



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, March 7, 2024
5:00 PM

NOTICE: *The City Council will hold its public meetings in person, with options for viewing and listening virtually or telephonically, based on availability.*

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 view 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 listen 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, 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
David R. Pacheco
Alexis Garcia-Arrazola
Rita Burks
Alex Miller

Mayor/Chair
Mayor Pro Tem/Vice Chair
Council/Agency Member
Council/Agency Member
Council/Agency Member

3. INVOCATION AND PLEDGE OF ALLEGIANCE

4. REVIEW OF AGENDA

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

5. PUBLIC COMMENT

Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three (3) minutes. Public Comments for "Presentations" on this agenda are also taken at this time; comments on specific agenda items are heard under that item. For the public record, please state your name.

6. PUBLIC AGENCY COMMUNICATIONS

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

A. UNIVERSITY AFFAIRS UPDATE (CSUMB PRESIDENT VANYA QUIÑONES, PhD)

B. SEASIDE CITY NEWS BROADCAST OF UPCOMING CITYWIDE EVENTS AND COMMUNITY ANNOUNCEMENTS COVERING EVENTS BETWEEN MARCH 7 THROUGH 23

7. PRESENTATIONS

A. FIREFIGHTER, RESERVE FIREFIGHTER, FIRE DEPARTMENT SUPPORT PERSON, DRONE PILOT, POLICE OFFICER, POLICE DEPARTMENT SUPPORT PERSON OF THE YEAR AWARDS AND PROCLAMATIONS (FIRE CHIEF GUTIERREZ AND POLICE CHIEF BORGES)

B. SEASIDE YOUTH RESOURCE CENTER PROGRAM UPDATE (RECREATION SUPERINTENDENT KEE HYON HIGGINS)

C. BUILDING HEALTHY COMMUNITIES 2023 COMMUNITY SOCIAL SERVICES GRANT PROGRAM REPORT

8. CONSENT AGENDA

A. APPROVE MINUTES FROM FEBRUARY 15 AND 28, 2024

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 December 9, 2023 through January 19, 2024, including the payroll and benefits checks, direct deposits, and wired payments related to the pay period ending December 8, 2023, December 22, 2023, and January 5, 2024. Total Accounts Payable and Payroll for the above referenced period is \$7,177,607.83.

C. APPROVE AND FILE SUCCESSOR AGENCY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of December 9, 2023, through January 19, 2024, including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending December 8, 2023, December 22, 2023, and January 5, 2024. Total Accounts Payable and Payroll for the above referenced period is \$29,265.27.

D. APPROVE A PROCLAMATION DECLARING MARCH AS AMERICAN RED CROSS MONTH

RECOMMENDATION: Approve the proclamation and declare March 2024 as Red Cross Month.

E. APPROVE A FEE WAIVER REQUEST FROM WORLD OUTREACH SERVICES INC. AND SEASIDE SPORTS LEAGUE LLC TO USE LAGUNA GRANDE PARK TO HOLD THEIR SEASIDE SPORTS LEAGUE LLC MUSIC IN THE PARK

RECOMMENDATION: Approve the fee waiver request from Seaside Sports League LLC/World Outreach Services Inc. to hold their event "Music in the Park" at Laguna Grande Park, in the amount of \$1,187.00, the Organization to provide the City with the non-refundable portion of the deposit of \$49.50, and provide the City with their insurance.

F. APPROVE A FEE WAIVER REQUEST FROM PALENKE ARTS ORGANIZATION TO USE LAGUNA GRANDE PARK TO HOLD THEIR EIGHTH ANNUAL PALENKE ARTS FESTIVAL

RECOMMENDATION: Approve a request from Palenke Arts for a fee waiver in the amount of \$1,235.00 related to their Eighth Annual Arts Festival at Laguna Grande Park on June 02, 2024.

G. ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF BROADWAY AVENUE TO THROUGH TRAFFIC FROM FREMONT BOULEVARD TO DEL MONTE AVENUE, AND ASSOCIATED SIDE STREETS AS WELL AS THE WEST OF FREMONT BOULEVARD FROM CLEMENTINA AVENUE TO AMADOR STREET, FOR THE EXOTICS ON BROADWAY EVENT ON AUGUST 17, 2024

RECOMMENDATION: Adopt a resolution permitting the closure of Broadway Avenue to through traffic from Fremont Boulevard to Del Monte Boulevard, and associated side streets, as well as the westbound lanes of Fremont Boulevard from Clementina Avenue to Amador Street to ensure public safety during the Exotics on

Broadway event on Saturday, August 17, 2024.

H. ADOPT A RESOLUTION AUTHORIZING A LANDSCAPE ACCESS AND MAINTENANCE EASEMENT AGREEMENT WITH SHEA HOMES LP FOR ENCLAVE PHASE 3

RECOMMENDATION: Adopt a Resolution authorizing a Landscape Access and Maintenance Agreement with Shea Homes LP for Enclave Phase 3.

I. ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BELLINGER FOSTER STEINMETZ AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE LAGUNA GRANDE JOINT POWERS AGENCY FOR THE TRAIL MAINTENANCE STRATEGY TO INCLUDE OBTAINING THE NECESSARY PERMITS REQUIRED TO START THE WORK IDENTIFIED IN THE PROJECT, AND AUTHORIZING THE CONTRACT VALUE TO BE INCREASED BY \$89,792.50, TO BE FUNDED BY THE MONTEREY PENINSULA REGIONAL PARK DISTRICT (\$29,930.83), CITY OF SEASIDE (\$29,930.84), AND THE CITY OF MONTEREY (\$29,930.83)

RECOMMENDATION: Adopt a resolution approving an amendment to the Professional Services Agreement with Bellinger Foster Steinmetz, and authorize the City Manager to execute the amendment for the trail maintenance strategy to include obtaining the necessary permits required to start the work identified in the project.

J. ADOPT A RESOLUTION APPROVING THE 2024-2028 SEASIDE YOUTH VIOLENCE PREVENTION STRATEGIC PLAN

RECOMMENDATION: Adopt a resolution to approve the City of Seaside's 2024-2028 Youth Violence Strategic Plan.

K. ADOPT A RESOLUTION APPROVING A DENSITY BONUS AGREEMENT REQUIRING AFFORDABLE HOUSING AND PROVIDING REQUIREMENTS FOR THE DEVELOPMENT OF 21 AFFORDABLE DWELLING UNITS AT 1620 BROADWAY AVENUE

RECOMMENDATION: Adopt a resolution approving a Density Bonus Agreement requiring affordable housing and providing requirements for the development of 21 affordable dwelling units at 1620 Broadway Avenue.

L. ADOPT A RESOLUTION ACCEPTING THE 2023 GENERAL PLAN ANNUAL PROGRESS REPORT (APR) AND AUTHORIZING SUBMITTAL OF THE REPORT TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR) AND THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

RECOMMENDATION: Adopt a resolution accepting the 2023 General Plan Annual Progress Report and authorizing submittal of the report to the to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD).

M. ADOPT A RESOLUTION AUTHORIZING A PURCHASE AGREEMENT WITH SALINAS VALLEY FORD FOR A USED DUMP TRUCK IN THE AMOUNT OF \$88,746.00 FOR USE BY THE MAINTENANCE AND UTILITIES DIVISION

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a purchase agreement with Salinas Valley Ford for a used dump truck for an amount not to exceed \$88,746.00.

N. ADOPT A RESOLUTION OPPOSING INITIATIVE NO. 21-0042A1, THE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT

RECOMMENDATION: Adopt a resolution opposing the taxpayer protection and government accountability act.

O. REVIEW AND TAKE ACTION ON THE TRAFFIC ADVISORY COMMITTEE RECOMMENDATION FOR RED CURB ALONG BAKER STREET

RECOMMENDATION: Consider the Traffic Advisory Committee's recommendation to place red curb along Baker Street as an initial phase of traffic calming.

9. BUSINESS ITEMS

A. DISCUSS AND CONSIDER THE ADOPTION OF A RESOLUTION PLACING A MEASURE REGARDING THE USE OF SAFE AND SANE FIREWORKS ON THE GENERAL ELECTION NOVEMBER 2024, BALLOT

RECOMMENDATION: Receive the presentation, public comment and consider the adoption of a resolution placing a measure regarding the use of safe and sane fireworks on the November 2024, ballot.

B. CONSIDER AND DISCUSS POTENTIAL REVISIONS TO PARKING AND ENFORCEMENT POLICIES FOR RECREATIONAL VEHICLES, BOATS AND TRAILERS IN RESIDENTIAL AREAS

RECOMMENDATION: Provide direction to staff regarding revision to RV, boats and trailer parking and enforcement policies.

C. ADOPT A RESOLUTION ACCEPTING THE ANNUAL MID-YEAR FINANCIAL REPORT AND ADOPTING PROPOSED CHANGES TO THE BUDGET OF THE CITY OF SEASIDE FOR THE FISCAL YEAR 2023-2024

RECOMMENDATION: Adopt a resolution accepting the annual mid-year financial report and adopting proposed changes to the budget for the Fiscal Year 2023-2024.

10. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

1. SAFETY PLAN COORDINATION (BURKS)

2. FAMILY & COMMUNITY SUPPORT PROGRAM UPDATE (BURKS)
3. SHORT TERM RENTALS & TRANSIENT OCCUPANCY TAX (TOT) UPDATE (BURKS)

B. FOLLOW UP ON PREVIOUS REQUESTS

1. BALLOT MEASURE UPDATE REGARDING TAX PAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT

11. CITY ATTORNEY, CITY MANAGER, CITY COUNCIL AND MAYOR 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.

12. CLOSED SESSION

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

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE 54956.8

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

Agency Negotiators: City Manager, et. al

Negotiating Parties: KBB Seaside Venture, et. al. and City of Seaside

Under Negotiation: Price, terms of payment or both

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE 54956.8

Property: 1 McClure Way, commonly known as the Blackhorse and Bayonet Golf Course and Grand Hyatt Hotel site

Agency Negotiators: City Manager, et. al

Negotiating Parties: Seaside Acquisition Group et. al. and City of Seaside

Under Negotiation: Price, terms of payment or both

C. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE 54956.9-EXISTING LITIGATION

Monterey County Superior Court

Case Name: Petrovich Development, et al. v. City of Seaside, et al.

Case Number: Case # 21CV003630

D. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE 54956.9

Potential Litigation (2 MATTERS)

13. ADJOURNMENT

Next Regularly Scheduled Meeting:

March 21, 2024

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



Lee Whitney Firefighter of the Year 2023 Nomination

WHEREAS, Fire Engineer Lee Whitney is being honored today for his nomination for the Firefighter of the Year award; and

WHEREAS, Firefighter Whitney was selected by a committee of his fire department peers; and

WHEREAS, Fire Engineer Whitney is a role model to Full-time, Probationary and Reserve Firefighters; and

WHEREAS, Fire Engineer Whitney serves as an invaluable mentor to probationary firefighters; and

WHEREAS, Fire Engineer Whitney looks for and takes advantage of any opportunity to teach probationary firefighters ways to become more effective and efficient; and

WHEREAS, Fire Engineer Whitney ensures all probationary firefighters assigned to his company are fully trained and confident; and

WHEREAS, Fire Engineer Whitney always makes himself available for training, regardless of the subject at hand; and

WHEREAS, Fire Engineer Whitney always conducts himself with professionalism and pride; and

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 **Lee Whitney** on his many accomplishments, including his nomination for the Firefighter of the Year award.

Ian N. Oglesby, Mayor
March 7, 2024

City of Seaside PROCLAMATION



KELSEY KUTTER

Reserve Firefighter of the Year 2023 Nomination

WHEREAS, Reserve Firefighter Kelsey Kutter is being honored today for her nomination for the Reserve Firefighter of the Year award; and

WHEREAS, the Seaside Fire Department takes pride in serving their diverse community through volunteerism, outreach, professional services and a servants spirit; and

WHEREAS, Reserve Firefighter Kutter can be counted on to serve the community by always volunteering for community events hosted by the City of Seaside; and

WHEREAS, Reserve Firefighter Kutter volunteered at the launch of the Fire Department CHAMP Cadet Program, the City's September 11 Memorial Event, National Night Out, Oaxaca By The Sea, Exotics on Broadway, MPC Girls Boot Camp, Blaze Women's Fire Boot Camp and the Fire Department's Firefighter Recruitment Forum; and

WHEREAS, Reserve Firefighter Kutter participated in 138 hours of volunteer hours, to include riding along with the fire department assisting on emergency incidents; and

WHEREAS, Reserve Firefighter Kutter's dedication to the community is also witnessed as she works full time with Community Human Services; and

WHEREAS, Reserve Firefighter Kutter has a dream of becoming a full time firefighter, and has shown her commitment to being a selfless servant through her dedication, volunteerism, hard work; and

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 **Kelsey Kutter** on her many accomplishments, including her nomination for the Reserve Firefighter of the Year award.

Ian N. Oglesby, Mayor
March 7, 2024

City of Seaside PROCLAMATION



ROSALINDA BARRIOS CHAVEZ

Fire Department Support Person of the Year 2023 Nomination

WHEREAS, *Administrative Assistant, Rosalinda Chavez is being honored today for her nomination for the Seaside Fire Department's Support Person of the Year; and*

WHEREAS, *Rosalinda is a valuable asset not only to the fire department but to all city departments; and*

WHEREAS, *Rosalinda is a role model and mentor to other city employees, demonstrating a positive attitude, collaborative spirit, compassion, thoughtfulness, and availability to assist internal and external customers without hesitation; and*

WHEREAS, *Rosalinda is the fire department's only administrative staff, professionally serving 25 uniformed personnel, 5 reserve firefighters and 6 youth cadets; and*

WHEREAS, *Rosalinda's ability to speak, read and write Spanish fluently has allowed the City of Seaside to move forward on significant projects, to include document translation for our "Sister City - Oaxaca de Juarez," translation of significant fire department and city documents, social media postings in multiple languages and positive daily interactions with community members; and*

WHEREAS, *Rosalinda has become a role model for community youth to include the youth in the Fire Department CHAMP Cadet Program, making herself available to assist with all aspects of the program to ensure its success; and*

WHEREAS, *Rosalinda is the driving force behind the Fire Department Toy drive ensuring our City churches and non-profits receive toys each Christmas; and*

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 **Rosalinda Barrios Chavez** on her many accomplishments, including her nomination for the Fire Dept. Support Person of the Year Award.*

*Ian N. Oglesby, Mayor
March 7, 2024*

City of Seaside PROCLAMATION



JARED APPERSON Drone Pilot of the Year 2023 Nomination

WHEREAS, *Jared Apperson is being honored today for his nomination as Drone Pilot of the Year; and*

WHEREAS, *the Seaside Fire and Police Department take pride in serving their diverse community through volunteerism, outreach, professional services and quick response to emergencies; and*

WHEREAS, *Volunteer Drone Pilot Jared Apperson can be counted on to serve the community through his commitment to the fire and police department drone program; and*

WHEREAS, *Drone Pilot Apperson's technical knowledge and abilities enable the city of Seaside drone program to be successful and progressive and;*

WHEREAS, *Drone Pilot Apperson is proactive in anticipating advances in drone technology and applying the technology to the Seaside Drone Team and;*

WHEREAS, *Drone Pilot Apperson volunteered many hours participating in drone training and responding to emergency incidents; and*

WHEREAS, *Drone Pilot Apperson's experience allows the drones to provide an aerial perspective, where drones can swiftly assess emergency situations bestowing invaluable information that enables fire and law to make well-informed decisions, safeguarding fire, law and the public and;*

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 **Jared Apperson** on his many accomplishments, including his nomination for the Drone Pilot of the Year award.*

*Ian N. Oglesby, Mayor
March 7, 2024*

City of Seaside PROCLAMATION



Alex Kjellgren

Police Department Support Person of the Year 2023 Nomination

WHEREAS, *Animal Control Officer, Alex Kjellgren is being honored today for his nomination for the Seaside Police Department's Support Person of the Year; and*

WHEREAS, *Alex is a valuable asset not only to the police department but to the entire Seaside community; and*

WHEREAS, *Alex has provided exceptional animal services to our community through microchipping programs, spay/neutering and licensing animals; and*

WHEREAS, *Alex has increased finding homes for stray and abused animals; and*

WHEREAS, *Alex brings a positive and motivated attitude towards his love and passion for rescuing and nurturing animals.*

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 **Alex Kjellgren** on his many accomplishments, including his nomination for the Police Dept. Support Person of the Year Award.*

*Ian N. Oglesby, Mayor
March 7, 2024*

City of Seaside PROCLAMATION



Isaiah Madolora Police Officer of the Year 2023 Nomination

WHEREAS, Police Officer Isaiah Madolora has been nominated for the Seaside Police Department's Officer of the Year award; and

WHEREAS, Officer Madolora was nominated by his peers and supervisors for his outstanding and professional police work for our community; and

WHEREAS, Officer Madolora investigated numerous complex cases that resulted in keeping Seaside a safer place; and

WHEREAS, Officer Madolora was instrumental in apprehending a murder suspect during a domestic situation; and

WHEREAS, Officer Madolora provided comfort for the homicide victim in her last moments alive; and

WHEREAS, Officer Madolora dedicated himself to youth outreach and made himself known by playing basketball with our youth in his down time; and

WHEREAS, Officer Madolora is an exemplary police officer and treats everyone with dignity and respect; and

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 **Isaiah Madolora** on his many accomplishments, including his nomination for the Police Officer of the Year award.

Ian N. Oglesby, Mayor
March 7, 2024



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.A.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY:

DATE: March 7, 2024

SUBJECT: APPROVE MINUTES FROM FEBRUARY 15 AND 28, 2024

RECOMMENDATION

Approve minutes as presented in the agenda packet.

BACKGROUND

Insert the body of your staff report here.

FISCAL IMPACT

ATTACHMENTS

1. February 15 Draft Minutes
 2. February 28 Draft Minutes
-

Reviewed for Submission to the City Council by:


Jaime M. Fontes, City Manager



DRAFT MINUTES

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

REGULAR MEETING
440 HARCOURT AVE
Thursday, February 15, 2024
5:00 PM

1. CALL TO ORDER

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

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: BURKS, GARCIA-ARRAZOLA, MILLER, OGLESBY, PACHECO
ABSENT: NONE

3. INVOCATION AND PLEDGE OF ALLEGIANCE

A moment of silence was held. The pledge was led by Council/Agency Member Garcia-Arrazola.

4. REVIEW OF AGENDA

City Manager Fontes informed the Council that item 7B will not be presented, and will be rescheduled to another meeting.

5. PUBLIC COMMENT

Jenny (Marina Collision Repair), Regina Mason, Rachel Christophersen, Dianne Nielson, Walter Charles

City Manager Fontes responded to the comments regarding a comment concerning the issuance of a building permit, and pursuing planting trees in City parks.

6. PUBLIC AGENCY COMMUNICATIONS

A. AN UPDATE ON THE TRANSIT-ORIENTED (TOD) PLANNING STUDY BY MONTEREY-SALINAS TRANSIT (MICHELLE OVERMEYER, DIRECTOR OF PLANNING/INNOVATION)

Ms. Overmeyer, and Mike Iswalt, Consultant from Kimley-Horn & Associates, provided a presentation reviewing the planning study conducted on the transit oriented development of the SURF! Busway and BRT Project. The study objectives were to increase transit ridership, the five study areas and the transportation recommendations, potential changes at Del Monte Blvd, and next steps. MST proposes to work with the City to coordinate and implement future transit supportive improvements.

B. SEASIDE CITY NEWS BROADCAST OF UPCOMING CITYWIDE EVENTS AND COMMUNITY ANNOUNCEMENTS

Citywide Events and Community Announcements Video reviewed the following upcoming events:

- The Seaside Homeless Commission invites individuals and families experiencing housing challenges to join City and County Housing Services Providers and landlords/property owners to a Listening Session on February 8 and February 22 at the Oldemeyer Center 5:30-7pm.
- The City of Seaside has been selected as a grantee for a Recreational Trails Grant for the improvement of the Laguna Grande Park trail in the amount of over \$1.6 MILLION DOLLARS!!! A huge thank you to Recreation Director, Dan Meewis, for being the instrumental lead on securing this grant!
- The Seaside Recreation Department presents the annual Father-Daughter dance--"An Evening With My Gal"--to be held at Oldemeyer Center on February 16th at 6:30 PM. You can register for this masquerade-themed dance by calling (831) 899-6800.
- The Avery Gallery is holding a free youth art competition. The February 17th online registration deadline is quickly approaching, so make sure you register online today by calling (831) 899-6800.
- The probability of upcoming rainfall is 40 to 90%, up to 1 inch, across much of the region. You can expect periods of moderate to heavy rain, Friday, and into the weekend. Mark your calendars for February 18! The Black History Month program sponsored by The Seaside Art and History Commission, and other community organizations, are sponsoring a Black History Month ART program. The program will start at 3PM, Sunday the 18th, at Oldemeyer Center.
- February 19 is Presidents' Day, and the Seaside Recreation Department will be hosting a one-day camp with interactive games, crafts, and outdoor activities for all! To register for this exciting event, call (831) 899-6800.
- A public service announcement from the Seaside Police Department: DUI Prevention and Safety Tips
- Seaside Police will hold a community meeting on February 21st at 4pm at the Oldemeyer Center, to talk about AB 481, and the use of military equipment in and around the city.
- The Seaside Homeless Commission invites individuals and families experiencing housing challenges to a Listening session on the state of homelessness in our community on February 22 at 6:00 p.m. This will give City and County Housing Services providers, as well as landlords and property owners, the opportunity to clarify the processes for accessing services such as rental assistance, and emergency housing vouchers.
- The City of Seaside older-adult program is hosting a community flea market on February 24th from 9:30 AM to 1:00 PM at the Oldemeyer center.
- The Seaside Stars unveiling ceremony will be held on March 2nd, from 1230 to 3PM, on Broadway between Hillsdale and Calaveras Streets.
- The City of Seaside is requesting community feedback for the San Pablo Avenue Traffic Calming Project. For assistance, or to fill out the online, or written survey, visit City Hall, or contact the Public Works Department.

7. PRESENTATIONS

A. RECEIVE A PRESENTATION FROM PALENKE ARTS ON THE 2023 COMMUNITY SOCIAL SERVICES GRANT PROGRAM

Juan Sanchez, Executive Director/Founder provided a presentation reviewing the activities conducted with the grant funding. Activities included 25 low and no-cost weekly educational programs, 200+ hours of private instrument classes, multidisciplinary and multigenerational programming, and 20+ performances by student ensembles throughout the community.

Their upcoming concerts and events include:

Feb 24, 2024, 11-1pm Chenza Nami

March 15, 2024, 7:30pm Watsonville Film Festival at the Oldemeyer Center.

April 13, 2024, 11-2 PAN ASIAN ARTS

June 18, 2024, 12-4 7th Annual Palenke Arts Festival- Laguna Grande.

June 18, 2024 7:30pm Poetry Event

B. RECEIVE A PRESENTATION FROM BUILDING HEALTHY COMMUNITIES ON THE 2023 COMMUNITY SOCIAL SERVICES GRANT PROGRAM

This presentation will be rescheduled for another meeting date.

C. RECEIVE A PRESENTATION FROM COMMUNITY HUMAN SERVICES ON THE 2023 COMMUNITY SOCIAL SERVICES GRANT PROGRAM

Anab Mohamed, Grants Manager, provided a presentation reviewing the activities conducted with grant funding. The funding received was utilized for case management, housing navigation, and rapid re-housing activities to help homeless women and families with children at Casa de Noche Buena secure permanent housing.

D. RECEIVE A PRESENTATION FROM VILLAGE PROJECT INC. ON THE 2023 COMMUNITY SOCIAL SERVICES GRANT PROGRAM

Mel Mason, LCSW, Clinical Director The Village Project, Inc. (Ret.) provided the presentation reviewing the activities conducted with grant funding. Activities included the Young Ladies of Empowerment Seminar, youth mentoring and advisement, community therapy and youth violence/intervention components, and demographics.

E. RECEIVE PRESENTATION FROM KOSMONT ON THE INTRODUCTION TO THE SURPLUS LAND ACT FOR MAIN GATE

Brian Moncrief, Senior Vice President, Kosmont, provided a review of the Surplus Land Act (SLA), originally enacted in 1968, was amended in 2024 (SB 747 and AB 480), to ensure availability of property for affordable housing development. Under the new SLA structure, public agencies that want to sell or lease a property must go through a structured sale disposition process that first requires exposing a property to a state published list of affordable housing developers and other required public agencies.

8. CONSENT AGENDA

Item 8H was pulled by Mayor Pro Tem/Vice Chair Pacheco.

PUBLIC COMMENT: None

On motion by Council/Agency Member Miller and second by Mayor Pro Tem/Vice Chair Pacheco and carried by the following vote, the City Council/Successor Agency moved to approve the consent agenda.

RESULT: 5-0-0-0

AYES: BURKS, GARCIA-ARRAZOLA, MILLER, OGLESBY, PACHECO

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

A. APPROVE MINUTES FROM FEBRUARY 1, 2024

ACTION: APPROVED

B. 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, 2023

ACTION: ACCEPTED & FILED

C. APPROVE A PROCLAMATION RECOGNIZING MARCH AS IRISH-AMERICAN HERITAGE MONTH

ACTION: APPROVED

D. APPROVE A PROCLAMATION RECOGNIZING MARCH AS WOMEN'S HISTORY MONTH

ACTION: APPROVED

E. APPROVE A PROCLAMATION RECOGNIZING THE COMMENCEMENT OF RAMADAN FROM MARCH 10 - APRIL 9, 2024

ACTION: APPROVED

F. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE RAIDERS YOUTH FOOTBALL FOR THE 2024 SEASON

ACTION: APPROVED

G. APPROVE CO-SPONSORSHIP OF SUSTAINABLE SEASIDE'S 2024 SUSTAINABLE SEASIDE EARTH DAY CELEBRATION AND ELECTRIC VEHICLE TEST DRIVE/DEMO FAIR AT SEASIDE CITY HALL LAWN ON APRIL 21, 2024

ACTION: APPROVED

H. ADOPT A RESOLUTION APPROVING THE SOUTH END OF GENERAL JIM MOORE BOULEVARD AS THE LOCATION OF THE CITY OF SEASIDE SIGN PROJECT AS RECOMMENDED BY THE NEIGHBORHOOD IMPROVEMENT COMMISSION

PUBLIC COMMENT: None

On motion by Council Member Alexis Garcia-Arrazola and second by Mayor Ian N. Oglesby and carried by the following vote, the City Council/Successor Agency moved to approve the location of the City of Seaside sign project to be the south end of General Jim Moore Blvd.

RESULT: 5-0-0-0

AYES: BURKS, GARCIA-ARRAZOLA, MILLER, OGLESBY, PACHECO

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

ACTION: ADOPTED RESO #24-10

I. ADOPT RESOLUTION OF THE SUCCESSOR AGENCY AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE QUITCLAIM DEEDS TRANSFERRING PROPERTY FROM SUCCESSOR AGENCY TO THE CITY TO IMPLEMENT THE LONG RANGE PROPERTY MANAGEMENT PLAN AND A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPERTIES (EXEMPT FROM CEQA 15038(b)(5))

ACTION: ADOPTED RESO #24-11

J. ADOPT A RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2023 HOUSING ELEMENT ANNUAL PROGRESS REPORT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

ACTION: ADOPTED RESO #24-12

K. ADOPT A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SUBMIT, SIGN AND MANAGE ANY CONTRACT, PROCESS OR OTHER INTERACTION WITH ANY REGULATORY AGENCY REGARDING THE CAMPUS TOWN PROJECT

ACTION: ADOPTED RESO #24-13

9. BUSINESS ITEMS

A. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM THE

DREAMTEAM BASEBALL CLUB

Recreation Director Dan Meewis, provided a presentation reviewing the eligibility of Dreamteam Baseball Ages 10-15 Club for the Mayor's Youth Fund, and informed the Council that they are an independent non-profit program based out of Marina started in 2017 with more than 60% of the current roster are players from Seaside (Verified by staff). Its program includes community service projects, that include field clean-up days and recycling materials after games and practices. The goal of the organization is to evolve into a program that helps ease any financial burdens on the players and their families while pursuing their aspirations of playing baseball at a higher level.

PUBLIC COMMENT: None

On motion by Council/Agency Member Garcia- Arrazola and second by Council/Agency Member Miller and carried by the following vote, the City Council/Successor Agency moved to approve the MYF contribution request from DreamTeam Baseball Club.

RESULT: 5-0-0-0-0

AYES: BURKS, GARCIA-ARRAZOLA, MILLER, OGLESBY, PACHECO

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

ACTION: APPROVED

B. ADOPT A RESOLUTION AUTHORIZING THE APPLICATION AND AMENDING THE CITY OF SEASIDE'S PERMANENT LOCAL HOUSING ALLOCATION PLAN

Alexia Rapaport, Housing Program Manager, provided a presentation reviewing the City's existing and the proposed amendments of the PLHA plan/allocation for pre-development activities for the Hilby development.

PUBLIC COMMENT: None

On motion by Mayor Pro Tem/Vice Chair Dave Pacheco and second by Council/Agency Member Garcia-Arrazola and carried by the following vote, the City Council/Successor Agency moved to

RESULT: 5-0-0-0

AYES: BURKS, GARCIA-ARRAZOLA, MILLER, OGLESBY, PACHECO

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

ACTION: ADOPTED RESO #24-14

C. CONSIDER AND DISCUSS PLACING A SIGN DIRECTING TO DOWNTOWN ON BROADWAY AVE/OBAMA WAY, AND THE PLACEMENT OF WHITE LIGHTS ON THE BASE OF THE CYPRESS TREE LOCATED ON THE CORNER OF BROADWAY AVE AND DEL MONTE BOULEVARD

Jose Bazua, Economic Development Director, provided a presentation reviewing the prospect of placing a sign directing to downtown on Broadway Avenue, and placing white lights on the base of the cypress tree on the corner of Broadway and Del Monte Blvd.

PUBLIC COMMENT: None

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council Member Garcia-Arrazola and carried by the following vote, the City Council/Successor Agency moved to direct staff to return with recommendations regarding the request.

RESULT: 4-1-0-0

AYES: BURKS, GARCIA-ARRAZOLA, OGLESBY, PACHECO

NOES: MILLER

ABSTAIN: NONE

ABSENT: NONE

ACTION: DIRECTION PROVIDED

10. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

1. SAFETY PLAN COORDINATION (BURKS)
2. FAMILY & COMMUNITY SUPPORT PROGRAM UPDATE (BURKS)
3. SHORT TERM RENTALS & TRANSIENT OCCUPANCY TAX (TOT) UPDATE (BURKS)

B. FOLLOW UP ON PREVIOUS REQUESTS

City Manager Jaime Fontes reported that the item on RV and Parking would be presented at the last meeting.

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

Reports provided.

12. CLOSED SESSION

City Attorney Sheri Damon read the closed session items and did not anticipate a report.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE 54956.8

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

Agency Negotiators: City Manager, et. al

Negotiating Parties: KBB Seaside Venture, et. al. and City of Seaside

Under Negotiation: Price, terms of payment or both

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE 54956.8

Property: An approximately 5-acre site of the property commonly referred to as Main Gate (APN 031-151-013) generally located in the north-east corner bounded by Divarty and Second Avenue

Agency Negotiator: City Manager, et al.

Negotiating Parties: State of California Judicial Council and City of Seaside

Under Negotiation: Price, terms of payment or both

C. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE 54956.9

Potential Litigation (2 MATTERS)

13. ADJOURNMENT

With no further business, the meeting adjourned at 9:52 p.m.

Respectfully submitted,

Dominique L. Davis, City Clerk

Ian N. Oglesby, Mayor



DRAFT MINUTES

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

SPECIAL MEETING
440 HARCOURT AVE (CONFERENCE ROOM)
Wednesday, February 28, 2024
5:00 PM

1. CALL TO ORDER

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

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: BURKS, MILLER, OGLESBY, PACHECO
ABSENT: GARCIA-ARRAZOLA

3. PLEDGE OF ALLEGIANCE

Led by City Manager Jaime Fontes.

4. PUBLIC COMMENT

None

5. CLOSED SESSION

City Attorney Sheri Damon read the closed session items and did not anticipate any report of action.

City Council/Successor Agency entered into closed session at 5:15 p.m.

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

Potential Litigation (3 Matters)

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957:

Title: City Attorney

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957:

Title: City Manager

City Council/Successor Agency returned from closed session at 6:25 p.m.
Upon return from closed session, the City Attorney reported that outside counsel, Don Freeman was authorized to enter into contract to hire an investigator.

6. ADJOURNMENT

With no further business, the meeting adjourned at 6:30 p.m.

Respectfully submitted,

Dominique L. Davis, City Clerk

Ian N. Oglesby, Mayor



CITY OF SEASIDE STAFF REPORT

Item No.: 8.B.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Loreene Bermudez-Onate, Accountant II

DATE: March 7, 2024

SUBJECT: APPROVE AND FILE CITY CHECKS

RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of December 9, 2023 through January 19, 2024, including the payroll and benefits checks, direct deposits, and wired payments related to the pay period ending December 8, 2023, December 22, 2023, and January 5, 2024. Total Accounts Payable and Payroll for the above referenced period is \$7,177,607.83.

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:

- \$12,321.00 to Carmel Fire Protection Associates for Fire Sprinkler Inspections for (8) properties in the City.
- \$11,409.00 to Bear Electrical Solutions for Routine traffic signal & response maintenance services for the period of December 2023.
- \$20,318.08 to California Premier Restoration for Clean-up services for multiple

- properties (2) for emergency hoarder locations.
- \$59,325.01 to California-American Water for Water consumption for multiple City of Seaside service addresses. Billing period of 10/25/23-12/24/23. Service addresses include city buildings, parks, fire hydrants, irrigation stations, and city affordable housing.
 - \$18,009.75 to CDW Government for an annual subscription license for IT software.
 - \$14,732.24 to Civicplus LLC for an annual subscription fee for the period of 10/1/23-9/30/24.
 - \$49,852.98 to Craven Landscaping, Inc. for landscaping services and supplies for Sabado Park Improvements.
 - \$422,838.73 to Don Chapin Company, Inc. for construction services for pavement dig out repairs and thin maintenance overlays on four roadway sections.
 - \$51,426.31 to EKA for the purchase of a new SmithCo turf sweeper for the maintenance and utilities division.
 - \$13,710.00 to Abacherli Fence Co. for Fence installation on Fernando/Wheeler Streets in Soper Park.
 - \$67,899.27 to Enterprise FM Trust for monthly payments for (16) leased City vehicles for the periods of December 2023 & October 2023 late penalty fees.
 - \$19,333.35 to Enterprise FM Trust for monthly payment for (21) leased City vehicles for the period of January 2024.
 - \$25,975.08 to Montgomery & Assoc. Water Resource Consultants for Professional services for General Hydrogeological Consulting for the periods of September-October 2023.
 - \$216,310.62 to Montgomery & Assoc. Water Resource Consultants for Prof. services for Seaside Basin Watermaster Study for the periods of November & December 2023.
 - \$22,407.00 to Fermin M. Gonzales for completion of all brass pieces for stars in the Walk of Fame 2023 project.
 - \$24,779.00 to Fermin M. Gonzales for Completion of (15) concrete plaques for the Walk of Fame 2023 project.
 - \$16,874.00 to Grail, LLC for Purchase of (25) early detection of cancer tests for the Fire Department.
 - \$137,941.45 to Granite Rock Co for Construction services for Cutino Park Improvement Part 2, Phase 1 through November 30, 2023.
 - \$11,007.64 to Granite Rock Co for Constructions services for the Pavement Rehabilitation Project through September 30, 2023.
 - \$59,314.93 to Harris & Associates, Inc. for Professional services for the Hot Spot Pavement Repair project for the period of 10/29/23-11/25/23; Pavement Rehabilitation Services for the periods of 2/26/23-4/29/23 & 8/27/23-9/30/23.
 - \$11,895.00 to Hope Services for Maintenance services for the period of November 2023.
 - \$11,300.25 to Hope Services for Maintenance services for the period of

December 2023.

- \$24,500.00 to JEA & Associates for Professional services for October 2023 through January 2024 fees.
- \$46,429.11 to Kimley-Horn and Associates, Inc. for RSTP Grant Assistance for FY 2022-23 & professional services for the Broadway Streets Corridor project through October 31, 2023.
- \$107,919.78 to Kimley-Horn and Associates, Inc. for Professional services for the Campus Town project for the periods of July-November 2023.
- \$19,009.26 to Kraemer Engineering Inc. for Construction services for Fernando Park Improvements project through October 31, 2023.
- \$79,263.49 to Kraemer Engineering Inc. for Construction services for Fernando Park Improvements project through November 30, 2023.
- \$61,834.58 to Marina Coast Water District for Recycled water meter services for the period of November 2023.
- \$27,616.78 to Marina Coast Water District for Recycled water meter services for the period of December 2023.
- \$12,500.00 to Meals on Wheels of the Monterey County for CDGB expenses for home delivered meals for quarter 4.
- \$35,402.90 to Monterey Co. Convention & Visitor's Bureau for TID (Tourism Improvement District) remittance for the reporting period of October 2023 for the 13 Seaside motels/hotels.
- \$32,975.91 to Monterey Co. Convention & Visitor's Bureau for TID (Tourism Improvement District) remittance for the reporting period of November 2023 for the 13 Seaside motels/hotels.
- \$24,937.50 to Monterey Peninsula Engineering for Professional construction services of the Lincoln Cunningham Basketball Court for the period of October 2023.
- \$32,075.30 to Monterey Peninsula Engineering for Professional construction services of the Del Monte Manor LID Project retention release.
- \$231,922.98 to Monterey Peninsula Engineering for Construction services for the City Hall and Parking Lot Repave project through October 31, 2023.
- \$56,922.75 to Monterey Peninsula Engineering for Professional services for Noche Buena/Mingo Storm Drain Improvements project through the period of August 2023 & retention release.
- \$23,826.25 to Pavement Engineering, Inc. for Professional services for the 2023 Hot Spot Repair project & Pavement Rehab Project Phase 5 services through November 30, 2023.
- \$53,889.72 to PG&E for Collective accts for streetlights, highway lighting, park lights and city office buildings. Service for the statement period of November 2023.
- \$57,589.44 to PG&E for Collective accts for streetlights, highway lighting, park lights and city office buildings. Service for the statement period of December 2023.
- \$56,663.75 to RRM Design Group for Professional architectural and engineering

services for the Fire Station 2 project through November 30, 2023.

