



AGENDA

CITY OF SEASIDE

CITY COUNCIL/SUCCESSOR

AGENCY TO THE

REDEVELOPMENT AGENCY

REGULAR MEETING

440 HARCOURT AVE (COUNCIL CHAMBER)

Thursday, November 7, 2024

5:00 PM

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

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 or participate 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>
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3. To listen or participate by phone: Please call (669) 900-9128
Enter the **WEBINAR 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: 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.

When the Chair calls for public comment, members of the public participating on Zoom and wishing to address the City Council can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9 to "Raise Hand"; press *6 to unmute.

5. In accordance with the City's Remote Meeting Participation Policy for Public Comment: The City of Seaside reserves the right to refuse, limit, and/or revoke use of video conferencing technology and the option for virtual public participation. Granting use of the virtual participation in no way constitutes an endorsement of any person or group to display hateful conduct, including sending or posting hateful images, making violent threats, or targeting others with hateful or abusive speech. The City may remove any participant that violates its agreement or applicable policy with proper notice as outlined in the conditions of use/meeting access.

1. CALL TO ORDER

2. ROLL CALL – ESTABLISHMENT OF QUORUM

Ian N. Oglesby	Mayor/Chair
David R. Pacheco	Mayor Pro Tem/Vice Chair
Alexis Garcia-Arrazola	Council/Agency Member
Rita Burks	Council/Agency Member
Alex Miller	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. SEASIDE CITY NEWS BROADCAST OF UPCOMING CITYWIDE EVENTS AND COMMUNITY ANNOUNCEMENTS

7. CONSENT AGENDA

A. APPROVE MINUTES FROM OCTOBER 3, 2024

RECOMMENDATION: Approve minutes as presented in the agenda packet.

B. APPROVE A PROCLAMATION RECOGNIZING NOVEMBER 11, 2024, AS VETERANS DAY

RECOMMENDATION: Approve a proclamation recognizing November 11, 2024, as Veterans Day in the City of Seaside.

C. APPROVE A PROCLAMATION RECOGNIZING NOVEMBER 4-11, 2024 IN SUPPORT OF OPERATION GREEN LIGHT FOR VETERANS

RECOMMENDATION: Approve a proclamation recognizing November 4-11, 2024,

in the City of Seaside in support of Operation Green Light for Veterans.

D. APPROVE A PROCLAMATION RECOGNIZING NOVEMBER AS NATIVE AMERICAN HERITAGE MONTH

RECOMMENDATION: Approve a proclamation recognizing November as Native American Heritage Month in the City of Seaside.

E. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST OF \$3,000 FROM COMMUNITY PARTNERSHIP FOR YOUTH (CPY) FOR THEIR FALL VISUAL AND PERFORMING ARTS ACADEMY

RECOMMENDATION: Approve a request from CPY for a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the costs associated with their Fall Visual & Performing Arts Academy.

F. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST OF \$3,000 FROM SEASIDE HIGH SCHOOL BOYS AND GIRLS SWIM TEAM FOR EQUIPMENT AND UNIFORM COSTS

RECOMMENDATION: Approve a request from the Seaside High School Swim Teams for a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the cost associated with purchasing uniforms, swim equipment, parkas, fins, kick boards and other safety equipment for the team.

G. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST OF \$3,000 FROM MARTIN LUTHER KING JR. SCHOOL OF THE ARTS FOR THEIR AFTER-SCHOOL SPORTS AND EXTENDED LEARNING ACTIVITIES

RECOMMENDATION: Approve a request from Martin Luther King Jr. School of the Arts for a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the costs associated with their after-school sports and extended learning activities.

H. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST OF \$3,000 FROM ACTION COUNCIL - BUILDING HEALTHY COMMUNITIES FOR THEIR "WELLNESS WEDNESDAY" PROGRAM THAT WILL FUND STUDENTS TO ATTEND A COLLEGE TOUR

RECOMMENDATION: Approve a request from Action Council of Monterey County, Inc. for a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the costs associated with their youth leadership program "Wellness Wednesdays".

I. APPROVE CO-SPONSORSHIP AND FEE WAIVER FROM ACTION COUNCIL - BUILDING HEALTHY COMMUNITIES "SEASIDE RISING" PROGRAM FOR COSTS ASSOCIATED WITH THE USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR THEIR YOUTH SUMMIT ON DECEMBER 21, 2024

RECOMMENDATION: Approve a request from the Action Council - Building Healthy Communities for co-sponsorship and fee waiver for the costs associated with their Youth Summit on December 21, 2024, in the amount of \$579.00.

J. APPROVE CO-SPONSORSHIP AND FEE WAIVER FROM ACTION COUNCIL -

BUILDING HEALTHY COMMUNITIES "MONTEREY COUNTY BLACK CAUCUS" FOR COSTS ASSOCIATED WITH THE 2025 MARTIN LUTHER KING, JR. MARCH AND PROGRAM AT THE OLDEMEYER CENTER

RECOMMENDATION: Approve a request from the Action Council - Building Healthy Communities for co-sponsorship and fee waiver for the costs associated with the 2025, Martin Luther King Jr. March and Celebration on January 20, 2025, in the amount of \$6,207.19.

K. APPROVE APPOINTMENTS TO THE ART AND HISTORY COMMISSION

RECOMMENDATION: Accept the appointments of Robert Daniels and Keylin Figueroa to the Art & History Commission, as recommended by the Mayor.

L. REVIEW AND TAKE ACTION ON TRAFFIC ADVISORY COMMITTEE RECOMMENDATION TO APPROVE THE ADDITION OF A SECOND DRIVEWAY APPROACH AT 1476 MILITARY AVENUE

RECOMMENDATION: The Traffic Advisory Committee (TAC) recommends approving the installation of a second driveway approach at 1476 Military Avenue.

M. ADOPT A RESOLUTION APPROVING \$202,464.29 FOR THE PURCHASE OF A BUCKET TRUCK FROM CUSTOM TRUCK & EQUIPMENT FOR USE BY THE PUBLIC WORKS MAINTENANCE AND UTILITIES DIVISION

RECOMMENDATION: Adopt a resolution approving \$202,464.29 from four different section accounts for the purchase of a bucket truck and authorize the City Manager to execute a purchase agreement with Custom Truck & Equipment for an amount not to exceed \$204,000.00 for the bucket truck, and direct the Finance Department to incorporate these changes in the fiscal year 2024/2025 budget.

N. ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WHITSON ENGINEERS FOR ADDITIONAL DESIGN SERVICES FOR THE LINCOLN CUNNINGHAM ARTERIAL TRAIL PROJECT FOR AN AMOUNT NOT TO EXCEED \$100,470.00 WHICH WILL BE FUNDED WITH BUDGET SAVINGS FROM THE PHASE ONE ARTERIAL TRAILS CONSTRUCTION PROJECT.

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute an amendment to the professional services agreement with Whitson Engineers for providing additional design services to complete the design of the Lincoln Cunningham Park Project for an amount not to exceed \$100,470.00.

O. ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARAMETRIX INC. FOR ADDITIONAL ACCESSIBILITY DESIGN SERVICES FOR SAN PABLO AVENUE TRAFFIC CALMING PROJECT FOR AN AMOUNT NOT TO EXCEED \$45,610.00

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute an amendment to the professional services agreement with Parametrix Inc. for additional accessibility design services for the San Pablo Avenue Traffic Calming

Project for an amount not to exceed \$45,610.00.

P. ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL, INC. FOR ADDITIONAL SERVICES TO COMPLETE THE 2025-2029 CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR AN AMOUNT NOT TO EXCEED \$23,000.00

RECOMMENDATION: Adopt a resolution approving an amendment to the Professional Services Agreement with Michael Baker International, Inc. for additional services to complete the 2025-2029 Consolidated Plan for the Community Development Block Grant (CDBG) Program for an amount not to exceed \$23,000.00

Q. ADOPT A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH JEA & ASSOCIATES FOR LOBBYIST AND ADVOCACY SERVICES FOR AN AMOUNT NOT TO EXCEED \$59,500.00

RECOMMENDATION: Approve a resolution authorizing the Interim City Manager to execute an amendment to the Professional Services Agreement with JEA & Associates for lobbyist and advocacy services for an amount not to exceed \$59,500.00.

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

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

8. PUBLIC HEARING

A. AN ORDINANCE TO MODIFY TITLE 19 OF THE SEASIDE MUNICIPAL CODE MODIFYING THE ALLOWABLE NUMBER OF CANNABIS DISPENSARIES AND MAKING OTHER CHANGES TO THE OPERATION AND SELECTION OF CANNABIS DISPENSARIES WITHIN THE CITY OF SEASIDE. THIS ITEM IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061(B) OF THE CEQA GUIDELINES. (FIRST READING - ROLL CALL VOTE)

RECOMMENDATION: Conduct the first reading of an ordinance to modify title 19 of the Seaside Municipal Code modifying the allowable number of cannabis dispensaries and making other changes to the operation and selection of cannabis dispensaries within the City of Seaside.

B. AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 6.04 AND ADDING NEW SECTIONS 6.04.025, 6.04.155, 6.04.156, 6.04.157 AND 6.04.158 REQUIRING SPAY AND NEUTERING, CERTIFICATIONS FOR UNALTERED ANIMALS, BREEDING PERMITS AND VIOLATIONS (FIRST READING - ROLL CALL VOTE)

RECOMMENDATION: Conduct the first reading of an ordinance amending seaside municipal code chapter 6.04 and adding new sections 6.04.025, 6.04.155, 6.04.156, 6.04.157 and 6.04.158 requiring spay and neutering, certification for unaltered animals, breeding permits and violations.

9. BUSINESS ITEMS

A. ADOPT A RESOLUTION APPROVING THE UPDATED CITY OF SEASIDE EMERGENCY OPERATIONS PLAN

RECOMMENDATION: Adopt a resolution approving the updated City of Seaside Emergency Operations Plan.

B. UPDATE ON WATER ALLOCATION FOR ACCESSORY DWELLING UNITS

RECOMMENDATION: Receive an update on the available water allocation for accessory dwelling units.

C. ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF BROADWAY AVENUE FROM HILLSDALE TO ALHAMBRA STREETS FOR THE SEASIDE STARS 3RD ANNUAL UNVEILING EVENT ON SATURDAY, NOVEMBER 16, 2024

RECOMMENDATION: Adopt a resolution authorizing the street closure for the Seaside Stars unveiling event.

10. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

B. FOLLOW UP ON PREVIOUS REQUESTS

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. PUBLIC EMPLOYMENT PURSUANT TO GOVERNMENT CODE SECTION 54957

Position: City Manager Recruitment

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

Property: Approximately 4.6 acres located between Col. Durham and Gigling to the north and south and 6th Avenue to the East.

Agency Negotiators: City Manager, et. al

Negotiating Parties: Fort Ord Hostel Society and City of Seaside

Under Negotiation: Price, terms of payment or both

C. 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

D. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE 54956.9 (D)(2)

Two Matters of Potential Litigation

13. ADJOURNMENT

Next Regularly Scheduled Meeting:
November 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.



DRAFT MINUTES

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

REGULAR MEETING
440 HARCOURT AVE
Thursday, October 3, 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 Burks.

4. REVIEW OF AGENDA

No changes.

5. PUBLIC COMMENT

Maria, Ray Riordian, Rachel Christophersen, Dennis Volk, Shanda LeBeouf, Nina Beatty, Karla Lobo, Resident on Mescal Street, Peter Kaiser

6. PUBLIC AGENCY COMMUNICATIONS

- Carol Chorbajian (Monterey Peninsula Airport District – District 1)
- Alvin Edwards (Monterey Peninsula Water Management District - Division 1)
- Mayor Pro Tem Dave Pacheco announced that an event and business in Seaside were winners in two areas: Best Venue for Jazz (2024) - Deja Blue; and Best Venue for Blues (2024) – City of Seaside’s Blues in the Park.

A. SEA BREEZE APARTMENTS INFESTATION UPDATE

City Attorney Sheri Damon provided an update on the bug infestation occurring at Sea Breeze Apartments and reported that a follow up would be forthcoming in one month.

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

The following upcoming events were featured:

- As we mark Seaside’s 70th Birthday in October, we want to honor the incredible residents who have helped shape our vibrant community, by gathering stories and memories for a special tribute feature. Visit [bit.ly/seaside 50](https://bit.ly/seaside50) for more information.

- Sunday, October 13th, from 4-8 PM, the City of Seaside presents a Celebration of 70 years at City Hall!
- The Friends of Seaside Parks Association is having several workdays all over the city this October. For more information, including upcoming dates and locations, visit FriendsOfSeasideParks.org.
- ReGen Monterey is excited to announce a Grant Funding Opportunity for the SB1383 Edible Food Recovery Program. Organizations, businesses, or public entities that collect, generate, and distribute food to those in need can learn more about this exciting program on the bulletin board at REGENMONTEREY.ORG.
- The City of Seaside is looking to hire an Associate Planner to work in the Community Development Department. If you or someone you know is interested in this position, visit the Employment Opportunities section of the City's Website.
- Friday, October 5th, at 6 PM, Movies in the Park is BACK! INSIDE OUT 2.
- Hispanic Heritage Month began September 15th! There are events and celebrations going on throughout the County, Entonces, nos encantaria verte por ahi! Ya Celebramos juntos, Central Coast!
- October 20th - 2024 Co-Ed Adult Slow Pitch Softball League at Cutino Park. Games are every Sunday, beginning at 6pm, from October 20th through December 22nd. The team fee is \$500. To register, visit bit.ly/SeasideRecTrac.
- Monday, October 7th, from 11 AM to 3:00 PM, the Seaside Youth Resource Center and the City of Seaside present its "Boots on the Ground" Community Service Award Ceremony!
- Thursday, October 10th, Special Olympics Northern California sponsors this year's Tip-A-Cop Event! From 5-9 PM at the Chili's on Canyon del Rey, local Law Enforcement personnel will be working alongside Chili's staff to serve customers and collect tips as donations for the Special Olympics!
- Registration for the 2024 Walter Lee Avery Gallery Fall Art Competition has begun! You have until Monday, October 14th, to register, visit bit.ly/FallArtComp2024.
- Construction Notice! Monterey Peninsula Engineering began the construction of the Lincoln Cunningham Park Phase 1 – Arterial Trail Project for the City of Seaside on October 1st. The Project includes the construction of a concrete multi-use path through Lincoln Cunningham Park from San Pablo Avenue to Lincoln Street; pedestrian paths from the new multi-use path to Yerba Buena Court, Lindberg Court, and Serape Court; storm drainage improvements; curb ramp retrofits; one on-street accessible parking stall, and seeding for erosion control. The Project is expected to be completed in early 2025.
- Saturday, October 5th, from 10 AM to 2 PM, the Seaside Fire Department invites you to this year's annual Open House to kick off National Fire Prevention Week!
- Saturday, October 19th, from 11 AM – 2 PM, Pachetti Dog Park for this year's Harvest Festival! Dog Costume Contest at 1 PM! The contest fee is 5 dollars.

7. PRESENTATIONS

A. PRESENTATION OF THE KEY TO THE CITY AWARD TO MELE TIULIPE "MARY TULIP" TUAMOHELOA-LEHA (MAYOR IAN N. OGLESBY)

Mayor Ian Oglesby (virtually) presented the Key to the City to Mele Tiulipe "Mary Tulip" Tuamoheloa, a dedicated Seaside resident of 47 years. Known for her unwavering commitment to family, faith, and community, Mary was a member of the Tongan congregations at Hilltop United Methodist Church and the Free Wesleyan Church of Tonga. Her legacy is one of resilience, and her support for future generations continues to shape the heart of Seaside. The award was accepted by her family and grandchildren, represented by Kayln Foliaki.

B. RECEIVE A PRESENTATION FROM THE VILLAGE PROJECT INC. FOR AN UPDATE ON THEIR SUMMER YOUTH INTERN PROGRAM (STACIE ANDREWS, EXECUTIVE DIRECTOR)

Stacie Andrews and Jake Osborne provided a presentation to the Council and three of the four students in attendance provided comments about their experience in the program.

8. CONSENT AGENDA

Item pulled: 8M

PUBLIC COMMENT: Kyla Billups

On motion by Council/Agency Member Garcia-Arrazola and second by Council/Agency Miller 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 JUNE 20, 2024 AND SEPTEMBER 19, 2024

ACTION: APPROVED

B. APPROVE AND FILE CITY CHECKS

ACTION: APPROVED

C. APPROVE AND FILE SUCCESSOR AGENCY CHECKS

ACTION: APPROVED

D. ACCEPT AND FILE THE CASH AND INVESTMENTS REPORT FOR THE CITY OF SEASIDE AND THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF SEASIDE FOR THE QUARTER ENDING JUNE 30, 2024

ACTION: ACCEPTED & FILED

E. APPROVE ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT (ESCA) REPORT COVERING ACTIVITIES FROM JULY THROUGH SEPTEMBER 2024

ACTION: APPROVED

F. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM INTERNATIONAL SCHOOL OF MONTEREY

ACTION: APPROVED

G. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL ROBOTICS CLUB

ACTION: APPROVED

H. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE MIDDLE SCHOOL SOCCER AND VOLLEYBALL PROGRAMS

ACTION: APPROVED

I. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL BLACK STUDENT ALLIANCE FOR COST ASSOCIATED WITH THEIR TRIP TO SEVERAL COLLEGE CAMPUSES, A VARIETY OF MUSEUMS, AND ATTEND A BLACK BUSINESS WORKSHOP AND FAIR

ACTION: APPROVED

J. APPROVE A PROCLAMATION RECOGNIZING OCTOBER 6-12, 2024, AS FIRE PREVENTION WEEK

ACTION: APPROVED

K. APPROVE A PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER AS NATIONAL DISABILITY AWARENESS MONTH

ACTION: APPROVED

L. APPROVE A PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER AS NATIONAL BREAST CANCER AWARENESS MONTH

ACTION: APPROVED

M. ADOPT A RESOLUTION APPROVING A PROFESSIONAL SERVICE AGREEMENT WITH PAVEMENT ENGINEERING INC. TO PREPARE BID DOCUMENTS FOR THE 2024 HOT SPOT PAVEMENT REPAIR PROJECT FOR AN AMOUNT NOT TO EXCEED \$52,620.00

Dan Meewis, Acting Public Works Director, provided a presentation that reviewed the

scope of work for Pavement Engineering Inc., that included prioritize treatment options based upon available budget, prepare plans and specifications for selected areas with various treatments, and provide bidding support.

PUBLIC COMMENT: Ray Riordan

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency Member Garcia-Arrazola and carried by the following vote, the City Council/Successor Agency moved approve a professional service agreement with Pavement Engineering, Inc. for an amount not to exceed \$52,620.00.

RESULT: 5-0-0-0

AYES: Burks, Garcia-Arrazola, Miller, Oglesby, Pacheco

NOES: None

ABSTAIN: None

ABSENT: None

ACTION: ADOPTED RESO #24-126

N. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH U.S. DIGITAL DESIGNS (USDD) BY HONEYWELL FOR THE INSTALLATION OF A PHOENIX G2 FIRE STATION ALERTING SYSTEM, INCLUDING HARDWARE AND SOFTWARE, FOR \$139,174.32 AND TOTAL PROJECT COST WITH A CONTINGENCY AMOUNT NOT TO EXCEED \$160,000.00

ACTION: ADOPTED RESO #24-127

O. ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH GEOSYNTEC CONSULTANTS, INC. FOR SUPPLEMENTAL SOIL SAMPLING SERVICES FOR CAMPUS TOWN PHASE 1A FOR AN AMOUNT NOT TO EXCEED \$62,400.00 TO BE PAID FROM FORA DEMOLITION BONDS

ACTION: ADOPTED RESO #24-128

P. ADOPT A RESOLUTION APPROVING AN ACCESS AGREEMENT FOR THE COURTHOUSE PROJECT

ACTION: ADOPTED RESO #24-129

Q. ADOPT A RESOLUTION TO ACCEPT AND APPROVE THE TAXING AGREEMENT FOR TAXING ENTITY COMPENSATION FOR THE LONG RANGE PROPERTY MANAGEMENT PLAN FROM THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF SEASIDE

ACTION: ADOPTED RESO #24-130

R. ADOPT A RESOLUTION APPROVING A LEASE/PURCHASE FINANCING AGREEMENT WITH PNC BANK, NATIONAL ASSOCIATION TO

LEASE/PURCHASE A FIRE ENGINE IN THE AMOUNT OF \$1,032,072.23

ACTION: ADOPTED RESO #24-131

S. AUTHORIZATION TO SUBMIT APPLICATION FOR STATE AND LOCAL CYBERSECURITY GRANT PROGRAM (SLCGP)

ACTION: AUTHORIZED

9. BUSINESS ITEMS

A. REVIEW AND APPROVE THE NEIGHBORHOOD IMPROVEMENT COMMISSION'S ANNUAL WORK PLAN RECOMMENDATIONS FOR FISCAL YEAR 24-25

Recreation Director, Dan Meewis, provided a presentation reviewing the recommendations from the Neighborhood Improvement Commission' annual projects and the proposed projects in the FY 24/25 work plan recommendations. The NIC annual projects are: Neighborhood Clean-up x2 - \$15,000; Tree Give-a-Way program - \$10,000; Neighborhood Watch Program - \$10,000; Graffiti Abatement Program - \$25,000 ; High Five Program - \$5,000 for a total of \$65,000.

The proposed projects that were received from outside groups and city commissions are: Benches on GJM x 4 - \$7,588; Utility Box Wraps x 5 - \$8,500; Bike Racks Parks & Downtown x 5 - \$4,000; Additional Oldemeyer Mural - \$15,000; Mural for Pre-School - \$15,000; Improved Landscaping at Gateway Sign - \$15,000; Community Flag Give-a-way - \$4,000; Capra Park Revitalization - \$51,314; Lincoln-Cunningham Adult Fitness Equipment - \$96,314; Lincoln-Cunningham Playground Equipment - \$70,000 ; Water Fountain Refill Stations x 3 - \$33,600 for a total of \$320,316.

PUBLIC COMMENT: Shanda LeBeouf, Jennie Reese, Ben Strickland, Ray Riordan, Rachel Christophersen, Joe Cubbage, Ramona Oleta-Reed, Karla Lobo, Dianne Nielson

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 receive and accept the file the Neighborhood Improvement Commissions annual work plan for FY24/25.

RESULT: 4-1-0-0

AYES: Burks, Garcia-Arrazola, Miller, Oglesby

NOES: Pacheco

ABSTAIN: None

ABSENT: None

ACTION: RECEIVED & FILED

B. ADOPT A RESOLUTION TO APPROVE AN AGREEMENT FOR PURCHASE OF

REAL PROPERTY AT 705 BROADWAY AVENUE

Economic Development Director, Jose Bazua provided a presentation and reviewed the opportunity for the City purchase 705 Broadway Avenue for \$875,000.00. There would a possibility to build a mixed-use commercial and residential project.

PUBLIC COMMENT: Karla Lobo, Peter Kaiser

On motion by Council/Agency Member Garcia-Arrazola and second by Council/Agency Member Burks and carried by the following vote, the City Council/Successor Agency moved to approve an agreement for the purchase of real property at 705 Broadway Avenue for \$875,000.00.

RESULT: 5-0-0-0

AYES: Burks, Garcia-Arrazola, Miller, Oglesby, Pacheco

NOES: None

ABSTAIN: None

ABSENT: None

ACTION: ADOPTED RES #24-132

10. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

1. Water allocation credit review for ADUs (Garcia-Arrazola)

B. FOLLOW UP ON PREVIOUS REQUESTS

1. Hotel Occupancy Rates during Car Week

It was reported that the occupancy rate in hotels in Seaside was 85% during car week events.

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 out.

PUBLIC COMMENT: Karla Lobo

A. PUBLIC EMPLOYMENT PURSUANT TO GOVERNMENT CODE SECTION 54957

Position: City Manager Recruitment

No report.

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

Property: A portion of 1271 Canyon Del Rey Boulevard, Seaside California

Agency Negotiators: City Manager, et. al

Negotiating Parties: Palenke Arts by and through Juan Sanchez and City of Seaside

Under Negotiation: Price, terms of payment or both

No report.

C. 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

No report.

D. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE 54956.9 (d)(2)

Two Matters of Potential Litigation

No report.

13. ADJOURNMENT

With no further business, the meeting adjourned at 9:44 p.m.

Respectfully submitted,

Dominique L. Davis, City Clerk

Ian N. Oglesby, Mayor



CITY OF SEASIDE STAFF REPORT

Item No.: 7.B.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dominique Davis, City Clerk

DATE: November 7, 2024

SUBJECT: APPROVE A PROCLAMATION RECOGNIZING NOVEMBER 11, 2024, AS VETERANS DAY

RECOMMENDATION

Approve a proclamation recognizing November 11, 2024, as Veterans Day in the City of Seaside.

BACKGROUND

Veterans Day, observed annually on November 11, honors the men and women who have served in the Armed Forces of the United States. Veterans have played a critical role in defending our nation's values of freedom, justice, and democracy. The City of Seaside has a long-standing tradition of recognizing Veterans Day through public proclamations to express gratitude and acknowledge the importance of their service.

The attached proclamation highlights the service of veterans, emphasizing their contributions during times of war and their dedication to upholding the core values of the nation. Veterans across the country, including those in Seaside, have made tremendous sacrifices to protect individual freedoms and promote peace.

FISCAL IMPACT

None.

ATTACHMENTS

1. 2024 Veterans Day Proclamation
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

City of Seaside PROCLAMATION



Veteran's Day

WHEREAS, we Americans hold freedom as our birthright, cherishing it as the basic condition to our way of life; and

WHEREAS, the men and women who have served in the Armed Forces of the United States of America have made major contributions toward the preservation of our freedom; and

WHEREAS, there are millions of men and women throughout the Nation who have met the greatest demand of citizenship and honorable military service in time of war; and

WHEREAS, the services performed by these millions of gallant, loyal Americans who have demonstrated the unselfish willingness of our Nation to meet the challenge of those forces wishing to defeat through armed conflict the cause of individual determination; and

WHEREAS, the Nation and the Free World are eternally grateful for the contributions of American Veterans to the advancement of the cause of an honorable world peace.

NOW THEREFORE, BE IT PROCLAIMED, that I, The Honorable Ian N. Oglesby, Mayor of the City of Seaside, on behalf of the City Council, do hereby proclaim November 11, 2024 as **Veteran's Day in the City of Seaside** and ask that the day be observed with appropriate ceremonies in honor of those who have served on behalf of the national purpose to preserve the principles of justice, freedom, and democracy.

Ian N. Oglesby
Mayor
November 7, 2024



CITY OF SEASIDE STAFF REPORT

Item No.: 7.C.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dominique Davis, City Clerk

DATE: November 7, 2024

SUBJECT: APPROVE A PROCLAMATION RECOGNIZING NOVEMBER 4-11, 2024 IN SUPPORT OF OPERATION GREEN LIGHT FOR VETERANS

RECOMMENDATION

Approve a proclamation recognizing November 4-11, 2024, in the City of Seaside in support of Operation Green Light for Veterans.

BACKGROUND

Operation Green Light is a nationwide initiative aimed at showing support and appreciation for the men and women who have served in the Armed Forces, particularly those transitioning to civilian life. Each year, approximately 200,000 service members transition from military service, and studies have shown that this period can be a time of high stress, with many veterans facing challenges related to mental health, employment, and adjustment to civilian life.

This proclamation calls attention to the sacrifices made by veterans and the importance of honoring their service. By shining a green light in homes or businesses, residents of Seaside can visibly show their gratitude and support for veterans during this critical transition period. The City will participate by displaying green lights at City Hall from November 4-11, 2024, as part of Operation Green Light Week.

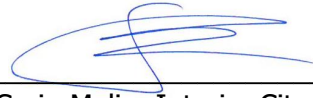
FISCAL IMPACT

None.

ATTACHMENTS

1. Operation Green Light for Veterans Proclamation

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

City of Seaside PROCLAMATION



Supporting Operation Green Light for Veterans

WHEREAS, the residents of City of Seaside have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, City of Seaside seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, and civil service; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the City of Seaside appreciates the sacrifices of our United State Military Personnel and believes specific recognition should be granted; and

WHEREAS, that in observance of Operation Green Light, City of Seaside encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

NOW THEREFORE, BE IT PROCLAIMED, that I, The Honorable Ian N. Oglesby, Mayor of the City of Seaside, on behalf of the City Council, do hereby proclaim November 4-11, 2024 as Operation Green Light Week to show support and appreciation for veterans by shining green lights at City Hall.

Ian N. Oglesby, Mayor
November 7, 2024



CITY OF SEASIDE STAFF REPORT

Item No.: 7.D.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dominique Davis, City Clerk

DATE: November 7, 2024

**SUBJECT: APPROVE A PROCLAMATION RECOGNIZING NOVEMBER AS
NATIVE AMERICAN HERITAGE MONTH**

RECOMMENDATION

Approve a proclamation recognizing November as Native American Heritage Month in the City of Seaside.

BACKGROUND

Native American Heritage Month is observed annually in November to honor the rich cultures, traditions, and histories of Native Americans and to recognize their significant contributions to the United States. This month provides an opportunity to educate the public about Native American history and contemporary life while celebrating their continued influence on our society.

The attached proclamation recognizes the ancestral heritage of Native Americans, acknowledges their enduring impact on the diversity and strength of the nation, and honors their cultural practices that promote sustainability and resilience. The proclamation also highlights the importance of sharing Native American stories of tragedy, triumph, and perseverance with future generations.

