water Quality Control Board. Submit the SWPPP for City of Seaside review.
2. Post-development peak storm water runoff rates shall not exceed predevelopment rate. A pro rata share of the cost of offsite erosion sediment, and flood control improvements and/or for maintenance to the principal drainage way may be required by the city engineer to handle the increase peak runoff and/or sediment generated by the project.(SMC 15.32.170)
 - a. As part of building permit application, develop civil grading and drainage plans to clearly show direction of storm water drainage from new or redeveloped impervious surfaces.
 - b. Drainage shall not be directed to adjacent properties. See item 3 for further requirements.
3. As required by Attachment 1 to Resolution No. R3-2013-0032 of the Central Coast Regional Water Quality Control Board, the applicant shall develop a Storm water Control Plan demonstrating compliance with performance requirements #1, #2, #3, and #4 as applicable.(SMC 8.46.130)

Prepared by: Billy D. Thomas.	■ Original Signed: 12/10/2019
Project Address: 1466 Yosemite St	Staff Time (hrs): 1
If you have any questions, please contact Billy D. Thomas, Junior Engineer, at the Public Works Department, Engineering Division, at (831) 899-6745 or fax at (831) 899-6311, or email bthomas@ci.seaside.ca.us.	

Exhibit B



- a. Applicant shall submit a Storm Water Control Plan prior to finalizing site plan or civil grading and drainage plans. Storm Water Control Plan shall be approved by the City prior to finalizing project civil grading and drainage plans and shall include hydrology and hydraulic calculations validating the design of conveyance, treatment and/or infiltration features.
- b. Applicant shall submit architectural and civil grading and drainage plans with building permit application in substantial conformance to the approved Storm Water Control Plan.
 - i. Plans shall clearly denote, in table format, the pre-project impervious surface area, new impervious surface area created, replaced impervious surface area, and post-project impervious surface area.
- c. Prior to issuance of occupancy, applicant shall execute and record as a deed restriction a Right of Entry and Maintenance Agreement. The Right of Entry and Maintenance Agreement shall:
 - i. Include indemnity, insurance and security requirements in conformance with the template provided by the City, and
 - ii. include an operation and maintenance (O&M) plan approved by the City stating that the property owner will conduct, and accepts responsibility for, maintenance of all storm water control measures (SCMs), and
 - iii. include a legal description of the property, and
 - iv. describe the methods and procedures for conducting periodic inspections and maintenances of all SCMs, and
 - v. require applicant to provide to the City each year during a period beginning on September 1 and ending no later than September 30 a statement certified by a licensed Civil Engineer or Qualified Storm water Developer (QSD) registered in the State of California stating that the SCM maintenance is in accordance with the O&M plan, and
 - vi. include a statement that transfers responsibility for maintenance of SCMs to future owners of the property.
4. Prior to final inspection, any curb, gutter and sidewalk damaged during construction shall be replaced by a licensed concrete contractor in conformance with the most current applicable engineering standards, and upon the prior issuance of an Encroachment Permit from the Public Work Department.

Prepared by: Billy D. Thomas.

Project Address: 1466 Yosemite St

■ Original Signed: 12/10/2019

Staff Time (hrs): 1

If you have any questions, please contact Billy D. Thomas, Junior Engineer, at the Public Works Department, Engineering Division, at (831) 899-6745 or fax at (831) 899-6311, or email bthomas@ci.seaside.ca.us.

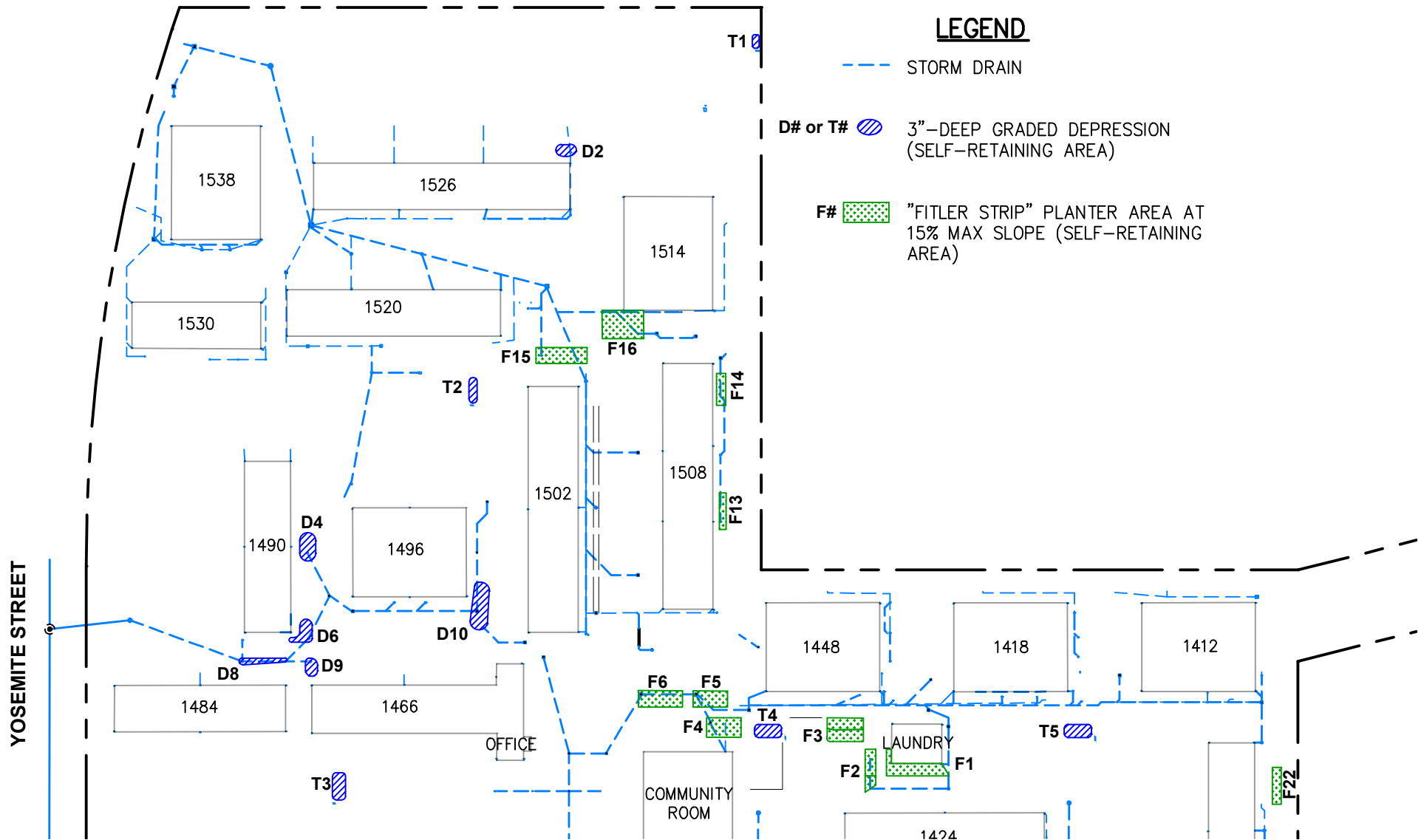


EXHIBIT C (SHEET 1 OF 2) **EXHIBIT OF STORMWATER CONTROL MEASURES**

SEASIDE, MONTEREY COUNTY, CALIFORNIA
 11/16/2021

1" = 80'



Civil Engineering +
 Land Surveying
 6 Harris Court
 Monterey, CA 93940
 831.649.5225
 whitsonengineers.com

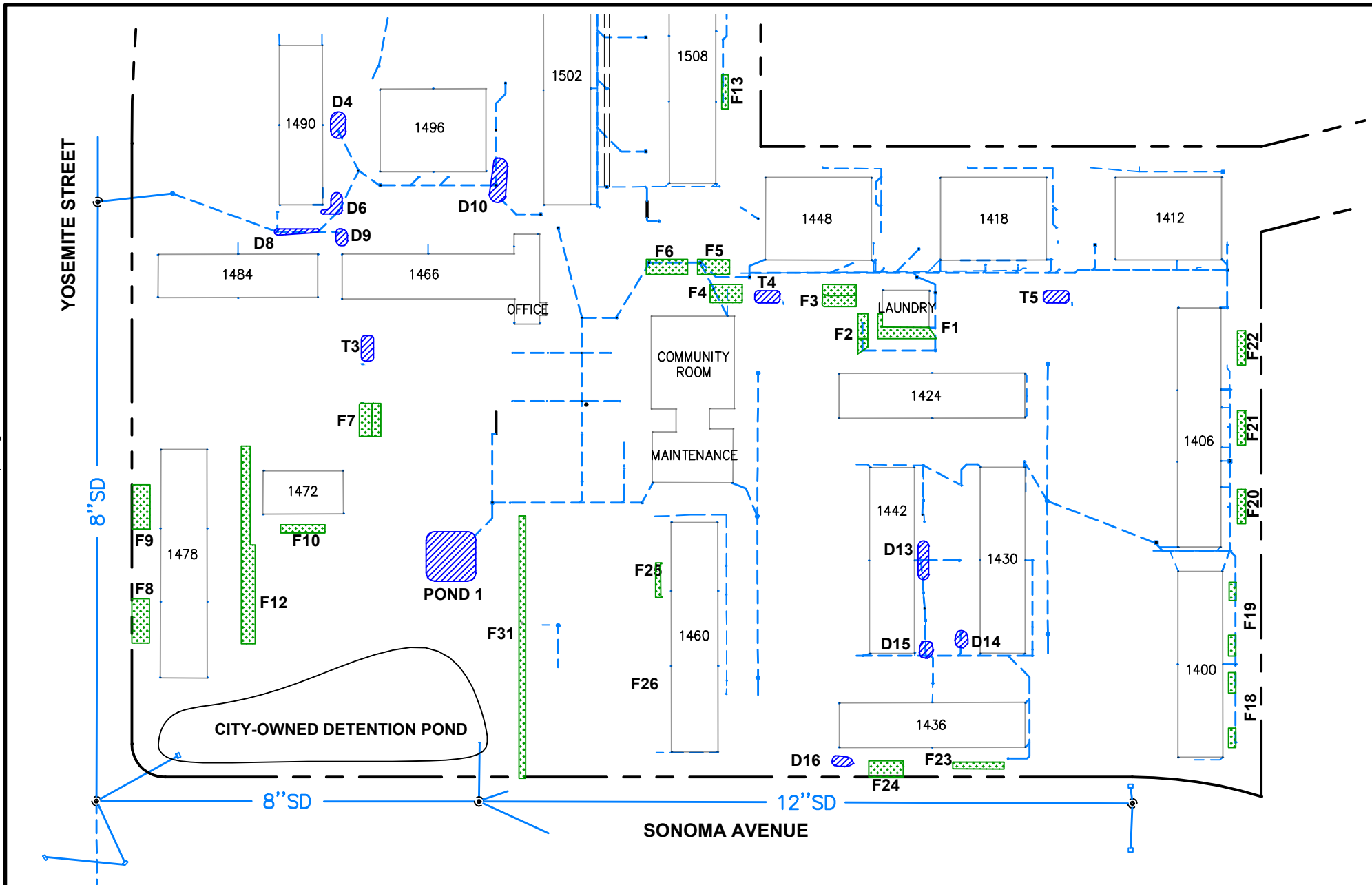


EXHIBIT C (SHEET 2 OF 2) **EXHIBIT OF STORMWATER CONTROL MEASURES**

SEASIDE, MONTEREY COUNTY, CALIFORNIA
 11/16/2021

1" = 80'



Civil Engineering +
 Land Surveying
 6 Harris Court
 Monterey, CA 93940
 831.649.5225
 whitsonengineers.com

Exhibit D

Operation and Maintenance Plan for Stormwater Control Measures at Del Monte Manor

1466 Yosemite Street
Seaside, CA 93955

APN 012-631-005

January 28, 2022

Prepared By:



6 Harris Court • Monterey, CA 93940
831 649-5225 • Fax 831 373-5065

Job No.: 4053

Operation and Maintenance Plan (OMP) for Stormwater Control Measures (SCMs) at Del Monte Manor

General

This Operation and Maintenance Plan (**OMP**) outlines the minimum operation and maintenance activities required for the stormwater control measures (**SCMs**) constructed as part of the Del Monte Manor renovation project (**Project**), located at 1466 Yosemite Street, Seaside, CA 93955, Assessor's Parcel Numbers (APN) 012-631-005.

In addition to being kept on-site as part of the Project Manual, this OMP is an attachment to a Maintenance Agreement which will be recorded at the County Recorder's office.

This OMP was prepared pursuant to the "Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region", Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032 and the "Stormwater Technical Guide for Low Impact Development, 3rd Edition" by Monterey Regional Stormwater Management Program dated May 1, 2020.

Responsibilities

The property owner, Seaside Housing L.P. (**Owner**), is responsible for facility operation, inspection, and maintenance. SCMs installed as part of the Project must be operated, inspected, and maintained for the life of the Project. Any change or alteration, or the failure to properly operate and maintain any feature described herein, could result in fines or other actions by the local municipality (City of Seaside), or by a state or federal authority. Furthermore, if SCM maintenance is not adequate, the municipality may conduct inspections and repairs, at the Owner's expense. For more information please refer to the Maintenance Agreement.

Updated information, including contact information (**Attachment 1**), must be provided to the municipality if and when the property is sold, or whenever there is a change to one of the listed responsible parties.

Facilities to be Maintained

The facilities which are constructed as part of the Project, and which must be operated, inspected, and maintained, are listed in Table 1, below. SCM locations are shown graphically in **Exhibit C**. For more detailed construction information see the As-Built Plans (Whitson Engineers, 2021). For facility sizing information see the As-Built Storm Water Control Plan (Whitson Engineers, 2021).

Table 1. Facilities to be Maintained

- ... Twenty-four (22) Landscape Filter Strips (Self Retaining Landscape Areas)
- ... Sixteen (15) 3-inch deep graded depressions (Self Retaining Landscape Areas)

These facilities must be inspected and maintained in accordance with the Fact Sheets provided in **Attachment 4**.

**Operation and Maintenance Plan (OMP) for Stormwater Control Measures (SCMs) at
Del Monte Manor**

Prepared by:

Whitson Engineers
6 Harris Court
Monterey, CA 93940
Phone: (831) 649-5225



Richard P. Weber, PE
Principal



January 28, 2022
Date

Attachments:

1. Responsible Parties
2. Annual Cost Estimate for SCM Operation and Maintenance
3. SCM End-Of-Life Replacement Cost Estimate
4. Stormwater Facilities Operation and Maintenance Fact Sheet

Attachment 1 to Exhibit D

Designation of Individuals Responsible for Stormwater Treatment BMP Operation and Maintenance	
Date Completed January 28, 2022	
Facility Name Hamilton, Ellis & Martin Plaza (formerly Del Monte Manor)	
Facility Address 1466 Yosemite Street, Seaside, CA 93955	
Designated Contact for Operation and Maintenance	
Name: Matt Locati	Title or Position: President, TarraCorp & Terrex Companies
Telephone: (925) 284-6474	Alternate Telephone:
Email: ml@terracorpinc.com	
Off-Hours or Emergency Contact	
Name:	Title or Position:
Telephone:	Alternate Telephone:
Email:	
Corporate Officer (authorized to execute contracts with the City, Town, or County)	
Name: Matt Locati	Title or Position: President, TarraCorp & Terrex Companies
Address: 1043 Stuart Street, Suite 220, Lafayette, California 94549	
Telephone: (925) 284-6474	Alternate Telephone:
Email: ml@terracorpinc.com	

Structural Stormwater Control Measure (SCM) Annual Operation and Maintenance Cost Estimate					Job No.	4053.00
					Estimator	NDM
Del Monte Manor 1466 Yosemite Street, Seaside, CA 93955					Date	01/28/22
ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT OF MEASURE	UNIT COST	TOTAL COST	
	Self-Retaining Landscape Areas					
	Maintenance costs are addressed as general landscape maintenance; no separate funding					
	Annual Inspection and Certification					
	Annual inspection and certification by Civil Engineer	1	LS	\$ 500.00	\$ 500	
					SUBTOTAL:	\$ 500
Note: Activities are based on the Operation and Maintenance Plan for the site by Whitson Engineers, 2021. Costs are given in 2021 dollars.						

Structural Stormwater Control Measure (SCM) End-Of-Life Replacement Cost Estimate					Job No.	4053.00
					Estimator	NDM
Del Monte Manor 1466 Yosemite Street, Seaside, CA 93955					Date	11/17/21
ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT OF MEASURE	UNIT COST	TOTAL COST	
	Self-Retaining Landscape Areas					
	Costs are addressed as general landscape maintenance/replacement; no separate funding					
		SUBTOTAL:				\$ -
Note: Prices assume removal and replacement of existing systems in-kind. Costs are given in 2021 dollars.						

Stormwater Facilities Operation and Maintenance Fact Sheet

General Site:

1. Collect trash and sweep pavements regularly to prevent accumulation of soil, debris, and trash.
2. Require contractors to collect all their trash including landscaping debris.
3. Provide cigarette butt receptacles at smoke break areas.
4. Communicate trash best management practices to all employees and tenants. Include trash control requirements in any lease documents.

General Landscaping:

1. Remove debris and trash regularly.
2. Prune or cut back plants for health and to ensure stormwater is able to flow into inlets and through curb cuts.
3. Control weeds by manual methods. If problem areas occur, corn gluten, white vinegar, vinegar-based products such as Burnout, or non-selective natural herbicides such as Safer's Sharpshooter may be used.
4. Fertilizer and pesticide use should be limited, and conducted by appropriate professionals.
5. Examine the vegetation to ensure that it is healthy and dense enough to protect soils from erosion. Remove and replace all dead and diseased vegetation.
6. Replenish mulch as necessary. Mulch may be added from time to time to maintain a mulch layer thickness of 3".
7. Confirm that irrigation system is operating properly. Inspect all valves for proper on/off function and adjust as required. Inspect filters at valves and remove debris. For point source drip irrigation, inspect emitters and drip line for proper water flow and check that emitters are not clogged.

Landscape Filter Strips (Self-Retaining Landscape Areas):

1. See "General Landscaping", above.
2. Landscape filter strips are intended to:
 - a. Receive sheet-flow runoff from adjacent impervious surfaces (walkways).
3. Do not re-grade or fill in the filter strip. It is important that the ground surface be maintained at between 2% to 15% slope away from the adjacent walkway so that it can receive and infiltrate runoff from the walkway.

Graded Depressions (Self-Retaining Landscape Areas):

1. See "General Landscaping", above, for general requirements.
2. Graded depressions are intended to:
 - a. Pond water before overflowing to a drain inlet.
 - b. Infiltrate completely following each rain event.
3. Graded depressions are not intended to:
 - a. Have standing water for periods longer than 48 hours after a storm
 - b. Serve as wetland or riparian habitat
4. Control weeds by manual methods or by adding mulch. If problem areas occur, corn gluten, white vinegar, vinegar-based products such as Burnout, or non-selective natural herbicides such as Safer's Sharpshooter may be used.
5. Do not add fertilizer within the ponding limits of graded depressions. Compost tea, available from various nurseries and garden supply retailers, may be applied at a maximum recommended rate of 5 gallons, mixed with 15 gallons of water, per acre, up to two weeks prior to planting and once per year between March and June. Do not apply when temperatures are below 50°F or above 90°F or when rain is forecast in the next 48 hours.
6. Do not use synthetic pesticides or herbicides within the ponding limits of graded depressions. Beneficial nematodes and other non-toxic controls may be used. Acceptable natural pesticides include Safer® products and Neem oil.
7. Replenish mulch as necessary. Use "aged mulch" (also called compost mulch) to reduce the ability of weeds to establish, keep soil moist, and replenish soil nutrients. Mulch may be added from time to time to maintain a mulch layer thickness of 1" to 2".
8. Do not re-grade or fill in the graded depressions. It is important that the ground surface be maintained in the design configuration.
9. Do not make additional openings in the side of the drain inlet in order to address surface water ponding issues. Water must pond up to the design overflow elevation before overflowing into the storm drain.

Storm Drain Inlets and Pipes:

1. Maintain and periodically repaint or replace "No Dumping – Flows to Bay" drain inlet markings.
2. Clean storm drain inlets and other conveyance structures before the wet season to remove sediments, trash and debris accumulated during the summer.
3. Conduct inspections and clean and maintain storm drain inlets and storm drain pipes during the rainy season on a frequency necessary to maintain the system in proper working order.

4. Look for evidence of illegal discharges or illicit connections during routine maintenance of drainage structures, clean up, and eliminate the discharge.
 - a. Review drainage system for evidence of spills (e.g., dry paint, discoloring, odors)
 - b. Record locations of apparent illegal discharges/illicit connections.
 - c. Eliminate the discharge once the origin of flow is established.

Trash Enclosures, Trash Cans and Dumpsters

1. Regularly inspect dumpsters, trash cans, and trash compactors for leaks and broken parts, and repair or replace as needed.
2. Inspect the trash enclosure daily, maintain clear of trash, and keep dumpster lids closed.
3. Use dry clean-up methods (absorbent materials) to clean fluid wastes. Don't hose-down waste management areas unless it's confirmed the drain is plumbed to the sanitary sewer.
4. Properly dispose of hazardous waste. Do not dispose of hazardous wastes in the general trash receptacles. Hazardous waste includes e-waste (computers, screens, TVs), appliances, unused paint, batteries, fluorescent light bulbs, cleaning chemicals, and pesticides.

Annually, prior to the beginning of the rainy season:

1. Remove trash, debris, dead vegetation, and accumulated sediment.
2. Visually inspect all facilities to determine if any maintenance activities are required in order to be prepared for the upcoming rainy season.
3. If necessary, replenish rock splash pads, gravel linings, mulch, or other material used to control drainage.
4. Inspect drainage outlets for signs of erosion or plugging. If minor erosion is observed, backfill the eroded area. Rock rip rap or a concrete splash pad may be needed to avoid future erosion. If significant erosion is observed, consult a Civil Engineer or Landscape Architect.
5. Inspect soil slopes for evidence of instability or erosion. If minor erosion is observed, backfill the eroded area, and cover the area with mulch or erosion control blanket to prevent future erosion. If significant erosion is observed, or if there is evidence of instability, consult a Civil Engineer or Landscape Architect.



City of Seaside
Stormwater Management Facilities
Annual Maintenance Certificate
For Calendar Year _____

I, _____ certify that the stormwater management facilities at

Print Name

_____ (Address),

_____ (APN),

including the stormwater site design measures, treatment measures and source control measures have been properly operated and maintained during the preceding year, and have been recently inspected during a period beginning on September 1 and ending no later than September 30 and repaired as necessary to ensure continued proper operation.

(Attach copies of any maintenance records and/or receipts, if applicable)

Signature

Date

Title

This Certificate shall be submitted to the City of Seaside no later than October 1 annually.

Pursuant to City of Seaside Municipal Code Title 8.46 Urban Stormwater Quality Management and Discharge Control, the City Engineer or designee maintains the authority, whenever reasonably necessary, to make an inspection, make copies of related records, take water samples and perform any testing necessary to enforce any provision of the Storm Water Management Ordinance.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.H.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Dan Meewis, Recreation Director

DATE: April 7, 2022

**SUBJECT: APPROVE REQUEST FOR CO-SPONSORSHIP AND FEE WAIVER
FOR 2022 HOT CARS COOL NITES CAR SHOWS**

RECOMMENDATION

Approve a request from Gold Coast Rods for Co-Sponsorship and to waive fees associated with four nights of the Hot Cars Cool Nites Classic Car Shows in the amount of \$11,902.20.