- \$11,868.90 to Sturdy Oil Company for 1,490 gallons of regular gas (ethanol) and 1,050 gallons of clear diesel delivered to the public works department on 11/15/23.
- \$11,613.89 to Sturdy Oil Company for 1,800 gallons of regular gas (ethanol) and 1,000 gallons of clear diesel delivered to the public works department on 12/18/23.
- \$39,113.90 to The Sohagi Law Group for Professional legal services for Petrovich Development for the period of November 2023.
- \$50,728.82 to U.S. Bank-Calcard for City of Seaside purchase card transactions for the billing period of November 2023.
- \$34,889.57 to U.S. Bank-Calcard for City of Seaside purchase card transactions for the billing period of December 2023.
- \$16,000.00 to Voler Strategic Advisors, Inc. for Professional services for strategic communications support for the periods of December 2023 & January 2024.
- \$21,134.48 to Wallace Group for November 2023 invoices for projects: Ord Terrace Elementary School Crossing; Fernando Park Improvements; SCSD Fog Program Development/Training; Campus Town Water Augmentation; Del Monte LID Project services.
- \$11,104.66 to Wallace Group for Professional services for the Ellis & Cutino (Part 2 Phase 1) Park Improvements for the period of November 2023.
- \$10,387.10 to Whitson Engineers for November 2023 invoices for: Professional engineering services for Lincoln-Cunningham & Havanna-Soliz Parks Review; Del Monte Manor storm drain design; Fremont center median landscape design; Mingo storm drain rehab services.
- \$12,163.00 to Whitson Engineers for Professional engineering services for Lincoln-Cunningham arterial trail project for the period of December 2023.
- \$35,300.86 to ZAP Manufacturing Inc. for Services to replace (845) City street signs.

The Net Payroll and Payroll benefits total was \$3,209,994.73.

The remaining checks, totaling \$1,429,047.73, 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

Reviewed for Submission to the City Council by:



Jaime M. Fontes, City Manager



CITY OF SEASIDE STAFF REPORT

Item No.: 8.C.

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

FROM: Jaime M. Fontes, City Manager

BY: Loreene Bermudez-Onate, Accountant II

DATE: March 7, 2024

SUBJECT: APPROVE AND FILE SUCCESSOR AGENCY CHECKS

RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of December 9, 2023, through January 19, 2024, including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending December 8, 2023, December 22, 2023, and January 5, 2024. Total Accounts Payable and Payroll for the above referenced period is \$29,265.27.

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:

- \$27,208.53 to U.S. Bank St. Paul for Debt service payment for the Successor Agency to the Redevelopment Agency of the City of Seaside 2014 Tax Allocation Bond.

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

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

FISCAL IMPACT

There are no additional fiscal impacts.

ATTACHMENTS

None

Reviewed for Submission to the City Council by:


Jaime M. Fontes, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.D.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Dominique Davis, City Clerk

DATE: March 7, 2024

**SUBJECT: APPROVE A PROCLAMATION DECLARING MARCH AS
AMERICAN RED CROSS MONTH**

RECOMMENDATION

Approve the proclamation and declare March 2024 as Red Cross Month.

BACKGROUND

The City Council adopts this resolution annually in support of the efforts of the American Red Cross and the benefits they provide to our community, throughout the year, not only during emergencies.

FISCAL IMPACT

None.

ATTACHMENTS

1. American Red Cross Month 2024
-

Reviewed for Submission to the City Council by:


Jaime M. Fontes, City Manager

City of Seaside PROCLAMATION



American Red Cross Month March 2024

WHEREAS, During American Red Cross Month in March, we recognize the compassion of people in Seaside and reaffirm our commitment to care for one another in times of crisis; and

WHEREAS, this generous spirit is woven into the fabric of our community and advances the humanitarian legacy of American Red Cross founder Clara Barton – one of the most honored women in our country's history – who nobly dedicated herself to alleviating suffering; and

WHEREAS, the contributions of local Red Cross volunteers (134 in the county) give hope to the most vulnerable in their darkest hours. Last year in Monterey County, volunteers helped 53 households affected by 39 home fires by addressing their urgent needs like food and lodging, as well as providing recovery support. In addition, they installed 783 smoke alarms, collected 1,560 blood donations, provided first aid and CPR training to 3,243 residents, helped the families of 1,355 students prepare for disasters through our Pillowcase Project, and assisted 272 families of our armed forces; and

WHEREAS, we hereby recognize this month of March in honor of all those who lead with their hearts to serve people in need, and we ask everyone to join in this commitment to strengthen our community; and

NOW, THEREFORE, BE IT PROCLAIMED, that I, Ian N. Oglesby, Mayor of Seaside, by virtue of the authority vested in me by the laws of Seaside and California, do hereby proclaim March 2024 as Red Cross Month. I encourage all citizens of Seaside to reach out and support its humanitarian mission.

Ian N. Oglesby, Mayor
March 7, 2024



CITY OF SEASIDE STAFF REPORT

Item No.: 8.E.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Dan Meewis, Recreation Director

DATE: March 7, 2024

SUBJECT: **APPROVE A FEE WAIVER REQUEST FROM WORLD OUTREACH SERVICES INC. AND SEASIDE SPORTS LEAGUE LLC TO USE LAGUNA GRANDE PARK TO HOLD THEIR SEASIDE SPORTS LEAGUE LLC MUSIC IN THE PARK**

RECOMMENDATION

Approve the fee waiver request from Seaside Sports League LLC/World Outreach Services Inc. to hold their event "Music in the Park" at Laguna Grande Park, in the amount of \$1,187.00, the Organization to provide the City with the non-refundable portion of the deposit of \$49.50, and provide the City with their insurance.

BACKGROUND

World Outreach Services Inc. along with Seaside Sports League LLC are proposing to hold their Seaside Sports League LLC Music in the Park event on June 08, 2024, from 10:00 a.m to 8:00 p.m. They are requesting a fee waiver to waive all the fees related to their event. A Special Event application was submitted and reviewed by staff and the Special Event Committee. The Seaside Sports League LLC will have a stage with music that represents all the different cultures in the community. They will also have a variety of food and craft vendors. They are able to provide their own insurance for their event, and they will provide portable restrooms and handwashing stations. This is a free family-oriented event for the community.

They are also requesting the use of a portable stage, electrical access, 20 tables, 50 chairs, 20 trash cans, 20 cones, 10 sidewalk barricades stands and 8 parking lot barricades. They are requesting assistance from Public Works and the Recreation Department for these items. This is the second request from the Seaside Sports League LLC/World Outreach Services Inc. for fee waiver. The first request was in 2022, for the Father's Day Bash event, which was approved by the City Council for a full fee waiver.

FISCAL IMPACT

Should the City Council approve the request for full fee waivers for the event, the approximate fiscal impact is as follows:

Special Event Application Fee	\$ 110.00
Laguna Grande Park Rental Fee	\$ 121.00
Park Deposit	\$ 148.00
Deposit Non-Refundable Portion	\$ 49.40
<u>Public Works/Setup and Breakdown</u>	<u>\$ 808.00</u>
TOTAL	\$1,236.40

Should the City Council approve the request with the staff recommendation to waive all rental fees but require payment for the insurance and the non-refundable deposit only, the fiscal impact is \$1,187.00 out of account 100.3672.

ATTACHMENTS

1. Seaside Sports League LLC- Fee Waiver Request & Special Event Application 2024
2. World Outreach Services Inc. - 501(c)(3)

Reviewed for Submission to the City Council by:


Jaime M. Fontes, City Manager



SEASIDE CALIFORNIA

Fee Waiver Request Form

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

CONTACT INFORMATION:

Organization: Seaside Sports League LLC
Name of Applicant: Andre Smith
Address: 915 Hilby Ave City: Seaside State: Ca
Phone: 831-849-8370 Email: SeasideSportsLeague@gmail.com

EVENT INFORMATION:

Event Title: Music in the Park
Event Description: Cultural music and vendors for a fest wednesday at the park
Event Date: June 8th 2024 Room(s) Requested: Laguna Grande Park
Time (including set-up): 7am - 8pm Approximate Number of Guests: 300+

ADDITIONAL INFORMATION:

Reason for Requesting Fee Waiver: In order to help with expenses for a Free Event for the Communities

Have you received a Fee Waiver in the past? ☐ Yes, the event was on _____ ☒ No

What is your organization's tax identification number? SOSL 202026711080

What percentage of your members or participants resides in Seaside? 750% - 900%

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: Andre Smith

Date: 11-11-2023

(For Office Use Only)

Fee Waiver Request: ☐ Approved ☐ Denied ☐ Appealed

Security Deposit Required? ☐ Yes ☐ No

Staff Signature: _____

Date: _____

Notes: _____



SEASIDE CALIFORNIA

Facility Use Rental Request Form
Parks and Recreation Division
986 Hilby Avenue, Seaside CA 93955
831-899-6800

CONTACT INFORMATION:

ROOM: La Bona Corande

Organization: Seaside Sports League LLC

Name of Applicant: Andre Smith

Address: 915 Hilby Ave.

City: Seaside

Zip: 93955

Phone: 831-869-8370

Email: seasidesportsleague@gmail.com

Day of Event Contact Name and Phone: Andre Smith 831-869-8370

☒ Resident

☐ Non-Resident

EVENT INFORMATION:

Event Title: Music in the Park

**Please attach invitation or flyer if available.*

Event Date: June 8th 2024

Approximate Number of Guests: 300-500

Reservation Time: 6am - 1pm

Event Time: 9am - 6pm

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

Special Instructions: _____

Request to use the City's:

☐ Podium

☐ Microphone

☐ Projector Screen

**Subject to availability*

***Projectors and other electronic equipment will not be provided*

Is the event open to the public?

Yes ☒

No ☐

Will admission be charged?

☐

☒

Are you a non-profit organization?

☐

☐

Will there be music?

☒

☐

Will there be live music and/or DJ?

☒

☐

Name of band or DJ: _____

Will refreshments be served?

Yes ☒

No ☐

Will refreshments be sold?

☒

☐

Will you be using the kitchen?

☐

☒

Will alcohol be served?

☐

☒

Will alcohol be sold?

☐

☒

**Alcohol is prohibited at youth oriented events*

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

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

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

Applicant Signature: [Signature]

Date: _____

(For Office Use Only)

Permit Fee: _____

Authorized Agent: _____

Date: _____

Note: Original to Resource Management/Recreation Department



SEASIDE CALIFORNIA

Parks and Picnics Facility Use Request Form

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

CONTACT INFORMATION:

Name of Applicant:

Andre Smith

2024

Address:

915 Hilby Ave, Suite 23

City: Seaside

Zip: 93955

Phone:

831-869-8370

Email:

SeasideSportsLeague@gmail.com

☒ Resident

☐ Non-Resident

Organization:

Seaside Sports League

FACILITY RESERVATION:

Intended Use/Activity:

Celebration with Food, Music, Kids Area

Reservation Date(s):

June 8th 2024

Times: (Available 8 AM-Dusk)

6aa - Dusk

Location Requested: (All fees per current adopted fee schedule)

Soper

☐ BBQ Area 1

☐ BBQ Area 2

☐ BBQ Area 3

☐ Large BBQ Area

☐ Entire BBQ Areas

Laguna Grande Park

☐ Lakeside BBQ Area 1

☐ Lakeside BBQ Area 2

☒ Entire Lakeside BBQ Areas

☐ Eucalyptus BBQ Area

☐ Hillside BBQ Area 1

☐ Hillside BBQ Area 2

☐ Hillside BBQ Area 3

☐ Hillside BBQ Area 4

☐ Hillside BBQ Area 5

☐ Hillside BBQ Area 6

Other

☐ Metz BBQ Area

☐ Ellis Park BBQ Area

☐ Robert's Lake

☐ City Hall Lawn

☐ Sports Complex

Do you intend to play music? (No amplified, live music, or bands allowed)

☒ Yes

☐ No

Do you intend to use the BBQ pits?

☒ Yes

☐ No

☒ Bounce House (additional fee)

Estimated Attendance:

300-500

Permit Fee:

\$319.00

(For Office Use Only)

Authorized Agent:

Hilani Centeno

Date:

10/18/2023

Note: - Original to Resource Management/Recreation Department
- Copy to Police Department



**SEASIDE
CALIFORNIA**

Parks and Picnics Facility Use Request Form

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

I, the undersigned, hereby certify that I will be personally responsible for any damage sustained to the grounds, buildings, furniture, or equipment occurring through the occupancy of said facilities. I will also be responsible for the enforcement of the Department rules and regulations. City Ordinance 9.12020 makes it unlawful for any person to knowingly make, continue or cause to be made or continue any excessive, unnecessary or unusually loud noise. City Ordinance 9.08.060(B)(1) makes it unlawful for any person using a park to consume or have in his/her possession an open container of any alcoholic beverage. **Please be aware that the City does not provide electricity for any park reservation other than a reservation made for a City Function.**

For rentals on Nights/Weekends or Holidays please call 831-394-6811 for police matters. For rental concerns or restroom issues, please call 831-760-2236. If no one responds within 15 minutes, then call 831-860-2336. It is also recommend that you have a copy of your receipt on hand during your rental.

Initials: AS

Food Sales and Prohibited Goods & Materials:

- ❖ All food providers within the city utilizing disposable food service ware shall use certified compostable products, or recyclable non-plastic products. This includes but is not limited to plates, napkins, straws, cups, bottles, lids, utensils, bowls, stirrers, beverage plugs, trays and hinged or lidded containers. Non-plastic single-use products shall be allowed only if they are currently accepted for composting or recycling by the designated waste hauler and the Monterey Regional Waste Management District.
- ❖ Vendors are prohibited: to use any PLASTIC water bottles, use Styrofoam/polystyrene packaging, and provide plastic straws.
- ❖ The use of all types of balloons is prohibited at all City of Seaside parks and facilities.

Initials: AS

IT IS DISTINCTLY UNDERSTOOD AND AGREE, that the applicant assumes all risk for loss, damage, liability, injury, and costs or expenses that may arise during or because of such use or occupancy of the facility of the city of Seaside and its Public Works Department. The applicant further agrees that in consideration of being permitted to use said facilities, he/she will save and hold the City of Seaside and said Public Works Department and/or its employees, free and harmless from any loss claims liability, damage and/or injuries to persons or property that in any way may be caused by applicants use or occupancy of said facilities.

NOTE: All Park Rental Fees Are Non-Refundable

75% of cleaning deposits will be refunded within 14 -21 working days after use of facility.

The remaining 25% of the deposit will be kept in the Janitorial/Maintenance account.

(Rental Area Must Be Clean In Order To Receive a Refund)

Signature of Applicant:

Date: 10-17-23



**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: Seaside Sports League LLC
Name of Applicant: Andre Smith
Address: 915 Hilby Ave Suite 23 City: Seaside State: 93955
Phone: 831-869-8370 Email: SeasideSportsLeague@gmail.com
Day of Event Contact Name and Phone: Andre Smith 831-869-8370

EVENT INFORMATION:

Event Title: Music in the Park

Event Category:

- | | | |
|--|--|---------------------------------|
| ☐ Athletic / Recreation | ☐ Concert / Performance | ☐ Circus |
| ☒ Celebration / Festival | ☐ Parade / March / Procession | ☐ Dance |
| ☐ Carnival | ☐ Other: _____ | |

Event Date and Time: June 8th 2024, 6am - dusk
Setup: 6am Event Start: 10am Event End: 6pm Clean up: 8pm

Event Location: Laguna Grande Park

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.

There will be Food for Sale, music, kids Area,
Crafts Booths, Advertising booth, Live Music

Number of Participants: 300-500 Event Benefiting: Seaside Sports League

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? Flyer, Posters, Instagram emails - etc.

Signs posted: Yes

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: Stage Barricades to block parking lot - 4 big ones & 6 small ones - 3 picnic tables & extra trash cans

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? 20+ (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):

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

T-B-A

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

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

Rental of Porties, Recycle Collection (w)
waste mg.

Other pertinent information or special requests: TO be decided later

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:

Charles Smith

Date: 10-17-23



**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: 10-17-23



**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, 986 Hilby Ave., Seaside, CA 93955.

Insurance Agency: _____ 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: 10-17-23

(For Office Use Only)

Authorization

- | | |
|---|--|
| ☐ Building _____ | ☐ Recreation _____ |
| ☐ Planning _____ | ☐ Redevelopment _____ |
| ☐ Police _____ | ☐ Public Works _____ |
| ☐ Fire _____ | ☐ County Health _____ |
| ☐ Finance _____ | |

Comments: _____

Music in the Park June 8th 2024

- * Our intent for music in the Park, is to create another Festive Event for the city of Seaside. This event will have music, vendors, kid area, local Talent to represent the area.

* 501(c)(3)

Music in the Park will have

* Their own Insurance for this Event.

* Rent Extra Potties for the day.

* Bring Sound System.

* 501(c)(3) (Paper Documentation)

Request for Music in the Park

June 8th, 2024

- * 4 Picnic Tables. (Sat)
- * Stage and platforms. (Fri)
- * 20 Tables, 50 chairs. (Sat)
- * 20 Trash cans.
- * 20 small Cones
- * 10 sidewalk barricades stands
- * 8 Parking lot barricades (6')
- * Geese droppings clean (Sat)
- * Power Box for the electrical needs
- * Help with clean-up ^{during} after the show ends.

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

DEPARTMENT OF THE TREASURY

Date: **DEC 22 2016**

WORLD OUTREACH SERVICES INC
1268 SOTO ST
SEASIDE, CA 93955

Employer Identification Number:
51-0600523
DLN:
17053320327006
Contact Person:
ANGELA M BENDER ID# 31162
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
May 15, 2016
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

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

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

Based on the information you submitted in your application, we approved your request for reinstatement under Revenue Procedure 2014-11. Your effective date of exemption, as listed at the top of this letter, is retroactive to your date of revocation.

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

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

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar

Letter 947



CITY OF SEASIDE STAFF REPORT

Item No.: 8.F.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Dan Meewis, Recreation Director

DATE: March 7, 2024

**SUBJECT: **APPROVE A FEE WAIVER REQUEST FROM PALENKE ARTS
ORGANIZATION TO USE LAGUNA GRANDE PARK TO HOLD
THEIR EIGHTH ANNUAL PALENKE ARTS FESTIVAL****

RECOMMENDATION

Approve a request from Palenke Arts for a fee waiver in the amount of \$1,235.00 related to their Eighth Annual Arts Festival at Laguna Grande Park on June 02, 2024.

BACKGROUND

The Palenke Arts Organization is proposing to hold their Eighth Palenke Arts Festival event on Sunday, June 02, 2024. The organization's mission is to educate and inspire the community of Seaside through the arts and is comprised of a community of multicultural interdisciplinary arts, performers, students, educators, and community members who want to transcend their individual differences, and build a better community through the arts. The festival will be a celebration of the arts in the City of Seaside.

They are requesting a fee waiver to waive fees associated with this event and use of the City's stage. The Eighth Annual Palenke Arts festival is open to the public and no fees will be charged. Their application was reviewed by the Special Event Committee. This is the eighth request from Palenke Arts for a fee waiver for this event, and the City Council has approved a full fee waiver for each request.

FISCAL IMPACT

Should the City Council approve the request for a full fee waiver for the event, the approximate fiscal impact is as follows:

Special Event Application Fee	\$ 110.00
Laguna Grande Park Rental Fees	\$ 121.00
Park Deposit	\$ 198.00
<u>Public Works Set-up and Breakdown</u>	<u>\$ 806.00</u>
TOTAL	\$1,235.00

ATTACHMENTS

1. Palenke Arts Fee Waiver Request & Special Event Application 2024
2. Palenke Arts Insurance 8th Annual Palenke Arts Festival 2023
3. 501(c)(3) - Palenke Arts

Reviewed for Submission to the City Council by:



Jaime M. Fontes, City Manager

Please read policy on back first.



**SEASIDE
CALIFORNIA**

Fee Waiver Request Form

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

CONTACT INFORMATION:

Organization: Palenke Arts
Name of Applicant: Juan L. Sanchez
Address: 1713 Broadway Ave City: Seaside State: CA
Phone: 831-899-9909 Email: info@palenkearts.org

EVENT INFORMATION:

Event Title: 8th Palenke Arts Festival
Event Description: Multicultural Arts celebration for the whole family
Event Date: 6/2/2024 Room(s) Requested: Laguna Grade Park LAKESIDE
Time (including set-up): 9am - 5pm Approximate Number of Guests: 300

ADDITIONAL INFORMATION:

Reason for Requesting Fee Waiver: free event for the benefit of the whole Seaside community

Have you received a Fee Waiver in the past? ☒ Yes, the event was on 11/2/23 ☐ No

What is your organization's tax identification number? 82-1726480

What percentage of your members or participants resides in Seaside? 90%

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: 2/1/24

(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

Parks and Picnics Facility Use Request Form

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

CONTACT INFORMATION:

Name of Applicant: JUAN L. SANCHEZ
Address: 1713 BROADWAY AVE. City: SEASIDE Zip: 93955
Phone: 831-899-9909 Email: info@paukenkearts.com
☐ Resident ☐ Non-Resident Organization: PAUKENKE ARTS

FACILITY RESERVATION:

Intended Use/Activity: 8TH ANNUAL PAUKENKE ARTS FESTIVAL
Reservation Date(s): JUNE 2, 2024 Times: (Available 8 AM-Dusk) 9AM-5PM
Location Requested: (All fees per current adopted fee schedule)

Soper

- ☐ BBQ Area 1 ☐ BBQ Area 2 ☐ BBQ Area 3
☐ Large BBQ Area ☐ Entire BBQ Areas

Laguna Grande Park

- ☐ Lakeside BBQ Area 1 ☐ Lakeside BBQ Area 2 ☒ Entire Lakeside BBQ Areas
☐ Eucalyptus BBQ Area ☐ Hillside BBQ Area 1 ☐ Hillside BBQ Area 2
☐ Hillside BBQ Area 3 ☐ Hillside BBQ Area 4 ☐ Hillside BBQ Area 5
☐ Hillside BBQ Area 6

Other

- ☐ Metz BBQ Area ☐ Ellis Park BBQ Area ☐ Robert's Lake
☐ City Hall Lawn ☐ Sports Complex

Do you intend to play music? (No amplified, live music, or bands allowed)
Do you intend to use the BBQ pits?

☒ Yes ☐ No
☐ Yes ☒ No

☐ Bounce House (additional fee)

Estimated Attendance: 300

(For Office Use Only)

Permit Fee: _____

Authorized Agent: _____ Date: _____

Note: - Original to Resource Management/Recreation Department
- Copy to Police Department



**SEASIDE
CALIFORNIA**

Parks and Picnics Facility Use Request Form

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

I, the undersigned, hereby certify that I will be personally responsible for any damage sustained to the grounds, buildings, furniture, or equipment occurring through the occupancy of said facilities. I will also be responsible for the enforcement of the Department rules and regulations. City Ordinance 9.12020 makes it unlawful for any person to knowingly make, continue or cause to be made or continue any excessive, unnecessary or unusually loud noise. City Ordinance 9.08.060(B)(1) makes it unlawful for any person using a park to consume or have in his/her possession an open container of any alcoholic beverage. **Please be aware that the City does not provide electricity for any park reservation other than a reservation made for a City Function.**

For rentals on Nights/Weekends or Holidays please call 831-394-6811 for police matters. For rental concerns or restroom issues, please call 831-760-2236. If no one responds within 15 minutes, then call 831-860-2336. It is also recommend that you have a copy of your receipt on hand during your rental.

Initials: AA

Food Sales and Prohibited Goods & Materials:

- ❖ All food providers within the city utilizing disposable food service ware shall use certified compostable products, or recyclable non-plastic products. This includes but is not limited to plates, napkins, straws, cups, bottles, lids, utensils, bowls, stirrers, beverage plugs, trays and hinged or lidded containers. Non-plastic single-use products shall be allowed only if they are currently accepted for composting or recycling by the designated waste hauler and the Monterey Regional Waste Management District.
- ❖ Vendors are prohibited: to use any PLASTIC water bottles, use Styrofoam/polystyrene packaging, and provide plastic straws.
- ❖ The use of all types of balloons is prohibited at all City of Seaside parks and facilities.

Initials: AP

IT IS DISTINCTLY UNDERSTOOD AND AGREE, that the applicant assumes all risk for loss, damage, liability, injury, and costs or expenses that may arise during or because of such use or occupancy of the facility of the city of Seaside and its Public Works Department. The applicant further agrees that in consideration of being permitted to use said facilities, he/she will save and hold the City of Seaside and said Public Works Department and/or its employees, free and harmless from any loss claims liability, damage and/or injuries to persons or property that in any way may be caused by applicants use or occupancy of said facilities.

NOTE: All Park Rental Fees Are Non-Refundable

75% of cleaning deposits will be refunded within 14 –21 working days after use of facility.

The remaining 25% of the deposit will be kept in the Janitorial/Maintenance account.

(Rental Area Must Be Clean In Order To Receive a Refund)

Signature of Applicant: [Signature]

Date: 2/1/24



**SEASIDE
CALIFORNIA**

Special Event Application

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

Date:

Dear Event Sponsor:

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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: PALENKE ARTS

Name of Applicant: JUAN L. SANCHEZ

Address: 1713 BROADWAY AVE. City: SEASIDE State: CA

Phone: 831-333-6612 Email: info@palenkearts.org

Day of Event Contact Name and Phone: JUNE 2, 2024 JUAN L. SANCHEZ
831-333-6612

EVENT INFORMATION:

Event Title: III ANNUAL PALENKE ARTS FESTIVAL

Event Category:

- | | | |
|--|--|---------------------------------|
| ☐ Athletic / Recreation | ☐ Concert / Performance | ☐ Circus |
| ☒ Celebration / Festival | ☐ Parade / March / Procession | ☐ Dance |
| ☐ Carnival | ☐ Other: _____ | |

Event Date and Time: JUNE 2, 2024 12 PM - 4 PM

Setup: 9 AM Event Start: 12 PM Event End: 4 PM Clean up: 5 PM

Event Location: LAKUNA GRANDE PARK (LAKESIDE)
-SPIDER BOX REQUIRED

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.

FREE EVENT FULL OF STUDENTS & PROFESSIONAL
PERFORMANCES, CHILDREN'S ART ACTIVITIES,
LIVE ART DEMOS BY PAUL RICHMOND, FOOD
VENDORS & COMMUNITY BOOTHS. INCLUDES VARIOUS
STUDENT & MIDDLE GRADES.

Number of Participants: 300 Event Benefiting: the city of Seaside

Federal ID # (if applicable): 82-1786480

☒ 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? ONLINE PLATFORMS, FREE
COMMUNITY BOARDS

Signs posted: _____

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

☒ PA System ☐ Generator(s) ☒ Amplified sound / music
☒ Booths ☐ Bleachers ☐ Cooking fuel
☒ Tents ☒ Barriers ☐ Barricades
☐ Other: 3 TABLES 8 CHAIRS - PORTABLE STAGE + SPIDER

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:

STREET PARKING + DIET LOT



**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):

VOLUNTEERS

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

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

N/A

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

TRASH CANS & VOLUNTEERS - PLEASE PROVIDE
EXTRA TRASH CANS

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: _____

2/1/24



**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: 2/1/24



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, 986 Hilby Ave., Seaside, CA 93955.

Insurance Agency: MACKEY & MACKEY Insurance Agent: MATT CLEVENGER
Phone Number: (805) 772-1799 Policy Number: 2021-58538
EXT. 202

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: 2/1/24

(For Office Use Only)

Authorization

- | | |
|-----------------------------------|--|
| ☐ Building | ☐ Recreation |
| ☐ Planning | ☐ Redevelopment |
| ☐ Police | ☐ Public Works |
| ☐ Fire | ☐ County Health |
| ☐ Finance | |

Comments: _____



PALEART-01

JMACKEY

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/26/2023

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 License # 0668959 Mackey & Mackey Insurance Agency, Inc. P.O. Box 1209 Hanford, CA 93232	CONTACT NAME: Matthew Clevenger		
	PHONE (A/C, No, Ext): (805) 772-1799 202	FAX (A/C, No): (805) 772-6906	
	E-MAIL ADDRESS: matt@mackey-insurance.com		
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Nonprofits' Insurance Alliance of California		NIAC
	INSURER B : Employers Preferred Insurance Company		10346
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

INSURED

Palenke Arts
1713 Broadway Ave
Seaside, CA 93955

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X		2023-58538	6/2/2023	6/2/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 20,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☐ DED ☐ RETENTION \$			2023-58538-UMB	6/2/2023	6/2/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y ☒ N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		EIG456018503	6/2/2023	6/2/2024	☒ 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

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
City of Seaside is hereby named Additional Insured as respects their interests in Palenke Arts Festival to be held 06-04-2023.
Event type: 7th Annual Palenke Arts Festival
Date of the event: June 4, 2023
Location: Laguna Grande Park

CERTIFICATE HOLDER

CANCELLATION

City of Seaside
440 Harcourt Ave
Seaside, CA 93955

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

AUTHORIZED REPRESENTATIVE



MACKEY AND MACKEY INSURANCE AGENCY, INC

WWW.MACKEY-INSURANCE.COM

Certificates of Insurance:

The attached certificate merely provides evidence of insurance. You may have signed contracts, leases, or other agreements requiring you to provide this certificate. In those agreements, you may assume obligations and/or liability for others. Some of these obligations are not covered by insurance. You should review these with a competent legal counsel.

Additional Insureds:

In addition to providing a certificate of insurance, you may also be required to name your client or customer on your policy as an additional insured. This action requires an actual endorsement / change to your policy and is possible only with the permission of the insurance company. In some cases there may be an additional premium to add additional insureds to your policy.

There are other potential consequences of including additional insureds on your policy which include, but are not limited to:

- 1) Your policy limits are now shared with other entities; their claims involvement may reduce or exhaust your aggregate limits.
- 2) Your policy may provide higher limits than required by contract; but your full limits can be exposed due to the additional insured.
- 3) There may be conflicts in defense when your insurer has to defend both you and the additional insured.

Some contracts, leases and agreements you sign may have indemnity and/or hold harmless requirements that cannot be addressed by an insurance policy. We recommend that these agreements be thoroughly reviewed by you and your legal counsel.

450 Kings County Drive, Suite 101
P.O. Box 1209
Hanford, CA 93232
Phone: (559) 583-9393
Fax : (559) 582-3903

800 Quintana Road, Suite 1A
Morro Bay, CA 93442
Phone: (805) 772-1799
Fax: (805) 772-6906

STATE LICENSE #0668959

695 Price St., Suite 101
Pismo Beach, CA 93449
Phone: (805) 295-6601
Fax: (805) 295-6603

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

DEPARTMENT OF THE TREASURY

Date: **JAN 30 2020**

PALENKE ARTS
C/O FENTON & KELLER
CAROL S HILBURN
PO BOX 791
MONTEREY, CA 93942-0791

Employer Identification Number:
82-1786480
DLN:
29053239317029
Contact Person:
DENNIS C GRUESSER ID# 31992
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
June 30
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
December 24, 2018
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

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

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

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

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

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

Letter 947

PALENKE ARTS

We sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stephen A. Martin". The signature is written in a cursive, slightly slanted style.

Director, Exempt Organizations
Rulings and Agreements

Letter 947



CITY OF SEASIDE STAFF REPORT

Item No.: 8.G.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Dan Meewis, Recreation Director

DATE: March 7, 2024

SUBJECT: **ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF BROADWAY AVENUE TO THROUGH TRAFFIC FROM FREMONT BOULEVARD TO DEL MONTE AVENUE, AND ASSOCIATED SIDE STREETS AS WELL AS THE WEST OF FREMONT BOULEVARD FROM CLEMENTINA AVENUE TO AMADOR STREET, FOR THE EXOTICS ON BROADWAY EVENT ON AUGUST 17, 2024**

RECOMMENDATION

Adopt a resolution permitting the closure of Broadway Avenue to through traffic from Fremont Boulevard to Del Monte Boulevard, and associated side streets, as well as the westbound lanes of Fremont Boulevard from Clementina Avenue to Amador Street to ensure public safety during the Exotics on Broadway event on Saturday, August 17, 2024.

BACKGROUND

Exotics on Cannery Row, LLC, has submitted an application to hold an Exotics on Broadway Event on Broadway Avenue on Saturday, August 17, 2024, from 1:00 p.m. to 6:00 p.m., with setup and clean up hours as 4:00 a.m. to 12:00 a.m. They are requesting the closure of Broadway Avenue from Fremont Boulevard to Del Monte Boulevard and associated side streets, including Calaveras Street, Alhambra Street, Hillsdale Street and Contra Costa Street from the alleyways, both north and south of Broadway, towards Broadway Avenue, as well as the westbound lanes of Fremont Boulevard from Clementina Avenue to Amador Street for their display of exotic cars. The closure of Broadway Avenue from Fremont Boulevard to Del Monte Boulevard, as well as the westbound lanes of Fremont from Broadway Avenue to Amador Street will allow 200-300 exotic cars to be shown, as well as amenities to complement the event, like a stage, bands, vendors, porta-potties, etc.

In 2018, Exotics on Cannery Row outgrew its former location, with crowds estimated in the thousands. However, in 2019, Exotics on Cannery Row LLC held their first annual Exotics on Broadway in Seaside with great success. In 2020, Exotics on Broadway was poised to come back to Seaside. However, that was at the height of the pandemic, and the show was canceled. Exotics on Broadway made their return to Seaside in 2022, and that show saw some of the largest crowds out of any of the shows during car week, and it featured an extension that utilized the westbound lanes of Fremont Avenue. It is expected that the 2024 show will exceed the attendance of 2023, as it is known as the best free car show on the peninsula.

After our 2023 event debrief the following areas will be addressed for the upcoming year:

Safety: There will be zero movement of vehicles in the event space from the time the event starts at 1pm until the event officially ends at 6pm. During the registration process, this policy change will be discussed with the potential vendors, and if they can not comply they will be asked not to participate. Exotics on Broadway will also advertise this through their channels from the start of their event promotions.,

Staff and Security: There will be an increase in staff for this event, which will include increasing the security personnel to 40.

Load in and Load Out: The organizer is working on establishing 2 locations for load in and load out for the vendors and show cars. This will help eliminate the bottleneck from the one entrance on Contra Costa. There will also be two exits to expedite the exit process for the show cars.

Alleys: Work with staff to ensure that the alleys are kept clear and open for emergency access. They will also work with Seaside PD on this.

First Aid Station: Organizer will work directly with the Fire Department to ensure that the location of the first aid tent is a logistical priority and is centrally located.

Local Businesses: If the event is approved, the organizer will begin communication with the local businesses as soon as possible. This will help make sure that there is communication early and often with multiple forms of communication opportunities for all the affected businesses on Broadway. There will be specific meetings specifically for the business owners to have open discussions and provide any feedback to the event organizers.

Typically, during Car Week, Seaside has been a low-key destination for tourists. Exotics on Broadway now offers an opportunity for a free high quality show, which is very popular with locals and tourists, and it has made Seaside a premier destination during Car Week. This event would enhance exposure of Broadway and other Seaside

businesses to generate revenue, particularly from food and beverage sales. Several Broadway businesses have mentioned support of this type of event.

The approval of this request for Exotics on Broadway will support the City Council Strategic Priorities of:

- Diverse and Inclusive Community
- Community Safety & Quality of Life

FISCAL IMPACT

Cost Estimate for staff time and resources:

Medical Standby - Three personnel	\$ 2,969.37
Police Department - Three Officers Assigned to Event	\$ 2,152.19
<u>Public Works - Labor & Vehicles, Rental of City Traffic control, UBER.</u>	<u>\$ 6,489.00</u>
<u>Bus sign</u>	
TOTAL	\$11,610.56

RECOMMENDATION

If the City Council approves the request for closure of Broadway Avenue from Fremont Boulevard to Del Monte Boulevard, and associated side streets, as well as the westbound lanes of Fremont Boulevard from Clemintina Avenue to Amador Street on Saturday, August 17, 2024, between the hours of 4:00 a.m. to 12:00 a.m. staff recommends the following conditions be met:

1. Submit a temporary traffic control plan and temporary traffic detour plan prepared by a registered traffic engineer. Reviewed and approved by Public Works.
2. Submit an encroachment permit.
3. No parking signs, morning closure and opening of the roadway in the evening need to be set out 3 days in advance.
4. NO PARKING in the alley on the North and South side of Broadway Avenue between Santa Barbara Street and Del Monte Avenue and Calaveras Street and Contra Costa, and they shall provide security to enforce it.
5. Provide information on restrooms and trash control.
6. Organization to provide insurance coverage of the event in the amount of \$3 million per occurrence and \$5 million in the aggregate.
7. Pay all city-related costs associated with the event.
8. Invite Seaside businesses to participate and provide priority vendor spaces for Seaside businesses who are interested in vending at the event.