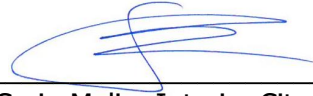
FISCAL IMPACT

None.

ATTACHMENTS

1. Native American Heritage Month 2024
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

CITY OF SEASIDE PROCLAMATION



NATIVE AMERICAN HERITAGE MONTH

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

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

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

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

WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of Native American have enhanced the freedom, prosperity, and greatness of America today, and

WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

THEREFORE, BE IT PROCLAIMED, that I, The Honorable Ian N. Oglesby, Mayor of the City of Seaside, on behalf of the City Council, do hereby proclaim November 2024, as **Native American Heritage Month**, and the filing of this proclamation in the Office of the City Clerk.

Ian N. Oglesby, Mayor
November 7, 2024



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.E.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dan Meewis, Recreation Director

DATE: November 7, 2024

**SUBJECT: APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST
OF \$3,000 FROM COMMUNITY PARTNERSHIP FOR YOUTH
(CPY) FOR THEIR FALL VISUAL AND PERFORMING ARTS
ACADEMY**

RECOMMENDATION

Approve a request from CPY for a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the costs associated with their Fall Visual & Performing Arts Academy.

BACKGROUND

Community Partnership for Youth is requesting a \$3,000.00 donation from the Mayor's Youth Fund to help cover the cost associated with their Fall Visual & Performing Arts Academy. They will use the funds for instruction, art, art supplies, and transportation costs. Community Partnership for Youth provides many services to at-risk-youth in Seaside, including homework support, reading assistance, one-on-one mentorship, life-skills guidance, and a variety of other enrichment activities. By working daily with individual students, mentor-tutors come to understand the often-complex needs and learning styles of each child. The Academy's goals are to help their children explore and communicate their emotions, even in nonverbal ways; to give children an opportunity to create things that are uniquely theirs, that they can be proud of, and that boosts their self-esteem and confidence; to attain, improve, and practice critical decision-making and life skills and to gain knowledge of self, and to increase success in school; to create more opportunities to showcase art through events and celebrations.

Recycling and teaching their students to care for their environment has always been a part of their culture. Maintaining the cleanliness of the Juan Cabrillo Campus and Ord Terrance Campus gardens will be a priority of their "Planet Rangers". This club was

formed years ago to instill pride in the community and surroundings.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. They received their last donation at the August 03, 2023, City Council meeting. They submitted their 2023 Mayor's Youth Fund Closing Report within the 60-day time frame.

FISCAL IMPACT

This request would be funded by a donation from the Green Waste Recovery's donation to the Mayor's Youth Fund. The current balance is the Mayor's Youth Fund account (601-2106) is \$62,864.61. If the City Council approves this request, the balance will decrease to \$59,864.61. This is for fiscal year 2024/25.

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

ATTACHMENTS

1. CPY Mayor's Youth Fund Request 2024
 2. Mayor's Youth Fund Closing Report - CPY 2023
-

Mayor Youth's Contribution Request

Purpose

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

Eligible Applications

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

Submittal of Contribution Requests

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

- Name of the organization, person(s) benefiting, proposed use of the funds, total amount needed or fundraising goal.

- Description of other methods being used to raise funds and/or other contributors.

- An explanation of how the group, activity, or event will benefit Seaside youth.

- Written description of how the use of the funds will be specifically used for youth group activities/events and has a nexus to the goals related to recycle, cleanup, and "green" sustainability to ensure a healthy environment.

- How this request will provide a municipal benefit (ie., benefit the community).

- Proof of non-profit organization status (not a taxpayer's I.D number) and a current W-9 form.

Evaluation Process & Criteria

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

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.

- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.

- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.

- Contributions are only paid to organizations, such as non-profit groups and schools.

- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided in the following area.)

- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.

- How this request will provide a municipal benefit (ie., benefit the community).

Contribution Limits

In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council. In addition, funding will be limited to one contribution per year (every 12 months).

- Individuals - 25% of the total cost of the activity (not to exceed \$1,000)

- Groups up to 20 people - up to \$1,500

- Groups of 21 or more people - up to \$3,000

Payment Process

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

Funding Requirements

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

Individual Requests

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

Name of Organization	Community Partnership for Youth
Name	Shari R Hastey
Email Address	respect@cpy.org
Address	775 Kimball Ave
City	Seaside
State	CA
Zip Code	93955
Phone Number	8315951471
Additional Phone Number	8313944279
Percentage of Residents or Students of Seaside	98%
Number of Participants	July - October 814 Unduplicated 552
Ages of Participants	4 - 17
Criteria	
Applicants must meet at least one of the following criteria to be eligible for funding. Please select one or more from the following list:	Art
Are you funding a reward for one of these activities?	No

Description of event, activity or program funding pertains to: CPY Visual and Performing Art Academy

Attach Additional Information as Necessary [Art Academy Report Fall 2024.docm](#)

Description of how the funds will be specifically used for youth groups activities/events and has a nexus to the goals of recycling, cleanup and "green" sustainability to insure a healthy environment: Create Peace Poles for those who made it possible for CPY to purchase Kimball property in June. Just completed a Pole for the City of Seaside. CPY continues to have our "Planet Rangers" cleaning our school sites and all field trips we venture on. CPY's RESPECT sign will be refreshed using recycling bottle tops from bottles such as Skippy Peanut Butter, etc.

What other fundraising activities are you participating in to fund your event, program or activity and what other funding sources will supplement your request? Joseph & Vera Long Foundation. Monterey County Arts Council

Total Amount Requested: \$3,000.00

Electronic Signature Agreement I agree.

Electronic Signature Shari R Hastey

Date 10/15/2024

Email not displaying correctly? [View it in your browser.](#)

Community Partnership for Youth (CPY)

Goals for the Visual & Performing Arts Academy

- **To help children explore and communicate their emotions, even in nonverbal ways.**

Our students have a variety of art products every week during the Afterschool Mentor / Tutor Program. Artists from a variety of art forms invest their time in teaching our students a variety of techniques.

- *Remote Art Lessons continue on a weekly basis by one of our former mentors working on her Master's Degree.*

- **To give children an opportunity to create things that are uniquely theirs, that they can be proud of, and that boosts their self-esteem and confidence.**

During our six-week Summer Intersession we had student driven clubs: Choir, Photo, Yoga, Cultural, Book, Dance, Chess, Card, Engineering and Drawing Clubs. Students chose what they wanted and recruited one of the mentors to be their leader. One young lady created certificates for those who participated in the Choir Club.

During our Gratitude Art Week each age group were given the task of painting a Canvas to show our appreciation of support; some students that wanted a challenge were given a canvas to complete without the help of a group. This gave students the opportunity to push themselves artistically further than they had gone before, which not only builds their self-esteem but gives them the confidence to try more and bigger art projects in the future.

- **To attain, improve and practice critical decision-making and life skills; to gain knowledge of self; to increase success in school.**

Our CPY Standards based on Respect and Integrity are emphasized in a group circle everyday. The mentors work with small groups and those students who need extra attention are mentored individually.

During our Gratitude Art Week each age group that worked on a canvas went through a multiple step process of collectively deciding what their group wanted on the canvas but at the same time deciding what was the best way to show CPY's appreciation to our supporters.

- **To create more opportunities to showcase art through events and celebrations.**

This summer we dedicated 2 weeks for our small groups to create art canvases for our supporters. We called it Gratitude Art Week.

We also ended our Summer Intersession with a talent show; in which out of the 273 (TK-8) students that attended the summer approximately 30 students signed up to showcase their chosen talent to their peers. Youth chose to dance, sing, play instruments, perform athletic feats, we even had a student perform the theatrical technique of Mime.

CPY was able to purchase our Campus Center in June 2024 – colorful handpainted "Peace Poles" are in the process of being created for each of our major donors. These will be placed throughout our property, empathizing individual values each person holds dear to them.

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by council: 8/3/23
Name of Organization: Community Partnerships for Youth
Contact: Marie Haste
Address: 175 Kimball Ave. Pleasanton 93955
Email/Phone: respect@cpy.org (831) 394-4279
Amount of Donation Received: \$3,000

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

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

Please see attached

Signature: Marie Haste
Date: 8.31.23

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



**Community
Partnership
for Youth**

P.O. Box 42
Monterey CA 93942
831-394-4279
fax 831-394-4229

www.cpy.org
www.facebook.com/CPY4kids

Non-profit 501 (c) 3
Corporate Tax # 77-0310237

Board of Directors

Tammi Suber-Duell
President

Deme Jamson,
Vice-President
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Daniel McKernan
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Board Emeritus

Billy DeBerry *
Tim Nylen *
Deceased *

Executive Director

Shari Hastey

Program Director

Ben Bruce

Building a Community
One Child At A Time

August 31, 2023

City of Seaside
411 Harcourt
Seaside, CA 93955

RE: Mayor's Youth Fund Closing Report

Community Partnership for Youth (CPY) has much to be thankful for. CPY is grateful for support from the Mayor's Fund for our 2023 Summer Intersession. It was a very busy 6 weeks and our students learned a lot and experienced many exciting adventures.

Our Summer Intersession is completed and school is back in session. Please find copies of our newsletters which were created each week in English and Spanish. We are so grateful for the community partnerships that worked with us to have a variety of activities for our 210 students (pre Kinder through High School). Activities included: learning to surf with The Wahine Project; nature hikes with Del Monte and Santa Lucia Conservancy; a visit to the Monterey Bay Aquarium; a soccer camp at Stevenson; the Johnson Toney Football Camp and a trip to the MY Museum for our little ones.

These along with a wide variety of art projects including Gratitude Art week, a little theater and dance with Monterey Peninsula Ballet Theatre; learning to eat healthy with Montage Health's Kids Eat Right, Life Skills with Sun Street Centers and Ohana, and creative writing allowed our kiddos to express their thoughts, anxieties and joys. A new partnership we are excited about is with Sea Star Horse Sanctuary for equine therapy for some of our kiddos. Catching up academically was encouraged through disguised learning by writing thank you letters and reading every day.

Recycling and teaching our students to care for their environment is a part of our CPY culture. Maintaining the cleanliness of the Juan Cabrillo Campus and gardens was a priority throughout the summer. As you read the newsletters you will see some of the work of our "Planet Rangers".

CPY is blessed to have a city that is consistently looking for ways to help our students and families to be successful. We know that we could not do all that we are doing for the community without your support. **Thank you for your part in helping to make a difference.**

Sincerely,

Shari R. Hastey
Executive Director

Attachments: Student Survey and Newsletters

Community Partnership for Youth Summer 2023 Student Self-Evaluation

CPY Helps Me To:		Participants Surveyed 118							
		A lot		Some		A little		Not at all	
Get along better with my classmates	98.3%	43.6%	51	35.0%	41	19.7%	23	1.7%	2
Finish my letter / homework every day	96.6%	58.5%	69	30.5%	36	7.6%	9	3.4%	4
Solve my problems without fighting	89.8%	47.5%	56	30.5%	36	11.9%	14	10.2%	12
Be a better person	96.6%	57.3%	67	28.2%	33	11.1%	13	3.4%	4
Be more interested in going to school	88.0%	34.2%	40	35.9%	42	17.9%	21	12.0%	14
Stay out of trouble	90.7%	48.3%	57	26.3%	31	16.1%	19	9.3%	11
Make new friends	92.4%	48.3%	57	33.9%	40	10.2%	12	7.6%	9
Feel better about myself	92.3%	55.6%	65	26.5%	31	10.3%	12	7.7%	9
Have more adults to talk to	94.9%	48.7%	57	33.3%	39	12.8%	15	5.1%	6
Make good decisions	96.6%	59.3%	70	28.0%	33	9.3%	11	3.4%	4
Be respectful to others	97.5%	72.9%	86	22.9%	27	1.7%	2	2.5%	3
To be thankful	97.5%	69.5%	82	25.4%	30	2.5%	3	2.5%	3
Not get into trouble at school	89.7%	53.4%	62	27.6%	32	8.6%	10	10.3%	12
Be a leader not a follower	93.2%	53.8%	63	29.1%	34	10.3%	12	6.8%	8
Try new activities like sports and art	96.6%	61.5%	72	26.5%	31	8.5%	10	3.4%	4
Have more things to do (summer & after school)	95.5%	49.1%	55	33.9%	38	12.5%	14	4.5%	5
Be more interested in going to college	84.6%	43.6%	51	29.9%	35	11.1%	13	15.4%	18
Be more confident	94.0%	45.7%	53	37.9%	44	10.3%	12	6.0%	7
Read better	91.3%	42.6%	49	36.5%	42	12.2%	14	8.7%	10
Understand what I read	91.5%	41.0%	48	38.5%	45	12.0%	14	8.5%	10
Write better	96.6%	58.1%	68	27.4%	32	11.1%	13	3.4%	4
Understand math	87.9%	44.0%	51	31.0%	36	12.9%	15	12.1%	14
Learn to set goals	87.9%	40.5%	47	35.3%	41	12.1%	14	12.1%	14
Feel comfortable talking about how I feel	82.9%	38.5%	45	32.5%	38	12.0%	14	17.1%	20
Do good things for the community	96.6%	55.9%	66	28.8%	34	11.9%	14	3.4%	4
Meet new people of all ages	96.6%	64.1%	75	25.6%	30	6.8%	8	3.4%	4

SUMMER INTERSESSION

Week 1 in Review

SUMMER WEEK 1

Filled with thrill, the first week of our CPY summer intersession was a complete success! Students were placed into groups by grade where they met with their leaders and Jr. Leaders whom they'll be working with during the summer. On our first day, leaders set many indoor/outdoor activities to help everyone interact and break the ice. Throughout the week students wrote letters, enjoyed making chalk art murals, solved puzzles, and played Steal the Bacon, to name a few. Third and fourth-grade students joined "Kids Eat Right" where they learned to make healthy alternative snacks. In addition, A small group of students had the opportunity to visit "Sea Star Sanctuary" to learn about horses in Carmel. CPY teaches the importance of gratitude through writing as it will help with penmanship and expand their thought process and vocabulary. We're excited and looking forward to week 2!



SUMMER INTERVIEWS

During the first week of our summer intersession program, we interviewed and asked a handful of students what did you enjoy about their first week at CPY. Their answers were heartwarming and continue to let us know that we are all here for a greater purpose: To provide our youth with a safe, structured environment that encourages healthy boundaries, positive self-esteem, and the ability to make good choices for a full and successful life.

"This is my first time ever being part of CPY and I already want to come back next year. I've enjoyed playing the piano for my friends and soccer after lunch".

- Isaac, Age: 9 Grade: 4

"My favorite part about our first week of summer was meeting Takota. He's a horse and I was able to give him a huge hug!".

- Alexis, Age: 6, Grade: 1

"I enjoyed learning how to draw bunnies with Mr. Martin during arts and crafts He's a really good artist".

- Katie, Age: 7, Grade: 2

"Starting a big puzzle with Mr. Javier and friends was so much fun. I can't wait to till we finish it!".

- Jazmin, Age: 8, Grade: 3



SUMMER INTERSESSION

Week 1 in Review

VERANO SEMANA 1

Llena de emoción, la primera semana de nuestra sesión de verano de CPY fue todo un éxito! Los estudiantes se ubicaron en grupos por grado donde se reunieron con sus líderes y líderes junior con quienes trabajarán durante el verano. En nuestro primer día, los líderes organizaron muchas actividades en el interior y al aire libre para ayudar a todos a interactuar y romper el hielo. A lo largo de la semana, los estudiantes escribieron cartas, disfrutaron haciendo murales de arte con tiza, resolvieron acertijos y jugaron Robar el tocino, por nombrar algunos. Los estudiantes de tercer y cuarto grado se unieron a "Kids Eat Right" donde aprendieron a preparar refrigerios alternativos saludables. Además, un pequeño grupo de estudiantes tuvo la oportunidad de visitar "Sea Star Sanctuary" para aprender sobre los caballos en Carmel. CPY enseña la importancia de la gratitud a través de la escritura, ya que ayudará con la caligrafía y ampliará su proceso de pensamiento y vocabulario. ¡Estamos emocionados y ansiosos por la semana 2!



ENTREVISTAS DE VERANO

Durante la primera semana de nuestro programa de vacaciones de verano, entrevistamos y les preguntamos a algunos estudiantes qué disfrutaron de su primera semana en CPY. Sus respuestas fueron conmovedoras y continúan haciéndonos saber que todos estamos aquí por un propósito mayor: Brindar a nuestros jóvenes un entorno seguro y estructurado que fomente límites saludables, autoestima positiva y la capacidad de tomar buenas decisiones para una vida plena y vida exitosa.

"Esta es la primera vez que formo parte de CPY y ya quiero volver el próximo año. He disfrutado tocar el piano para mis amigos y el fútbol después del almuerzo".

- Isaac, Edad: 9 Grado: 4

"Mi parte favorita de nuestra primera semana de verano fue conocer a Takota. Es un caballo y pude darle un abrazo enorme!".

- Alexis, Edad: 6, Grado: 1

"Disfruté aprendiendo a dibujar conejitos con el Sr. Martin durante artes y manualidades. Es un muy buen artista".

- Katie, Edad: 7, Grado: 2

"Comenzar un gran rompecabezas con el Sr. Javier y sus amigos fue muy divertido. ¡No puedo esperar hasta que lo terminemos!".

- Jazmin, Edad: 8, Grado: 3



RE-CAP OF SUMMER WEEK 2!

THANKS TO ALL OF OUR PARTNERS WHO MAKE A DIFFERENCE IN THE LIVES OF OUR YOUTH. THIS WEEK WE WERE ABLE TO ATTEND STEVENSON SOCCER CAMP, THE MONTEREY BAY AQUARIUM, SANTA LUCIA CONSERVANCY, DEL MONTE FOREST CONSERVANCY AND THE SEA STAR HORSE SANCTUARY.

DEL MONTE FOREST



SANTA LUCIA
PRESERVE



MONTEREY BAY
AQUARIUM



SEA STAR HORSE
SANCTUARY



QUOTES OF SUMMER WEEK 2!

"MEETING HORSES WAS A LITTLE FRIGHTENING BEING MY FIRST TIME
BUT IT WAS ACTUALLY REALLY COOL AND CALMING.
IT'S SOMETHING I'LL NEVER FORGET"

- ANDERSON, AGE: 12, GRADE: 6

"I LIKE CPY BECAUSE I LEARN TO READ WITH MS. RUTH DURING
THE SUMMER"

- ADILENE, AGE: 5, GRADE: TK

"MY FAVORITE PART ABOUT CPY SUMMER IS THAT WE HAVE SPIRIT
DAY EVERY FRIDAY!"

- JAYDEN, AGE: 7, GRADE: 2

"CPY SUMMER INTERSESSION IS REALLY FUN BECAUSE I EXPERIENCE
NEW PLACES AND PARTICIPATE IN MANY ACTIVITIES.
I COME EVERY YEAR!"

- LAYLA, AGE: 9, GRADE: 3

"CPY IS MY SAFE PLACE TO BE IN WHILE MY PARENTS ARE AT WORK.
PLUS I GET TO HAVE FUN AND TO TALK TO MY FRIENDS".

- NICOLE, AGE: 10, GRADE: 4

ARTS & CRAFTS



SPIRIT DAY - WEARING TEAM JERSEYS



FAMILY FOOD DISTRIBUTION EVERY WEDNESDAY



PLANET RANGERS - CLEANING CAMPUS



SUMMER INTERSESSION

Week 3 in Review

SUMMER WEEK 3

CPY Summer Intersession has been jam-packed with fun activities and unforgettable memories. A group of our older boys and girls had the opportunity to be part of the Johnson-Toney Football camp at MPC, while others were hiking outdoors with Santa Lucia Conservancy. Our Middle School Jr. Leaders join Sun Street Centers twice a week to learn life skills and have open conversations about topics like peer pressure and drugs. CPY had the biggest Connect 4 tournament to date, where 2 students and 2 leaders went head-to-head in the final round out of 50 participants plus! Crazy hat day was our spirit day not to be missed. All of our students participated and had the chance to create their own crazy hat to show! In addition, we surprised Mr. Sammy with a big birthday hug, did face painting and continued visiting Sea Star Horse Sanctuary on Wednesdays.



QUOTES OF SUMMER WEEK 3!

"Biggest accomplishment for me was winning MVP in football camp! Here I learned to throw and kick the ball".

- Jasmine, Age: 12 Grade: 6

"In CPY I really enjoy playing soccer. Soccer is my favorite sport to play with my leaders".

- Alexis, Age: 6, Grade: 1

"During summer intersession I get to see leaders that I only get to see over the summers. Doing arts & crafts is also my favorite!".

- Ashley, Age: 8, Grade: 2

"I enjoy how we can make new friends, express who we are, and be creative".

- Melissa Age: 10, Grade: 4

"The fun activities we have throughout the day are by far my favorite. I get to learn more about the hobbies I like to do!"

- Diego, Age: 11, Grade: 5



RE-CAP OF SUMMER WEEK 4!

THIS WEEK WE HAD MANY ACTIVITIES LED BY CREATIVE LEADERS WHO MADE WEEK 4 ONE TO REMEMBER. FACE PAINTING AND 4TH OF JULY CRAFTS WERE A HIT! JR. LEADERS JOINED SUN STREET CENTERS FOR GROUP CONVERSATIONS WHILE SOME WERE EXPLORING NATURE WITH SANTA LUCIA CONSERVANCY AND SEA STAR HORSE SANCTUARY IN CARMEL. IN ADDITION, FOOD DISTRIBUTION CONTINUES TO BE HELD FOR OUR CPY FAMILIES WHO ARE VERY GRATEFUL.

FACE PAINTING



FOOD DISTRIBUTION- EVERY WEDNESDAY!



SEA STAR HORSE SANCTUARY



SUN STREET CENTERS



QUOTES OF SUMMER WEEK 4!

"BEING A JR. LEADER IS CHALLENGING BUT VERY FUN AT THE SAME TIME. IN CPY I LEARN ABOUT MY CAPABILITIES AND GET TO GO ON FIELD TRIPS WITH MY GROUP"

- JOSSELYN, AGE: 12, GRADE: 6

"CPY GIVES ME THE OPPORTUNITY TO LEAD MY OWN ARTS AND CRAFTS GROUP WHICH IS SO MUCH FUN. WHEN I'M OLDER I'D LIKE TO BE A LEADER TOO!"

- SASHA, AGE: 9, GRADE: 4

"MY FAVORITE DAY IN CPY ARE FRIDAY'S BECAUSE OF OUR SPIRIT DAYS!"

- HAILY, AGE: 7, GRADE: 2

"CPY SUMMER INTERSESSION IS REALLY FUN BECAUSE I GET TO EXPERIENCE THE OUTDOORS."

- MALAYA, AGE: 9, GRADE: 3

"HERE AT CPY I GET TO BE CREATIVE AND SHARE MY ART WITH LEADERS AND FRIENDS. THEY ALWAYS ENCOURAGE ME TO KEEP DOING WHAT I LOVE."

- MELISSA, AGE: 10, GRADE: 4

SANTA LUCIA CONSERVANCY



4TH OF JULY CRAFTS



SPIRIT DAY - EVERYTHING DISNEY!



KIDS EAT RIGHT



RE-CAP OF SUMMER WEEK 5!

SUMMER OF 2023 MARKS 12 YEARS IN PARTNERSHIP WITH THE WAHINE PROJECT AND WE ARE VERY THRILLED TO CONTINUE TO HAVE THIS AMAZING OPPORTUNITY FOR OUR CPY STUDENTS. THIS SUMMER 45 STUDENTS RECEIVED SCHOLARSHIPS. EVERY MORNING FOG OR SUNSHINE THEY HAD A BLAST LEARNING HOW TO SURF. FOR SOME BEING ON THE BOOGIE BOARD WAS ENOUGH. THEY LEARNED A LOT ABOUT THEMSELVES. OVERCOMING THEIR FEAR OF WATER. BUILDING CONFIDENCE TO TRY ANYTHING.

WAHINE PROJECT - SURF SUMMER CAMP



RE -CAP CONTINUATION & QUOTES OF SUMMER WEEK 5!

MONTEREY BAY UNION

MONTEREY BAY UNION SOCCER TEAM MEMBERS STOPPED BY AND SURPRISED OUR STUDENTS WITH A VISIT. JESSE AND CHRISTIAN SPOKE TO OUR SOCCER PLAYERS ABOUT WORKING HARD TO ACHIEVE THEIR GOALS AND DREAMS.

(CHECK OUT OUR SOCIAL MEDIA TO FIND MORE ABOUT THEIR VISIT)

HIGHLIGHTS OF THE WEEK WERE LIFE SKILLS WITH SUN STREET CENTERS. A TRIP TO SANTA LUCIA AND DEL MONTE CONSERVANCY. COLLAGE ART WITH MS. LISA. AND SEA STAR HORSE SANCTUARY.

DR. MAGANA SHARED ABOUT DIFFERENT CAREERS WITHIN THE MEDICAL FIELD THROUGH THE SHARING OF HIS PERSONAL STORY GROWING UP IN EAST SALINAS AND HOW ULTIMATELY HE WAS GIVEN A CHANCE TO PURSUE HIS DREAM. OUR STAFF LEADERSHIP WERE INSPIRED AND ENCOURAGED TO FOLLOW THEIRS.

FRIDAY WAS OUR SPIRIT DAY WHERE WE CELEBRATED EVERYONE'S CULTURE.



SANTA LUCIA CONSERVANCY



SEA STAR HORSE SANCTUARY



CULTURE DAY!



FUN FRIDAY!





CITY OF SEASIDE STAFF REPORT

Item No.: 7.F.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dan Meewis, Recreation Director

DATE: November 7, 2024

**SUBJECT: APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST
OF \$3,000 FROM SEASIDE HIGH SCHOOL BOYS AND GIRLS
SWIM TEAM FOR EQUIPMENT AND UNIFORM COSTS**

RECOMMENDATION

Approve a request from the Seaside High School Swim Teams for a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the cost associated with purchasing uniforms, swim equipment, parkas, fins, kick boards and other safety equipment for the team.

BACKGROUND

The Seaside High School Swim Teams are requesting a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the cost of purchasing uniforms, swim equipment, parkas, fins, kick boards and other safety equipment for the team. The swim team is available to any Seaside High School student, regardless of their ability to swim. They provide free swim instruction before the swim season starts for any student who may not have the confidence in their ability to swim and compete. All members of the swim teams help in fundraising activities to enable swimmers to travel to local swim meets to compete with other high school teams. The swim teams have recycling bins located at the pool for recycling water bottles and cans, and all swimmers help with the maintenance and cleanup of the pool area after practice and each swim meet. They participate in the State Beach Cleanup each year.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. They received their last donation at the October 19, 2023 City Council Meeting. They submitted their 2023 Mayor's Youth Fund Closing report within the 60-day time frame.

FISCAL IMPACT

This request would be funded by a donation from the Green Waste Recovery's donation to the Mayor's Youth Fund. The current balance is the Mayor's Youth Fund account (601-2106) is \$65,864.61. If the City Council approves this request, the balance will decrease to \$62,864.61. This is for fiscal year 2024/25.

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

ATTACHMENTS

1. MYF SHS Swim Team 2024
 2. Mayor's Youth Fund Closing Report - SHS Swim Team 2023
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager



**SEASIDE
CALIFORNIA**

Mayor's Youth Fund

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

MAYOR'S YOUTH FUND POLICY

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

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

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

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

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

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



SEASIDE CALIFORNIA

Mayor's Youth Fund

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

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

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

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

Funding Requirements:

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

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

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

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

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



**SEASIDE
CALIFORNIA**

Mayor's Youth Fund

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

MAYOR'S YOUTH FUND CONTRIBUTION REQUEST

CONTACT INFORMATION:

Organization: Seaside High Swim team

Name of Applicant: Kalyn (Kay) Lee

Address: 2200 Noche Buena City: Seaside State: CA

Phone: 209-402-8935 Email: Klee@mpusd.k12.ca.us

Number of Participants: 50 Seaside Residents / Students: 90/All students % Ages: 14-18

CRITERIA:

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

Please select one or more from the following list:

☐ Scholastic ☒ Athletic ☐ Music ☐ Environmental ☐ Art

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

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

The swim team at Seaside High serves the community as a whole with life saving skills and resources that keep students engaged in academics and extracurricular activities.

The swimmers clean up the pool area after practice and each swim meet and participates in beach clean-ups.

Description of how funds will be specifically used for youth groups, activities and events, and has a nexus to the goals of recycling, cleanup or "green" sustainability to insure a healthy environment: Our swimmers need new uniforms and equipment for the season. Our swimmers often cannot afford to purchase the necessary equipment they need for the season.

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

What other funding sources will supplement your requests? _____

During the season we participate in Vertical Raise fundraising and swim a thons.

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

Applicant Signature: K. Lee

Date: 10/2/24



**SEASIDE
CALIFORNIA**

Mayor's Youth Fund

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

MAYOR'S YOUTH FUND CLOSING REPORT

CONTACT INFORMATION:

Organization: _____

Name of Applicant: _____

Address: _____ City: _____ State: _____

Phone: _____ Email: _____

DONATION INFORMATION:

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

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

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

Applicant Signature: _____

Date: _____

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

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by council: 10/19/23

Name of Organization: Seaside High School Swim Team

Contact: Kay Lee

Address: 2200 Noche Buena Way, Seaside CA, 93955

Email/Phone: klee@mpusd.k12.ca.us

Amount of Donation Received: \$3,000

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

Swim uniforms, equipment, spiritwear, goggles, and caps.