BACKGROUND

The City of Seaside has co-sponsored and funded the Gold Coast Rods classic car show on lower Broadway since 1998. The original car shows were fully funded for six events occurring on the last Friday of each month from May to October. During the 2005-06 budget review, the City Council voted to fund the first three events only; requiring Gold Coast Rods to subsidize the remaining three events for the 2005 and 2006 seasons. Funding was completely eliminated in the 2009-10 budget cuts and the organization eventually discontinued their event in the City of Seaside.

The 2021 events were approved for co-sponsorship and fee waivers for costs associated with public works services. The Fee Waiver request was approved to close the streets on Broadway Avenue between Calaveras and Contra Costa and detour traffic during the event.

Gold Coast Rods has submitted a Special Event Application and is requesting all fees be waived for this year's events that will be held on June 24, 2022, July 29, 2022, August 26, 2022, and September 30, 2022. Gold Coast Rods will provide the insurance coverage.

FISCAL IMPACT

Fees that would have been credited to the General Fund will not be collected if the fee waiver is granted.

The City's adopted fee schedule includes the following approximate fees, which are applicable to this request:

June 24, 2022:

Public Works Staff: \$2,975.55

July 29, 2022:

Public Works Staff: \$2,975.55

August 26, 2022:

Public Works Staff: \$2,975.55

September 30, 2022:

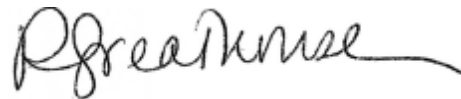
Public Works Staff: \$2,975.55

GRAND TOTAL FOR ALL FOUR EVENTS: \$11,902.20

ATTACHMENTS

1. Gold Coast Fee Waiver 2022
2. Temporary Street Closure Policy- Gold Coast Rods 2022
3. Gold Coast Rods Events - Insurance 2022

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: GOLD COAST ROOS
Name of Applicant: OTIS STEVENSON
Address: PO BOX 2672 City: MTRY State: CA
Phone: 831 899 2166 Email: OTIS Auto SALES @ G-mail . Com

EVENT INFORMATION:

Event Title: HOT CARS COOL NIGHTS
Event Description: CLASSIC CAR SHOW
Event Date: LAST FRIDAY JUNE JULY AUG SEPT Room(s) Requested: _____
Time (including set-up): 3pm - 8pm Approximate Number of Guests: 200
JUNE 25 JULY 29 AUG 26 SEPT 30 2022

ADDITIONAL INFORMATION:

Reason for Requesting Fee Waiver: PROVIDING ENTERTAINMENT FOR
THE CITY OF SEASIDE
Have you received a Fee Waiver in the past? ☒ Yes, the event was on _____ ☐ No
What is your organization's tax identification number? 0929468 000
What percentage of your members or participants resides in Seaside? over 50%
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: 11-2-21

(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**

Special Event Application

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

Date:

Dear Event Sponsor:

Welcome to the City of Seaside. The following pages include the City of Seaside's Special Events Application and accompanying instructions developed to guide you through the application process.

Effective July 01, 2020 a \$110.00 permit fee was approved by the Seaside City Council. Please enclose a check made out to the City of Seaside with your completed application. Once the completed form is received it will be distributed to all City departments and agencies affected by your event. You will then be notified of the status of your request. On behalf of the City of Seaside we thank you for contributing to the spirit and vitality of our City through the staging of your event. **Best wishes for a successful event!**

Terry Navarro
City of Seaside
986 Hilby Avenue
Seaside, CA 93955
(831) 899-6805
(831) 718-8603
Email: tnavarro@ci.seaside.ca.us



SEASIDE CALIFORNIA

Special Event Application

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

CONTACT INFORMATION:

Organization: GOLD COAST RODS
Name of Applicant: Otis Stevenson
Address: PO BOX 2672 City: MTV State: CA
Phone: 831 601 2375 Email: Otis Auto Sales @ Gmail .com
Day of Event Contact Name and Phone: Otis Stevenson 831 899 2746

EVENT INFORMATION:

Event Title: HOT CARS COOL NIGHTS
Event Category: LAST FRI OF THE MONTH
☐ Athletic / Recreation ☐ Concert / Performance ☐ Circus
☐ Celebration / Festival ☐ Parade / March / Procession ☐ Dance
☐ Carnival ☐ Other: CLASSIC CAR SHOW
Event Date and Time: JUNE 24 JULY 29 AUG 26 SEPT 30 2022
Setup: 3PM Event Start: 4PM Event End: 8PM Clean up: 8PM
Event Location: BROADWAY BETWEEN CONTRA COSTA & CALAVERAS

EVENT DESCRIPTION:

Please provide detailed description of your event. Include details regarding any components of your event such as the use of vehicles, animals, rides, sanitation provisions or any other pertinent information about the event.

Number of Participants: 300 Event Benefiting: SALVATION ARMY ETC
Federal ID # (if applicable): _____
☐ 501 C(3) ☐ 501 C(6) ☐ Commercial-For Profit ☐ Other: _____

Will admission be charged? ☐ Yes, tickets cost: _____ ☒ No



SEASIDE CALIFORNIA

Special Event Application

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

Is the event open to the public? ☒ Yes ☐ No

If no, how will the event be restricted? Indicate plan on detailed schematics:

How will the event be advertised and promoted? Print Internet

P. Flyers

Signs posted: ~~Business~~ Business Flyers

Special equipment to be used for proposed event: (List all electrical needs you may require)

- | | | |
|---|---------------------------------------|--|
| ☒ P.A. System | ☐ Generator(s) | ☐ Amplified sound / music |
| ☐ Booths | ☐ Bleachers | ☐ Cooking fuel |
| ☐ Tents | ☐ Banners | ☐ Barricades |
| ☐ Other: _____ | | |

Will the event include music or live performances?

☐ Yes ☒ No

Will film, video, or photography be involved with the production of event?

☐ Yes ☒ No

Do you intend to sell food or beverage?

☐ Yes ☒ No

(If yes, please attach Health Department Food Vendor Certificate)

Do you intend to sell other merchandise?

☐ Yes ☒ No

Number of Vendors? _____ (For-profit vendors must have business license on file with the City)

Vendor Name

Vendor Address

None

Describe Merchandise

Will alcohol be served?

☐ Yes ☒ No

Will alcohol be sold? (If yes, please attach ABC license)

☐ Yes ☒ No

Parking arrangements: GOLD COAST



**SEASIDE
CALIFORNIA**

Special Event Application

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

Safety / Security / Accessibility (please describe your procedures for crowd control and internal security):

GOLD COAST ROOS members

Security Organization (if required - please attach security contract):

What City services do you anticipate you will need? (i.e. Police, Fire, Public Works, etc.)

PUBLIC WORKS

Method of trash collection/disposal and provision for additional sanitary facilities:

GOLD COAST ROOS members

Other pertinent information or special requests:

APPLICANT AGREEMENT

All applicable fees must be paid 30 days prior to event date. No permit revisions will be accepted less than 14 days prior to the event date. The City of Seaside retains the right to terminate the event at any time should a responsible city official determine any activity related to the event is a threat to public safety and/or property. I (we) agree to abide by all laws, rules and regulations which may apply to this area. I (we) accept specific responsibility for other members of my group and for any damage done to city property and/or facilities, and agree to clean and restore the site to the condition in which it was found prior to the holding of the specific event. I certify under penalty of perjury that all the preceding information is true to the best of my knowledge. **Completed and signed special event form must be submitted to Recreation and Community Activities Director within seven working days of receipt of form.**

Applicant Signature: _____

Date: 11-10-21



**SEASIDE
CALIFORNIA**

Special Event Application

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

APPLICATION MUST INCLUDE: Detailed schematic of event location indicating specific activity sites. For non-profit organizations, a copy of non-profit status must be submitted.

Attach to application and mail to:

**City of Seaside Recreation Services
Attn: Recreation Director
986 Hilby Avenue
Seaside, CA 93955**

SPECIFIC EVENT CONDITIONS OF APPROVAL

- ✓ Event organizers must clean up any event-related trash.
- ✓ All event noise or sound must be kept to a minimum, particularly before 9:00 a.m. and must not create an annoyance to co-existing events.
- ✓ Permittee is responsible for the actions of all vendors and participants during the event.
- ✓ No activities are permitted onsite that are not included on your permit application.
- ✓ All City ordinances will be strictly enforced (alcohol, dogs, etc.).
- ✓ Permit must be kept on location at all times.

Failure to comply with the above conditions may result in immediate closure of the event and a ban on future events by the organizer in the City of Seaside.

PROVISIONS

Permittee waives all claims against the City, its officers, agents and employees, for loss or damage caused by, arising out of, or in any way connected with, the exercise of this permit and permittee agrees to save harmless, indemnify and defend City, its officers, agents and employees, from any and all loss, damage or liability which may be suffered or incurred by City, its officers, agents and employees caused by, arising out of or in any way connected with exercise by permittee of the rights hereby granted, except those arising out of the sole negligence of the City.

City shall have the privilege of inspecting the premises covered by this permit any and all time. This permit shall not be assigned. City may terminate this permit at any time if permittee fails to perform and covenant herein contained at the time and in the manner herein provided. City agrees it will not unreasonably exercise this right of termination.

The parties hereto agree that the permittee, its officers, agents and employees, in the performance of this permit shall act in an independent capacity and not as officers, employees or agents of the City. No alteration or variation of the terms of this permit shall be valid unless made in writing and signed by the parties hereto.

Permittee will not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex, sexual orientation, age national origin or physical handicaps. Permittee agrees to comply with the terms and conditions contained herein and all rules and regulation of the City subject to this permit.

Applicant Signature: _____

Date: 11-10-21



**SEASIDE
CALIFORNIA**

Special Event Application

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

2022
[Signature]

INDEMNIFICATION, DEFENSE, HOLD HARMLESS

Applications must furnish the city with a certificate of insurance in an amount no less than \$1 million naming the City of Seaside as an additional insured. The amount of insurance is subject to increase at the discretion of the Finance Director who is the Risk Manager, depending upon the nature of the event. Such insurance must be primary to any city insurance and the city must have at least ten days' notice of cancellation.

For final event approval, you will need commercial general liability insurance that names "the City of Seaside, its officers, employees and agents" as an additional insured and any other public entities impacted by this event. Insurance coverage must be maintained for the duration of the event. To determine the amount of insurance coverage necessary, please contact Risk Manager. Please obtain the required insurance and mail an original insurance certificate to City of Seaside, Recreation and Community Activities Department, 986 Hilby Ave., Seaside, CA 93955.

Insurance Agency: CLIFFORD + BRADFORD

Insurance Agent: MANDIE MAZER

Phone Number: 661 283 8100

Policy Number: 3EL0656

PERMIT HOLDER hereby agrees to protect, defend, indemnify and hold and save harmless **CITY**, its officers, and employees against any and all liability, claims, judgements, costs and demands, however caused, including those resulting from death or injury to **PERMIT HOLDER'S** employees and damage to **PERMIT HOLDER'S** property, arising directly or indirectly out of the obligations or operations herein undertaken by **PERMIT HOLDER**, including those arising from the passive concurrent negligence of **CITY** but save and except those which arise out of the active concurrent negligence, sole negligence, or the sole willful misconduct of **CITY**. **PERMIT HOLDER** will conduct all defense at its sole cost and expense. **CITY** shall be reimbursed by **PERMIT HOLDER** for all costs or attorney's fees incurred by **CITY** in enforcing this obligation.

Applicant Signature: *[Signature]*

Date: 11-10-21

(For Office Use Only)

Authorization

- ☐ Building _____
- ☐ Planning _____
- ☐ Police _____
- ☐ Fire _____
- ☐ Finance _____

- ☐ Recreation _____
- ☐ Redevelopment _____
- ☐ Public Works _____
- ☐ County Health _____

Comments: _____



TEMPORARY STREET CLOSURE POLICY

I. Purpose

- A. It is the policy of the City of Seaside to encourage neighborhood, business, and community activities that promote the health, welfare, safety, and harmony of its citizens. Temporary street closures for such activities will be authorized when those closures are not anticipated to cause harm to or be a significant disruption to the general public.
- B. The purpose of this policy to the define parameters under which requests for temporary street closures for community and special events will be considered and processed. Except as otherwise provided by law, it shall be unlawful to close any public street unless a Street Closing Permit has been issued by the City of Seaside in accordance with this policy.

II. Scope

This policy applies to all roads and streets in the City of Seaside road system.

- A. City Manager's Administrative Approval: The City Manager, with recommendation of City staff, is authorized to approve:
 - 1. City sponsored events and community events that occur on an annual or routine basis, and have been previously approved by the City Council (i.e., Hot Cars Cool Nights, Red White and Blues, Farmer's Market, Fire Department Open House, etc.); and
 - 2. Closures lasting for eight hours or less where the majority of residents / businesses within 500 feet of the proposed closure support the closure (i.e. a neighborhood block party).
- B. City Council Approval: City Council approval is required for:
 - 1. Special events of a non-routine nature;
 - 2. Events lasting longer than eight hours; and
 - 3. Requests for closure of traffic arteries or streets with a speed limit that exceeds 30 miles per hour.

III. Policy Criteria

- A. Disposition of Temporary Street Closure Requests is administrative in nature under the authority of the City Manager and the Seaside City Council.
- B. A notice of application for street closure must be distributed to residents and business affected by the potential closure sample form attached.
- C. Fire hydrants on the specified street closure shall not be obstructed by vehicles, temporary structures, tents or other obstacles that impede the fire departments ability to access the hydrant in the event of an emergency. A minimum of 20-foot unobstructed path must be maintained for emergency vehicle access to the street if the event is not a complete, hard closure. If the event plans on having a hard closure, both the fire and police departments must be made aware of the closure in advance so alternative routes of response can be planned. An Emergency Access plan must be submitted and approved by the Fire Department and Police Department.



- D. The applicant shall conduct all activities in such a manner that the health and safety of the public are not negatively impacted.
- E. Promptly following the conclusion of the event, the applicant shall clean the right-of-way equivalent to its condition prior to the temporary closure.
- F. Approval of the request is subject to other conditions that may be specified by the City Manager or City Council.
- G. Conditions considered for all street closures include (but are not limited to):
 - 1. Impact of the proposed closure on residents, occupants, or businesses.
 - 2. Impact of the proposed closure on the accessibility of emergency vehicles into the closure areas.
 - 3. Impact of the proposed closure on vehicular traffic such as circulation, site lines, traffic movement, and availability of alternate routes for traffic.
 - 4. Potential interference with commercial and business activities in the immediate vicinity.
 - 5. Conditions existing within the surrounding area that, when occurring in conjunction with a street closure, might create a hardship or an unnecessary inconvenience to the public or persons residing in the area.
- H. The applicant is responsible for all costs associated with establishing, running, or maintaining the closure, including reimbursing the City for any costs associated with the closure, unless a fee waiver is approved by the City Council.
- I. The proposed street closure must be compatible with the neighborhood / commercial area of the requested street or road.
- J. The location must be large enough for the anticipated the crowd capacity as determined by the City's Police Chief, Fire Chief, City Engineer, and Risk Manager.
- K. The temporary street closure shall be for a period less than eight (8) hours, including any set up time and breakdown time, unless approved by City Council.
- L. The City of Seaside maintains the right to cancel approval of the street closure at any time.
- M. The City reserves the right to limit the number of street closures in particular areas in order to limit disruption to residents and businesses.
- N. The City Manager will maintain and update the application and other forms to support this policy.

IV. Application Procedure

- A. The applicant shall submit a Seaside Application for Temporary Street Closing Permit at least 90 days prior to the date of the proposed street closure. Applications submitted less than 90 days cannot be guaranteed a response for approval or denial.
- B. A site map must be included with the application detailing a 20-foot emergency vehicle access lane through closure, or alternative emergency vehicle access in accordance with an approved Emergency Access Plan.



- C. All applicable documents shall be attached to the Application for Temporary Street Closing Permit (consult with City staff to determine which documents are required):
 - 1. Special Event Application;
 - 2. Detailed site map;
 - 3. Traffic control plan;
 - 4. Emergency Access Plan;
 - 5. Temporary detour plan;
 - 6. Petition with signatures of affected residents / businesses; and
 - 7. Proof of insurance.
- D. Incomplete applications will be denied.
- E. The City's Police Chief, Fire Chief, City Engineer, and Risk Manager will review application materials and make recommendations regarding the closure to the City Manager and/or City Council.
- F. In the event an application is denied by the City Manager, the applicant may appeal to the City Council.

V. Road Closure / Barricade Equipment:

- A. Barricade equipment is required and can be provided by the City. City Staff will contact the Maintenance & Utilities Superintendent to schedule the delivery of the barricade equipment.
- B. Barricades will be delivered by the Maintenance & Utilities Division the last working day before the event and will be picked up the first working day after the event.
- C. Depending on the proposed closure, the City may require City staff or a bonded and insured traffic control company to be responsible for opening and closing the roadway.

VI. Public Notification

- A. At the applicant's expense, and prior to approval of the potential closure, the City will notify all residents/tenants directly affected by the street closure and provide them with the means to comment on the proposed closure.
- B. At a minimum, notices will be distributed to all who live or own/manage businesses within a 500-foot radius of the event location.
- C. The applicant may submit a petition demonstrating support of the affected residences / businesses which may be accepted in lieu of the City's noticing process. Upon request, the City will provide the applicant of a list of businesses and residences within the 500-foot radius.



VII. Fees and Charges

- A. The applicant will be responsible for all applicable fees and costs associated with the street closure, including but not limited to:
 - 1. Public Noticing;
 - 2. Use of City barricades;
 - 3. Staff time to shut down and reopen the street;
 - 4. Permit fee as established by the City Council in the adopted fee schedule;
 - 5. Cost of any required traffic plans and Emergency Access Plans; and
 - 6. Police, Fire, and other staff time as deemed necessary by the City
- B. The City Council may waive the fees associated with street closures.

VIII. Additional Event Requirements

- A. No stakes or penetrations may be made through the street surface.
- B. No disposal of anything in storm sewers.
- C. Any marking on the street can be done in chalk or washable material. No paint or permanent markings can be used.
- D. No loud speaker system shall be used which is audible beyond the designated event location. Event organizers and guests shall be in compliance with public peace statutes and ordinances.
- E. Alcoholic beverages are prohibited on City streets or public right of way unless the applicant has obtained a permit from the City. Proof of ABC license must be submitted to the City prior to the event in accordance with the Special event application.
- F. If alcoholic beverages are dispensed, event organizers may be subject to criminal penalties if under-aged persons are consuming or possessing such beverages.

IX. Damages & Insurance

- A. Any person or persons to whom a Street Closing Permit has been issued shall be liable for any loss or damage to any City of Seaside property arising out of the issuance or exercise of said permit.
- B. As a condition to the issuance of any Street Closing Permit, the permittee or permittees may be required to provide insurance to indemnify the City from any and all damages and costs of litigation arising out of the issuance and use of such permit.
- C. As a condition to the issuance of any Street Closing Permit, the City may require the permittee to indemnify and hold the City harmless from any claims for damages arising out of the street closing.



February 2022

STREET CLOSURE NOTIFICATION (SAMPLE)

Notice Application for Street Closure	
This notice serves as notification that a request for street closure has been submitted to the City of Seaside and includes a request to close a portion of: (insert street)	
Noticing Date:	
Name of Applicant: <u>Harlan G McGinnis / Gold Coast Reds, Inc.</u>	
Name of the Event / Purpose of Closure: <u>Hot Cars - Cool Nights Car Show</u>	
Date of Closure: <u>June 24, July 29, August 26, + September 30 2022</u>	
Start Time of Closure: <u>3:00 PM</u>	End Time of Closure: <u>8:00 PM</u>
Streets to be closed:	
A: <u>Broadway Ave</u> from to <u>Calaveras to Contra Costa</u>	
B: _____ from to _____	
C: _____ from to _____	
Map of Closure:	
Map of Street Closure:	
To provide input on this application:	
Provide written comment to city clerk@ci.seaside.ca.us . Include the following in the subject line "Public comment item # (insert the agenda item number relevance to your comment). Written comments must be received by 3pm of the day of the meeting	
Provide public comment in person at the meeting.	
Meeting Date/Time: <u>April 7, 2022 5:00PM</u>	Meeting Information:



February 2022

TEMPORARY STREET CLOSURE APPLICATION

Applicant Information	
Name of Applicant: <u>Gold Coast Rods, Inc</u>	Date: <u>3-10-2022</u>
Mailing Address: <u>P.O. Box 2672</u>	City/ State: <u>Monterey, CA 93940</u>
Email: <u>mgeez65@aol.com</u>	Phone: <u>831-601-5436</u>

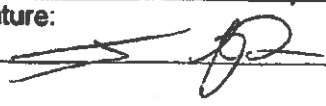
Street Closure Details	
Name of the Event / Purpose of Closure: <u>Hot Cars - Cool Nights / parking of classic show cars</u>	
General Description: <u>We would like to park our show cars on the street and close the street for pedestrian access.</u>	
Event Start and End Time: <u>3:00 PM - 8:00 PM</u>	Estimated number of people in attendance: <u>200 - 300 people</u>
Date of Event: <u>June 24, July 29, August 26, & Sept. 30, 2022</u>	Total Number of streets to be closed:
Will alcohol be served?	Will the event include live or amplified music? <u>yes amplified</u>
Streets to be closed (please attach a detailed site map of closure location):	
A: <u>Broadway</u> from to <u>Calaveras to Contra Costa</u>	
B: _____ from to _____	
C: _____ from to _____	
Street close time: <u>2:00 PM</u>	Street opening time: <u>8:00 PM</u>
Supplementary questions	Yes No
Will vehicles be allowed inside the closure?	<u>X</u>
If yes, please explain why and provide their locations: <u>display classic and special interest vehicles parked on street</u>	
Are you planning to hire a security company for the planned closure?	<u>X</u>
If yes, provide the Company name, phone number, name of Supervisor, and locations for where security will be placed:	
I certify that the information provided in the application is true and correct to the best of my knowledge.	
Applicant Signature: <u>Harlan J. M. Schmitt</u> <u>President Gold Coast Rods, Inc</u>	Date: <u>3-10-2022</u>



February 2022

For Official Use Only

Engineering / Public Works Department		
Application Review Questions	Yes	No
Has the traffic control plan been submitted?		
Is the traffic control plan approved?		
Per the approved traffic control plan, is security being required for traffic control?		
Is the street closure application approved by the Engineering / Public Works Dept?		
If no, what is the reason for denial:		
Is the street closure approved with conditions?		
If yes, what are the approval conditions?		
Name of Dept. Head:	Title:	
Signature:		

Police Department		
Application Review Questions	Yes	No
Based on the information provided, does the applicant need to have Security assigned to assist traffic around the street closure?		X
If yes, please identify the areas where security is required:		
Is the street closure application approved by the Police Dept?	X	
If no, what is the reason for denial:		
Is the street closure approved with conditions?		X
If yes, what are the approval conditions?		
Name of Dept. Head: <u>JUSTIN PASQUIN</u>	Title: <u>ACTING COMMANDER</u>	
Signature: 		



Gold Coast Rods
Broadway
Cabrera to Contra Costa

February 2022

Fire Department		
Application Review Questions	Yes	No
Does the site plan show obstructions on the road way?		X mg
Does the site plan does provide for a 20' wide fire lane for emergency vehicle access?	UNKNOWN	
Is the street closure application approved by the Fire Dept?	X mg	
If no, what is the reason for denial: _____		
Is the street closure approved with conditions?	_____	
If yes, what are the approval conditions? _____		
Name of Dept. Head: <u>MARY Gutierrez</u>	Title: <u>Fire Chief</u>	
Signature: <u>[Signature]</u> <u>3/25/22</u>		
Risk Management		
Application Review Questions	Yes	No
Does the proposed street closure meet the requirements of this policy with respect to size, compatibility, etc.?		
If required, has the applicant submitted Liability Insurance?		
Is the street closure application approved by Risk Management?		
If no, what is the reason for denial: _____		
Is the street closure approved with conditions?		
If yes, what are the approval conditions? _____		
Name of Dept. Head:	Title:	
Signature:		

Status of Application

The street closure request is: APPROVED _____ DENIED _____ DATE: _____

City Manager's Signature / Date: _____

If applicable, scheduled for City Council consideration on: _____



February 2022

Fire Department		
Application Review Questions	Yes	No
Does the site plan show obstructions on the road way?		
Does the site plan does provide for a 20' wide fire lane for emergency vehicle access?		
Is the street closure application approved by the Fire Dept?		
If no, what is the reason for denial:		
Is the street closure approved with conditions?		
If yes, what are the approval conditions?		
Name of Dept. Head:	Title:	
Signature:		
Risk Management		
Application Review Questions	Yes	No
Does the proposed street closure meet the requirements of this policy with respect to size, compatibility, etc.?	✓	
If required, has the applicant submitted Liability Insurance?	✓	
Is the street closure application approved by Risk Management?	yes	
If no, what is the reason for denial:		
Is the street closure approved with conditions?	yes	
If yes, what are the approval conditions?	notification of business	
Name of Dept. Head:	Title:	
R. Deatherouse	Acting CM	
Signature:		

Status of Application

The street closure request is: APPROVED ✓ DENIED DATE: _____City Manager's Signature / Date: R. Deatherouse 5/24/2022

If applicable, scheduled for City Council consideration on: _____



COMMERCIAL GENERAL LIABILITY
POLICY NUMBER: 3AA468281

EVANSTON INSURANCE COMPANY
THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM
LIQUOR LIABILITY COVERAGE FORM
OWNERS AND CONTRACTORS PROTECTIVE LIABILITY COVERAGE FORM
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE FORM

SCHEDULE

Person Or Entity:	City of Seaside
Address:	440 Harcourt Ave., Seaside, CA 93955
Interest Of The Above:	Where Event Takes Place
Additional Premium:	\$100 (Check box if fully earned ☒)

Please refer to each Coverage Form to determine which terms are defined. Words shown in quotations on this endorsement may or may not be defined in all Coverage Forms.