9. Provide a minimum of 40 security guards for the duration of the event.
10. Due to limited access and medical emergencies that occurred during last year's event, we are requesting to staff a first aid tent (canopy) with members of Seaside Fire Department from the hours of 0745–1945 hours.

Exotics on Broadway will pay all associated fees for their event.

ATTACHMENTS

1. Special Event Application - Exotics on Broadway 2024
 2. Exotic on Broadway, LLC -Seaside Encroachment Permit 2024
 3. Exotics on Broadway - Signed & Completed Temporary Street Closure Policy 2024
 4. Exotics Resolution 2024
 5. Exotics on Broadway, LLC - Seaside Tent Permit 2024
-

Reviewed for Submission to the City Council by:



Jaime M. Fontes, City Manager



**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 (Office)
(831) 718-8603 (Fax)
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: Exotics on Broadway, LLC
Name of Applicant: Johnny Valencia
Address: 9713 Blantyre Dr City: Beverly Hills State: CA
Phone: 954-415-1198 Email: Johnny@GearOneAgency.com
Day of Event Contact Name and Phone: Johnny Valencia 954-415-1198

EVENT INFORMATION:

Event Title: Exotics on Broadway

Event Category:

- | | | |
|---|--|---------------------------------|
| ☐ Athletic / Recreation | ☐ Concert / Performance | ☐ Circus |
| ☐ Celebration / Festival | ☐ Parade / March / Procession | ☐ Dance |
| ☐ Carnival | ☒ Other: <u>Car Show</u> | |

Event Date and Time: 8/17/24

Setup: 8/17/24 5am Event Start: 8/17/24 1pm Event End: 8/17/24 6pm Clean up: 8/17/24 6pm-11:30pm

Event Location: Broadway Ave, Seaside CA - Between Del Monte & Fremont, Southbound lanes of Fremont from Heitzinger to Amador

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 show during Monterey Car Week. Free to the public. Static event that includes show cars, vendors, entertainment music, VIP tent area, and opportunity for local businesses to have vendor spaces. Please see Exotics on Broadway 2023 for examples of the event

Number of Participants: Public-25k-30k Event Benefiting: _____

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? Digital media, social media, website, local Monterey Car Week websites.

Signs posted: As needed by the City.

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? 40-50 (For-profit vendors must have business license on file with the City)

Vendor Name

Vendor Address

Variety of automotive industry vendors that range from auto dealerships, manufacturers, wheel companies, performance shops, and local vendors

Describe Merchandise

Event shirts, hats, stickers

Will alcohol be served?

☒ Yes ☐ No

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

☐ Yes ☒ No

Parking arrangements: Coe Ave off of Gen Jim Moore Blvd. Will have multiple shuttles running during event. Free to public.



**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):

Staff of 30-35, hired security of 30

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

Details provided as we near the event

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

Police, Fire, Public Works

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

Rented trash and recycle receptacles placed throughout the event

Other pertinent information or special requests: Col to be provided 30 days before event

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: _____

12/27/23



**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: _____

12/27/23



**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, 986 Hilby Ave., Seaside, CA 93955.

Insurance Agency: _____ 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: 12/22/23

(For Office Use Only)

Authorization

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

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

Comments: _____

CITY OF SEASIDE
440 Harcourt Avenue, Seaside, CA 93955
831-899-6825
831-899-6211 Fax

ENCROACHMENT PERMIT

Administrative Use:

Permit Number: _____	Permit Fee: _____
Date Issued: _____	Receipt No: _____
Expiration Date: _____	Bond Amount: _____
	Receipt No: _____

Applicant/Permittee (May be Contractor):

Exotics on Broadway, LLC

Phone:

954-415-1198

Address:

9713 Blantyre Dr, Beverly Hills, CA 90210

Contact Person:

Johnny Valencia

Contact Phone:

954-415-1198

Job Address/Location:

Broadway Ave between Del Monte + Fremont - Fremont S lanes from Heitzinger to Amador

Assessor Parcel No:

Tract No:

Contractor:

Phone:

Address:

State Contractor's License No:

Seaside Business License No:

Type of Work: ☐ Street Improvement ☐ Street Excavation ☐ Driveway ☐ Sidewalk ☒ Other (describe below)

Project Description: Automotive Car show during Monterey Car Week. Static event to include show cars, vendors, entertainment stage, music, VIP area. Free to the public

Traffic Control/Lane Drop Required: ☐ no

☒ yes, explain below

Sidewalk Closure Required: ☐ no

☐ yes

Closures at Del Monte/Broadway, Fremont/Broadway, Fremont St + Amador, Fremont St + Heitzinger

Permittee to Notify the Following:

Underground Service Alert 1-800-227-2600

Seaside Police 831-899-6748

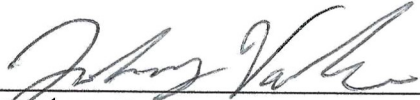
Seaside Fire 831-899-6790

Monterey-Salinas Transit, FAX work location to 831-899-7789

AMR Ambulance 831-718-9555

Applicant/Permittee hereby agrees to comply with the Standard Conditions attached to this application, any special provisions which may be attached to this application and all City Ordinances, Resolutions, Standards and Specifications currently in force. Execution below shall confirm that Applicant/Permittee has received and reviewed the Standard Conditions, understands the same and agrees to be bound thereby.

Specific Standards for Permit # _____:


Signature (Applicant):

12/27/23

Date:

Johnny Valencia
Please type or handwrite name:

Signature (Contractor):

Date:

Please type or handwrite name:

PERMIT ISSUED BY:

SEASIDE PUBLIC WORKS/ENGINEERING DEPARTMENT

DATE

I have examined the work covered by this permit and find that it is accordance with the standards of the City of Seaside and recommend acceptance.

Encroachment Inspector

DATE

Date Bond Released /Reimbursed

Amount

Check No.

CITY OF SEASIDE PERMIT TO ENCROACH

I. STANDARD CONDITIONS

- A. Permittee or Permittee's authorized representative must notify the City of Seaside (the City) at least 48 hours before starting any work under this Permit. Failure to so notify is cause for revocation of Permit. Should Permittee fail to commence the work or project for which this permit was issued within 180 days from the date of issuance set forth above or fail to actively and diligently exercise the privileges of this Permit, the Permit becomes null and void.
- B. The City shall not be responsible for monitoring the Permittee's compliance with any laws or regulations. If the Permittee performs any work knowing or having reason to know that it is contrary to laws or regulations, the Permittee shall bear all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) arising out of or relating to such work.
- C. Permittee or Permittee's authorized representative shall notify (underground service alert) at least 24 hours before commencing any excavation necessary to perform the work authorized by this Permit. Permittee agrees to contact and obtain an Inquiry ID Number from (underground service alert) 800 - 422 - 4133 at least two (2) working days prior to commencing work. By signing this Permit application, Permittee acknowledges that Permittee understands the statutes and regulations pertaining to excavation near or in the vicinity of underground utilities and agrees to strictly conform all of Permittee's activities to such requirements. And failure on the part of Permittee to comply with such requirements shall be grounds for the immediate revocation of this Permit.
- D. A copy of this Permit shall be kept at the site of the work throughout the period of operations within the jurisdictional limits of the City and any right-of-way therein and shall be shown to any City employee, agent or duly authorized representative or any law enforcement officer upon demand.
- E. This Permit is valid only for the purpose specified herein. No change to the scope of work as identified in the application and/or drawings submitted therewith is permitted except upon written permission of the City Engineer or his/her duly authorized representative.
- F. Compliance with the American with Disabilities Act (ADA): All work shall be conducted in compliance with all applicable Federal, State, and Local Access Laws, regulations and guidelines including but not limited to the Americans with Disabilities Act Accessibility Guidelines (ADAAG), the Public Rights-of-Way Guidelines (PROWG), Design Information Bulletin 82-05, "Pedestrian Accessibility Guidelines for Highway Projects" and the City's encroachment permit and encroachment permit packet shall be approved by the City's California Licensed Professional Engineer, Licensed Architect, or Licensed Landscape Architect. Activities and uses authorized under this Permit are subject to any instruction of the City Engineer or his/her designated representative, including but not limited to the Public Works Inspector. All instructions must be strictly observed.
- G. Any damage caused to City structures by reason of exercise of this Permit shall be replaced or repaired by Permittee at his/her/its sole expense to the satisfaction of the City. Upon notice of damage to City structures arising from the exercise of this Permit, should Permittee fail to promptly make repairs or replaced the damaged item, the City may make any and all

repairs or replacement or have repairs/replacement made and Permittee will be billed and shall reimburse City for all costs incurred.

- H. Unless otherwise specified herein, this Permit may be revoked or canceled at any time by the City Engineer or his/her duly authorized representative at the sole discretion of the City Engineer or his/her duly authorized representative.
- I. Upon written notice of cancellation or revocation of this Permit for any cause whatsoever, Permittee shall promptly restore City right-of-way and structures to their condition prior to the issuance of the Permit and then shall vacate City property. Should Permittee fail to promptly restore the premises or structures to a condition satisfactory to the City Engineer or his/her duly authorized representative, the City may make any and all repairs or have repairs made and Permittee will be billed and shall reimburse City for all costs incurred.
- J. Unless otherwise specifically provided, all costs incurred by Permittee as a result of the conditions of the Permit or the exercise by City of any right, authority, or reservation contained therein shall be the sole responsibility of and shall be borne entirely by the Permittee.
- K. Issuance of this Permit shall not be construed as an obligation on the part of the City to assume responsibility for any damages incurred to the Permittee's improvements and/or for any injury or death to person(s) or damage to property arising out of the permitted work.
- L. This permit is non-transferable.
- M. The City Engineer or his/her designated representative may cancel the permit if the work authorized herein is not commenced within sixty (60) days of issuance and thereafter, in the opinion of the City Engineer, is not diligently prosecuted to completion. Cancellation may be effected by giving written notice thereof by sending the same to the applicant by ordinary mail to the address shown on the application.
- N. The permittee or permittee's authorized representative shall notify the City Engineer when all work is completed.

II. INSURANCE

- A. Permittee shall maintain and provide commercial general liability insurance, with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$2,000,000 per occurrence, \$4,000,000 general aggregate, for bodily injury, personal injury, and property damage. The policy must include coverage for contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted. *Any insurance proceeds available to Permittee in excess of the minimum limits and coverage set forth in this Permit and which is applicable to a given loss or claim shall be deemed by this Permit to be applicable to the City.* A certificate of insurance evidencing this coverage shall be provided to the City prior to the start of any work under this Encroachment Permit. The City's Risk Manager may from time to time increase the limits of the required insurance coverage.
- B. The City is to be named as an additional insured with an endorsement in favor of the City.
- C. Coverage provided by Permittee shall be primary and any insurance or self-insurance procured or maintained by City shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain, or be endorsed to contain

a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of City before the City's own insurance or self-insurance shall be called upon to protect it as a named insured.

- D. A severability of interests provision must apply for all additional insureds ensuring that Permittee's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.
- E. None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to City and approved in writing.
- F. If Permittee maintains higher limits than the minimums shown above, City requires and shall be entitled to coverage for the higher limits maintained by Permittee. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to City.
- G. Permittee must also maintain worker's compensation insurance as required by State law.

III. INDEMNITY AGREEMENT

- A. Permittee shall indemnify, defend, and hold harmless City, its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Permittee's authorized activities under the terms of this permit unless solely caused by the gross negligence or willful misconduct of City, its officers, employees, or agents.
- B. It is expressly understood and agreed between the parties to this Permit that this is an agreement and permit for access to and for certain events to occur or work to take place on City property. This Agreement and permit is not a construction contract or an agreement for design professional services as those terms are defined or used under Title 12 of the California Civil Code (§§ 2772 et. seq.).

IV. DUTY TO DEFEND

- A. As an express and material term of City's issuance of this Permit, Permittee agrees to defend, at its sole expense, the Indemnitees from and against any and all Claims arising out of or related to the permitted encroachment. Permittee's duty to defend shall apply immediately upon demand from the Indemnitees for any injury or death to persons or damage to property occasioned by reason of or arising out of the acts or omissions of the City, its officers, employees and/or agents and the acts or omissions of Permittee, his/her/its agents, employees, contractors and subcontractors and/or any other person or entity performing work authorized by this Permit.
- B. In the event of any controversy, claim or dispute arising out of or relating to this Permit or the violation of any covenant contained herein, the prevailing party shall be entitled to receive from the losing party reasonable expenses, including attorney's fees and costs.
- C. The City Engineer or his/her designated representative may, either at the time of the issuance of this permit or at any time thereafter until the completion of the work, prescribe such additional conditions as he/she may deem necessary for the protection of the public property or for the prevention of undue interference with traffic or to assure public safety.

V. OTHER CONDITIONS

- A. **Progress of Work** Work shall proceed as expeditiously as possible. If the work consists of multiple phases, each phase of work must be approved the City before proceeding with the next phase. The City Engineer or his/her designated representative may cancel the permit if the work authorized herein is not commenced within sixty (60) days of issuance and thereafter, in the opinion of the City Engineer, is not diligently prosecuted to completion. Cancellation may be effected by giving written notice thereof by sending the same to the Permittee by ordinary mail to the address shown on the application.
- B. **Care of Drainage** If the proposed work alters surface runoff or interferes with established drainage, ample provisions shall be made by the Permittee to provide adequate drainage and erosion control as approved by the City Engineer. Construction waste or excavated materials will not be allowed to be washed into the storm drain or sewer system.
- C. **Maintenance** The Permittee agrees by acceptance of this permit to exercise reasonable care to properly maintain utilities within the City right of way and to inspect for and immediately repair any damage to any improvement within the right of way which occurs as a result of the Permittee activities.
- D. **Test Results** If necessary, the Permittee shall provide the City Engineer with soil compaction test results. Compliance with compaction requirements shall be certified by a City-approved materials testing laboratory with local experience.
- E. **Pavement Replacement** All pavement that is removed or damaged shall be replaced in accordance with current City of Seaside standards.
- F. **Protection of Traffic** Provide protection for the traveling public. Barricades shall be placed with flashing amber lights at night. Flag persons shall be provided if necessary. Warning signs, lights and temporary traffic control devices shall be placed in conformance with the requirements of the City Engineer or Inspector and the Caltrans Manual of Traffic Control.
- G. **Storage of Materials** No material shall be stored within two (2) feet of the edge of the pavement, sidewalk or traveled way or within the shoulder line where the shoulders are wider than five (5) feet. No supplies or equipment shall be stored on the City Street or right of way.
- H. **Cleanup** Immediately, upon completion of work and after each work day, all material and debris shall be entirely removed. The right of way shall be left in the same or better condition as before work started.
- I. **Conformance of Construction** All construction shall conform to the most current Caltrans and City of Seaside standards and specifications.
- J. **Bond** Prior to permit issuance, the Permittee is required to provide a bond in the form of a Letter of Credit, Cashier's Check, Money Order, Cash, or Surety Bond in an amount determined by the City Engineer. The bond will be in the name of the City of Seaside and be held by or deposited to the City. The bond will be released or refunded to the individual submitting it upon satisfactory completion of the improvements, acceptance of the project by the City, and written request by the Permittee [SMC 12.04.020].
- K. Permittee or Permittee's authorized representative must notify City of Seaside, herein referred to as "City", at least 48 hours before starting any work under this Permit. Failure to so notify is cause for revocation of Permit. Should Permittee fail to commence the work or project for which this permit was issued within 180 days from the date of issuance set forth above or fail to actively and diligently exercise the privileges of this Permit, the Permit becomes null and void.

- L. The City of Seaside shall not be responsible for monitoring the Permittee's compliance with any laws or regulations. If the Permittee performs any work knowing or having reason to know that it is contrary to laws or regulations, the Permittee shall bear all claims, costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) arising out of or relating to such work.
- M. Permittee or Permittee's authorized representative shall notify (underground service alert) at least 24 hours before commencing any excavation necessary to perform the work authorized by this Permit. Permittee agrees to contact and obtain an Inquiry ID Number from (underground service alert) 800 - 422 - 4133 at least two (2) working days prior to commencing work. By signing this Permit application, Permittee acknowledges that Permittee understands the statutes and regulations pertaining to excavation near or in the vicinity of underground utilities and agrees to strictly conform all of Permittee's activities to such requirements. And failure on the part of Permittee to comply with such requirements shall be grounds for the immediate revocation of this Permit.
- N. A copy of this Permit shall be kept at the site of the work throughout the period of operations within the jurisdictional limits of the City of Seaside and any right-of-way therein and shall be shown to any City of Seaside employee, agent or duly authorized representative or any law enforcement officer upon demand.
- O. This Permit is valid only for the purpose specified herein. No change to the scope of work as identified in the application and/or drawings submitted therewith is permitted except upon written permission of the City of Seaside Engineer or his/her duly authorized representative.

VI. DOCUMENTS INCORPORATED BY REFERENCE

- A. The following documents are incorporated into this encroachment permit.
 - a. City Standard Plans
 - b. Caltrans Standard Plans
 - c. Caltrans Standard Specifications
- B. In the event of conflict in the referenced documents for this encroachment permit, the order of precedence from highest to lowest shall be as follows;
 - i. Permits and Licenses
 - ii. Project Specific Conditions found in Exhibit B to the Encroachment Permit
 - iii. Standard Conditions found in Exhibit A to the Encroachment Permit
 - iv. Project Plans
 - v. Revised Standard Specifications
 - vi. Standard Specifications
 - vii. Revised Standard Plans
 - viii. Standard Plans
 - ix. Supplemental project information.



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:

Name of the Event / Purpose of Closure:

Date of Closure:

Start Time of Closure:

End Time of Closure:

Streets to be closed:

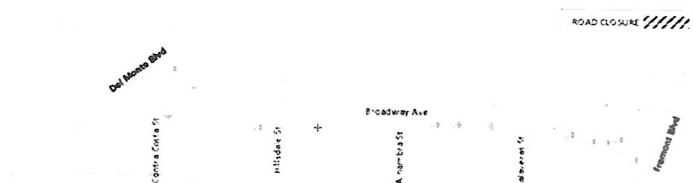
A: _____ from to _____

B: _____ from to _____

C: _____ from to _____

Map of Closure:

Map of Street Closure:



To provide input on this application:

Provide written comment to city _____, 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:

Meeting Information:



February 2022

TEMPORARY STREET CLOSURE APPLICATION

Applicant Information

Name of Applicant: <u>Johnny Valencia</u>	Date: <u>12/27/23</u>
Mailing Address: <u>9713 Blounty Dr, Beverly Hills, CA 90210</u>	City/ State: <u>Beverly Hills, CA 90210</u>
Email: <u>Johnny@PearlOneAgency.com</u>	Phone: <u>954.415.1198</u>

Street Closure Details

Name of the Event / Purpose of Closure: <u>Exotics on Broadway</u>	
General Description: <u>Automotive Car Show during Monterey Car Week. Static event which includes show cars, vendors, entertainment stage, and VIP area</u>	
Event Start and End Time: <u>8/17/24 1pm - 8/17/24 6pm</u>	Estimated number of people in attendance: <u>25K - 30K</u>
Date of Event: <u>8/17/24</u>	Total Number of streets to be closed: <u>1-2</u>
Will alcohol be served? <u>NO</u>	Will the event include live or amplified music? <u>yes</u>
Streets to be closed (please attach a detailed site map of closure location):	
A: <u>Broadway Ave</u> from to <u>Fremont Blvd to Del Monte Blvd</u>	
B: <u>Fremont Blvd Southbound lanes</u> from to <u>Heitzinger Plaza to Anador Ave</u>	
C: _____ from to _____	
Street close time: <u>12am 8/17/24</u>	Street opening time: <u>11:30pm 8/17/24</u>
Supplementary questions	Yes ☐ No ☐
Will vehicles be allowed inside the closure?	☒
If yes, please explain why and provide their locations: <u>Car show on the street</u>	
Are you planning to hire a security company for the planned closure?	☒
If yes, provide the Company name, phone number, name of Supervisor, and locations for where security will be placed: <u>We will provide details as we get closer to the event. We have used Condor in the past</u>	
I certify that the information provided in the application is true and correct to the best of my knowledge.	
Applicant Signature: <u>Johnny Valencia</u>	Date: <u>12/27/23</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?		
If yes, please identify the areas where security is required:		
Is the street closure application approved by the Police 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:		



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?		
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 NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**APPROVING THE CLOSURE OF BROADWAY TO THROUGH TRAFFIC FROM
FREMONT BOULEVARD TO DEL MONTE BOULEVARD AND ASSOCIATED SIDE
STREETS, AS WELL AS THE WEST-BOUND LANES OF FREMONT BOULEVARD
FROM BROADWAY AVENUE TO AMADOR STREET**

WHEREAS, Exotics on Broadway, LLC will be holding their Exotics on Broadway event that is open to the public; and

WHEREAS, the closing of Broadway Avenue from Fremont Boulevard to Del Monte and associated side streets, as well as the west-bound lanes of Fremont Boulevard from Broadway Avenue to Amador Street is necessary between the hours of 5:00 a.m. on Saturday, August 17, 2024 and 12:00 a.m. on Sunday August 18, 2024 to ensure the safety of the public.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside hereby approves the closure of Broadway Avenue from Fremont Boulevard to Del Monte and associated side streets, as well as the west-bound lanes of Fremont Boulevard from Broadway Avenue to Amador Street 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 March 2024 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

**FIRE DEPARTMENT**

1635 Broadway Avenue
Seaside, CA 93955

Telephone (831) 899-6790

FAX (831) 899-6261

**APPLICATION FOR PERMIT AND INSPECTION TO OPERATE A TEMPORARY TENT,
CANOPY OR MEMBRANE STRUCTURE OF 200 SQUARE FEET OR MORE**

GENERAL INFORMATION

Name of Event: Exotics on Broadway Location: Seaside, CA
Start Date/Time: 8/17/24 1pm End Date/Time: 8/17/24 6pm
Event Coordinator/Applicant Name: Johnny Valencia Phone: 954-415-1198
Email Address: Johnny@FearOneAgency.com

- A. In signing this application, I understand that I am responsible for all aspects of Title 19 and Chapter 31 of the California Fire Code relating to Tents, Canopies and other Membrane Structures. I also agree to contact the Fire Department with at least 24 hours notice so they can conduct any inspections prior to the Tent or Canopy being used. **(Call 831-899-6790 to schedule your inspection with the Fire Department.)**
- B. Submit a site plan showing the size and locations of the Tents/Canopies with this application.
- C. Submit payment of \$210.00 along with this application. This fee covers permit approval and tent inspection. Submit application and payment to:

Seaside Fire Department
1635 Broadway Avenue
Seaside, CA 93955
(Credit card & check only)

In signing this application, I understand that I am responsible for all aspects as stipulated by the California Fire Code, Title 19 and all applicable fire ordinances pertaining to assembly tents (see attachments). Failure to comply with these requirements at any time will result in suspension/revocation/refusal to issue assembly tent permit.

Signature of Owner/Applicant: Johnny Valencia Date: 1-21-24

The following comments are based on the applicable edition of the California Codes and should be resolved before a permit is issued.

Tent/Membrane Structure Requirements:

- ☐ A minimum of 20 ft. clear width shall be provided around the tent, and shall be no closer than 20 ft. to lot lines, buildings, other temporary structures, vehicles. Support ropes and guy wires are not included.
- ☐ The structure shall not be located within a fire lane or public street.
- ☐ Fire apparatus access roads shall be provided of minimum of 26 ft. wide.
- ☐ Smoking, cooking or use of open flames in the tent shall not be permitted. If cooking is to be used, a

Tent Permit Application
FY 2023-2024

separate dedicated cooking tent operation shall be used. Additional requirements shall apply.

- ☐ Approved "No Smoking" signs shall be conspicuously posted.
- ☐ Exits, with a minimum width of 6 ft. each, shall be provided and kept clear at all times. The number of exits required shall be determined by the occupant load and CFC Table 3103.12.2. Exit signs shall be self-luminous or shall be internally or externally illuminated.

Exiting Requirement:

Occupant Load	Minimum Number of Exits	Minimum Width of Tent or Canopy	Each Exit (inches) Membrane Structure
10 to 199	2	72 inches	36 inches
200 to 499	3	72 inches	72 inches
500 to 999	4	96 inches	72 inches
1,000 to 1,999	5	120 inches	96 inches
2,000 to 2,999	6	120 inches	96 inches
Over 3,000	7	120 inches	96 inches

- ☐ Emergency Lighting may be required.
- ☐ Hay, straw, shaving or similar combustibles shall not be located within any tent structure.
- ☐ Open flame or other devices emitting flames, fire or heat or any flammable or combustible liquids, gas, or charcoal shall not be permitted under the tent or located within 20 ft. unless specifically approved and permitted.
- ☐ Warming of foods and similar operations using solids flammables or other similar devices that do not pose a fire hazard, shall be permitted.
- ☐ If heating and cooking devices are approved, they shall not be located within 10 ft. of an exit or combustible material. These distances may be increased based upon the type and hazard of the cooking.
- ☐ A minimum of one 2A-10BC fire extinguisher shall be provided for each tent less than 3,000 sq. ft. or less than 75 ft. across. The fire extinguisher shall be currently serviced & tagged by a certified company and readily accessible.
- ☐ Other: _____

Flame Resistance:

- ☐ The sidewalls, drops and tops of tents and canopies shall be composed of flame-resistant material or shall be treated with a flame retardant in an approved manner. Temporary membrane structures, tents or canopies shall have a permanently affixed label bearing the following information:

1. Tent size and fabric or material type.
2. Date materials were last treated with an approved flame retardant.
3. The trade name and type of flame retardant utilized in the treatment.
4. The name of the person and firm that applied the flame retardant.



Generators:

- ☐ Generators and other internal combustion power sources shall be separated from temporary membrane structures, tents, and canopies by a minimum of 20' and be isolated from contact with the public by fencing, enclosure or other approved means.
- ☐ Other: _____

LP-Gas:

- ☐ Equipment such as tanks, valves, tubing and other related components shall be approved and in

accordance with Article 82 and the Mechanical Code. LP-gas containers up to 125 gallon water capacity shall be located outside tents and canopies a minimum 5 feet. Container shall be adequately protected to prevent tampering, damage by vehicles or other hazards.

☐ Other: _____

Floor Plan, specifying the following:

- ☐ Location of exits (including size, type, and etc.).
- ☐ Location of fire extinguishers.
- ☐ Location of "No Smoking" signs.
- ☐ Location of emergency lighting (if required).
- ☐ Location of chairs, tables, merchandise and exhibits.
- ☐ Other: _____

Inspection Requirements:

- ☐ The permit shall be valid only for the dates specifically requested and indicated on the issued permit.
- ☐ Verification of compliance and inspection by the Seaside Fire Department shall be required PRIOR to use.
- ☐ Re-submit application / plans
- ☐ Other: _____

Questions can be directed to the Seaside Fire Department at (831) 899-6790

OFFICIAL USE: DO NOT WRITE BELOW THIS LINE

NOTES:

Inspector's Name: _____ Date: _____

Inspector's Signature _____



CITY OF SEASIDE STAFF REPORT

Item No.: 8.H.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Nisha Patel, Public Works Director/City Engineer

DATE: March 7, 2024

**SUBJECT: ADOPT A RESOLUTION AUTHORIZING A LANDSCAPE ACCESS
AND MAINTENANCE EASEMENT AGREEMENT WITH SHEA
HOMES LP FOR ENCLAVE PHASE 3**

RECOMMENDATION

Adopt a Resolution authorizing a Landscape Access and Maintenance Agreement with Shea Homes LP for Enclave Phase 3.

BACKGROUND

The Enclave Phase 3 residential subdivision is being developed by Shea Homes L.P. and includes 30 residential lots. The Final Map for Phase 3 was approved by the City Council on January 3, 2023, and it was later approved for an amendment on December 7, 2023. The Enclave Phase 3 entrance is by a new private street that intersects Coe Avenue just east of the Sun Bay Apartments.

Shea Homes LP would like to improve the south side of Coe Avenue which is visible when exiting the Enclave Phase 3 subdivision. Currently, there is a chain link barbed wire fence along the homes that back Coe Avenue across from the Enclave Phase 3 entrance. The homes do not have their own wood slat or similar fence that blocks the view of cars exiting Enclave Phase 3, Shea Homes LP would like to install a 225 feet long and 5 feet high wood slat redwood fence with a row of Ceanothus 'Dark Star' (Dark Star California Lilac) in front of it within the City right of way along the back of the homes on Coe Avenue across from the Enclave Phase 3 entrance. The plans for the landscaping and fence are provided in Attachment 3. The fence will provide privacy for the properties that back Coe Avenue across from the Enclave Phase 3 entrance. It will also obscure light pollution into the neighbors' properties at the south side of Coe Avenue from cars exiting Enclave Phase 3. Lastly, it will finish the look of the entry area, beautifying it.

Shea Homes LP would like to secure a landscape access and maintenance easement agreement for a 225' long and 7.5' wide stretch of City right of way along the south side of Coe Avenue across from the Enclave Phase 3 entrance which would eventually be transferred to the Homeowners Association (HOA). Shea Homes will be installing fencing, landscaping and related irrigation within the City owned property (City right of way). The total amount of the easement area is approximately 1688 square more or less.

Staff is recommending executing a Landscape Access and Maintenance Agreement with Shea Homes (Attachment 2) for Enclave Phase 3. The agreement makes Shea Homes (or their HOA) responsible for all costs associated with maintenance, repair(s), new installation(s) of landscaping, fencing, and all water related apertures beyond the water meter, to include backflow(s), PVC, sprinkler(s), water line(s), drip irrigation valves, and valve boxes. In addition, Shea Homes (or their HOA) shall adhere to all City, Water District, and County of Monterey Department of Health standards regarding recycled water use.

FISCAL IMPACT

There is no fiscal impact from providing the Landscape Access and Maintenance Easement Agreement to Shea Homes. They will be constructing the improvements and maintaining them afterwards.

ATTACHMENTS

1. Resolution
2. Landscape Access and Maintenance Agreement
3. Landscape and Fence Design Plan

Reviewed for Submission to the City Council by:


Jaime M. Fontes, City Manager

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AUTHORIZING THE CITY MANAGER TO EXECUTE A LANDSCAPE ACCESS AND
MAINTENANCE EASEMENT AGREEMENT WITH SHEA HOMES LP FOR ENCLAVE
PHASE 3**

WHEREAS, the City of Seaside is the owner of that right of way (the "Property") in which Shea Homes LP is requesting an easement across from the Enclave Phase 3 subdivision entrance; and

WHEREAS, the Final Map for the Enclave Phase 3 was approved by the City Council on January 3, 2024, and was later approved to be amended on December 7, 2023; and

WHEREAS, the Amending Final Map for the Enclave Phase 3 was recorded with Monterey County on February 14, 2024; and

WHEREAS, Shea Homes LP would like to improve the south side of Coe Avenue which is visible when exiting the Enclave Phase subdivision; and

WHEREAS, Shea Homes LP would like to install an approximate 225 feet long and 5 feet high fence with a row of Ceonothus 'Dark Star' in front of it within the City right of way along the back of the homes on Coe Avenue across from the Enclave Phase 3 entrance; and

WHEREAS, the fence would provide privacy and obscure car head light to the properties that back Coe Avenue across from the Enclave Phase 3; and

WHEREAS, the fence and landscaping will beautify the area across from the Enclave entrance; and

WHEREAS, Shea Homes LP is seeking to secure to secure a landscape access and maintenance easement for a 225' long and 7.5' wide portion of right of way along the south side of Coe Avenue across from the Enclave Phase 3 entrance which would eventually be transferred to the Homeowners Association; and

WHEREAS, Shea Homes will be installing fencing, landscaping and related irrigation within the City owned property (City right of way); and

WHEREAS, staff has reviewed the Landscape Access and Maintenance Agreement (Agreement) with Shea Homes for Enclave Phase 3; and

WHEREAS, the Agreement makes Shea Homes (or their HOA) responsible for all costs associated with maintenance, repair(s), new installation(s) of landscaping, fencing, and all water related apertures beyond the water meter, to include backflow(s), PVC, sprinkler(s), water line(s), drip irrigation valves, and valve boxes; and

WHEREAS, the Shea Homes LP (or their HOA) shall adhere to all City, Water District, and County of Monterey Department of Health standards regarding recycled water use under the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby authorizes the City Manager to execute a Landscape Access and Maintenance Agreement with Shea Homes LP for the 225' long and 7.5' wide portion of right of way along the south side of Coe Avenue across from the Enclave Phase 3, in substantially the form as attached Exhibit A as finally approved as to form by the City Attorney.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of Seaside duly held on the 7th day of March, 2024, 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 TO FORM:

Sheri L. Damon, City Attorney

NO FEE DOCUMENT

Government Code §6103
RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

City of Seaside
440 Harcourt Avenue
Seaside, CA 93955
Attn: City Clerk

The Above Space For Recorder's Use Only

LANDSCAPE ACCESS AND MAINTENANCE AGREEMENT

(Tract No. 1562 Phase 3 The Enclave)

THIS AGREEMENT ("**Agreement**") is made and entered into on this _____ day of _____ 2024, by and between the CITY OF SEASIDE, a California municipal corporation ("**City**") and SHEA HOMES LIMITED PARTNERSHIP, a California limited partnership ("**Owner**").

1. Owner owns real property in the City of Seaside, County of Monterey, State of California, more specifically described in the legal description in **Exhibit A** attached hereto and incorporated herein by this reference ("**Common Area Property**").
2. Owner is developing the Common Area Property as a portion of that certain residential community commonly known as "The Enclave at Cypress Grove". Owner will convey the Common Area Property to THE ENCLAVE AT CYPRESS GROVE OWNERS ASSOCIATION, a California nonprofit mutual benefit corporation ("**Association**").
3. The burdens and benefits of this Agreement are intended to be covenants that run with the land, binding Owner, and any subsequent party with ownership or control of the Common Area Property ("**Responsible Party**"). Owner shall be responsible for its obligations under this Agreement, until the date Owner transfers the Common Area Property to the Association, at which time the Association shall assume all rights and obligations of Owner under this Agreement ("**Association Transfer Date**"). Owner shall have no further rights or obligations under this Agreement for any matters arising after the Association Transfer Date and the Association will be deemed the sole Responsible Party under this Agreement.
4. Owner has or will install landscaping, fencing, and related irrigation improvements within City owned property (collectively, "**Landscape Improvements**") described and depicted on **Exhibit B** attached hereto and incorporated herein ("**City Property**"). The City and Owner desire that the landscaping, fencing, and related irrigation improvements within the City Property be maintained by the Responsible Party, in the same manner as the Common Area Property. Notwithstanding the foregoing, the obligation for Owner to maintain the City Property shall not commence until: (i) the Owner has confirmed that the landscaping, fencing, and related irrigation improvements, have been installed within the City Property, (ii) the irrigation meter and controller for the Landscape Improvements is active and in working order and the City and the Owner have jointly conducted an inspection walk of the City Property (collectively, the "**Maintenance Commencement Date**").
5. As of the Maintenance Commencement Date, the Responsible Party shall, at its sole cost and expense, be responsible for maintaining the Landscape Improvements in accordance with the Amended and Restated Declaration of Covenants, Conditions and Restrictions The Enclave at Cypress Grove – Monterey Bay recorded in the Official Records of the County Recorder of Monterey County, California on May 4, 2009 as Document No. 2009026628, as amended by the First Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions The Enclave at Cypress Grove – Monterey Bay recorded in the Official Records of the County Recorder of Monterey County, California on May 24, 2021 as Document No. 2021036783 and any further amendments thereto, this Agreement and all federal, state or local laws and regulations.

6. The Responsible Party shall be responsible for all costs associated with the Landscaping Improvements, including but not limited to maintenance, repair(s), replacement, new installation(s) of all water related apertures beyond the water meter, to include backflows, PVC, sprinkler(s), water line(s), drip irrigation, valves and valve boxes. In addition, the Responsible Party shall adhere to all City, Water District and the County of Monterey Department of Health standards regarding recycled water use. Within sixty (60) days of receipt of written request from the City, the Responsible Party shall remove any Landscape Improvements within any portion of the City Property that the City elects to improve with new City improvements, which improvements shall be owned and maintained by the City.

7. Indemnification. The Owner, or upon transfer, the Responsible Party shall indemnify, defend, and hold the City, harmless from any and all claims, damage or expense arising out of the actions or omissions related to the Landscaping Improvements, their maintenance, repair, or replacement.

8. The City hereby grants to Owner, for the benefit of the Responsible Party complete access and a right-of-entry onto the City Property to accomplish its obligations under this Agreement.

9. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall continue in full force without being impaired.

10. This Agreement shall be deemed to be made in, and the rights and liabilities of the parties, and the interpretation and construction of the Agreement governed by and construed in accordance with the laws of the State of California. Any legal action arising out of this Agreement shall be filed in and adjudicated by a court of competent jurisdiction in the County of Monterey, State of California.

11. This Agreement may be executed in counterparts, each of which when taken together will constitute one fully executed original.

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

CITY OF SEASIDE,
a Municipal corporation

SHEA HOMES LIMITED PARTNERSHIP,
a California limited partnership

By: _____
Name: _____
Its: _____

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

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

State of California)
County of)

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

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

WITNESS my hand and official seal.

Signature _____

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

State of California)
County of)

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

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

WITNESS my hand and official seal.