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

11/6/23 the swim team participated in a beach clean up as well as a campus beautification.
The team completely organized it themselves and made suggestions on how to better the
community.

Signature: K. Lee

Date: 11/14/23

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



CITY OF SEASIDE STAFF REPORT

Item No.: 7.G.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dan Meewis, Recreation Director

DATE: November 7, 2024

SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST OF \$3,000 FROM MARTIN LUTHER KING JR. SCHOOL OF THE ARTS FOR THEIR AFTER-SCHOOL SPORTS AND EXTENDED LEARNING ACTIVITIES

RECOMMENDATION

Approve a request from Martin Luther King Jr. School of the Arts for a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the costs associated with their after-school sports and extended learning activities.

BACKGROUND

Martin Luther King Jr. School for the Arts is requesting a \$3,000.00 donation from the Mayor's Youth Fund to help cover the cost associated with their after-school sports and extended learning activities. They will use the funds to provide proper equipment for our students, ensuring they have access to high-quality sports gear, uniforms, and other necessary supplies. The after-school sports and extended learning activities provide a vital outlet for physical fitness, teamwork, and leadership development, while also offering a safe space for students to stay engaged and focused on positive activities.

Martin Luther King Jr. School of the Arts encourages students and their families to participate in picking up garbage around the campus. This coming spring they plan on hosting a school beautification event specifically involving their after-school sports programs, extended learning opportunities, Saturday Academy, and their student leadership team.

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

the Mayor's Youth Fund Policy. Martin Luther King Jr. School of the Arts received their last donation at the September 07, 2017, City Council meeting. Their 2017 Mayor's Youth Fund request was submitted and approved before the new updated Mayor's Youth Fund Policy which started in March 2018. At that time, the Mayor's Youth Fund Closing Report was not required.

FISCAL IMPACT

This request would be funded by a donation from the Green Waste Recovery's donation to the Mayor's Youth Fund. The current balance is the Mayor's Youth Fund account (601-2106) is \$59,864.61. If the City Council approves this request, the balance will decrease to \$56,864.61. This is for fiscal year 2024/25.

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

ATTACHMENTS

1. MYF Martin Luther King Jr. School of the Arts 2024
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

Terry Navarro - Online Form Submittal: Mayor Youth's Contribution Request

From: <noreply@civicplus.com>
To: <cityclerk@ci.seaside.ca.us>, <dmeewis@ci.seaside.ca.us>, <tnavarro@ci.s...>
Date: 10/16/2024 2:01 PM
Subject: Online Form Submittal: Mayor Youth's Contribution Request

Mayor Youth's Contribution Request

Purpose

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

Eligible Applications

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

Submittal of Contribution Requests

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

- *Name of the organization, person(s) benefiting, proposed use of the funds, total amount needed or fundraising goal.*
- *Description of other methods being used to raise funds and/or other contributors.*
- *An explanation of how the group, activity, or event will benefit Seaside youth.*
- *Written description of how the use of the funds will be specifically used for youth group activities/events and has a nexus to the goals related to recycle, cleanup, and "green" sustainability to ensure a healthy environment.*

- *How this request will provide a municipal benefit (ie., benefit the community).*

- *Proof of non-profit organization status (not a taxpayer's I.D number) and a current W-9 form.*

Evaluation Process & Criteria

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

- *Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.*

- *Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.*

- *Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.*

- *Contributions are only paid to organizations, such as non-profit groups and schools.*

- *Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided in the following area.)*

- *Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.*

- *How this request will provide a municipal benefit (ie., benefit the community).*

Contribution Limits

In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council. In addition, funding will be limited to one contribution per year (every 12 months).

- *Individuals - 25% of the total cost of the activity (not to exceed \$1,000)*

- Groups up to 20 people - up to \$1,500

- Groups of 21 or more people - up to \$3,000

Payment Process

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

Funding Requirements

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

Individual Requests

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

Name of Organization	Martin Luther King Jr. School of Arts
Name	Griselda Reyes
Email Address	greyes@mpusd.k12.ca.us
Address	1713 Broadway Ave.
City	Seaside
State	California
Zip Code	93955
Phone Number	8313923970
Additional Phone Number	8318094825
Percentage of Residents or Students of Seaside	100%

Number of Participants	65
Ages of Participants	10-12
Criteria	
Applicants must meet at least one of the following criteria to be eligible for funding. Please select one or more from the following list:	Athletic
Are you funding a reward for one of these activities?	Yes
Description of event, activity or program funding pertains to:	The after school sports and extended learning activities will provide Seaside youth with opportunities to build teamwork, leadership skills, and physical fitness. After school sports and activities provide a vital outlet for physical fitness, teamwork, and leadership development, while also offering a safe space for students to stay engaged and focused on positive activities. These opportunities help reduce the risk of students becoming disengaged or missing out on structured, enriching experiences.
Attach Additional Information as Necessary	<i>Field not completed.</i>
Description of how the funds will be specifically used for youth groups activities/events and has a nexus to the goals of recycling, cleanup and "green" sustainability to insure a healthy environment:	The funds will be used to provide proper equipment for our students, ensuring they have access to high-quality sports gear, uniforms, and other necessary supplies. Some of these activities so far this school year include cross country, and basketball. At our Title 1 school, many students would benefit from these funds, ensuring that every child, regardless of their financial situation, can fully participate in and benefit from after school sports and extended learning opportunities.
What other fundraising activities are you participating in to fund your event, program or activity and what other funding sources will supplement your request?	Currently, we are not fundraising for after school sports or extended learning programs. The coach "stipends" are covered under Extended Learning Opportunity department at the district level, which does not cover gear, uniforms or equipment for students. We are considering reaching out to other local community organizations who may be able to provide additional support.
Total Amount Requested:	\$3000
I agree.	

Electronic Signature
Agreement

Electronic Signature Griselda Reyes

Date 10/16/2024

Email not displaying correctly? [View it in your browser.](#)

Terry Navarro - Re: Mayor's Youth Fund Contribution request for Martin Luther King School of Arts

From: Griselda Reyes <greyes@mpusd.k12.ca.us>
To: Terry Navarro <TNavarro@ci.seaside.ca.us>
Date: 10/18/2024 12:16 PM
Subject: Re: Mayor's Youth Fund Contribution request for Martin Luther King School of Arts

Good morning Terry,

Thank you for letting us know we missed a critical piece of the description on how the funds will be utilized to support sustaining healthy environments. Please see our action items below:

1. Our school site hosts a School Beautification Day event every Spring.

- We encourage students and their families to participate in picking up garbage around campus
- Last year we cleaned up the garden area and painted garden boxes
- This coming Spring we plan on hosting another school beautification event specifically involving our: afterschool sports programs, extended learning opportunities, Saturday Academy and our student leadership team.

Please let me know if you need any additional information.

Best Regards,

Griselda Reyes

Community School Coordinator

MLK, School of Arts

1713 Broadway Ave., Seaside, CA 93955

(831) 392-3970 Ext. 2395





CITY OF SEASIDE STAFF REPORT

Item No.: 7.H.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dan Meewis, Recreation Director

DATE: November 7, 2024

SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST OF \$3,000 FROM ACTION COUNCIL - BUILDING HEALTHY COMMUNITIES FOR THEIR "WELLNESS WEDNESDAY" PROGRAM THAT WILL FUND STUDENTS TO ATTEND A COLLEGE TOUR

RECOMMENDATION

Approve a request from Action Council of Monterey County, Inc. for a donation of \$3,000.00 from the Mayor's Youth Fund to help cover the costs associated with their youth leadership program "Wellness Wednesdays".

BACKGROUND

Action Council of Monterey County, Inc, is requesting a \$3,000.00 donation from the Mayor's Youth Fund to help cover the cost associated with their youth leadership program 'Wellness Wednesdays'. They will use the funds to provide transportation to and from Seaside, hotel stays, food, and interactive hands-on activities. Their program will be bussing twenty-five Seaside resident students to visit Sacramento State, UC Davis, CSU East Bay, San Jose State, and UC Berkeley on a college tour which will take place from November 20 -23, 2024. This opportunity will provide our youth to explore their options to see the physical space of campuses, to see how students, faculty, and staff engage with each other, and to expand their vision of higher learning and higher educational opportunities.

Action Council's students will be providing trash and recycling pick-up around the campus and football field during the Seaside vs. Monterey High School Battle of the Bay Football Game. They will be walking around placing additional bins in noticeable locations and the next day they will follow up and clean up to ensure the campus is a

safe and clean environment.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. This is the first time that Action Council of Monterey County, Inc. is requesting a donation.

FISCAL IMPACT

This request would be funded by a donation from the Green Waste Recovery's donation to the Mayor's Youth Fund. The current balance is the Mayor's Youth Fund account (601-2106) is \$56,864.61. If the City Council approves this request, the balance will decrease to \$53,864.61. This is for fiscal year 2024/25.

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

ATTACHMENTS

1. MYF Action Council of Monterey County, Inc. 2024
 2. 501(c)(3) Information - Action Council of Monterey County, Inc.
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

Terry Navarro - Online Form Submittal: Mayor Youth's Contribution Request

From: <noreply@civicplus.com>
To: <cityclerk@ci.seaside.ca.us>, <dmeewis@ci.seaside.ca.us>, <tnavarro@ci.s...>
Date: 10/22/2024 9:50 AM
Subject: Online Form Submittal: Mayor Youth's Contribution Request

Mayor Youth's Contribution Request

Purpose

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

Eligible Applications

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

Submittal of Contribution Requests

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

- Name of the organization, person(s) benefiting, proposed use of the funds, total amount needed or fundraising goal.

- Description of other methods being used to raise funds and/or other contributors.

- An explanation of how the group, activity, or event will benefit Seaside youth.

- Written description of how the use of the funds will be specifically used for youth group activities/events and has a nexus to the goals related to recycle, cleanup, and "green" sustainability to ensure a healthy environment.

- How this request will provide a municipal benefit (ie., benefit the community).

- Proof of non-profit organization status (not a taxpayer's I.D number) and a current W-9 form.

Evaluation Process & Criteria

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

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.

- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.

- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.

- Contributions are only paid to organizations, such as non-profit groups and schools.

- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided in the following area.)

- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.

- How this request will provide a municipal benefit (ie., benefit the community).

Contribution Limits

In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council. In addition, funding will be limited to one contribution per year (every 12 months).

- Individuals - 25% of the total cost of the activity (not to exceed \$1,000)

- Groups up to 20 people - up to \$1,500

- Groups of 21 or more people - up to \$3,000

Payment Process

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

Funding Requirements

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

Individual Requests

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

Name of Organization	Wellness Wednesdays of Action Council Monterey County
Name	Daja Robinson and Rosalyn Green
Email Address	dajabhc@actioncouncil.org
Address	P.O. Box 327
City	Seaside
State	CA
Zip Code	93955
Phone Number	8319019180
Additional Phone Number	Field not completed.
Percentage of Residents or Students of Seaside	100%

Number of Participants	25
Ages of Participants	14-19
Criteria	
Applicants must meet at least one of the following criteria to be eligible for funding. Please select one or more from the following list:	Environmental, Scholastic
Are you funding a reward for one of these activities?	No
Description of event, activity or program funding pertains to:	We will be bussing 25 Seaside resident students to visit Sac State, UC Davis, CSU East Bay, SJSU, UC Berkeley on a college tour. This opportunity will provide our youth to explore their options to see the physical space of campuses, to see how students, faculty and staff engage with each other and to expand their vision of higher learning and higher educational opportunities. Additionally this will add to their collective and individual student experiences which we seek to understand and improve policies and practices that lead to academic excellence.
Attach Additional Information as Necessary	<i>Field not completed.</i>
Description of how the funds will be specifically used for youth groups activities/events and has a nexus to the goals of recycling, cleanup and "green" sustainability to insure a healthy environment:	The Mayors Fund will be used to provide transportation to and from Seaside, hotel stay, food and interactive hands on activities during our stay; Our goals of recycling, cleanup and "green" sustainability to insure a healthy environment will include: our students and chaperones attending this event will be participating in the Seaside vs. Monterey High School Battle of the Bay Football Game taking place at SHS to provide trash and recycle pick up around the campus and football field. Walking around, placing additional bins in noticeable locations and the next day, will follow up and clean up to ensure the campus is a safe and clean environment, reduce waste and reduce the negative impacts of human activities in our community.
What other fundraising activities are you participating in to fund your event, program or activity and what other funding	We have reached out to other organizations for additional donations such as; NAACP and local churches.

sources will supplement your
request?

Total Amount Requested: \$3,000.

Electronic Signature I agree.
Agreement

Electronic Signature Daja Robinson

Date 10/22/2024

Email not displaying correctly? [View it in your browser.](#)

Internal Revenue Service

Date: August 7, 2004

ACTION Council of Monterey County, Inc.
% Susan Crosson
369 S. Main St., Ste. 201
Salinas, CA 93901-2770

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:

S. Katherine Converse 31-07823
Customer Service Specialist

Toll Free Telephone Number:

8:00 a.m. to 6:30 p.m. EST
877-829-5500

Fax Number:

513-263-3756

Federal Identification Number:

77-0357101

Dear Sir or Madam:

This is in response to your amendment to your organization's Articles of Incorporation filed with the state on April 29, 2004. We have updated our records to reflect the name change as indicated above.

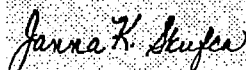
In May 1994 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a public charity under sections 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Janna K. Skufca, Director, TE/GE
Customer Account Services

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

DEPARTMENT OF THE TREASURY

Date:

DEC 14 1999

CHARITABLE COUNCIL OF MONTEREY
COUNTY
1000 S MAIN ST STE 202
SALINAS, CA 93901

Employer Identification Number:
77-0357101

DLN:

17053303709019

Contact Person:

REBECCA S BOWDEN

ID# 31183

Contact Telephone Number:

(877) 829-5500

Our Letter Dated:

May 1995

Addendum Applies:

No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

Steven T. Miller

Steven T. Miller
Director, Exempt Organizations

Letter 1050 (DO/CG)

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
2 CUPANIA CIRCLE
MONTEREY PARK, CA 91755-7406

DEPARTMENT OF THE TREASURY

Date: **MAY 27 1994**

HUMAN SERVICES CHARITABLE COUNCIL
OF MONTEREY COUNTY
1000 SOUTH MAIN STREET SUITE 202
SALINAS, CA 93901

Employer Identification Number:
77-0357101
Case Number:
954119001
Contact Person:
TYRONE THOMAS
Contact Telephone Number:
(213) 894-2289
Accounting Period Ending:
June 30
Foundation Status Classification:
170(b)(1)(A)(vi)
Advance Ruling Period Begins:
Feb. 7, 1994
Advance Ruling Period Ends:
June 30, 1998

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the

Letter 1045 (DO/CG)

HUMAN SERVICES CHARITABLE COUNCIL

notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social securities taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty we charge cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. We

Letter 1045 (DO/CG)

HUMAN SERVICES CHARITABLE COUNCIL

may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Richard R. Orosco
District Director

Letter 1045 (DO/CG)

State of California

SECRETARY OF STATE

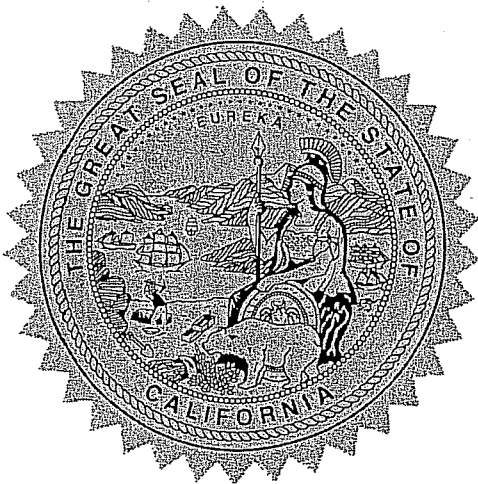
CORPORATION DIVISION

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the annexed transcript has been compared with the corporate record on file in this office, of which it purports to be a copy, and that same is full, true and correct.

IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this

OCT - 3 1996



Bill Jones

Secretary of State

**CERTIFICATE OF AMENDMENT
OF
ARTICLES OF INCORPORATION**

**ENDORSED
FILED**
In the office of the Secretary of State
of the State of California

SEP 26 1996


BILL JONES, Secretary of State

The undersigned certify that:

1. They are the president and the secretary, respectively, of Human Services Charitable Council of Monterey County, a California corporation.
2. Article One of the Articles of Incorporation of this corporation is amended to read as follows:

The name of this corporation is:

Charitable Council of Monterey County.

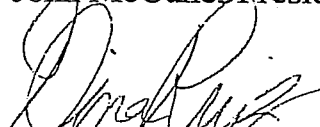
3. The foregoing amendment of Article of Incorporation has been duly approved by the board of directors.
4. The foregoing amendment of Articles of Incorporation has been duly approved by the required vote of the members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

DATE: 09/12/96



John McCune, President



Dina Ruiz, Secretary



STATE OF CALIFORNIA

FRANCHISE TAX BOARD

P.O. BOX 1286

RANCHO CORDOVA, CA. 95741-1286

February 7, 1994

In reply refer to
340:G :JCA

HUMAN SERVICES CHARITABLE COUNCIL OF
MONTEREY COUNTY
STE 202
1000 S MAIN STREET
SALINAS CA 93901

Purpose : CHARITABLE
Code Section : 23701d
Form of Organization : Corporation
Accounting Period Ending: June 30
Organization Number :

You are exempt from state franchise or income tax under the section of the Revenue and Taxation Code indicated above.

This decision is based on information you submitted and assumes that your present operations continue unchanged or conform to those proposed in your application. Any change in operation, character, or purpose of the organization must be reported immediately to this office so that we may determine the effect on your exempt status. Any change of name or address also must be reported.

In the event of a change in relevant statutory, administrative, judicial case law, a change in federal interpretation of federal law in cases where our opinion is based upon such an interpretation, or a change in the material facts or circumstances relating to your application upon which this opinion is based, this opinion may no longer be applicable. It is your responsibility to be aware of these changes should they occur. This paragraph constitutes written advice, other than a chief counsel ruling, within the meaning of Revenue and Taxation Code Section 21012 (a)(2).

You may be required to file Form 199 (Exempt Organization Annual Information Return) on or before the 15th day of the 5th month (4 1/2 months) after the close of your accounting period. See annual instructions with forms for requirements.

You are not required to file state franchise or income tax returns unless you have income subject to the unrelated business income tax under Section 23731 of the Code. In this event, you are required to file Form 109 (Exempt Organization Business Income Tax Return) by the 15th day of the 5th month (4 1/2 months) after the close of your annual accounting period.

February 7, 1994

HUMAN SERVICES CHARITABLE COUNCIL OF

Page 2

If the organization is incorporating, this approval will expire unless incorporation is completed with the Secretary of State within 60 days.

Exemption from federal income or other taxes and other state taxes requires separate applications.

A copy of this letter has been sent to the Office of the Secretary of State and to the Registry of Charitable Trusts.

J AMAYA

EXEMPT ORGANIZATION UNIT

CORPORATION AUDIT SECTION

Telephone (916) 369-4171

EO :

cc: MARIE YOUNG



CITY OF SEASIDE STAFF REPORT

Item No.: 7.I.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dan Meewis, Recreation Director

DATE: November 7, 2024

SUBJECT: APPROVE CO-SPONSORSHIP AND FEE WAIVER FROM ACTION COUNCIL - BUILDING HEALTHY COMMUNITIES "SEASIDE RISING" PROGRAM FOR COSTS ASSOCIATED WITH THE USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR THEIR YOUTH SUMMIT ON DECEMBER 21, 2024

RECOMMENDATION

Approve a request from the Action Council - Building Healthy Communities for co-sponsorship and fee waiver for the costs associated with their Youth Summit on December 21, 2024, in the amount of \$579.00.

BACKGROUND

The Action Council Building Healthy Communities is requesting co-sponsorship and a full fee waiver for the use of Laguna Grande Hall and kitchen for their annual Youth Summit, which will be held on December 21, 2024. Their Seaside Rising Youth Leadership Academy is an eight-week program. The year-end youth summit is to honor the students that are receiving a CSUN Cares for Students (CSS) Grant. The vast majority of these students become academic achievers for the first time as a result of this program. Each participant is recognized with a certificate from local elected officials, including the Mayor.

FISCAL IMPACT

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

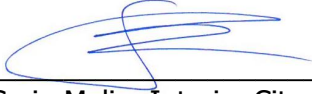
Laguna Grande Hall & Kitchen Rental Fee 7 Hours @ \$56.25 \$393.75

Liability Insurance	\$ 87.00
<u>Non-Refundable Deposit</u>	<u>\$ 98.25</u>
TOTAL	\$579.00

ATTACHMENTS

1. Fee Waiver Request - Action Council - Building Healthy Communities - Youth Summit 2024
 2. 501(c)(3) Information - Action Council - Building Healthy Communities
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager



**SEASIDE
CALIFORNIA**

Fee Waiver Request Form

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

CONTACT INFORMATION:

Organization: Action Council
Name of Applicant: Rosalyn Green
Address: PO Box 327 City: Seaside State: CA
Phone: 831 901 9180 Email: rosalynbhc@actioncouncil.org

EVENT INFORMATION:

Event Title: Seaside Rising Youth Leadership Summit
Event Description: Summit
Event Date: 12.21.24 Room(s) Requested: Laguna Grande dance studio
Time (including set-up): 5:00 - 12mid. Approximate Number of Guests:

ADDITIONAL INFORMATION:

Reason for Requesting Fee Waiver: City Co-sponsored Youth event

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

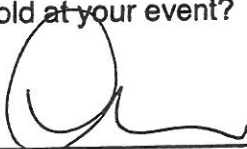
What is your organization's tax identification number?

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: 10.2.24

(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

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

CONTACT INFORMATION

ROOM: Laguna Grande Hall

Organization: Action Council of Monterey County

Name of Applicant: Rosalyn Green / Shante Mitchell

Address: P.O. Box 327 City: Seaside Zip: 93955

Phone: 831.901.9180 Email: rosalyn@actioncouncil.org
shante@actioncouncil.org

Day of Event Contact Name and Phone: Rosalyn Green - 831.901.9180

☒ Resident ☐ Non-Resident

EVENT INFORMATION (Note: **BALLOONS ARE NOT ALLOWED**)

Event Title: Youth Summit - Seaside Rising

*Please attach invitation or flyer if available.
Event Date: Dec. 21st 2024 Approximate Number of Guests: _____

Reservation Time (including set-up): 5:00 - Midnight Event Time: _____
*Laguna Grande Hall & Soper: Security guard(s) must be present for entire event time. See page 4.

Special Instructions: _____

Request to use the City's: ☒ Podium ☒ Microphone ☒ Projector Screen
*Subject to availability **Projectors and other electronic equipment will not be provided

	Yes	No		Yes	No
Is the event open to the public?	☒	☐	Will refreshments be served?	☒	☐
Will admission be charged?	☒	☐	Will refreshments be sold?	☐	☒
Are you a non-profit organization?	☒	☐	Will you be using the kitchen?	☐	☒
Will there be music?	☒	☐	Will alcohol be served?	☐	☒
Will there be live music and/or DJ?	☒	☐	Will alcohol be sold?	☐	☒
Name of band or DJ: _____			*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: _____

Date: 10/2/24

(For Office Use Only)

Permit Fee: _____ Authorized Agent: _____ Date: _____

Note: Original to Parks & Recreation Department

Updated 08/23



SEASIDE CALIFORNIA

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

FACILITY SELECTION

☐ LAGUNA GRANDE HALL

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

	Resident	Non-Res
Hourly Rate	\$56.25	\$160.00
Deposit	\$655.00	\$848.00
(Refundable)	(\$556.75)	(\$720.80)
Alcohol Deposit	\$638.00	\$827.00
(Refundable)	(\$414.70)	(\$537.55)

Liability Insurance: \$87 - \$222 (2023)

Alcohol Premium: \$63.00 (2023)

Security Guards: required 1 per 50 guests

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

☐ BAYONET MEETING ROOM

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

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr.	\$43.75 /hr.	\$61.00 /hr.
After 3 hrs.	\$20 /hr.	\$28.00 /hr.

☐ BLACKHORSE MEETING ROOM

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

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hrs.	\$43.75 /hr.	\$76.00 /hr.
After 3 hrs.	\$20 /hr.	\$33.00 /hr.

☐ DANCE STUDIO

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

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr.	\$43.75 /hr.	\$84.00 /hr.
After 3 hrs.	\$20.00 /hr.	\$44.00 /hr.

☐ SEAHORSE CONFERENCE ROOM

Capacity: 20 / Dimensions: 28' X 16'

	Resident	Non-Res
Rate 0-3 hrs.	\$43.75 /hr.	\$61.00 /hr.
After 3 hrs.	\$20 /hr.	\$28.00 /hr.

☐ SEASIDE MEETING ROOM

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

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr.	\$43.75 /hr.	\$61.00 /hr.
After 3 hrs.	\$20 /hr.	\$28.00 /hr.

☐ SEASIDE COMMUNITY CENTER (SOPER)

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

	Resident	Non-Res
Hourly Rate	\$59.25	\$88.00
Deposit	\$348.00	\$436.00
(Refundable)	(\$295.80)	(\$370.60)
Alcohol Deposit	\$638.00	\$798.00
(Refundable)	(\$414.70)	(\$518.70)

Liability Insurance: \$87 - \$222 (2023)

Alcohol Premium: \$63.00 (2023)

Security Guards: required 1 per 50 guests

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

☐ YOUTH EDUCATION CENTER

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

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

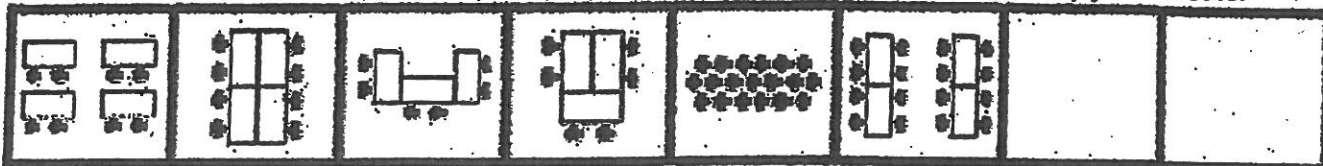
Non-Profit Rate: For Laguna Grande Hall, Seaside Community Center, and the Youth Education & Resource Center, non-profits may use the resident rate. For all other meeting rooms, non-profits may have up to 4 hours for \$37.00/\$47.00. Proof of 501(c)(3) required.

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

SEATING CONFIGURATION

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

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





**SEASIDE
CALIFORNIA**

Facility Use Rental Request Form

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

RULES, REGULATIONS & CONDITIONS OF USE

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



SEASIDE CALIFORNIA

Facility Use Rental Request Form

Parks and Recreation Division

986 Hilby Avenue, Seaside CA 93955

831-899-6800

23. **SECURITY AND CLEANING DEPOSIT:** A deposit is required from any person or organization renting a room at the Center (according to current fees and charges). A portion of the deposit is non-refundable (according to current fees and charges) and the remaining deposit is refundable in whole or in part depending upon the condition of the room, walls, floors, carpets; whether any breakage occurred or whether overtime was incurred beyond stated setup, cleanup or activity time. The City reserves the right to close down any party or activity that may in any way endanger the health or safety of any person or property. Any early closure of the facility may result in loss of deposits. Refundable deposits will be returned within thirty (30) days following the event date.
24. **SUPPLIES:** City staff is not authorized to provide supplies for your event.
25. **SECURITY GUARDS:** One guard per fifty participants is required for events that serve alcohol and/or have live/DJ music or dancing. The City reserves the right to require security for events.

IMPORTANT THINGS TO NOTE

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

45 days in advance

30-45 days in advance

Less than 30 days in advance

Less than 48 hours in advance

Full refund, less a \$7 surcharge

Full refund, less the non-refundable part of security deposit

Full refund, less the entire security deposit

No refund

- ✓ If alcohol is found on the premises (including the parking lot, stage, kitchen, etc.) and your contract prohibits the consumption of alcohol, the City of Seaside has the right to cancel your event and deposits and fees will NOT be refunded.
- ✓ A one million dollar (two million aggregate) liability insurance policy is required. You can either purchase it through the city or through another insurance company and provide us a copy of the policy naming the City of Seaside as co-insured.
- ✓ Use of our facilities requires you to provide licensed and bonded security guards. You must hire one guard per every fifty guests. A copy of the contract must be provided to the city at least 30 days prior to your event. Renters exceeding their stated attendance risk losing their deposit.

Food Sales and Prohibited Goods & Materials:

- ❖ All food vendors 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 unless requested by the customer self-identifying a need for a plastic straw.
- ❖ The use of all types of balloons is prohibited at all City of Seaside parks and facilities.

Initials: _____

Internal Revenue Service

Date: August 7, 2004

ACTION Council of Monterey County, Inc.
% Susan Crosson
369 S. Main St., Ste. 201
Salinas, CA 93901-2770

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:

S. Katherine Converse 31-07823
Customer Service Specialist

Toll Free Telephone Number:

8:00 a.m. to 6:30 p.m. EST
877-829-5500

Fax Number:

513-263-3756

Federal Identification Number:

77-0357101

Dear Sir or Madam:

This is in response to your amendment to your organization's Articles of Incorporation filed with the state on April 29, 2004. We have updated our records to reflect the name change as indicated above.