- A.** Who Is An Insured is amended to include as an additional insured the Person or Entity shown in the Schedule of this endorsement, but only with respect to "bodily injury", "property damage" (including "bodily injury" and "property damage" included in the "products-completed operations hazard"), and "personal and advertising injury" caused, in whole or in part, by the negligent acts or omissions of the Named Insured and only with respect to any coverage not otherwise excluded in the policy.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

Our agreement to accept an additional insured provision in a contract or agreement is not an acceptance of any other provisions of such contract or agreement or the contract or agreement in total.

When coverage does not apply for the Named Insured, no coverage or defense will apply for the additional insured.

No coverage applies to the additional insured shown in the Schedule of this endorsement for injury or damage of any type to any "employee" of the Named Insured or to any obligation of the additional insured to indemnify another because of damages arising out of such injury or damage.

- B.** With respect to the insurance afforded to this additional insured, the following is added to limits of insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable limits of insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable limits of insurance shown in the Declarations.

All other terms and conditions remain unchanged.



CITY OF SEASIDE STAFF REPORT

Item No.: 8.I.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Roberta Greathouse, Human Resources Director/Risk Manager

DATE: April 7, 2022

SUBJECT: ADOPT A RESOLUTION CREATING THE CLASSIFICATION OF RISK MANAGEMENT TECHNICIAN AND FINANCIAL ANALYST AND MODIFYING THE POSITION ALLOCATION LIST TO REFLECT THE MID-YEAR BUDGET ADJUSTMENTS

RECOMMENDATION

Adopt a resolution authorizing the creation of the Financial Analyst and Risk Management Technician and modifying the Position Allocation List to reflect the Mid-Year Budget adjustments.

BACKGROUND

On March 15, 2022, the City Council received the Mid-Year Budget report for Fiscal Year 2021-2022. In that report, staff recommended the addition of several positions which were approved by the City Council. As these positions are not currently on the City's position list, staff requests the Council add the positions to the position list and establish the salary and benefits for the positions. In addition, it is requested the City Council approve the updated Position Allocation List that reflects the Mid-Year Budget Adjustments.

The Risk Management Technician will be added to the Human Resources / Risk Management Department and will perform technical work in the area of workers' compensation, safety, and claims management. The position will be hourly and represented by the Seaside City Employees' Association and will be paid \$36.68 per hour, which is equivalent to a Human Resources Specialist.

The Financial Analyst will be added to the Finance Department and will perform accounting and grant management work. This position will be exempt from the provisions of the FLSA and represented by the Seaside Managers and Supervisory

Employees' Association and will be paid \$86,351.20 per year, which is equivalent to Accountant I.

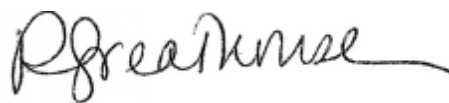
FISCAL IMPACT

These additional positions have been incorporated into the Fiscal Year 2021-2022 Budget.

ATTACHMENTS

1. Resolution
 2. Risk Management Technician Job Description
 3. Financial Analyst Job Description
 4. Position Control List FY2022-23
-

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. 22-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE CREATING THE CLASSIFICATION OF RISK MANAGEMENT TECHNICIAN AND FINANCIAL ANALYST AND MODIFYING THE POSITION ALLOCATION LIST TO REFLECT MID-YEAR BUDGET ADJUSTMENTS

WHEREAS, the full-time Classification Plan may be amended upon recommendation of the City Manager and approval by the City Council; and

WHEREAS, in order to provide greater efficiency in the operation of the City and enhance service levels, certain job classifications have been prepared; and

WHEREAS, there is a need to create the classification of Risk Management Technician in the Human Resources / Risk Management Department; and

WHEREAS, the Risk Management Technician will be assigned to the Seaside City Employees' bargaining unit and paid a top step hourly rate of \$36.68, which is equivalent to Human Resources Specialist; and

WHEREAS, there is a need to create the classification of Financial Analyst in the Finance Department; and

WHEREAS, the Financial Analyst will be assigned to the Seaside Managers and Supervisory Employees' bargaining unit and paid a top step annual salary of \$86,351.20, which is equivalent to Accountant I; and

WHEREAS, the addition of these positions will enhance the City's services and will provide valuable support to the community; and

WHEREAS, the Position Allocation List will be modified as attached to reflect all staffing changes approved by the City Council at the March 15, 2022, City Council meeting.

WHEREAS, the Finance Department is authorized to make any budget adjustments that are necessary as a result of this change.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside hereby approves the new positions and modifying the Position Allocation List as proposed.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 7th day of April 2022, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

ATTEST:

Ian N. Oglesby, Mayor
City of Seaside

Dominique Davis, City Clerk

RISK MANAGEMENT TECHNICIAN

DEFINITION

Under general supervision, performs complex and varied technical, professional, and confidential work required to administer risk management programs, including workplace safety, workers' compensation support, ergonomics review, general liability claims support, risk transfer, loss prevention, and other related programs; performs research and analysis; provides consulting services to City departments related to all aspects of risk management programs and activities; performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from the Human Resources Director / Risk Manager. May provide technical and function direction to lower staff.

CLASS CHARACTERISTICS

This is an experienced-level class in the Human Resources / Risk Management Department responsible for performing technical work in the following areas: safety / loss control, training, workers' compensation, general liability claims and other risk management programs, and assisting with ensuring conformance to rules and regulations; interpreting and explaining policies and procedures to public and employees; and performing a variety of record-keeping, administrative, and technical support activities.

Positions at this level receive only occasional instruction or assistance as new or unusual situations arise and are fully aware of the operating procedures and policies of the work unit. Successful performance of the work requires the frequent use of tact, discretion, and independent judgment, knowledge of departmental and City activities, and extensive staff, public, and organizational contact.

EXAMPLES OF TYPICAL FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Assist in the administration of the City's workers' compensation program.
- Support the administration of the Return to Work program.
- Assist employees in resolving issues related to workers' compensation, safety, and health.
- Receive, review, and process reports of occupational illness and injury for completeness and accuracy.
- Prepare materials for and attend the City monthly safety committee meetings.

- Coordinate and assist departments in conducting inspections of City operations and facilities to determine compliance with Federal, State, and local safety regulations, including Occupational Health & Safety Administration reviews and ergonomic evaluations of workstations; and recommend changes to preclude injuries.
- Participate in the development and administration of workers' compensation and liability program budgets.
- Accept and tender general liability claims to the City's claim administrator; provide documentation and other requested information.
- Research reported incidents by City staff and the public.
- Review insurance requirements and hold harmless language for contracts and permits to comply with City liability limits requirements.
- Assist with completion of annual insurance applications and other reports.
- Manage loss recoveries; coordinate with city departments and outside entities to recover city property damage losses.
- Maintain confidentiality of work-related issues and City information.
- Provides technical and administrative support to the Risk Manager.
- Calculate statistical information for and prepares annual OSHA and other reports as required.
- Plan, participate in, conduct, and evaluate special projects and studies requiring coordination of activities across departmental and functional lines.
- Assist citizens and City staff by responding to inquiries using independent judgment, discretion, and tact.
- Schedule, track, and coordinate Citywide safety and other employee training programs.
- Other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Policies, procedures, practices, and methods related to workers' compensation and liability claim processing and administration.
- Applicable Federal, State, and local laws, codes, regulations, and departmental policies, technical processes, and procedures.
- Record keeping principles and procedures.
- Modern office practices, methods, and computer equipment and applications related to the work.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.
- Laws, rules, regulations and codes relating to workers' compensation
- Public agency liability requirements
- Research methods and techniques
- Basic mathematical calculations and statistics and statistical methods
- Principles and practices of administration and Risk Management including, but not limited to, claims, legislation, public information, budget, grants, and personnel.

- English usage, spelling, punctuation and grammar; and basic mathematical calculations.
- Computer software, including word processing, database, spreadsheet and accounting applications.

Ability to:

- Use independent judgement in the exercise of daily responsibilities
- Maintain detailed and accurate records
- Perform independent research in carrying out administrative and technical duties
- Collect, compile, analyze and present a variety of data in a meaningful way
- Develop and implement various data collection, reporting and filing systems
- Understand, interpret and apply complex rules, regulations, and codes
- Communicate clearly and concisely, both orally and in writing
- Maintain confidentiality
- Organize work and meet deadlines while working independently.
- Review budget submissions and revisions for mathematical and accounting accuracy.
- Obtain information through interviews, handle multiple project assignments, and deal with the public professionally.
- Communicate clearly and concisely, both orally and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

Any combination of training and experience that would provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required qualifications would be:

Equivalent to an Associate of Arts degree in human resources management, business or public administration, or a related field, and two (2) years of technical human resources support experience in a public agency setting.

Licenses and Certifications:

Must possess a valid California Driver's License upon time of appointment and be insurable with the City's standard insurance rate, unless otherwise approved by appointing authority.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; to visit various City and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although standing and walking between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard, typewriter keyboard, or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel,

reach, push, and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 25 pounds with the use of proper equipment.

ENVIRONMENTAL ELEMENTS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

Condition of Employment

The City of Seaside requires all employees to provide written proof of vaccination. Those employees with sincerely held religious beliefs or valid medical reasons as determined by the City will be exempt from vaccination requirements.

FINANCIAL ANALYST

Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job. In addition, specifications are intended to outline the minimum qualifications necessary for entry into the class and do not necessarily convey the qualification of incumbents within the position.

DEFINITION

Under general direction of the Assistant Finance Director, provides financial, administrative and analytical support specifically relating to, but not limited to, grants, contracts, program administration and special projects.

DISTINGUISHING CHARACTERISTICS

The Financial Analyst works under minimal direction within a framework of general guidelines, goals and objectives. This class performs complex analytical work requiring a full understanding of accounting, financial and fiscal concepts and procedures.

ESSENTIAL FUNCTIONS STATEMENTS

The following tasks are typical for positions in this classification. Any single position may not perform all of these tasks and/or may perform similar related tasks not listed here:

- Responsible for financial administration and/or coordination of grants, contracts and special programs/projects.
- Compiles financial data and prepares reports relating to grants, contracts, and programs and year-end financial reports.
- Reconcile subsidiary grant accounting ledgers to the City general ledger.
- Prepares financial reports and documentation for annual external audit.
- Conducts internal financial and operational audits.
- Support development and implementation of policy and procedures for tracking grant expenditures.
- Evaluate and prepare comprehensive reports and recommendations for improved departmental operations, service systems and organizational methods.
- Establishes standards for the use of automated data processing applications, including databases.
- Grant budget development and forecasting.

- Interpret, analyze and prepare recommendations in relation to proposals for new programs, grants, and contracts.
- Prepare surveys, reports, and costing in support of labor negotiations; monitor compliance with applicable contractual agreements; prepares bids and specifications.
- Provide technical and substantive direction to staff on financial matters.
- Manage and coordinate non-routine projects as assigned.
- Writes letters, memoranda and reports.
- Perform other duties as assigned.

KNOWLEDGE AND ABILITIES

Knowledge of

- Principles and practices of City organization, management and grant/contract administration.
- General principles and practices of municipal government accounting and administration.
- Research techniques, analytical practices and statistical methods.
- Bid solicitation and proposal process.
- Laws, ordinances and regulations affecting financial operations of a municipality.
- Computer applications, including spreadsheet, database, word processing and presentation software.

Ability to

- Evaluate complex financial and operational management issues and develop solutions.
- Prepare clear and comprehensive financial analysis and reports.
- Conduct financial and operational audits and propose measures to increase efficiency and effectiveness.
- Use data processing applications to complete and analyze data and present information and reports.
- Interpret and apply Federal, State, local, and grant/contract policies, procedures, laws, and regulations.
- Work cooperatively with the public, management, and employees.
- Organize work, set priorities, meet deadlines, and complete assignments with minimal supervision.
- Provide technical and substantive direction to other staff members on financial matters.
- Communicate effectively, both verbally and in writing.
- Use computer based information systems.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

EDUCATION AND EXPERIENCE

Any combination of training and experience that is likely to provide the required knowledge and abilities would be acceptable for employment. A typical background would be:

Education

Equivalent to graduation from an accredited four year college or university with a degree in Finance, Business Administration, Economics, Accounting, or a related field.

Experience

Three years of increasingly responsible administrative or analytical experience in public finance including at least one year in a management or supervisory capacity.

SPECIAL REQUIREMENTS

Possession of a valid California Motor Vehicle Operator's license.

WORKING CONDITIONS

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although standing and walking between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information.

ENVIRONMENTAL ELEMENTS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances.

Condition of Employment

The City of Seaside requires all employees to provide written proof of vaccination. Those employees with sincerely held religious beliefs or valid medical reasons as determined by the City will be exempt from vaccination requirements.

CITY OF SEASIDE
FULL-TIME POSITION LIST (All Positions)
DRAFT Fiscal Year 2022-2023

	<u>2016-2017</u>	<u>2017-2018</u>	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>
<u>JOB TITLE</u>	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS
OFFICE OF THE CITY MANAGER							
CITY MANAGER	1	1	1	1	1	1	1
ASSISTANT CITY MANAGER	-	-	-	1	1	1	1
ASSISTANT TO THE CITY MANAGER - ECONOMIC DEVELOPMENT	2	2	-	-	-	1	-
COMMUNICATIONS AND PUBLIC ENGAGEMENT COORDINATOR	-	-	-	-	-	1	1
EXECUTIVE ASSISTANT	1	1	1	1	-	-	1
SUB TOTAL	4	4	2	3	2	4	4
CITY CLERK							
PUBLIC AFFAIRS OFFICER / CITY CLERK	-	1	1	-	-	-	-
CITY CLERK	1	-	-	-	1	1	1
ADMINISTRATIVE ASSISTANT	-	-	-	1	-	-	-
SUB TOTAL	-	1	1	1	1	1	1
TOTAL CITY MANAGER	4	5	3	4	3	5	5
CITY ATTORNEY							
CITY ATTORNEY	1	1	1	1	1	1	1
LEGAL ASSISTANT (UNCLASSIFIED)	-	-	-	-	-	1	1
ASSISTANT CITY ATTORNEY	-	-	1	-	-	-	-
TOTAL CITY ATTORNEY	-	-	2	1	1	2	2
FINANCE DEPARTMENT							
DEPUTY CITY MANAGER - ADMINISTRATIVE SERVICES	1	1	-	-	-	-	-
FINANCE DIRECTOR	-	-	1	1	1	1	1
FINANCE DIVISION							
ASST FINANCE DIRECTOR	1	1	1	1	1	1	1
ACCOUNTANT II	1	1	2	2	1	1	1
FINANCIAL ANALYST	-	-	-	-	-	-	1
PAYROLL TECHNICIAN	1	1	1	1	1	1	1
ACCOUNTING TECHNICIAN	1	2	2	2	2	2	2
SUB TOTAL	4	5	6	6	5	5	6
MANAGEMENT INFORMATION SYSTEMS							
INFORMATION SVCS MGR	1	1	1	1	1	1	1
INFORMATION SVCS SPECIALIST	-	-	1	1	-	-	-
INFORMATION SVCS TECHNICIAN	-	1	-	-	1	1	1
GEOGRAPHICAL INFORMATION SYSTEMS COORD.	-	-	1	1	-	-	-
SUB TOTAL	1	2	3	3	2	2	2
TOTAL FINANCE DEPARTMENT	6	8	10	10	8	8	9

		<u>2016-2017</u>	<u>2017-2018</u>	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>
	<u>JOB TITLE</u>	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS
	HUMAN RESOURCES DEPARTMENT							
	HUMAN RESOURCES DIRECTOR / RISK MANAGER	1	1	1	1	1	1	1
	HUMAN RESOURCES ANALYST	-	-	-	-	-	1	1
	ADMINISTRATIVE ANALYST (Shared with PD and Fire)	-	-	-	-	1	1	1
	HUMAN RESOURCES SPECIALIST	1	2	2	2	1	-	-
	RISK MANAGEMENT TECHNICIAN	-	-	-	-	-	-	1
	SENIOR ADMINISTRATIVE ASSISTANT	-	-	-	-	-	-	1
	ADMINISTRATIVE ASSISTANT	-	-	-	-	-	1	1
	TOTAL HUMAN RESOURCES	2	3	3	3	3	4	6
	POLICE DEPARTMENT							
	CHIEF OF POLICE	1	1	1	1	1	1	1
	ADMINISTRATIVE ANALYST	1	-	-	-	-	1	1
	SENIOR ADMINISTRATIVE ASSISTANT - POLICE	1	1	1	1	1	1	1
	DEPUTY CHIEF	1	1	2	2	2	1	1
	COMMANDER	2	2	-	-	-	2	2
	POLICE SERGEANT	6	7	7	7	4	5	5
	POLICE CORPORAL	5	4	4	4	2	2	2
	POLICE OFFICER	25	27	28	28	23	23	23
	VEHICLE ABATEMENT OFFICER	1	1	1	1	1	1	1
	PARKING COMPLIANCE SPECIALST	-	-	-	-	-	2	2
	ANIMAL CARE SPECIALIST (Title Change 21-22)	1	1	1	1	1	1	1
	POLICE RECORDS SUPERVISOR	-	1	1	1	1	1	1
	POLICE RECORDS SPECIALIST	1	1	1	1	1	-	-
	COMMUNITY RESOURCES SPECIALIST (Title Change 21-22)	-	-	1	1	1	3	3
	POLICE RECORDS TECHNICIAN	4	4	4	4	4	5	5
	POLICE SERVICES SPECIALIST	1	2	2	2	2	2	2
	TOTAL POLICE	50	53	54	54	44	51	51
	FIRE DEPARTMENT							
	FIRE CHIEF	1	1	1	1	1	1	1
	ADMINISTRATIVE ASSISTANT	-	-	-	-	-	1	1
	SENIOR ADMINISTRATIVE ASSISTANT	-	1	1	1	-	-	-
	DIVISION CHIEF	3	3	3	3	3	3	3
	FIRE CAPTAIN	6	6	6	6	6	6	6
	FIRE ENGINEER	6	6	6	6	6	6	6
	FIREFIGHTER (+3 SAFER Grant 15/16)	9	9	11	11	10	10	10
	TOTAL FIRE ¹ over hire by 2 to be eliminated through attrition	25	26	28	28	26	27	27

	<u>2016-2017</u>	<u>2017-2018</u>	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>
<u>JOB TITLE</u>	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS
COMMUNITY, HOUSING, AND DEVELOPMENT DEPARTMENT							
ASSISTANT CITY MANAGER	-	-	1	1	1	1	1
ECONOMIC DEVELOPMENT AND COMMUNITY PLANNING MANAGER	-	-	-	-	-	-	1
HOUSING PROGRAMS MANAGER	-	-	1	1	1	1	1
ADMINISTRATIVE ASSISTANT (HOUSING)	-	-	-	-	-	1	1
ADMINISTRATIVE ANALYST II (ESCA) (20-21 position and classification change from unclassified)	-	-	-	-	2	2	2
ADMINISTRATIVE ANALYST II	-	1	1	1	1	1	2
ADMINISTRATIVE ANALYST	1	-	-	-	-	-	-
SENIOR PLANNER	1	1	1	1	-	1	1
ASSOCIATE PLANNER	1	2	2	2	2	1	1
ASSISTANT PLANNER	-	-	-	-	-	1	1
TOTAL COMMUNITY, HOUSING, AND ECONOMIC DEVELOPMENT DEPT	3	4	5	5	6	8	10
BUILDING DEPARTMENT							
CHIEF BUILDING OFFICIAL	-	-	1	1	1	1	1
BUILDING OFFICIAL	1	1	-	-	-	-	-
SENIOR ADMINISTRATIVE ASSISTANT (1 to be shared 40% with City Council)	1	1	1	1	3	3	3
BUILDING INSPECTOR	-	1	1	1	1	2	2
CODE COMPLIANCE COORDINATOR	-	-	-	-	-	1	1
CODE COMPLIANCE SPECIALIST (Title Change 21-22)	1	1	1	1	1	1	1
ADMINISTRATIVE ASSISTANT	-	-	-	-	-	-	1
TOTAL BUILDING	3	4	4	4	6	8	9
PUBLIC WORKS							
ENGINEERING / ADMIN							
PUBLIC WORKS DIRECTOR / CITY ENGINEER	-	-	1	1	1	1	1
PUBLIC WORKS SERVICES MANAGER / CITY ENGINEER	1	1	-	-	-	-	-
SENIOR ADMINISTRATIVE ASSISTANT	-	1	1	1	1	1	1
SENIOR CIVIL ENGINEER	-	1	1	1	1	2	2
ASSOCIATE CIVIL ENGINEER	-	1	1	1	1	2	2
ASSISTANT ENGINEER	2	1	1	1	1	1	1
JUNIOR ENGINEER	-	1	1	1	1	1	1
ADMINISTRATIVE ANALYST II	-	-	-	-	-	-	1
SUB TOTAL	3	6	6	6	6	8	9
MAINTENANCE							
MAINTENANCE AND UTILITIES SUPERINTENDENT	1	1	1	1	1	1	1
ADMINISTRATIVE ANALYST II	-	-	-	1	1	1	1
ACCOUNTING TECHNICIAN	-	1	1	-	-	-	-
ADMINISTRATIVE ASSISTANT	-	-	-	-	-	-	1
MAINTENANCE FIELD SUPERVISOR	1	1	1	1	-	-	1