Signature _____

EXHIBIT "A"
Legal Description of Common Area Property

Real Property in the City of Seaside, County of Monterey, State of California, described as follows:

AREAS DESIGNATED AS PARCELS 3-S.1, 3-S.2, 3-S.3, 3-S.4, A, B, D, F, AND H AS SHOWN ON THE MAP ENTITLED "TRACT NO. 1562-B – AMENDING FINAL MAP OF PHASE 3 – THE ENCLAVE", FILED FEBRUARY 14, 2024, IN VOLUME 24 OF CITIES AND TOWNS, AT PAGE 90, OFFICIAL RECORDS OF MONTEREY COUNTY.

EXHIBIT B
LEGAL DESCRIPTION OF A
7.5-FOOT-WIDE LANDSCAPE EASEMENT

Certain real property situate in the City of Seaside, County of Monterey, State of California, described as follows:

Being a portion of Coe Avenue, Parcel 4, as shown on the map filed in Volume 26 of Surveys at page 28 in the Records of said County, more particularly described as follows:

A strip of land 7.5 feet wide, lying contiguous to and northerly of (measured at right angles), the following described line:

Beginning at a point on the southerly boundary of said Parcel 4, said point bears easterly 46.86 feet along said southerly boundary from the northwesterly corner of Tract No. 344, as said Tract is shown on the map filed in Volume 6 of Cities and Towns maps at page 154, in the Records of said County; thence from said point of beginning and along said southerly boundary

1) North 87°38'15" West, 225.00 feet to the POINT OF TERMINATION.

Containing a total area of 1,688 square feet, more or less.

Attached hereto is a plat to accompany legal description, and by this reference made a part hereof.

The bearing of North 87°38'15" West along the southerly boundary of said Parcel 4 as shown on the map filed in Volume 26 of Surveys at page 28 in the Records of said County, is the basis of bearings cited in this description.

END OF DESCRIPTION

PREPARED BY:
WHITSON ENGINEERS

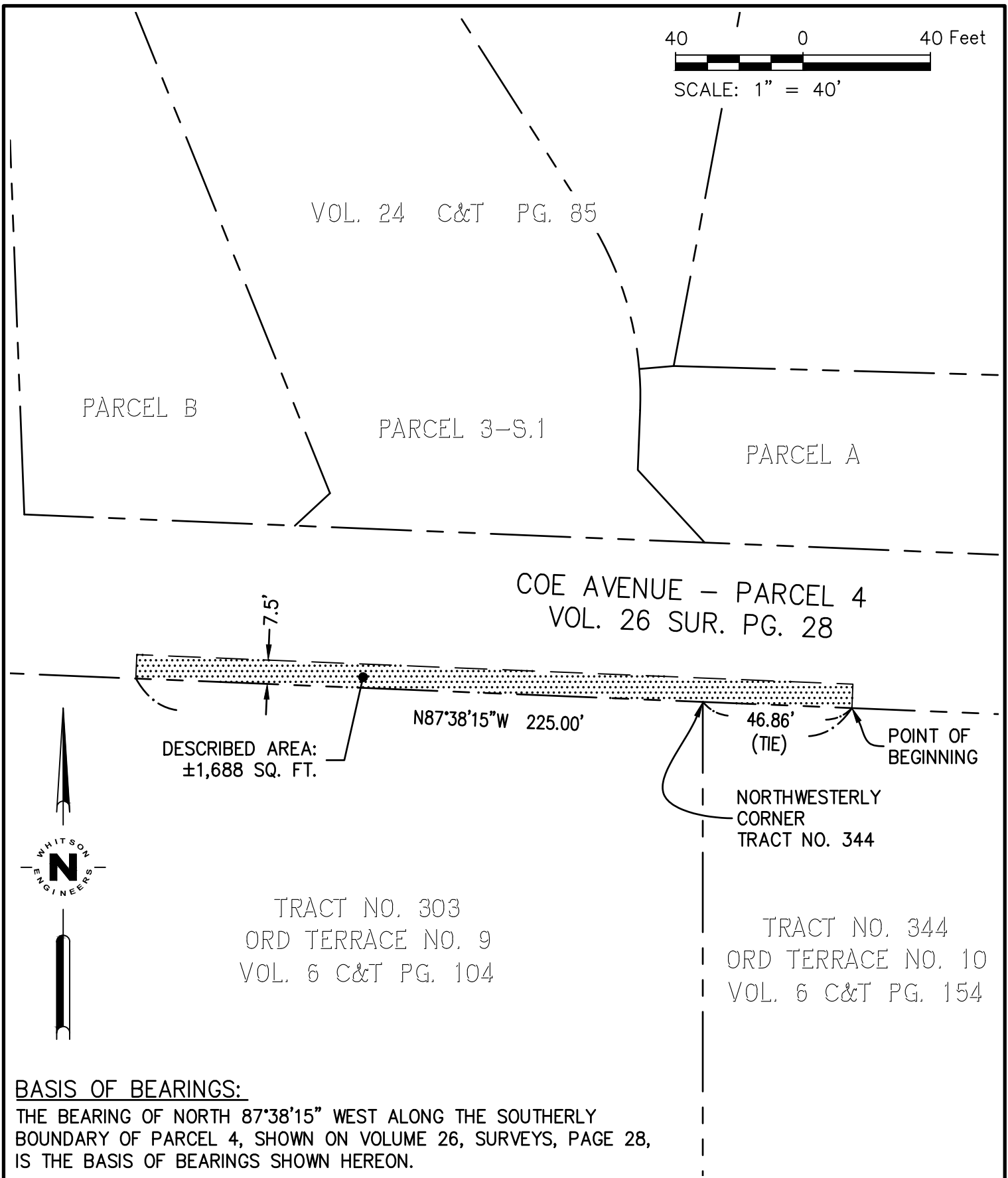


RICHARD P. WEBER P.L.S.
L.S. NO. 8002
Job No.: 1057

10/03/2023
DATE



T:\Monterey Projects\1057 - Seaside Resort\SURVEY\LEGAL DESC\Phase 3\Coe Ave Landscape Esmt.dwg



BASIS OF BEARINGS:

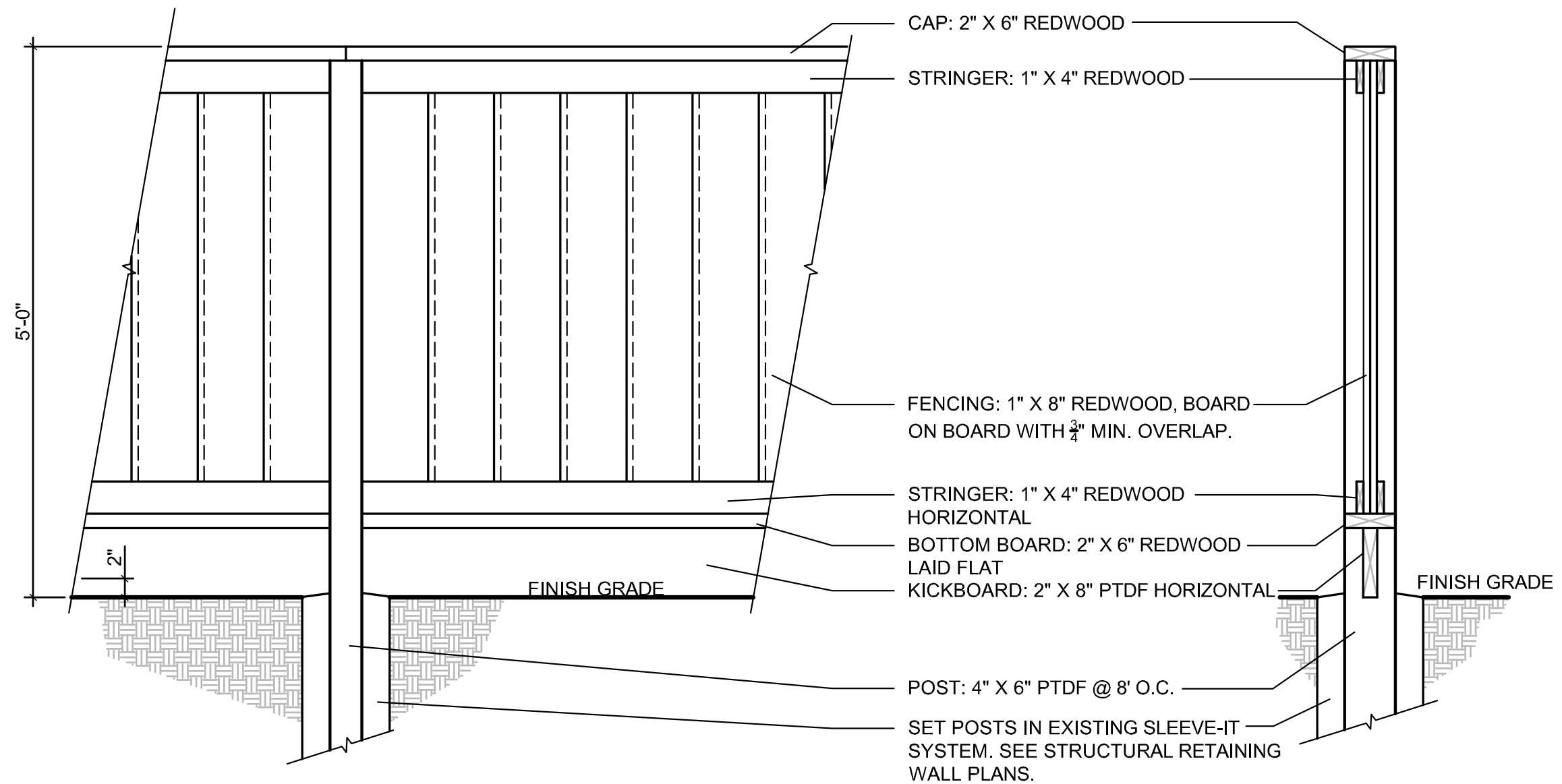
THE BEARING OF NORTH 87°38'15" WEST ALONG THE SOUTHERLY BOUNDARY OF PARCEL 4, SHOWN ON VOLUME 26, SURVEYS, PAGE 28, IS THE BASIS OF BEARINGS SHOWN HEREON.

**PLAT TO ACCOMPANY DESCRIPTION
LANDSCAPE EASEMENT**

SEASIDE, CALIFORNIA
OCTOBER, 2023



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

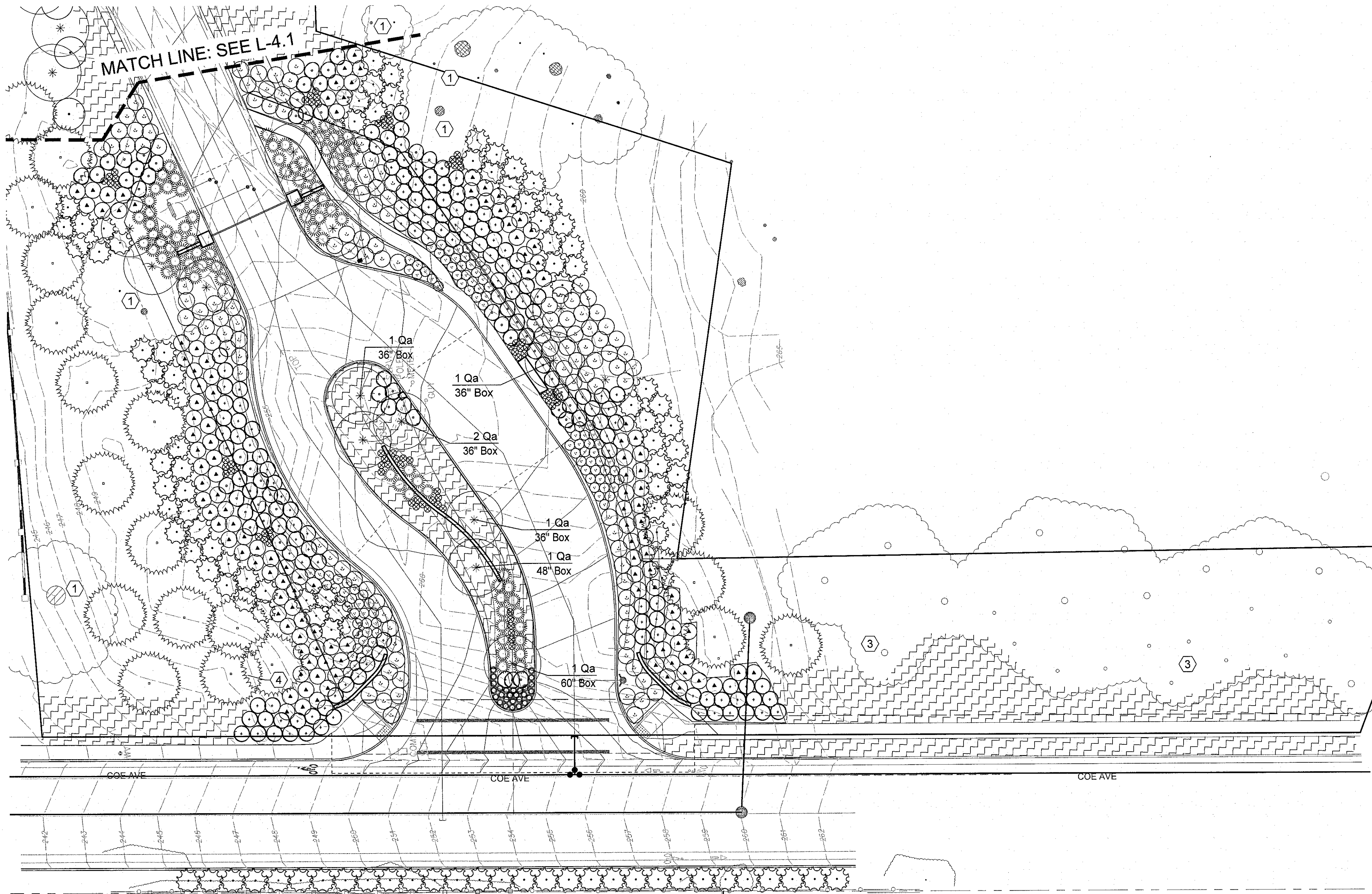


COE AVE. FENCING

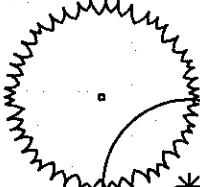
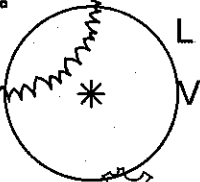
ENCLAVE - PHASE 3

SEASIDE, CA
FEBRUARY 27, 2024
22.025

F:\PRODUCTION\Projects\2022\22-025\CAD\2025_04 Planting_JBMCWD.dwg 1/25/2024



PLANT LEGEND - CRAFTSMAN

*WUC	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CHARACTER
<u>Trees</u>					
	L	Cm	Cupressus macrocarpa	Monterey Cypress	24" Box
	VL	Qa	Quercus agrifolia	Coast Live Oak	24" Box, U.O.N.
<u>Shrubs</u>					
	L	Cd	Ceanothus 'Dark Star'	Dark Star California Lilac	5 Gal.
	L	Cl	Cistus ladanifer	Crimson Spot Rockrose	5 Gal.
	L	Ge	Garrya elliptica	Silk Tassel Bush	15 Gal.
	L	Mc	Myrica californica	Pacific Wax Myrtle	24" Box
<u>Perennials</u>					
	L	Ab	Anigozanthos 'Bush Dawn'	Yellow Kangaroo Paw	1 Gal.
	L	Hs	Helictotrichon sempervirens	Blue Oat Grass	1 Gal.
	L	Ls	Lavandula stoechas 'Otto Quast'	Spanish Lavender	1 Gal.
	L	Mr	Muhlenbergia rigens	Deer Grass	
	L	Sl	Salvia leucantha	Mexican Bush Sage	1 Gal.
<u>Groundcovers</u>					
	L	Ae	Arctostaphylos 'Emerald Carpet'	Emerald Carpet Manzanita	1 Gal.
	L	Lw	Lantana 'White Lightnin'	White Lightnin Lantan	1 Gal.
				Fescue Mix	
				Monterey Spike Flower Restoration Area	DO NO DISTURB

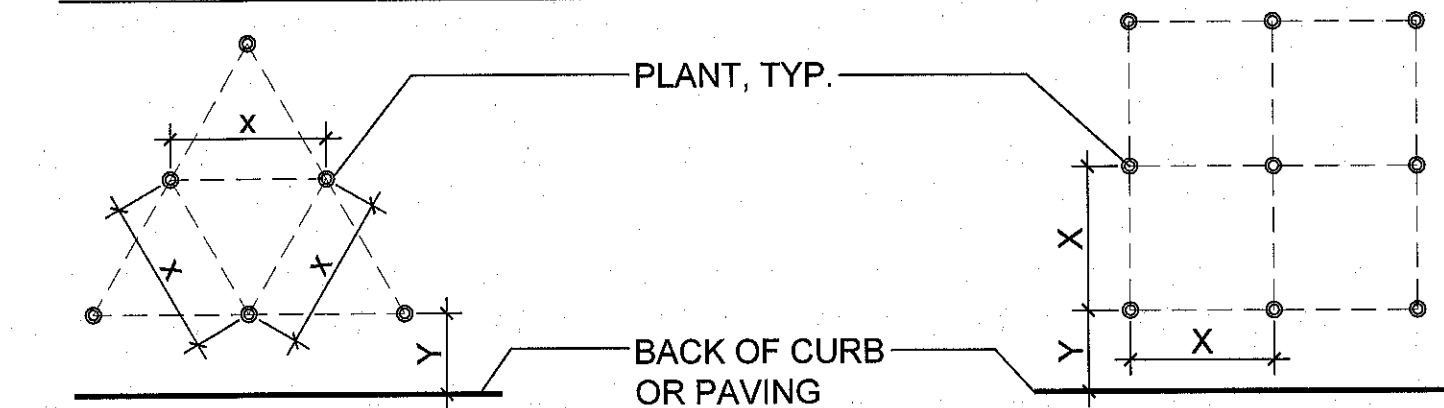
GENERAL NOTES

- Landscape Architect to approve plant material BEFORE plant layout commences.
- Landscape Architect to approve layout of all plants BEFORE planting commences.
- Apply pre-emergent herbicide to all planting areas.
- Prepare, amend, and fertilize existing soil.
- Install weed mat in all planting areas. See (7/L-5.2)
- Pre-mix amendments into soil before backfilling plant pits - do not mix inside pits. Break large clods into small pieces.
- Plant shrubs and groundcovers per detail (7/L-5.2). See Spacing Diagram.
- Plant and stake trees per detail (5/L-5.2).
- Install 3" mulch to all planting areas.

REFERENCE NOTES

- Existing Tree to Remain: Preserve and protect
- Storm Basin: See Civil Drawings.
- Existing Trees: Not shown in survey, locations based on aerial image. Preserve and protect. Hydroseed Fescue to edge of tree canopy.
- Existing Tree to be Removed.

PLANT SPACING AND PLANTING SETBACK DIAGRAM



- FOR SPACING 'X', SEE PLANTING PLAN LEGEND
- $Y = 1/2X + 12"$ UON

MWEO COMPLIANCE STATEMENT

I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the landscape design plan.

Signed: Larry Foster 2683 01-12-2024
Name CLA# Date

MCWD DESIGN STATEMENT

I have complied with the criteria of the MCWD design standards and applied them accordingly for the efficient use of water in the landscape design plan.

Signed: Larry Foster 2683 01-12-2024
Name CLA# Date

* WATER USE CATEGORY (WUC) KEY

WUCOLS Region Applicable to this Project: REGION 1
H = High; M = Moderate; L = Low; VL = Very Low; NL = Species Not Listed
* from: Water Use Classification of Landscape Species,
A Guide to the Water Needs of Landscape Plants (WUCOLS)
Revised 2014, University of California Cooperative Extension, L.R. Costello, K.S. Jones



Approved Copy
Date 2/8/24 By
Marina Coast Water District
Engineering Department

REVISIONS:
NO. DATE DESCRIPTION

PROJECT:
THE ENCLAVE
PHASE 3 ENTRY
SEASIDE, CA
SHEA HOMES

Shea
HOMES

PROJECT NO: 22-025
DATE: 1/12/2024
SCALE: AS SHOWN
DRAWN | CHECKED: JB/LF
ISSUANCE:
100% CDs

SHEET NAME:
Planting Plan

SHEET NO:
L-4.0



CITY OF SEASIDE STAFF REPORT

Item No.: 8.I.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Dan Meewis, Recreation Director

DATE: March 7, 2024

SUBJECT: **ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BELLINGER FOSTER STEINMETZ AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE LAGUNA GRANDE JOINT POWERS AGENCY FOR THE TRAIL MAINTENANCE STRATEGY TO INCLUDE OBTAINING THE NECESSARY PERMITS REQUIRED TO START THE WORK IDENTIFIED IN THE PROJECT, AND AUTHORIZING THE CONTRACT VALUE TO BE INCREASED BY \$89,792.50, TO BE FUNDED BY THE MONTEREY PENINSULA REGIONAL PARK DISTRICT (\$29,930.83), CITY OF SEASIDE (\$29,930.84), AND THE CITY OF MONTEREY (\$29,930.83)**

RECOMMENDATION

Adopt a resolution approving an amendment to the Professional Services Agreement with Bellinger Foster Steinmetz, and authorize the City Manager to execute the amendment for the trail maintenance strategy to include obtaining the necessary permits required to start the work identified in the project.

BACKGROUND

The Laguna Grande Regional Park Joint Powers Agency (JPA) approved a contract with Bellinger Foster Steinmetz (BFS) to create a Trail Maintenance Strategy and Conduct Environmental Review for Laguna Grande Regional Park on April 21, 2021. Prior to the award of the contract, staff met with the various City Managers and Executive Director and it was determined that there was inadequate funding to pay for a full park plan, but recommended moving forward with the Trail Maintenance Strategy. The proposed Trail Maintenance Strategy was proposed to include the following steps:

1. Inventory existing trail network and biotic communities.
2. Prepare a draft trail maintenance strategy and vegetation management recommendations.
3. Review maintenance strategy with stakeholders such as the California Department of Fish and Wildlife, Coastal Commission, Regional Water Quality Control Board, and interested parties such as the Audubon Society and residents.
4. Revise the maintenance strategy based on public and stakeholders interest.
5. Present maintenance strategy to the JPA and finalize the project description.
6. Prepare the required environment document.
7. Present maintenance strategy and environmental document to the JPA for certification.

Once the document was certified by the JPA, the JPA would then pursue permits for the project from various resource agencies such as the Regional Water Quality Control Board, etc. Work could commence after all permits are obtained and appropriate resources and funding are identified and secured. .

In the contract under section 5.0 Additional Services it states:

5.10 Any Permitting: Obtain necessary permits (Fish & Wildlife, Regional Water Quality, Coastal Commission) for project implementation. This task is budgeted as an additional service. Scope and service details will be refined as permit requirements are identified.

Initially, staff considered working through the permitting process internally. However, given the lengthy process and limited staff resources, it has been determined that the best course of action would be to amend BFS's contract to include the permitting process. BFS would work with EMC Planning Group on this project, as EMC was a consultant for BFS for the Vegetation and Trail Maintenance Strategy, and they have a intricate knowledge of the project, and working with these permitting agencies falls in their scope of services.

The second amendment would replace paragraph 4, which was amended on March 30, 2023, and replace it with:

4. Compensation: JPA agrees to pay and Consultant agrees to accept as full and fair consideration for the performance of this Agreement, and the hourly fee set forth in the Consultants is Proposal (Exhibit A) in-total amount not to exceed eighty nine thousand, seven hundred ninety-two dollars and fifty cents (\$89,792.50). Compensation under this agreement shall become due and payable 30 days after JPA's approval of Consultants' submission of a monthly written invoice to Dan Meewis, Recreation Director of the City of Seaside. Written invoices shall clearly show the account numbers for each project and shall include a copy of timesheets or invoices from sub-consultants. The payment of any compensation to Consultant hereunder shall be contingent upon performance of the terms and conditions of this agreement to the satisfaction of the JPA. If the JPA determines that the work set forth in the written invoice has not been performed in

accordance with the terms of this Agreement, JPA shall not be responsible for payment until the work has been satisfactorily performed.

The second amendment would also shift the administration of the contract from the City of Monterey to the City of Seaside for the collection of the matching funds from the member agencies and paying the invoices for the work performed under this amendment.

FISCAL IMPACT

The fiscal impact of this item is \$29,930.83 to be charged to the general fund. The funds assigned to this item can be used as a "Match Credit" for the Recreation Trails Grant, which the City is responsible for a twelve percent match.

ATTACHMENTS

1. Resolution
 2. Exhibit A
 3. 1st Amendment BFS Agreement
 4. 2nd amendment BFS Agreement
-

Reviewed for Submission to the City Council by:



Jaime M. Fontes, City Manager

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BELLINGER FOSTER STEINMETZ, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE LAGUNA GRANDE JOINT POWERS AGENCY FOR THE TRAIL MAINTENANCE STRATEGY TO INCLUDE OBTAINING THE NECESSARY PERMITS REQUIRED TO START THE WORK IDENTIFIED IN THE PROJECT AUTHORIZING THE CONTRACT VALUE TO BE INCREASED BY EIGHTY NINE THOUSAND SEVEN HUNDRED NINETY TWO DOLLARS AND FIFTY CENTS (\$89,792.50) TO BE FUNDED BY THE MONTEREY PENINSULA REGIONAL PARK DISTRICT (\$29,930.83), CITY OF SEASIDE (\$29,930.83), AND THE CITY OF MONTEREY (\$29,930.83)

WHEREAS, the existing Laguna Grande Regional Joint Power Agency desires to continue its work on implementing the trail maintenance strategy for Laguna Grande Park and pursue obtaining the necessary permits; and

WHEREAS, the permits are needed before any work in conjunction with the trail maintenance strategy before commencement of the project; and

WHEREAS, the project requires additional funding from the JPA members; and

WHEREAS, the City of Seaside will take lead role on this amendment and collect the funds from the member agencies and pay the consultant on behalf of the JPA when payments are due; and

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

1. Amends a contract to Bellinger Foster Steinmetz for \$89,792.50 to obtain the necessary permits required to start the work identified in the trail maintenance strategy for Laguna Grande Regional Park funded by the Monterey Peninsula Regional Park District (\$29,930.83), the City of Seaside (\$29,930.83), and the City of Monterey (\$29,930.83)
2. Authorizes the City of Seaside to collect the funds from the member agencies and to pay the contractor on behalf of the JPA when payments is due; and
3. Authorizes the City of Seaside City Manager to sign the amended agreement with the contractor upon confirmation that the funding has been deposited with the City of Seaside by all entities.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 1st day of March 7, 2024, 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 TO FORM:

Sheri L. Damon, City Attorney

Scope of Services

Laguna Grande Regional Park Maintenance Strategy Plan Permitting

December 15, 2023

Rev February 23, 2024



PROJECT DESCRIPTION

The Laguna Grande Regional Park Maintenance Strategy Plan defines the trails and vegetation maintenance operations for Laguna Grande Regional Park. For purposes of this proposal, the Laguna Grande Regional Park Trail and Vegetation Maintenance Strategy dated February 28, 2022 and the Mitigated Negative Declaration for Laguna Grande Trail and Vegetation Maintenance Strategy dated December 5, 2022 were utilized.

This proposal contains two parts: BFS Landscape Architects' scope for permitting documentation plan development that will provide adequate definition of project elements as needed to obtain necessary permits (Fish and Wildlife, Regional Water Quality, Coastal) and EMC Planning Group's attached scope.

1.0 PERMITTING DOCUMENTATION

1.01 **PROJECT MANAGEMENT.** This task includes project contract execution, preparation of project, and contract files.

1.02 **PERMITTING DOCUMENTATION PLAN DEVELOPMENT.**

- 1.02.1 Attend Project start up meeting. Review project program, schedule, and agency conditions with EMC Planning Group (environmental analysis subconsultant) and the JPA.
- 1.02.2 Prepare site plan in CAD, based on the plan from the Laguna Grande Regional Park Trail and Vegetation Maintenance Strategy dated February 28, 2022 and in accordance with the Mitigated Negative Declaration for Laguna Grande Trail and Vegetation Maintenance Strategy dated December 5, 2022. Coordinate sheet set up with project team.
- 1.02.3 Prepare permitting documentation plans for the JPA's review, including:
 - Digitalization of the maintenance strategy plan and plan notes
 - Property overview and key map index coversheet (1 sheet)
 - Site construction plan with construction legend & notes (3 sheets)
 - Limited site detailing, including photo images (1 sheet)
 - Restoration planting plan, including areas of vegetation removal, mitigation, and revegetation (3 sheets)
- 1.02.4 Prepare Preliminary Estimate of Probable Construction Cost.
- 1.02.5 Coordinate with and provide support to EMC to provide a complete permit submittal package.
- 1.02.6 Review the permit submittal package with the JPA and EMC. Prepare meeting summary notes.
- 1.02.7 Participate in (2) additional coordination meetings with the JPA & EMC for a maximum of (3) rounds of revisions and responses. Meetings to be in Monterey or held via shared-screen conference calls. Prepare meeting summary notes.

ADDITIONAL SERVICES

Any additional surveying, presentations, drawings, or documents not identified in the Scope of Services will be considered additional services. Additional services are provided only as authorized and on an hourly basis unless otherwise approved.

EXCLUSIONS

The following are excluded from our scope of services.

- 1. Site Survey.
- 2. Geotechnical Survey / Report.
- 3. Tree survey / Arborist Report.
- 4. Demolition, Grading, and Drainage Plans.
- 5. Storm Water Pollution Prevention Plan (SWPPP).
- 6. Structural Engineering.
- 7. Paving base and sub-grade design.
- 8. Electrical Engineering including PG&E application.
- 9. Utility Engineering.
- 10. Estimated Water Use / Water Demand Statement Calculations.
- 11. ADAAG (Accessible route) / Signage Plan.
- 12. Off-site improvements.
- 13. Specifications.
- 14. Additional meetings beyond scope tasks.

-END -

COMPENSATION

1.0	TRAIL MAINTENANCE STRATEGY PERMITTING SCOPE OF WORK	
	BFS FEE	\$16,120
	BFS REIMBURSABLES	\$500
	EMC FEE	\$73,115
	EMC REIMBURSABLES	\$57.50
TOTAL		\$89,792.50

HOURLY RATES AND REIMBURSABLE EXPENSES: See attached Standard Schedule of Compensation dated January 2024. All costs for photography, printing, special delivery, insurance certificate charges, horticultural soils analysis, City business licenses and fees, consultant services, and all other costs directly related to the project would be billed as a reimbursable expense at our cost plus a fifteen percent administration charge.

Attachments: Standard Schedule of Compensation, dated 01/2024.

Notice: Landscape Architects are regulated by the State of California. Any questions concerning a Landscape Architect may be referred to the Landscape Architects Technical Committee at: Landscape Architects Technical Committee, 2420 Del Paso Rd, Unit 105, Sacramento, CA 95834 (916) 575-7230.

Standard Schedule of Compensation

January 2024



GENERAL

The following list of fees and reimbursable expense items shall be used in providing services within our agreement and may be annually adjusted, upon issuance of an updated Standard Schedule of Compensation:

Principal	\$225/hour
Associate Principal	\$210/hour
Associate	\$195/hour
Project Manager	\$175/hour
Assistant Project Manager	\$164/hour
Designer	\$144/hour
Assistant Designer	\$123/hour
Design/Graphics Intern	\$46/hour
Word Processor/Clerical	\$87/hour

ADDITIONAL SERVICES

Any additional presentations, drawings or documents not identified in the Scope of Services will be considered additional services. Additional services are provided only with prior authorization and on an hourly basis unless otherwise approved.

REIMBURSABLE EXPENSES

All costs for printing and plotting, special delivery, mileage, and other costs directly related to the project will be accounted as a reimbursable expense at our cost plus a fifteen percent administration charge.



Planning for Success.

October 25, 2023

Dan Meewis
Recreation Director
City of Seaside
440 Harcourt
Seaside, CA 93955

Re: Laguna Grande Trail Maintenance Strategy Permitting Proposal

Dear Dan,

Thank you for requesting a proposal to assist you with permitting implementation of the Laguna Grande Trail Maintenance Strategy. Enclosed is a scope of work and budget for your review and consideration.

Please let me know if you have any questions.

Sincerely,

Teri Wissler Adam
Senior Principal

Laguna Grande Trail Maintenance Strategy Permitting Scope of Work

Project Definition

The project includes implementation of the Laguna Grande Regional Park Trail Maintenance Strategy by way of maintenance and enhancement of the existing trail system. Key components include the following:

Seasonal Trail Development

- Provide eight-foot-wide seasonal mulch trails through southern riparian woodland with seasonal foot bridges for creek crossing; and
- Mitigate habitat removal with invasive removal and restoration planting.

Vegetation Clearing

- Clearing and limbing around trail curves and corners as well as around illegal camp sites to improve access for monitoring and cleaning; and
- Clearing at docks.

Trail Maintenance and Improvements

- Replace sections of trail impacted by root damage or erosion and repair/replace culverts under trails;
- Add mulch seasonally to portions of seasonal trail that are degraded; and
- Provide formal trail connection to Fremont Boulevard and along Virgin Street.

Accessibility Improvements

- Restore accessibility to north bridge and install accessible paths to docks to make compliant with local building codes;
- Repair areas with trip hazards; and
- Provide trail connection with anticipated Fort Ord Trail and Greenway Project (FORTAG) segment that will travel through the park utilizing the existing trail and provide access to trail users from Del Monte Boulevard to the north and from the corner of Freemont Street and canyon Del Rey to the south.

Invasive Species Removal and Restoration Planting

- Restore native plantings where invasives are fully removed; and
- Create new native habitat along southern gravel trail.

Lighting

- Repair or replace existing lighting; and
- Extend new lighting along the southern gravel trail.

A. Coastal Development Permit Applications (Cities of Monterey and Seaside)

Implementation of the project will require coastal development permits from the cities of Monterey (Coastal Commission) and Seaside. The following scope of work is proposed (same for each application):

Task 1 Administration and Management

Project administration and management includes meetings and telephone conferences with JPA and city staff and working with JPA's project manager/civil engineer to obtain necessary project plans and related documentation for the application. This task also includes up to eight hours of meetings with the cities of Seaside and Monterey, as well as the Coastal Commission .

Task 2 Prepare Application Packages

Consult with both cities to obtain their application for a coastal development permit. Complete the application and gather required, existing materials.

Task 3 Respond to City Comments on Application Submittals

Respond to both cities comments on the application materials. Revise as necessary. This also includes responding to comments from the Coastal Commission.

Task 4 Attend Public Hearings

Attend up to four public hearings. Please note that the cost does not include travel time to a Coastal Commission hearing if it is not scheduled locally.

B. Resource Agency Permit (Wetland and Waterways) Applications

The *Laguna Grande Trail and Vegetation Maintenance Strategy Initial Study and Mitigated Negative Declaration* (IS/MND) was prepared to analyze potential environmental impacts associated with the proposed projects per the California Environmental Quality Act and was approved in 2023 (EMC Planning Group 2023). The document included the following mitigation measure pertaining to impacts to jurisdictional aquatic features:

BIO-11 Prior to disturbance in or within 25 feet adjacent to wetlands, a qualified biologist will prepare a wetland delineation to determine the extent of potential wetlands and waterways regulated by the U.S. Army Corps of

Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife. If the U.S. Army Corps of Engineers claims jurisdiction, the Laguna Grande Regional Park Joint Powers Authority will retain a qualified biologist to obtain a Clean Water Act Section 404 Nationwide Permit. If the impacts to the drainage features do not qualify for a Nationwide Permit, the Laguna Grande Regional Park Joint Powers Authority shall proceed with the qualified biologist in obtaining an Individual Permit from the U.S. Army Corps of Engineers. The Laguna Grande Regional Park Joint Powers Authority will also retain a qualified biologist to coordinate with the Regional Water Quality Control Board to obtain a Clean Water Act Section 401 Water Quality Certification. If necessary, the Laguna Grande Regional Park Joint Powers Authority will also retain a qualified biologist to coordinate with the California Department of Fish and Wildlife to obtain a Streambed Alteration Agreement.

To compensate for temporary and/or permanent impacts to jurisdictional features that would be impacted as a result of the proposed project, mitigation shall be provided as required by the regulatory permits. Mitigation would be provided through one of the following mechanisms:

- i. A Wetland Mitigation and Monitoring Plan shall be developed that will outline mitigation and monitoring obligations for temporary impacts to wetlands and other waters as a result of disturbance activities. The Wetland Mitigation and Monitoring Plan would include thresholds of success, monitoring and reporting requirements, and site-specific plans to compensate for wetland losses resulting from the project. The Wetland Mitigation and Monitoring Plan shall be submitted to the appropriate regulatory agencies for review and approval during the permit application process.*

Or

- ii. To compensate for permanent impacts, the purchase and/or dedication of land to provide suitable wetland restoration or creation shall ensure a no net loss of wetland values or functions. If restoration is available and feasible, a minimum 1:1 mitigation to impact ratio would apply to projects for which mitigation is provided in advance.*

Based on the overall site plans analyzed in the IS/MND, multiple aquatic features within the project boundary may be considered jurisdictional by the U.S. Army Corps of Engineers, Regional Water Quality Control Board and/or the California Department of Fish and Wildlife. The following tasks would evaluate potential impacts to these features and assist the JPA in obtaining the necessary regulatory permits prior to construction.