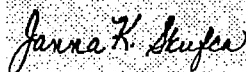
In May 1994 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a public charity under sections 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Janna K. Skufca, Director, TE/GE
Customer Account Services

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

DEPARTMENT OF THE TREASURY

Date:

DEC 14 1999

CHARITABLE COUNCIL OF MONTEREY
COUNTY
1000 S MAIN ST STE 202
SALINAS, CA 93901

Employer Identification Number:
77-0357101

DLN:

17053303709019

Contact Person:

REBECCA S BOWDEN

ID# 31183

Contact Telephone Number:

(877) 829-5500

Our Letter Dated:

May 1995

Addendum Applies:

No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

Steven T. Miller

Steven T. Miller
Director, Exempt Organizations

Letter 1050 (DO/CG)

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
2 CUPANIA CIRCLE
MONTEREY PARK, CA 91755-7406

DEPARTMENT OF THE TREASURY

Date: **MAY 27 1994**

HUMAN SERVICES CHARITABLE COUNCIL
OF MONTEREY COUNTY
1000 SOUTH MAIN STREET SUITE 202
SALINAS, CA 93901

Employer Identification Number:
77-0357101
Case Number:
954119001
Contact Person:
TYRONE THOMAS
Contact Telephone Number:
(213) 894-2289
Accounting Period Ending:
June 30
Foundation Status Classification:
170(b)(1)(A)(vi)
Advance Ruling Period Begins:
Feb. 7, 1994
Advance Ruling Period Ends:
June 30, 1998

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the

Letter 1045 (DO/CG)

HUMAN SERVICES CHARITABLE COUNCIL

notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social securities taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty we charge cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. We

Letter 1045 (DO/CG)

HUMAN SERVICES CHARITABLE COUNCIL

may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Richard R. Orosco
District Director

Letter 1045 (DO/CG)

State of California

SECRETARY OF STATE

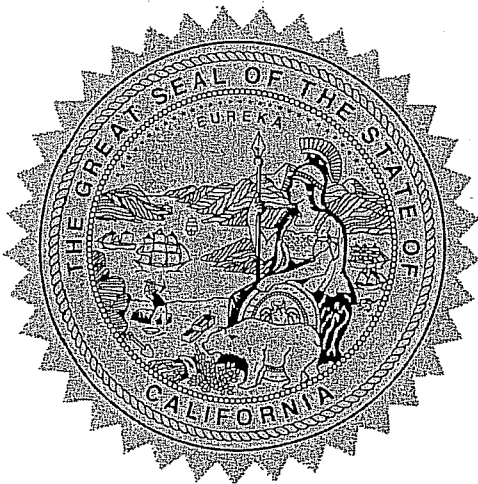
CORPORATION DIVISION

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the annexed transcript has been compared with the corporate record on file in this office, of which it purports to be a copy, and that same is full, true and correct.

IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this

OCT - 3 1996



Bill Jones

Secretary of State

**CERTIFICATE OF AMENDMENT
OF
ARTICLES OF INCORPORATION**

**ENDORSED
FILED**
In the office of the Secretary of State
of the State of California

SEP 26 1996


BILL JONES, Secretary of State

The undersigned certify that:

1. They are the president and the secretary, respectively, of Human Services Charitable Council of Monterey County, a California corporation.
2. Article One of the Articles of Incorporation of this corporation is amended to read as follows:

The name of this corporation is:

Charitable Council of Monterey County.

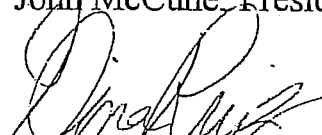
3. The foregoing amendment of Article of Incorporation has been duly approved by the board of directors.
4. The foregoing amendment of Articles of Incorporation has been duly approved by the required vote of the members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

DATE: 09/12/96



John McCune, President



Dina Ruiz, Secretary



STATE OF CALIFORNIA

FRANCHISE TAX BOARD

P.O. BOX 1286

RANCHO CORDOVA, CA. 95741-1286

February 7, 1994

In reply refer to
340:G :JCA

HUMAN SERVICES CHARITABLE COUNCIL OF
MONTEREY COUNTY
STE 202
1000 S MAIN STREET
SALINAS CA 93901

Purpose : CHARITABLE
Code Section : 23701d
Form of Organization : Corporation
Accounting Period Ending: June 30
Organization Number :

You are exempt from state franchise or income tax under the section of the Revenue and Taxation Code indicated above.

This decision is based on information you submitted and assumes that your present operations continue unchanged or conform to those proposed in your application. Any change in operation, character, or purpose of the organization must be reported immediately to this office so that we may determine the effect on your exempt status. Any change of name or address also must be reported.

In the event of a change in relevant statutory, administrative, judicial case law, a change in federal interpretation of federal law in cases where our opinion is based upon such an interpretation, or a change in the material facts or circumstances relating to your application upon which this opinion is based, this opinion may no longer be applicable. It is your responsibility to be aware of these changes should they occur. This paragraph constitutes written advice, other than a chief counsel ruling, within the meaning of Revenue and Taxation Code Section 21012 (a)(2).

You may be required to file Form 199 (Exempt Organization Annual Information Return) on or before the 15th day of the 5th month (4 1/2 months) after the close of your accounting period. See annual instructions with forms for requirements.

You are not required to file state franchise or income tax returns unless you have income subject to the unrelated business income tax under Section 23731 of the Code. In this event, you are required to file Form 109 (Exempt Organization Business Income Tax Return) by the 15th day of the 5th month (4 1/2 months) after the close of your annual accounting period.

February 7, 1994

HUMAN SERVICES CHARITABLE COUNCIL OF
Page 2

If the organization is incorporating, this approval will expire unless incorporation is completed with the Secretary of State within 60 days.

Exemption from federal income or other taxes and other state taxes requires separate applications.

A copy of this letter has been sent to the Office of the Secretary of State and to the Registry of Charitable Trusts.

J AMAYA
EXEMPT ORGANIZATION UNIT
CORPORATION AUDIT SECTION
Telephone (916) 369-4171

EO :

cc: MARIE YOUNG



CITY OF SEASIDE STAFF REPORT

Item No.: 7.J.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dan Meewis, Recreation Director

DATE: November 7, 2024

SUBJECT: APPROVE CO-SPONSORSHIP AND FEE WAIVER FROM ACTION COUNCIL - BUILDING HEALTHY COMMUNITIES "MONTEREY COUNTY BLACK CAUCUS" FOR COSTS ASSOCIATED WITH THE 2025 MARTIN LUTHER KING, JR. MARCH AND PROGRAM AT THE OLDEMEYER CENTER

RECOMMENDATION

Approve a request from the Action Council - Building Healthy Communities for co-sponsorship and fee waiver for the costs associated with the 2025, Martin Luther King Jr. March and Celebration on January 20, 2025, in the amount of \$6,207.19.

BACKGROUND

The Action Council - Building Healthy Communities "Monterey County Black Caucus" is planning to facilitate the annual march and post-march event honoring Dr. Martin Luther King, Jr. on Monday, January 20, 2025, from 8:00 a.m. to 6:00 p.m. This national holiday was established in 1986. The City of Seaside has co-sponsored the march and waived all fees and charges related to it since its inception.

The Action Council - Building healthy Communities is requesting a full fee waiver for costs associated with the 2025 march, including the use of the Oldemeyer Center auditorium and meeting rooms necessary for their post-march event. A Special Event Application was submitted for review by the Special Event Committee. The attached information details the specifics of this event.

FISCAL IMPACT

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

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

Laguna Grande Combo 10 Hours @ \$56.25	\$ 562.50
Room Rentals (Bayonet, Blackhorse, Seaside & Seahorse)	\$ 444.00
Special Event Application Fee	\$ 110.00
Non-Refundable Portion Deposit	\$ 98.25
Insurance	\$ 122.00
Police Fee	\$ 372.00
<u>Public Works Fees</u>	<u>\$4,498.44</u>
TOTAL	\$6,207.19

ATTACHMENTS

1. MLK 2025 March Fee Waiver & Special Event Application
2. MLK March & Celebration - Map 2025
3. Temporary Street Closure Policy- MLK March & Celebration 2025
4. 501(c)(3) Information - Action Council - Building Healthy Communities

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager



**SEASIDE
CALIFORNIA**

Fee Waiver Request Form

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

CONTACT INFORMATION:

Organization: Action/Building Healthy Communities
Name of Applicant: Rosalyn Green
Address: PO Box 372 City: Seaside State: CA
Phone: 831.907.9180 Email: rosalyn@actioncouncil.org

EVENT INFORMATION:

Event Title: MLK - Walk & Celebration Ceremony
Event Description: _____
Event Date: Jan. 00. 25 Room(s) Requested: Lapine, Bayonet, Blackhorse
Time (including set-up): _____ - _____ Approximate Number of Guests: Seaside, Seaside, Combo
Open to public

ADDITIONAL INFORMATION:

Reason for Requesting Fee Waiver: City wide annual event in honor of Dr. MLK JR.

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

What is your organization's tax identification number? on file

What percentage of your members or participants resides in Seaside? 80%

Is your organization based in Seaside? ☒ Yes ☐ No

Is your organization able to provide liability insurance? ☐ Yes ☐ No

Will alcohol be served or sold at your event? ☐ Yes ☒ No

Applicant Signature: _____

Date: 10/2/24

(For Office Use Only)

Fee Waiver Request: ☐ Approved ☐ Denied ☐ Appealed

Security Deposit Required? ☐ Yes ☐ No

Staff Signature: _____

Date: _____

Notes: _____



POLICY REGARDING ROOM RENTAL FEES AND WAIVERS

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

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

FEE WAIVERS FOR MEETING ROOMS

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

AUDITORIUM RENTAL FEE WAIVER

Organizations requesting the use of the Auditorium must:

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

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

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



SEASIDE CALIFORNIA

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

CONTACT INFORMATION

Organization: Action Building Healthy Communities
Name of Applicant: Rosalyn Green

Address: P.O. Box 327 City: Seaside Zip: 93955

Phone: 831-907-9180 Email: rosalyn@actionmuncil.org

Day of Event Contact Name and Phone: 1/20/25-Rosalyn Green 831-907-9180

☒ Resident ☐ Non-Resident

EVENT INFORMATION (Note: **BALLOONS ARE NOT ALLOWED**)

Event Title: Annual MLK Day March & Celebration Ceremony
*Please attach invitation or flyer if available.

Event Date: 01-20-25 Approximate Number of Guests: Community

Reservation Time (including set-up): 8:00 - 6:00pm Event Time: 6:00pm
*Laguna Grande Hall & Soper: Security guard(s) must be present for entire event time. See page 4.

Special Instructions: _____

Request to use the City's:
*Subject to availability

☒ Podium

☒ Microphone

☒ Projector Screen

**Projectors and other electronic equipment will not be provided

Is the event open to the public?
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: _____

Yes/No
☒ Yes ☒ No
☒ Yes ☒ No
☒ Yes ☒ No
☒ Yes ☒ No
☒ Yes ☒ No

Will refreshments be served?
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

Yes/No
☒ Yes ☒ No
☒ Yes ☒ No
☒ Yes ☒ No
☒ Yes ☒ No
☒ Yes ☒ No

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: _____

Date: 10/2/24

(For Office Use Only)

Permit Fee: _____

Authorized Agent: _____

Date: _____

Note: Original to Parks & Recreation Department

Updated 08/23

Page 1 of 4

Packet Page 102



SEASIDE CALIFORNIA

Facility Use Rental Request Form

Parks and Recreation Division

986 Hilby Avenue, Seaside CA 93955

831-899-6800

FACILITY SELECTION

☐ LAGUNA GRANDE HALL

Capacity: Dining: 225 / Theatre: 300

Dimensions: 128' X 120'

	Resident	Non-Res
Hourly Rate	\$56.25	\$160.00
Deposit	\$655.00	\$848.00
(Refundable)	(\$556.75)	(\$720.80)
Alcohol Deposit	\$638.00	\$827.00
(Refundable)	(\$414.70)	(\$537.55)

Liability Insurance: \$87 - \$222 (2023)

Alcohol Premium: \$63.00 (2023)

Security Guards: required 1 per 50 guests

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

☐ BAYONET MEETING ROOM

Capacity: Classroom: 30 / Theatre: 40

Dimensions: 24' X 20'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hrs.	\$43.75 /hr.	\$61.00 /hr.
After 3 hrs.	\$20 /hr.	\$28.00 /hr.

☐ BLACKHORSE MEETING ROOM

Capacity: Classroom: 40 / Theatre: 50

Dimensions: 28' X 26'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hrs.	\$43.75 /hr.	\$76.00 /hr.
After 3 hrs.	\$20 /hr.	\$33.00 /hr.

☐ DANCE STUDIO

Capacity: Classroom: 35 / Theatre: 70

Dimensions: 26' X 24'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hrs.	\$43.75 /hr.	\$94.00 /hr.
After 3 hrs.	\$20.00 /hr.	\$44.00 /hr.

☐ SEAHORSE CONFERENCE ROOM

Capacity: 20 / Dimensions: 28' X 16'

	Resident	Non-Res
Rate 0-3 hrs.	\$43.75 /hr.	\$61.00 /hr.
After 3 hrs.	\$20 /hr.	\$28.00 /hr.

☐ SEASIDE MEETING ROOM

Capacity: Classroom: 40 / Theatre: 60

Dimensions: 32' X 26'

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hrs.	\$43.75 /hr.	\$61.00 /hr.
After 3 hrs.	\$20 /hr.	\$28.00 /hr.

☐ SEASIDE COMMUNITY CENTER (SOPER)

Capacity: Dining: 85 / Theatre: 100

Dimensions: 128' X 120'

	Resident	Non-Res
Hourly Rate	\$56.25	\$160.00
Deposit	\$348.00	\$438.00
(Refundable)	(\$295.80)	(\$370.60)
Alcohol Deposit	\$638.00	\$798.00
(Refundable)	(\$414.70)	(\$518.70)

Liability Insurance: \$87 - \$222 (2023)

Alcohol Premium: \$63.00 (2023)

Security Guards: required 1 per 50 guests

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

☐ YOUTH EDUCATION CENTER

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

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

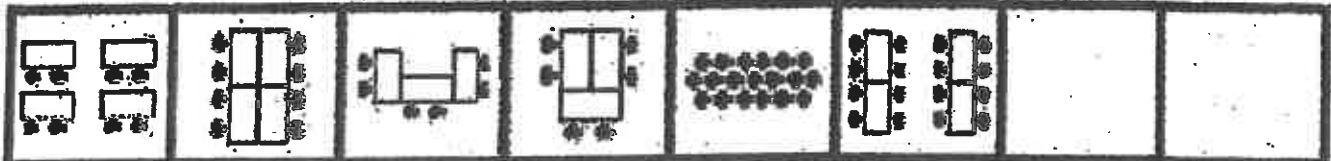
Non-Profit Rate: For Laguna Grande Hall, Seaside Community Center, and the Youth Education & Resource Center, non-profits may use the resident rate. For all other meeting rooms, non-profits may have up to 4 hours for \$37.00/\$47.00. Proof of 501(c)(3) required.

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

SEATING CONFIGURATION

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

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





**SEASIDE
CALIFORNIA**

Facility Use Rental Request Form

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

RULES, REGULATIONS & CONDITIONS OF USE

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



SEASIDE CALIFORNIA

Facility Use Rental Request Form

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

23. **SECURITY AND CLEANING DEPOSIT:** A deposit is required from any person or organization renting a room at the Center (according to current fees and charges). A portion of the deposit is non-refundable (according to current fees and charges) and the remaining deposit is refundable in whole or in part depending upon the condition of the room, walls, floors, carpets; whether any breakage occurred or whether overtime was incurred beyond stated setup, cleanup or activity time. The City reserves the right to close down any party or activity that may in any way endanger the health or safety of any person or property. Any early closure of the facility may result in loss of deposits. Refundable deposits will be returned within thirty (30) days following the event date.
24. **SUPPLIES:** City staff is not authorized to provide supplies for your event.
25. **SECURITY GUARDS:** One guard per fifty participants is required for events that serve alcohol and/or have live/DJ music or dancing. The City reserves the right to require security for events.

IMPORTANT THINGS TO NOTE

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

45 days in advance
30-45 days in advance
Less than 30 days in advance
Less than 48 hours in advance

Full refund, less a \$7 surcharge
Full refund, less the non-refundable part of security deposit
Full refund, less the entire security deposit
No refund

- ✓ *If alcohol is found on the premises (including the parking lot, stage, kitchen, etc.) and your contract prohibits the consumption of alcohol, the City of Seaside has the right to cancel your event and deposits and fees will NOT be refunded.
- ✓ *A one million dollar (two million aggregate) liability insurance policy is required. You can either purchase it through the city or through another insurance company and provide us a copy of the policy naming the City of Seaside as co-insured.
- ✓ Use of our facilities requires you to provide licensed and bonded security guards. You must hire one guard per every fifty guests. A copy of the contract must be provided to the city at least 30 days prior to your event. Renters exceeding their stated attendance risk losing their deposit.

Food Sales and Prohibited Goods & Materials:

- ❖ All food vendors 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 unless requested by the customer self-identifying a need for a plastic straw.
- ❖ The use of all types of balloons is prohibited at all City of Seaside parks and facilities.

Initials: _____



**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: Action Building Healthy Communities
Name of Applicant: Rosalyn Green
Address: P.O. Box 327 City: Seaside State: CA
Phone: 831-901-9180 Email: rosalynbhc@actioncouncil.org
Day of Event Contact Name and Phone: Jan. 20, 2025 - Rosalyn - 831-901-9180

EVENT INFORMATION:

Event Title: MLK Day Annual March / Celebration / Ceremony

Event Category:

☐ Athletic / Recreation
☒ Celebration / Festival
☐ Carnival

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

☐ Circus
☐ Dance

Event Date and Time: 01.20.2025
Setup: _____ Event Start: _____ Event End: _____ Clean up: _____

Event Location: Broadway → Fremont → Hilby to Oldemeyer
(MCSS office)

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.

Annual MLK march starts on Broadway at the MC
Department of Social Service goes down to Fremont across
to Hilby to the Oldemeyer Center for a celebration
ceremony program & refreshments.

Number of Participants: open to public Event Benefiting: Community

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? Social media, Flyers and word of mouth ... should be publicized via local news

Signs posted:

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

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

Will the event include music or live performances? ☒ Yes ☐ No

Will film, video, or photography be involved with the production of event? ☒ Yes ☐ No

Do you intend to sell food or beverage? ☐ Yes ☐ No

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

Do you intend to sell other merchandise? ☐ Yes ☐ No

Number of Vendors?

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

Vendor Name

Vendor Address

Describe Merchandise

Will alcohol be served? ☐ Yes ☒ No

Will alcohol be sold? *(If yes, please attach ABC license)* ☐ Yes ☒ No

Parking arrangements:



**SEASIDE
CALIFORNIA**

Special Event Application

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

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

Non-profit & grass root organizations along with
Seaside PD

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

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:

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: 10.2.24



**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: _____



**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: _____

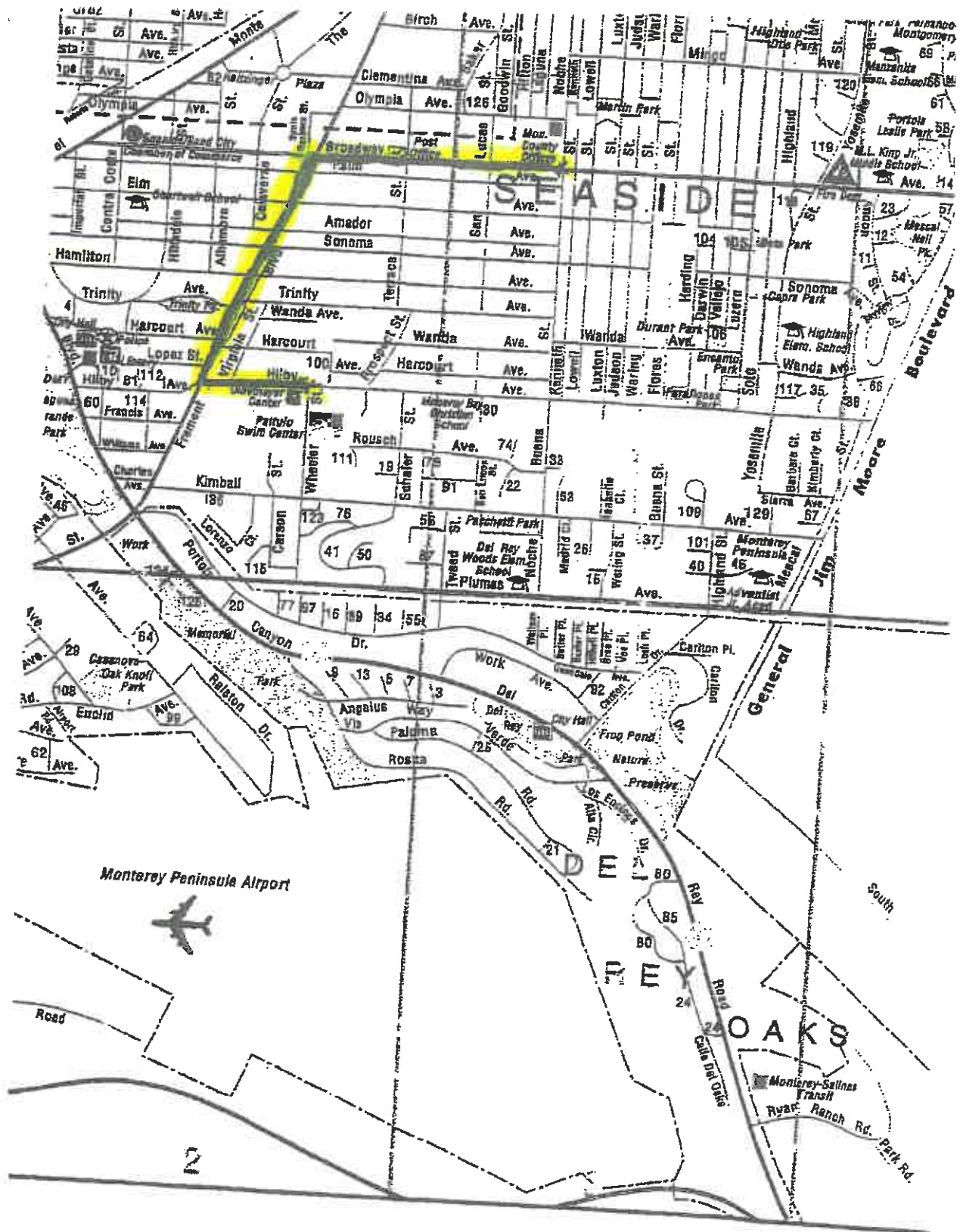
Date: 10.2.24

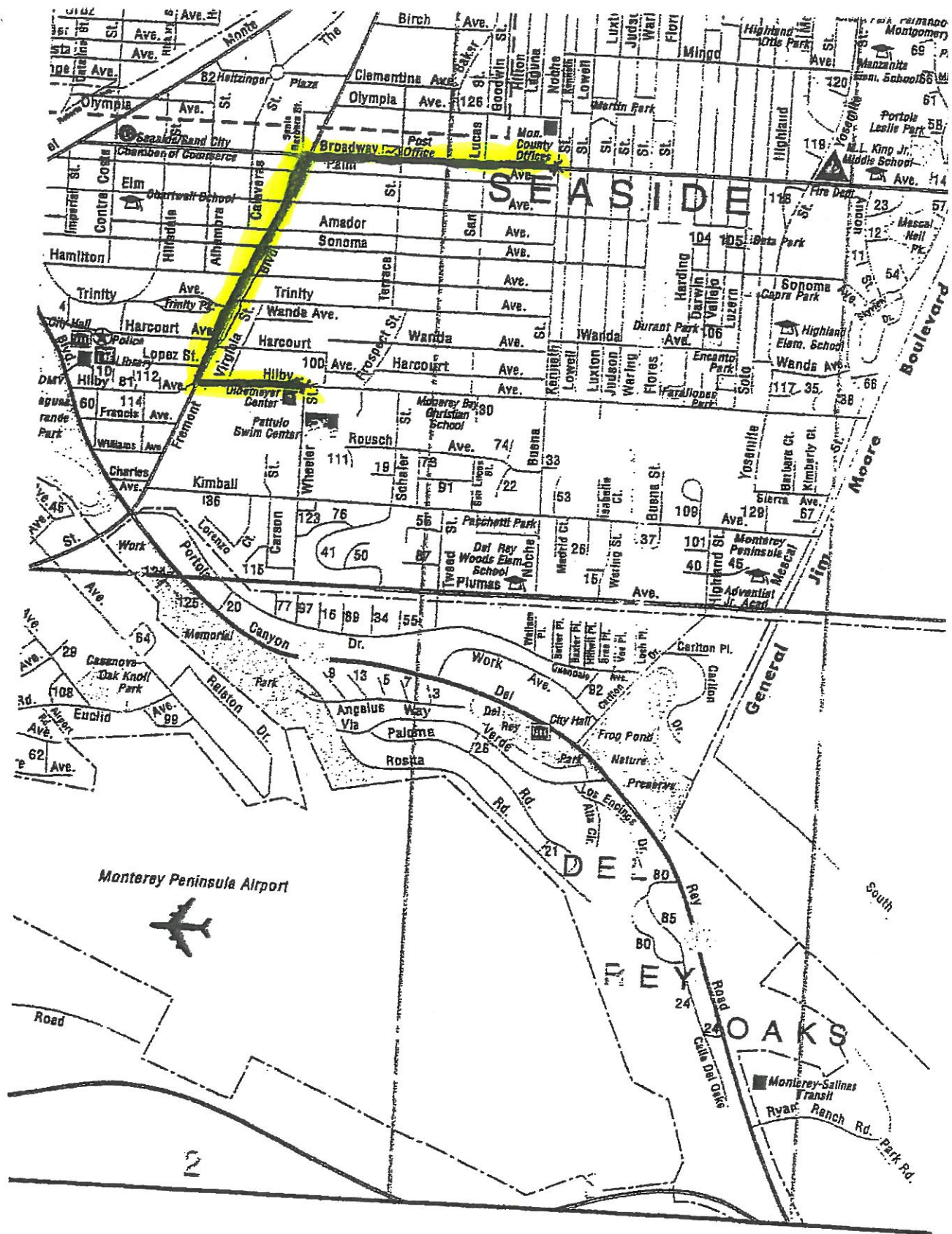
(For Office Use Only)

Authorization

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

Comments: _____







TEMPORARY STREET CLOSURE POLICY

I. Purpose

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

II. Scope

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

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

III. Policy Criteria

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



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

IV. Application Procedure

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



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

V. Road Closure / Barricade Equipment:

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

VI. Public Notification

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



VII. Fees and Charges

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

VIII. Additional Event Requirements

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

IX. Damages & Insurance

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

**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: Oct. 2. 2021

Name of Applicant: Rosalyn Green

Name of the Event / Purpose of Closure:

Annual MLK Day March - Celebrations & Ceremony

Date of Closure: Jan. 20. 2025

Start Time of Closure: 11:00am

End Time of Closure: 1:30pm

Streets to be closed:

A: Broadway (MCDSS office) from to Fremont

B: Fremont from to Hilby

C: Hilby from to Oldenmeyer Center

Map of Closure:

Map of Street Closure:

**To provide input on this application:**

Provide written comment to city clerk@ci.seaside.ca.us, include the following in the subject line "Public comment Item # (insert the agenda item number relevance to your comment). Written comments must be received by 3pm of the day of the meeting

Provide public comment in person at the meeting.

Meeting Date/Time:

Meeting Information:

**TEMPORARY STREET CLOSURE APPLICATION****Applicant Information**

Name of Applicant: <u>Rosalyn Green</u>	Date: <u>Oct. 2. 2024</u>
Mailing Address: <u>P. O Box 327</u>	City/ State: <u>Seaside CA</u>
Email: <u>rosalyn@seasideactioncouncil.org</u>	Phone: <u>831-401-9180</u>

Street Closure Details

Name of the Event / Purpose of Closure: <u>MILK Day March</u>		
General Description: <u>Residents / organizations walk/march in honor & remembrance of the civil rights movement and recognizing the holiday marked for MLK birthday</u>		
Event Start and End Time: <u>11:00am to approx 1:30pm</u>	Estimated number of people in attendance: <u>open to public</u>	
Date of Event: <u>Jan. 20 2025</u>	Total Number of streets to be closed: <u>3</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 (MCSS office)</u>	from to	<u>Fremont</u>
B: <u>Fremont</u>	from to	<u>Hillby</u>
C: <u>Hillby</u>	from to	<u>Oldemeyer Center</u>
Street close time:	Street opening time:	
Supplementary questions	Yes	No
Will vehicles be allowed inside the closure?	<u>motorcycles will lead</u>	
If yes, please explain why and provide their locations:		
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:		
I certify that the information provided in the application is true and correct to the best of my knowledge.		
Applicant Signature: <u>[Signature]</u>	Date: <u>10/2/24</u>	

**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:		

**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: _____

Internal Revenue Service

Date: August 7, 2004

ACTION Council of Monterey County, Inc.
% Susan Crosson
369 S. Main St., Ste. 201
Salinas, CA 93901-2770

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:

S. Katherine Converse 31-07823
Customer Service Specialist

Toll Free Telephone Number:

8:00 a.m. to 6:30 p.m. EST
877-829-5500

Fax Number:

513-263-3756

Federal Identification Number:

77-0357101

Dear Sir or Madam:

This is in response to your amendment to your organization's Articles of Incorporation filed with the state on April 29, 2004. We have updated our records to reflect the name change as indicated above.