		<u>2016-2017</u>	<u>2017-2018</u>	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>
<u>JOB TITLE</u>		NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS
	UTILITIES FIELD SUPERVISOR	-	1	1	1	1	1	1
	SENIOR MAINTENANCE & UTILITIES WORKER (*1)	-	4	4	4	4	4	4
	MAINTENANCE & UTILITIES WORKER III (*1)	-	3	3	3	2	3	3
	MAINTENANCE & UTILITIES WORKER II	-	1	1	1	3	3	6
	MAINTENANCE & UTILITIES WORKER I	-	-	-	-	-	-	-
	PUBLIC WORKS MAINTENANCE SPECIALIST	3	-	-	-	-	-	-
	PUBLIC WORKS MAINTENANCE WORKER I	1	-	-	-	-	-	-
	PUBLIC WORKS MAINTENANCE WORKER II	2	-	-	-	-	-	-
	BUILDING MAINTENANCE SPECIALIST	3	4	4	4	3	3	4
	CUSTODIAN	1	-	-	-	-	-	1
	ELECTRICIAN	1	1	1	1	1	1	1
	STREET SWEEPER OPERATOR	1	1	1	1	1	1	1
	SUB TOTAL	14	18	18	18	17	18	25
WATER								
	SENIOR MAINTENANCE & UTILITIES WORKER*	1	1	1	1	1	1	1
	MAINTENANCE & UTILITIES WORKER III*	-	1	1	1	1	1	1
	MAINTENANCE & UTILITIES WORKER II	-	1	1	1	-	-	-
	WATER SYSTEMS WORKER I	1	-	-	-	-	-	-
	SUB TOTAL	2	3	3	3	2	2	2
PARKS								
	SENIOR MAINTENANCE & UTILITIES WORKER	-	1	1	1	1	1	1
	MAINTENANCE & UTILITIES WORKER III	-	2	2	2	-	1	1
	MAINTENANCE & UTILITIES WORKER II	-	5	5	5	3	6	6
	PARKS MAINTENANCE CREW CHIEF	1	-	-	-	-	-	-
	PARKS IRRIGATION SPECIALIST	1	1	1	1	1	1	1
	PARKS MAINTENANCE WORKER I	5	-	-	-	-	-	-
	PARKS MAINTENANCE WORKER II	1	-	-	-	-	-	-
	SUB TOTAL	8	9	9	9	5	9	9
VEHICLE MAINTENANCE								
	MECHANIC	2	2	2	2	2	2	2
	SUB TOTAL	2	2	2	2	2	2	2
	*currently being underfilled by a lower job class							
TOTAL PUBLIC WORKS		29	38	38	38	32	39	47
RECREATION & COMMUNITY SERVICES								
	RECREATION DIRECTOR	1	1	1	1	1	1	1
	RECREATION SUPERINTENDENT	1	1	1	-	-	-	-
	RECREATION PROGRAM COORDINATOR	1	1	1	-	-	-	2
	RECREATION PROGRAMS SUPERVISOR	-	-	-	2	1	2	1
	ADMINISTRATIVE ASSISTANT	-	-	-	-	-	-	1
	SENIOR FACILITY ATTENDANT	-	1	1	1	1	1	1
	YOUTH CENTER SUPERVISOR	1	1	1	-	-	-	1

	<u>2016-2017</u>	<u>2017-2018</u>	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>
<u>JOB TITLE</u>	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS	NUMBER OF POSITIONS
SUB TOTAL	4	5	5	4	3	4	7
YOUTH RESOURCE CENTER							
FAMILY AND COMMUNITY SUPPORT PRACTITIONER	-	-	-	-	1	1	1
YOUTH RESOURCE CENTER ACTIVITY COORDINATOR	1	1	1	1	1	1	1
FAMILY AND COMMUNITY SUPPORT TECHNICIAN	-	-	-	-	-	2	2
SUB TOTAL	1	1	1	1	2	4	4
TOTAL RECREATION	5	6	6	5	5	8	11
TOTAL ALLOCATED POSITIONS	127	147	153	152	134	160	177



CITY OF SEASIDE STAFF REPORT

Item No.: 8.J.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Dan Meewis, Recreation Director
Rosa Salcedo, Executive Assistant

DATE: April 7, 2022

**SUBJECT: ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF
CANYON DEL REY BOULEVARD FOR THE CITY OF SEASIDE'S
RED, WHITE, AND BLUES EVENT ON JULY 4, 2022**

RECOMMENDATION

Adopt a resolution authorizing the closure of Canyon Del Rey Boulevard for the City of Seaside's community event on July 4, 2022.

BACKGROUND

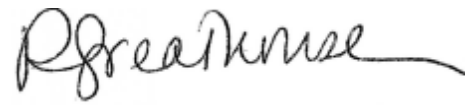
The City of Seaside will be holding the 4th Annual Red, White, and Blues Event on Monday, July 4, 2022, on the lawn at City Hall. This event will need to utilize Canyon Del Rey for the activities of the event. The closure of Canyon Del Rey will greatly enhance the event and will allow for greater safety for participants and staff. This year's event will feature live music, bounce houses, a variety of carnival games, local food and craft vendors, and other activities for families.

FISCAL IMPACT

ATTACHMENTS

1. Resolution
-

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.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**APPROVING THE CLOSURE OF HIGHWAY 218 (CANYON DEL REY),
HARCOURT AVENUE, ALLSTON STREET AND HILLSDALE AVENUE TO
THROUGH TRAFFIC ON JULY 4, 2022**

WHEREAS, the City of Seaside sponsors the Community Event "Red, White & Blues" on July 4, 2022, on the lawn at Seaside City Hall that is open to the public; and

WHEREAS, it is necessary to close Highway 218 (Canyon Del Rey), Harcourt Avenue, Hillsdale Street, and Allston Street to through traffic between the hours of 10:00 a.m. and 11:00 p.m. on July 4, 2022, to insure the safety of the public and staff; and

WHEREAS, the California Department of Transportation requires a City Council resolution approving closure of state highways and city roadways.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby approves the closure of Highway 218 (Canyon Del Rey) from Hilby Avenue to Sonoma Avenue; Harcourt Avenue from Canyon Del Rey to Hillsdale Street; Allston Street and Hillsdale Street at Harcourt Avenue, between the hours of 10:00 a.m. and 11:00 p.m. on July 4, 2022, 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 7th day of April 2022, by the following vote:

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

Ian Oglesby, Mayor

ATTEST:

Dominique L. Davis, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.A.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Beth Rocha, Senior Planner

DATE: April 7, 2022

SUBJECT: SECOND READING OF AN ORDINANCE REPEALING AND AMENDING CHAPTER 17.52, SECTION 17.52.230 (RESIDENTIAL SECOND UNITS) OF THE SEASIDE MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR ACCESSORY DWELLING UNITS. THIS PROJECT IS CATEGORICALLY EXEMPT SECTION 15061(B)(3) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (SECOND READING - ROLL CALL VOTE)

RECOMMENDATION

Pass and adopt an ordinance of the City of Seaside repealing and amending section 17.52.230 of the Seaside Municipal Code to establish an ordinance for Accessory Dwelling Units.

BACKGROUND

The City has an ordinance on residential second units, otherwise known as Accessory Dwelling Units (ADUs).

Due to a change in State law regarding ADUs and Junior Accessory Dwelling Units (JADUs), the City's current ordinance has been rendered invalid.

The California Legislature adopted a group of housing bills aimed at addressing the housing crisis. In adopting these new regulations, the State Legislature determined that housing is a matter of statewide concern, rather than a municipal affair.

As State ADU laws preempt local ordinances and cities must implement these laws with limited exceptions, Seaside's existing ordinance is unenforceable under State law. As a result, staff has been applying the state's requirements to all ADU applications.

Repealing and amending Section 17.52.230 of the Seaside Municipal Code, would bring the City's ordinance into compliance with State law, and allow the council to establish the criteria for the height and size of both attached and detached ADUs.

Public Hearings

On December 8, 2021, staff presented the draft ordinance for review and discussion to the Planning Commission.

At a meeting of the City Council on December 16, 2021, staff presented the draft ordinance for review and discussion. At issue was state ADU law or local regulation of ADUs and maintaining a built environment consistent with the needs of Seaside.

On January 12, 2022, the Planning Commission held a public hearing to review the draft ordinance (Chapter 17.52.230) and unanimously recommended approval of a resolution recommending the Council adopt the draft ordinance amendments in accordance with Seaside Municipal Code section 17.74.040.

On March 17, 2022, the City Council conducted a hearing regarding the introduction of the draft ordinance. The vote in favor of the Introduction was four (4) Ayes and one (1) Nay.

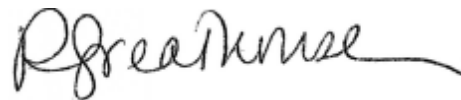
FISCAL IMPACT

None.

ATTACHMENTS

1. Attachment 1: ADU Draft Ordinance

Reviewed for Submission to the City Council by:



Roberta Greathouse, Acting City Manager

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SEASIDE REPEALING AND AMENDING
SECTION 17.52.230 OF THE SEASIDE MUNICIPAL CODE REGARDING
ACCESSORY DWELLING UNITS**

WHEREAS, Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) are a form of housing in the State of California and in the City of Seaside (City); and

WHEREAS, the City has regulated ADUs as “Residential Second units” since 1983 and historically as “Accessory Residential Units” as also set forth in the Seaside Municipal Code (SMC) Chapter 17.52.230; and

WHEREAS, the California State Legislature has brought forth several bills relating to the planning and permitting of ADUs and JADUs; and

WHEREAS, In October 2019, Governor Newsom signed into law Assembly Bill (AB) 881, and Senate Bill (SB) 13 amending California Government Code section 65852.2, related to ADUs; and

WHEREAS, the new laws took effect on January 1, 2020, and contain a clause providing that a local government’s ordinance that does not comply with all provisions of the State law shall become null and void; and

WHEREAS, the new standards will facilitate the development of ADUs and JADUs within the City, and are necessary for maintaining orderly growth and development patterns; and

WHEREAS, the City has determined that it is appropriate to repeal and reenact SMC Section 17.52.230 to comply with State law and to provide a more streamlined process for the development of ADUs and JADUs in an effort to provide additional affordable housing opportunities; and

WHEREAS, this Ordinance repeals and reenacts SMC Section 17.52.230, entitled “Residential Second Units”; and

WHEREAS, in the enactment of this Ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq.; and

WHEREAS, repeal and amendment of SMC Section 17.52.230 pertaining to ADUs is statutorily exempt from review under the California Environmental Quality Act (CEQA) per Section 15282(h) of the CEQA Guidelines as it implements Government Code Sections 65852.1 and 65852.2 as set forth in Section 21080.17 of the Public Resources Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEASIDE:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. Seaside Municipal Code Section 17.52.230 is hereby repealed, and amended to read as follows:

17.52.230 ~~Residential Second Units~~ Accessory Dwelling Units

Sections:

- A. Purpose and intent.
- B. Definitions.
- C. Locations permitted.
- D. Effect of nonconforming.
- E. ADU and JADU design standards.
- F. Legal use requirements.
- G. Off-street parking requirements.
- H. Processing.
- I. Contents of applications.

~~A. Applicability. Residential second units shall comply with the requirements of this section, where allowed by Article 2 (Zones, Permitted Land Uses, and Zoning Standards) and Government Code Section 65852.2. An application for a second unit that complies with the standards of this section shall be approved ministerially, without discretionary review or a public hearing.~~

A. Purpose and intent. The purpose of this Chapter is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22, as may be amended.

~~**B. Limitation on number of units.** No more than one second unit shall be approved on a single parcel.~~

B. Definitions. As used in this section, terms are defined as follows:

"Accessory dwelling unit" or "ADU" means an attached or a detached residential

dwelling unit located on a parcel with a proposed or existing primary residence or existing multifamily dwelling that provides a complete independent living facility containing separate kitchen, bath, sleeping, or living facilities. The term "attached accessory dwelling unit" means an accessory dwelling unit that is structurally attached to the main residence but which has independent, direct access from the exterior. The term "detached accessory dwelling unit" means an accessory dwelling unit that is not structurally attached to the main residence. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code, as may be amended; and
2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code, as may be amended.
3. "Accessory structure" means a building or structure that is incidental to that of the main building on the same parcel.

"Complete independent living facilities" means permanent provisions for cooking, eating, sleeping living, and sanitation on the same parcel as the single-family or multifamily dwelling is, or will be, situated.

"Efficiency kitchen" means a kitchen that includes each of the following:

1. A cooking facility with appliances. Appliances shall mean a range, or the combination of an oven and a cooktop with a minimum of two burners;
2. A sink that facilitates hot and cold water;
3. A food preparation counter or counters that are adequate for the size of the unit;
4. Food storage cabinets adequate for the size of the unit.

"Junior accessory dwelling unit" or "JADU" means a residential unit that:

1. Is no more than 500 square feet in size;
2. Is contained entirely within an existing or proposed single-family structure;
3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure; and
4. Includes an efficiency kitchen, as defined in this Chapter.

"Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any other accessory structure, other than ADUs and JADUs.

~~"Multi-family residential ADU" means an ADU designed for one family and allowed under Government Code Section 65852.2(e)(1)(C), as referenced in this chapter.~~

"Multi-family ADU" means:

- 1. ADUs established within the portions of multifamily structures not previously used as livable space, not exceeding 25 percent of the existing multifamily structures.***
- 2. Detached single family ADUs on a lot that has existing multifamily dwellings being subject to height limits of 16 feet and 4-foot rear and side yard setbacks.***

"Nonconforming zoning condition" means a physical improvement on a property that does not conform to current zoning standards.

"Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one exterior entrance of the ADU or JADU.

"Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

"Public transit" means a location, including, but not limited to, any fixed-route bus stop or other transit stop with transportation that runs on fixed routes, and is available to the public.

"Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a parcel, lined up behind one another.

"Tract housing" is a type of housing development in which multiple similar houses are built on a tract (area) that is subdivided into smaller lots."

~~**C. Minimum site area. A parcel proposed for a second unit shall be a minimum of**~~

~~6,000-square feet.~~

C. Locations Permitted. Accessory dwelling units are permitted on parcels of any size in conjunction with a proposed or existing residential use in any zone that allows residential uses.

D. Relationship to primary use.

~~1. **Size, style.** A second unit shall be incidental and subordinate to the primary single-family residential use of the site in terms of size, location, and appearance, and shall not alter the character of the primary structure. The architectural style, exterior materials, and colors of the second unit shall be compatible with the primary dwelling unit.~~

~~2. **Timing of construction.** A second unit may be constructed simultaneously with or after the primary dwelling. In addition, an existing dwelling that complies with the design standards for second units in Subsection E of this section may be considered a second unit, and a new primary unit may be constructed which would then be considered the primary dwelling unit.~~

D. Effect of Conforming. An ADU or JADU that conforms to the requirements in this section shall not be:

1. Deemed to be inconsistent with the General Plan and zoning designation for the parcel on which the ADU or JADU is located;
2. Deemed to exceed the allowable density for the parcel on which the ADU or JADU is located;
3. Considered in the application of any ordinance, policy, or program to limit residential growth; or
4. Required to correct a legally established nonconforming zoning condition. This does not prevent the City from enforcing compliance with applicable building standards in accordance with California Health and Safety Code Section 17980.12.

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E. ADU and JADU ~~Second unit~~ design standards. ~~A second unit~~ ADUs and JADUs shall comply with the following standards:

1. **Maximum Number.** Only one ADU and one JADU shall be allowed on each lot or parcel with a zoning designation of single-family residential. Multifamily ADUs shall

comply with Government Code Section 65852.2.

2. ~~1.1~~ Height limit. ~~A second unit shall be limited to 18 feet and one story. A second unit located over a garage may be allowed a maximum height of 22 feet with Minor Use Permit approval.~~

a. A detached ADU, accessory to a single-family dwelling, shall be limited to one story and shall not exceed a maximum overall height of sixteen feet (16') to the highest ridgeline.

b. An attached ADU, accessory to a single-family dwelling, shall have the same height limitations that apply to the main dwelling.

c. A detached ADU, accessory to a duplex or multifamily, shall be limited to one story and shall not exceed a maximum overall height of sixteen feet (16') to the highest ridgeline.

d. An attached ADU, accessory to a duplex or multifamily, shall be limited to a conversion of existing non-livable space and must maintain existing height.

e. An ADU located over a garage may be allowed to exceed the height limitations of sixteen feet (16') to a maximum height of twenty-two feet (22') with Minor Use Permit approval.

3. ~~2~~ Setbacks. ADUs and JADUs ~~An attached second unit~~ shall comply ~~with the setback requirements of the primary dwelling for the applicable zone. A detached second unit shall comply with the setback requirements of detached accessory structures under Subsection 17.52.220.E (Setback requirements). No second unit may be permitted above a detached garage unless the unit complies~~ with the following setback standards:

~~a. The second unit shall maintain a minimum 10-foot setback from a side and rear property line.~~

a. Site planning. A detached ADU shall be located behind the rear building line of the primary residence, and be clearly subordinate by location and size. ***This requirement shall not prevent the establishment of an ADU that***

would otherwise comply with all other provisions of this section.

- b. Rear and/or side setbacks. A minimum of four feet (4') shall be required.
- c. Building separation. A minimum building separation of six feet (6') shall be maintained (wall to wall) between the primary residence and a detached ADU.
- d. Fire-resistance. Exterior walls shall comply with the minimum fire-resistance ratings in relation to proximity to property lines, and building separation distance, as required by the California Building Code, and/or California Residential Code, in effect when a completed permit application has been submitted the City.
- e. Existing Garage. No setback shall be required for an existing, legal, attached or detached garage and/or other existing structure that is converted to an ADU or JADU.

4. ~~3.~~ Maximum floor area.

- a. The floor area of a ~~second unit~~ newly constructed detached ADU shall not exceed 800 square feet for a studio, or one-bedroom, and 1000 square feet for units with two bedrooms. No more than two bedrooms are allowed. In no case shall a detached ADU exceed 40 percent of the floor area of the living area of the primary dwelling. ~~, whichever is less. or less 40 percent of the floor area of the living area of the primary dwelling, whichever is less~~
- ~~b. For purposes of computing the floor area of a second unit that is detached from the primary unit, all enclosed areas accessed from within the second unit shall be included.~~
- b. The floor area of ~~a n~~ **newly constructed** attached ADU shall not exceed 800 square feet for a studio, or one-bedroom, and 1000 square feet for units with two bedrooms. No more than two bedrooms are allowed. In no case shall an attached ADU exceed 50% of the floor area of the proposed or existing single-family dwelling.

~~c. An on-site enclosed storage area, or garage of up to 400 square feet, shall not be included when calculating the floor area of the second unit; provided, that no internal doorway or passage connects the storage or garage and the second unit.~~

c. The floor area of a JADU shall be a maximum of 500 square feet, and shall be contained within a proposed, existing single-family dwelling, or converted garage, carport or patio.

d. The conversion of an existing detached accessory structure to an ADU shall not be subject to the floor area square footage requirements of this section, except that no such conversion shall exceed 1200 square feet.

e. The floor area for multifamily ADUs shall comply with Government Code Section 65852.2.

5. 4. Separate entrance required. ~~An attached second unit shall have an entrance separate from the entrance to the primary dwelling.~~ An ADU and JADU shall provide a separate exterior access from the existing primary residence. Entry doors cannot be on the same facade as the entry door of the primary residence, unless this requirement prevents creation of the accessory dwelling unit.

6. 5. Window placement. ~~A second unit that is placed 20 feet or less from a residential unit on the same parcel or an adjacent parcel shall not have windows that directly face windows in the other unit. A second unit that is two stories or located over a garage shall not have windows or balconies that directly face a neighboring yard. This limitation applies only to side yards, not to windows or balconies facing alleys.~~ Windows facing an adjoining residential property shall be designed to protect the privacy of neighbors; alternatively, fencing or landscaping may be required to provide screening.

~~6. Site coverage. Total site coverage by structures and impervious surfaces shall not exceed 50 percent of the net site area or the maximum coverage allowed by the applicable zone, whichever is less.~~ ***This requirement shall not prevent the establishment of an ADU that would otherwise comply with all other provisions of this section.***

7. Addressing. ADUs or JADUs constructed or established on the same parcel or lot as an existing or proposed single-family dwelling shall be distinguished by utilizing the same address numbers as the primary dwelling followed by the letter "B", then "C", and so forth. *This requirement shall not prevent the establishment of an ADU that would otherwise comply with all other provisions of this section.*

8. Exterior. ADUs or JADUs proposed in Master Planned Communities, areas regulated by Specific Plans, and any tract housing that obtained approval by the Board of Architectural Review shall substantially conform to the originally approved design elements, such as building materials, architectural style, roof pitch, height, scale, exterior colors and finishes. *This requirement shall not prevent the establishment of an ADU that would otherwise comply with all other provisions of this section.*

9. Vehicular Door. A garage converted to an accessory dwelling unit shall include removal of garage door(s), which shall be replaced with architectural features, including walls, doors, windows, trim, and accent details. *This requirement shall not prevent the establishment of an ADU that would otherwise comply with all other provisions of this section.*

10. Lighting Restrictions. Any lighting associated with an ADU or JADU shall be shielded or down-lit and shall not shine onto adjoining properties, while meeting the minimum building code. *This requirement shall not prevent the establishment of an ADU that would otherwise comply with all other provisions of this section.*

11. Landscaping. No less than 20 percent of the lot shall be landscaped. All areas of the site that are not utilized for buildings, patios, parking, pedestrian or vehicular access shall be landscaped and provided with a permanent irrigation system. The front yard shall be landscaped, exclusive of walkways and driveways. As site conditions allow, and concurrent with each newly established ADU or JADU, a minimum of one (1) tree of not less than (5) gallon size stock, shall be planted upon the same parcel or lot as the ADU or JADU. Upon request, the Zoning Administrator

shall provide property owners with a pre-approved list of acceptable tree species. The removal or loss of any tree in conjunction with an ADU or JADU shall be replaced with three (3) or more trees of the same species using at least (5) gallon size stock, as determined by the Zoning Administrator, and comply with the requirements of Chapter 8.54.040. ***All required yards and setback areas shall be attractively landscaped primarily with drought tolerant and native plant materials. This requirement shall not prevent the establishment of an ADU that would otherwise comply with all other provisions of this section.***

12. Private Open Space/Patios and Decks. Each ADU or JADU shall have a deck or a patio, directly adjoining individual units. The minimum private open space required for each unit shall be no less than 96 square feet with a minimum width of six feet (6') for a deck/patio and eight feet (8') for landscaped area. ***This requirement shall not prevent the establishment of an ADU that would otherwise comply with all other provisions of this section.***

F. Use requirements. ADUs and JADUs shall comply with the following:

1. Short-term rental prohibited. Any rental term of an ADU or JADU that was legally created on or after January 1, 2017 shall be longer than 30 days.
2. Sale of units. The accessory dwelling unit may not be sold separately from the existing single-family home or multifamily dwelling.
3. Driveway. A new driveway approach or curb cut, if needed, for an ADU or JADU, may require a separate encroachment permit from the Engineering Dept.

G. F. Off-street parking requirements. At least one off-street paved parking space shall be provided for an accessory dwelling unit, ***and may be located within the required interior side or rear property setback areas, or as tandem parking in compliance with Chapter 17.34 (Off-Street Parking),*** unless one or more of the following conditions apply:

~~in addition to the parking required for the primary dwelling by Chapter 17.34 (Parking and Loading). The parking space shall comply with the location and design requirements of Chapter 17.34, except that off-street parking spaces designated for~~

~~residential second units may be located within the required interior side or rear property setback areas or in a tandem parking configuration in compliance with Chapter 17.34 (Off-Street Parking).~~

1. ADU is located within one-half mile walking distance of public transit.
2. The accessory dwelling unit is located within an architecturally and historically significant historic district.
3. The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
4. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
5. When there is a car share vehicle located within one block of the accessory dwelling unit.
6. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU, or converted to an ADU, those off- street parking spaces are not required to be replaced.