Task 1 Wetland Delineation and Report

This task includes measuring and mapping the drainage features shown adjacent to project areas as potential waterways and investigating existing soil conditions through analysis of one or more soil test pits and preparing a wetland delineation report. The features will be evaluated using the U.S. Army Corps of Engineers protocol, which delineates wetlands as features with the following key criteria:

- **Vegetation:** The dominant vegetation must consist of species that are typically adapted to grow, effectively compete, reproduce, and/or persist in anaerobic soil conditions.
- **Soil:** Soils present are classified as hydric, or they possess characteristics that are associated with reducing soil conditions.
- **Hydrology:** The area is inundated either permanently or periodically, or the soil is saturated to the surface at some time during the growing season of the prevalent vegetation.

Mapping will be completed using a GPS receiver in the field at the time of the survey. The points will be uploaded into GIS for use in calculating wetland/waterway acreage and length. U.S. Army Corps of Engineers jurisdiction is defined by the ordinary high-water mark, Regional Water Quality Control Board jurisdiction is defined by the top of bank, and California Department of Fish and Wildlife jurisdiction is defined by the edge of riparian vegetation.

A preliminary wetland/waterway delineation report will be prepared identifying potentially jurisdictional drainage features, including calculation of acreage and/or length of the drainage features to be impacted. The report will include the information identified in the San Francisco U.S. Army Corps of Engineers District's Information Requested for Verification of Corps Jurisdiction (2016) checklist. The JPA will be provided with a draft electronic version of the report for review and comment. A final PDF version will be delivered to the BFS Landscape Architects and the JPA for submittal to the San Francisco U.S. Army Corps of Engineers District with a request for a jurisdictional determination.

Task 2 Project Team and Regulatory Agency Coordination

EMC Planning Group will coordinate regulatory agency consultation with the JPA and BFS Landscape Architects to facilitate (and expedite to the extent feasible) the permitting processes. It is assumed that permits will be obtained within twelve months of authorization; if the permitting process is extended beyond this time period, a contract amendment may be necessary. It is assumed that U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, or the Regional Water Quality Control Board may request a site visit to verify field conditions. One site visit and six virtual meetings are included in this scope of work.

This task also includes budget for project management, administration, and communication with the client.

Task 3 Wetland/Riparian Mitigation Plan

Depending on the extent of impacts identified during the wetland/waterway delineation, a mitigation plan may be a necessary component of permit applications. A mitigation plan incorporates information on a proposed mitigation site, a proposal for habitat creation, hydrologic and soil analysis to support the proposed mitigation site, native plant species proposed for planting, maintenance and monitoring schedule, performance criteria for evaluating success of wetland creation efforts, and remediation measures should the performance criteria fail to be achieved. Coordination with the BFS Landscape Architects and the JPA will be required to determine an

appropriate location for mitigation and maintenance options. BFS Landscape Architects and the JPA will be provided with a draft electronic version of the plan for review and comment. A final PDF version will be delivered to BFS Landscape Architects and the JPA for submittal to the U.S. Army Corps of Engineers, California Department of Fish and Wildlife and/or Regional Water Quality Control Board as part of the permit application packages.

Task 4 U.S. Army Corps of Engineers Section 404 Nationwide Permit

This task includes preparation of the Section 404 permit application package, including all required maps, figures, photographs, and other attachments. Coordination with BFS Landscape Architects will be required to determine the area within the ordinary high-water mark and wetland boundaries that may be impacted by the proposed projects and to obtain details regarding construction methodology/plans. The wetland/waterways delineation and wetland/riparian mitigation plan are necessary parts of this application. A draft electronic version of the application package will be provided for review and comment. An electronic application package will then be produced and submitted to the U.S. Army Corps of Engineers. A JPA representative will need to sign the application at the time of submittal.

Task 5 California Department of Fish and Wildlife Section 1600 Streambed Alteration Agreement

This task includes preparation of the permit application package, including all required maps, figures, photographs, and other attachments. Coordination with BFS Landscape Architects will be required to determine the area of riparian vegetation that may be impacted by the proposed project and to obtain details regarding construction methodology/plans. The wetland/waterways delineation and wetland/riparian mitigation plan are necessary parts of this application. A draft electronic version of the application package will be provided for review and comment.

Online notification is required for Streambed Alteration Agreements, and the applicant will need to create an account for the Environmental Permit Information Management System (EPIMS) Permitting Portal. Once the account has been created, login information can be shared with EMC Planning Group and the application will be uploaded. A JPA representative will need to sign the application at the time of submittal and provide the permit application fee (not included in the attached budget).

The 2023 permit fee is \$6,236.00 for a standard agreement when the overall project cost is \$350,000 or more.

Task 6 Regional Water Quality Control Board Section 401 Water Quality Certification

This task includes preparation of the permit application package, including all required maps, figures, photographs, and other attachments. Coordination with BFS Landscape Architects will be required to determine the area within the top of bank that may be impacted by the proposed project and to obtain details regarding construction methodology/plans. The wetland/waterways delineation and wetland/riparian mitigation plan are necessary parts of this application. A draft electronic version of

the application package will be provided for review and comment. An electronic application package will then be produced and submitted to the Regional Water Quality Control Board. A JPA representative will need to sign the application at the time of submittal and provide the permit application fee (not included in the attached budget).

Permit fees are dependent on the amount of dredge and fill proposed. 2023 fees are \$24,366 per acre.

Data Needs/Assumptions

The following data needs/assumptions were identified during preparation of this scope of work:

- BFS Landscape Architects (or engineers provided by the JPA) will coordinate with EMC Planning Group and/or the permitting agencies to provide the detailed mapping and construction methodologies required as part of the permit applications.
- Impact areas for each of the projects within 25 feet of aquatic features will be provided to EMC Planning Group prior to the field work proposed in Task 1.

Budget and Schedule

Please see the attached budget spreadsheet for an estimate of costs associated with obtaining the required agency permits. The schedule to obtain these permits is approximately 8-12 months. Many of these tasks can occur concurrently and begin immediately, but will require significant back-and-forth with BFS Landscape Architects and the agencies. Response and review times vary from agency to agency, and out of EMC Planning Group's control. All efforts to respond to agency questions and requests in a timely manner will be made.

Laguna Grande Trail Maintenance Strategy Permitting Budget

Task	EMC Planning Group Inc.							
Staff	Senior Principal	Associate Planner	Principal Biologist	Senior Biologist	Graphics	Admin./ Production	Total Hours	Total Cost
Billing Rate (Per Hour)	\$275.00	\$165.00	\$210.00	\$170.00	\$140.00	\$115.00		
A. Coastal Development Permit Applications								
Task 1 Administration and Management	2.0	20.0	0.0	0.0	0.0	1.0	23.0	\$3,965.00
Task 2 Application Packages	2.0	32.0	4.0	0.0	8.0	2.0	48.0	\$8,020.00
Task 3 Respond to City/Coastal Commission Comments	1.0	16.0	8.0	0.0	0.0	1.0	26.0	\$4,710.00
Task 4 Attend Public Hearings (4)	0.0	24.0	0.0	0.0	0.0	0.0	24.0	\$3,960.00
Subtotal	5.0	92.0	12.0	0.0	8.0	4.0	121.0	\$20,655.00
B. Resource Agency Permit Applications								
Task 1 Wetland Delineation and Report	2.0	0.0	6.0	48.0	4.0	1.0	61.0	\$10,645.00
Task 2 Project Team and Regulatory Agency Coordination	4.0	0.0	24.0	10.0	2.0	0.0	40.0	\$8,120.00
Task 3 Wetland/Riparian Mitigation Plan	2.0	0.0	8.0	32.0	4.0	1.0	47.0	\$8,345.00
Task 4 U.S. Army Corps of Engineers Section 404 Nationwide Permit	2.0	0.0	8.0	32.0	2.0	0.0	44.0	\$7,950.00
Task 5 California Department of Fish and Wildlife Section 1600 Streambed Alteration Agreement	2.0	0.0	8.0	40.0	2.0	0.0	52.0	\$9,310.00
Task 6 Regional Water Quality Control Board Section 401 Water Quality Certification	2.0	0.0	8.0	32.0	3.0	0.0	45.0	\$8,090.00
Subtotal	14.0	0.0	62.0	194.0	17.0	2.0	289.0	\$52,460.00
Subtotal (Hours)	19.0	92.0	74.0	194.0	25.0	6.0	Total Hours	Total Cost
Subtotal (Cost)	\$5,225.00	\$15,180.00	\$15,540.00	\$32,980.00	\$3,500.00	\$690.00	410.0	\$73,115.00

Additional Costs	
Production Costs	\$0.00
Travel Costs	\$50.00
Postal/Deliverables	\$0.00
Miscellaneous	\$0.00
Administrative Overhead 15%	\$7.50
Total	\$57.50

Total Costs

\$73,172.50

NOTE: This proposal is valid for 90 days

1st AMENDMENT TO AGREEMENT FOR LAGUNA GRANDE PARK TRAIL MAINTENANCE STRATEGY

The Agreement for Laguna Grande Park Trail maintenance strategy ("Agreement") entered into on July 13, 2021 by and between BFS LANDSCAPE ARCHITECTS (hereinafter "Consultant"), and the CITY OF MONTEREY (hereinafter "City"), is hereby amended as follows:

1. Paragraph 4 of the Agreement is deleted in its entirety and a new Paragraph 4 is added to read as follows:

"4. Compensation. JPA agrees to pay and Consultant agrees to accept as full and fair consideration for the performance of this Agreement, an hourly fee as set forth in Consultant's Proposal (Exhibit B), in a total amount not to exceed one hundred twenty eight thousand, five hundred and sixty-five Dollars (\$128,565.00). Compensation under this Agreement shall become due and payable 30 days after JPA's approval of Consultant's submission of a monthly written invoice to Kimberly Cole, Community Development Director. Written invoices shall clearly show the account numbers for each project and shall include a copy of timesheets or invoices from sub-consultants. The payment of any compensation to Consultant hereunder shall be contingent upon performance of the terms and conditions of this Agreement to the satisfaction of the JPA. If JPA determines that the work set forth in the written invoice has not been performed in accordance with the terms of this Agreement, JPA shall not be responsible for payment until such time as the work has been satisfactorily performed."

2. All other terms and conditions of the Agreement shall remain unchanged.

This Amendment is entered into on this date: _____

in Monterey, California.

CITY OF MONTEREY

BFS LANDSCAPE ARCHITECTS

By:

Hans Uslar, City Manager

Authorized Signature

Date Signed

Date Signed

Print Name

Title

2ND AMENDMENT TO AGREEMENT FOR LAGUNA GRANDE PARK TRAIL MAINTENANCE STRATEGY

The Agreement for the Laguna Grande Park Trail maintenance strategy ("Agreement") entered into on July 13, 2021, by and between BFS LANDSCAPE ARCHITECTS (hereinafter "Consultant") and the CITY OF MONTEREY is hereby amended as follows:

1. Paragraph 4 of the 1st amendment to the Agreement dated March 30, 2023 is deleted in its entirety and a new Paragraph 4 is added to read as follows:

4. Compensation. JPA agrees to pay and Consultant agrees to accept as full and fair consideration for the performance of this Agreement, and hourly fee set forth in Consultants Proposal (Exhibit B) in total amount not to exceed eighty nine thousand, seven hundred ninety two dollars and fifty cents (\$89,792.50). Compensation under this Agreement shall become due and payable 30 days after JPA's approval of Consultants' submission of a monthly written invoice to Dan Meewis, Recreation Director of the City of Seaside. Written invoices shall clearly show the account numbers for each project and shall include a copy of timesheets or invoices from sub-consultants. The payment of any compensation to Consultant hereunder shall be contingent upon performance of the terms and conditions of this agreement to the satisfaction of the JPA. If the JPA determines that the work set forth in the written invoice has not been performed in accordance with the terms of this Agreement, JPA shall not be responsible for payment until the work has been satisfactorily performed.

2. The City of Seaside on behalf of the JPA will be responsible for administering the Agreement on approval of this Amendment.

This Amendment is entered into on this date: _____ in Seaside, California

CITY OF SEASIDE

BFS LANDSCAPE ARCHITECTS

By:

Jaime Fontes, City Manager

Authorized Signature

Date

Date

Print Name

Title



CITY OF SEASIDE STAFF REPORT

Item No.: 8.J.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Kee Hyon Higgins, Recreation Supervisor

DATE: March 7, 2024

SUBJECT: ADOPT A RESOLUTION APPROVING THE 2024-2028 SEASIDE YOUTH VIOLENCE PREVENTION STRATEGIC PLAN

RECOMMENDATION

Adopt a resolution to approve the City of Seaside's 2024-2028 Youth Violence Strategic Plan.

BACKGROUND

The Seaside Youth Violence Prevention Task Force (formerly known as the Blue Ribbon Task Force) is a collaborative effort of over 30 organizations representing multiple sectors of the community. The Seaside Youth Violence Prevention Task Force is a model of shared responsibility to strengthen youth and families and create safe neighborhoods through mobilizing and engaging parents, schools, community-based organizations, faith-based organizations, government and local law enforcement.

Due to increased violent crime in 2012 led the City of Seaside began to develop and implement several violence prevention initiatives. The City had a population of around 34,000 in the early 2000 years and a substantial level of violent crime per capita. This led a small group of respected community leaders to form the Blue Ribbon Panel, a 35-member regional collaborative with distinguished members from county agencies, the school district, law enforcement and criminal justice agencies, elected officials, City government, service providers, and faith- and community-based organizations. The Blue Ribbon Panel, now called the Seaside Youth Violence Prevention Task Force, began the development and implementation of a Youth Violence Prevention Plan. This plan included hiring staff, making youth violence prevention a top priority by City Council resolution, completion of a community needs assessment, implementation of a civil abatement program to take action against nuisance properties, and the creation of the Peninsula Regional Violence and Narcotics Team (PRVNET).

Modeled after the Office of Juvenile Justice and Delinquency Prevention, the Seaside Youth Violence Prevention Task Force aims to uphold and implement five core strategies: Community Mobilization, Opportunities Provision, Social Intervention, Suppression and Organizational Change and Development.

FISCAL IMPACT

ATTACHMENTS

1. Resolution
 2. Strategic Plan 2024
-

Reviewed for Submission to the City Council by:

A handwritten signature in blue ink, reading "Jaime M. Fontes", is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jaime M. Fontes, City Manager

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE APPROVING
THE 2024-2028 YOUTH VIOLENCE PREVENTION STRATEGIC PLAN.**

WHEREAS, all residents of the City of Seaside deserve the right to be from intimidation and violence; and

WHEREAS, the prevention, intervention, and suppression of youth violence is paramount to the safety and viability within our community; and

WHEREAS, residents cannot thrive if there is violence and gang activity within our community; and

WHEREAS, community mobilization, opportunities provision, social intervention, suppression, and organizational change and development are core strategies in creating safe and viable environments for our children, youth, and families; and

WHEREAS, youth violence requires addressing community needs and strategies which involve law enforcement, youth prevention and intervention community-based service organizations, hospital-based violence intervention programs, mental health programs, alcohol and drug intervention services organizations, recreation and education; and

WHEREAS, prevention, intervention, enforcement and re-entry aim to implement effective and sustainable strategies with long-term impact in the prevention and reduction of youth violence; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby approve the 2024-2028 Youth Violence Prevention Strategic Plan.

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

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

Ian N. Oglesby, Mayor

ATTEST:

Dominique Davis, City Clerk

Youth Violence Prevention Strategic Plan

2024-2028

Seaside Youth Violence Prevention Task Force



Introduction

Building upon community assets for a thriving community

The Seaside Youth Violence Prevention Task Force (SYVPTF) is the City of Seaside's youth violence prevention initiative to address the root causes of violence. Established in 2013, the cross-sector coalition has worked together to identify community needs and develop strategies to address them. The cross-sector coalition is comprised of key partners in law enforcement, youth prevention and intervention community-based service organizations, hospital-based violence intervention program, mental health, alcohol and drug intervention services organizations, recreation and education.

The diverse range of expertise and service capability has kept the effort focused on applying the collective impact and equity principles, while keeping the Office of Juvenile Justice and Delinquency Prevention (OJJDP) model at its core. The OJJDP's gang violence prevention and reduction model (I. Spengel, 1995) consists of core strategies in **Prevention**: community engagement, opportunity provision; **Intervention**: outreach and service provision; **Suppression**: community policing and youth diversion; **Organizational Change and Development**: policy and strategic resource allocation. The model's strategies, also known as PIER: Prevention, Intervention, Enforcement and Re-entry, aim to implement effective and sustainable strategies, with methods for assessment and evaluation of its long-term impact in the prevention and reduction of violence.

Changing the narrative to better reflect the strengths and assets of our community is essential in our collective approach to eradicate violence. It is also imperative that we hold awareness of the prevalence of risk factors and the absence of protective factors that create environments in which our children, youth and families live within the confines of marginalized communities. With this in mind, the City of Seaside is committed to creating opportunities for advancement in strategies proven to be successful and give prominence to the voice of our community in the design and implementation of such strategies.

Five Core Strategies



"Our youth are the most cherished resource in our community! The wisest investment we can make is in their future. This Plan ensures we invest in them where they are and move all of them towards a brighter future. A future where they thrive as productive community members, no matter where they live!" -

Quote from Seaside Mayor Ian N. Oglesby

Organizational Structure

The Strategic Plan workgroup recommends the following operational structure:

SEASIDE YOUTH VIOLENCE PREVENTION TASK FORCE (SYVPTF)

EXECUTIVE COMMITTEE

Chief of Police, Recreation
Director/Designee, City Council,
SYVPTF Liaison,
School Superintendent/Designee,
Community Based Organization Rep

Purpose: review and support
strategic initiatives, policies, grants
& funding

***Meets: Quarterly (more frequently
as needed)***

OPERATIONS COMMITTEE

SYVPTF Liaison, Police Department,
Parks & Rec, School Designee,
Behavioral Health, Faith-Based, CBO's,
Monterey County Elected Official,
County Supervisor, DA, Faith-Based
Community

Purpose: direct services and
implementation of strategies aligned with
the SYVPTF strategic plan and discuss
issues that arise from Climate Reports

Meets: Monthly (3rd Wednesday)

Goals and Objectives

Goal 1: STRENGTHEN LOCAL PROGRAMS TARGETING THE REDUCTION OF YOUTH VIOLENCE

Summary Obj.	City Objectives	Community-Based Organization Objectives
Enhance Collaboration Between Youth-Serving Organizations	Support the Seaside Youth Resource Center (SYRC) and strengthen communication between groups providing services for youth.	Establish and maintain partnerships with local organizations that focus on youth and families.
Provide Evidence-Based Practices	Assist new and existing local programs implementing evidence-based youth violence prevention and intervention strategies.*	Deliver evidence-based programs supporting youth and families.
Build healthy relationship skills	Implement and incorporate programs, services and events that foster healthy relationship building.	Improve parent-youth communication, increase family involvement in the community, and improve family dynamics and positive disciplinary approaches.
Build social inclusion and a sense of belonging/community	Expand current programs and services that promote inclusion and cultural diversity.	Support social gatherings, and networking opportunities.
Improve Conflict Resolution and Track Data	Track, analyze, and report data on youth violence to the community regularly.	Embed restorative justice and conflict resolution practices in all direct services.
Strengthen Community-Police Partnerships	Build and strengthen community-police partnerships.	Build and strengthen community-police partnerships.

* Goals align with the Office of Juvenile Justice and Delinquency Prevention's (OJJDP's) Comprehensive Gang Model

Goal 2: PROVIDE ADDITIONAL OPPORTUNITIES, SAFE SPACES, AND ACTIVITIES FOR YOUTH.

Summary Obj.	City Objectives	Community-Based Organization Objectives
Increase Collaboration to Improve City and School Safety	Incorporate public safety and principles directed to youth violence prevention into the General Plan.	Increase and enhance collaborative efforts to increase school and community/city-wide safety.
Improve Quality and Safety of Public Recreation Spaces	Increase the number and improve the safety of public recreational spaces.	Improve the quality of youth-oriented facilities, including parks and recreation centers.
Increase Cultural, Recreational, and Educational Activities	Develop community and public sector partnerships to increase cultural, recreational, and educational activities for youth.	Increase cultural, recreational, and sports activities for youth. Initiate efforts to remove barriers for youth involvement in activities.
Enhance Career Pathways for Youth	Increase partnerships between community-based organizations and public and private sector partners to increase economic opportunities for youth.	Ensure that youth are college and/or career ready. Increase partnerships between community-based organizations and public and private sector partners to increase economic opportunities for youth.

Goal 3: STRENGTHEN COLLABORATIVE RELATIONSHIPS WITH SCHOOLS AND COMMUNITY ORGANIZATIONS.

Summary Obj.	City Objectives	Community-Based Organization Objectives
Formalize City-School-Community Relationships	Formalize and continue partnerships between City, schools, and community-based organizations.	Increase community awareness of resources and opportunities for civic engagement.
Implement Culturally and Linguistically Sensitive Practices	Ensure services are provided with linguistic and cultural relevance and sensitivity.	Support community education on discrimination, bullying and practicing cultural sensitivity.
Share Information Between City, Schools, and Community-Based Organizations	Encourage and enhance sharing of information and resources among the City, schools, and community-based organizations.	Strengthen city-schools-community partnerships for violence reduction efforts.
Increase Civic Engagement Among Youth	Create opportunities for youth to engage in an advisory capacity to City Council in matters pertaining to youth and the City of Seaside.	Create opportunities for students to engage in community service activities

City Based Implemented Strategies

Seaside Youth Resource Center:

The Seaside Youth Resource Center (SYRC) serves youth and their families trying to make meaningful choices or life changes through referral services and programs that reach all levels of prevention, intervention and re-entry. Employment provisions including job skills and life skills training, job referral or placement and possible internship opportunities, activity coordination for youth, families, partner programs and prospective employers. Collaboration between and leveraging other existing prevention type programs and activities that may or may not currently exist in community. They also provide opportunities for volunteer and community service. This strategy aligns with goals two and three of the Youth Violence Prevention Strategic Plan.

Multi-Disciplinary Team:

The Multi-Disciplinary Team (MDT) gathers once a month with community providers to discuss each client the SYRC receives. The provider has a say as to which program best fits each client, for the decision to be as a team and not just one agency. In addition, each provider updates the team if the agency has made any changes due to budget cuts or limitation on capacity of client they can take. If a client is in their program, they discuss the progress the client has achieved or if the client is better suited for a different program. This program has made a huge impact for Seaside to provide services to our families. This strategy aligns with goals one, two and three of the Youth Violence Prevention Strategic Plan.

Seaside's California Violence Intervention Prevention Grant (Cal VIP) Program (September 1, 2018- August 31, 2020):

The City of Seaside in partnership with community-based organizations applied for and received \$500,000 in grant funding in 2018 with 50% going to community-based organizations to support Youth Violence Prevention efforts within the City of Seaside. The SYRC along with Community Human Services, Community Partnership for Youth, Partners for Peace, The Village Project, Ladies First and Restorative Justice Partners provides evidence based and promising practices programs to the community. Those programs include domestic violence classes, supervised visitation and exchange services, parent education classes including triple P, strengthening families, loving solutions, and parent project. Mentoring services to adolescent girls and boys in middle school and high school. Teaching restorative justice principles to assist youth with constructive problem-solving skills, and education to prepare youth for jobs of the future. This strategy aligns with goals one two and three of the Youth Violence Prevention Strategic Plan.

The Seaside Youth Violence Prevention Task Force will continue to look for grant funding that supports the Strategic Plan.

Climate Report:

The Climate Report is a tool used by community partners of the Seaside Youth Violence Prevention Task Force (YVPTF) to identify trends in youth activity and unmet needs in Seaside. Tracking the data of the Climate Report over an annual period will show the outcome of actions taken based on key information it provides. This strategy aligns with goals one and two of the Youth Violence Prevention Strategic Plan.

Parent University:

In collaboration with Monterey Peninsula Unified School District and Community Human Services, Parent University provides families with the tools and knowledge for positive parenting practices and the prevention of youth violence. Topics for the conference will include components of school success and adolescent brain development, human trafficking, parent teen communication and more. This strategy aligns with goals one, two and three of the Youth Violence Prevention Strategic Plan.

Summer Youth Employment Program:

The Seaside Youth Employment Program provides youth in the City of Seaside with opportunities for first-time employment, valuable work experience and skills needed in the workplace. This program provides youth a structured environment with clear rewards and support which their school experiences and families may not be able to provide. This strategy aligns with goal two of the Youth Violence Prevention Strategic Plan.

Youth Diversion Program

The Youth Diversion program is coordinated between the Seaside Police Department (SPD) and the Seaside Youth Resource Center (SYRC). Services within the SYRC are available for the diversion program as long as the client stays in full compliance with the services, upon completion of the program, youth will graduate from the diversion program and infraction reports will disappear from their record with SPD. Failure to complete the diversion program will result in a citation for the youth. This strategy aligns with goal one of the Youth Violence Prevention Strategic Plan.

Positive Behavioral Intervention and Support:

Positive Behavioral Intervention and Support (PBIS) Program is an evidence-based program with a three-tiered framework to improve and integrate all of the data, system, and practices affecting student outcomes. The Seaside Youth Resource Center (SYRC) sits on the Positive Behavioral Intervention and Support boards for middle and high schools in Seaside and Monterey. The program is for students that are experiencing negative behaviors on the campuses. This strategy aligns with goals one, two and three of the Youth Violence Prevention Strategic Plan.

3-on-3 Basketball Tournament:

This unique event is a day of fun for the entire community, providing a long lasting memory for the youth. The primary goal of the tournament is to provide youth and young adults (ages 15 – 25) the opportunity to display their talents in a positive way. This tournament also gives at-risk youth an opportunity to highlight their talents and to connect with mentors in the community who will encourage them to transition back into school or employment. This strategy aligns with goals two and three of the Youth Violence Prevention Strategic Plan.

Vaping Prevention Program:

This subcommittee of the Seaside Youth Violence Prevention Task Force (SYPTF) is researching and creating programs and strategies to combat rising vaping addiction amongst youth within the City of Seaside. Programs will address the health risks associated with vaping as well as raise awareness to youth and adults. This strategy aligns with goals two and three of the Youth Violence Prevention Strategic Plan.

Change, Hope, Accountability & Mentoring Program:

Change, Hope, Accountability & Mentoring Program (C.H.A.M.P.S.) is a youth based program through Seaside Police and Fire departments designed to teach Seaside youth about each profession and discipline, which goes along with it. The program is voluntary and the age range for youth are 14-20. The program is ongoing and the cadets can stop at any time, or continue until the age limit. They will learn critical life and technical skills to help propel them into a successful and meaningful profession. This strategy aligns with goals one and two of the Youth Violence Prevention Strategic Plan.

Family & Community Support Program:

The Family and Community Support Program (FCSP) is comprised of a team of social service providers operating primarily in a mobile crisis response in partnership with local emergency services including Seaside Police and Fire. Available to Seaside Community Members to assist individuals, youth, and families in accessing a variety of services, community benefits, and resources through local agencies, non-profits organizations, faith-based groups, and others to support the dynamics of individual, family, and community needs as well as, address the challenges impeding healthy functioning. This strategy align with goals one, two and three of the Youth Violence Prevention Strategic Plan.

Community Based Implemented Strategies

Community Partnership for Youth (CPY)

All CPY Prevention Programs align with the City of Seaside's Youth Violence Strategic Plan:

Goal 1: Strengthen Local Programs Targeting the Reduction of Youth Violence

(CPY has partnered with the City of Seaside since 1991)

Goal 2: Provide Additional Opportunities, Safe Spaces and Activities for Youth

(CPY has formed many partnerships with other agencies to provide prevention and enrichment activities.)

Goal 3: Strengthen Collaborative Relationships with School & Community Organizations

(CPY has partnered with the School District since 1991 - so grateful for our partners)

CPY works with the "whole child", their families, schools and community agencies. This is accomplished in a structured program with a set of standards based on teaching respect and integrity.

At CPY, we believe that reversing negative behavior patterns in the most vulnerable youngsters is the best chance at helping them overcome the trauma so many experience. The formula has evolved significantly, but retains the critical components that were first developed. These program qualities continue to differentiate CPY from other prevention programs and to offer students real and tangible opportunity for sustained success in school and life, and include:

- Establishment of lofty but clear standards for behavior and personal character embodied by the six CPY Standards;
- Comprehensive conflict resolution training for staff and students;
- Close communication with host schools;
- Commitment to hiring within the community;
- Quality staffing that guarantees effective mentoring and tutoring; and, of course,
- Partnerships that keep the community directly involved and enrich the program greatly, to the benefit of all those concerned.

CPY's prevention programming consists of the Afterschool Mentor-Tutor Program, a six-week all-day Summer Program, a Middle School Leadership Program, a High School Leadership/Life Skills /Job Preparation Program, the Ramon Avila Technology + Design Center, and a Visual and Performing Arts Academy. Each program offers students tools to use for building success in school and life. Additional programs formed out of need during COVID19 are continuing twice weekly -- Remote Mentoring, Art Class, and distribution of food to families every week with ALL IN Monterey and the Monterey County Food Bank.

CPY provides services in three under-performing Title 1 elementary schools in the Monterey Peninsula Unified School District (MPUSD) – Del Rey Woods, M.L. King School of the Arts, and Ord Terrace along with the Dual Language Academy Monterey Peninsula. In addition, CPY high school students attend Seaside, Monterey and Central Coast High Schools. The majority of our students qualify for the free and reduced lunch program, and many would be considered homeless under the McKinney Vento Act.

Partners for Peace (P4P)

P4P programs align with all goals identified in the strategic plan:

Goal1: Strengthening local programs

Goal 2: Provide safe spaces and activities for youth.

Goal 3: Strengthen collaborative relationships with schools and CBOs.

All programs are currently available via online education due to COVID-19.

Prevention/Intervention: Strengthening Families Program

- For parents and youth 10-16 years of age
- 8-week program Families build communication/problem solving skills and receive tools to enhance youth peer resistance skills, school success and parent/caregiver parenting skills.

Prevention: Parent Project – Loving Solutions

- For parents/caregivers ONLY of youth 5-10
- 10-week program
- Prevention program for parents/caregivers of strong willed or highly impulsive children. The program also has an ADHD emphasis.

Focus on health eating/sleeping/school success habits and positive parenting techniques

Intervention: Parent Project-Changing Destructive Adolescent Behavior

- For parents/caregivers ONLY of youth 11-17
- 10-week program

Intervention program with a focus on providing parents/caregivers tools to intervene on the following destructive behaviors: drug use, vaping, alcohol use; chronic truancy; violence in the home/school/community; gang/gang adjacent activities. Program promotes communication and family bonding.

P4P would be proud to continue our relationship with task force to build strong families for a peaceful community.

Restorative Justice Partners, Inc.

Title of Strategy: Justice That Heals

RJP, Inc. services align with all goals identified in the Strategic Plan:

Goal 1: strengthening local programs

Goal 2: Provide safe spaces and activates for youth

Goal 3: strengthen collaborative relationships with schools and CBOs

Prevention: relational practices improve climate and culture for the well-being of young people and all community members to strengthen relationships and provide helpful responses to conflict.

Intervention: restorative justice processes serve to keep young people from unnecessary or over involvement in a criminal, punitive justice system and, instead, remain included in a supportive community environment.

Restorative Justice Partners, Inc. works with those affected by conflict, providing support and education to encourage accountability, empathy, and reparation.

Restorative justice is a process to involve those who have a stake in a specific offense and to collectively address harms, needs and obligations, in order to heal and put things as right as possible. Restorative Justice Partners, Inc. (RJP, Inc.) works to supplement punitive policies with more equitable and sustainable practices, such as those based in restorative justice. The objective is to ensure people may learn from their mistakes, modify their behavior, and utilize the skills when confronted with future challenges. These improved decision-making skills further support children to thrive in – and make significant contributions to – their communities. Current programs of RJP, Inc. include:

- Victim Offender Reconciliation Program (VORP) is a mediation process that provides those who have been victimized the opportunity to meet with the person that has offended them in an intentionally safe and structured setting. The process holds the participants directly accountable for behavior while giving everyone an opportunity to be heard. Together, those directly involved plan how to move forward.
- Restorative Justice in the Schools (RJ Schools), a collaborative program between administration, faculty, students and families, offers an alternative to punitive, zero-tolerance discipline policies. Instead, the process directly addresses harms to offer individual needs based solutions. RJ Schools addresses a factor that has been shown to be protective against criminality: one's ability to effectively resolve conflict.
- The Victim Impact Program (VIP) offers the opportunity for offenders to become more aware of the impact that crime has on victims by providing victim speakers to juvenile facilities. This process builds relationships between victims of crime and juveniles that have offended. The program focuses on informing offenders of the long-term harm caused to victims, their families, and the community. Through this process, offenders may develop empathy and make attitudinal changes.

The process of restorative justice offers solutions through a three step process: 1) recognizes injustice, 2) restore equity, 3) clarify future intentions. To effectively integrate restorative justice, many diverse stakeholders are identified and involved. The scope of support in each case may vary from narrow issues, such as school dropout rates, to larger issues, such as community violence and public health outcomes.

Sun Street Centers (SSC)

Sun Street Centers Prevention Department's Goals:

- Prevention of underage drinking and drug use.
- Increase parental skills, family empowerment, and youth development.
- Environmental approaches to reduce youth social access to alcohol and drugs.

Prevention: Substance Abuse Education Programs

Gateway Drug Presentation (students and parents/adults):

Educational presentation about the dangers and truth of Alcohol, Tobacco/E-cigarettes, Marijuana, Prescription Drugs underage use.

Drugged Driving Presentation (high school students):

Educational presentation to high school students on the dangers of both underage use and driving under the influence of cannabis.

Cannabis Decoded (parents/adults):

This training equips parents with the tools necessary to start the conversation about cannabis use by gaining knowledge regarding the dangers of underage use and legalities.

Substance Abuse and Bullying Presentation (students):

Educational presentation to youth about bullying prevention and how it correlates to substance abuse. Students will learn about the different types of bullying and what they can do prevent or seek for help.

Life-Skills Training (students and parents):

Interactive evidence-based 8-10 week program for students and parents designed to help promote a positive health style and the personal development of youth, parents, and their children.

STEPS Meetings (high school students):

After school Drug and Alcohol Prevention Program for high school students ages 14-18. Virtual meetings through *Zoom* Tuesdays from 3:30pm-5:00pm as well as limited access in-person meetings Thursdays from 3:30pm-5:30pm.

PARTS Coalition Meetings: A community based drug and alcohol related trauma prevention coalition that focuses on reducing underage drinking and preventing drug and alcohol abuse among youth and adults. Virtual meetings through *Zoom* are currently taking place on the third Thursday of each month from 12:00pm-1:30pm.

Harmony At Home

All of Harmony At Home's prevention and intervention programs align with goals identified in the Youth Violence Prevention Team's Strategic Plan.

Goal 1: Strengthening local programs

Goal 2: Provide safe spaces and activities for youth

Goal 3: Strengthen collaborative relationships with schools and CBO's

Prevention/Intervention: Harmony At Home Bullying Prevention Program

This intervention program is designed for students, teachers, non-teaching staff, administrators, parents and community partners to reduce existing bullying problems among students, prevent the development of new bullying problems and to achieve better peer relations at schools. Each school site has a dedicated Bullying Prevention Coach one day a week to offer staff trainings, small group check-ins, parent workshops, classroom meetings and one-on-ones with students. We also offer the option to support the creation and execution of Student Led Assemblies to address specific bullying issues students experience at their school site.

Intervention: Children 1st

In this two-session course, parents receive co-parenting strategies to implement with their ex-partners and communication skills to equip their children with the tools that will help them navigate social environments. After completing both classes, the participating parents are given a certificate of completion that they can provide to the court if needed. We also offer classes for children of parents going through divorce and separation to learn about reactions, feelings, causes of divorce and how to build support groups.

Intervention: Community Counseling and Onsite Counseling

Our community counseling program provides an array of collaborative counseling services to address a myriad of social, emotional, relational and mental health challenges. Counseling occurs on school campuses or at one of the community agencies that we partner with. Sessions can be either in groups or one on one and are tailored to support the population at each site. We also offer sliding scale counseling sessions in both our Salinas and Carmel offices as well as virtually.

Intervention: Family 1st

The Family 1st Program serves parents and legal guardians between the ages of 13-25 years old that have not graduated from high school or obtained their GED. We support them to achieve their educational and career goals by focusing on education, childhood development, and providing resources such as diapers, baby wipes, support groups and more.

Intervention: Sticks and Stones

Sticks and Stones is a school based counseling program that targets children and youth who have experienced trauma which is negatively impacting their overall functioning. The program uses evidence-based cognitive behavioral strategies to best address the trauma they may be holding. Group sessions are held at school sites for three, 10-week cycles for 30-45 minutes throughout Monterey County.

Community Human Services (CHS)

Community Human Services' programs align with all goals identified in the Strategic Plan:

Goal 1: Strengthening local programs

Goal 2: Provide safe spaces and activities for youth

Goal 3: Strengthen collaborative relationships with schools and CBOs

Prevention:

Parent Education Classes – Nurturing Parenting

The Nurturing Parenting Program is an evidence-based program that provides lessons to foster positive parenting skills with nurturing behaviors, promote healthy physical and emotional development, and teach appropriate role and developmental expectations. Lesson Plans include goals, objectives, discussion topics, interactive activities, worksheets, & handouts for parents. The curriculum is tailored to working with parents of children ages 0-12 years old. The class meets once a week (1-1/2 hours) for 12 weeks. The program is free of charge to Monterey County residents.

Intervention:

Short-term Therapeutic Services for Uninsured and Medi-Cal Insured Individuals These programs provide trauma-informed therapy for adults, youth, couples, families and groups. Case management and care coordination are an integral part of treatment ensuring all clinical needs are addressed. Treatment is offered for: Depression, Anxiety, Trauma and PTSD, Mood Disorders, Grief and Loss, Low Self-Esteem, Relationships Challenges, Gender and Sexuality, Living with HIV/AIDS, Anger Management, ADHD, Behavioral Issues, etc.