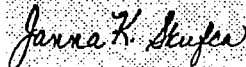
In May 1994 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a public charity under sections 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Janna K. Skufca, Director, TE/GE
Customer Account Services

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

DEPARTMENT OF THE TREASURY

Date:

DEC 14 1999

CHARITABLE COUNCIL OF MONTEREY
COUNTY
1000 S MAIN ST STE 202
SALINAS, CA 93901

Employer Identification Number:
77-0357101

DLN:

17053303709019

Contact Person:

REBECCA S BOWDEN

ID# 31183

Contact Telephone Number:

(877) 829-5500

Our Letter Dated:

May 1995

Addendum Applies:

No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

Steven T. Miller

Steven T. Miller
Director, Exempt Organizations

Letter 1050 (DO/CG)

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
2 CUPANIA CIRCLE
MONTEREY PARK, CA 91755-7406

DEPARTMENT OF THE TREASURY

Date: **MAY 27 1994**

HUMAN SERVICES CHARITABLE COUNCIL
OF MONTEREY COUNTY
1000 SOUTH MAIN STREET SUITE 202
SALINAS, CA 93901

Employer Identification Number:
77-0357101
Case Number:
954119001
Contact Person:
TYRONE THOMAS
Contact Telephone Number:
(213) 894-2289
Accounting Period Ending:
June 30
Foundation Status Classification:
170(b)(1)(A)(vi)
Advance Ruling Period Begins:
Feb. 7, 1994
Advance Ruling Period Ends:
June 30, 1998

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the

Letter 1045 (DO/CG)

HUMAN SERVICES CHARITABLE COUNCIL

notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social securities taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty we charge cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. We

Letter 1045 (DO/CG)

HUMAN SERVICES CHARITABLE COUNCIL

may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Richard R. Orosco
District Director

Letter 1045 (DO/CG)

State of California

SECRETARY OF STATE

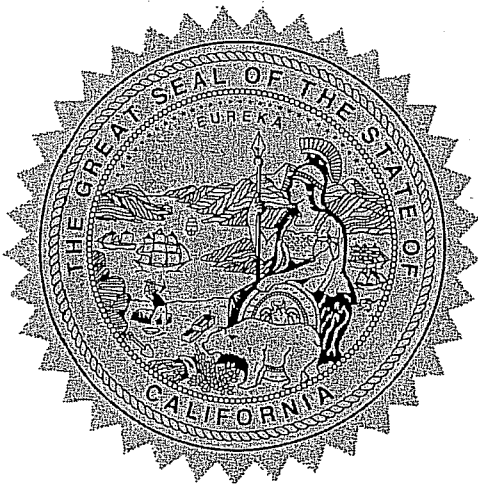
CORPORATION DIVISION

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the annexed transcript has been compared with the corporate record on file in this office, of which it purports to be a copy, and that same is full, true and correct.

IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this

OCT - 3 1996



Bill Jones

Secretary of State

**CERTIFICATE OF AMENDMENT
OF
ARTICLES OF INCORPORATION**

**ENDORSED
FILED**
In the office of the Secretary of State
of the State of California

SEP 26 1996


BILL JONES, Secretary of State

The undersigned certify that:

1. They are the president and the secretary, respectively, of Human Services Charitable Council of Monterey County, a California corporation.
2. Article One of the Articles of Incorporation of this corporation is amended to read as follows:

The name of this corporation is:

Charitable Council of Monterey County.

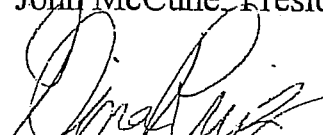
3. The foregoing amendment of Article of Incorporation has been duly approved by the board of directors.
4. The foregoing amendment of Articles of Incorporation has been duly approved by the required vote of the members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

DATE: 09/12/96



John McCune, President



Dina Ruiz, Secretary



STATE OF CALIFORNIA

FRANCHISE TAX BOARD

P.O. BOX 1286

RANCHO CORDOVA, CA. 95741-1286

February 7, 1994

In reply refer to
340:G :JCA

HUMAN SERVICES CHARITABLE COUNCIL OF
MONTEREY COUNTY
STE 202
1000 S MAIN STREET
SALINAS CA 93901

Purpose : CHARITABLE
Code Section : 23701d
Form of Organization : Corporation
Accounting Period Ending: June 30
Organization Number :

You are exempt from state franchise or income tax under the section of the Revenue and Taxation Code indicated above.

This decision is based on information you submitted and assumes that your present operations continue unchanged or conform to those proposed in your application. Any change in operation, character, or purpose of the organization must be reported immediately to this office so that we may determine the effect on your exempt status. Any change of name or address also must be reported.

In the event of a change in relevant statutory, administrative, judicial case law, a change in federal interpretation of federal law in cases where our opinion is based upon such an interpretation, or a change in the material facts or circumstances relating to your application upon which this opinion is based, this opinion may no longer be applicable. It is your responsibility to be aware of these changes should they occur. This paragraph constitutes written advice, other than a chief counsel ruling, within the meaning of Revenue and Taxation Code Section 21012 (a)(2).

You may be required to file Form 199 (Exempt Organization Annual Information Return) on or before the 15th day of the 5th month (4 1/2 months) after the close of your accounting period. See annual instructions with forms for requirements.

You are not required to file state franchise or income tax returns unless you have income subject to the unrelated business income tax under Section 23731 of the Code. In this event, you are required to file Form 109 (Exempt Organization Business Income Tax Return) by the 15th day of the 5th month (4 1/2 months) after the close of your annual accounting period.

February 7, 1994

HUMAN SERVICES CHARITABLE COUNCIL OF

Page 2

If the organization is incorporating, this approval will expire unless incorporation is completed with the Secretary of State within 60 days.

Exemption from federal income or other taxes and other state taxes requires separate applications.

A copy of this letter has been sent to the Office of the Secretary of State and to the Registry of Charitable Trusts.

J AMAYA

EXEMPT ORGANIZATION UNIT

CORPORATION AUDIT SECTION

Telephone (916) 369-4171

EO :

cc: MARIE YOUNG



CITY OF SEASIDE STAFF REPORT

Item No.: 7.K.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dominique Davis, City Clerk

DATE: November 7, 2024

**SUBJECT: APPROVE APPOINTMENTS THE ART AND HISTORY
COMMISSION**

RECOMMENDATION

Accept the appointments of Robert Daniels and Keylin Figueroa to the Art & History Commission, as recommended by the Mayor.

BACKGROUND

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

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

The Mayor has made the following appointments:

APPLICANT

Robert Daniels
Keylin Figueroa

ADVISORY BODY

Art & History Commission
Art & History Commission

FISCAL IMPACT

None.

ATTACHMENTS

1. Appointee Application - Robert Daniels
 2. Appointee Application - Keylin Figueroa
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager



City of Seaside

City Clerk's Office

Application for Appointment to a City Board/Commission/Committee

City Clerk's Office

October 16, 2024

Received

City Clerk's Date Stamp

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

To serve on:

Arts & history

Please list the Board/Commission/Committee that you would like to be considered for

Name: Robert Daniels Jr

Address: 1817 HAVANA ST Seaside, CA 93955

Email: RobertDaniels93955@gmail.com Telephone: 831-200-5092

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

Experienced photographer & Art Curator. Have participated
& volunteered in local Art festivals & activities.

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

I want to contribute to my community by participating
civically, & by supporting and advocating for the Arts and
preservation of Seaside's rich history.

Other private and non-profit affiliations:

Action Council / Building healthy communities - Employed.

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

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

Signature

Date



City of Seaside

City Clerk's Office

Application for Appointment to a City Board/Commission/Committee

City Clerk's Office
October 29, 2024
Received

City Clerk's Date Stamp

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

To serve on: Art & History Commission

Please list the Board/Commission/Committee that you would like to be considered for

Name: Keylin Figueroa

Address: 1480 Hillsdale Street, Seaside, CA 93955

Email: figueroak209@gmail.com Telephone: (209)719-0616

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

Currently I am the Program & Media Coordinator at MILPA Collective. Over the past 4 years I have made various efforts to help preserve our communities traditions and stories. Some examples of these

Cultural Art Events and the Pozole for the Sol Zine. These projects have all captured the beauty of

Briefly describe your desire to be appointed to the above Board Commission or Committee:
The reason why I would like to join the Art & History commission is because Art has held a place of

Highlighting the importance of life, poetry, food, art and culture in our community will not only allow us to learn from previous generations to current and future ones to come. This will help us preserve the beauty of

Other private and non-profit affiliations:

MILPA Collective

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

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

Signature

October 29, 2024

Date

Keylin Figueroa
Art & History Commission Application Answers

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

My name is Keylin Figueroa, a [REDACTED], raised in the Central Valley with a working class family background. I received my Bachelor's Degree from California State University Monterey Bay, majoring in Humanities and Communications with a concentration in Journalism and Media.

Currently I am the Program & Media Coordinator at MILPA Collective. Over the past 4 years I have organized and led various efforts to help preserve our communities traditions and stories. Some examples of these efforts have been our Reframing the Narrative Convening, Cultural Art Events and the Pozole for the Sol Zine. These projects have all captured the beauty of our communities cultural views, beliefs, and practices.

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

The reason why I would like to join the Art & History commission is because Art has held a place of importance in cultural expression and understanding. Highlighting the importance of life, poetry, food, art and culture in our community will not only allow us to express emotion, but also a way to pass down knowledge from previous generations to current and future ones to come. This will help us preserve the beauty and integrity of our families.

****I am sending my answers on this attachment as they fit weirdly in the text boxes.**



CITY OF SEASIDE STAFF REPORT

Item No.: 7.L.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Patrick Grogan, Associate Engineer
Dan Meewis, Recreation Director

DATE: November 7, 2024

**SUBJECT: REVIEW AND TAKE ACTION ON TRAFFIC ADVISORY
COMMITTEE RECOMMENDATION TO APPROVE THE ADDITION
OF A SECOND DRIVEWAY APPROACH AT 1476 MILITARY
AVENUE**

RECOMMENDATION

The Traffic Advisory Committee (TAC) recommends approving the installation of a second driveway approach at 1476 Military Avenue.

BACKGROUND

The Traffic Advisory Committee (TAC) reviewed and provided a recommendation on a TAC application at the October 15, 2024, regular meeting. A brief summary of the item is presented below.

The property owner of 1476 Military Avenue submitted a TAC application on August 7, 2024, requesting the widening of an existing second driveway approach, to allow for access to a proposed ADU. The applicant has an approved building permit for the ADU. The lot currently has one driveway approach on Military Avenue.

Military Avenue is a collector road, with one lane of travel in both the east and westbound directions, parallel parking on both sides, and is populated with single family homes. It is approximately 40 feet wide, from face of curb to face of curb, and has a speed limit of 30 mph. 5-foot sidewalks are present on both sides of the street. 1476 Military Avenue is a single parcel with one residence and attached garage. The property has approximately 94 feet of street frontage.

Staff analyzed the application for conformance with the Seaside Municipal Code (SMC). The application did not conform with the following code section.

SMC section 17.34.120 Driveways and Site Access, outlines the requirements for driveways of Single Family Dwellings. Section A states that parcels within the RS-8 or RS-12 zones may have two separate driveways if they have 200 feet or more of street frontage.

Per the above stated code sections, 1476 Military Avenue does not meet the criteria for a second driveway, as its street frontage is only 94 feet of the required 200 feet.

Additionally, the approval of this application would remove two public parking spots from Military Avenue, due to the placement of the proposed second driveway approach, and the distances to the adjacent existing approaches.

During the TAC meeting there was discussion on the additional driveway, and while the second driveway would eliminate two parking spaces from the street, two parking spaces would be added to the property for the proposed ADU. TAC ultimately decided to recommend approving the resident's application for an additional driveway approach off of Military Avenue.

FISCAL IMPACT

There is no fiscal impact associated with this Item - Approve a second driveway approach at 1476 Military Avenue. The cost of the improvements would be paid by the applicant.

ATTACHMENTS

1. Item 1 - 1476 Military Exhibit

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager



APPLICATION FEE PER THE CURRENT ADOPTED FEE SCHEDULE

Traffic Advisory Committee Request Application

The following information is required to process all Traffic Advisory Committee requests. This information will be used to contact the applicant should staff have questions or needs clarification on the request. This information will also appear in the staff report presented to the Traffic Advisory Committee and/or City Council.

The Traffic Advisory Committee meets the 3rd Tuesday of every month at 5:00 PM in the City of Seaside's City Hall Conference room. This meeting is open to the public and applicants are encouraged to attend.

Name: Rodolfo Zucca Date: 8/7/2024
Address: 1476 Military Ave Phone: [REDACTED]

Type of Request (check all that apply):

- ☐ Parking Designations ☐ Crosswalk ☐ Curb Markings (White, Yellow, etc.)
☐ Warning Sign ☐ Traffic Signal/Stop Sign ☐ Signing/Striping
☒ Other Driveway access for off street parking for ADU

FEES WILL APPLY FOR PARKING AND CURB MARKING REQUESTS

Request: I am requesting a 13' wide driveway for off-streed parking of two vehicles for
the ADU approved build. Attached are plans showing the layout of the proposed driveway.
This does place the centerline of the new driveway 31' from the proposed new driveway
we would need City Engineering to approve this exception.

Request Procedures are outlined on the back of this form. For any questions regarding the Traffic Advisory Committee (TAC) please contact 899-6825.

TAC REQUEST PROCEDURE

The Traffic Advisory Committee (TAC) acts as an advisory board to the City Council per Chapter 2.37 of the Municipal Code. Recommendations made by the TAC are to be ratified by the City Council prior to implementation. The TAC consists of five members: a Council Member; Director of Public Works; Chief of Police; Director of Community Development; and the Fire Chief. The TAC reviews all requests for traffic safety regulatory or control devices, signs and markings, and conducts studies as well as offers recommendations to the City Council, Planning Commission or appropriate City department.

Upon submittal of a request, staff will place the request on the next available TAC agenda for a future scheduled meeting. All TAC's action will be forwarded for City Council consideration at their next available scheduled meeting.

Fees

Fees will be collected prior to installation of any approved requests that directly benefits the applicant, such as limited timed parking, white zones, etc. Prior to any required maintenance of the improvement, the same fee will apply and be billed to the applicant. The following fees have been determined based upon the cost of staff time and material for installation:

Description	Fee*
Marking curb – per curb (20' maximum length)	Per current adopted fee schedule
Installation of one sign	

* Fees subject to change per City Council approved fee schedule. Fee determined by date of application.

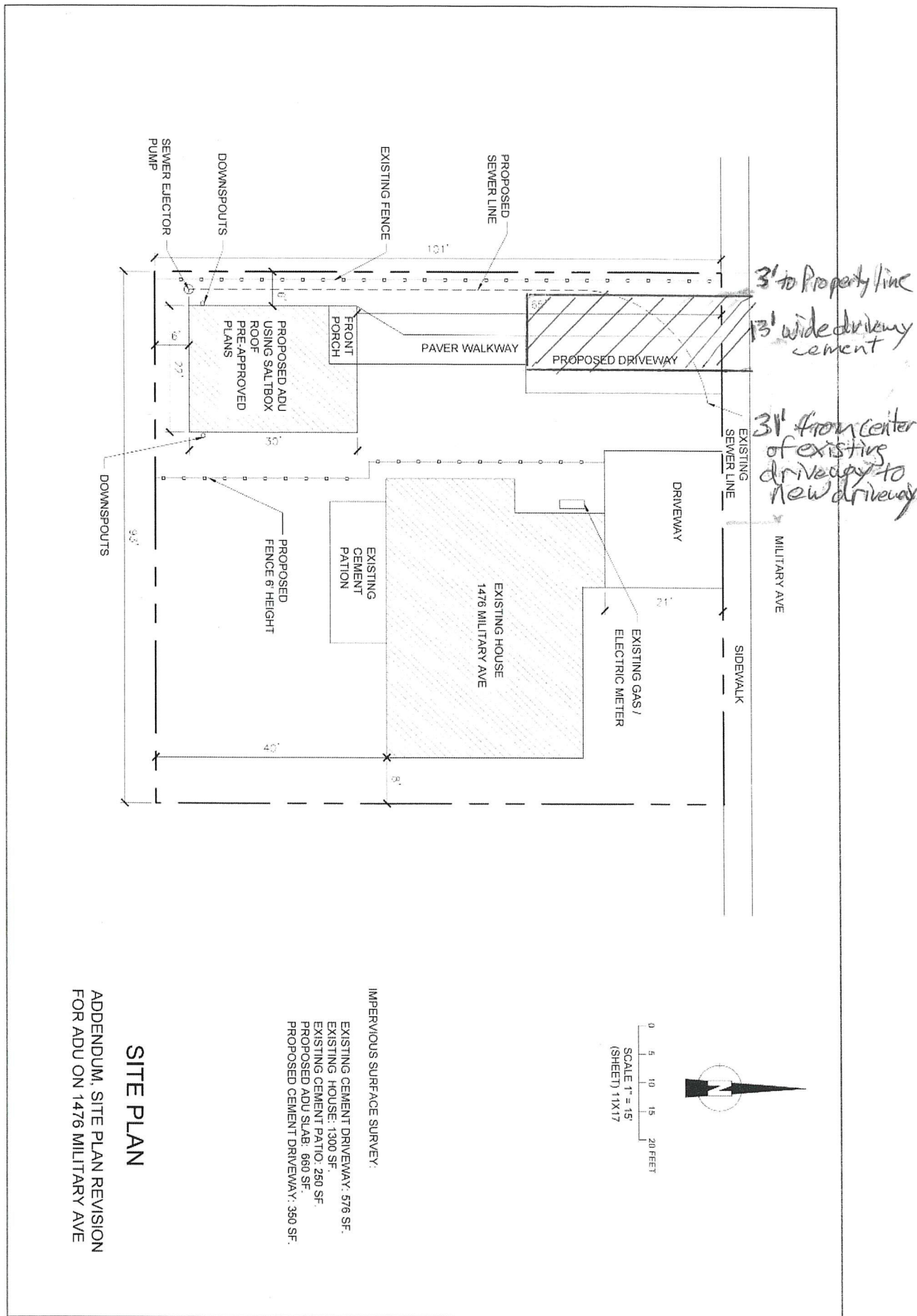
PLEASE COMPLETE FOR PARKING AND CURB MARKING REQUESTS

TAC REQUEST ACKNOWLEDGEMENT STATEMENT

I, Rodolfo Zucca understand that should my request be approved by the Traffic Advisory Committee and City Council, I will be responsible for the fee prior to the installation of my request. I also understand that if approved by City Council the improvements will be reviewed annually or whenever deemed appropriate by the Public Works Department for any required maintenance and I will be charged the corresponding fee.


Applicant Signature

8/7/2024
Date



SITE PLAN

ADDENDUM, SITE PLAN REVISION
FOR ADU ON 1476 MILITARY AVE



Proposed second approach.



Primary approach, to remain.



Fence in safety visibility area, less than 48" in height. Code compliant.



Area of proposed driveway approach.



CITY OF SEASIDE STAFF REPORT

Item No.: 7.M.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dan Meewis, Recreation Director

DATE: November 7, 2024

SUBJECT: ADOPT A RESOLUTION APPROVING \$202,464.29 FOR THE PURCHASE OF A BUCKET TRUCK FROM CUSTOM TRUCK & EQUIPMENT FOR USE BY THE PUBLIC WORKS MAINTENANCE AND UTILITIES DIVISION

RECOMMENDATION

Adopt a resolution approving \$202,464.29 from four different section accounts for the purchase of a bucket truck and authorize the City Manager to execute a purchase agreement with Custom Truck & Equipment for an amount not to exceed \$204,000.00 for the bucket truck, and direct the Finance Department to incorporate these changes in the fiscal year 2024/2025 budget.

BACKGROUND

The purpose of this item is for the City Council to consider approving \$202,464.29 for the purchase of a bucket truck for use within the Public Works Maintenance and Utilities Division. The Maintenance and Utilities Division budgeted a total of \$204,000.00 for the purchase of a bucket truck in the 2024/25 Fiscal Year.

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

The current bucket truck, which is in need of replacement, failed a dielectric test and is in need of extensive rust repair in excess of \$16,000.00. The City solicited a proposal to

purchase a bucket truck, manufactured by Terex Utilities, from Custom Truck & Equipment. Custom Truck & Equipment is a dealer and rental partner of Terex Utilities, an approved supplier with Sourcwell (Contract #110421-TER), a federal procurement system of which the City of Seaside is also a participating agency (Account #17733).

The bucket truck is a Ford F550 Terex Utilities LTM 40 and the prices shown include set up and delivery to the City. All applicable fees and taxes will be paid by the City to the State.

FISCAL IMPACT

If the City Council approves the purchase of the bucket truck, the fiscal impact will be from the following Maintenance and Utilities Division accounts, 8187 Department Equipment: \$72,464.29 from 100-8420 Parks, \$30,000.00 from 401-8620 Water, \$50,000.00 from 100-8310 Government Buildings, and \$50,000.00 from 210-8110 Streets for the total purchase price of \$202,464.29

ATTACHMENTS

1. Proposal
2. Bucket Truck Resolution

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager



Custom Truck & Equipment
7701 E 24 Highway
Kansas City, MO 64125
Phone: (816) 241-4888
Fax: (816) 241-8826
www.customtruck.com

CUSTOM TRUCK & EQUIPMENT RETAIL BUYERS ORDER

City of Seaside

ADAM VICK, Mechanic
Phone: (831) 899-6700
Email: avick@ci.seaside.ca.us
Salesperson: David Imach
Date: September 27, 2024
Quote Number: Q-42120

TITLE INFORMATION

Name as it Should Appear on Title: City of Seaside

Address as it Should Appear on Title: 440 Harcourt Avenue, Seaside, CA 93955

BILLING INFORMATION

Bill-To Name: City of Seaside

Address as it Should Appear on Invoice: 440 Harcourt Avenue, Seaside, CA 93955

SALES ORDER

UNIT(S) DESCRIPTION

SOURCEWELL PRICING - FORD F550 4X4 GAS - TEREX LTM 40
QL-0093480 Item #: 100_00049
Delivery Address: 440 Harcourt Avenue, Seaside, CA 93955
Freight: \$5,905.00

LINE PRICE TOTAL PRICE

\$179,417.00 \$202,464.29

By clicking "I Agree", you agree that you have reviewed the Electronic Record and Signature Disclosure, and you consent to the use of electronic records and signatures in the review and execution of this document.

I Agree

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**ADOPT A RESOLUTION AUTHORIZING THE PURCHASE OF A BUCKET TRUCK
FROM CUSTOM TRUCK AND EQUIPMENT IN THE AMOUNT OF \$202,464.29
FOR USE BY THE MAINTENANCE AND UTILITIES DIVISION**

WHEREAS, the Maintenance and Utilities Division is an essential function in the Public Works Department for the City of Seaside that requires reliable equipment to operate efficiently; and

WHEREAS, the existing bucket truck is in need of replacement after failing a dielectric test and requires extensive rust repair in excess of \$16,000.00; and

WHEREAS, the purchase of a new bucket truck would support the department's commitment to providing excellent municipal service; and

WHEREAS, the Maintenance and Utilities Division budgeted from four different accounts for a total of \$204,000.00 for the purchase of a bucket truck in the 2024/25 Fiscal Year; and

WHEREAS, Custom Truck & Equipment has a Ford F550 Terex Utilities LTM 40 bucket truck available for a price of \$202,464.29.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby adopt a resolution authorizing the City Manager to execute a purchase agreement with Custom Truck & Equipment for the purchase of a bucket truck for an amount not to exceed \$204,000.00.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 7th day of November, 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.: 7.N.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Andreas Baer, Senior Engineer

DATE: November 7, 2024

SUBJECT: ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WHITSON ENGINEERS FOR ADDITIONAL DESIGN SERVICES FOR THE LINCOLN CUNNINGHAM ARTERIAL TRAIL PROJECT FOR AN AMOUNT NOT TO EXCEED \$100,470.00 WHICH WILL BE FUNDING WITH BUDGET SAVINGS FROM THE PHASE ONE ARTERIAL TRAILS CONSTRUCTION PROJECT.

RECOMMENDATION

Adopt a resolution authorizing the City Manager to execute an amendment to the professional services agreement with Whitson Engineers for providing additional design services to complete the design of the Lincoln Cunningham Park Project for an amount not to exceed \$100,470.00.

BACKGROUND

On January 30, 2023, the City Council adopted a resolution authorizing the preparation of concept plans for the development of an accessible trail and other amenities in Lincoln Cunningham and Havana Soliz Parks. Development of the Lincoln Cunningham and Havana Soliz Parks Conceptual Master Plan was the first phase of a larger Blue Zones Marquee Project that aims to improve health and well-being of the Seaside community by providing vibrant parks connected by a walkable network of trails. The ultimate goal is to connect Manzanita-Stuart, Lincoln Cunningham, and Havana Soliz parks via a modern, accessible trail network.

In accordance with the Lincoln Cunningham and Havana Soliz Parks Conceptual Master Plan, on November 2nd, 2023, the City Manager signed a professional services agreement (PSA) with Whitson Engineers (Whitson) who partnered with BFS Landscape

Architects as a sub-consultant, to prepare construction plans and specifications for the Lincoln Cunningham Arterial Trail Project for a cost of \$89,800.00. The design scope was limited to pathways, underground work, and ADA improvements due to the limited funding.

The Lincoln Cunningham Arterial Trail Project (Project) includes replacing failed dilapidated pathways with ADA-compliant multi-use pathways, constructing stabilized pedestrian pathways, and repairing underground utilities at Lincoln Cunningham Park. This phase of work is a follow on to the basketball court construction at Lincoln Cunningham park completed in 2023. Additional work included in the Conceptual Master Plan includes the construction play areas and play structures, a community area, a fitness area, and both landscaped and open spaces. Construction bids were opened for this pathway phase of the Project July 2024. The lowest responsive and responsible bidder was Monterey Peninsula Engineering Inc. (MPE) and they were awarded a construction contract in the amount of \$994,837.35. The bid from MPE is \$315,475.60 lower than the next lowest bid leaving substantial funding in this parks project account. The Project is currently under construction and will remain in progress through March 2025.

By executing a construction change order with the engaged contractor the City will save substantial funding because:

- The City will not have to pay additional mobilization and demobilization costs;
- The City will not need to pay for redundant sight stabilization and planting work, and;
- The City will save money by deducting temporary stabilized pedestrian pathways where permanent amenities will be built.
- New contractors will not have to take special precautions to protect planted areas and brand-new facilities and pathways when working.

The final park amenities phases of work have only been developed to the level of the concept plan as adopted by City Council in January 2023. This concept plan has not been fully engineered or designed. On October 9th, 2023, in response to staff requests, Whitson Engineers submitted a proposal for additional services including, but not limited to, engineering, landscape design, planting and irrigation, and lighting/electrical that will complete the Lincoln Cunningham Park design work, for an amount not to exceed \$99,500.00. Staff recommends awarding \$100,470.00. This number adds a small amount of additional contingency money to the contingency funding remaining in the existing contract agreement and provides a total of 10% contingency for the final design work.

The parks and recreation commission has requested additional funding through the neighborhood improvement commission (NIC) to support the construction of recreation facilities at the park. The requested funding combined with the remaining funding will still not be enough funding to complete construction of the entire Master Plan. However, staff plans to work with the commissions, community members and

volunteers at the park including the Friends Of Seaside Parks Association (FOSPA) to prioritize the park amenities and construct park amenities in accordance with the group. Recommendations will be brought to the City Council with a staff report for approving an amendment to the construction contract when the additional work has been designed, prioritized, and estimated.

Staff recommends adopting the resolution authorizing the City Manager to execute an amendment to the professional services agreement with Whitson Engineers to provide additional design services to complete the design of the Lincoln Cunningham Park Project for an amount not to exceed \$100,470.00.

FISCAL IMPACT

The proposed amendment to the professional services agreement with Whitson Engineers is for an amount of \$99,500.00 plus a contingency of \$970. The original agreement was made for an amount not to exceed of \$89,800.00 plus a 10% contingency of \$8,980.00, for a total not to exceed the amount of \$98,780. The original contingency was not spent and that contingency plus the \$970 new contingency will make up a 10% contingency value covering unforeseen expenses of the new design work. The total Professional Services Agreement will be for an amount not to exceed \$199,250.00. The adopted fiscal year 2023/24 budget plus the fiscal year 2022/23 rollover funds for the Phase 1 Trails Project was \$1,816,785.58. After deducting the existing contracts and their encumbrances, there are sufficient funds in the associated account (No. 342-8910-9581) to fund these services with an available balance of \$400,748.60. There are sufficient funds in the Project account (342-8910-9579) to execute the amendment to the professional services agreement with Whitson Engineers.

ATTACHMENTS

1. Whitson PSA Amendment Proposal
2. LC Park Resolution

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager



October 9, 2024

Project No.: 2071.32

Andreas Baer
Senior Engineer
City of Seaside
440 Harcourt Ave.
Seaside, CA 93955

**Re: Lincoln-Cunningham Park Improvements – Phase 1
Additional Services Proposal #1**

Dear Mr. Baer:

Thank you for the opportunity to make this proposal. We understand that the City has a budget of approximately \$425,000 for design and construction of additional improvements at Lincoln-Cunningham Park. We understand the city would like to add the following elements to the current project, as shown on the attached Scope Exhibit:

1. Group Picnic Area
2. Adult Fitness Area – or – Playground Area

We also understand from our discussions that the city would like to consider adding planting and irrigation to the project if irrigation water can be made available. As such, we have included an allowance for planting and irrigation as an Optional Task. Similarly, we have included electrical engineering as an Optional Task, in the event lighting is desired. (Note, if irrigation is provided, electrical service will also be needed.)