H. Processing. The City shall provide an approval or denial of ADU and/or JADU applications within (60) sixty-days from the date such application is deemed complete. The City shall deem ADU applications complete that include all of the information and materials required in the application submittal checklist, comply with the provisions of this chapter, and include full payment of applicable review fees. Complete applications shall be considered ministerial, without discretionary review or a hearing, unless:

1. The applicant requests a processing delay, in which case the (60) sixty-day time period is tolled for the period of the requested delay; or
2. The permit application for an ADU or JADU is submitted along with a permit application to create a new primary dwelling on the same parcel or lot, the City may delay acting on the ADU or JADU application until the City permits the new primary dwelling.

I. Contents of Applications. An ADU and/or JADU application shall include the following:

1. Completed Residential Building Permit Application;
2. Completed Monterey Peninsula Water Management District (MPWMD) residential water release form and permit application.
3. Plan Set - Signed and Dated (If Required). A Single PDF file containing all plan sheets, 24"x 36" minimum size, to include:
 - a. COVER SHEET: Project address; assessor parcel number; legal property owner's name, address, phone Number; plan preparer's title and license number (If Applicable), address, phone number; scope of work identifying all work proposed, clearly showing existing and proposed work and descriptions; applicable CA codes and regulations, California Building or Residential Code, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building Codes and City of Seaside Municipal Code; project data, property type, type of construction, occupancy classification, square footage of existing/remodeled/new proposed structure(s) and addition(s), overall building height, fire sprinkler (Yes / No), number of stories; sheet index; deferred submittal list – trusses, sprinklers, etc. (If Applicable); special inspections noted (If Required);
 - b. SITE PLAN: North arrow; scale; setbacks; lot dimensions; property boundaries; street names; new and existing structures; building footprint and roofline with all projections dimensioned to property lines; gates; walls; fences; driveways; walks; easements; utilities; meter locations; Cal Green Mandatory Measures Checklist legibly reproduced on the plans; site improvements, including grading, drainage, and landscape irrigation;
 - c. DEMOLITION PLAN (if Applicable): Showing any existing structure(s), or portion(s) of a structure to be removed with floor plan(s) and framing details;
 - d. FLOOR PLAN (Existing/Proposed): Drawn to scale, dimensioned, rooms labeled, doors and window types, sizes, schedules; framing details;
 - e. EXTERIOR ELEVATIONS: All sides of the exterior of the building; existing & proposed exterior wall finishes and special finishes; roof materials and roof pitches; door, window, skylight, and other openings, locations, materials, and configurations; vertical dimensions showing the height of structure(s) and

heights of finished floors; locations and extent of shear walls, let-in bracing, or other methods of shear transfer;

f. FOUNDATION PLAN: Detailed and dimensioned, slabs and foundations for garages, patios, breezeways, driveways, walks; footings, piers, slabs, grade beams, retaining walls (sizes and locations); hold-downs, connections of new foundations to existing foundations; any special construction required by structure, site conditions, or expansive soils; required compressive strength of concrete; crawl access openings and screened vents under raised wood floors; North arrow;

g. ROOF FRAMING PLAN: Size and spacing of beams, rafters, headers, trusses, roof openings; layout of roof sheathing; nailing; North arrow;

h. STRUCTURAL CALCULATIONS: Signed and dated; CRC Braced Walls or CBC Shear Walls; schedule (If Modified); Soils Report (If Applicable), signed and dated;

i. PLUMBING, MECHANICAL, ELECTRICAL PLANS: Location of new or existing mechanical equipment serving the added or altered area; electrical plan with receptacles, lighting and panel schedule (If Modified); gas line diagram and calculations (If Modified); Energy Certificate of Compliance Forms reproduced on plan sheets; and

j. MPUSD (*Monterey Peninsula Unified School District*): Release for any payment of school district fees.

SECTION 3.

The City Manager is directed to execute all documents and to perform all other necessary City acts to implement effect this Ordinance.

SECTION 4. SEVERABILITY.

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

- B. The City Council hereby declares that it would have each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases be held unconstitutional, invalid or unenforceable.

SECTION 5. EFFECTIVE DATE.

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

INTRODUCED at a regular meeting of the City Council of the City of Seaside duly held on the 17th day of March 2022 and passed to print.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 7th day of April 2022 by the following roll call vote:

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

APPROVED:

Ian N. Oglesby, Mayor

ATTEST:

Dominique L. Davis, City Clerk

APPROVED AS TO FORM:

Sheri L. Damon,
City Attorney



CITY OF SEASIDE STAFF REPORT

Item No.: 9.B.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Nick Borges, Acting Police Chief

DATE: April 7, 2022

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE ADOPTING A MILITARY EQUIPMENT USE POLICY IN ACCORDANCE WITH AB 481 LAW ENFORCEMENT AND STATE AGENCIES: MILITARY EQUIPMENT: FUNDING, ACQUISITION, AND USE (FIRST READING – ROLL-CALL VOTE)

RECOMMENDATION

First reading of the proposed ordinance regarding the police department's acquisition and use of military equipment in accordance with State law (AB 481); and approve the military use policy.

BACKGROUND

On September 30, 2021, California Assembly Bill 481 (AB 481) was signed into law. Subsequently, California Government Code Sections 7070, 7071, and 7072 were adopted to codify the requirements set forth in AB 481. The text of AB 481 and the above-mentioned California Government Codes are attached to this Staff Report for reference.

AB 481 requires a law enforcement agency to obtain the approval of its governing body, through the adoption of a Military Equipment Use Policy, by ordinance at a regular meeting held pursuant to specified open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined. The governing body for the City of Seaside is the City Council. The bill allows the City Council to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. AB 481 requires the City Council to annually review the ordinance and to either disapprove a renewal of the authorization for a type of military equipment or amend the military equipment use policy if it determines, based on an Annual Military Equipment

Report prepared by the law enforcement agency, that the military equipment does not comply with the above-described standards for approval.

California Government Code Section 7070 provides a list of types of equipment that are to be considered "Military Equipment" for purposes of compliance with AB 481 and the Government Code. While the Seaside Police Department does not possess any tactical equipment that it has obtained from the military, nor does it possess any equipment that was designed for military use, it does possess some types of equipment that are listed in Section 7070. Additionally, the Seaside Police Department participates in a regional S.W.A.T. team, which possesses and utilizes additional types of equipment that qualify as "Military Equipment" according to the Government Code.

In order to comply with AB 481 and the California Government Code, Staff is recommending that the City Council review and introduce a new ordinance and approve the Police Department Military Use Policy.

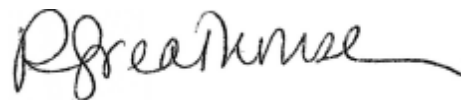
FISCAL IMPACT

Adoption of this ordinance and policy have no fiscal impact.

ATTACHMENTS

1. AB 481
2. AB 481 Military Equipment Policy
3. Ord AB 481

Reviewed for Submission to the City Council by:



Roberta Greathouse, Acting City Manager

Assembly Bill No. 481

CHAPTER 406

An act to add Chapter 12.8 (commencing with Section 7070) to Division 7 of Title 1 of the Government Code, relating to military equipment.

[Approved by Governor September 30, 2021. Filed with
Secretary of State September 30, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 481, Chiu. Law enforcement and state agencies: military equipment: funding, acquisition, and use.

Existing law designates the Department of General Services as the agency for the State of California responsible for distribution of federal surplus personal property, excepting food commodities, and requires the department to, among other things, do all things necessary to the execution of its powers and duties as the state agency for the distribution of federal personal surplus property, excepting food commodities, in accordance with specified federal law. Existing law, the Federal Surplus Property Acquisition Law of 1945, authorizes a local agency, as defined, to acquire surplus federal property without regard to any law which requires posting of notices or advertising for bids, inviting or receiving bids, or delivery of purchases before payment, or which prevents the local agency from bidding on federal surplus property. Existing federal law authorizes the Department of Defense to transfer surplus personal property, including arms and ammunition, to federal or state agencies for use in law enforcement activities, subject to specified conditions, at no cost to the acquiring agency.

This bill would require a law enforcement agency, defined to include specified entities, to obtain approval of the applicable governing body, by adoption of a military equipment use policy, as specified, by ordinance at a regular meeting held pursuant to specified open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined. The bill would also require similar approval for the continued use of military equipment acquired prior to January 1, 2022. The bill would allow the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. The bill would require the governing body to annually review the ordinance and to either disapprove a renewal of the authorization for a type, as defined, of military equipment or amend the military equipment use policy if it determines, based on an annual military equipment report prepared by the law enforcement agency, as provided, that the military equipment does not comply with the above-described standards for approval. The bill would specify these provisions do not preclude a county or local municipality from implementing

additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

This bill would also require a state agency, as defined, to create a military equipment use policy before engaging in certain activities, publish the policy on the agency's internet website, and provide a copy of the policy to the Governor or the Governor's designee, as specified. The bill would also require a state agency that seeks to continue use of military equipment acquired prior to January 1, 2022, to create a military equipment use policy.

This bill would also include findings that the changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

By adding to the duties of local officials with respect to the funding, acquisition, and use of military equipment, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The acquisition of military equipment and its deployment in our communities adversely impacts the public's safety and welfare, including increased risk of civilian deaths, significant risks to civil rights, civil liberties, and physical and psychological well-being, and incurment of significant financial costs. Military equipment is more frequently deployed in low-income Black and Brown communities, meaning the risks and impacts of police militarization are experienced most acutely in marginalized communities.

(b) The public has a right to know about any funding, acquisition, or use of military equipment by state or local government officials, as well as a right to participate in any government agency's decision to fund, acquire, or use such equipment.

(c) Decisions regarding whether and how military equipment is funded, acquired, or used should give strong consideration to the public's welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input.

(d) Legally enforceable safeguards, including transparency, oversight, and accountability measures, must be in place to protect the public’s welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

(e) The lack of a public forum to discuss the acquisition of military equipment jeopardizes the relationship police have with the community, which can be undermined when law enforcement is seen as an occupying force rather than a public safety service.

SEC. 2. Chapter 12.8 (commencing with Section 7070) is added to Division 7 of Title 1 of the Government Code, to read:

CHAPTER 12.8. FUNDING, ACQUISITION, AND USE OF MILITARY
EQUIPMENT

7070. For purposes of this chapter, the following definitions shall apply:

(a) “Governing body” means the elected body that oversees a law enforcement agency or, if there is no elected body that directly oversees the law enforcement agency, the appointed body that oversees a law enforcement agency. In the case of a law enforcement agency of a county, including a sheriff’s department or a district attorney’s office, “governing body” means the board of supervisors of the county.

(b) “Law enforcement agency” means any of the following:

(1) A police department, including the police department of a transit agency, school district, or any campus of the University of California, the California State University, or California Community Colleges.

(2) A sheriff’s department.

(3) A district attorney’s office.

(4) A county probation department.

(c) “Military equipment” means the following:

(1) Unmanned, remotely piloted, powered aerial or ground vehicles.

(2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.

(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.

(4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

(5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.

(6) Weaponized aircraft, vessels, or vehicles of any kind.

(7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters,

or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.

(8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.

(9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.

(10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.

(11) Any firearm or firearm accessory that is designed to launch explosive projectiles.

(12) “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray.

(13) Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).

(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.

(15) Any other equipment as determined by a governing body or a state agency to require additional oversight.

(16) Notwithstanding paragraphs (1) through (15), “military equipment” does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

(d) “Military equipment use policy” means a publicly released, written document governing the use of military equipment by a law enforcement agency or a state agency that addresses, at a minimum, all of the following:

(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.

(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment.

(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.

(4) The legal and procedural rules that govern each authorized use.

(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public’s welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.

(6) The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight

authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.

(7) For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

(e) “State agency” means the law enforcement division of every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.

(f) “Type” means each item that shares the same manufacturer model number.

7071. (a) (1) A law enforcement agency shall obtain approval of the governing body, by an ordinance adopting a military equipment use policy at a regular meeting of the governing body held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable, prior to engaging in any of the following:

(A) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(B) Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

(C) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(D) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body.

(E) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.

(F) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, military equipment.

(G) Acquiring military equipment through any means not provided by this paragraph.

(2) No later than May 1, 2022, a law enforcement agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall commence a governing body approval process in accordance with this section. If the governing body does not approve the continuing use of military equipment, including by adoption pursuant to this subdivision of a military equipment use policy submitted pursuant to subdivision (b), within 180 days of submission of the proposed military equipment use policy to the governing body, the law enforcement agency shall cease its use of

the military equipment until it receives the approval of the governing body in accordance with this section.

(b) In seeking the approval of the governing body pursuant to subdivision (a), a law enforcement agency shall submit a proposed military equipment use policy to the governing body and make those documents available on the law enforcement agency's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

(c) The governing body shall consider a proposed military equipment use policy as an agenda item for an open session of a regular meeting and provide for public comment in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(d) (1) The governing body shall only approve a military equipment use policy pursuant to this chapter if it determines all of the following:

(A) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

(B) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

(C) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

(D) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

(2) In order to facilitate public participation, any proposed or final military equipment use policy shall be made publicly available on the internet website of the relevant law enforcement agency for as long as the military equipment is available for use.

(e) (1) The governing body shall review any ordinance that it has adopted pursuant to this section approving the funding, acquisition, or use of military equipment at least annually and, subject to paragraph (2), vote on whether to renew the ordinance at a regular meeting held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(2) The governing body shall determine, based on the annual military equipment report submitted pursuant to Section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in subdivision (d). If the governing body determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval set forth in subdivision (d), the governing body shall either disapprove a renewal of the authorization for that type of military equipment or require modifications

to the military equipment use policy in a manner that will resolve the lack of compliance.

(f) Notwithstanding subdivisions (a) to (e), inclusive, if a city contracts with another entity for law enforcement services, the city shall have the authority to adopt a military equipment use policy based on local community needs.

7072. (a) A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

(1) A summary of how the military equipment was used and the purpose of its use.

(2) A summary of any complaints or concerns received concerning the military equipment.

(3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.

(4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

(5) The quantity possessed for each type of military equipment.

(6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

(b) Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

7073. (a) A state agency shall create a military equipment use policy prior to engaging in any of the following:

(1) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(2) Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

(3) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(4) Collaborating with a law enforcement agency or another state agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body.

(5) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.

(6) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, or to apply to receive, acquire, use, or collaborate in the use of, military equipment.

(7) Acquiring military equipment through any means not provided by this subdivision.

(b) No later than May 1, 2022, a state agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall create a military equipment use policy.

(c) A state agency that is required to create a military equipment use policy pursuant to this section shall do both of the following within 180 days of completing the policy:

(1) Publish the military equipment use policy on the agency's internet website.

(2) Provide a copy of the military equipment use policy to the Governor or the Governor's designee.

7074. The Legislature finds and declares that ensuring adequate oversight of the acquisition and use of military equipment is a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this chapter applies to all cities, including charter cities and shall supersede any inconsistent provisions in the charter of any city, county, or city and county.

7075. Nothing in this chapter shall preclude a county or local municipality from implementing additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

SEC. 3. The Legislature finds and declares that Section 1 of this act, which adds Chapter 12.8 (commencing with Section 7070) to Division 7 of Title 1 of the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

Requiring local agencies to hold public meetings prior to the acquisition of military equipment further exposes that activity to public scrutiny and enhances public access to information concerning the conduct of the people's business.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would

result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

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Military Equipment

710.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

710.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The City Council of The City of Seaside.

Military equipment – Includes but is not limited to the following:

- **Unmanned, remotely piloted, powered aerial or ground vehicles.**
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- **Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.**
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- **Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.**
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- **Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.**
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- **Kinetic energy weapons and munitions.**
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

The above items in bold are the current recognized specialized "military equipment" purchased and used by the Seaside Police Department.

Seaside Police Department

Policy Manual

Military Equipment

710.2 POLICY

It is the policy of the Seaside Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment. It is also the policy of the Seaside Police Department that there are legally enforceable safeguards, including transparency, oversight and accountability measures in place to protect the public's welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

The acquisitions of military equipment and its deployment in our communities may impact the public's safety and welfare. The public has a right to know about any funding, acquisition, or use of military equipment by local government officials, as well as a right to participate in any government agency's decision to fund, acquire, or use such equipment. Decisions regarding whether and how military equipment is funded, acquired, or used should give strong consideration to the public's welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input.

710.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police will designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the City Council for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the City Council.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Seaside Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

710.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department

Military Equipment

[See attachment: SSPD AB 481 List.pdf](#)

[See attachment: MPRSRU AB 481.pdf](#)

[See attachment: MPRSRU 2 AB 481.pdf](#)

[See attachment: MPRSRU 3 AB 481.pdf](#)

[See attachment: MPRSRU 4 AB 481.pdf](#)

[See attachment: MPRSRU 5 AB 481.pdf](#)

[See attachment: MPRSRU 6 AB 481.pdf](#)

710.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the City Council by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the City Council and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the City Council prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

710.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by other jurisdictions providing aid to Seaside PD shall comply with their respective military equipment use policies. Seaside PD is a participating member of the

Seaside Police Department

Policy Manual

Military Equipment

Monterey Peninsula Regional Special Response Unit (MPRSRU) in collaboration with other law enforcement agencies on the Monterey Peninsula. MPRSRU provides capabilities to address specific law enforcement issues, such as active shooter incidents, hostage situations, barricaded subject incidents, etc. Seaside PD also collaborates and works with the Monterey County Sheriff's Department and other local, state and federal law enforcement agencies that may provide aid to Seaside PD. Military equipment owned by other jurisdictions that may be used by MPRSRU inside the City of Seaside's jurisdiction is listed in the above attachments of the Military Equipment Inventory. Seaside PD is authorized to use that military equipment in connection with MPRSRU activities/responses.

710.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee shall submit a military equipment report to the City Council for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee shall also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

710.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

A complaint, concern or question related to Military Equipment utilization by the Seaside Police Department can be made through any of the below listed methods:

Email: mdoza@ci.seaside.ca.us

Web: <http://www.ci.seaside.ca.us/Faq.aspx?QID=172>

By phone: (831) 899-6748

By mail: Seaside Police Department; Attn: Military Equipment Use Coordinator; 440 Harcourt Ave Seaside, CA 93955

Attachments

SSPD AB 481 List.pdf

Unmanned, Remotely Piloted, Powered Aerial or Ground Vehicles California Government Code § 7070(c)(1)	
Type	Unmanned Aerial Vehicle
Description	Remotely piloted, unmanned aerial vehicle.
Quantity	1
Expended Lifespan	5 years
Manufacturer Description	The Mavic Pro Platinum features a sleek design and compact body that is both powerful and alluring. A new and improved 30-minute flight time coupled with 60% noise power reduction makes the Mavic Pro Platinum DJI's best portable drone yet.
Purpose and Authorized Uses	Vehicles are capable of being remotely piloted to provide scene information and intelligence in the form of video and still images transmitted to first responders.
Fiscal Impact	\$1,200.00 each.
Legal and Procedural Rules	49 USC §§ 40102, 40125, 14 CFR 91.113, FAA Certificate of Authorization 2019-WSA-5762-COA
Required Training	Initial 4 hours of pilot training, plus 48 hours of training per year.
Compliance Mechanisms	49 USC §§ 40102, 40125, 14 CFR 91.113, FAA Certificate of Authorization 2019-WSA-5762-COA

Specialized Firearm & Ammunition California Government Code § 7070(c)(10)	
Type	Semi-Automatic Patrol Rifle
Description	Colt M4 rifle.
Quantity	30
Expended Lifespan	10 years
Manufacturer Description	The Colt M4 Carbine is a Gas Operated Semi-Auto rifle, chambered in 223 Remington/5.56 NATO
Purpose and Authorized Uses	The Colt M4 Carbine enables officers when in compliance with the Seaside Police Department Use of Force Policy, to address short to long distance threats, or those threats who are heavily armed, armored or both. Further, in both short and long-distance deployments, they allow an officer a precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance and precision.
Fiscal Impact	\$1,200.00 each.
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 312.
Required Training	Sworn members utilizing the Colt M4 Carbine are trained in their use by CA POST certified firearms instructors.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 312.

Specialized Firearm & Ammunition California Government Code § 7070(c)(10)	
Type	Semi-Automatic Patrol Rifle
Description	Colt AR-15 A3 rifle.
Quantity	3
Expended Lifespan	10 years
Manufacturer Description	The Colt AR-15 A3 rifle is a gas operated, semi-automatic rifle, chambered in 223 Remington/5.56 NATO
Purpose and Authorized Uses	The Colt AR-15 A3 rifle enables officers when in compliance with the Seaside Police Department Use of Force Policy, to address short to long distance threats, or those threats who are heavily armed, armored or both. Further, in both short and long-distance deployments, they allow an officer a precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance and precision.
Fiscal Impact	\$1,200.00 each.
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 312.
Required Training	California Peace Officer Standards And Training Commission 16-hour patrol rifle course, plus yearly qualification and in-service training.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 312.

Specialized Firearm & Ammunition California Government Code § 7070(c)(10)	
Type	Semi-Automatic Patrol Rifle
Description	Stag Arms STAG-15
Quantity	2
Expended Lifespan	10 years
Manufacturer Description	The Stag Arms STAG-15 rifle is a gas operated, semi-automatic rifle, chambered in 223 Remington/5.56 NATO
Purpose and Authorized Uses	The Stag Arms STAG-15 rifle enables officers when in compliance with the Seaside Police Department Use of Force Policy, to address short to long distance threats, or those threats who are heavily armed, armored or both. Further, in both short and long-distance deployments, they allow an officer a precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance and precision.
Fiscal Impact	\$0.00
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 312.
Required Training	California Peace Officer Standards And Training Commission 16-hour patrol rifle course, plus yearly qualification and in-service training.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 312.

Specialized Firearm & Ammunition California Government Code § 7070(c)(10)	
Type	Ammunition for AR-15/M4 rifles.
Description	SpeerLE Law Enforcement Gold Dot
Quantity	15,600
Expended Lifespan	1 years
Manufacturer Description	Speer® Gold Dot® ammunition's reliability has made it the No. 1 choice for law enforcement, and we offer the same performance for self-defense rifle applications. Gold Dot rifle is engineered to provide industry-leading performance in FBI protocol testing through barrels less than 16 inches long. Its bullets are built using Speer's exclusive Uni-Cor® method. The jacket is bonded to the core one atom at a time, virtually eliminating core-jacket separation and creating a projectile that's accurate, tough and consistent through all common barriers.
Purpose and Authorized Uses	To project a force against a selected target to have an effect and stop the threat when other reasonable options are not viable. A verbal warning should precede its application.
Fiscal Impact	\$292.00 per case.
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 312.
Required Training	California Peace Officer Standards And Training Commission 16-hour patrol rifle course, plus yearly qualification and in-service training.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 312.

Projectile Launch Platforms & Munitions California Government Code § 7070(c)(14)	
Type	Less Lethal Shotgun
Description	Remington 870 Less Lethal Shotgun with orange stock and fore-end.
Quantity	4
Expended Lifespan	25 years
Manufacturer Description	The Remington Model 870 Pump Shotgun is a reliable 12-gauge with double-action bars for smooth pump operation. A steellined/grooved fore-end provides a stronger grip, while the Flexitab feeding system provides positive and easier cycling. A less-lethal application shotgun is available with the addition of a blaze orange synthetic SpeedFeed stock and fore-end for the instant recognition required.
Purpose and Authorized Uses	To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application.
Fiscal Impact	\$950 each.
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 308.
Required Training	Sworn members utilizing the Remington 870 less lethal shotguns are trained in their use by California Peace Officer Standards And Training Commission certified less lethal instructors.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 308.