Domestic Violence and Anger Management Groups

CHS provides a court-ordered, Probation-certified Domestic Violence course for offenders. The 52-week course is offered in-person. Through evidenced-based practices, the course helps offenders of physical or psychological abuse understand their actions and use better skills to navigate their lives. CHS opened an Anger Management therapy group in January 2022 for people ages 18+. This group covers some of the same skills provided in the court-ordered course. The therapy group meets weekly on Zoom and will be open and ongoing.

Safe Place/Safe Passage

Safe Place is a comprehensive program for at-risk runaway and homeless youth that provides everything from street outreach, survival aid and temporary shelter to counseling, family reunification and aftercare. There are two primary programs at Safe Place, the Street Outreach Programs, and the Youth Shelter. The Street Outreach Programs provide support to Runaway and Homeless Youth within the Salinas Valley and the Monterey Peninsula. The Youth Shelter is an emergency overnight shelter, which is available nightly.

Safe Passage is a transitional housing program for Runaway and Homeless Youth, located in downtown Monterey. It offers six beds for homeless youth and youth aging out of foster care, ages 18 to 24. Safe Passage residents are expected to work or attend school full-time. Safe Passage offers case management, life skills education, and education, employment and housing assistance. Community Human Services proudly aligns with this Task Force to build a stronger community with family support.

Community Engagement

Focus groups were held with the community (Youth, Parents, Older Adults and the Faith Community and Youth). Participants were brought together by The Village Project, Community Partnership for Youth (CPY), Seaside Youth Resource Center, Restorative Justice Partnership, Inc. (RJP) and facilitated by CSUMB student interns under the leadership of Dr. Jennifer Lovell (see Youth Perspectives report Sept 2019). Participants of the Parent focus group were parents of Seaside High School students and was facilitated in Spanish by Elizabeth Cuadra and Rosemary Soto. The Older Adult focus group included participants of the Oldemeyer Center's senior programs, facilitated by Kee Hyon Higgins and Rosemary Soto. The Faith Community focus groups included local pastors and was facilitated by Ted Black, Ashley Collick and Rosemary Soto.

Other community groups invited to participate in the focus groups included NAACP and LULAC Seaside Chapters. Additional opportunities to provide input will always be made available post City Council approval.

All focus group participants were given an in-depth overview of the Strategic Plan's Goals and Objectives. Open ended questions were asked to ignite dialogue about the perceived issues in the community and to invite community members to share ideas for strategies that would best address those issues.

Questions asked:

1. What are some of the main problems or issues you see in Seaside right now?
2. What types of community or school violence have you been exposed to in Seaside?
3. How do you learn about violence in your community? (e.g., family, friends, social media)
 - a. How do you learn about fun community events or activities?
4. How does community violence impact your mood and health (or the health of your family and friends)?
5. Suppose you were in charge, and you could make changes to make Seaside better and safer. What would you do?
6. What are you doing or what can you do, to make Seaside better? (e.g, faith-based organizations, volunteering, activism, etc.,

Focus Group Outcomes

Focus Group	Participants
Youth	29
Seaside High School Parents	43
Older Adults	5
Faith Community	3
Total participants	80

Issues/Concerns
Teens wandering the city and city facilities
Growing homeless population
Unmet mental health needs
Video recording of violence and uploads to social media
Lack of enough sports facilities located in Seaside and accessible for free or low cost
Little or no advertising of positive news
Youth access to drugs; drug dealers are young and loitering around bus stops where most children and youth will gather
New legal cannabis shops; lack of distribution control post legal purchase
School safety issues requiring school lockdowns

Impact
Creates a sense of need to be vigilant
Fear for personal safety
Grief and disappointment as a result of loss of life by drugs and violence
Sense of community is lost

Focus Group Outcomes

Solutions
More youth focused spaces such as Cutino Park, also focused on the non-skaters
Send program and event flyers to churches, youth leaders and others besides Pastors
Mentoring and Counseling in partnership with City and church ministries
Develop college and career strategies and Partner with church Scholarship Fair
Create parent volunteer opportunities for program implementation and civic engagement
Create more connections with community, City, Police
Hold City and Church hosted events such as picnics and sporting events

Communication Methods
Social media
Word of mouth (friends, family)
Schools
Email

Acknowledgements

Strategic Plan Work Group:

Former Chief Abdul Pridgen, City of Seaside Police Department	Rosemary Soto, Former Administrator of Monterey County, County Administrative Office
Police Chief Nicholas Borges, City of Seaside Police Department	Shari Hastey, Community Partnership for Youth
Dan Meewis, City of Seaside Recreation Department	Ray Adams, Community Partnership for Youth
Former Assistant City Manager, Ashley Collick, City of Seaside	Mel Mason, Former Director of The Village Project
Ted Black, City of Seaside Recreation Department, Youth Resource Center	Bobby Maxwell, PAL
Elizabeth Cuadra, City of Seaside Recreation Department, Youth Resource Center	Juan Moran, Boys & Girls Club of Monterey County
Kee Hyon Higgins, City of Seaside Recreation Department	Annalisa Mitchell, Ladies First
Erika Parker, Former Office of Assemblymember Mark Stone	Rosalyn Green, Building Healthy Communities
	Andrea Rocha, Harmony At Home
	Jocelyn Mendoza, Restorative Justice Partners INC.

Seaside Youth Violence Prevention Task Force Members:

Assembly Member Mark Stone	Hamilton, Ellis and Martin Plaza	Monterey Peninsula Unified
Bethel Missionary Baptist Church	District Attorney Office- Monterey County	School District
Boys & Girls Club of Monterey County	Early Childhood Development Initiative	Natividad (CHOICE)
City of Seaside	Harmony at Home	Partners 4 Peace
Members of the Council	Jan Roehl Consulting	Restorative Justice Partners, Inc.
Police Dept.	Ladies First	Seaside Police Activities League
Youth Resource Center	Monterey County Behavioral Health	Sun Street Centers
Recreation Dept.	Monterey County Probation	Supervisor Jane Parker
Community Human Services	Monterey County Rape Crisis Center	The Only Way Ministries
Community Members	Monterey County Sheriff Dept.	The Ministerial Alliance
County of Monterey	Monterey County Workforce Development Board	United Way Monterey County
Community Partnership for Youth		The Village Project
		YWCA

Developed and authored in partnership with the Monterey County Office of Community Engagement and Strategic Advocacy, Building Safe & Thriving Communities, a County Violence Prevention Initiative





CITY OF SEASIDE STAFF REPORT

Item No.: 8.K.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Alexia Rapoport, Housing Program Manager
Andrew Myrick, Economic Development & Community Planning Manager

DATE: March 7, 2024

**SUBJECT: ADOPT A RESOLUTION APPROVING A DENSITY BONUS
AGREEMENT REQUIRING AFFORDABLE HOUSING AND
PROVIDING REQUIREMENTS FOR THE DEVELOPMENT OF 21
AFFORDABLE DWELLING UNITS AT 1620 BROADWAY AVENUE**

RECOMMENDATION

Adopt a resolution approving a Density Bonus Agreement requiring affordable housing and providing requirements for the development of 21 affordable dwelling units at 1620 Broadway Avenue.

BACKGROUND

On October 27, 2023, KB Bakewell Seaside Venture II, LLC (KBB), applicant, submitted an application for an Architectural Review to permit the construction of 21 units of affordable housing within the parking lot of an existing church (Greater Victory Temple) located at 1620 Broadway Avenue. The proposed development would satisfy part of KBB's Campus Town inclusionary housing requirements. On January 10, 2024, the Seaside Planning Commission approved the Architectural Review.

The proposed housing development consists of 21 affordable housing units which would be rented to very low income households for a period of at least fifty-five years. Pursuant to California Government Code Section 65915, housing developments which satisfy affordability requirements outlined in Density Bonus Law are entitled to certain developer concessions. As outlined in the Draft Density Bonus Agreement (Attachment 1), the applicant has requested the following developer incentives/concessions:

1. A reduction to the Common and Private open space requirements of Section

- 17.52.180.X to allow for reduced private open space and no common open space, and
2. A reduction of the rear yard setback from 20 feet to 17 feet; and
 3. An increase in the allowable Floor Area Ratio (FAR) from 0.45 to 0.47; and
 4. An elimination of the requirement for staking and flagging the proposed building as required by Seaside Municipal Code 17.62.030.D.

These incentives/concessions have already been included in the project plans approved by the Planning Commission. Approval of the Density Bonus Agreement is a necessary step to ensure that the units remain affordable.

The Draft Density Bonus Agreement also provides further requirements regarding the development's rental rates and maintenance of affordability.

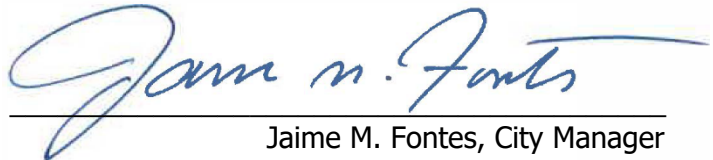
FISCAL IMPACT

None

ATTACHMENTS

1. Resolution & Agreement
-

Reviewed for Submission to the City Council by:



Jaime M. Fontes, City Manager

RESOLUTION NO. 24-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE
APPROVING A DENSITY BONUS AGREEMENT FOR TWENTY-ONE PROPOSED
AFFORDABLE APARTMENT UNITS TO BE LOCATED AT 1620 BROADWAY
AVENUE**

WHEREAS, on October 27, 2023, KB Bakewell Seaside Venture II, applicant, submitted an application for Architectural Review to construct 21 units of affordable rental housing located at 1620 Broadway Ave (APN: 012-631-003); and

WHEREAS, on January 10, 2024, the Seaside Planning Commission approved Architectural Review AR-23-16; and

WHEREAS, California Density Bonus Law (Government Code Section 65915) allows a housing development which satisfies California Density Bonus Law's affordability requirements to obtain certain developer concessions; and

WHEREAS, the applicant meets the requirements outlined in California Density Bonus Law, including the requirement that 100% of the units be made available to very-low income households and will remain affordable for a period of 55 years, and pursuant to the Density Bonus Law has requested the following developer incentives/concessions:

1. A reduction to the Common and Private open space requirements of Section 17.52.180.X to allow for reduced private open space and no common open space; and
2. A reduction of the rear yard setback from 20 feet to 17 feet; and
3. An increase in the allowable Floor Area Ratio (FAR) from 0.45 to 0.47; and
4. An elimination of the requirement for staking and flagging the proposed building as required by Seaside Municipal Code 17.62.030.D.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby accept and approve the Density Bonus Agreement, attached hereto as Exhibit "A," granting the aforementioned developer concessions to KB Bakewell Seaside Venture II, LLC, applicant, to construct twenty-one (21) affordable apartment units at 1620 Broadway Avenue (APN: 012-631-003), and hereby authorizes the City Manager or his/her designee to execute this Agreement on behalf of the City.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 7th day of March, 2024, 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 TO FORM:

Sheri L. Damon, City Attorney

Attachments:

Exhibit "A" – Density Bonus Agreement

Recorded at the request of and
when recorded return to:

City of Seaside
Community Development Department
City Hall
440 Harcourt Avenue
Seaside, CA 93955

No fee for recording pursuant to
CA Government code Section 27383

CITY OF SEASIDE

DENSITY BONUS AGREEMENT

This Density Bonus Agreement (hereinafter "Agreement") is entered into this 22nd day of February, 2024 by and between KB Bakewell Seaside Venture II, LLC (hereinafter referred to as "Developer"), Greater Victory Temple Church of God in Christ, Inc (hereinafter referred to as "Owner"), and the City of Seaside, a municipal corporation (hereinafter referred to as "the City") for the provision of the new construction of a multi-family building with a total of 21 affordable, for-rent residential units located at 1620 Broadway Avenue (Monterey County Assessor's Parcel Number [APN] 012-631-003) in the City of Seaside, California, hereinafter referred to as the "Project."

A. PROJECT DESCRIPTION

The Project consists of new construction of one multi-family building with 21 residential rental units. The Project is located on an existing parcel (APN 012-631-003), more specifically described in Exhibit A, which is presently occupied by a church. The Project would be constructed in the church's existing parking lot. In exchange for the incentives and concessions provided in Section C of this Agreement, the Owner shall dedicate 100% (21) of the rental housing units restricted to occupancy by very low-income households for a period of no less than 55 years (hereinafter "affordable unit" or "inclusionary unit") and will comply with all other provisions of this Agreement. The twenty-one very-low-income units will be calculated using 50% AMI for fifty-five years of rental occupancy. The Project shall be constructed by Developer and operated by Owner.

B. AGREEMENT RECORDATION

This executed Density Bonus and Inclusionary Housing Agreement, by and between the parties named above, shall be recorded at the Monterey County Recorder's Office prior to issuance of a Building Permit. The issuance of any building permits shall not occur prior to recordation of this Agreement.

C. INCENTIVES AND CONCESSIONS FROM DENSITY BONUS

In accordance with state law, due to the Owner's commitment to provide 100% of the units for very-low-income households, the Project has qualified for up to five development concessions pursuant to Government Code Section 65915(d)(2)(D). The Developer has elected to receive the following four development concessions:

1. A reduction to the Common and Private open space requirements of Section 17.52.180.X to allow for reduced private open space and no common open space; and
2. A reduction of the rear yard setback from 20 feet to 17 feet; and
3. An increase in the allowable Floor Area Ratio (FAR) from 0.45 to 0.47; and
4. An elimination of the requirement for staking and flagging the proposed building as required by Seaside Municipal Code 17.62.030.D.

The plans approved by the Seaside Planning Commission on January 10, 2024 as a part of Architectural Review AR-23-16 incorporate these items and the development shall be substantially in compliance with those plans and any subsequent changes to the project approved by the City.

D. NUMBER OF UNITS FOR DENSITY BONUS

Of the 21 multi-family residential units on the subject property, all 21 units (100%) are deed-restricted affordable units and are associated with the density bonus incentives and concessions outlined in this agreement. All affordable units shall be restricted to occupancy by very-low-income households as defined by California Health and Safety Code Section 50093 and applicable regulations in effect as of the date that this Agreement is executed. Consistent with existing law, these income limits shall not be less than fifty percent (50%) of the Area Median Income (AMI) for Monterey County, as published by the California Housing and Community Development Department (HCD) on an annual basis and adjusted for household size and annual adjustments to the AMI.

E. AFFORDABLE HOUSING UNIT RENTAL PRICE

Rental of the very low-income units shall be restricted to households with a combined annual income no greater than fifty percent (50%) of California Department of Housing and Community Development (HCD) AMI for Monterey County, as adjusted for household size and revised annually. By way of example, current household income limits for 2024, based on the 2023 California Housing and Community Development Department median income limits, current as of the date of this Agreement, as calculated from 50% of the Monterey County Area Median Income, are provided below in Table 1.

Table 1: Maximum Household Income Limits (2023)

Persons in Household	1	2	3	4	5
Very Low-Income	\$42,150	\$48,200	\$54,200	\$60,200	\$65,050

Units shall not be rented for more than the Maximum Rental Rate, which shall be defined as $(AMI \times 0.30) / 12$ for each of the fifty-five years of rental occupancy. These rates shall be inclusive of utilities and other maintenance costs associated with the operation of the Project. Household eligibility shall be determined at occupancy. Current Maximum Rental Rates for 2023 are shown below in Table 2.

Table 2: Maximum Rental Rates (2023)

Persons in Household	1	2	3	4	5
Unit Size	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Maximum Rental Rate (Adjusted annually)	\$1,053	\$1,205	\$1,355	\$1,505	\$1,951

For households of six (6) persons or greater, the most-current HCD income and rental limits shall apply.

F. MAINTENANCE OF AFFORDABILITY

The continued affordability of the inclusionary units shall be maintained for a minimum of 55 years from the certificate of occupancy. The Owner shall be responsible for certifying the income of the tenants to the City at the time of initial rental, and annually thereafter. This shall be completed by viewing acceptable documentation, including income tax statements or a W-2 form for the previous calendar year, and submitting, on a form approved by the City, a certification that

the tenant qualifies as an income eligible household, as well as any supporting documentation requested by the City. The Owner shall submit information in the form of an Annual Report detailing the tenants occupying each unit, specifying the monthly rent paid by each tenant during the previous year, showing verification of tenant's income levels at least once per year, and specifying any other funds collected from the tenants by Owner. This Annual Report shall be submitted by mail to the City of Seaside on an annual basis, addressed as follows:

City of Seaside
Attn: Housing Division
440 Harcourt Ave
Seaside, CA 93955

The City shall have the right to specify the form of the Annual Report and to request supporting documentation, and Owner shall promptly provide information without questioning City's right to request such documentation unless the provision of such documentation would violate an applicable law. If Owner believes that the provision of any documentation would violate any law, it shall provide City with a copy of or reference to said law in lieu of the documentation.

The Owner shall apply the same rental terms and conditions to tenants of the inclusionary units without regard to whether the tenant receives any financial assistance from government subsidy programs. Discrimination based on subsidies received by a current or prospective tenant is prohibited.

Whenever a unit becomes available, the Owner shall immediately notify the City in writing, addressed as follows:

City of Seaside
Attn: Housing Division
440 Harcourt Ave
Seaside, CA 93955

The Owner shall fill the inclusionary unit upon vacancy by either: (1) selecting income-eligible households themselves as long as the Owner complies with the City's publication requirements as stipulated in Seaside Municipal Code Section 17.32.090.C (Publication of Availability of Units); or (2) selecting income-eligible households from the Housing Authority of Monterey County's Section 8 Housing Choice Voucher Waiting List, if available.

If, after moving into the inclusionary unit, a tenant's income eventually exceeds the then-current income limit for that unit, the tenant may remain in the unit as long as his/her income does not exceed 150 percent of the income limit for the unit based on the most current income limits published by the California Department of Housing and Community Development. Once the tenant's income exceeds 150 percent of the income limit for the unit, the tenant shall be given one year's notice to vacate the unit. If the tenant's annual income drops below the income limit by the end of the one-year period, the notice to vacate shall be rescinded.

G. AFFORDABLE HOUSING UNIT PLACED IN A RENTABLE CONDITION

Rentable condition is defined as:

1. All interior surfaces shall be painted, unless waived by the City of Seaside.
2. Interior carpets replaced if worn, or cleaned if acceptable to the City of Seaside.
3. All appliances inspected and in working order.
4. The interior shall be clean and odor free.
5. Low-flow toilets shall be installed consistent with water-wise management practices.
6. Any leaking showers, faucets and other fixtures shall be replaced or repaired.
7. All storage and patios shall be free of any prior tenant's possessions.

H. PROVISION OF AFFORDABLE HOUSING

To be eligible to rent the inclusionary unit, any tenant must be income qualified and meet all other program requirements. In addition, the tenant must agree to occupy the premises as their principal residence during the entire rental period.

The following households are ineligible to rent the designated inclusionary unit at the Project:

1. Any household that does not meet the income limit requirements specified in this Agreement as determined by the City or its designee.
2. Any household that includes one or more individuals having any financial interest in the project, including the Developer; Owner; or any partner, investor, contractor, subcontractor, or employee thereof.

I. SUCCESSOR IN INTEREST

The terms, covenants, and conditions of this Agreement shall apply to and shall bind the heirs, successors, and assigns of the parties hereto and shall be covenants running with the land. Provided, however, it is expressly agreed that the restrictions herein contained shall not cause a forfeiture of title upon violation thereof.

J. AFFORDABILITY AND CHANGE OF OWNERSHIP

The applicant shall agree to, and the city shall ensure, the initial occupant of all for-rental/sale units that qualified the applicant for the award of the density bonus are

persons and families of very low income, as required per the density bonus percentages awarded for the initial development, and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the California Health and Safety Code.

In satisfaction of Section 17.33.100.B.2 of the Seaside Municipal Code, the Owner hereby grants and covenants to the City the following:

1. A continuing right of first refusal to lease any of the units. The City shall provide notice of its intent to exercise such right of first refusal within ten (10) days of receipt of written notice that Owner intends to offer a unit for lease (as per Section F of this Agreement).
2. Covenants that Owner, its successors, and/or assigns shall not assign, lease, rent, sell, sublet, or otherwise transfer any interests for inclusionary units without the approval of the City. In providing written approval, the City or its designee shall confirm that the rent of the designated unit is consistent with the limits established for very-low income households as published by HCD.
3. The City shall have the right to enter into other agreements with the Owner or subsequent purchasers of the units to ensure that the units are continuously occupied by eligible households.

K. NOTICES

Except as may be otherwise provided in this Agreement, all notices and reports shall be provided to the following:

FOR DEVELOPER:

Charles Hazelbaker
Director of Forward Planning
KB Bakewell Seaside Venture II, LLC
10990 Wilshire Boulevard 7th Floor
Los Angeles, CA, 90024

FOR OWNER:

Ronald Britt
Chief Executive Officer
Greater Victory Temple Church of God In Christ, Inc.
1620 Broadway Avenue
Seaside, CA, 93955

FOR CITY:

Jaime M. Fontes
City Manager

City of Seaside
440 Harcourt Avenue
Seaside, CA, 93955

For City, w/email copy to: citymanager@ci.seaside.ca.us and
cityattorney@ci.seaside.ca.us

For Developer, w/email copy to: chazelbaker@kbhome.com

For Owner, w/email copy to: gvtcogic@comcast.net

L. ENFORCEMENT

It shall be a misdemeanor to violate any provision of this Agreement. Without limiting the generality of the foregoing, it shall also be a misdemeanor for any person to sell or rent to another person the inclusionary unit under this Agreement at a price or rent exceeding the maximum allowed under this Agreement or to sell or rent the inclusionary unit to a household not qualified under this Agreement. It shall further be a misdemeanor for any person or persons to provide false or materially incomplete information to the City or to a lessor of the inclusionary unit to obtain occupancy of housing for which he/she/they is/are not eligible.

The Owner may evict and/or terminate its lease with any persons occupying an inclusionary unit in violation of this paragraph consistent with the terms of this Agreement, any applicable lease, and governing law. In the event a violation of this Agreement occurs, the City may pursue enforcement action(s), including, but not limited to, those defined in Seaside Municipal Code Section 17.32.110.B. Before taking any enforcement action, the City shall first provide the Owner, or its successor or assign, with written notice of the alleged violation and provide Owner with a thirty (30) day opportunity to cure the alleged violation. If any such violation cannot be cured within thirty (30) days, the City may choose to extend such cure period or exercise other remedies at its discretion.

M. LITIGATION

If either party is required to initiate litigation to enforce the terms and conditions of this Agreement or to seek damages by reason of this Agreement or to seek damages by reason of the breach of the terms and conditions of this Agreement, the prevailing party in that litigation shall be entitled to recover reasonable attorney's fees and costs incurred in conjunction with such litigation.

The venue of any action concerning the terms and conditions of this Agreement shall be a court of appropriate jurisdiction in the County of Monterey, State of California.

If any material provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions of this Agreement shall not be terminated. In the event the invalid portion is determined to be immaterial, the remainder of the Agreement shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

N. AMENDMENT OF AGREEMENT

No change in or addition to all or any part of this Agreement, except as provided in this Agreement, shall be valid unless in writing and signed by both parties.

R. ASSIGNMENT

This Agreement may be assigned by Owner to any successor in interest to the Project without the prior consent of the City provided that such successor in interest agrees to be bound by the terms hereof and the City receives written notice and an executed copy of such assignment within ten (10) business days of its assignment. After such assignment, Owner shall be relieved of all obligations hereunder.

IN WITNESS WHEREOF, this Agreement has been executed by the parties as of the date first written above and represents a binding agreement on the parties hereto.

Charles Hazelbaker,
Director of Forward Planning
KB Bakewell Seaside Venture II, LLC

Date

Ronald Britt,
Chief Executive Officer
Victory Temple Church of God in Christ, Inc.

Date

Jaime M. Fontes,
City Manager
City of Seaside

Date

ATTEST:

Dominique L. Davis,
City Clerk
City of Seaside

Date

APPROVED AS TO FORM BY:

Sheri L. Damon,
City Attorney
City of Seaside

Date

Attachments:

Exhibit A – Legal Description

EXHIBIT "A"
Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcel "A", as shown on that certain map entitled, "Del Monte Heights, Unit 'E', Tract 531", filed for record February 1, 1967 in Volume 9 of Maps, "Cities and Towns", at Page 4, in the Office of the County Recorder of the County of Monterey, State of California.

APN/Parcel ID(s): 012-631-003



CITY OF SEASIDE STAFF REPORT

Item No.: 8.L.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Andrew Myrick, Economic Development & Community Planning Manager
Haroon Noori, Administrative Analyst II

DATE: March 7, 2024

SUBJECT: ADOPT A RESOLUTION ACCEPTING THE 2023 GENERAL PLAN ANNUAL PROGRESS REPORT (APR) AND AUTHORIZING SUBMITTAL OF THE REPORT TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR) AND THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

RECOMMENDATION

Adopt a resolution accepting the 2023 General Plan Annual Progress Report and authorizing submittal of the report to the to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD).

BACKGROUND

California Government Code Section 65400 requires cities to submit an Annual Progress Report (APR) on the status of the General Plan and its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the Housing and Community Development (HCD) by April 1st of each year. The Annual Progress Report is required to include: a) the state of the Plan and the progress of its implementation; b) the progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing; and c) the degree to which the General Plan complies with the Guidelines established by OPR.

DISCUSSION

The City of Seaside's current General Plan was adopted on August 4, 2004, and consists of a Land Use Policy Map and eight mandatory Elements, or chapters. Seaside's General

Plan also contains two non-mandatory Elements that assist in furthering the aesthetic quality and economic prosperity of the community: Urban Design and Economic Development. The City's General Plan serves as the 'blueprint' for future growth and development, containing policies and programs that provide the community's decision makers with a basis for decisions related to land use and development.

The General Plan APR (Attachment 2) provides a summary of updates on various General Plan goals and policies within the 2023 reporting year.

ENVIRONMENTAL REVIEW

The General Plan Annual Progress Report does not qualify as a project as defined in the California Code of Regulations Section 15378(a). The report is an administrative activity conducted by the City that will not result in direct or indirect physical changes in the environment. Further, the Annual Progress Report is exempt from review under the California Environmental Quality Act (CEQA), pursuant to California Code of Regulations Section 15601(b)(3). The activity is covered by the commonsense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

FISCAL IMPACT

There is no fiscal impact associated with City Council review and City submission of this annual report with OPR.

ATTACHMENTS

1. Seaside General Plan Annual Progress Report 2023
2. Resolution

Reviewed for Submission to the City Council by:


Jaime M. Fontes, City Manager



CITY OF SEASIDE

GENERAL PLAN ANNUAL PROGRESS REPORT 2023

Published: March 7, 2024

Prepared by:

Community and Economic Development Department
440 Harcourt Ave, Seaside, CA 93955
www.ci.seaside.ca.us
(831) 899-6700

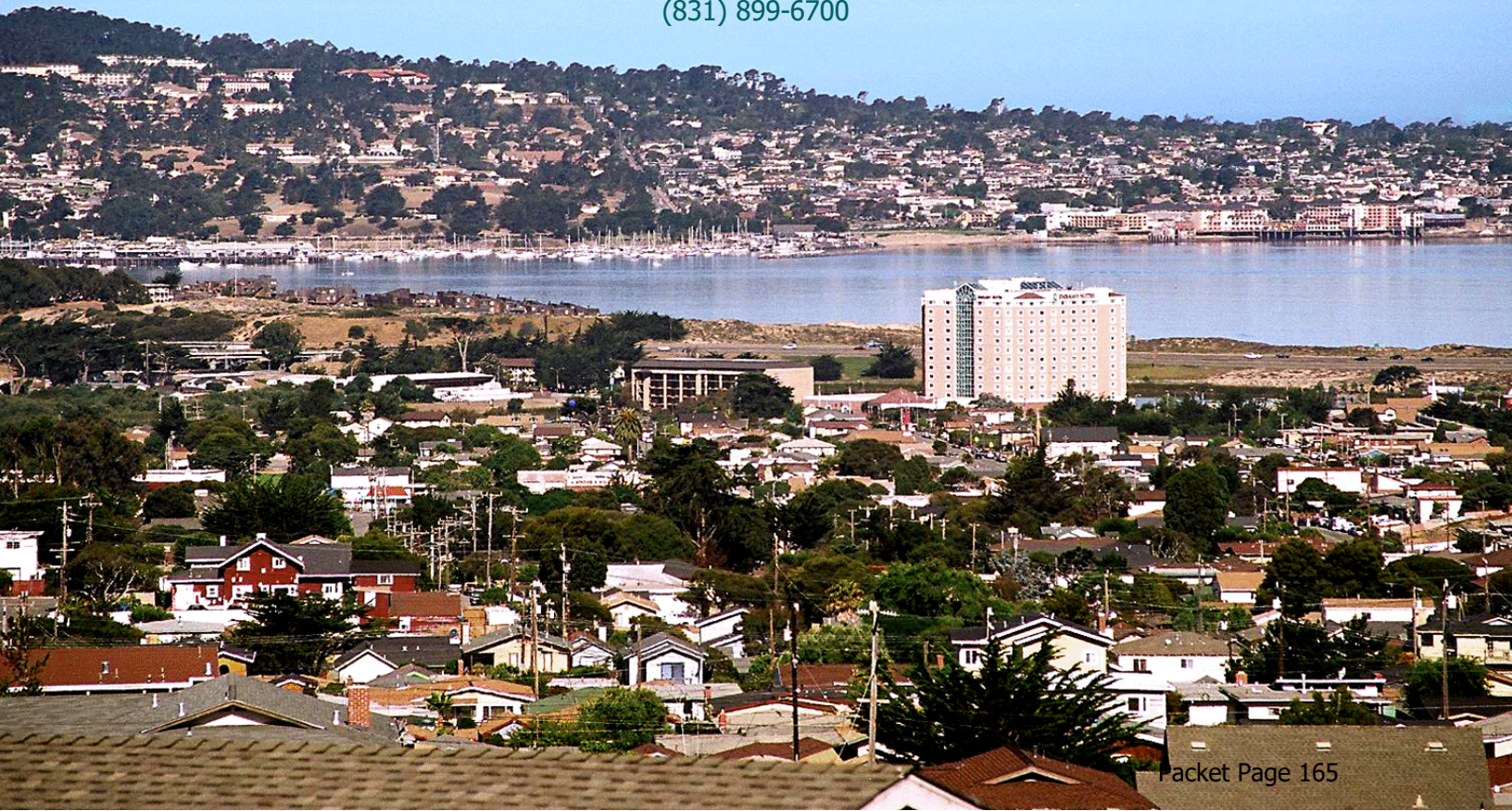


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A. Introduction

Government Code Section 65400 and 65700 mandates that all cities and counties submit an annual report on the status of the General Plan and progress in its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and Housing and Community Development (HCD) by April 1 of each year. The General Plan Annual Progress Report (APR) provides local legislative bodies and the public with information regarding the implementation of the General Plan for the City.

This 2023 General Plan APR summarizes General Plan activities undertaken by the City of Seaside from January to December 2023. This General Plan APR does not describe the City of Seaside's progress toward implementing the Housing Element. This information can be found in the 2023 Housing Element APR. The General Plan 2040 is scheduled to be adopted by Spring 2024.

B. Housing Items

Campus Town Project:

The Campus Town Project will develop and construct 1,485 units consisting of single-family dwellings and townhouses, condominium units, apartments, and associated improvements on 85 acres of the former Fort Ord military base. The Project is required to include twenty (20%) percent or 297 affordable housing units pursuant to the City's Affordable Housing Ordinance. The city approved the following items pertaining to this project in 2023:

- On 6/1/23, General Plan Amendment of 1620 Broadway Ave, changing the zoning from single-family to high-density residential, for a 100% affordable housing project of 21 units on a site with an existing church.
- On 4/20/23, Extended 180.6-acre foot allocation of water and 45.83 recycled water per year for the KB Bakewell Seaside Venture II residential and commercial development located within the Campus Town Specific Planning Area.

The Enclave Project:

With regards to the Enclave project, the city approved the following items in 2023:

- Adopted a Resolution Approving a Subdivision Improvement Agreement and Final Subdivision Map for Phase 3 of Enclave Phase 3, 1/30/23.
- The Enclave Phase 3 Map was filed with Monterey County on March 21, 2023

- The Improvement Plans for Enclave Phase 3 were fully signed by the City and MCWD, 5/10/23.
- The Subdivision Improvement Agreement was executed by the City and Shea
- Adopted a Resolution Approving an Amending Final Subdivision for Phase 3 of the Enclave, and Grant Deeds to Shea Homes, L.P., 12/7/23.

Accessory Dwelling Units (ADUs):

The City of Seaside encourages the development of Accessory Dwelling Units (ADUs) in existing residential neighborhoods. Building ADUs is seen to increase the City's housing supply, aid in addressing the current housing crisis, and assist existing homeowners by providing an avenue for additional rental income. In 2023, the City implemented several policies and activities to facilitate ADU development. Additionally, the City has continued implementation of its ADU Loan Program, funded by a \$1M state grant from HCD. To comply with the state's updated code cycle, in 2023 the City contracted an architectural firm to update its pre-approved ADU plans. The updated plan set is anticipated to be available mid-February 2024.

C. Conservation, Open Space, and Parks Items

- Adopted a Resolution Authorizing a Professional Service Agreement with Wallace Group for Construction Management and Inspection Services for The Cutino Park Improvements Part 2 Phase 1 Project for An Amount Not to Exceed \$189,914.00, 2/16/2023.
- Adopted A Resolution Approving the Plans and Specifications for Cutino Park Improvements Part 2 Phase 1 Project, appropriating \$495,000.00 From the General Fund to The Project, Awarding A Construction Agreement to Granite Rock Company for An Amount Not to Exceed \$1,251,353.50 And A Total Project Construction Cost Including Contingency Of \$1,376,488.30, 3/2/2023.
- Adopted A Resolution Approving the Application for Grant Funds from The Clean California Local Grant Program for Construction of Part 2, Phase 2 Of the Cutino Park Improvements Project, 4/6/2023.
- Adopted A Resolution Accepting a Donation of Playground Equipment for Fernando Park from Friends of Seaside Parks; Amending the Capital Program to Include the Fernando Park Improvement Project; Appropriating A Budget Of \$80,000.00 To the Project from General Fund; And Authorizing a Professional Services Agreement with Whitson Engineers for An Amount Not to Exceed \$42,770.00 For the Project, 2/16/2023.
- Adopted A Resolution Authorizing a Budget Transfer Of \$90,000.00 From the Neighborhood Improvement Commission (Nic) Budget to The Fernando Park

Improvement Project And \$20,000.00 From the Neighborhood Improvement Commission to Pachetti Dog Park and Mescal Neil Park, 3/2/2023.

- Adopted A Resolution Authorizing a Budget Transfer Of \$65,000.00 of Neighborhood Improvement Commission (NIC) Funds to The Fernando Park Improvement Project, 6/15/2023.
- Adopted A Resolution Approving the Plans and Specifications for Fernando Park Improvements Project, appropriating \$16,562.25 From the General Fund to The Project, And Awarding a Construction Agreement to Kraemer Engineering, Inc. For An Amount Not to Exceed \$143,707.50 And A Total Project Construction Cost Including Contingency Of \$158,078.25, 8/17/2023.
- Adopted A Resolution Authorizing a Professional Service Agreement with Wallace Group for Construction Management and Inspection Services for The Fernando Park Improvements Project for An Amount Not to Exceed \$32,070.00, 8/17/2023.
- Adopted A Resolution Approving \$57,000.00 In Additional Contingency to The Construction Agreement with Kraemer Engineering, Inc. For The Fernando Park Improvements Project for A Total Construction Amount That Does Not Exceed \$215,078.25, 11/2/2023.
- Adopt A Resolution Appropriating \$20,000.00 From the General Fund to The Cutino Park Improvement Part 2 Phase 1 Project and Approving \$118,000.00 In Additional Contingency to The Construction Agreement with Granite Rock Company for A Total Construction Amount That Does Not Exceed \$1,494,488.30, 11/2/2023.
- Adopted A Resolution Authorizing a Budget Transfer Of \$30,000.00 From the Neighborhood Improvement Commission Budget to The Highland Otis Park Project, 1/30/2023.
- Adopted A Resolution Approving the Plans and Specifications for The Highland Otis Park Playground Replacement Project, Authorizing A Budget Amendment in The Amount Of \$60,000.00 For the Project, And Awarding a Construction Agreement to Kraemer Engineering, Inc. For An Amount Not to Exceed \$99,574.00 And Total Project Construction Cost Including Contingency Of \$112,574.00, 8/17/2023.
- Adopted A Resolution Authorizing a Professional Service Agreement with Whitson Engineers to Prepare Construction Plans and Specifications for The Lincoln Cunningham Arterial Trail Project in An Amount Not to Exceed \$89,800.00, 11/2/2023.
- Adopted A Resolution Authorizing a Budget Amendment in The Amount Of \$66,908.00 For the Lincoln Cunningham Park Basketball Court Project for A Total Project Budget Of \$316,908.00 And an Amendment to The Professional Services

Agreement with BFS Landscape Architects in Amount Not to Exceed \$12,000.00, 1/30/2023.