Based on our understanding of the project, we propose the following scope of work:

SCOPE OF SERVICES

Design

1. Prepare 30% Plans and Cost Estimate for the three areas under consideration (Group Picnic, Adult Fitness, and Playground) and work with the city to select which areas will be added to the Project.
2. After the project scope has been selected by the City, prepare 60% (Draft), 90% (Plan Check) and 100% (Released for Construction) Drawings and Construction Cost Estimates.
3. **Optional Service:** Prepare Planting and Irrigation Plans and Specifications.
4. **Optional Service:** Prepare Electrical and Lighting Plans and Specifications.

Storm Water Pollution Prevention Plan (SWPPP)

1. Prepare the project Storm Water Pollution Prevention Plan (SWPPP). The

October 9, 2024 | Job No. 2071.32

Lincoln-Cunningham Park Improvements – Phase 1

Temporary Erosion and Sediment Control Drawings prepared as part of the Civil drawing package will be included in the SWPPP.

2. Assist the Owner's Legally Responsible Person (LRP) in uploading (to the SWRCB website) and certifying the Project Registration Documents (PRDs). PRDs include the SWPPP with signed Owner's certification; the Notice of Intent; the project's Risk Level Determination; Erosion and Sediment Control Drawings; and the Annual Fee (to be paid by Owner).
3. Furnish one original "job copy" SWPPP binder to the Owner's Representative, to provide to the Construction Contractor.

Storm Water Control Plan (SWCP)

1. During the Preliminary Design (Planning) phase, prepare a Preliminary Storm Water Control Plan.
2. During the Final Design phase, prepare the Final Storm Water Control Plan.

SCM Maintenance Agreement and Operation and Maintenance Plan

1. Complete the civil (technical) aspects of the City/County-provided Stormwater Control Measure (SCM) Maintenance Agreement template, and provide the completed template to the Owner's Project Manager. The Owner's legal counsel will be responsible for review of non-technical (legal) aspects of the Agreement, and coordination with the city for any aspects of the Agreement they wish to change.
2. Develop an Operation and Maintenance Plan (O&M Plan) for the SCMs installed as part of the Project. The O&M Plan will address long-term SCM maintenance activities and will be an attachment to the Maintenance Agreement. Submit the Maintenance Agreement to the Owner's Project Manager for plan check.
3. Following receipt of plan check comments, revise and resubmit the Maintenance Agreement and O&M Plan. The city/county and Owner's representative will be responsible for notarizing and recording the Maintenance Agreement and O&M Plan at the County Recorder's Office.

Bidding and Construction Support

1. Provide design assistance during construction as requested. This is anticipated to include: attending semi-weekly progress meetings; performing site reviews during construction, and preparing written field reports; reviewing Contractor's Material Submittals and Shop Drawings; preparing written responses to Requests for Information; preparing drawing revisions if needed; and participating in a final site review and preparing a Punch List.
2. Provide the following SCM construction observations:
 - a. SCM excavation – Measure excavation area and elevation, and observe subgrade condition.
 - b. Drain rock – Measure drain rock elevation and observe installed drain rock condition.
 - c. Structure installation – Measure structure elevations and observe structures, pipes and appurtenances.
 - d. Bioretention soil / finished grade – Observe bioretention soil and side slopes.
 - e. Final – Observe condition of the completed SCMs.
3. At the completion of construction, provide the Engineer's Stormwater Control Measure Certification.

October 9, 2024 | Job No. 2071.32

Lincoln-Cunningham Park Improvements – Phase 1**Assumptions**

1. Assumptions as outlined in our original proposal.
2. Project will not be submitted/reviewed for Building Permit; or if the City requires structural calculations for the play equipment foundations, the calculations will be specified to be provided by the equipment manufacturer (deferred submittal).
3. No specialty/decorative pavements or finishes are proposed.
4. Only the Group Picnic Area will be subject to the Regional Post-Construction Requirements (PCRs), as the other areas will be pervious or Self-Retaining.
5. Project will disturb more than 1 acre and will therefore require coverage under the Construction General Permit.
6. Other assumptions, as listed in our subconsultant proposals.

Exclusions

The following work is specifically excluded from the Engineer's Scope of Services:

1. Assumptions as outlined in our original proposal
2. Other exclusions, as listed in our subconsultant proposals.

PAYMENT AND PROVISIONS:

Our estimated fees for the services described in the above Scope of Services are:

Whitson Engineers	\$29,000
BFS Landscape Architects	\$35,000
10% Subconsultant Administrative Fee	\$3,500
Total	\$67,500
 Optional Service: Planting and Irrigation	 \$22,000
Optional Service: Electrical and Lighting	\$10,000

Progress billings will be on a Time and Materials basis as work is being completed, in accordance with our Contract. If this proposal is acceptable, please forward a Change Order for execution.

If you have any questions or need more information, please contact me at (831) 649-5225.

Sincerely,



Nathaniel Milam, PE, QSD
Senior Civil Engineer

For Richard Weber PE, LS, QSD | Principal
RCE 55219, LS 8002, QSD 20534

EXHIBIT A1

Lincoln-Cunningham Park Improvements - Phase 1									
Time and Materials Estimate									
10/18/2023 NDM T41									
Civil Design									
		PE	SCE	SLS	CE	AE2	1P	2P	Totals
	Rate:	\$ 240	\$ 195	\$ 195	\$ 175	\$ 130	\$ 210	\$ 350	Hours Cost
1	30% Plans and Cost Estimate		8		16				24 \$ 4,360
2a	60% Plans and Cost Estimate		8		16				24 \$ 4,360
2b	90% Plans and Cost Estimate		4		8				12 \$ 2,180
2c	100% Plans and Cost Estimate		4		4				8 \$ 1,480
--	PM, QA/QC, Meetings	2	4		4				10 \$ 1,960
	Subtotal:	2	28	0	48	0	0	0	78 \$ 14,340
									Professional Personnel Estimate: \$ 14,340
									Expenses Estimate: \$ -
									Total Estimate: \$ 14,340
SWPPP									
		PE	SCE	CE	AE	AE2	1P	2P	Totals
	Rate:	\$ 240	\$ 195	\$ 175	\$ 150	\$ 130	\$ 210	\$ 350	Hours Cost
1	Prepare SWPPP		4	4					8 \$ 1,480
2	Upload SWPPP to SMARTS		2						2 \$ 390
3	Print Job Copy SWPPP Binder								0 \$ -
--	Project Management, QA/QC		2						2 \$ 390
	Subtotal:	0	8	4	0	0	0	0	12 \$ 2,260
									Professional Personnel Estimate: \$ 2,260
									Expenses Estimate: \$ 50
									Total Estimate: \$ 2,310
SWCP									
		PE	SCE	CE	AE	AE2	1P	2P	Totals
	Rate:	\$ 240	\$ 195	\$ 175	\$ 150	\$ 130	\$ 210	\$ 350	Hours Cost
1	Preliminary SWCP		4	4					8 \$ 1,480
2	Final SWCP		2	2					4 \$ 740
--	Project Management, QA/QC		1						1 \$ 195
	Subtotal:	0	7	6	0	0	0	0	13 \$ 2,415
									Professional Personnel Estimate: \$ 2,415
									Expenses Estimate: \$ -
									Total Estimate: \$ 2,415
SCM Maintenance Agreement and O&M Plan									
		PE	SCE	CE	AE	AE2	1P	2P	Totals
	Rate:	\$ 240	\$ 195	\$ 175	\$ 150	\$ 130	\$ 210	\$ 350	Hours Cost
1	Maintenance Agreement				2				2 \$ 300
2	O&M Plan		1		4				5 \$ 795
3	Finalize O&M Plan and Maint. Agmt.		1		2				3 \$ 495
--	Project Management, QA/QC		2						2 \$ 390
	Subtotal:	0	4	0	8	0	0	0	12 \$ 1,980
									Professional Personnel Estimate: \$ 1,980
									Expenses Estimate: \$ -
									Total Estimate: \$ 1,980
Construction Support									
		PE	SCE	CE	AE	AE2	1P	2P	Totals
	Rate:	\$ 240	\$ 195	\$ 175	\$ 150	\$ 130	\$ 210	\$ 350	Hours Cost
1a	Semi-weekly progress meetings (8)		8						8 \$ 1,560
1b	Site Reviews (4)		8						8 \$ 1,560
1c	Material submittal review		2						2 \$ 390
1d	Respond to RFIs		4						4 \$ 780
1e	Drawing revisions		4						4 \$ 780
1f	Final site review		4						4 \$ 780
2a	SCM excavation observation		2						2 \$ 390
2b	Drain rock observation		1						1 \$ 195
2c	Structures observation (included above)								0 \$ -
2d	BSM/grading observation		2						2 \$ 390
2e	Final SCM observation		1						1 \$ 195
3	SCM Certification		1						1 \$ 195
--	Project Management, QA/QC		3						3 \$ 585
	Subtotal:	0	40	0	0	0	0	0	40 \$ 7,800
Assumes:									
8 semi-weekly progress meetings									Professional Personnel Estimate: \$ 7,800
4 construction site reviews									Expenses Estimate: \$ 155
									Total Estimate: \$ 7,955
									Total Estimate: \$ 29,000

[illegible]

ARTERIAL PARK ENTRY AT LINCOLN ST.
8' CONCRETE PATH, 2' DG SHOULDERS
DECORATIVE PLANTINGS, & BULBOUT
WITH CURB RAMP.

COLLECTOR PARK ENTRY:
CURB RAMP, 6' CONCRETE
PATH, 2' DG SHOULDER, &
DECORATIVE PLANTINGS

RESTROOM BUILDING WITH SECURITY FEATURES

COLLECTOR PARK ENTRY:
CURB RAMP, 6' CONCRETE
PATH, 2' DG SHOULDER, &
DECORATIVE PLANTINGS

SMALL COMMUNITY AMPHITHEATER WITH STAGE

EXISTING
BASKETBALL
COURT

CENTRAL
PLAZA

FITNESS AREA

NATIVE PLANT
POLLINATOR GARDEN

2-5 YEAR OLD
PLAY EXHIB

EXHIBIT A

Adult Fitness Area

COLLECTOR PARK ENTRY:
6' CONCRETE PATH,
2' DG SHOULDER, &
DECORATIVE PLANTINGS

Bioretention Pond to mitigate runoff from the Group Picnic Area

Group Picnic Area



Playground Area

ARTERIAL PARK ENTRY AT SAN PABLO AVE
8' CONCRETE PATH, 2' DG SHOULDERS, &
DECORATIVE PLANTINGS

ARTERIAL PARK ENTRY AT PEDESTRIAN BRIDGE:
8' CONCRETE PATH, 2' DG SHOULDERS, &
DECORATIVE PLANTINGS

SCALE: 1"= 60'-0"

A graphic scale bar showing a distance of 60 feet, with a scale of 1 inch = 60 feet. To the right of the scale bar is a north arrow pointing towards the top right of the page.



Additional Scope of Services

Lincoln Cunningham Park Phase 1 – Arterial Trail Project
October 08, 2024

ADDITIONAL SERVICES DESCRIPTION

BFS Landscape Architects has prepared the following scope and fee at the request of the Whitson Engineers for Lincoln Cunningham Park.

The City of Seaside has identified an additional budget of \$425,000 to be allocated to the design and construction of additional park program elements: Based on conversations with Whitson Engineers and the City of Seaside. BFS will prepare the design, construction documents and provide construction administration services for the following elements:

- Group Picnic Area – 6,000 square feet
- Adult Fitness **OR** Playground Area – 3,000 square feet.

Due to the budget constraints, BFS scope and fee does not include both a playground and adult fitness area. It will be the determination of the Owner to identify which element is the priority.

Utilizing the overall master plan approved by the City of Seaside in the fall of 2023, BFS will coordinate with the Design Team and City staff to select the site furnishings, equipment and materials for the elements listed above. BFS will coordinate with Whitson Engineers on the grading and drainage and pathway layout to ensure that the new elements are connected to the Phase 1 Trail system.

TASK 01

Included within our scope and fee are the following deliverables and coordination effort

1. The preparation of 30%, 60%, 90% and 100% plans, specifications and estimates. Plans, specification and estimates will include the following. Please note that the 30% submittal will only include a landscape site plan with callouts, notes, product data information and estimated construction costs. The 60% and 90% submittals will include:
 - a. Construction Plans – including new pathways, park elements and site furnishings
 - b. Construction Details – including resilient surfacing at the playground or fitness area, access ramps, site furnishing layout and attachment methods.
 - c. Planting Plans – includes the identification and treatment of disturbed site areas with a native, non irrigated hydroseed.
 - d. Planting Details – as required

Please note that if the Owner decides to pursue establishing a water service to Lincoln Cunningham for irrigation and potable water needs, that would be an additional cost to the BFS scope and fee. We have provided a stand along fee for irrigation design and point of connection coordination and for planting of trees, shrubs and groundcovers, this is identified as Task 02 in the Compensation Schedule.
2. Coordination with the Design Team and Owner on the site layout, material selection and site improvements.
3. Coordination with the City Building Department to amend the existing construction building permit.
4. Construction administration and review including the review of submittals, rfis, change orders and (3) site visits (1) punch-list walk and (1) final acceptance walk.

EXCLUSIONS

Please note that BFS has excluded from our scope and fee the preparation of materials and presentations to City Council and the Parks and Recreation Commission. Should the need arise, BFS will coordinate with Whitson Engineers and the Owner a fee for that time and materials.

BFS has also excluded from our scope and fee an electrical, lighting design and structural engineering. Should the City decide that engineered footings be required, the responsibility should be placed on the Contractor to provide structural plans and calcs as apart of the submittal process.

SCHEDULE

Because the Lincoln Cunningham Park Phase 1 Trail project has already begun construction, BFS understands the critical nature of the schedule. Per our conversation with Whitson Engineers we anticipate the following deliverable dates

1. 30% Submittal: October 25, 2024
2. 60% Submittal: November 22, 2024
3. 90% Submittal: December 17, 2024

COMPENSATION

TASK 01

1. Preparation and coordination of the 30%, 60%, 90% and 100% plans, specification and estimates
2. Design Team and Owner Coordination for Design
3. Design Team and Owner Coordination for Building Permit
4. Construction Administration and Review

TIME AND MATERIALS.....**\$35,000**

TASK 02

1. Preparation and coordination of an irrigation system including point of connection and phased irrigation system design.
2. Preparation and coordination of planting including trees, shrubs and groundcovers
3. Design Team and Owner Coordination for Water Service and Meter permit
4. Construction Administration and Review

TIME AND MATERIALS.....**\$19,500**

AGREED & AUTHORIZED TO PROCEED:

Signature Date

Print Name & Title

License No.

Company

Attachments: Standard Schedule of Compensation dated 1/2024.

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, 400 R Street, Suite 4000, Sacramento, CA 95814, (916) 445-4954.

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.

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WHITSON ENGINEERS FOR ADDITIONAL DESIGN SERVICES FOR THE LINCOLN CUNNINGHAM ARTERIAL TRAIL PROJECT FOR AN AMOUNT NOT TO EXCEED \$100,470.00

WHEREAS, On January 30th, 2023 the City Council adopted a resolution authorizing a professional services agreement with Whitson Engineers to prepare concept plans for Lincoln Cunningham and Havana Soliz Parks; and,

WHEREAS, On June 1st 2023, the City Council authorized an amendment for the concept plan by Whitson Engineers for Lincoln Cunningham and Havana Soliz Parks for additional community outreach events in the amount of \$18,600; and,

WHEREAS, the Phase 1 Trails Project (Project) was adopted in the fiscal year 2023/2024 Capital Improvement Program (CIP) annual budget to begin implementation of the concept plans for Lincoln Cunningham and Havana Soliz Parks; and,

WHEREAS, construction of an arterial path segment in Lincoln Cunningham park connecting San Pablo Avenue to Lincoln Street has been identified as a priority project to further the City's efforts to implement the Safe Routes to Schools plan and the Blue Zones Marquee project; and,

WHEREAS, On November 2nd 2023 Council authorized a professional services agreement with Whitson Engineers to provide design services for the Lincoln Cunningham Arterial Trail Project for an amount not to exceed \$89,800.00; and,

WHEREAS, On July 25th, 2024 Council adopted a resolution approving the plans and specifications for Lincoln Cunningham Park Phase 1 – Arterial trail project and awarding a construction agreement to Monterey Peninsula Engineering for an amount not to exceed \$1,144,062.95 including the complete contract and contingency; and,

WHEREAS, on July 25th, 2024, Council adopted a resolution authorizing a professional services agreement with Wallace Group for construction management and inspection services for the Lincoln Cunningham Park Phase 1 - Arterial Trail Project for an amount not to exceed \$202,669.00

WHEREAS, the adopted fiscal year 2023/24 budget plus the fiscal year 2022/23 rollover funds for the Phase 1 Trails Project were \$1,816,785.58; and,

WHEREAS, Lincoln Cunningham Park Phase 1 – Arterial trail project

construction bids came in below budget, and available funding remains in the CIP project budget for further implementation of the concept plans for Lincoln Cunningham and Havana Soliz Parks; and,

WHEREAS, Staff requested a proposal from Whitson Engineers to provide design services to complete the Lincoln Cunningham concept plan improvements; and,

WHEREAS, on October 9th, 2024, Whitson Engineers provided a proposal to prepare complete construction plans and specifications for the project in the amount not to exceed \$99,500.00 plus contingency; and ,

WHEREAS, completing the plans for Lincoln Cunningham Parks now so that the work can be installed as a change order to the existing construction contract will limit the cost of bidding and project management, as well as the amount of temporary work and mobilization/demobilization costs saving substantial funding in the long run; and,

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside authorizes the City Manager to Amend the Professional Services Agreement with Whitson Engineers to provide complete design services for additional design services for the Lincoln Cunningham arterial trail project in the amount of \$99,500.00 and up to a 10% contingency for a not exceed \$199,250.00.

PASSED AND ADOPTED at a regular City Council meeting of the City of Seaside duly held on the 7th day of November, 2024 by the following vote:

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

APPROVED:

Ian N. Oglesby, Mayor

ATTEST:

Dominique Davis, City Clerk

APPROVED AS TO FORM:

Sheri L. Damon, City Attorney



CITY OF SEASIDE STAFF REPORT

Item No.: 7.0.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dan Meewis, Recreation Director
Leslie Llantero, Assistant Engineer

DATE: November 7, 2024

SUBJECT: ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PARAMETRIX INC. FOR ADDITIONAL ACCESSIBILITY DESIGN SERVICES FOR SAN PABLO AVENUE TRAFFIC CALMING PROJECT FOR AN AMOUNT NOT TO EXCEED \$45,610.00

RECOMMENDATION

Adopt a resolution authorizing the City Manager to execute an amendment to the professional services agreement with Parmetrix Inc. for additional accessibility design services for the San Pablo Avenue Traffic Calming Project for an amount not to exceed \$45,610.00.

BACKGROUND

The San Pablo Traffic Calming Project (Project) was included in the FY 2024/2025 Capital Improvement Program. On December 7, 2023, the City Council approved a Professional Service Agreement (PSA) with Parametrix Inc. (Parametrix) for the San Pablo Traffic Calming Work Plan and Design for an amount not to exceed \$81,610.00.

Parametrix developed the traffic calming toolkit community survey and, together with the results and existing traffic data and collision history, developed the San Pablo Traffic Calming Conceptual Plan (Plan). The Plan presented to the Traffic Advisory Committee (TAC) included three sets of speed cushions, a set of flushed and raised median islands, red curbs at intersections, painted curb extensions, accessible curb cuts for two high visibility crosswalks, a speed feedback sign, centerline and edgeline striping, and a realignment redesign and raised median island between Nadina Street and General Jim Moore Boulevard. With TAC input and community support, Parametrix

moved forward with the design and construction documents for the Plan.

The Plan included three directional accessible curb cuts for crosswalks at Shawnee Court and Harding Street. The City requested Parametrix to design accessible curb returns at all corners of the intersection to provide accessibility for each crossing at the crosswalk locations, as shown in attachment 3. Parametrix performed a feasibility analysis to determine what could be designed to accommodate accessibility at all corners. Due to the narrowness and slopes of the sidewalks, curb extensions and diagonal curb ramps are needed for accessibility. This results in three additional accessible curb return designs and three redesigns of the directional curb ramps. The cost associated with these designs is \$39,870.00. An additional amount of \$5,740.00 is included in this amendment for additional construction coordination for a total cost of \$45,610.00. With the added designs, it is estimated that the final bid set including specifications and construction cost estimate will be completed and put out to bid by February 6, 2025.

FISCAL IMPACT

The FY 2024/2025 Adopted Budget is \$1,5839,646.00 for three identified traffic calming projects on San Pablo Avenue, Hilby Avenue, and Baker Street. San Pablo Avenue Traffic Calming Improvements design budget is \$105,271.00, including a 10% contingency and amendment No. 1.

The proposed amendment to Parametrix's professional services agreement for additional accessibility design services is \$45,610 for a total professional services agreement not to exceed \$142,720.00. There are enough funds in the Traffic Calming Project account No. 212-8960-9580 to accommodate the additional accessibility design services.

ATTACHMENTS

1. Resolution
2. Amendment No. 2
3. Additional Crossing Locations
4. San Pablo Ave Traffic Calming Conceptual Plan

Reviewed for Submission to the City Council by:



Craig Malin, Interim 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 PARAMETRIX INC. FOR ADDITIONAL ACCESSIBILITY DESIGN SERVICES FOR THE SAN PABLO TRAFFIC CALMING PROJECT FOR AN AMOUNT NOT TO EXCEED \$45,610.00.

WHEREAS, San Pablo Traffic Calming Project is an approved Capital Improvement Program Project identified in the approved FY 2024/2025 Budget; and

WHEREAS, the Professional Service Agreement (PSA) with Parametrix Inc. for the San Pablo Traffic Calming Work Plan and Design which includes bid support and construction coordination for \$81,610.00 and

WHEREAS, on August 15, 2024, the City approved an amendment No. 1 for unforeseen additional design services that arose after the community survey and for additional topographic surveys required for the realignment and design and accessibility curb cuts for a total Project design budget of \$105,271.00, including 10% contingency; and

WHEREAS, the City requested accessibility improvements at all corners of the crosswalk located at Shawnee Court and Harding Street; and

WHEREAS, a feasibility analysis concluded that curb extensions at each corner and diagonal curb cuts would be needed, to meet accessibility requirements, due to the slope and narrowness of the sidewalks; and

WHEREAS, an amendment to the scope of work includes design of three additional curb cuts, three redesigns of the planned curb cuts, and increased time for construction coordination due to the added scope of work.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby authorize the City Manager to execute an amendment to the professional services agreement with Parametrix Inc. for additional accessibility design services for the San Pablo Avenue Traffic Calming Project for an amount not to exceed \$45,610.00 for a total professional services agreement not to exceed \$142,720.00.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 7th day November, 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

CONTRACT AMENDMENT #2

PROFESSIONAL SERVICES

City of Seaside

Date: November 7, 2024

Change Requested by: City/District X Consultant**Contract Date****Project Name**

12/07/2023

San Pablo Avenue Traffic Calming Work Plan

To (Consultant): Parametrix Inc., 6001 Shellmound Street Suite 500, Emeryville, CA 94608

You are directed to make the following changes to the Contract Documents or amend the following described work not included in the contract documents for this project.

The purpose of this addendum is to provide additional professional services related to the project named above. The contract terms and conditions shall not be modified except for as stated herein.

MODIFY the following text in **Section 2, "Services."**

Consultant shall perform the tasks described and set forth in **Exhibit A, A1, and A2** attached hereto and incorporated herein as though set forth in full. Consultant shall complete the tasks according to the schedule of performance which is also set forth in **Exhibit A, A1, and A2**.

MODIFY the following text in **Section 22, "Contents of Request for Proposal and Proposal."**

Consultant is bound by the contents of City's Request for Proposal, Exhibit D hereto and incorporated herein by this reference, and the contents of the proposal submitted by the Consultant, **A, A1, and A2** attached hereto. In the event of conflict, the requirements of Agency's Request for Proposals and this Agreement shall take precedence over those contained in the Consultant's proposal.

Original Contract Amount	Previous CCO Total (Not including this Amendment)	This Amendment Total	Revised Contract Amount
\$81,610.00	\$15,500.00	\$45,610.00	\$142,720.00
Original Contract Time	Original Completion Date	Days To Date (Including This Amendment)	Revised Completion Date
24 Months	June, 30, 2025	0	June, 30, 2025

SUBMITTED BY:		
	Dan Meewis Recreation Director	
Signature	Name and Title	Date
CITY APPROVAL BY:		
	Craig Malin Interim City Manager	
Signature	Name and Title	Date
CONSULTANT ACCEPTANCE BY:		
Signed by: 	David Parisi Principal Consultant	10/30/2024
DAC9B573CBBDA1A... Signature	Name and Title	Date

Parametrix

DATE: October 23, 2024
TO: Leslie Llantero, City of Seaside
FROM: David Parisi, Jimmy Jessup, Parametrix
SUBJECT: Proposal for Design of Six (6) Curb Ramps Along San Pablo Avenue

Dear Ms. Llantero:

Thank you for contacting Parametrix, Inc. for your transportation engineering needs. Pursuant to your request, Parametrix has prepared this proposal to develop engineering designs for six accessible curb ramps along San Pablo Avenue at the following locations:

- Southwest and southeast corner of San Pablo Avenue and Shawnee Court
- Northwest and northeast corner of San Pablo Avenue and Havana Street
- Southwest and Southeast corner of San Pablo Avenue and Havana Street

Our proposed work will consist of the following tasks:

1. Parametrix will develop concept designs for these curb ramp locations and review initial design with the City. Following agreement of concept, Parametrix will progress plans, specifications, and an estimate (PS&E) to a 65% engineering design submittal for City review.
2. Parametrix will integrate City comments and develop a 95% engineering PS&E package for City review. Comments will be integrated into a 100% PS&E design set.
3. The plans for these curb ramps will be integrated into the existing 95% PS&E design set for the San Pablo Avenue Traffic Calming Project. It is anticipated that elements of the existing plan set, such as median island location, curb extension placement, installation of a valley gutter across the southern approach of Havana Street to San Pablo Avenue, and associated demolition and striping plans will need to be adjusted to integrate the eventual curb ramp design.
4. Parametrix will support the City by responding to questions during the bid, pre-construction, and construction stages. Parametrix will respond to product submittals and requests for information from the contractor and address other design issues related to the curb ramps during construction.

We can conduct the first task within six overall weeks of contract finalization, and the second and third tasks within four weeks of receiving City comments on the Task 1 submittal.

Attendance at hearings are not included as part of this proposal, and can be accommodated for an additional fee.





Parametrix will conduct work on a time and materials basis. Our estimated fee for conducting this work is \$45,610, as per the table below.

Task	Description	Senior Consultant	Engineer IV	Engineer III	Engineer I	Project Controls	Subtotal	Expenses	Totals
		\$305	\$200	\$165	\$145	\$165			
1	Design of 6 Curb Ramps to 65% PS&E	6	24	52		2	\$15,540		\$15,540
2	Design of 6 Curb Ramps to 100% PS&E	6	20	48		2	\$14,080		
3	Integration of Curb Ramps into Existing Design Set	4	6		54		\$10,250		\$10,250
4	Construction Support of Curb Ramp Installation	2	24			2	\$5,740		\$5,740
Base Scope Totals		18	74	100	54	6	\$45,610	\$0	\$45,610

If you concur with the above work plan and terms, we will arrange for finalizing an agreement. If you have any questions, please do not hesitate to contact me.