Projectile Launch Platforms & Munitions California Government Code § 7070(c)(14)	
Type	Kinetic Energy Projectile Munition
Description	ALS1202 12 gauge fin stabilized kinetic energy projectile.
Quantity	21
Expendable Lifespan	5 years
Manufacturer Description	The ALS1202 is a 12 ga. rubber finned projectile that is designed to be direct fired, producing blunt trauma and pain compliance.
Purpose and Authorized Uses	To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application.
Fiscal Impact	\$6.00 a box.
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 308.
Required Training	Sworn members utilizing the Remington 870 less lethal shotguns are trained in their use by California Peace Officer Standards And Training Commission certified less lethal instructors.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 308.

Projectile Launch Platforms & Munitions California Government Code § 7070(c)(14)	
Type	Kinetic Energy Projectile Munition
Description	ALS1212 12 gauge stabilized kinetic energy projectile.
Quantity	20
Expendable Lifespan	5 years
Manufacturer Description	The ALS1212T is a 12ga stabilized bean bag munition that is designed to produce blunt trauma and pain compliance. The bean bag is designed for exceptional flight ballistic stability to provide accuracy from smooth bore shotguns.
Purpose and Authorized Uses	To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application.
Fiscal Impact	\$6.00 a box.
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 308.
Required Training	Sworn members utilizing the Remington 870 less lethal shotguns are trained in their use by California Peace Officer Standards And Training Commission certified less lethal instructors.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 308.

Projectile Launch Platforms & Munitions California Government Code § 7070(c)(14)	
Type	Less Lethal Launcher
Description	FN303 Less Lethal Launcher
Quantity	2
Expended Lifespan	10 years
Manufacturer Description	The FN 303® Less Lethal Launcher is constructed from durable lightweight polymer with comfortable ergonomics and an easy to operate safety. The FN 303® Launcher is equipped with both flip-up iron sights and an integrated MIL-STD-1913 top mounting rail for optical or electronic sights or other accessories. The lightweight polymer magazine holds 15 projectiles and offers a clear rear cover to allow the operator to instantly verify both the payload type and the number of projectiles remaining.
Purpose and Authorized Uses	To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application.
Fiscal Impact	\$1,699.00 each.
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 308.
Required Training	Sworn members utilizing the FN303 less lethal launcher are trained in their use by California Peace Officer Standards And Training Commission certified less lethal instructors.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 308.

Projectile Launch Platforms & Munitions California Government Code § 7070(c)(14)	
Type	Kinetic Energy Projectile Munition
Description	FN303 Clear Impact Projectile
Quantity	900
Expended Lifespan	3 years
Manufacturer Description	Less lethal ammunition designed for the FN 303 launcher. Dedicated to reducing lethality, the basis of the FN 303 lies in its unique projectiles. These .68 caliber, 8.5 gram projectiles utilize a fin-stabilized polystyrene body and a non-toxic bismuth forward payload to provide more accuracy and greater effective range than other less lethal systems. The primary effect of the projectile is trauma, which directly neutralizes the aggressor. Secondary effects from the projectiles can be delivered via a chemical payload depending on mission requirements.
Purpose and Authorized Uses	To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application.
Fiscal Impact	\$314.00 per box.
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 308.
Required Training	Sworn members utilizing the FN303 less lethal launcher are trained in their use by California Peace Officer Standards And Training Commission certified less lethal instructors.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 308.

Projectile Launch Platforms & Munitions California Government Code § 7070(c)(14)	
Type	Kinetic Energy Projectile Munition
Description	FN303 OC Powder Projectile
Quantity	450
Expendable Lifespan	3 years
Manufacturer Description	Less lethal ammunition designed for the FN 303 launcher. Dedicated to reducing lethality, the basis of the FN 303 lies in its unique projectiles. These .68 caliber, 8.5 gram projectiles utilize a fin-stabilized polystyrene body and a non-toxic bismuth forward payload to provide more accuracy and greater effective range than other less lethal systems. The primary effect of the projectile is trauma, which directly neutralizes the aggressor. Secondary effects from the projectiles can be delivered via a chemical payload depending on mission requirements.
Purpose and Authorized Uses	To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application.
Fiscal Impact	\$511.00 per box.
Legal and Procedural Rules	Seaside Police Department Policy Manual §§ 300, 308.
Required Training	Sworn members utilizing the FN303 less lethal launcher are trained in their use by California Peace Officer Standards And Training Commission certified less lethal instructors.
Compliance Mechanisms	Seaside Police Department Policy Manual §§ 300, 308.

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SECTION TWO - QUALIFYING EQUIPMENT OWNED/UTILIZED BY LAW ENFORCEMENT AGENCIES THE SSPD COLLABORATES AND/OR PARTICIPATES WITH AS PART OF THE MPRSRU FOR LAW ENFORCEMENT PURPOSES	
AB 481 Category	
Govt Code §7070(c):	(1) Unmanned, remotely piloted, powered aerial or ground vehicles
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	Unmanned, remotely piloted, powered arial and ground vehicles
Quantity (existing/sought):	0 (owned by collaborating law enforcement agency for MPRSRU SWAT Team and Sheriff's Bomb Squad)
Capabilities:	Vehicles are capable of being remotely navigated to provide scene information and intelligence in the form of video and still images transmitted to first responders.
Expected lifespan:	5 years
Manufacturer's description:	Remotely operated land vehicles to support various mission areas such as explosive device remediation, hazardous materials operations, tactical law enforcement operations, search & rescue, and surveillance/detection. Examples include, but are not limited to rovers, scout vehicles, and surveillance platforms. Unmanned Aircraft System (UAS) comprises an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft. The system generally includes a fixed or rotary-wing (tethered or non-thethered) aircraft and a ground control station.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	To enhance the safety of potentially dangerous situations by providing first responders with the ability to monitor video feed from vehicle cameras of hazardous areas prior to, or in lieu of, sending in personnel. Remotely piloted ground vehicles may be used to investigate and mitigate potential explosive devices. UAS/Drone/Arial platforms may be used for search and rescue; suspect apprehension crime scene documentation; tactical operations; scene security; hazard monitoring; identification and mitigation; response to emergency calls; crisis communications; legally authorized surviellance.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	\$0 (not owned by SSPD)
Annual costs:	\$0 (not maintained by SSPD)
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws. Any use of UAS/Drone platforms will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.
Procedural:	SSPD Policy - 408 (Monterey Peninsula Regional Special Response Unit)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	MPRSRU SWAT Team provides internal training for staff members prior to allowing them to operate the ground vehicle equipment. All MPRSRU members are required to complete an initial POST certified 80 hour basic SWAT course, 120 hours of annual training, and 24 hours of SWAT update training bi-annually. Prior to piloting any UAS/Drone staff members must secure an FAA Remote Pilot License and complete training required by FAA COA.
Other:	The Seaside Police Department participates in the Monterey Peninsula Regional Special Response Unit SWAT Team (MPRSRU). The Monterey County Sheriff's Office also provides the regional explosive mitigation team "bomb squad." This equipment is owned and operated by MPRSRU SWAT and the Monterey County Sheriff's Department. While the Seaside Police Department does not own this equipment, it could be used in Seaside by MPRSRU SWAT or the Monterey County Sheriff's Department if they are deployed to an incident within city limits.

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SECTION TWO - QUALIFYING EQUIPMENT OWNED/UTILIZED BY LAW ENFORCEMENT AGENCIES THE SSPD COLLABORATES AND/OR PARTICIPATES WITH AS PART OF THE MPRSRU FOR LAW ENFORCEMENT PURPOSES	
AB 481 Category Govt Code §7070(c):	(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	MPRSRU Rescue Vehicle (Lenco Bearcat Armored Vehicle)
Quantity (existing/sought):	0 (owned by collaborating law enforcement agency for MPRSRU SWAT Team)
Capabilities:	Capable of transporting personnel and equipment while providing them with armored protection. Also has a breaching apparatus that can be attached.
Expected lifespan:	10 years
Manufacturer's description:	The Lenco BearCat is the standard tactical armored vehicle for special operations units within the US Law Enforcement community. Since the early 2000s, agencies such as LAPD, LASD SEB, NYPD ESU, Boston PD and hundreds of Federal, State and Local Law Enforcement agencies have made the BearCat part of their standard operating procedure. The Bearcat has excellent on-road driving characteristics and maneuverability in tight urban settings. The large floor plan seats 10 – 12 fully equipped officers.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	The SRU Rescue Vehicle (Lenco Bearcat Armored Vehicle) is intended for use during critical incidents including, but not limited to: (a) Hostage situations; (b) Barricaded subject incidents; (c) Active shooter situations; (d) High risk arrest and search warrants; (e) Any threat of explosive devices; (f) Other situations where ballistic protection is necessary for the protection of personnel. The SRU Rescue Vehicle will not be deployed for situations such as peaceful protests or demonstrations where violence is not threatened toward the public, property or law enforcement personnel. When deploying the vehicle one must consider how its use or misuse could create fear or distrust in the community and take steps to mitigate those negative effects. The SRU Rescue vehicle may be deployed for exhibition at community based events for the purpose of educating and familiarizing the public with its use and purpose.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	\$0 (not owned by SSPD)
Annual costs:	\$0 (not maintained by SSPD)
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws.
Procedural:	SSPD Policy - 408 (Monterey Peninsula Regional Special Response Unit)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	The SRU Rescue Vehicle is driven by approved personnel who have received training in the vehicle's operation. The training includes both classroom and practical driving exercises. Operators also receive scenario based training to include the decision making process as to how it should and should not be deployed. Scenario based training includes constitutional and community policing principles as it relates to SRU Rescue Vehicle deployment. All MPRSRU members are required to complete an initial POST Certified 80 hour basic SWAT course, 120 hours of annual training, and 24 hours of SWAT update training bi-annually.
Other:	The Seaside Police Department participates in the Monterey Peninsula Regional Special Response Unit SWAT Team (MPRSRU). This equipment is registered to the Marina Police Department and utilized by MPRSRU SWAT. While the Seaside Police Department does not own this equipment, it could be used in Seaside by MPRSRU SWAT if they are deployed to an incident within city limits. Although rare, it may also be used in Seaside at community events for educational and familiarization purposes.

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SECTION TWO - QUALIFYING EQUIPMENT OWNED/UTILIZED BY LAW ENFORCEMENT AGENCIES THE SSPD COLLABORATES AND/OR PARTICIPATES WITH AS PART OF THE MPRSRU FOR LAW ENFORCEMENT PURPOSES	
AB 481 Category	(5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units
Govt Code §7070(c):	
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	Workhorse commercial van
Quantity (existing/sought):	1 (owned by SSPD and used exclusively for MPRSRU SWAT Team)
Capabilities:	Vehicles modified to facilitate the control and direction of public safety units.
Expected lifespan:	Unknown
Manufacturer's description:	Unavailable
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	Workspace for commanding/supervising personnel during critical incidents. Also utilized for community outreach events such as National Night Out, Public Safety Outreach, etc.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	\$60,000
Annual costs:	\$0
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws.
Procedural:	SSPD Policy - 408 (Monterey Peninsula Regional Special Response Unit)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	MPRSU SWAT Team provides internal training for staff members prior to allowing them to operate these vehicles. All MPRSRU members are required to complete an initial POST certified 80 hour basic SWAT course, 120 hours of annual training, and 24 hours of SWAT update training bi-annually.
Other:	The Seaside Police Department participates in the Monterey Peninsula Regional Special Response Unit SWAT Team (MPRSRU). This equipment is registered to the Seaside Police Department and operated by MPRSRU SWAT. This equipment could be used in Seaside by MPRSRU SWAT if they are deployed to an incident within city limits.

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SECTION TWO - QUALIFYING EQUIPMENT OWNED/UTILIZED BY LAW ENFORCEMENT AGENCIES THE SSPD COLLABORATES AND/OR PARTICIPATES WITH AS PART OF THE MPRSRU FOR LAW ENFORCEMENT PURPOSES	
AB 481 Category Govt Code §7070(c):	(10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	Remington 870 Breaching Shotgun
Quantity (existing/sought):	1 (owned by SSPD and used for MPRSRU SWAT Team)
Capabilities:	Remington 870 12 gauge shotgun modified with pistol grip and barrel standoff designed for breaching doors or other points of entry.
Expected lifespan:	Unknown
Manufacturer's description:	The Remington Shotgun is milled from a single block of steel. The stock and fore grip are comprised of fiberglass-reinforced polymer with a rubber over-molding. This shotgun is a U.S.-made pump-action shotgun. The magazine tube holds 6 less-lethal rounds.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	A breaching shotgun can be deployed any time tactical operators determine that it is necessary to complete a lawful breaching, and other breaching methods are determined to be ineffective. Shotgun breaching generally needs to be supported by exigent circumstances necessitating immediate access for public safety.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	\$2,500
Annual costs:	\$0
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws governing police use of force.
Procedural:	SSPD Policies - 408 (Monterey Peninsula Regional Special Response Unit)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	All MPRSRU members are required to complete an initial POST certified 80 hour basic SWAT course, 120 hours of annual training, and 24 hours of SWAT update training bi-annually. MPRSRU members train on this piece of equipment 4 hours annually.
Other:	The Seaside Police Department participates in the Monterey Peninsula Regional Special Response Unit SWAT Team (MPRSRU). This equipment is registered to the Seaside Police Department and operated by MPRSRU SWAT.

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SECTION TWO - QUALIFYING EQUIPMENT OWNED/UTILIZED BY LAW ENFORCEMENT AGENCIES THE SSPDCOLLABORATES AND/OR PARTICIPATES WITH AS PART OF THE MPRSRU FOR LAW ENFORCEMENT PURPOSES	
AB 481 Category Govt Code §7070(c):	(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	37mm Less Lethal Launcher and Oleoresin Capsicum "OC" munitions
Quantity (existing/sought):	0 (owned by collaborating law enforcement agency for MPRSRU SWAT Team)
Capabilities:	The 37mm Less Lethal Launcher is capable of firing barricade penetrating "OC" rounds which disperse .02 ounces of OC powder into a defined space. These munitions are designed to dislodge barricaded subjects from confined areas.
Expected lifespan:	15 years
Manufacturer's description:	The Federal 37 mm Less Lethal Launcher. Is a single-shot break-open platform designed to fire 37mm less lethal oleoresin capsicum munitions.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	The 37mm Less Lethal Launchers and "OC" Munitions are intended for use as a less-lethal use of force option.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	\$0 (not owned by SSPD)
Annual costs:	\$0 (not maintained by SSPD)
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws governing police use of force.
Procedural:	MPD Policies - 404 (Monterey Peninsula Regional Special Response Unit)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	All MPRSRU members are required to complete an initial POST certified 80 hour basic SWAT course, 120 hours of annual training, and 24 hours of SWAT update training bi-annually. MPRSRU members train on this piece of equipment 4 hours annually.
Other:	The Seaside Police Department participates in the Monterey Peninsula Regional Special Response Unit SWAT Team (MPRSRU). This equipment is owned and operated by MPRSRU SWAT. While the Seaside Police Department does not own this equipment, it could be used in Seaside by MPRSRU SWAT if they are deployed to an incident within city limits.

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SECTION TWO - QUALIFYING EQUIPMENT OWNED/UTILIZED BY LAW ENFORCEMENT AGENCIES THE SSPD COLLABORATES AND/OR PARTICIPATES WITH AS PART OF THE MPRSRU FOR LAW ENFORCEMENT PURPOSES	
AB 481 Category Govt Code §7070(c):	(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	40mm Less Lethal Launchers and Kinetic Energy Munitions
Quantity (existing/sought):	0 (owned by collaborating law enforcement agency for MPRSRU SWAT Team)
Capabilities:	The 40mm Less Lethal Launcher is capable of firing 40mm Kinetic Energy Munitions, known as sponge projectiles
Expected lifespan:	15 years
Manufacturer's description:	Penn Arms 40mm Multi-Shot launchers are manufactured using 4140 hardened steel, 6061-T6 mil-spec anodized aluminum, and DuPont super tough glass-filled nylon. These launchers are lightweight, versatile, and used worldwide by police and corrections officers. The 40mm launcher is available in both pump-action advance and single shot versions
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less-lethal use of force option.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	\$0 (not owned by SSPD)
Annual costs:	\$0 (not maintained by SSPD)
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws governing police use of force.
Procedural:	SSPD Policies - 408 (Monterey Peninsula Regional Special Response Unit)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	All MPRSRU members are required to complete an initial POST certified 80 hour basic SWAT course, 120 hours of annual training, and 24 hours of SWAT update training bi-annually. MPRSRU members train on this piece of equipment 4 hours annually.
Other:	The Seaside Police Department participates in the Monterey Peninsula Regional Special Response Unit SWAT Team (MPRSRU). This equipment is registered to the Sand City Police Department for use by MPRSRU SWAT. While the Seaside Police Department does not own this equipment, it could be used in Seaside by MPRSRU SWAT if they are deployed to an incident within city limits.

ORDINANCE XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPTING A MILITARY EQUIPMENT USE POLICY IN ACCORDANCE WITH AB 481 LAW ENFORCEMENT AND STATE AGENCIES: MILITARY EQUIPMENT: FUNDING, ACQUISITION, AND USE

WHEREAS, On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies; and

WHEREAS, Assembly Bill 481, codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a "military equipment" use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term "military equipment" is defined in California Government Code section 7070; and

WHEREAS, Assembly Bill 481 allows the governing body of a city to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it makes specified determinations; and

WHEREAS, the proposed military equipment use policy, attached, is found within Seaside Police Department; and

WHEREAS, the Seaside Police Department Policy 710 meets the requirements of California Government Code section 7070, subdivision (d).

NOW, THEREFORE, the City of Seaside City Council hereby ordain as follows:

SECTION 1. FINDINGS.

Based on the entirety of the record as described above, the City of Seaside City Council hereby makes the following findings:

1. The military equipment identified in Seaside Police Policy 710 is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

2. Seaside Police Department Policy 710 will safeguard the public's welfare, safety, civil rights, and civil liberties.

3. The military equipment identified in Seaside Police Department Policy 710 is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

4. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

SECTION 2. CEQA.

The City Council hereby finds the draft ordinance does not involve the approval of a project because the ordinance and its implementation do not result in a direct or indirect physical change in the environment or in a reasonably foreseeable indirect physical change in the environment. It is therefore exempt from the California Environmental Quality Act (CEQA) review. (Pub. Resources Code §21065; CEQA Guidelines §§15357, 15377, 15378).

SECTION 3. SEVERABILITY.

If any provision of this chapter, or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this chapter, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this end the provisions of this chapter are severable.

SECTION 4. EFFECTIVE DATE.

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

SECTION 5. PUBLICATION. The City Clerk shall certify to the adoption of this

Ordinance and shall, within fifteen (15) days after passage, publish a summary of this Ordinance in accordance with Section 36933 of the Government Code of the State of California with the names of City Council members voting for and against it.

INTRODUCED at a regular meeting of the City Council of the City of Seaside held on the ____ day of _____ 2022, and passed to print.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held the ____ day of _____ 2022, 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

APPROVED AS TO FORM:

Sheri L. Damon, City Attorney



CITY OF SEASIDE STAFF REPORT

Item No.: 10.A.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Jose Torres, Associate Planner
Eric Azriel, Assistant Planner

DATE: April 7, 2022

**SUBJECT: RECEIVE OVERVIEW OF THE COMMUNITY CHARRETTE
PROCESS AND CONCEPTUAL PLAN OPTIONS FOR THE
POTENTIAL FUTURE DEVELOPMENT OF SEASIDE EAST**

RECOMMENDATION

Receive the presentation from DPZ, and consider each conceptual plan. Select and approve one conceptual plan for DPZ to further develop in order to inform the General Plan update. Indicate whether to proceed under the City Vision process or the City Developer process.

BACKGROUND

In 2020, the City of Seaside took possession of 625 acres of the former Fort Ord, which had closed in 1994. The area colloquially known as "Seaside East" is now enshrined in local plans by that name. The land acquisition presents an opportunity to develop specifically for the City of Seaside. From its perch at the top of the hill, Seaside East overlooks the Monterey Bay National Maritime Sanctuary and sits at the entrance to the Fort Ord National Monument.

The opportunity to direct and manage this peerless real estate comes at a cost. The management of the land is expected to cost hundreds of thousands of dollars per year to manage the habitat, to maintain public safety on the land, and to maintain existing arterials. These costs would be borne by Seaside taxpayers unless the land of Seaside East is developed such that it pays for itself.

Therefore, the land should be developed in concert with Seaside's grand vision. Seaside reveres its local environment and desires to include, innovate, and inspire. Seaside is diverse, vibrant, and safe, and boasts an extraordinary quality of life and proximity to

many amenities. Maintaining and augmenting these values, increasing economic opportunity and recreational opportunity for our residents, is a key portion of any development for Seaside East.

As such, DPZ CoDesign was selected to create and manage the community outreach process. Famous for their contextually sensitive work in Seaside, Florida and for decades of award-winning work engaging communities and fighting sprawl, DPZ CoDesign is uniquely situated to provide Seaside residents and Seaside East with the opportunity to design for Seaside's future.

At present, Seaside East is zoned RS-8 for low-density residential development. To meet community goals such as housing, environmental sustainability, economic growth, and access to recreation, this zoning designation is expected to change. The Draft General Plan 2040 goals are in concert with such a change to the land use map, though an amendment will need to be passed. The community charrette took this as a mandate to design and zone Seaside East as needed in reference to the community's wishes.

The charrette's overall goal was to conduct an open community dialogue to develop a City vision suitable to Seaside East's transformative opportunity and thereby continue to progress on issues of economic opportunity, affordable housing, social justice, clean energy, and environmental conservation. It provided an opportunity for residents to ask questions and advocate for their needs and Seaside's future needs. The combination of the outreach impressions and comments resulted in four plans for Seaside East for residents to cogitate over and comment upon.

To implement those plans, the City has rejected the conventional process of selling the land to a developer with the developer creating the plan. This is the reason the City refused to accept unsolicited proposals. Instead, the City sought to create a comprehensive community-driven vision through the charrette process. Once the community creates possible visions and the City Council directs staff toward a specific vision, the next stage can be implemented.

That next stage consists of the City Vision process or the City Developer process. The City Vision process implements Seaside's vision by bequeathing the vision to a developer who refines the plan, builds common areas such as streets, and sells lots to builders or non-profits. In contrast, the City Developer process implements Seaside's vision through the City financing and building common areas and leasing land to builders or nonprofits. The City Developer process has the advantage of retaining the most local control. Seaside will need to decide its way forward after considering the results of the charrette and outreach process.

ASSESSMENT OF OUTREACH

A February 6, 2020, Staff Report, made a recommendation that Council vote to allow the City Manager to execute a not to exceed contract with DPZ to conduct a series of

visioning and charrette meetings with City of Seaside stakeholders. Meetings and interviews were held with over 50 community members spanning a wide spectrum of representation: Environmental preservation, recreation and trails, underserved populations, housing, economic development and jobs, Fort Ord management, elected officials, and youth and teens programs, and the Arts.

Three charrette meetings were held; Visioning, Exploration, and Final. The first session, a Community Visioning Exercise, began with a special "Visioning Kick-off Event" on Sunday, October 24, 2021, from 1pm to 4pm at MLK School where the community was able to share with DPZ their vision for Seaside East. The visioning meeting captured community feedback on the development of objectives and solutions. The initial visioning meeting established these five major goals of the project.

- Housing
- Jobs & Economic Development
- Recreation
- Arts & Culture
- Environmental Sustainability

A follow-up "Community Feedback Event" took place on Wednesday, October 27, 2021, at 6pm at Oldemeyer Center where there was a community review and discussion of site options. This presentation explored four preliminary planning scenarios, which reflected the community feedback gathered from the initial visioning exercise. These four planning scenarios are designed from least to most development intensity: The Compact Pueblito Plan, The Seaside Vista Plan, The Enclaves, and The Crescent Plan.