- Adopted A Resolution Approving the Plans and Specifications for Lincoln Cunningham Park Basketball Court Improvements Project, appropriating \$164,752.00 From the General Fund to The Project, Awarding A Construction Agreement to Monterey Peninsula Engineering for An Amount Exceed \$325,990.00 And A Total Project Construction Cost Including Contingency Of \$358,589.00, 6/1/2023.
- Adopted A Resolution Authorizing a Professional Services Agreement with Wallace Group for Construction Management and Inspection Services for The Lincoln Cunningham Park Basketball Court Improvement Project for An Amount Not to Exceed \$69,801.00, 6/1/2023.
- Adopted A Resolution Authorizing a Professional Services Agreement with Whitson Engineers for Preparation of Concept Plans for Lincoln Cunningham and Havana Soliz Parks Project for An Amount Not to Exceed \$66,000.00, 1/30/2023.
- Adopted A Resolution Authorizing an Amendment to The Professional Services Agreement with Whitson Engineers for Community Outreach for The Lincoln Cunningham and Havana Soliz Parks Master Plans Project for An Amount Not to Exceed \$18,600.00, 6/1/2023.
- Adopted A Resolution Adopting the Lincoln Cunningham and Havana Soliz Parks Conceptual Master Plan, 11/2/2023.
- Adopted A Resolution Amending the Capital Improvement Program to Include the Sabado Park Renovation Project, Accepting Grant Funds in An Amount Up To \$50,000.00 From California American Water and A Donation Of \$10,000.00 Of Park Equipment from Blue Zones, And Appropriating and Encumbering \$23,000.00 From the General Fund Balance to The Project, 10/19/2023.
- Adopted A Resolution Approving an Agreement for Contractor Services with Craven Landscaping Inc for An Amount Not to Exceed \$49,852.98, 11/2/2023.

D. Infrastructure Items

- Adopted A Resolution Authorizing a Professional Service Agreement with Wallace Group for Design, Construction Management, And Inspection Services for The Bike Safe Grates Project for An Amount Not to Exceed \$196,626.00, 4/6/2023.
- San Pablo Pedestrian Bridge Project Update (Nisha Patel, Public Works Director/ City Engineer), 4/6/2023.
- Adopted A Resolution Approving a Professional Services Agreement with Whitson Engineers to Perform Design and Design Services During Construction for The

San Pablo Pedestrian Bridge Demolition and Reconstruction Project for An Amount Not to Exceed \$556,000.00, 12/21/2023.

- Adopted A Resolution Adopting the Initial Study and Negative Declaration and Approving the Broadway Avenue Complete Streets Project, 3/2/2023.
- Adopted A Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. To Provide Engineering Design Services and Construction Bid Documents for The Broadway Avenue Complete Streets Corridor Improvements Project for An Amount Not to Exceed \$1,576,000.00 Fully Funded by The Active Transportation Program Grant, 9/21/2023.
- Adopted A Resolution Authorizing the City Manager to Execute an Agreement with Seaside Housing L.P. For Electric Service for The Del Monte Manor Drainage Project, 1/19/2023.
- Adopted A Resolution Authorizing an Amendment No. 3 To the Professional Service Agreement with Wallace Group for Construction Management and Inspection Services for The Del Monte Manor Storm Drain Improvement Project for An Amount Not to Exceed \$11,040.00 And Appropriating \$11,040.00 From the General Fund to The Project Budget, 5/18/2023.
- Adopted A Resolution Authorizing Amendment No. 5 To the Professional Service Agreement with Wallace Group to Provide Expanded Construction Management and Inspection Services for The Fire Station No. 1 Upgrades Project for An Amount Not to Exceed \$18,454.00, 4/6/2023.
- Adopted A Resolution Declaring the Construction Work an Emergency and Approving an Agreement for Contractor Services with Premo Roofing for The Fire Station No. 1 Reroof Project for An Amount Not to Exceed \$103,280.00, 4/6/2023.
- Adopted A Resolution Authorizing a Professional Services Agreement with Rincon Consultants, Inc. To Prepare a California Environmental Quality Act Initial Study/ Mitigated Negative Declaration for Fire Station No. 2 Project for An Amount Not to Exceed \$114,765.78 And Appropriating \$126,242.36 To the Project from The General Fund, 3/2/2023.
- Adopted A Resolution Approving a Shared Use Path And 10 Foot Lane Widths on Plumas Avenue from Carlton Drive to Noche Buena Street and Approving the Supplemental Agreement with Tam for The For-tag Trail Project, 4/20/2023.
- Concept Review for Fremont Center Medians (Nisha Patel, Public Work Director/ City Engineer), 5/18/2023.

- Adopted A Resolution Authorizing an Amendment to The Professional Service Agreement with Whitson Engineers for Additional Services Related to The Preparation of Construction Plans and Specifications for The Fremont Boulevard Center Medians Project for Amount Not to Exceed \$8,000.00, 10/19/2023.
- Adopted A Resolution Authorizing a Professional Service Agreement with Parisi Transportation Consulting for An Amount Not to Exceed \$100,610.00 To Provide Hilby Avenue Preliminary Traffic Calming Plan and Appropriating \$115,701.50 From Sb1 Fund Balance to The Project Budget, 1/19/2023.
- Received And Approved Immediate Traffic Calming and Mitigation Measures on Hilby Avenue and Authorize the City Manager to Approve Changes and Updates to Mitigation Measures as Needed, 1/30/2023.
- Adopted A Resolution Approving the Hilby Avenue Traffic Calming Plan and Approving an Amendment to The Professional Services Agreement with Parametric Inc. To Design and Prepare Bid Documents for The Hilby Avenue Traffic Calming Improvements Project for An Amount Not to Exceed \$96,870.00, 11/2/2023.
- Adopted A Resolution Authorizing a Professional Services Agreement with Pavement Engineering Incorporated to Provide Engineering Design Services for the "Hot Spot" Pavement Repair Project for An Amount Not to Exceed \$93,650.00, 6/1/2023.
- Adopted A Resolution Approving the Plans and Specifications for the 2023 Hot Spot Pavement Repair Project and Approving a Construction Contract with Don Chapin Company for An Amount Not to Exceed \$455,613.00 And A Total Project Construction Cost, Including 10% Contingency Of \$501,174.00, 8/3/2023.
- Adopted A Resolution Authorizing a Professional Services Agreement with Harris & Associates Inc. For Construction Management and Inspection Services for the 2023 Hot Spot Pavement Repair Project for An Amount Not to Exceed \$49,492.00, 8/17/2023.
- Hot Spot Pavement Repair Project Update, 11/16/2023
- Adopted A Resolution Approving the Application for Grant Funds from The California State Highway Safety Improvement Program for Development of a Local Roadway Safety Plan, 1/19/2023.
- Adopted A Resolution Amending the Capital Improvement Program to Include the Local Roadway Safety Plan Project; Awarding A Professional Services Agreement with Parametric for An Amount Not to Exceed \$87,890.00 And Appropriating \$96,679.00 From the General Fund to The Project Account, 6/15/2023.

- Adopted A Resolution Approving an Appropriation Of \$100,000.00 To the Noche Buena Street Emergency Storm Drain Improvements Project for Additional Unforeseen Required Work, And Approving \$100,000.00 In Additional Contingency to The Agreement for Contractor Services with Monterey Peninsula Engineers, Inc. For A Total Construction Amount That Does Not Exceed \$435,346.00, 1/5/2023.
- Adopted A Resolution Authorizing an Agreement with Monterey-Salinas Transit (MST) For Reimbursement of Costs to Deliver the Noche Buena Street MST Bus Stop (Bulb Out Project) And Amending the Capital Improvement Program to Include the Project, 4/6/2023.
- Adopted A Resolution Authorizing an Agreement with The City of Monterey to Provide Installation Support Services to The Army Within Seaside City Limits and Authorizing the Withdrawal from And Termination of The Presidio Public Works Agency, 2/16/2023.
- Adopted A Resolution Authorizing a Professional Service Agreement with Bureau Veritas Technical Assessments, LLC For the City Facilities Condition Assessments for An Amount Not to Exceed \$91,209.58, 4/6/2023.
- Adopted A Resolution Approving the Transportation Agency for Monterey County (TAMC) Agreement for The Allocation of Funding as Approved by The Tam Board of Directors, 5/18/2023.
- Adopted A Resolution Approving the Plans and Specifications for The City Hall and Library Parking Lot Repaving Project, appropriating \$73,785.00 From the General Fund to The Project, And Awarding a Construction Contract to Monterey Peninsula Engineering, Inc. For An Amount Not to Exceed \$519,365.00 And Total Construction Cost Including Contingency Of \$597,270.00, 7/20/2023.
- Adopted A Resolution Approving an Appropriation Of \$90,000.00 To the City Hall and Library Parking Lot Repaving Project, And Approving \$90,000.00 In Additional Contingency to The Construction Agreement with Monterey Peninsula Engineers, Inc. For A Total Construction Amount That Does Not Exceed \$687,270.00, 10/19/2023.
- Adopted A Resolution Approving a Professional Services Agreement with Pavement Engineering Incorporated to Provide Engineering Design Services for The FY 2022/2023 Pavement Rehabilitation Project for An Amount Not to Exceed \$385,000.00, 6/1/2023.
- Adopted A Resolution Authorizing an Amendment to The Professional Services Agreement with Harris & Associates for Additional Construction Management and

Inspection Services for The FY 2021/2022 Pavement Rehabilitation Project for An Amount Not to Exceed \$61,720.00., 12/7/2023.

- Received Update on The Pavement Management Program Report and Adopt a Resolution Approving A 5 Year Pavement Rehabilitation Policy and Street List for The FY 2022/23 Pavement Rehabilitation Project, 2/16/2023.
- Approved An Agreement for Contractor Services with Premo Roofing for The Public Works Corporation Yard Reroof Project for An Amount Not to Exceed \$55,800.00, 11/2/2023.
- Adopted A Resolution Approving a Professional Services Agreement with Parametrix Inc. For The San Pablo Traffic Calming Work Plan and Design for An Amount Not to Exceed \$81,610.00, 12/7/2023.
- Adopted A Resolution Authorizing a Professional Service Agreement with Schaaf & Wheeler for Preparation of a Storm Drain Master Plan for An Amount Not to Exceed \$193,000.00, 4/6/2023.
- Adopted A Resolution Authorizing an Amendment to The Professional Services Contract with Schaaf & Wheeler for Increase in Video Inspection Service for Preparation of a Storm Drain Master Plan for An Amount Not to Exceed \$135,940.00, 8/17/2023.
- Adopted A Resolution Approving the Plans and Specifications for Drain Inlet Improvements at Yosemite Street/ San Pablo Avenue Project, Amending the Capital Improvement Program to Include the Drain Inlet Improvements Project, transferring \$96,375.00 From the Corrugated Metal Pipe Replacement Program Budget to The Project, And Awarding a Construction Agreement to Monterey Peninsula Engineering, Inc. For An Amount Not to Exceed \$83,500.00 And A Total Project Construction Cost Including Contingency Of \$91,850.00, 10/19/2023.
- Adopted A Resolution Appropriating \$22,000.00 From the General Fund to The Drainage Inlet Improvements Project, And Approving \$22,000.00 In Additional Contingency to The Construction Agreement with Monterey Peninsula Engineers, Inc. For A Total Construction Amount That Does Not Exceed \$113,850.00, 12/21/2023.
- Adopted A Resolution Authorizing Fiscal Year 2023-2024 Street Repair Project List to Be Funded in Part with Sb1: The Road Maintenance Repair and Accountability Act Of 2017 Funds, And Authorizing Staff to Submit to The California Transportation Commission, 6/1/2023.
- Introduced An Ordinance Amending Seaside Municipal Code Chapter 12.04 Street Excavations and Establishing a Moratorium Against Cuts on Recently Resurfaced Streets Within Three to Five Years (First Reading - Roll Call Vote), 6/1/2023.

- Adopted An Ordinance Amending Seaside Municipal Code Chapter 12.04 Street Excavations and Establishing a Moratorium Against Cuts on Recently Resurfaced Streets Within Three to Five Years (Second Reading - Roll Call Vote), 6/15/2023.
- Adopted A Resolution Approving a Grant Application for Regional Surface Transportation Program Grant Funds Administered Through the Transportation Agency for Monterey County for The Coe Avenue and General Jim Moore Boulevard and Seaside Middle School Intersection Improvements Project, 7/20/2023.
- Adopted A Resolution Amending the City of Seaside Engineering Standards to Add Trench, Asphalt Restoration, And Moratorium Asphalt Restoration Standard Details, 9/21/2023.
- Adopted A Resolution Granting an Easement to Seaside County Sanitation District for The Sutter Street Sewer Reroute Project, 10/19/2023.
- Adopted A Resolution Authorizing an Agreement with Seaside County Sanitation District (Scsd) For Reimbursement of Costs to Complete the Sutter Street Sewer Relocation Project, 11/16/2023.
- Adopted A Resolution Authorizing an Amendment to The Professional Services Agreement with Parisi Transportation Consulting to Provide Additional On-Call Transportation Engineering Services for An Amount Not to Exceed \$50,000.00 And Appropriating \$50,000.00 To the Budget from The Sb 1 Fund Balance, 1/19/2023.
- Adopted A Resolution Authorizing a Professional Service Agreement with Schaaf & Wheeler to Design the Contingency Intertie from Seaside Municipal Water System to Marina Coast Water District in An Amount Not to Exceed \$46,800.00, 9/7/2023.
- Adopted A Resolution Authorizing a Professional Services Agreement with Willdan Financial Services to Complete the Water Rate and Capacity Fee Studies for Seaside Municipal Water System for An Amount Not to Exceed \$41,350.00, 9/7/2023.
- Adopted A Resolution Authorizing an Amendment to The Professional Services Agreement with Wallace Group to Evaluate Additional Locations in The Well Siting Study for An Amount Not to Exceed \$94,046.00, 2/16/2023.
- Adopted A Resolution Granting an Easement to The Seaside Groundwater Basin Watermaster for A Monitoring Well, 4/20/2023.
- Adopted A Resolution Authorizing a Professional Service Agreement with Schaaf and Wheeler to Prepare a Water System Master Plan for Seaside Municipal Water System for An Amount Not to Exceed \$88,000.00, 1/19/2023.

- 2023 Seaside Municipal Water System Master Plan (Public Works Director/City Engineer Nisha Patel), 12/7/2023
- Adopted A Resolution Authorizing a Contract Amendment to The Professional Services Agreement with Harris & Associates for An Amount Not to Exceed \$28,800 To Provide Construction Management Support for The Fremont, Broadway, & Ortiz Sewer Main Replacement Project, SCSD- 2/14/2023
- Accepted A Public Utility Easement for Seaside County Sanitation District to Relocate Our Utilities into City Of Del Rey Oaks Property as Part of The Fort Ord Regional Trail and Greenway Project, SCSD- 7/11/2023.
- Adopted A Resolution Authorizing a Professional Services Agreement with Wallace Group to Perform Fats, Oils, And Grease Program Development and Training for An Amount Not to Exceed \$65,869.00, SCSD- 9/12/2023.
- Adopted A Resolution Approving the Plans and Specifications for The Relocation of a Sewer Line Included in The City of Seaside's City Hall and Library Parking Lot Repave Project and Authorizing a Reimbursement Agreement with The City of Seaside for Upgrades to The Sanitary Sewer System as Part of The Project, SCSD- 10/10/2023.
- Adopted A Resolution Accepting a Non-Exclusive Easement from The City of Seaside for The Sutter Street Sewer Relocation Project, SCSD- 11/14/2023.

E. School Items

In 2023, the City of Seaside approved Safe Parking License Application SPL-23-01 on the Monterey Peninsula Unified School District's property located at 1295 La Salle Avenue. The goal of the program is to "create a safe space for unhoused families enrolled in MPUSD." The Monterey Peninsula Unified School District Safe Parking Program (MPUSDSPP) will be accessible to families who include students enrolled at any school in MPUSD, who are living in their vehicle with their families, and have a desire to work toward returning to traditional housing.

F. Safety Items

- Adopted A Resolution Approving the Plans and Specification for The School Area Reduced Speed Zones Project, Awarding A Construction Contract to Chrisp Company for An Amount Not to Exceed \$76,425.00 And Total Project Construction Cost Including Contingency of \$90,000.00, And Appropriating \$12,000.00 From Measure X Fund Balance to The Project, 1/5/2023.

- Adopted A Resolution Approving the Plans and Specifications for Ord Terrace Elementary School Crossing Improvements Project, appropriating \$99,938.00 From the General Fund to The Project, Awarding A Construction Contract to Coastal Paving and Excavating Inc. For An Amount Not to Exceed \$158,417.00 And A Total Project Construction Cost Including Contingency Of \$182,180.00, 6/1/2023.
- Adopted A Resolution Authorizing a Professional Services Agreement with Wallace Group for Construction Management and Inspection Services for The Ord Terrace Elementary School Crossing Improvements Project for An Amount Not to Exceed \$39,383.00, 6/1/2023.
- Adopted A Resolution Authorizing a Professional Services Agreement with Rincon Consultants, Inc. To Prepare a California Environmental Quality Act Initial Study/ Mitigated Negative Declaration for Fire Station No. 2 Project for An Amount Not to Exceed \$114,765.78 And Appropriating \$126,242.36 To the Project from The General Fund, 3/2/2023.
- Adopted A Resolution Approving the Application for Grant Funds from The California State Highway Safety Improvement Program for Development of a Local Roadway Safety Plan, 1/19/2023.
- Adopted A Resolution Amending the Capital Improvement Program to Include the Local Roadway Safety Plan Project; Awarding A Professional Services Agreement with Parametric for An Amount Not to Exceed \$87,890.00 And Appropriating \$96,679.00 From the General Fund to The Project Account, 6/15/2023.

G. Business and Economic Development

- Adopted a Resolution authorizing the closure of Broadway Avenue, between Fremont Blvd and Del Monte Avenue, for the Seaside Exotics event, 3/16/23.
- Approved 0.119-acre feet Water Allocation for a new boba cafe located at 800 Broadway Avenue, 7/6/23.
- Adopted a Resolution authorizing the closure of portions of Canyon Del Rey Boulevard, Harcourt Avenue, Allston Street, And Hillsdale Avenue on September 23, 2023, for the City of Seaside's "Oaxaca by the Sea" event, 4/20/23.
- Granted Design modifications for the 330 room Grand Hyatt hotel, 1/19/23.
- Adopted A Resolution Approving a Subdivision Improvement Agreement and Final Subdivision Map for Phase 3 Of the Enclave, 1/30/2023.
- Adopted A Resolution Approving an Amended Final Subdivision Map for Phase 3 Of the Enclave, And Grant Deeds to Shea Homes, L.P., 12/7/2023.

- Adopted A Resolution Authorizing the City Manager Execute Contract Amendment #2 To the Professional Services Contract with Kimley-Horn to Provide Additional Campus Town Project Management Services Through January 30, 2024, In an Amount Not to Exceed \$455,200.00 To Be Reimbursed by Developer or Paid for Out of Fora Demolition Bonds, 1/30/2023.
- Adopted A Resolution Authorizing the City Manager to Execute Contract Amendment #3 To Increase The Professional Services Contract By An Amount Not To Exceed \$100,000.00 With Kimley-Horn To Provide Additional Campus Town Project Management Services For A Cumulative Contract Amount Not To Exceed \$555,200.00 To Be Reimbursed By Developer Or Paid For Out Of The Fort Ord Reuse Authority Demolition Bonds, 7/6/2023
- Adopted Findings for The New Fort Ord Courthouse Project Under the California Environmental Quality Act (CEQA) Guidelines Sections 15096 And 15162), Surplus Lands Act, And General Plan and Specific Plan and Approve Property Acquisition Agreement with The State of California and Authorize City Manager to Execute the Document and Take All Such Further Actions to Implement The Agreement, 9/21/2023.

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**ACCEPTING THE 2023 GENERAL PLAN ANNUAL PROGRESS REPORT AND
AUTHORIZING SUBMITTAL OF THE REPORT TO THE GOVERNOR'S OFFICE OF
PLANNING AND RESEARCH (OPR) AND CALIFORNIA DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT (HCD)**

WHEREAS, the State of California requires cities to have an adopted General Plan to provide guidance on land use decisions; and

WHEREAS, the City of Seaside's current General Plan was adopted on August 4, 2004; and

WHEREAS, California Government Code Section 65400 requires that cities submit an Annual Progress Report on the status of the General Plan and its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) by April 1st of each year; and

WHEREAS, the Annual Progress Report is required to include: a) the state of the Plan and the progress of its implementation; b) the progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing; and c) the degree to which the General Plan complies with the Guidelines established by OPR; and

WHEREAS, the City has prepared its Annual Progress Report attached hereto and incorporated herein by this reference as Exhibit "A," in accordance with the Guidelines adopted by OPR.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside, does hereby declare as follows:

Section 1. The City of Seaside has completed the Annual Progress Report as required by California Government Code Section 65400.

Section 2. That the Annual Progress Report, as set forth in Exhibit "A," is found to be consistent with the suggested content by the State Guidelines and is hereby accepted.

Section 3. That the Economic Development and Community Planning Manager is hereby authorized and directed to submit the Annual Progress Report to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD).

APPROVED AND ADOPTED by the City Council of the City of Seaside at a regular meeting duly held on the 7th day of March 2024 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 TO FORM:

Sheri Damon, City Attorney

Attachment:

Exhibit "A" – Annual Progress Report



CITY OF SEASIDE STAFF REPORT

Item No.: 8.M.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Nisha Patel, Public Works Director/City Engineer
Dave Fortune, Maintenance and Utilities Superintendent

DATE: March 7, 2024

**SUBJECT: ADOPT A RESOLUTION AUTHORIZING A PURCHASE
AGREEMENT WITH SALINAS VALLEY FORD FOR A USED DUMP
TRUCK IN THE AMOUNT OF \$88,746.00 FOR USE BY THE
MAINTENANCE AND UTILITIES DIVISION**

RECOMMENDATION

Adopt a resolution authorizing the City Manager to execute a purchase agreement with Salinas Valley Ford for a used dump truck for an amount not to exceed \$88,746.00.

BACKGROUND

The Maintenance and Utilities Division budgeted \$20,000 in five different section accounts for a total of \$100,000.00 for the purchase of a dump truck in the 2023/24 Fiscal Year.

The Maintenance and Utilities Division is requesting to purchase a used dump truck from Salinas Valley Ford for use by the maintenance staff in support of five Divisions within the Department to include the Presidio of Monterey Annex (POMA) Contract, with the federal government. The used dump truck will generate revenue from the POMA account through equipment rental rates billed when used in support of the contract.

The Maintenance and Utilities Division looked into purchasing a new dump truck. Three dealers in the Seaside Auto Center were contacted. Ford could not locate one and directed staff to Salinas Valley Ford. Salinas Valley Ford had a used dump truck. The other two dealers were unable to locate a new dump truck. The purchase price for a new dump truck is well over \$100,000. For the department's use, the used dump truck makes the most sense and saves the city around \$15,000 to \$20,000 purchase price.

The used dump truck is a 2022 Ford-600 XL Truck with a dump bed. The used dump truck has 2,700 miles on the vehicle. The prices shown above include all applicable fees and taxes.

FISCAL IMPACT

If the City Council authorizes the purchase of the used dump truck, the fiscal impact will be \$17,750.00 from each of the following Maintenance and Utilities Division accounts, 8187 Department Equipment: 100 8420 Parks, 210 8110 Streets, 271 8110 Storm Water, 401 8620 Water and 951 8820 Sanitation for the total purchase price of \$88,746.00.

ATTACHMENTS

1. Resolution
-

Reviewed for Submission to the City Council by:



Jaime M. Fontes, City Manager

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPT A RESOLUTION AUTHORIZING THE PURCHASE OF A USED DUMP TRUCK FROM SALINAS VALLEY FORD IN THE AMOUNT OF \$88,746.00 FOR USE BY THE MAINTENANCE AND UTILITIES DIVISION

WHEREAS, the City of Seaside is committed to providing excellent municipal services to the residents of Seaside; and

WHEREAS, dump trucks are used to provide services in support of this commitment; and

WHEREAS, the City of Seaside owned and operated a 1989 dump truck of the same size as a 2022 Ford-600 XL Truck with a dump bed; and

WHEREAS, the dump truck incurred and was in need of substantial repairs which created significant down time; and

WHEREAS, the existing Public Works Maintenance Division dump truck, is at the end of its useful life and requires replacement; and

WHEREAS, purchase of a newer dump truck would support the department's commitment of providing excellent municipal service; and

WHEREAS, The Maintenance and Utilities Division budgeted \$20,000 in five different section accounts for a total of \$100,000.00 for the purchase of a dump truck in the 2023/24 Fiscal Year; and

WHEREAS, Salinas Valley Ford has a 2022 Ford-600 XL Truck with a dump bed and only 2700 miles on it available for a price of \$88,746.00.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby authorizes the City Manager to execute a purchase agreement for an amount not to exceed \$88,746.00 for the purchase of a Ford-600 XL Dump Truck from Salinas Valley Ford.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of Seaside duly held on the 7th day of March, 2024, 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 TO FORM:

Sheri L. Damon, City Attorney



CITY OF SEASIDE STAFF REPORT

Item No.: 8.N.

TO: City Council

BY: Jaime M. Fontes, City Manager

DATE: March 7, 2024

**SUBJECT: ADOPT A RESOLUTION OPPOSING INITIATIVE NO. 21-0042A1,
THE TAXPAYER PROTECTION AND GOVERNMENT
ACCOUNTABILITY ACT**

PURPOSE & RECOMMENDATION

Adopt a resolution opposing the taxpayer protection and government accountability act.

BACKGROUND

The Taxpayer Protection and Government Accountability Act would revise the California Constitution with provisions that limit voters' authority and input, adopt new and stricter rules for raising taxes and fees, and may make it more difficult to impose fines and penalties for violation of state and local laws. The measure puts billions of local government tax and fee revenues at risk statewide with related core public service impacts. The measure could have significant negative impacts on City Seaside operations and core service delivery. The proposed constitutional initiative is sponsored by the California Business Roundtable.

Fees and Charges¹:

- Except for licensing and other regulatory fees, fees and charges may not exceed the "actual cost" of providing the product or service for which the fee is charged. "Actual cost" is the "minimum amount necessary." The burden to prove the fee or charge does not exceed "actual cost" is changed to "clear and convincing" evidence.
- Requires fees and charges paid for the use of local and state government property and the amount paid to purchase or rent government property to be "reasonable." These fees and charges are currently allowed to be market-based. Whether the amount is "reasonable" (introducing a new legal standard aiming to force below market fee and

charge amounts) must be proved by “clear and convincing evidence.”² The standard may significantly reduce the amount large companies (e.g., oil, utilities, gas, railroads, garbage/refuse, cable, and other corporations) will pay for the use of local public property.

- Prohibits fees on new development based on vehicle miles traveled.

Taxes³:

- Taxes and fees adopted after Jan. 1, 2022, that do not comply with the new rules, are void unless reenacted⁴.
- Invalidates Upland decision that allows a majority of local voters to pass special taxes. The measure specifies that taxes proposed by the initiative are subject to the same rules as taxes placed on the ballot by a city council.
- Expressly prohibits local advisory measures which allow local voters to express a preference for how local general tax dollars should be spent.⁵
- Requires voter approval to expand existing taxes (e.g., Utility, Transient Occupancy) to new territory (e.g., annexations) or to expand the tax base (e.g., new utility service)
- New taxes can only be imposed for a specific time period.
- City charters may not be amended to include a tax or fee.
- All state taxes require majority voter approval.

Fines and Penalties⁶:

- May require voter approval of fines, penalties, and levies for corporations and property owners that violate state and local laws unless a new, undefined adjudicatory process is used to impose the fines and penalties.

On Jan. 4, 2022, the California Business Roundtable filed the “Taxpayer Protection and Government Accountability Act” or AG# 21-0042A1. On Feb. 1, 2023, the measure qualified for the November 2024 ballot.

The League of California Cities, along with a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses, strongly opposes this initiative.

Local government revenue-raising authority is currently substantially restricted by state statute and constitutional provisions, including the voter approved provisions of Proposition 13 of 1978, Proposition 218 of 1996, and Proposition 26 of 2010. The Taxpayer Protection and Government Accountability Act adds and expands restrictions on voters and local government tax and fee authority.

Fees and Taxes

Local governments levy a variety of fees and other charges to provide core public services.

Major examples of affected fees and charges are:

- Nuisance abatement charges, such as for weed, rubbish, and general nuisance abatement to fund community safety, code enforcement, and neighborhood cleanup

programs.

- Commercial franchise fees.
- Emergency response fees, such as in connection with DUI.
- Advanced Life Support (ALS) transport charges.
- Document processing and duplication fees.
- Transit fees, tolls, parking fees, and public airport and harbor use fees.
- Facility use charges, fees for parks and recreation services, garbage disposal tipping fees.

Virtually every city, county, and special district must regularly (e.g., annually) adopt increases to fee rates and charges and revise rate schedules to accommodate new users and activities. Most of these would be subject to new standards and limitations under threat of legal challenge. Based on the current volume of fees and charges imposed by local agencies, including council-adopted increases to simply accommodate inflation, Cal Cities estimates the amount of local government fee and charge revenue at risk is approximately \$2 billion per year including those adopted since Jan. 1, 2022. Over ten years, \$20 billion of local government fee and charge revenues will be at heightened legal peril.

Hundreds of local tax measures were approved in 2022 that likely do not comply with the provisions of the initiative. Nearly \$2 billion of annual revenues from these voter-approved measures will cease a year after the effective date of the measure, reducing the local public services funded by these measures, unless the tax is re-submitted for voter approval.

Reductions on local government tax revenues have impacts on core services and infrastructure including fire and emergency response, law enforcement, streets and roads, drinking water, sewer sanitation, parks, libraries, affordable housing, homelessness prevention, and mental health services.

Fines and Penalties

Under existing law, cities are required to provide due process before imposing a penalty or fine for violation of its municipal code:

1. A local agency must adopt administrative procedures that govern imposing fines and penalties, including providing a reasonable period of time for a person responsible for a continuing violation to correct or remedy the violation [Gov't Code 53069.4].
 2. Notice must be given to the violating party before imposing the penalty; and give the party an opportunity to be heard and present any facts or arguments [Merco Construction Engineers v. Los Angeles Unified School District (1969) 274 CA 2d 154, 166].
 3. The fine may not be "excessive" [U.S. Constitution amendments VIII and XIV].
- The initiative converts administratively-imposed fines and penalties into taxes unless a new, undefined, and ambiguous "adjudicatory due process" is followed. This provision may put at risk authority to impose fines and penalties for violations of state and local law.

ATTACHMENTS

1. Resolution
 2. Letter Opposing Initiative 21-0042A1
-

Reviewed for Submission to the City Council by:

A handwritten signature in blue ink, reading "Jaime M. Fontes", is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jaime M. Fontes, City Manager

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**OPPOSING INITIATIVE NO. 21-0042A1: THE TAXPAYER PROTECTION AND
GOVERNMENT ACCOUNTABILITY ACT**

WHEREAS, an association representing California's wealthiest corporations is spending tens of millions of dollars to promote a deceptive ballot measure currently eligible for the November 2024 statewide ballot; and

WHEREAS, the measure creates constitutional loopholes that allow corporations to pay far less than their fair share for the impacts they have on our communities, which could force residents and taxpayers to pay more to maintain services; and

WHEREAS, the measure threatens billions of dollars every year in local government funding for services like fire and emergency response, law enforcement, affordable housing, services to support homeless residents, mental health services, and more; and

WHEREAS, the measure is an attack on voters' rights, containing undemocratic provisions that would make it more difficult for local voters to pass measures to fund services, provisions that retroactively cancel measures recently passed by voters, and provisions that prevent voters from passing advisory measures that provide direction on how they want their local tax dollars spent; and

WHEREAS, the measure contains intentionally restrictive language that will encourage hundreds of frivolous lawsuits against cities and local governments – costing taxpayers many millions and stopping investments in vital local services; and

WHEREAS, the measure would make 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 is opposed by hundreds of local governments, teachers, firefighters, working families and local elected officials.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby opposes Initiative #21-0042A1;

BE IT FURTHER RESOLVED, that the City of Seaside, will join the "Stop the Taxpayer Deception Act" coalition, a growing coalition of public safety, education, labor, local government, and infrastructure groups 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 7th day of March 2024, 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 TO FORM:

Sheri L. Damon, City Attorney



OFFICE OF THE CITY MANAGER

440 Harcourt Avenue
Seaside, CA 93955
www.ci.seaside.ca.us

Telephone 831-899-6701
Fax 831-624-5839

February 22, 2024

League of California Cities
c/o Public Affairs Department
1400 K Street, Suite 400
Sacramento, CA 95814
VIA EMAIL: BallotMeasures@calcities.org

RE: Letter Opposing Initiative 21-0042A1

I am writing on behalf of the City of Seaside to oppose Initiative #21-0042A1, a November 2024 statewide ballot proposition. The measure is a significant threat to local control and voters' rights that could jeopardize funding for vital services.

This measure creates new constitutional loopholes that allow corporations to pay far less than their fair share for the impact they have on our communities, which could force residents and taxpayers to pay more to maintain basic services.

The measure puts billions of dollars currently dedicated to local services at risk, and could force cuts to fire and emergency response, law enforcement, services to support homeless residents, and more.

The measure is also an attack on voters' rights, containing undemocratic provisions that would make it more difficult for local voters to pass measures to fund local services, provisions that retroactively cancel measures recently passed by voters, and provisions that prevent voters from passing advisory measures that provide direction on how they want their local tax dollars spent.

Furthermore, the measure contains intentionally vague and restrictive language that will encourage hundreds of frivolous lawsuits against cities and local

governments — costing taxpayers millions and blocking investments, development and long-term planning.

You may list the City of Seaside in formal opposition to Initiative #21-0042A1 and include our city as part of the growing coalition of public safety, labor, local government, infrastructure advocates, and other organizations throughout the state opposed to this deceptive proposition.

Sincerely,

Ian N. Oglesby
Mayor

Jaime M. Fontes
City Manager of Seaside



CITY OF SEASIDE STAFF REPORT

Item No.: 8.O.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Nisha Patel, Public Works Director/City Engineer
Leslie Llantero, Assistant Engineer

DATE: March 7, 2024

**SUBJECT: REVIEW AND TAKE ACTION ON THE TRAFFIC ADVISORY
COMMITTEE RECOMMENDATION FOR RED CURB ALONG BAKER
STREET**

RECOMMENDATION

Consider the Traffic Advisory Committee's recommendation to place red curb along Baker Street as an initial phase of traffic calming.

BACKGROUND

Two traffic calming applications were received during the Traffic Calming Program application period. The applications were reviewed, evaluated, and presented to TAC at the November 21, 2023 TAC meeting. The Committee recommended the San Pablo Avenue traffic calming application move forward for further evaluation and design and requested staff return at a later TAC meeting with traffic calming strategies to address the concerns of the residents on Baker Street.

The requested section of Baker Street is a two-way north/south bound roadway approximately 450 feet long, between San Lucas Street/Birch Avenue and Phoenix Avenue. Along this corridor there are 4 1/2 foot wide sidewalks adjacent to the roadway with parking permitted on both sides. The roadway is classified as residential with a speed limit of 25 miles per hour. Traffic counts were taken and revealed the average daily traffic (ADT) was 1,922 vehicles per day with an 85th percentile speed of 28 miles per hour. Reported traffic collision records were reviewed from 2018 to 2020 with one collision reported within that time frame.

Parametrix, the City's transportation consultants, reviewed the data and roadway characteristics and developed traffic calming strategies for Baker Street. The traffic

calming strategies include centerline striping, red curb at the intersections, a speed cushion between Phoenix Ave. and Birch Ave., and painted curb extensions at the intersection of Baker St. and Phoenix Ave.

To control budget and staff time, the intent of the Traffic Calming Program was to select the highest ranked application to move forward with design and implementation. San Pablo Avenue traffic calming application was recommended by the TAC and approved by City Council, and improvements for San Pablo Avenue are currently in design.

The TAC recommends the City Council approve red curb (as shown in the attachment) along Baker Street to improve sight distance, as an initial phase of traffic calming. It is also recommended to include the remaining traffic calming strategies for implementation in next year's budget.

FISCAL IMPACT

Public Works maintenance staff will paint the curbs. There are enough funds in the street maintenance budget to cover the cost of the paint.