Sincerely,

David Parisi, PE, TE
Principal Consultant

Figure 1 – Crosswalk location across Shawnee Court, requiring installation of two additional curb ramps

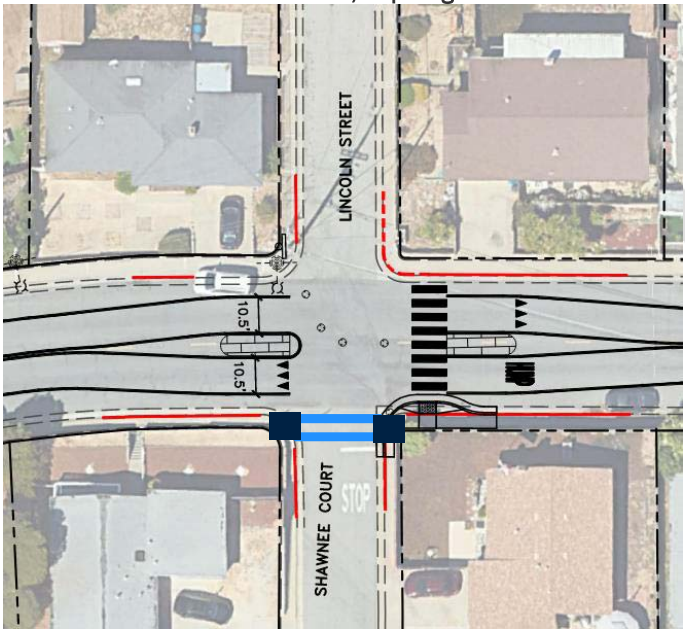
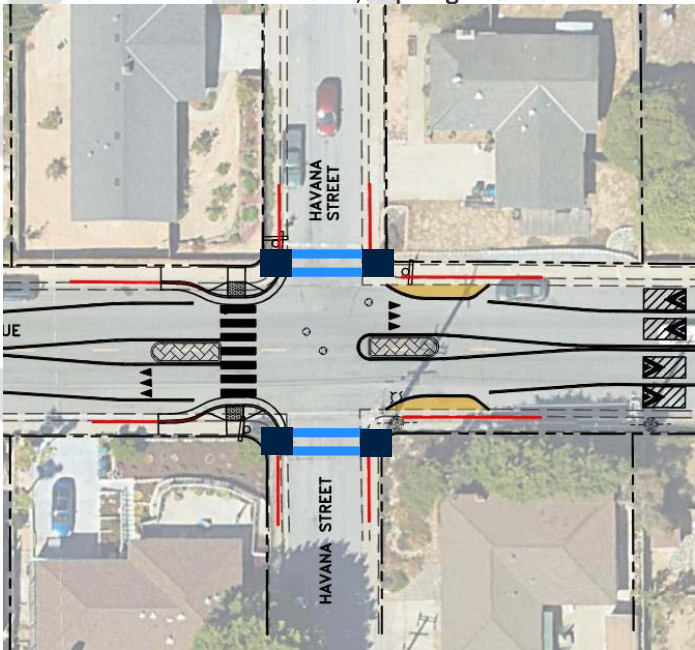
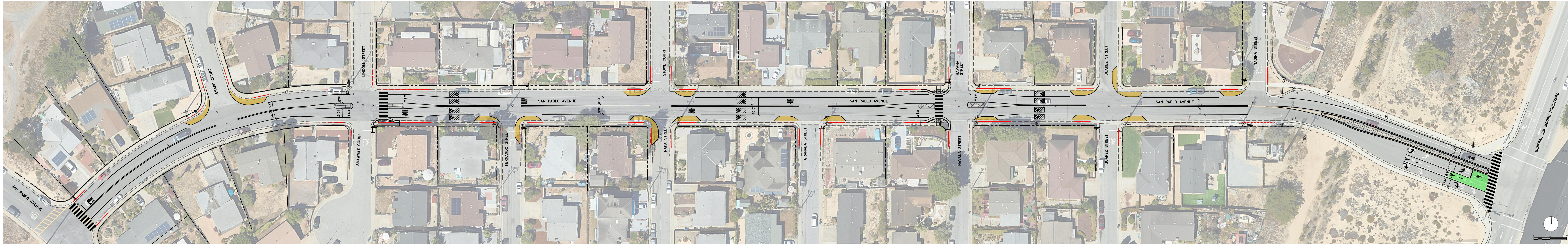


Figure 2 – Crosswalk locations across Havana Street, requiring installation of four additional curb ramps







CITY OF SEASIDE STAFF REPORT

Item No.: 7.P.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Haroon Noori, Administrative Analyst II

DATE: November 7, 2024

SUBJECT: ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL, INC. FOR ADDITIONAL SERVICES TO COMPLETE THE 2025-2029 CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR AN AMOUNT NOT TO EXCEED \$23,000.00

RECOMMENDATION

Adopt a resolution approving an amendment to the Professional Services Agreement with Michael Baker International, Inc. for additional services to complete the 2025-2029 Consolidated Plan for the Community Development Block Grant (CDBG) Program for an amount not to exceed \$23,000.00

BACKGROUND

The City of Seaside (City) is a recipient of federal entitlement grant funding from the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grants (CDBG). As a recipient of these funds, the City is required to prepare an Analysis of Impediments (AI) to Fair Housing Choice and a Consolidated Plan every five years. The Consolidated Plan is a planning document required by HUD intended to help jurisdictions assess their affordable housing and community development needs.

FY24/25 is the last year of the 2020-2024 Consolidated Plan cycle and the City is now required to plan and develop its next Consolidated Plan for 2025-2029. The preparation of the AI and Consolidated Plan requires careful planning, extensive citizen participation and engagement, comprehensive data collection and analysis, and technical writing.

In May 2024, the City entered into an agreement (in the amount of \$24,000) with Michael Baker International, Inc. to assist with the preparation of the AI and the 2025-2029 Consolidated Plan. To date, the City has exhausted all funds approved in the original agreement and Michael Baker International has completed the kickoff, created the citizen participation materials, performed data analysis and completed the draft Analysis of Impediments.

The original agreement did not include several components of the service, which, nevertheless, must be completed in order to complete the new Consolidated Plan and related plans. In particular, the City is in need of:

1. Additional assistance with conducting Citizen Participation: the original contract called for stakeholder input through a survey and meeting. HUD, however, now requires stakeholder interviews be conducted with identified groups in addition to the contracted kickoff meeting with stakeholders and community/stakeholder survey.
2. New to the Consolidated Planning process is the need to do additional data collection and analysis of broadband needs within the community and completion of required tables.
3. Since HUD released the initial Comprehensive Housing and Affordability Survey (CHAS) data, HUD has released a new and unplanned data set on September 11 that needs to be analyzed and incorporated into the new Consolidated Plan.
4. Assistance with submission of the Consolidated Plan and the Annual Action Plan to HUD, and assistance with any changes or amendments that HUD may require post Plan submission.

In response to these needs, City staff is requesting the City Council approve an amendment to the Professional Services Agreement with Michael Baker International, Inc. for additional services to complete the 2025-2029 Consolidated Plan for the Community Development Block Grant (CDBG) Program for an amount not to exceed \$23,000.00.

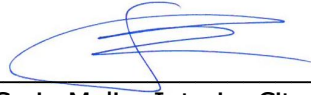
FISCAL IMPACT

In June 2024, the City Council approved \$45,000 for CDBG consulting services for FY24/25. As of the date of this staff report, the CDBG program has already incurred \$27,608 (including encumbrances) in consulting service charges. CDBG program still has \$17,392 available to allocate toward this amendment. However, this amendment still requires a general fund contribution of \$5,608. These funds will be paid from the funds previously allocated to the Economic and Community Development Department.

ATTACHMENTS

1. Resolution (Including Amendment & Proposal)
 2. Original Agreement No. AG 2024-109
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim 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 MICHAEL BAKER INTERNATIONAL, INC. FOR ADDITIONAL SERVICES TO COMPLETE THE 2025-2029 CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR AN AMOUNT NOT TO EXCEED \$23,000.00.**

WHEREAS, the City of Seaside ("City") participates in the Department of Housing and Urban Development's ("HUD") Community Development Block Grant ("CDBG") Program; and

WHEREAS, as a recipient of CDBG funds, the City must prepare an Analysis of Impediments (AI) to Fair Housing Choice and a Consolidated Plan every five years; and

WHEREAS, the Consolidated Plan is a planning document required by the U.S. Department of Housing and Urban Development (HUD) intended to help jurisdictions assess their affordable housing and community development needs; and

WHEREAS, FY24/25 is the last year of the 2020-2024 Consolidated Plan cycle and the City is now required to plan and develop its next Consolidated Plan for 2025-2029; and

WHEREAS, the preparation of the AI and Consolidated Plan requires careful planning, extensive citizen participation and engagement, comprehensive data collection and analysis, and technical writing; and

WHEREAS, in May 2024, the City entered into an agreement with Michael Baker International, Inc. to assist with the preparation of the AI and the 2025-2029 Consolidated Plan for a total amount of \$24,000; and

WHEREAS, per the original agreement, Michael Baker International has completed the kickoff, created the citizen participation materials, performed data analysis and completed the draft Analysis of Impediments; however, there are several components of service not included in initial scope, which, nevertheless, must be completed in order to complete the new Consolidated Plan and related plans, requiring an additional \$23,000;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby authorize the City Manager to execute an amendment to the professional services agreement with Michael Baker International, Inc. for additional services to complete the 2025-2029 Consolidated Plan for the Community Development Block Grant (CDBG) Program for an amount not to exceed \$23,000.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 7th day November, 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
AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT AG2024-109
FOR PREPARATION AND SUBMITTAL OF THE ANALYSIS OF IMPEDIMENTS TO
FAIR HOUSING CHOICE AND THE 2025-2029 CONSOLIDATED PLAN FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

This Amendment ("Amendment") is made and entered into this 1st day of October, 2024 by and between the City of Seaside, hereinafter called the "City," and the Michael Baker International, Inc., hereinafter called the "Consultant".

RECITALS

- A. The City of Seaside ("City") has entered into a Professional Services Agreement (AG2024-109) with the Consultant to assist the City with the preparation and submittal of the Analysis of Impediments to Fair Housing Choice and the 2025-2029 Consolidated Plan for the Community Development Block Grant Program.
- B. City and Consultant have entered into a Professional Services Agreement ("Agreement") dated May 1, 2024 for a total amount of \$24,000.
- C. The parties desire to further amend the Agreement and enter into this Amendment in order to make certain changes as set forth below.

IN CONSIDERATION of the mutual covenants herein set forth and mutual benefits to be derived therefrom, the parties agree as follows:

- 1. The Agreement is amended as follows:

Section A - Engagement: The City agrees to engage the Consultant to provide services as described in Exhibit A-1, attached hereto and, hereinafter referred to as "the Project."

Section C - Compensation: The total compensation as specified in Section C is amended to forty-seven thousand dollars (\$47,000). The City shall pay consultant on a time and materials basis in accordance with the standard billing rates shown in Exhibit A-1, attached hereto.

Section E - Term: The term of the Agreement as specified in Section E is extended through December 31, 2025.

- 2. Ratification of Agreement: All other provisions of the Agreement dated May 1, 2024 shall remain in full force and effect. In witness whereof, the City Manager of the City of Seaside has caused this Amendment to be subscribed, and the Subrecipient has subscribed the same through its authorized officer, the day, month and year first above written.

"Consultant"
Michael Baker International, Inc.

"CITY"
City of Seaside

By: _____
William M. Hoose, AICP
Vice President

By: _____
Craig Malin
Interim City Manager

Exhibit A-1



October 17, 2024

Haroon Noori, Administrative Analyst II
Community and Economic Development Dept
City of Seaside
440 Harcourt Avenue
Seaside, California, 93955

RE: LETTER PROPOSAL FOR ADDITIONAL TASKS: CONSOLIDATED PLAN AND ACTION PLAN

Dear Mr. Noori:

Thank you for the opportunity to respond to the City of Seaside for services needed to complete the City's Consolidated Plan and Annual Action Plan. Michael Baker International, Inc. (Michael Baker) is pleased to submit this letter proposal to provide these services in a cost-effective manner.

MBI and the City earlier entered into an agreement to provide an Analysis of Impediments to Fair Housing Choice and for the overall 2025-2028 Consolidated Plan. To date, MBI has completed the kickoff, created the citizen participation materials, performed data analysis and completed the draft Analysis of Impediments. In working through the process required by the U.S. Department of Housing and Urban Development (HUD), there are several components of service not included in initial scope which, nevertheless, must be completed in order to complete the new Consolidated Plan and related plans. In particular, the City is in need of:

1. Additional assistance with conducting Citizen Participation: the original contract called for stakeholder input through a survey and meeting. HUD, however, now requires stakeholder interviews be conducted with identified groups in addition to the contracted kickoff meeting with stakeholders and community/stakeholder survey.
2. New to the Consolidated Planning process is the need to do additional data collection and analysis of broadband needs within the community and completion of required tables.
3. Since HUD released the initial Comprehensive Housing and Affordability Survey (CHAS) data, HUD has released a new and unplanned for data set on September 11 that needs to be analyzed and incorporated into the new Consolidated Plan.
4. The proposal covers the creation of the AI and the 2025 – 2028 Consolidated Plan, but not the creation of the required Annual Plan that expresses the interrelationship with the Consolidated Plan and contains the City's expression of its high, medium, low needs and efforts to reduce barriers to housing and sets the template for the next 5 years of progress.
5. Assistance with changes or amendments that HUD may require post Plan submission.

In response to these needs, Michael Baker is pleased to submit a proposal for these services in an amount not to exceed \$23,000. Estimated itemized costs are expressed in the following table.

Tasks	Estimated Costs
Complete Stakeholder Interviews	\$6,000
Broadband Analysis and completion of new required tables	\$2,000
Analysis of new data set and incorporation into the Consolidated Plan where and as required	\$6,000
Creation of 2025-2026 Annual Plan and conformance with the Consolidated Plan and needs analysis	\$6,000
Submission to HUD and processing any inquiries and changes as required	\$3,000
Total	\$23,000

CONCLUSION

Michael Baker appreciates the opportunity to submit this proposal. Our proposed revised scope of work has been developed to meet the City's needs. However, should the services proposed herein exceed or fall short of your expectations, Michael Baker appreciates the opportunity to meet with you to review your concerns and make appropriate modifications to the scope of work. If you have any questions regarding this proposal, please do not hesitate to contact Lisa A Baker, Project Manager, at (562) 753-2865 Lisa.Baker@mbakerintl.com.

Sincerely,



William M. Hoose, AICP
Vice President
3760 Kilroy Airport Way, Suite 270
Long Beach, CA 90806



**CITY OF SEASIDE
PROFESSIONAL SERVICES AGREEMENT
Preparation and Submittal of the Analysis of Impediments
to Fair Housing Choice and the 2025-2029 Consolidated
Plan for the Community Development Block Grant Program**

This agreement is made by and between the City of Seaside (City), and Michael Baker International, Inc. (Consultant).

- A. Engagement: The City agrees to engage the Consultant to provide services as described in Exhibit A, attached hereto and, hereinafter referred to as "the Project."
- B. Relationship: The Consultant is an independent contractor and is not to be considered an agent or employee of the City.
- C. Compensation: The City shall pay consultant on a time and materials basis in accordance with the standard billing rates shown in Exhibit B, attached hereto, not to exceed twenty-four thousand dollars (\$24,000).
- D. Method of Payment: The City shall pay within 30 days in accordance with Consultant's Fee Schedule, attached hereto, upon receipt of a written invoice from Consultant detailing services rendered.
- E. Term: The term of this agreement shall commence on May 1, 2024 and terminate June 30, 2025.
- F. Termination: This agreement may be terminated; (a) by either party at any time for failure of the other party to comply with the material terms and conditions of this Agreement; (b) by either party upon 10 days prior written notice to the other party; or (c) upon mutual written agreement of both parties. In the event of termination, the Consultant shall stop work immediately and shall be entitled to compensation for professional fees and expense reimbursement to the date of termination and for any work necessitated by that termination.
- G. Indemnity: To the fullest extent permitted by law, Consultant shall indemnify and hold harmless the City and any and all of its officials, employees and agents ("Indemnified Parties") from and against any and all losses, liabilities, damages, costs and expenses, including reasonable legal counsel's fees and costs, caused in whole or in part by the negligent or wrongful act, error or omission of Consultant, its officers, agents, employees or subconsultants (or any entity or individual that Consultant shall bear the legal liability thereof) in the performance of services under this agreement. Consultant's duty to indemnify and hold harmless the City shall not extend to the City's negligence.

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

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

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

Automobile liability insurance. Consultant shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than 1,000,000 combined single limit for each accident.

Workers' compensation insurance. Consultant shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000). Consultant shall submit to City, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of City, its officers, agents, employees and volunteers.

- J. Project Management. The (Contract Manager) will represent the City for all purposes under this Agreement. Haroon Noori, Administrative Analyst II is designated as the Project Manager for the City. The Project Manager will be Consultant's point of contact with respect to performance, progress and execution of the Services. The City may designate an alternate Project Manager from time to time.
- K. Ownership of Work Product:
- a. Ownership of all imagery, reports, data, studies, surveys, charts, memoranda, and any other documents which are developed, compiled, or produced as a result of this agreement, whether or not completed, shall vest with the City.
 - b. Materials developed under this agreement are the property of the City and may be used by the City as it sees fit, including the right to distribute, review or publish the same without limitation.
 - c. The City agrees to hold Consultant harmless from all damages, claims, expenses, and losses arising out of any reuse of the plans, specifications, drawings, maps, models, computer files and other documents for purposes other than those described in this Agreement, unless written authorization of Consultant is first obtained.
- L. Assignment
- a. The Consultant shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without prior written consent of the City.
- M. Conflict of Interest
- a. Consultant shall at all times avoid conflicts of interest, or the appearance of conflicts of interest, in the performance of this Contract.
 - b. If City determines Consultant comes within the definition of Consultant under the Political Reform Act (Government Code §87100 et seq.) Consultant shall complete and file and shall require any other person doing work under this Agreement to complete and file a "Statement of Economic Interest" with City disclosing Consultant's and/or such other person's financial interests.
- N. Miscellaneous:
- a. The entire agreement between the parties with respect to the subject matter hereunder is contained in this agreement.

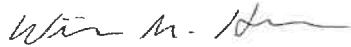
- b. Neither this agreement nor any rights or obligations hereunder shall be assigned or delegated by the Consultant without the prior written consent of the City.
- c. This agreement shall be modified only by written agreement duly executed by the City and the Consultant.
- d. Should any of the provisions hereunder be found to be invalid, void or voidable by a court, the remaining provisions shall remain in full force and effect.
- e. This agreement shall be governed by and construed in accordance with the laws of the State of California.
- f. All notices required or permitted under this agreement shall be deemed to have been given if and when deposited in the United States mail, properly stamped and addressed to the party for whom intended at such party's address listed below, or when delivered personally to such party. A party may change its address for notice hereunder by giving written notice to the other party.
- g. Waiver of Consequential Damages. Neither party shall have any claim or right against the other, whether in contract, warranty, tort (including negligence), strict liability or otherwise, for any special, indirect, incidental, or consequential damages of any kind or nature whatsoever, such as but not limited to loss of revenue, loss of profits on revenue, loss of customers or contracts, loss of use of equipment or loss of data, work interruption, increased cost of work or cost of any financing, howsoever caused, even if same were reasonably foreseeable.
- h. Force Majeure. Consultant shall not be liable for any failure to perform or any impairment to its performance to the extent such failure or impairment is caused by any act of God, fire, flood, natural catastrophe, labor dispute or strike or shortage, national or state emergency, epidemic or pandemic, insurrection, riot, act of terrorism, war, act of government, any action or inaction of City or a third-party engaged by it, and/or any other event, occurrence or circumstance beyond the reasonable control of Consultant.

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

Approved:

Dated: 5/1/24

Consultant: Michael Baker International, Inc.

By: 
William M. Hoose, AICP

Title: Vice President

Address: 3760 Kilroy Airport Way, Suite 270
Long Beach, CA 90806

Dated: 6/20/24

City of Seaside:


By: Nick Borges
Title: Acting City Manager

Attachments:	Exhibit A	Consultant's Proposal
	Exhibit B	Hourly Rates

Exhibit A
Consultant's Proposal



We Make a Difference

April 30, 2024

Haroon Noori, Administrative Analyst II
Community & Economic Development Department
City of Seaside
440 Harcourt Ave.
Seaside, CA 93955

Subject: Letter Proposal – Preparation and Submittal of the Analysis of Impediments to Fair Housing Choice and the 2025 – 2029 Consolidated Plan

Dear Mr. Noori:

Michael Baker International (Michael Baker) is pleased to submit this proposal to prepare the City of Seaside's 2025-2029 Analysis of Impediments to Fair Housing Choice (AI) and the 2025 – 2029 Consolidated Plan (ConPlan), 5-Year Strategic Plan, FY 2025 Annual Action Plan (AAP), all associated Community Outreach meetings, and to provide Federal Grant Administration Assistance. This proposal is based on pertinent requirements of the US Department of Housing and Urban Development (HUD) and Michael Baker's experience in preparing Consolidated Plans and administering Federal Grants. The project team we have assembled is extremely well qualified to provide these services, having a combined 80+ years of housing and community development experience. Additionally, we have experience working with the city, including grant compliance monitoring for the Housing and Community Development Department and business development projects for the Economic Development Department.

Based on our understanding of the assignment, Michael Baker will be expected and stands ready to assist city staff with performing all tasks required for the timely creation of the City of Seaside's AI and the 2025-2029 ConPlan, including a First-Year Annual Action Plan (AAP) and all the city's requested Community Outreach. The overall goal of this work plan is to complete and successfully submit the City of Seaside's 2025-2029 Consolidated plan by May 15, 2025. We understand the details of the Community Development Block Grant (CDBG) program, including program income and the critical functions of record-keeping and fiscal management.

2025-2029 Consolidated Plan

Task 1. Project Kick-off and Coordination

Michael Baker will meet with the City of Seaside to identify key delivery dates for the completion of the 2025-2029 Consolidated Plan and all community meetings.

Task 2. 2025-2029 Consolidated Plan

Michael Baker will develop a 2025-2029 Consolidated Plan to conform with 24 CFR 91. It will have all the sections required by HUD.

Task 3. Data Analysis

Preparation of the 2025-2029 Consolidated Plan, and First-Year Annual Action Plan will be based on the collection and analysis of data that will be performed at the beginning of the engagement. The data analysis will primarily rely on the required default data provided for the ConPlan through HUD's CPD Maps tool. Data will be collected from organizations identified as key stakeholders, the city, and regional groups. Where data is required but not provided, Michael Baker will use an alternate data source acceptable to HUD.

Task 4. Citizen Participation and Consultation

Perhaps the most critical component of the Consolidated Plan process is public and stakeholder participation. Michael Baker believes that effective public participation is a dynamic and ongoing process that is essential to meeting the future needs of every community. Accordingly, we incorporate a range of public events to facilitate constructive dialogue between decision-makers, planners, and the public. We are also well-equipped to conduct virtual community engagements through multiple online platforms, including the ability to build virtual rooms where the community can gather and access information and live staff.

For this engagement, Michael Baker will adhere to the US Department of Housing and Urban Development (HUD) regulations to outline a robust citizen participation program that aims to reach a broad audience of stakeholders and residents that extends beyond just public hearings.

Michael Baker staff will attend (and, when requested, lead) public meetings and hearings for the 2025-2029 Consolidated Plan, and the Annual Action Plan. Michael Baker will develop promotional and meeting materials and provide guidance on event structure and logistics.

Consultation and Public Meetings

For public meetings, Michael Baker recommends that the city provides translation services, access for persons with a disability, and all other reasonable accommodations to encourage attendance by protected classes and households at a higher statistical risk of discrimination. Michael Baker can also offer and conduct virtual public meetings. Special efforts will be made to encourage attendance by immigrant groups, ethnic minorities, and households with limited English proficiency. Based on the initial review, Michael Baker is proposing the following list of public meetings.

Community Meetings/Public Hearings

During data collection and analysis, **two (2) community meetings** will be facilitated throughout the city to collect community input on housing and community needs. At the adoption stage, one public hearing will be held. We will also offer the option of one additional meeting should the need arise, for a total of four (4) meetings.

Consultation Interviews and Focus Groups

As part of consultation, Michael Baker will conduct a focus group meeting to interview key community stakeholders. Our staff can conduct virtual focus groups on multiple online platforms. The focus groups will help the project team gather qualitative information to validate and expand on the data analysis findings and to gather additional local knowledge that may not be evident through baseline analysis. Stakeholders have an opportunity to fully provide information and feedback via one-on-one consultations.

Housing Summit

We recommend hosting a one-day Housing Summit to bring together stakeholders, affordable housing providers, affordable housing lenders, and other leaders within the community. The format generally involves a panel of housing experts followed by audience Q&A. This approach has been very successful in opening public discourse about housing needs and we have had tremendous success in other jurisdictions Michael Baker has assisted.

Community and Stakeholder Survey

Data collection will include the design and release of a online community-wide survey to solicit information from the public as well as stakeholders regarding potential housing discrimination and fair housing issues experienced in the City of Seaside.

Community Outreach and Stakeholder Survey/Meeting Responses

Michael Baker staff will keep all notes and records from Community Outreach and Stakeholder meetings and compile them into a report that clearly outlines the priorities identified from these meetings. Additionally, our staff will do a complete analysis report with illustrated graphs of the online survey results.

IDIS Input

One of the tasks of the scope of work, is the input of applicable project information in HUD's Integrated Disbursement and Information System (IDIS). Michael Baker is proposing to provide staff with extensive experience working with IDIS to complete this task. Michael Baker has staff that have extensive experience with IDIS and the eCon Planning Suite.

Cost Proposal

The fee proposal outlined below takes into consideration the full scope needed to complete the tasks outlined in the 2025-2029 Proposal Submitted by Michael Baker International.

2025-2029 Consolidated Plan	
Tasks	Estimated Costs
1. Project Kick-off and Coordination	\$500
2. 2025-2029 Consolidated Plan (Includes AFFH)	\$16,000
3. Data Analysis	\$2,500
4. Citizen Participation and Consultation	\$5,000
Total	\$24,000

We appreciate the opportunity to submit this proposal and look forward to assisting the city with the creation of its 2025-2029 Consolidated Plan.

If you have any questions, please contact Damien Delany at (562) 200-7177 or email at Ddelany@mbakerintl.com

Sincerely,



William M. Hoose, AICP

Vice President

Exhibit B
Hourly Rates

The work will be completed for a fee not to exceed \$24,000. Charges will be billed on a time and materials basis at the following rates:

Title	Rate
Project Manager	\$150
Technical Specialist	\$110

Additional support staff may be utilized by Consultant, as long as the total contract amount is not exceeded.



CITY OF SEASIDE STAFF REPORT

Item No.: 7.Q.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Adolfo Gonzalez, Project Manager

DATE: November 7, 2024

SUBJECT: ADOPT A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH JEA & ASSOCIATES FOR LOBBYIST AND ADVOCACY SERVICES FOR AN AMOUNT NOT TO EXCEED \$59,500.00

RECOMMENDATION

Approve a resolution authorizing the Interim City Manager to execute an amendment to the Professional Services Agreement with JEA & Associates for lobbyist and advocacy services for an amount not to exceed \$59,500.00.

BACKGROUND

On September 21, 2023, the City Council approved a professional services agreement (PSA) with JEA & Associates to provide lobbying and advocacy services for the City of Seaside, with a maximum expenditure of \$7,000 per month. The current PSA is effective from June 15, 2023, to June 30, 2025, with a budgeted amount of \$84,000 for the fiscal year 2023-2024.

As of October 2024, JEA & Associates has continued to provide services and has exceeded the budget by \$3,500. They will continue to offer lobbying and advocacy services to the City through the fiscal year 2024-2025.

Staff is requesting an amendment to the PSA to cover the outstanding \$3,500 and to approve the \$7,000, for continued services through June 30, 2025, for a total contract amount not to exceed \$143,500.

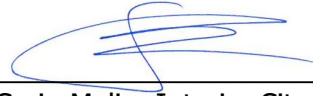
FISCAL IMPACT

The remaining amount of \$59,500 is budgeted in account 100-1010-1043.

ATTACHMENTS

1. Resolution
 2. JEA & Associates Contract Amendment #1
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**ADOPTING A RESOLUTION AUTHORINZING THE INTERIM CITY MANAGER TO
EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT
WITH JEA & ASSOCIATES FOR LOBBYIST AND ADVOCACY SERVICES**

WHEREAS, On September 21, 2023, the City Council approved a professional services agreement (PSA) with JEA & Associates to provide lobbying and advocacy services for the City of Seaside, with a maximum expenditure of \$7,000 per month. ; and

WHEREAS, the current PSA is effective from June 15, 2023, to June 30, 2025, with a budgeted amount of \$84,000 for the fiscal year 2023-2024. ; and

WHEREAS, as of October 2024, JEA & Associates has continued to provide services and has exceeded the budget by \$3,500. ; and

WHEREAS, they will continue to offer lobbying and advocacy services to the City through the fiscal year 2024-2025. ; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby authorize the interim City Manager to sign an amendment to the Professional Services Agreement with JEA & Associates for \$59,500, for a total contract amount not to exceed \$143,000.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of Seaside duly held on the 7 day of November 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

CONTRACT AMENDMENT #1
PROFESSIONAL SERVICES
City of Seaside

Date: November 7, 2024

Change Requested by: X CITY Consultant

Contract Date

June 15, 2023

Project Name

LOBBYIST AND ADVOCACY SERVICES

To (Consultant): JEA & Associates, 770 L Street, Suite 1030, Sacramento, CA 95814

You are directed to make the following changes to the Contract Documents or amend the following described work not included in the contract documents for this project.

The purpose of this addendum is to provide additional professional services related to the project named above. The contract terms and conditions shall not be modified except for as stated herein.

MODIFY the following text in **Section C. "COMPENSATION"**

The AGENCY agrees to pay CONSULTANT monthly, in accordance with the payment rates and terms and the schedule of payment as set forth in Exhibit B, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. This amount shall not exceed \$143,500 (One hundred forty three thousand five hundred dollars.) for the total term of the AGREEMENT unless additional payment is approved as provided in this AGREEMENT.

Original Contract Amount	Previous CCO Total (Not including this CCO)	This CCO Total	Revised Contract Amount
\$7,000 per month (\$84,000)	\$0.00	\$59,500	\$143,500
Original Contract Time	Original Completion Date	CCO Days To Date (Including This CCO)	Revised Completion Date
24 months	June 30, 2025	0	June 30, 2025

SUBMITTED BY:		
	Adolfo Gonzalez Project Manager	
Signature	Name and Title	Date
CITY APPROVAL BY:		
	Craig Malin City Manager	
Signature	Name and Title	Date

CONSULTANT ACCEPTANCE BY:		
	John Arriaga President	10/29/24
Signature	Name and Title	Date



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.R.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Sheri Damon, City Attorney
Andreas Baer, Senior Engineer

DATE: November 7, 2024

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

RECOMMENDATION

Adopt a resolution authorizing amending 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. A landscape access and maintenance easement agreement with Shea Homes was approved by City council on March 7th 2024 to install and maintain a 225 foot long 5 feet high redwood slat 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.