There were at least three questions raised by audience members:

- What is the plan for fire evacuation with only two current ingress/egress routes available?
- How can the City ensure that the housing will remain affordable and available to Seaside residents and not purchased by investors?
- Why is there no option for zero development and 100% conservation?

A final "Charrette Outcomes Event" took place on Friday, October 29, 2021, at 6pm at Oldemeyer Center, where there was a final presentation with a community report and recommendations. This presentation offered a more detailed look at the four planning scenarios with the intent of "making the case for development and preservation".

STAKEHOLDERS CONTACTED

Multiple community stakeholders were contacted as summarized in Attachment 2.

CHARETTE PARTICIPATION

A real-time survey was conducted during the final meeting. The following list of

questions were asked in order to gauge age demographics and feedback on the four preliminary plan designs. The survey was administered using Slido, an interactive web application in both English and Spanish:

- How old are you? Cuántos años tienes?
- Do you live or work in Seaside? Vives o trabajas en Seaside?
- Which plans best address housing needs? Cual de los planes provee la mejor solucion a las necesidades de vivienda?
- Which plans best address jobs needs? Cual de los planes provee la mejor solucion a las necesidades laborales?
- Which plans best address arts and cultural needs? Cual de los planes provee la mayor solucion a las necesidades artísticas y culturales?
- Which plans best address sports and recreation needs? Cual de los planes provee la mejor solucion a las necesidades deportivas y recreativas?
- Which plans best provide a model for sustainable development? Cual de los planes provee el mejor modelo de desarrollo sustentable?
- Which plan do you prefer? Que plan prefieres?

LIMITATIONS OF OUTREACH

During the 2nd and 3rd meetings, DPZ presenters commented on the obvious lack of participation by Spanish speaking members of the community. According to the 2010 census, Hispanics or Latinos make up 43.4% of the population. Much of this population is comprised of working-class families that likely do not have the capacity to participate. Other barriers include, lack of childcare, Spanish speaking only, and overall lack of understanding or experience with civic engagement and particularly with a participatory planning process.

To followup, a survey written in Spanish was distributed to the community. It was mentioned in the business newsletter, on social media, and on flyers for the rental assistance program. Those flyers were posted in almost 50 establishments, including churches, Asian-American owned businesses, Mexican American businesses, student organizations, service organizations, and a school. But minimal surveys were completed.

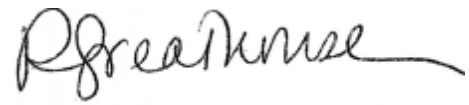
FISCAL IMPACT

None.

ATTACHMENTS

1. Attachment 1 - SEASIDE_COUNCIL_DPZ_LETTER_220328
2. Attachment 2: SEASIDE_EAST_STAKEHOLDERS_CONTACT_LIST

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



March 28, 2021

Seaside East Preferred Plan

Dear Mayor Oglesby and Council Members,

A few months have passed since we held a public Charrette process concerning Seaside East. We hope you have had the opportunity to view the Charrette closing presentation and to consider the plan options identified. Today, we ask that you consider two critical questions which must be answered to complete our work, informing the General Plan update:

1. Which plan should we carry forward as a vision for the General Plan? What updates might you recommend we pursue as we clarify that plan?
2. In order to proactively address housing affordability in Seaside East, is the City willing to consider the role master developer?

Below is a brief discussion of both questions and the process to date, which will also be the subject of our upcoming presentation.

Process

The public input process was designed to identify key subjects of interest and concern ahead of a weeklong public design exercise, culminating in a series of design options for your consideration. We began with a series of virtual interviews with each of you to understand the project context, aspirations and concerns, potential opposition and support, and a roster of additional individuals to meet. Two days of one-on-one meetings were arranged, in Seaside, in late September, alongside a number of meetings over zoom. During these meetings we listened openly to thoughts about Seaside East, asked about goals and concerns, and asked whom else we should speak with before beginning design. These fact finding interviews set the basis for our initial slate of design goals, the meeting subjects during the design charrette, and helped to assemble a list of 140 people whom which we invited to charrette



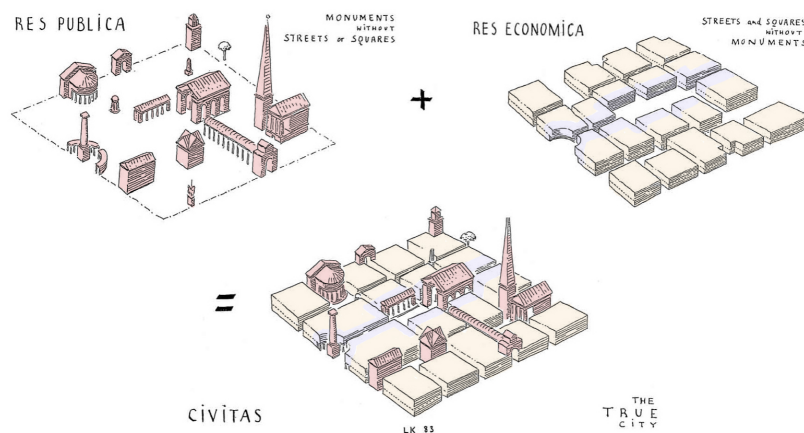
meetings or met with in person or virtually. In addition to these direct invites, we asked a number of community connectors to spread the word about the upcoming design charrette meetings, in addition to notices provided by the City.

Between October 22nd and 29th, we convened a team from our offices along with a few consultants to round out our expertise, to conduct a public design charrette. This process included 12 open meetings. Nine of the meetings topic-specific, held at Seaside Creates. While these meetings were open to the public, we asked some people to specifically attend, due to their position or area of expertise. Three of the meetings were organized as more significant public events, and advertised as such. These included an opening event which set the stage for what were, why, and provided an open forum for public input to refine our preliminary project goals. The other two meetings, at the design midpoint and at the end of the charrette, were organized with a presentation of work to date followed by public input on that work. In addition, we welcomed input during "open studio" hours at Seaside Creates, where people could drop-in, see what we are drawing, and talk with anyone on our team. Working at Seaside Creates also provided a very direct connection with staff who were able to answer questions and provide any missing materials.

The design portion of our work resulted in 4 plans which varied in the amount and intensity of development in Seaside East. These plans are described in the following section of this letter. However, the conversations held during the charrette meetings provide greater context and specificity for the plans, beyond what can easily be discerned from drawings. We focused on numerous goals in the areas of Housing, Jobs, Recreation, Arts & Culture, and Sustainability. Through public conversation, we found dire needs within each area and considered how Seaside East could contribute to solutions. While each plan develops on a different amount of land in Seaside East, they all share in their approach to addressing these goals. In fact, achieving the sustainable development goals directs the form and process that development should take. Achieving the remaining goals relies on the question of to what extent should we address the need for housing, jobs, recreation, and arts & culture. Following the charrette we have collected and completed drawings, but have most significantly asked Urban3 to evaluate the anticipated fiscal impact of these 4 plan options - how much additional land value is created. This is reflected in the information that follows.

Which plan should we carry forward as a vision for the General Plan?

During the Charrette, we developed 4 plan alternatives for the future of Seaside East: the No Growth plan, the Compact Pueblito plan (low growth), the Enclaves plan (moderate growth), and the Vistas plan (most growth). None of these plans recommends developing all of Seaside East, carrying forward the LUD-17 goal of “abundant and high-quality natural open space on former Fort Old lands”. Most plans do propose new growth in the form of compact and mixed-use development, carrying forwards the goals of LUD-18 through LUD-22 concerning sustainable growth, compactness, support and enhancement of natural areas, and resilient neighborhoods connected with the rest of the city.



Each plan that recommends development does so in the form of one or more compact and mixed-use development areas. Common to each plan and its' development areas are a mixture of workplace, housing at high and medium density, cultural institutions, public space, recreation, active transportation, and natural areas preservation. Each of these is a topic of need within the City of Seaside. While conventional development would isolate each use, doing so would result in more automobile trips, inefficient infrastructure, neighborhoods lacking diversity and resilience, and overall be an unsustainable pattern of growth. Separating uses would also result in development patterns people in the community have been critical of - growth in any single family housing would occur quickly and all of the other needed

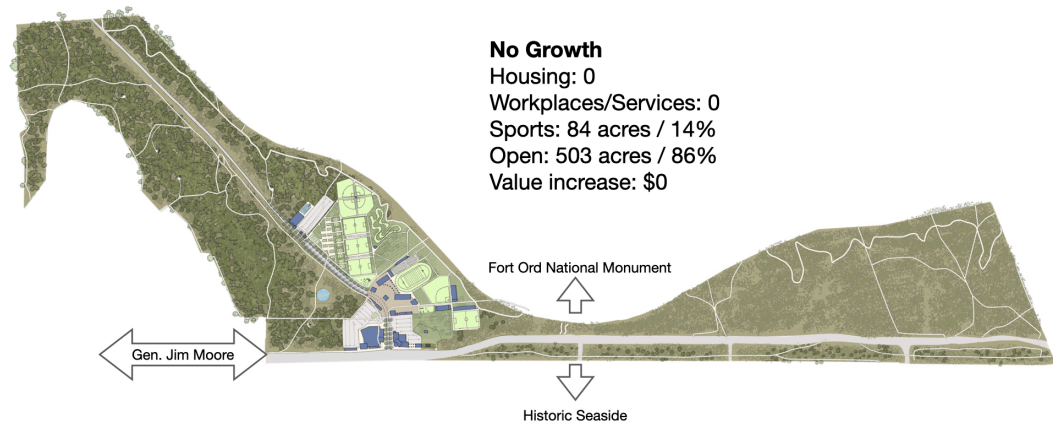
housing and supportive uses would languish and be threatened. This standard of compact and truly mixed-use development areas is critical, common to all development plans, and a focus of phasing which can achieve increments of independently sustainable communities from the beginning. The diagram above, by Leon Krier, explains how cities are built sustainably, combining public and cultural spaces and buildings, and a mixture of the homes and workplaces that together create diverse places.

Seaside East, existing development occurring within Seaside and the greater region, and future infill within Seaside's already built areas are all subject to time and the availability of water. We do not ignore this fact. However, there is a significant timeline of cleanup, policy, planning, RFPs, and entitlements that even with the water available today, would mean actual development in Seaside East would not be practical for a number of years. Today, we need to decide where the City wants to go in the future, the details of which will develop in coming years. Unfortunately the timeline either way means that Seaside East's contribution towards today's dire needs for housing, jobs, culture, and recreation are a ways off. In the meantime, Seaside will continue to pursue infill growth, a sustainable development practice that is a critically important.

Concerning the 4 plan options, we seek guidance in selecting a single plan to move forwards as a vision for Seaside East. We will then further detail the selected plan and describe its' critical elements. The 4 plan options are as follows:

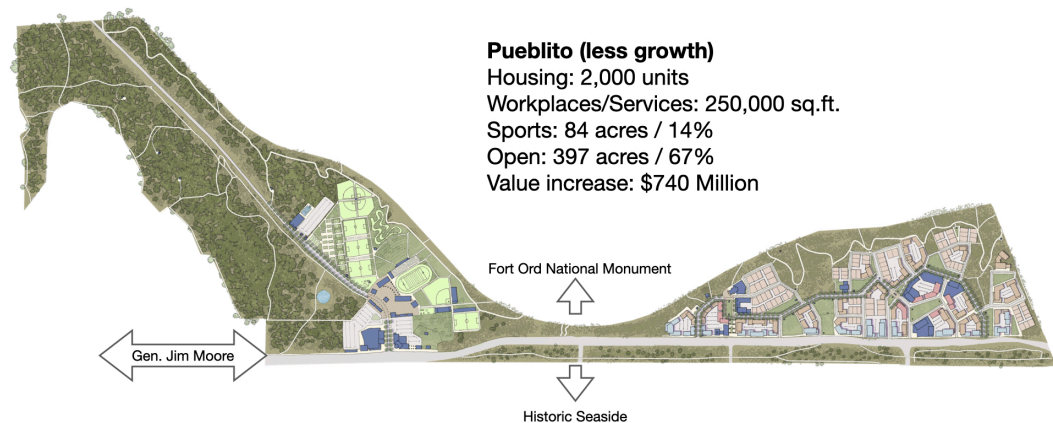
The No Growth Plan

This plan includes recreational activities within Seaside East, but not housing or work places. Advocates for this approach suggest that tourist activities for the National Monument will drive economic development within the existing city and support recreational facilities and the maintenance and rectorate of natural areas. During the Charrette, we heard that it is unlikely that the portion of the National Monument that is currently restricted, adjacent to Seaside East, will ever be made publicly accessible. This raises concerns about the viability of this concept. Actions could be taken to enhance it as a gateway, yet full access to the monument would be restricted.



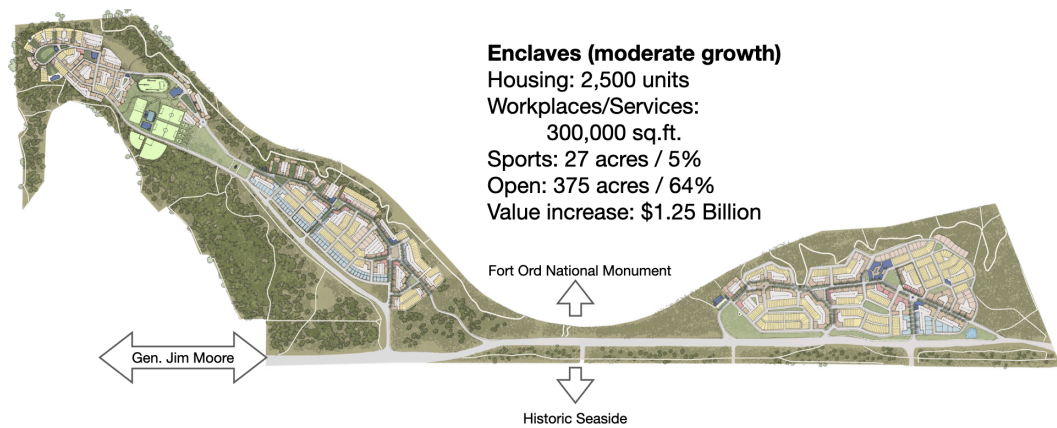
The Compact Pueblito Plan (low growth)

This plan proposes the same recreational uses as the No Growth Plan, along with development at the south end of Seaside East, in two small pockets. These development areas include a mixture of housing and workplaces, as well as additional recreational facilities. This plan does not develop up to or beyond the ridge along Eucalyptus, which was identified by some residents as a concern.



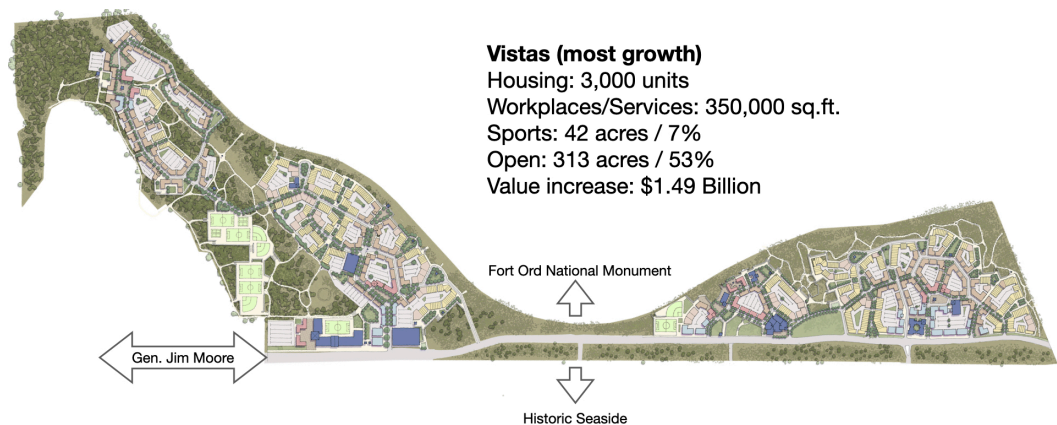
The Enclaves Plan (moderate growth)

This plan includes three overall development areas distributed throughout the site, along with a more distributed recreational program. It does not build in the Oaks along Eucalyptus but does build beyond the ridge.



The Vistas Plan (most growth)

This plan develops more of Seaside East than others, though retaining about 1/2 of the area in open space, distributed throughout and between compact development areas. Recreational facilities are distributed in two primary areas. This plan does develop beyond the Eucalyptus ridge and also within the Oaks.



In order to proactively address housing affordability in Seaside East, is the City willing to consider the role of master developer?

At the end of the closing Charrette presentation we presented three ways in which development, should it be chose, could occur within Seaside East. The development process is an important consideration in achieving a true mixture of uses and intensities of housing, room for civic space and civic institutions, and most importantly the ability to provide affordable housing and workplaces.

Our charge in fostering a vision for Seaside East has already moved the City from a Conventional Process which is driven by the vision of developers towards a City Vision Process where the City leads with a vision which developers implement. This is similar to the Campus Town process where a vision was created and developers implement that vision. During charrette discussions concerning affordable housing and public & recreational spaces, significant concerns were raised with this process. Specifically, there is a lack of trust that affordable housing, higher density housing, and sufficient workplaces will result from developer implementation. Additionally there are concerns that public spaces within Seaside East would be unwelcoming to existing residents. And in our experience with development, we understand that delivering a true mix of uses, to achieve Leon Krier's city of public and private, is very difficult.

City Vision Process

- City establishes a vision
- Developer implements the vision
- Parks and streets are public
- 20% affordable units built later and off-site



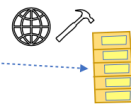
- City creates a vision plan.
- City sells land to a developer through an RFP.



- Developer refines the vision plan.
- Developer builds streets, parks, and development agreement-based contributions.
- City retains streets and parks.



- Developer sells building lots to a builder or non-profit.



- Builder builds, markets, and sells homes.
- Non-profit builds and sells or rents homes.

As an alternative, we proposed a City Developer Process where the City acts as master developer, building the streets and infrastructure and preparing sites for development. The development sites would be sold to builders like any normal development. However, the City would more easily be able to sell properties to the affordable housing non-profit, other organizations focused on affordable housing and civic institutions, and better ensure a mixture of housing types and tenures,

workplaces, and public places. While uncommon today, this process is being used in a small California municipality and to a larger extent in Wisconsin. Roads and recreational spaces would be retained by the City and maintained through normal capital improvements rather than as an additional non-governmental tax in the form of HOA dues. This process requires more work and initial capital outlay, but is one of the few ways to ensure affordable housing is provided.

City Developer Process

- City establishes a vision
- City implements the vision
- Parks and streets are public
- More than 20% affordable units built on-site and prioritized



- City creates a vision plan.
- City creates a financing and phasing strategy.



- City builds and retains streets, and open spaces.



- City leases land to a non-profit or builder.



- Builder builds, markets, and sells homes.
- Non-profit builds and sells or rents homes.

Thank you for your consideration of these options. Throughout the Charrette we discussed numerous details which cannot easily be distilled into a presentation. But we heard loudly and clearly that Seaside is in dire need for affordable and attainable housing, for well paying jobs and entrepreneurship, and for recreation and sports facilities, for arts and cultural facilities. Seaside also has an opportunity to provide a new model for sustainable development. None of this is an easy undertaking. If Seaside East is to be developed, the residents have insisted that it meet their needs and not be just another expensive single-family subdivision. Help us articulate this vision and provide you with meaningful goals, direction, and a strong and lasting vision.

We look forward to the discussion and continuing to assist the City of Seaside,

Matthew Lambert, Partner, DPZ CoDesign

Marina Khoury, Partner, DPZ CoDesign

Industry	Contact	Organization
CITY	Alexis Garcia Arrazola	City of Seaside
CITY	Jason Campbell	City of Seaside
CITY	Jon Wizard	City of Seaside
CITY	Dave Pacheco	City of Seaside
CITY	Ian Oglesby	City of Seaside
ENVIRONMENT	Fred Watson	MPCC, FORTAG
ENVIRONMENT	Scott Waltz	MPCC, FORTAG
ENVIRONMENT	Roelof Wijbrandus	Sustainable Seaside
ENVIRONMENT	Kay Cline (w/ Bill)	Sustainable Seaside
ENVIRONMENT	Catherine Crockett	Sustainable Seaside
ENVIRONMENT	Melodie Chrislock	Public Water Now
ENVIRONMENT	Bill Weigle (w/ Kay)	Keep Fort Ord Wild / Sustainable Seaside
ENVIRONMENT	Molly Erickson	KFOW
ENVIRONMENT	Michael Solerno	KFOW
ENVIRONMENT	Lacey Raak	Environmental committee; MPCC
ENVIRONMENT	Elz Winchester	Land watch
ENVIRONMENT	Cathy Rivera	Bill Weigle
ENVIRONMENT	Dan Fernandez	Bill Weigle
ENVIRONMENT	Matt Hess	Bill Weigle
ENVIRONMENT	Bertrand Deprez	Bill Weigle
ENVIRONMENT	Michael DeLapa	Land watch
COMMUNITY	Mel Mason (w/ Regina)	Village Project
ENVIRONMENT	Regina Mason (with Mel)	Village Project
ENVIRONMENT	Brian LeNeve (President) - Monterey	Native Plant Society
ECON DEV	Matt Huerta	Monterey Econ Dev partnership
ECON DEV	Allan Groves	economic committee
ECON DEV	Camille Groves	
ECON DEV	Danny Bakewell Jr .	Developer
ECON DEV	Kate Roberts	Monterey Econ Dev partnership
ECON DEV	Jim Bauson	Chamber of Commerce
ECON DEV	Allan Groves	Commission on Jobs, Opportunities, and Businesses
ECON DEV	Mike Avala	Developer
ECON DEV	Gayle Tier	Commission on Jobs, Opportunities, and Businesses

BUSINESS	Chris Shakes	Shakes enterprises, restaurants
BUSINESS	Al Glover	respected property owner
HOUSING	Alex Miller	
HOUSING		CHISPA
HOUSING	Annalisa Mitchell	
ECON DEV	Jeff Davi?	Commercial Land Round Table of Monterey County
ECON DEV	Michael Houlemard	former Fort Ord
FAITH	Pastor Britt	Greater Victory Temple Church
FAITH	Pastor ML Carter	
FAITH	Pastor Harold Lusk (w/ Dr. Bettye Lusk	Bethel Missionary Baptist Church
FAITH	Pastor Dunham	Friendship Baptist Church
FAITH	Kenneth Murray	Ocean View Baptist Church
FAITH	John Nash Sr	deacon
ECON DEV	Joy Anderson	
ARTS	Juan Sanchez	Palenke Arts
ARTS	Maria (Lupe) Jara	
ARTS	Jackie Hope	performing arts coordinator
		board of education / community activist / retired educator/ former
EDUCATION	Helen Rucker	City councilmember
EDUCATION	Rosalyn Green	MPCC; Building Healthy Communities
EDUCATION	David Martin	Superintenant / President
EDUCATION	Viki Nakamora	MPCC
EDUCATION	Larry Samuels	CSUMB
EDUCATION	PK Diffenbaugh	Seaside School District (MPUSD)
	Francisco Lopez	LULAC, Hispanic
EDUCATION	Dr Bettye Lusk (w/ Pastor Lusk)	MPUSD Board Member
COUNTY	Todd Muck	Transportation Agency for Monterey County
COUNTY	Wendy Root Askew	Monterey County Supervisor
COMMUNITY	Daryl Choates	
COMMUNITY	Rick Medina	ex planner / Seaside Consultant
COMMUNITY	Ann Leffel Mary	
COMMUNITY	Lisa Sawhney	
COMMUNITY		Unite Here Hospitality Union

COMMUNITY	Dennis Volk	Mel's Market
COMMUNITY	Shari Hastey	
COMMUNITY	Gracie Rubio	
COMMUNITY	Alex Miller	
COMMUNITY	Anne Marie Pagan	
COMMUNITY	Ron & Marie Guth	
COMMUNITY	Ruth Watts	
COMMUNITY		TAMCY / Greenway Project
COMMUNITY	Guadalupe Perez	latinx (regina)
COMMUNITY	Rena Vasquez	latinx (regina)
COMMUNITY	Yvonne Thomas	NAACP
COMMUNITY	Jesse Perez	Latinos Unidos
COMMUNITY	Arturo Aguila	COPA
CITY	John Owens	Planning Commission
CITY	Dave Pacheco (Chair)	Traffic Advisory Commission
CITY	Franco Pacheco (Chair)	Recreation and Parks Commission
		Business Council
		Nearby Schools - MPUSD
CITY	Hamish Tyler (Chair)	Art and History Commission
	Kee Hyon Higgins (staff liaison)	Youth Violence Prevention Task Force
CITY	Jerry Blackwelder (Chair)	Seaside County Sanitation District
		Monterey Institute of International Studies
CITY	Benjamin Strickland (chair)	Homeless Committee
CITY	Stacey Feiss (co-Chair)	Homeless Committee
CITY	Joy Anderson (Chair)	C-JOBS
COUNTY	Wendy Root Askew (Chair)	Monterey County Board of Supervisors
		Monterey County Visitors and Convention Bureau
		Monterey Peninsula Regional Parks District
GOVERNMENTAL	Eric Morgan / Fort Ord National Monument	Bureau of Land Management
	Shari Hastey - Executive Director	Community Partnership for Youth
		Seaside Merchant's Association?