ATTACHMENTS

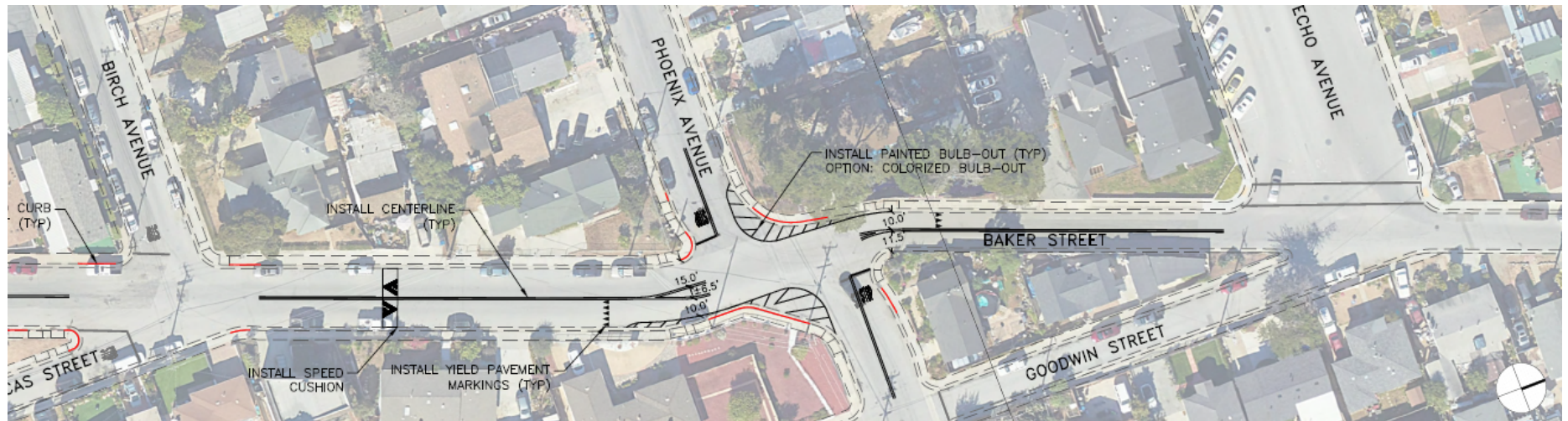
1. Baker Street Traffic Calming Strategies
-

Reviewed for Submission to the City Council by:



Jaime M. Fontes, City Manager

ATTACHMENT 1
Baker Street from Birch Avenue to Echo Avenue





CITY OF SEASIDE STAFF REPORT

Item No.: 9.A.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Dominique Davis, City Clerk

DATE: March 7, 2024

**SUBJECT: DISCUSS AND CONSIDER THE ADOPTION OF A RESOLUTION
PLACING A MEASURE REGARDING THE USE OF SAFE AND SANE
FIREWORKS ON THE GENERAL ELECTION NOVEMBER 2024,
BALLOT**

RECOMMENDATION

Receive the presentation, public comment and consider the adoption of a resolution placing a measure regarding the use of safe and sane fireworks on the November 2024, ballot.

BACKGROUND

At the October 5, 2023, City Council meeting, a request was made by Council Member Miller which proposed that the City Council consider a measure relating to fireworks on the November 2024 general election ballot. Subsequently, on October 19, 2023, the Council agreed that an item should be placed on a future agenda to discuss and consider a city-sponsored ballot measure regarding the future use, sale and possession of safe and sane fireworks in the city for the November 2024 election.

Over the years, residents have lodged complaints about the sale and use of fireworks. In response, the Public Works, Police and Fire Departments engage in robust public outreach campaigns, which include, but were not limited to:

- Placement of signs at the city limits warning passersby that illegal fireworks are prohibited beyond the city limit
- Partnership with California State Parole, MSCO and Fire Works Task Force
- Police and Fire Departments Operational Plans for fireworks suppression
- Communication across various City media platforms (website, public service announcements and social media)

- Increased police patrol, fire department drones and additional engine companies, zero-tolerance enforcement, and criminal and administrative citations.

These aforementioned efforts have been time, labor and cost intensive, and have had some impacts on the reduction of illegal fireworks activities and complaints.

Should the City Council desire to consider placing a ballot measure on the November 5, 2024, general election ballot, the City Council must approve the wording for the ballot question, and adopt a resolution placing the fireworks measure on the ballot and requesting the County of Monterey Board of Supervisors consent to the consolidation of this election with a statewide general election by May 17, 2024.

The City Council is being asked to consider directing staff to prepare the wording for the ballot questions, and fulfill additional requirements for a ballot initiative, or provide alternative directions.

FISCAL IMPACT

None associated with this action.

ATTACHMENTS

None

Reviewed for Submission to the City Council by:


Jaime M. Fontes, City Manager



CITY OF SEASIDE STAFF REPORT

Item No.: 9.B.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Romeo Herrera, Chief Building Official

DATE: March 7, 2024

**SUBJECT: CONSIDER AND DISCUSS POTENTIAL REVISIONS TO PARKING
AND ENFORCEMENT POLICIES FOR RECREATIONAL VEHICLES,
BOATS AND TRAILERS IN RESIDENTIAL AREAS**

RECOMMENDATION

Provide direction to staff regarding revision to RV, boats and trailer parking and enforcement policies.

BACKGROUND

A concern from residents is the blight caused by trailers, boats and RV's parked within neighborhoods. In order to properly balance the right of property and RV owners parking, the presentation you will receive provides a path towards achieving that balance.

The proposed recommendations accommodate parking and address neighborhood blight concerns. Exhibit A lists twelve (12) criteria that allows owners to park their trailers, boats and RV's on their property under specific conditions.

FISCAL IMPACT

None

ATTACHMENTS

1. Exhibit A - Parking on private property criteria
-

Reviewed for Submission to the City Council by:



Jaime M. Fontes, City Manager

Exhibit A
Parking on Private Property Criteria

PROPOSED ENFORCEMENT PROCEDURES FOR PARKING OF TRAILERS, BOATS, AND RECREATIONAL VEHICLES IN RESIDENTIAL AREAS.

The following procedures do not apply to vehicles located outside the front yard setback areas and screened by a 6' high fence.

Applicability: Vehicles other than passenger vehicles located within the front yard setbacks of residential areas. These vehicles include utility trailers, camper trailers, commercial trucks, motor homes, boats, recreational vehicles, and similar vehicles that are not passenger vehicles or standard pickup trucks.

All residential properties (front yards only). Vehicles may be parked within the front yard setback area, provided all the following criteria are met at all times:

1. The vehicle must be currently registered.
2. The vehicle must be kept clean, in good repair and in operating order.
3. The area where the vehicle is parked must at all times be kept clean, free of debris, papers, trash and weeds.
4. No temporary covering like cloth screen or tarps is allowed to be used as a roof over an RV unless it has a designated fitted cover.
5. All wheels must be in contact with the ground surface.
6. No hoses, electrical cords, extension cords, pipes, wires, cables, or other devices are allowed to extend from the vehicle.
7. No vehicles or trailers are allowed to be used for living or sleeping purposes while parked at residence.
8. No portion of the boat, vehicle, or trailer shall extend onto or over any public sidewalk, right-of-way or property.
9. The vehicle is not a commercial vehicle about trucks class 4 or weighing in excess of 16,000 pounds.
10. No more than one boat, trailer, or RV is allowed to be parked in the front yard setbacks of any one property.

11. No boat, trailer, or RV may create a disturbance in the neighborhood due to the manner in which it parked or used.
12. No boat, trailer, or RV may block the traffic safety visibility are or a neighborhood's view shed of the bay.



CITY OF SEASIDE STAFF REPORT

Item No.: 9.C.

TO: City Council

FROM: Jaime M. Fontes, City Manager

BY: Victor Damiani, Finance Director

DATE: March 7, 2024

**SUBJECT: ADOPT A RESOLUTION ACCEPTING THE ANNUAL MID-YEAR
FINANCIAL REPORT AND ADOPTING PROPOSED CHANGES TO
THE BUDGET OF THE CITY OF SEASIDE FOR THE FISCAL YEAR
2023-2024**

RECOMMENDATION

Adopt a resolution accepting the annual mid-year financial report and adopting proposed changes to the budget for the Fiscal Year 2023-2024.

BACKGROUND

This item provides the City Council with an opportunity to review the Annual Operating and Capital Budgets as of mid-year and amend the budget as deemed necessary. The attached report details the City's results as of the mid-point of the year.

FISCAL IMPACT

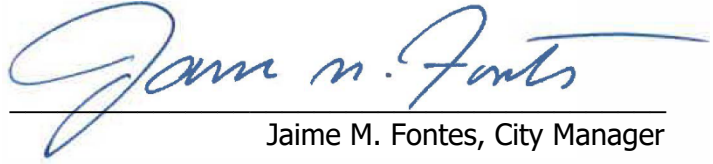
The City's general fund fiscal year operating budget is projected to produce a surplus of approximately \$3.3 million. Per the Council's fiscal policy, 25% or approximately \$830 thousand will be dedicated to fiscal year 2024-25 road maintenance and or repair. Staff are requesting general fund budget increases of approximately \$659k. Another \$187k is requested, to be funded by shifting from existing budget line items, user fees, special revenue and grants. Details regarding budget adjustment requests are included in the mid-year report. Staff recommends the remaining \$1.8 million be applied to the current year's capital budget.

ATTACHMENTS

1. Q2 FY 24
-

2. Resolution Mid Year Budget Changes

Reviewed for Submission to the City Council by:



Jaime M. Fontes, City Manager

Mid-Year FY 2023-24 Financial Report (Unaudited)



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INTRODUCTION

This is the second quarterly report for Fiscal Year 2023-24, and comprises results for the six month period ending December 31, 2023. While a few other notable funds are reviewed, this report focuses primarily on the City's general fund. General Fund operating revenues and expenditures as compared to previous years and/or budget are presented, and any notable changes or trends in these numbers are explained. The report is presented on a cash basis, which means that revenues are recognized at the time revenues are received and expenditures are recognized at the time payment is processed. The City does not accrue any revenues or expenditures in the first quarter.

The purpose of this report is twofold. First, it ensures that the City is consistently monitoring its revenues and expenditures so that it may proactively respond to unanticipated changes or emerging trends. Second, and equally important, consistent reporting increases the transparency of the City's finances. Quarterly reporting provides the City Council, City Administration, taxpayers and ratepayers with information that demonstrates the City is meeting this standard.

The information in this report is the most accurate and up-to-date information available at the time of publication. It is not meant to be inclusive of all financial and accounting transactions. It is intended only to provide the Council, Management and the public with an overview of the state of the City's general fiscal condition. It should be noted that this report is not an audited financial statement, and the numbers provided herein are preliminary and subject to change as the year progresses. No data on revenues and expenditures is final until the City has completed its annual audit and finalized its Annual Comprehensive Financial Report (ACFR), which is released in the winter of each year for the prior fiscal year.

ECONOMIC OUTLOOK

In March of 2020, the City declared a local emergency in response to the COVID-19 worldwide pandemic. The ensuing statewide shelter in place orders coupled with various levels of "reopening" created financial turmoil in the fourth quarter of FY 2019-20 and throughout FY 2021-22.

Throughout the pandemic the economy performed surprisingly well due to two prime factors; the development and distribution of a vaccine for the virus and federal stimulus dollars. California declared an end to the COVID-19 State of Emergency on February 28, 2023.

NATIONAL & STATE ECONOMIC OUTLOOK

Hdl (The City's revenue enhancement consultant) reports the national economy grew 2.5% in FY22-23, and projects it will remain flat in FY 23-24. FY 24-25 is expected to slow further to 1.9%.

- California's unemployment rate is expected to remain low at 4.7% in FY 23-24 before climbing slightly to 5.0% in FY 24-25.
- Statewide Sales & Use Tax growth is expected to turn negative in FY 23-24 at -0.2% before swinging back positive in FY 24-25 at 2.1%.
- California's median existing home price is expected to increase from \$697k in FY 23-24 to \$724k in FY 24-25.

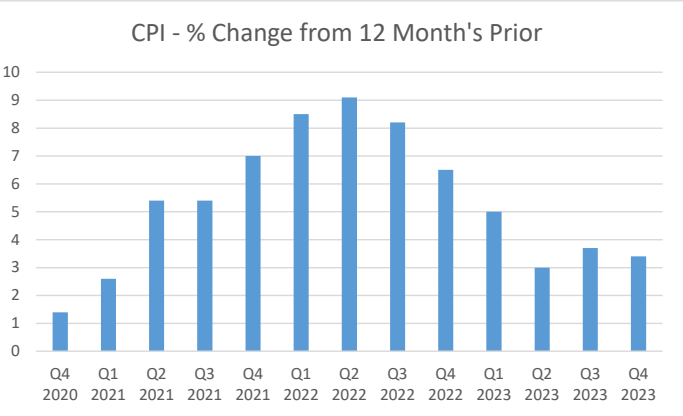
Source: Hdl

During the pandemic the Federal Government passed and implemented five economic stimulus packages totaling approximately \$6 trillion. The Federal Reserve also lowered the Federal Funds rate to between 0% and .25%. In many ways the federal stimulus may have slowed the economic damage caused by the health and safety response to the pandemic and stabilized the economy. On the other hand, the vigorous amounts of stimulus coupled with supply chain bottlenecks appear to have contributed to rising inflation. Late in 2021 and early in 2022, many economists believed inflation would be short lived and come as a result of supply chain bottlenecks and staffing shortages, which would recede with time. That prediction did not prove correct, as inflation remained unsustainably high throughout 2022 and much of 2023. Faced with sustained inflation, the Federal Reserve responded with increases to the Federal Funds Rate, which generally speaking has a cooling effect on inflation. Beginning March 17, 2022 the Federal Reserves raised rates eleven times; from .25% to 5.5%. The 12-month increase in CPI (indicator of inflation) as of September 2022, as reported by the U.S. Bureau of Labor Statistics was 8.2%. It appears that rate increases have had the desired effect, with the increase in CPI dropping

CITY OF SEASIDE

to 3.4% as of December 2023. While this is certainly good news, the traditional target rate for inflation is 2%, which indicates we are still in a high inflationary period.

While the risk of a recession has decreased somewhat, many economists still believe a recession is possible in the first half of 2024. It remains to be seen, if, how long, and how severe a potential recession will be or if the economy will make the so-called “soft landing”.



LOCAL ECONOMIC OUTLOOK

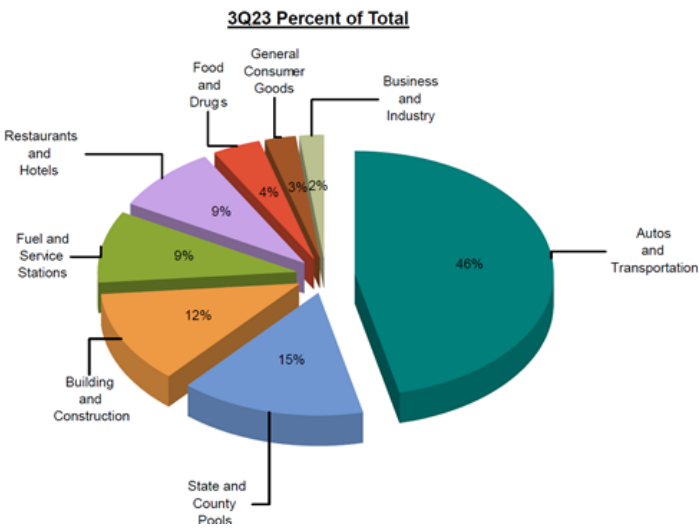
At the local level, the City of Seaside unemployment rate steadily decreased since reaching a high mark of 19.0% in April of 2020 and reaching a low point of 2.5% in September of 2022. As of December of 2023 the rate is 3.1%.

The City of Seaside unexpectedly experienced strong results in several business sectors throughout the pandemic, including Auto Sales, Online Sales, and Building and Construction Materials. Historically, sales tax from Auto Sales have accounted for approximately 41% of the City’s Sales Tax total and 16% of the General Fund revenue total. In a potential recession, revenue losses in this sector could have a substantial impact on the City’s finances.

Not all sectors of the local economy, however, fared as well. One major sector of Seaside’s local economy is based on tourism. Early in the pandemic the the local Hotel Tax (Transient Occupancy Tax) dropped off severely due to shelter in place orders. Beginning in June of 2021, however, this sector experienced some much needed relief. TOT collections showed strong signs of recovery throughout the 2021 Summer months and again in the 2022 and 2023 Summer months. From a pandemic era low of \$2.1 million in fiscal year 20-21, this sector ended

fiscal year 22-23 at approximately \$3.4 million. By way of comparison, fiscal year 18-19 (the most recent “non-pandemic” fiscal year) generated \$3.4 million in hotel tax. Fiscal year 2023-24 TOT promises to continue growing, albeit somewhat less than originally forecast.

City staff will continue to monitor and report City financial health to the City Administration, City Council and Public, as well as monitoring the Federal Reserve’s and the Federal Government’s efforts to reduce inflation and avoid or lessen the impacts of a potential recession. Staff recommends that the City remain flexible should conditions require action as the year progresses. A clearer picture of the City’s financial outlook is likely to emerge as the budget process for fiscal year 2024-25 progresses.



GENERAL FUND

FY 2023-24 BUDGET RECAP:

General Fund Changes in Fund Balance:	Operating FY23	Capital FY23	Total Budget FY23
Revenues	\$ 46,255,651	\$ -	\$ 46,255,651
Fund Balance	\$ -	\$ 5,829,814	\$ 5,829,814
Expenditures	(46,166,857)	(5,829,814)	(51,996,671)
Adjusted Surplus/(Deficit)	<u><u>\$ 88,794</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 88,794</u></u>

In June of 2023, the City of Seaside City Council adopted the FY 2023-24 annual budget. A surplus budget was adopted including an operating surplus of \$148k and a capital budget of \$5.7M. In the first half of the year a few budget adjustments resulted in a revised operating surplus of \$89k and a revised capital budget of \$5.8M.

RESERVES:

The City's reserve accounts are fully funded in the fiscal year 2023-24 budget at the following amounts:

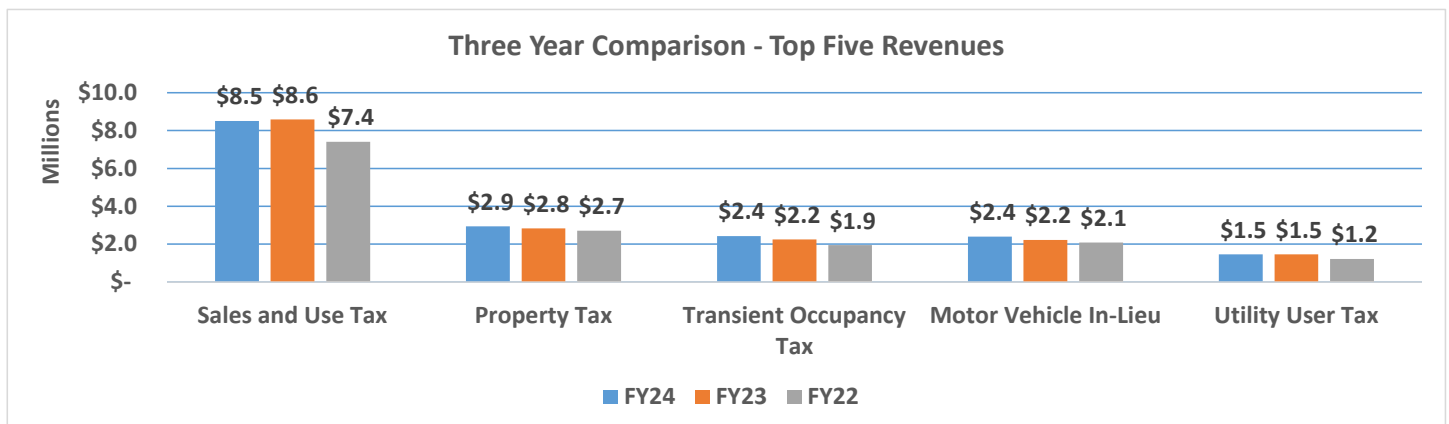
Emergency Reserve - 15%	6,919,211
Special Reserve - 10%	4,610,807
Capital Reserve - 5%	<u>2,305,404</u>
	<u><u>13,835,422</u></u>

Q2 GENERAL FUND REVENUES:

Total budgeted revenue for FY 2023-24 including one-time sales and transfers is \$46.3M. Revenues are projected to end the year at \$46.8 million; an increase of \$500k over budget.

The following table and chart compares Q2 results for FY24 with Q2 results for FY22 and FY23. As can be seen in the table, revenues through the second quarter totaled \$22.8M which is 6% or \$1.4M higher than the second quarter of the previous year and 12% or \$2.4M higher than FY22. The \$22.8M equals 49% of total budgeted revenue. Similarly, though the second quarter of the previous year the City had realized 48% of total budgeted revenue. This indicates that the City's revenues are on target with the budget.

General Fund Revenues:	Budget	Results:	Variances:				Projection	
	Q2 - 50%	Q2	Year over Year Vs. FY23		Year over Year Vs. FY22		Year-End	Variance vs. Budget
	FY24	FY24	\$	%	\$	%	FY24	\$
Sales and Use Tax	\$ 10,095,058	\$ 8,505,794	\$ (82,472)	-1%	\$ 1,103,836	15%	\$ 19,930,411	\$ (259,705)
Property Tax	3,161,361	2,944,049	104,704	4%	233,770	9%	6,459,041	136,319
Transient Occupancy Tax	2,263,613	2,427,621	180,976	8%	482,536	25%	4,374,080	(153,146)
Motor Vehicle In-Lieu	2,354,750	2,395,133	177,854	8%	306,094	15%	4,790,265	80,765
Utility User Tax	1,525,191	1,459,509	2,633	0%	236,633	19%	2,935,843	(114,539)
Business License Tax	445,020	1,052,180	293,745	39%	383,931	57%	1,092,180	202,140
Franchise Fees	964,439	912,897	274,649	43%	236,582	35%	1,977,733	48,855
Marijuana Receipts Tax	586,241	498,152	(52,342)	-10%	(150,077)	-23%	983,736	(188,747)
Miscellaneous-Other Revenue	357,765	304,659	(218,608)	-42%	(106,429)	-26%	610,078	(105,451)
Licenses & Permits	410,885	747,000	317,277	74%	289,443	63%	1,157,135	335,365
Fees & Charges	419,532	445,945	63,190	17%	66,591	18%	891,231	52,167
Grant Revenue	12,478	605,567	289,625	92%	118,177	24%	427,379	402,423
Income from Investments	194,098	238,793	(1,107)	0%	80,961	51%	725,973	337,778
Other Agency Revenue	272,271	115,461	5,425	5%	31,229	37%	251,527	(293,016)
Fines & Forfeitures	65,123	107,112	18,422	21%	42,598	66%	172,235	41,989
Transfer In	-	-	-	n/a	(983,684)	n/a	-	-
Revenues by Source	\$ 23,127,825	\$ 22,759,871	\$ 1,373,973	6%	\$ 2,372,192	12%	\$ 46,778,847	\$ 523,197

DISCUSSION OF SIGNIFICANT REVENUE VARIANCES:

- **Sales and Use Tax:** Has flattened out including small decreases in the auto sales category. Year over year the category is projected to be slightly less than the previous year. Sales and Use tax is project to end the year slightly less than budget by \$260k.
- **Property Tax:** Has flattened out but is projected to end the year slightly higher than the previous year. The category is projected to end the year slightly higher than budget by \$136K.
- **Transient Occupancy Tax (TOT):** This category is expected to continue growing, albeit at a slower rate than the previous two year sand less than budget by \$153K.

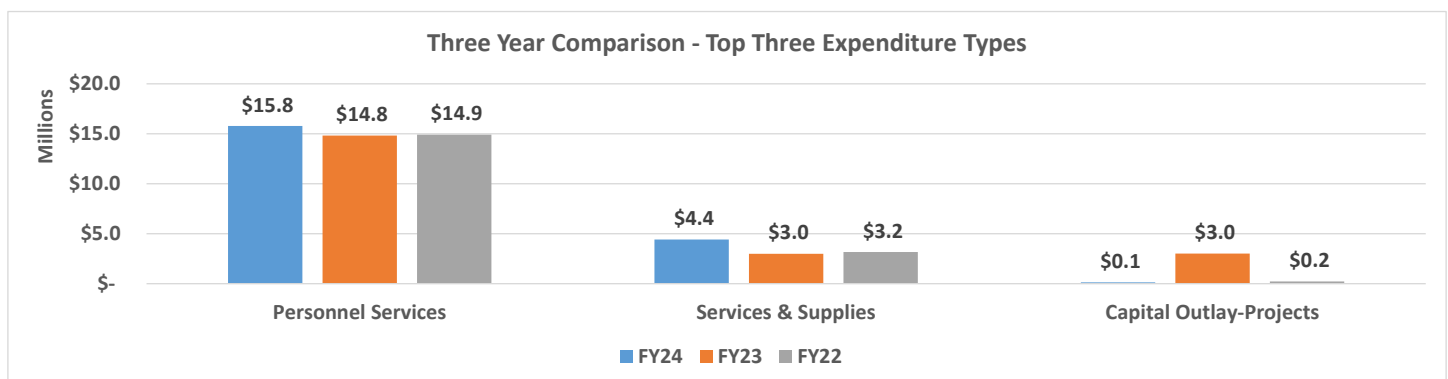
Q2 GENERAL FUND EXPENDITURES:

Total budgeted expenditures for FY 2023-24 including transfers are \$52.0M.

General Fund Expenditures by Type:	Budget	Results:	Variances:				Projection	
	Q2 - 50%	Q2	Year over Year Vs. FY23		Year over Year Vs. FY22		Year-End	Vaiance vs. Budget
	FY24	FY24	\$	%	\$	%	FY24	\$
Personnel Services	\$ 17,003,903	\$15,780,944	\$ 965,611	7%	\$ 868,512	6%	\$ 31,426,539	\$ 2,581,267
Services & Supplies	4,391,497	4,419,131	1,432,682	48%	1,258,754	40%	8,278,692	504,301
Capital Outlay-Projects	649,106	137,093	(2,870,644)	-95%	(75,795)	-36%	1,228,669	69,543
Debt Service	262,001	314,392	124,634	66%	132,499	73%	560,273	(36,271)
Internal Service Charge	1,203,008	1,203,008	(60,233)	n/a	139,503	n/a	2,406,017	-
Operating Transfers	389,539	734,284	647,101	n/a	734,284	n/a	1,794,834	12,089
Capital Transfers	2,704,560	1,469,357	(30,643)	n/a	(2,308,861)	n/a	5,409,120	-
Administrative Allocation	(1,119,201)	(1,119,200)	(408,155)	n/a	(453,464)	n/a	(2,238,401)	-
Expenditures by Type	\$ 25,484,414	\$ 22,939,009	\$ (199,648)	-1%	\$ 295,431	1%	\$ 48,865,742	\$ 3,130,929

Expenditures through the second quarter were \$22.9M or 44% of the total fiscal year 2023-24 budget. For comparison, expenditures through the second quarter in the prior year were 43% of the fiscal year 2022-23 budget. This indicates that the City is trending very similar on a year over year basis as compared to the prior year.

EXPENDITURES BY TYPE:



DISCUSSION OF SIGNIFICANT EXPENDITURE VARIANCES BY TYPE:

General Fund Personnel Costs by Department:	Budget:	Projected	Variances:		Primary Cause of Variance:
	Annual	Annual	Annual vs. Budget		
	FY 24	FY 24	\$	%	
Legislative Body	\$ 72,481	\$ 58,801	\$ (13,680)	-19%	Benefits elections
Administration	1,156,660	876,194	(280,467)	-24%	Vacancies
City Clerk	173,461	170,953	(2,508)	-1%	On budget
City Attorney	484,482	437,064	(47,419)	-10%	Partial year vacancy
Human Resources	673,046	694,086	21,040	3%	Upgrade 2 positions
Finance Department	1,143,833	1,099,746	(44,087)	-4%	On budget
Police Department	12,900,368	11,728,210	(1,172,157)	-9%	Vacancies
Fire Department	8,212,620	8,037,430	(175,190)	-2%	On budget
Building and Code Enforcement	920,553	754,975	(165,578)	-18%	Vacancies
Community Development Administration	354,037	221,556	(132,481)	-37%	Vacancy
Planning	605,129	371,951	(233,178)	-39%	Vacancies
Economic Development	608,239	541,057	(67,182)	-11%	PT employees working low hours
Public Works/Engineering	3,080,496	2,655,979	(424,517)	-14%	Vacancies
Recreation	3,622,403	3,778,539	156,136	4%	PT interns
	\$ 34,007,806	\$ 31,426,539	\$ (2,581,267)	-8%	

➤ **Personnel Services**

Personnel Services were similar to results at mid-year in the previous fiscal year. The results were somewhat higher mostly due to cost of living adjustments and increases in pension costs. Total cost was \$15.8M compared to \$14.8M a year earlier. Personnel services are expected to produce the greatest year end variance at \$2.6M. In the first half of the year, 15 positions were recruited and filled. On the other hand, 14 positions terminated for various reasons.

➤ **Services & Supplies**

At the mid-point of the year, Services and supplies were up 48% on a year over year basis but only 1% over budget. The majority of the year over year variance is related to the purchase of recycled water for use on the City's golf course.

➤ **Capital Outlay – Projects**

Capital outlay and projects were up \$2.8M over the previous fiscal year almost entirely due to the prior year purchase of two parcels of land – on Del Monte Avenue and Canyon Del Rey Boulevard.

CITY OF SEASIDE

EXPENDITURES BY DEPARTMENT:

General Fund Expenditures by Department:	Budget	Results:	Variances:				Projection	
	Q2 - 50%	Q2	Year over Year Vs. FY23		Year over Year Vs. FY22		Year-End	Vaiance vs. Budget
	FY24	FY24	\$	%	\$	%	FY24	\$
Legislative Body	\$ 187,386	\$ 130,729	\$ (45,938)	-26%	\$ 45,180	53%	\$ 359,821	\$ 14,950
Administration	308,029	162,519	(226,866)	-58%	(26,426)	-14%	266,757	349,301
City Clerk	60,702	77,625	25,227	48%	(3,993)	-5%	120,956	449
City Attorney	141,866	7,028	(182,417)	-96%	(137,043)	-95%	130,489	153,243
Human Resources	325,090	348,170	39,598	13%	260,885	299%	661,006	(10,825)
Finance Department	166,659	132,152	40,010	43%	149,207	-875%	293,605	39,713
Police Department	8,368,700	7,894,698	470,672	6%	240,737	3%	15,490,941	1,246,459
Fire Department	5,624,684	5,063,738	40,895	1%	(227,202)	-4%	10,914,452	334,915
Building and Code Enforcement	659,949	637,927	160,058	33%	99,225	18%	1,156,684	163,214
Community, Housing & Economic Developr	940,187	734,603	(2,617,138)	-78%	(514,204)	-41%	1,411,746	468,629
Public Works/Engineering	9,180,422	4,774,251	1,465,481	44%	(518,465)	-10%	17,876,784	484,060
Recreation	2,999,363	2,975,569	630,771	27%	927,531	45%	6,111,908	(113,181)
Expenditures by Department	\$ 28,963,039	\$22,939,009	\$ (199,648)	-1%	\$ 295,431	1%	\$ 54,795,148	\$ 3,130,929

As can be seen in the table above, nearly all departments were under budget through the second quarter of the year. Human Resources was over budget due to the re-classification of two positions and increased investigations costs. The recreation department was over budget due to over hiring of part-time seasonal staff. The over-hiring situation has been addressed and should improve as the year progresses.

GENERAL FUND NET RESULTS & BUDGET OUTLOOK:

Overall, the first half of the year showed expenditures of \$22.9M (44% of the annual budget) in comparison with revenues of \$22.8M (49.2% of the annual budget). Projected results are as follows:

General Fund Changes in Fund Balance:	Projected Budget
	FY23
Beginning Fund Balance (Audited)	\$ 44,753,707
Revenue	46,778,847
Operating Expenditures	(43,456,622)
Capital Expenditures	(5,409,120)
Net Revenue	(2,086,895)
Ending Fund Balance	<u>\$ 42,666,812</u>

Fund Balance Classifications	Projected Results
	FY2024
Projected Fund Balance	\$ 42,666,812
Unspendable	(2,425,725)
Loan to Muni Water Seaside	(7,522,232)
Pension Trust	(3,000,000)
Emergency Reserve - 15%	(6,919,211)
Special Reserve - 10%	(4,610,807)
Capital Reserve - 5%	(2,305,404)
Unassigned Fund Balance	<u>\$ 15,883,433</u>

As can be seen, results at the mid-year indicate that the ongoing operations of the City are expected to continue producing positive financial results. An operating surplus in the amount of \$3.3 million is expected by year end. Any remaining operating surplus will be applied to the Capital Budget, thereby reducing the amount by which fund balance is expended.

Some insights may be gained at the mid-year budget review:

- Revenues remain strong but have **begun to flatten out**.
- Sales and Use Tax is **beginning to flatten** (auto sales in particular).
- Marijuana Receipts tax **have decreased**.
- Personnel **costs are up** but expected to produce a variance due to difficulty in hiring and retaining police officers and maintenance workers.

Headwinds:

- The nation continues to see inflation above the 2% target rate.
- PERS unfunded liabilities continue to grow.
- The state budget is expected to move into a deficit which will impact grants received by the City.
- Geopolitical unrest continues.

BUDGET AMENDMENT REQUEST

Following is a list of staff budget requests at the mid-year:

Description	Funding Source	Amount
Police Department - Year 1, Axon Body Worn Camera Software & Taser Subscription	Existing Budget	35,233
Fire Department- Internal promotion	General Fund Surplus	14,456
Public Works Engineering - Increase Budget for San Pablo Bridge Project from Ellis Park funds	Existing budget	103,172
Public Works Engineering - Increase Budget for additional Police Parking Lot Construction costs	General Fund Surplus	300,000
Public Works Engineering - Increase Budget for Storm Water Audit Corrections	General Fund Surplus	80,000
Public Works Maintenance - Increase Overtime for work on aging buildings during weekends	General Fund Surplus	4,000
Public Works Maintenance - Alarm service maintenance for Government Buildings	General Fund Surplus	4,000
Public Works Maintenance - Increase budget for higher than projected gas & electric expenses	General Fund Surplus	39,000
Public Works Maintenance - Increase budget for higher than projected water expenses	General Fund Surplus	14,000
Public Works Maintenance - Increase budget for refuse disposal	General Fund Surplus	3,000
Public Works Maintenance - Increase budget for vehicle parts	General Fund Surplus	14,000
Public Works Maintenance - Increase budget for vehicle fuel for expanded fleet	General Fund Surplus	100,000
Public Works Maintenance - Increase budget for oil & lubricant	General Fund Surplus	10,000
Rec; Wswim Center - Increase to support additional Swim Center operating hours	General Fund Surplus	46,920
Rec; Parks - Increase for Seaside's portion of Laguna Grande JPA permit fees	General Fund Surplus	29,931
CDBG - Consulting Costs for CDBG reporting	Special Revenue	5,000
Streets - Increase overtime for increased number of call-outs	Special Revenue	4,000
Muni Water - Increase Overtime for Well emergency response	Water User Fees	4,000
Muni Water - Increase Gas & Electric for higher than projected costs	Water User Fees	6,000
Total		\$ 816,712

Funding Source	Request
General Fund Surplus	\$ 659,307
Special Revenue	9,000
Water User fees	10,000
Existing budget	138,405
Total	\$ 816,712

Fiscal Impact of Staff Budget Requests	
Projected General Fund operating surplus	\$ 3,322,225
Staff budget requests	\$ (659,307)
Street repair fiscal policy	\$ (830,556)
Remaining Surplus	\$ 1,832,362

\$582 thousand is requested from the projected general fund operating surplus. If all requests are approved, the remaining projected operating surplus would be \$1.8 million and is recommended to be applied to the current capital budget.

OTHER FUNDS

In addition to the General Fund, the budget includes funds from a range of restricted sources as well as business-type activities that are used to provide specific services, including:

WATER FUND:

Water Enterprise Q2 Results	Budget	Results:		Variances:	
	Q2	Q2		Year over Year	
	FY23	FY23	FY23	\$	%
Revenues	\$ 628,308	\$ 585,943	\$538,436	\$ 47,507	9%
Expenditures	(811,890)	(584,241)	(577,337)	6,904	1%
Net Revenues	\$ (183,582)	1,702	\$(38,901)	\$ 40,603	-104%

The Water Enterprise Fund appears to be functioning as designed. Recent rate increases have greatly increased revenues putting the enterprise in a much better position. Per the City's approved rate structure, rates increased 15% on January 1, 2022. There were no rate increases on January 1, 2023. A new rate study is under way however, and the Utility hopes to have new rates approved by the ratepayers and Council in time for the fiscal year 2024-25 budget. The system has significant capital costs on the horizon since a second well is needed.

STORM WATER FUND:

The Storm Water fund expenditures through the first two quarters were \$639k. Storm Water costs were \$49k lower than the same quarter of the previous year, mainly due to work the fluctuating nature of capital improvement work. The fund appears to be trending within budget for both capital and operating.

Currently the primary source of funding for the Storm Water fund is the City's General Fund. City staff continues to seek grant funding when available as well.

Requests for additional financial information may be directed to:

City of Seaside, Finance Department, 440 Harcourt Avenue, Seaside CA, 93955

Attention: Victor Damiani, Finance Director | Email; vdamiani@ci.seaside.ca.us | Phone; (831) 899-6718

RESOLUTION NO. 24- XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**ACCEPTING THE ANNUAL MID YEAR FINANCIAL REPORT AND ADOPTING
PROPOSED CHANGES TO THE BUDGET OF THE CITY OF SEASIDE FOR THE FISCAL
YEAR 2023-2024**

WHEREAS, The City Council of the City of Seaside reviewed and adopted the 2023-2024 Annual Operating Budget in June of 2023; and

WHEREAS, the City Council conducts an annual mid-year review of the Operating Budget; and

WHEREAS, the City Council of the City of Seaside has conducted the mid-year review and reviewed the proposed changes to the FY 2023-2024 Annual Budget; and

WHEREAS, the City Council is required to approve changes to the 2023-2024 Operating Budget by resolution.

NOW THEREFORE BE IT RESOLVED,

1. The City Council of the City of Seaside accepts the annual Mid-year Financial Report and adopts the proposed modifications to the 2023-2024 Annual Operating Budget, as detailed in the Mid-year Financial Report, attached, which may be modified and incorporated by staff, as authorized.
2. The City Council of the City of Seaside authorizes the City Manager to execute any contracts or contract amendments associated with any of the budget modifications approved by this resolution.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Seaside duly held on the 7th day of March 2024 by the following vote:

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

APPROVED:

Ian N. Oglesby, Mayor

ATTEST:

Dominique L. Davis, City Clerk

APPROVED TO FORM:

Sheri L. Damon, City Attorney