	Ron Johnson President and CEO	Boys and Girls Club
	Jacob Ahrenstorff	Seaside Pony Baseball & Softball
	Claudia Link	Seaside Raiders Youth football & cheer
		Veterans Cemetery
		Monterey Bay Economic Partnership
		Cal Coastal Rural Development Corporation / SBDC
		Willie Herrell - President - Monterey County African American
		FORTAG
WATER		MCWD
WATER		MPWMD
WATER	Jason Campbell	Monterey One Water
WATER		Cal Am
		City of Marina
		City of Del Rey Oaks
		MST
	Ana Flores /	AMBAG
ECON DEV	Joy Anderson	CJOBS
ECON DEV	Shyam Kamath	CJOBS
ECON DEV	Allan Groves	CJOBS
ECON DEV	David Rodriguez	CJOBS
ECON DEV	Gayle Tier	CJOBS
ECON DEV	Sharon Coggin	CJOBS



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.B.

TO: City Council

FROM: Roberta Greathouse, Acting City Manager

BY: Roberta Greathouse, Human Resources Director/Risk Manager

DATE: April 7, 2022

**SUBJECT: ADOPT A RESOLUTION APPROVING A LICENSE TO WOWEE
CANNA TO ESTABLISH A NEW MEDICAL/ADULT
RECREATIONAL CANNABIS RETAIL OPERATION LOCATED AT
1605/1609 SANTA BARBARA STREET**

RECOMMENDATION

Adopt a resolution approving a license to Wowee Canna to establish a new medical/adult recreational cannabis retail operation located at 1605/1609 Santa Barbara Street.

BACKGROUND

In September of 2017, the City passed regulations allowing the sale, distribution, and cultivation of medical and adult-use cannabis at a limited number of locations in the City. The City Council subsequently amended the ordinance on multiple occasions. Some of the notable changes include:

- an increase in the total number of available permits,
- a requirement that applicants apply for a conditional use permit,
- the adoption of selection criteria by resolution and not by ordinance, and
- a reduced buffer distance between dispensaries.

The latest amendment to the ordinance, adopted April 2021, increased the license cap from six to eight licenses: "the total number of conditional use permits shall not exceed five valid dispensaries of each type within the West Broadway Urban Village and a total of three dispensaries of each type City-wide not located in the West Broadway Urban Village." During the regular meeting of January 20, 2022, the City Council adopted the resolution identifying selection criteria for additional cannabis retail shops. After

adoption, staff began the application process with a request for proposal ending February 28, 2022.

The new application process and selection criteria were created using available best practices with business friendliness, transparency, and fairness as paramount values. Applicants were required to submit application materials together in one complete comprehensive application as a .PDF package. Prior to an application being evaluated and ranked using the criteria, an application must have been deemed complete. The City received two applications: Wowee Canna and Higher Level of Care Express. Both were evaluated according to the adopted criteria:

- (a) Cannabis Dispensary License Application;
- (b) Financial Responsibility, Indemnity, and Consent to Inspection Terms Agreement;
- (c) Agreement on Limitations of City's Liability and Indemnification to City;
- (d) Application fee and Background Check fee(s);
- (e) Business Owner Acknowledgment Agreement;
- (f) Proof of Property Owner Consent/Landlord Affidavit; and
- (g) Proof of Insurance or letter of insurability from the Insurance Company.

Applications have been carefully vetted by the City to ensure accuracy and security. The two applicants received exemplary ratings for their security plans. Specific details of the security plans are limited to the Seaside Police to maximize public safety. At this time, only one of the applications is recommended to proceed (Wowee Canna), the other requires further evaluation. A summary of the application follows. If approved for a license, the applicant would take the next step of applying for a conditional use permit before the Planning Commission.

1. Wowee Canna

The proposed business is located at 1605/1609 Santa Barbara Street, Seaside, CA, 93955, APN# 001-545-001. The proposed site is located in the mixed-use (MX) zone of the West Broadway Urban Village Specific Plan. The location consists of two combined retail spaces, 1,692 sq. ft. is an existing building with 5 occupied tenants. Application included a Zoning Conformation Letter, accurate site diagram and street view photographs. Tenant improvements included window replacement, new awnings, paint, and refacing the existing structure. Signs will comply with 17.40.

The Safety plan was developed by a professional fire prevention and suppression consultant. The plan described potential hazards and provided a diagram of fire extinguisher locations, emergency exits, and alarm locations. All accidents will be immediately reported to Management and the proper accident procedure implemented. Waste management procedures and locations were clearly described, All cannabis waste will be rendered unusable and unrecognizable.

The Security plan was developed by a professional security consultant which was in line with state regulations. A premises diagram identified 14 camera locations. The diagram

clearly identified the use of each area. The proposed facility will be a limited cash location. Delivery vehicles will be equipped with a GPS monitoring system. An on-site guard will be present during business hours. A complete outline of ongoing training for fire/security was provided in the application.

All employees will be encouraged to complete a minimum of 40 hrs. per year of community service. Applicant stated a contribution commitment of 2% annual gross income to local non-profits, Partnership of Youth, and Friends of Seaside Park Association. The proposed business will commit to actively engaging with the local community.

2. Higher Level of Care Express

Higher Level of Care proposes operating at 305 Amador. The applicant submitted a completed application package, but there is additional information that staff must analyze and consider regarding the proposed use at this location, therefore staff is not proposed to make a recommendation to Council regarding this application at the April 7, 2022, meeting.

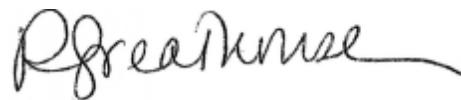
FISCAL IMPACT

None. Potential future impact should licensees complete a Conditional Use Permit.

ATTACHMENTS

1. Resolution
2. Application

Reviewed for Submission to the City Council by:



Roberta Greathouse, Acting City Manager

RESOLUTION NO. 22-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING A LICENSE TO WOWEE CANNA TO ALLOW A MEDICAL/ADULT RECREATIONAL CANNABIS RETAIL OPERATION LOCATED AT 1605/1609 SANTA BARBARA STREET (APN# 001-545-001) IN THE MIXED-USE (MX) ZONE OF THE WEST BROADWAY URBAN VILLAGE SPECIFIC PLAN

WHEREAS, in November 2016, voters in the State of California approved Proposition 64 – Adult Use of Marijuana Act, which legalized the recreational use of cannabis; and

WHEREAS, the City of Seaside approved SMC 19 Cannabis in 2017 to allow for legal adult and medical cannabis dispensaries; and

WHEREAS, in December 2017, the City of Seaside approved six adult and medical-use cannabis dispensaries; and

WHEREAS, on April 1, 2021, the City of Seaside approved updating SMC 19 text to increase cannabis dispensaries, not to exceed five in the West Broadway Urban Village specific plan area and not to exceed three outside the West Broadway Urban Village specific plan area (it is anticipated dispensaries will be both medical and adult); and

WHEREAS, in March and April, 2021, the City of Seaside stated that additional dispensary applications are not to be accepted until the Council indicates to do so at a time in the future; and

WHEREAS, on April 1, 2021, the City of Seaside passed to print an amendment to SMC 19.08.010.B and on April 1, 2021, the City of Seaside adopted amendment to SMC 19.08.010.B which requires that the criteria for dispensary selection to be established by resolution; and

WHEREAS, the Seaside City Council adopted a new application process and selection criteria by resolution for additional cannabis retail shops at a duly noticed public meeting held on January 20, 2022; and

WHEREAS, the new application process and selection criteria were created using available best practices with business friendliness, transparency, and fairness as paramount values; and

WHEREAS, the City published the selection criteria and the notice of available licenses in a request for proposal on the official City website ending February 28, 2022; and

WHEREAS, the City received two applications for a License to allow the establishment of a Medical/Adult Recreational Cannabis Retail operations at their respective locations:

- A. Wowee Canna located at 1605/1609 Santa Barbara Street (APN# 001-545-001), and
- B. Higher Level Care Express 305 Amador Avenue (APN# 011-311-018); and

WHEREAS, the City has reviewed and evaluated according to the adopted criteria, and found Wowee Canna to have scored above the required 90% threshold and Higher Level Care Express needing further review; and

WHEREAS, the Seaside City Council has weighed the merits of the Wowee Canna application and reviewed the summary provided by staff at a duly noticed public meeting; and

NOW, THEREFORE, BE IT RESOLVED, that the Seaside City Council approve a license to allow a Medical/Adult Recreational Cannabis Retail Operation to Wowee Canna.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, duly held on the 7th of April, 2022, 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

APPROVED AS TO FORM:

Sheri L. Damon, City Attorney

TOKEMED



Seaside, California



City of Seaside
440 Harcourt Ave, Seaside, CA 93955 831.899.6700

CANNABIS DISPENSARY APPLICATION

Business Name <u>TokenMed</u>		
Owner Name (s) <u>Danny Huynh</u>		
Mailing Address <u>1506 Mira Monte Ave</u>		
City <u>Seaside</u>	State <u>CA</u>	Zip <u>93955</u>
Phone <u>831-313-8404</u>	Email <u>dannybloom007@gmail</u>	Fax <u>_____</u>
Driver's License # <u>[REDACTED]</u>		
Dispensary Address <u>895 Broadway Ave, 1605 & 1609 Santa Barbara St.</u>		
City <u>Seaside</u>	State <u>CA</u>	Zip <u>93955</u>
Dispensary Square Footage <u>3,821</u>		
Additional Principal Employees		
Name		Email
Mailing Address		
City	State	Zip
Driver's License #		
Name		Email
Mailing Address		
City	State	Zip
Driver's License #		
Name		Email
Mailing Address		
City	State	Zip
Driver's License #		
Name		Email
Mailing Address		
City	State	Zip
Driver's License #		
Name		Email
Mailing Address		
City	State	Zip

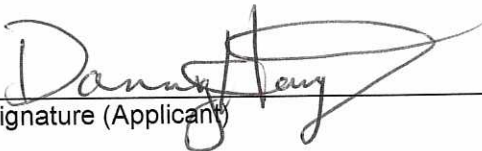
Please attach any additional employee information on a separate sheet.

INDEMNIFICATION AGREEMENT

Pursuant to Seaside Municipal Code, and to the fullest extent permitted by law, the Applicant" (owner, tenant or other lawful occupant in possession of the property) hereby agrees to defend, indemnify and hold harmless the City of Seaside, its officers, attorneys, agents, and employees:

1. From any claims, actions, proceedings or liability of any nature (collectively referred to as proceeding) brought against the City or its officers, attorneys, agents or employees, related to the issuance, administration, and/or enforcement of the Cannabis Permit issued by the City to the Applicant. The indemnification is intended to include but not be limited to damages, fees, and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, the City, and/or the parties initiating or bringing such proceeding.
2. The Property Owner hereby agrees to indemnify the City for all of the City's costs, fees, and damages which the City incurs enforcing the indemnification provisions of this Agreement.
3. In the event of a proceeding, the City retains the right to approve counsel to defend the City, all significant decisions concerning the manner in which the defense is conducted, and any and all settlements, which approval shall not be reasonably withheld. The City has the right not to participate in the defense, except that the City agrees to cooperate with the applicant in the defense of the proceeding. If the City Attorney's office participates in the defense or the City retains special counsel, all City Attorney or special counsel fees and costs shall be paid by the Property Owner/Applicant.
4. The defense and indemnification of the City set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceeding.
5. Should either party to this Indemnification Agreement bring legal action against the other, (formal judicial proceeding, mediation or arbitration), the case shall be handled in Monterey County, California, and the prevailing party shall be entitled to reasonable attorney's fees which shall be fixed by the judge, arbitrator hearing the case and such fees shall be included in the judgment together with all costs.

Danny Huynh 11/20/17
Print Name and Date


Signature (Applicant)

Print Name and Date

Signature (Zoning Administrator)

Company Name: TOKEMED

APN: _____

Business Address: 895 Broadway Ave, 1605 & 1609 Santa Barbara St.
Seaside, CA 93955

CITY OF SEASIDE CONSENT AND INDEMNIFICATION

Pursuant to Seaside Municipal Code, and to the fullest extent permitted by law, the "Property Owner" (owner of the subject property, if different from the applicant) hereby agrees to defend, indemnify and hold harmless the City of Seaside, its officers, attorneys, agents, and employees:

1. From any claims, actions, proceedings or liability of any nature (collectively referred to as proceeding) brought against the City or its officers, attorneys, agents or employees, related to the issuance, administration, and/or enforcement of the Cannabis Permit issued by the City to the Applicant/Occupant of the subject property. The indemnification is intended to include but not be limited to damages, fees, and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the Applicant, the City, and/or the parties initiating or bringing such proceeding.

2. The Property Owner hereby agrees to indemnify the City for all of the City's costs, fees, and damages which the City incurs enforcing the indemnification provisions of this Agreement.

3. In the event of a proceeding, the City retains the right to approve counsel to defend the City, all significant decisions concerning the manner in which the defense is conducted, and any and all settlements, which approval shall not be reasonably withheld. The City has the right not to participate in the defense, except that the City agrees to cooperate with the applicant in the defense of the proceeding. If the City chooses its own counsel to defend the City, the fees and expenses of the counsel selected by the City shall be paid by the City. Notwithstanding the above, if the City Attorney's office participates in the defense, all City Attorney fees and costs shall be paid by the Applicant.

4. The defense and indemnification of the City set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceeding.

Ron Lee CHAU NGUYEN 11-20-17 Ron Lee Chau 11-20-17
Print Name and Date Signature (Owner)

Print Name and Date Signature (Zoning Administrator)

We, the owners of real property identified within this application hereby acknowledge and consent to the cannabis related use proposed by the Applicant

Danny Huynh on our property identified as APN _____ and located at
895 Broadway, 1605 & 1609 Santa Barbara St. Seaside, CA 93955
We further consent to inspection for Permit compliance by authorized City personnel, without notice, so long as the owner(s), Applicant or legal tenant/occupant is present.

ACKNOWLEDGEMENT OF APPLICATION PROCESS

I, Danny Huyah hereby acknowledge that I have read and understand the Seaside Commercial Cannabis Ordinance (SMC Chapter 19), and agree to the following:

1. Applicants have no rights to engage in commercial cannabis activities unless granted a Use Permit, Business License and Development/Operating Agreement.
2. All Commercial Cannabis Uses are granted license and use permits for one year only. No property interests, vested right or entitlement to receive a future license to operate a cannabis business shall ever inure to the benefit of such permit as such permits are revocable at any time with or without cause by the City Manager or designee subject to Section 19.09 of the Seaside Municipal Code.
3. Any cannabis related use that receives a Use Permit or Administrative Use Permit shall also execute a Development/Operating Agreement annually agreeing to abide to all conditions of approval at all times. The City Manager or designee can terminate a Development/Operating Agreement at any time with or without cause.
4. All fees paid to the City for processing applications are non-refundable.
5. Any application that is deemed incomplete will be returned to the applicant and submission of a new application will require the applicant to pay a new processing fee.
6. Dispensary Business License Holders shall be responsible for paying 6% of gross revenues quarterly as a business license tax. Failure to pay in a timely manner may result in revocation of the license holder's business license, Use Permit, Administrative Use Permit and Development/Operating Agreement.
7. All non-dispensary Business License Holders shall be responsible for paying 2% of gross revenues quarterly as a business license tax. Failure to pay in a timely manner may result in revocation of the license holder's business license, Use Permit, Administrative Use Permit and Development/Operating Agreement.
8. Applications will be scored by a committee and ranked based on those scores, combined with scores of the Cannabis Expertise Test. Only the highest ranked applications will receive an opportunity to take the Cannabis Expertise Test and proceed to a Use Permit application.
9. No guarantee of a Use Permit, Administrative Use Permit, Business License or Development/Operating Agreement is implied with the submission of an Application.
10. The applicant certifies that all statements in this application are true to the best of the knowledge of the applicant. Untrue statements are grounds for the application to be rejected and for Use Permit, License and Development/Operating Agreement revocation.
11. Use Permits, Business Licenses, and Development/Operating Agreements are for one year and can be revoked at any time with or without cause.

Danny Huyah 11/20/17
Applicant Name and Date (Printed)

Danny Huyah
Applicant Signature

OWNER ACKNOWLEDGEMENT OF USE AND AGREEMENT TO RENT

I, RONALD K. LEE, CHAU K. NGUYEN am the owner of the property located at 895 Broadway Avenue, Seaside, CA, 93955 and 1605 & 1609 Santa Barbara Street, Seaside, CA 93955 and agree to lease my property to Danny Huynh, TOKEMED if their application for a Use Permit and License is successful. I further stipulate that I understand the following (please initial next to each bullet):

- RKL CN The use proposed will be a cannabis related use.
- RKL CN The use will be a Cannabis Dispensary Operation/ Adult Use Dispensary Operation if applicable or any one or combination of the above use is acceptable.
- RKL CN Allowing this use could result in reduce access to certain banking institutions for the property owner.
- RKL CN Allowing this use could have certain insurance implications for the property owner.

As the owner of this property, I have researched and understand the implications of leasing my Property to a Cannabis Related Use and accept these risks.

CHAU K. NGUYEN	11-21-2017	<u>Chau</u>	See Attached for Notary
RONALD K. LEE	11-21-2017	<u>Ronald K. Lee</u>	
Printed Name	Date	Signature	See Attached for Notary

P.O. BOX 60756	Sunnyvale, CA.	94088-0756
Mailing Address	City	State Zip

(408) 482-5420		011-545-001
Phone	Email	Property APN

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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.

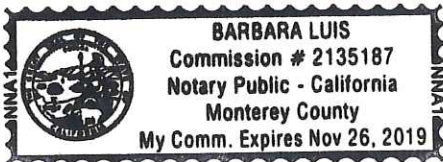
State of California

County of Monterey }

On November 21, 2017 before me, Barbara Luis, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Ronald K. Lee and Chau K. Nguyen
Name(s) of Signer(s)

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

[Handwritten Signature]
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Owner Acknowledgment of use & Agreement to Rent

Document Date: 11/21/2017 Number of Pages: 01

Signer(s) Other Than Named Above: _____

TokeMed
 895 Broadway Avenue, and
 1609 & 1605 Santa Barbara Street Seaside, CA 93955

We at TokeMed want to provide a facility that is safe, clean, and easy accessibility for Medical Cannabis products for Adult Medical Patients pursuant to the Adult Use of Marijuana Act of 2016 (Proposition 64), found at section 11362.1 of the Health and Safety Code.

Neighborhood Compatibility / Support

Printed Name	Signature	Email	Phone	Date
Gilbert Cubelo Jr.		electronics@potters.com	393-0277	8-19-2017
ART NOBIDA		Potter's APP	831-394-3154	10-15-17
MATT O'BURKE			831-394-3444	10/20
Frank Flores		Capet Corner	831-594-2200	10/25
BRUCE PESTANI		Pestani Auto Zone R	831-899-1600	10/30
ERASMO AIELLO		ERASMO AIELLO CORP	(831) 917-8892	10/30/17
JAVIER YEPEZ		Mi Tierra Market	831-394-2113	10/30/17
MALWINDSON		70 GAS Start	(831) 214-2049	
Manuel Villalobos			831-596-7702	11-15-2017





REQUEST FOR LIVE SCAN SERVICE

Print Form

Reset Form

Applicant Submission

CA 0271000

ORI (Code assigned by DOJ)

Liscen
Authorized Applicant Type

Cannabis Dispensary Owner
Type of License/Certification/Permit OR Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)

Contributing Agency Information:

Agency Authorized to Receive Criminal Record Information

Mail Code (five-digit code assigned by DOJ)

Street Address or P.O. Box

Contact Name (mandatory for all school submissions)

City State ZIP Code

Contact Telephone Number

Applicant Information:

Huynh
Last Name

Danny
First Name Middle Initial Suffix

Other Name
(AKA or Alias) Last

First Suffix

Date of Birth Sex ☒ Male ☐ Female

5'-08" 160 BIK BIK
Height Weight Eye Color Hair Color

Driver's License Number

Billing
Number
(Agency Billing Number)

Place of Birth (State or Country) Social Security Number

Misc.
Number
(Other Identification Number)

Home Address 1506 Mira Monte Ave
Street Address or P.O. Box

Seaside CA 93955
City State ZIP Code

Your Number: _____
OCA Number (Agency Identifying Number)

Level of Service: ☒ DOJ ☐ FBI

If re-submission, list original ATI number:
(Must provide proof of rejection)

Original ATI Number

Employer (Additional response for agencies specified by statute):

Employer Name

Mail Code (five digit code assigned by DOJ)

Street Address or P.O. Box

City State ZIP Code

Telephone Number (optional)

Live Scan Transaction Completed By:

Aliana Criado
Name of Operator

10/19/17
Date

CSUMB
Transmitting Agency

LSID

ATI Number

\$32.00 (#200)
Amount Collected/Billed



RESOLUTION NO. 22-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

OPPOSING INITIATIVE 21-0042A1

WHEREAS, an association representing California's wealthiest corporations and developers is spending millions to push a deceptive proposition aimed for the November 2022 statewide ballot; and

WHEREAS, the measure includes undemocratic provisions that would make it more difficult for local voters to pass measures needed to fund local services and infrastructure, and would limit voter input by prohibiting local advisory measures where voters provide direction on how they want their local tax dollars spent; and

WHEREAS, the measure creates new constitutional loopholes that allow corporations to pay far less than their fair share for the impacts they have on our communities, including local infrastructure, our environment, water quality, air quality, and natural resources; and

WHEREAS, the measure makes it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods; and

WHEREAS, the measure puts billions of dollars currently dedicated to state and local services at risk, and could force cuts to public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services, and more; and

WHEREAS, the measure would also reduce funding for critical infrastructure like streets and roads, public transportation, drinking water, new schools, sanitation, utilities, and more.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby oppose Initiative 21-0042A1;

BE IT FURTHER RESOLVED, that the City Council of the City of Seaside will join the No on Initiative 21-0042A1 coalition, a growing coalition of public safety, labor, local government, infrastructure advocates, and other organizations throughout the state.

We direct staff to email a copy of this adopted resolution to the League of California Cities at BallotMeasures@calcities.org

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the ____ day of _____, 2022 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

APPROVED AS TO FORM:

Sheri L. Damon, City Attorney