Shea Homes LP would like to increase the fence and landscaping from 225 feet to 244ft. The additional fence and landscaping 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 225 foot long fence does not completely cover the chain link and barbed wire fences across the street. Shea Homes LP would like to install an additional

19 ft of fence increasing the fence to 244 feet long. All fence material design and landscaping will stay the same as previously approved. The plans for the landscaping and fence are provided in Attachment 3. The additional length of fence will provide additional privacy for the properties that back Coe Avenue across from the Enclave Phase 3 entrance, and will finish the look of the entry area, beautifying it.

Shea Homes LP would like to amend the secured landscape access and maintenance easement agreement from 225 feet to a 244' 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 the amended 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. Amended Easement-Landscape PHase 3
2. Landscape and Fence Design Plan
3. Resolution-Amended Landscape Easement

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

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.

**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 57.86 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, 244.00 feet to the POINT OF TERMINATION.

Containing a total area of 1,830 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

8/28/2023
DATE



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

VOL. 24 C&T PG. 85

PARCEL B

PARCEL 3-S.1

PARCEL A

COE AVENUE - PARCEL 4
VOL. 26 SUR. PG. 28

DESCRIBED AREA:
±1,830 SQ. FT.

N87°38'15"W 244.00'

57.86'
(TIE)

POINT OF
BEGINNING

NORTHWESTERLY
CORNER
TRACT NO. 344

TRACT NO. 303
ORD TERRACE NO. 9
VOL. 6 C&T PG. 104

TRACT NO. 344
ORD TERRACE NO. 10
VOL. 6 C&T PG. 154

BASIS OF BEARINGS:

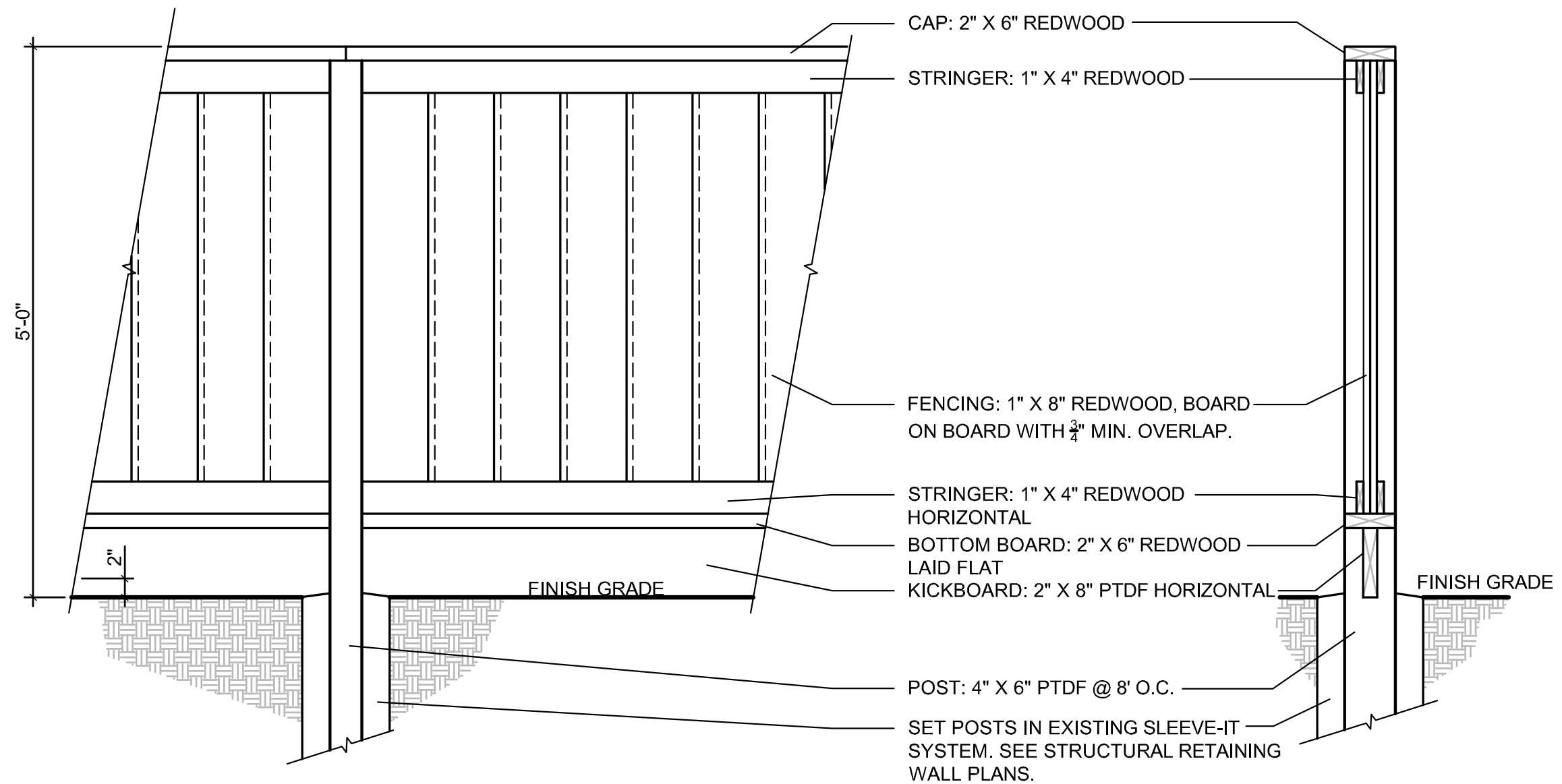
THE BEARING OF NORTH 87°38'15" WEST ALONG THE SOUTHERLY
BOUNDARY OF PARCEL 4, SHOWN ON VOLUME 26, SURVEYS, PAGE 28,
IS THE BASIS OF BEARINGS SHOWN HEREON.

**PLAT TO ACCOMPANY DESCRIPTION
LANDSCAPE EASEMENT**

SEASIDE, CALIFORNIA
AUGUST 2024



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

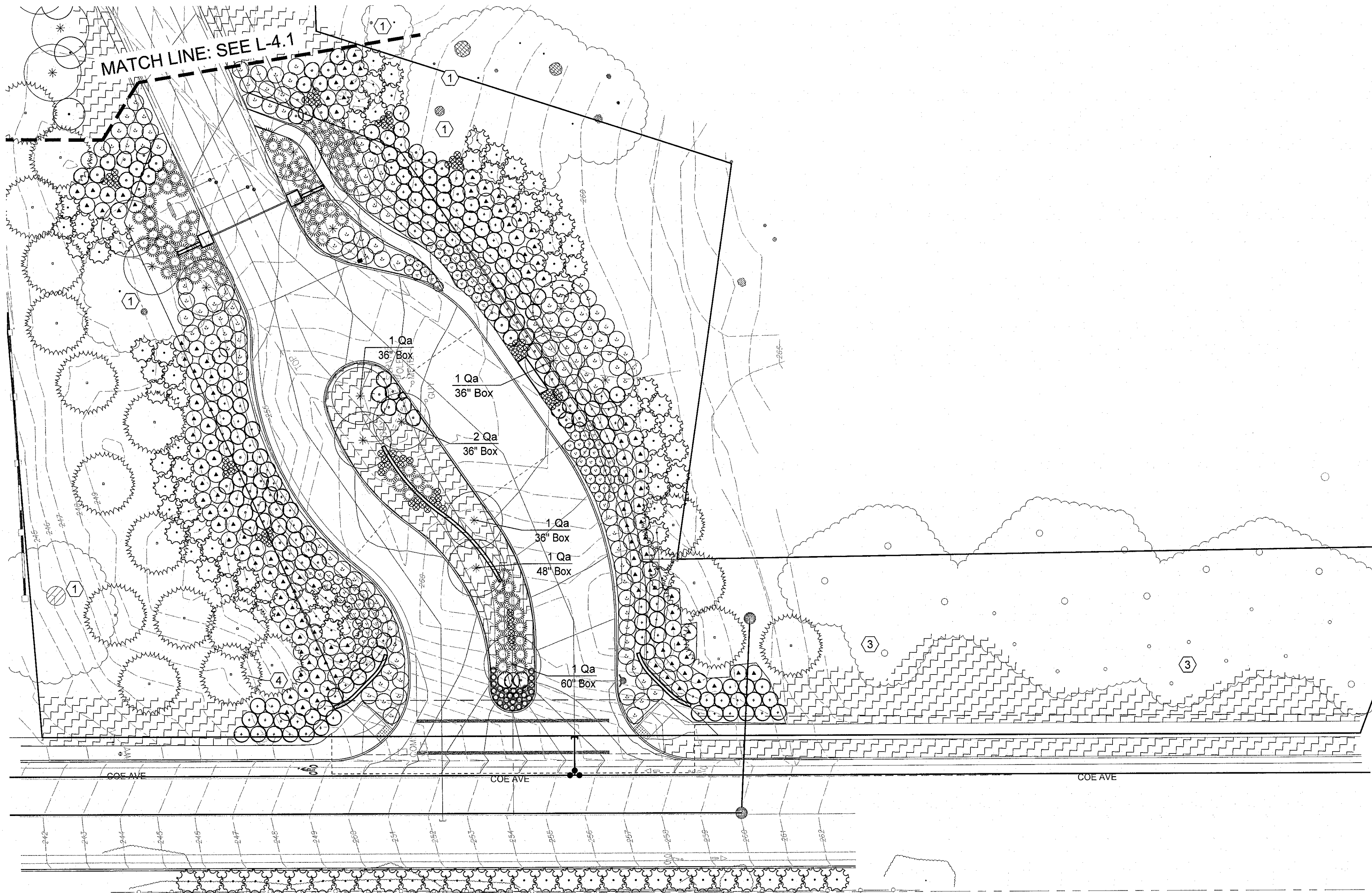


COE AVE. FENCING

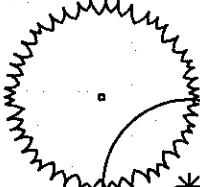
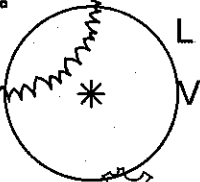
ENCLAVE - PHASE 3

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

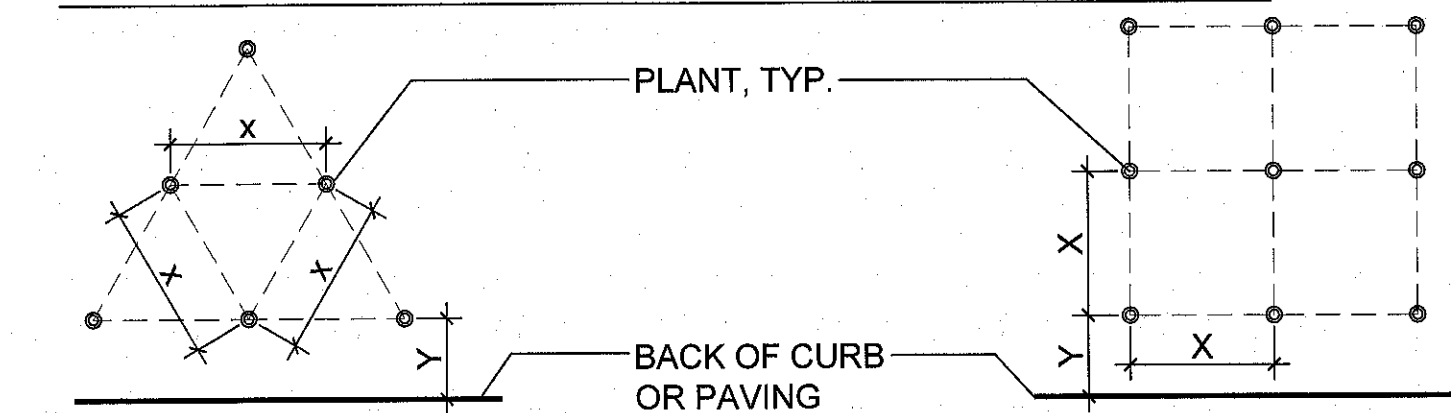
GENERAL NOTES

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

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

* 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

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDED 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, on or about March 7, 2024 the City Council approved a Landscape Access and Maintenance Agreement with Shea Homes LP which authorized installation of an approximate 225 feet long and 5 foot high fence across from the Enclave Phase 3 entrance on Coe Avenue; and

WHEREAS, Shea has requested to increase the length of fencing to 244 feet to provide privacy for other properties that back Coe Avenue across from the Enclave Phase 3; 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 a landscape access and maintenance easement for a 244' 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 Amended Landscape Access and Maintenance Agreement with Shea Homes LP for the 244' 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 November, 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.A.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Andrew Myrick, Economic Development & Community Planning Manager

DATE: November 7, 2024

SUBJECT: AN ORDINANCE TO MODIFY TITLE 19 OF THE SEASIDE MUNICIPAL CODE MODIFYING THE ALLOWABLE NUMBER OF CANNABIS DISPENSARIES AND MAKING OTHER CHANGES TO THE OPERATION AND SELECTION OF CANNABIS DISPENSARIES WITHIN THE CITY OF SEASIDE. THIS ITEM IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061(B) OF THE CEQA GUIDELINES. (FIRST READING - ROLL CALL VOTE)

RECOMMENDATION

Conduct the first reading of an ordinance to modify title 19 of the Seaside Municipal Code modifying the allowable number of cannabis dispensaries and making other changes to the operation and selection of cannabis dispensaries within the City of Seaside.

BACKGROUND

Following adoption of Proposition 65 legalizing the "adult" (ie recreational) use of cannabis in November 2016, in September 2017 the Seaside City Council adopted Ordinance 1043, which added Title 19 to its Municipal Code. Title 19 established the application process and operating requirements for cannabis-related businesses. Under Ordinance 1043 a maximum of three dispensaries could be permitted in the City.

Following a review of applications for dispensaries in December 2017, the Council adopted Ordinance 1046 in February 2018, which increased the number of allowed dispensaries from three to six. In March 2018, the Council approved Development/Operating Agreements for six cannabis dispensaries.

In April 2021, the Council adopted Ordinance 2002, which increased the allowable number of dispensaries was increased to a total of nine (including six in the West Broadway Urban Village and three elsewhere in the City). However, no additional dispensaries commenced operations following this amendment. Currently, there are six dispensaries with valid Use Permits and Development/Operating Agreements in the City:

Canna Cruz (680 Broadway Avenue)
Halfpipe (840 Broadway Avenue)
Higher Level of Care (310 Amador Avenue)
Rare Earth (575 Broadway Avenue)
The Reef (1904 Fremont Boulevard)
Seaside Green (1717 Fremont Boulevard)

As time passes, the industry continues to evolve and more information regarding the operations and impacts becomes available. At the June 20, 2024 City Council meeting, Council expressed concern that the currently approved number of dispensaries may be too high and requested that staff review the number of dispensaries. On September 19, staff brought draft language for modifications to the Ordinance to the Council for feedback. Council indicated that it was supportive of the Ordinance as proposed, except that the maximum allowable number of dispensaries should be set at three, with the caveat that any dispensary with valid, current approvals from the City could continue to operate so long as they operate in compliance with the terms of their Development/Operating Agreement, Conditional Use Permit, and/or State or local laws.

Staff has made adjustments to the language accordingly. The Ordinance as presented herein contains identical language to what was presented at the September 19, 2024 meeting, with the following exceptions:

- 1) The maximum number of allowable dispensaries has been changed from four to three. Language indicating that no more than three dispensaries could be located in the West Broadway Urban Village is now redundant and has been eliminated.
- 2) Language regarding the need for dispensaries to maintain (and make available for inspection) records of background checks for officers and employees has been moved from Section 19.02.020.B to Section 19.02.120.H. The proposed language has not been changed.

The proposed Ordinance Amendment is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b) of the CEQA Guidelines as the proposed changes only alter the review processes for cannabis dispensaries and there will be no changes to the land use(s) allowed by the Zoning Ordinance at any location within the City.

FISCAL IMPACT

This Ordinance is not expected to have any immediate significant impact on the City.

ATTACHMENTS

1. Proposed Ordinance Cannabis Dispensaries City Council 2024-11-07
-

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

ORDINANCE NO. _____

AN ORDINANCE TO MODIFY TITLE 19 OF THE SEASIDE MUNICIPAL CODE MODIFYING THE ALLOWABLE NUMBER OF CANNABIS DISPENSARIES AND MAKING OTHER CHANGES TO THE OPERATION AND SELECTION OF CANNABIS DISPENSARIES WITHIN THE CITY OF SEASIDE. THIS ITEM IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061(b) OF THE CEQA GUIDELINES.

WHEREAS, In September 2017, the City Council adopted Ordinance 1043, adding Title 19 to its Municipal Code to establish an application process for cannabis dispensaries and limiting the total allowable number of dispensaries to no more than three; and

WHEREAS, in February 2018 the Council adopted Ordinance 1046, which increased the maximum number of dispensaries allowed to six; and

WHEREAS, in April 2021, the Council adopted Ordinance 2002, which increased the number of dispensaries allowed to six within the West Broadway Urban Village and three elsewhere in the City, for a total of nine; and

WHEREAS, there are currently six approved dispensaries within the City of Seaside; and

WHEREAS, the City Council desires to reduce the maximum number of allowable dispensaries within the City of Seaside; and

WHEREAS, on September 19, 2024, the City Council reviewed the language of the proposed Ordinance and provided feedback to staff to reduce the maximum number of allowed dispensaries to no more than three, excepting that dispensaries that have already been approved may continue to operate so long as they remain in compliance with all applicable requirements; and

WHEREAS, this Ordinance would also make other minor changes regarding the operation and selection of cannabis dispensaries; and

WHEREAS, staff has modified the originally presented language to reflect the feedback of the Council; and

WHEREAS, this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b) of the CEQA Guidelines as the proposed changes only alter the review processes for cannabis dispensaries and

there will be no changes to the land use(s) allowed by the Zoning Ordinance at any location within the City.

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

SECTION 1. The City Council hereby finds and determines the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. Title 19 is hereby amended to reflect the changes identified in the attached Exhibit "A."

SECTION 3. If any provision, section, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 4. This Ordinance shall become effective thirty days following adoption.

INTRODUCED at a regular meeting of the City Council of the City of Seaside, State of California, held on the 7th day of November 2024.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, held on the ___th day of _____ 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 AS TO FORM:

Sheri L. Damon,
City Attorney

Attach: Exhibit "A" – Proposed Amendment

Exhibit “A”

Chapter 19.02

CANNABIS DISPENSARIES AND OPERATING STANDARDS

Sections:

- 19.02.010 Cannabis dispensaries.
- 19.02.020 Eligibility requirement.
- 19.02.030 Operation plan.
- 19.02.040 Dispensing.
- 19.02.050 Members and employees of medical dispensaries.
- 19.02.060 Adult dispensaries.
- 19.02.070 Security.
- 19.02.080 Signage.
- 19.02.090 Delivery.
- 19.02.100 Neighborhood compatibility.
- 19.02.110 Consumption of cannabis, tobacco, or alcohol.
- 19.02.120 Regulatory fees, seller’s permit.

19.02.010 Cannabis dispensaries.

A. ~~The city manager shall issue~~ All cannabis dispensaries shall obtain a valid conditional use permits for from the City of Seaside prior to operation of adult or medical cannabis operations in such numbers as authorized by the city council. In addition, each cannabis dispensary shall enter into a development/operating agreement with the City of Seaside prior to the commencement of operations. The total number of conditional use permits shall not exceed six valid dispensaries of each type within the West Broadway Urban Village and a total of three dispensaries of each type City-wide not located in the West Broadway Urban Village.

B. Whenever possible, adult and medical cannabis dispensaries shall be located paired with and operated adjacent to a dispensary of the other type. ~~An adult dispensary shall be collocated with a medical dispensary when possible.~~

C. No cannabis dispensary of any type shall be located within six hundred feet of any public or private school providing instruction in any grade kindergarten through 12, but not including any home schooling, and shall be located in a ~~commercial or industrial~~ zone as approved in SMC Title 17.

D. Dispensaries not located in the West Broadway Urban Village, as defined by the West Broadway Urban Village Specific Plan, ~~Specific Plan~~ shall not be located within 700 feet of another dispensary located outside the West Broadway Urban Village ~~Specific Plan~~ unless adjacent to a collocated dispensary of the opposite type as set forth in subsection B of this section. Those located in the West Broadway Urban Village ~~Specific Plan~~ shall not be located within 400 ~~hundred~~ feet of another dispensary located within the West Broadway Urban Village ~~Specific Plan~~ unless adjacent to a collocated dispensary of the opposite type as set forth in subsection B of this section.

E. No cannabis dispensary use permit of any type shall be allowed on more than one assessor's parcel number (APN), unless such APN is directly adjacent to the primary APN. APN's separated by public streets shall require a separate conditional use permit.

F. The total number of development/operating agreements within the City of Seaside shall not exceed three valid dispensaries of each type. Notwithstanding the above, any business already in possession of a valid development/operating agreement may continue to operate in accordance with the terms of that agreement, the terms of any existing conditional use permit, California law, and the Seaside Municipal Code.

19.02.020 Eligibility requirement.

A. No person shall own any interest or maintain any position, including employee, with a dispensary other than that of a member convicted of any of the following crimes within the time limit specified:

1. Homicide, at any point in the past.
2. Any serious felony listed in Penal Code Section 1192.7(c) or 667.5(c) within the past ten years.
3. Penal Code Sections 243 through 247, except for 243(a), which essentially include various forms of assault and battery within the past ten years.
4. Health and Safety Code violations of Section 11357(d) or (e), or 11361, or Article 1, 3, 5, 6 or 7 of Chapter 6 of Division 10 relating to certain possession of concentrated cannabis or sale on school grounds within the past ten years.
5. Health and Safety Code violation of Sections 11358, 11359, and 11360 relating to illegal cultivation, importation, or sale of marijuana plants within the past three years.

B. Such other information deemed necessary including background investigation and a Live Scan background check of the applicant, for the city manager to determine compliance with the city's municipal code.

C. All applicants shall pay ~~a dispensary permit application fee, a permit fee, and all required permit and~~ inspection fees that may be required as part of the application process, as specified by ~~R~~resolution ~~and/or~~ in the city's ~~m~~Master ~~f~~Fee ~~s~~Schedule.

D. Each applicant for a dispensary ~~permit application~~ shall submit notarized, written authorization from the property owner(s) that a commercial cannabis business may be operated at the proposed site, ~~and clearance from the city planning department showing that the location proposed is legally authorized in the zoning ordinance.~~

E. The name and address of managers or responsible agents of the commercial cannabis business shall be supplied, which shall be updated not less frequently than annually or upon any change of manager or responsible agent at any time.

19.02.030 Operation plan.

A. All applicants must provide a plan of operations that will describe how the dispensary will operate consistent with state law and the provisions of this chapter including but not

limited to implementation of controls to ensure medical or adult cannabis will be dispensed only to qualified adults, and qualified patients and primary caregivers as appropriate. Dispensaries shall comply with Health and Safety Code Sections 11362.7 et seq. and any other state laws that may be adopted concerning medical or adult cannabis, California's Medical Marijuana Regulation and Safety Act, the Adult Use of Marijuana Act, the Attorney General's Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, and any other applicable city laws or regulations, and shall pay all applicable state or local taxes. Dispensaries shall also comply with the operating standards set forth in this section. Operation Plans are unique to the operator of the dispensary and are therefore not transferable, except as otherwise set forth in this chapter.

B. Medical dispensaries may consist only of members. Medical dispensaries may only obtain medical cannabis from, and supply medical cannabis to, their members.

C. No person other than a member may cultivate medical cannabis on behalf of a dispensary.

D. The scale of cultivation by or on behalf of a medical dispensary shall be proportional to its member load as defined by the state of California.

E. Medical cannabis dispensaries may not admit any person as a member without first verifying his or her status as a qualified patient or primary caregiver as defined by state law, and shall immediately cancel the membership of any person who diverts medical cannabis for nonmedical use or in any manner not permitted by this chapter or state law.

F. Physicians' recommendations shall be verified by the medical dispensary prior to granting membership and at least every twelve months thereafter, and a physical or digital record shall be kept of such verification. No medical cannabis may be dispensed except to a member and pursuant to a recommendation that is no more than twelve months old, unless the recommendation expressly states that it has a longer term or does not expire.

G. ~~Nondiversion.~~ Medical dispensaries shall take all practicable steps necessary to prevent and deter diversion of medical cannabis to nonmembers. Dispensaries must limit access to medical cannabis, medical cannabis products and edibles to authorized personnel only, and must maintain an inventory management system that accounts for all medical cannabis, medical cannabis products and edibles.

H. Adult dispensaries must comply with all aspects of the Adult Use of Marijuana Act, ~~and~~ must receive a license from the state prior to start of operations, and shall maintain said license throughout operations.

19.02.040 Dispensing.

A. A medical dispensary may not dispense to any person who is not a member, and may not dispense to anyone without first verifying membership.

B. A medical dispensary may not provide more medical cannabis to an individual than is necessary for that person's personal medical use and pursuant to any physician's directive.

C. A medical dispensary may not distribute free samples for promotional purposes outside of the dispensary premises.

D. No medical dispensary shall dispense medical marijuana from more than one location in the city of Seaside.

E. No owner of a medical dispensary in the city shall open a second dispensary in the city; except that medical dispensaries and collocated or adjacent adult dispensaries may have the same ownership.

19.02.050 Members and employees of medical dispensaries.

A. All employees and volunteers of medical dispensaries must be at least eighteen years of age and qualified to be in the facility.

B. Medical dispensaries may not admit any person under eighteen years of age to membership without written authorization of a parent or legal guardian. Any member under eighteen years of age shall be accompanied by a parent or legal guardian at all times that such person is at the dispensary. This requirement may not be transferred to any other adult orally or in writing.

C. All owners and operators of a medical dispensary must hold a valid and current use permit and cannabis development/operating agreement from the city of Seaside as required by provisions of this chapter.

19.02.060 Adult dispensaries.

All adult dispensary facilities shall comply with all state and local laws and regulations, including SMC Title 17 and this title.

A. No adult dispensary may dispense to any person not twenty-one years of age or older.

B. No adult dispensary may distribute free samples for promotional purposes outside of the interior of the dispensary premises.

C. No adult dispensary shall dispense cannabis from more than one location in the city of Seaside, except that, subject to state requirements, it may have a collocated or adjacent medical and adult location as set forth in SMC 19.02.010.

D. No owner of any adult dispensary in the city shall own or possess any ownership interest in a second adult dispensary in the city, except the owner of an adult dispensary may also own or possess an ownership interest in a collocated or adjacent medical dispensary as set forth in SMC 19.02.010.

E. All adult dispensaries shall hold a valid and current use permit and cannabis development/operating agreement from the city of Seaside as required by provisions of this chapter.

19.02.070 Security.

A security plan, as a separate document, outlining the proposed security arrangements to deter and prevent unauthorized entrance into areas containing medical or adult cannabis or medical or adult cannabis products, and theft of medical or adult cannabis or medical or adult cannabis products at the dispensary, in accordance with minimum security measures required by state law and the requirements herein, shall be created by the applicant and approved by the city prior to commencement of any operations at any dispensary. The security plan shall be reviewed and approved by the ~~police department and the office of the city manager~~City and shall be exempt from disclosure as a public record pursuant to Government Code Section 6255(a).

A. Dispensaries shall provide adequate security and lighting on site to ensure the safety of persons and protection of the premises from theft and other crimes at all times. Exterior lighting shall be of sufficient intensity to illuminate all areas of the parking lot or adjacent areas, if any. Such lighting shall comply with the provisions of SMC 17.30.070.

B. Dispensaries must maintain adequate security guards and surveillance camera coverage of their entire grounds to an extent sufficient to ensure the safety of persons and deter crime. Surveillance cameras must be maintained in good condition, and use a format approved by the ~~city manager or his/her designee~~City, which results in adequate quality, color rendition and resolution to allow the ready identification of any individual on the premises. The surveillance cameras shall be operated twenty-four hours per day, seven days per week whether the facility is open or not. The areas to be covered by the security cameras include, but are not limited to, dispensing areas, storage areas, cultivation areas, all doors, parking lots, anyplace where new product is delivered and any other area determined by the ~~city manager or his/her designee~~City to be appropriate. Surveillance footage must be retained for a period of ninety days and made available to the Seaside police department at any time promptly upon request without the necessity of a warrant or subpoena.

C. Dispensaries must be equipped with an alarm system that is operated and monitored by a security company licensed by and in good standing with the California Department of Consumer Affairs. Alarms shall be maintained and in good working condition at all times and able to be manually triggered by employees.

D. In order to prevent unauthorized entry during nonbusiness hours, a dispensary shall either secure all points of entry with bars, retractable, folding or sliding metal gates, or metal roll-up or accordion doors, none of which may be visible from the exterior, or provide at least one security guard at all times during those hours.

E. Any security guards employed by dispensaries shall be licensed and possess a valid Department of Consumer Affairs “Security Guard Card” at all times. Security personnel ~~may~~ shall not be armed while on duty.

F. All ~~medical or adult~~ cannabis, ~~medical or adult~~ cannabis products, and edibles, except for small amounts used for display purposes ~~and samples for immediate sale~~, shall be securely stored in a locked area at all times, and all access to such areas shall be locked and under the control of staff at all times.

G. Dispensaries shall make transactions with payment methods other than cash when feasible. All cash received, except that needed for retail customer transactions, shall be kept in a secure receptacle such as a drop safe or similar type of safe.

H. Dispensaries shall notify the Seaside police department and any licensing authority within twenty-four hours after discovering any of the following:

1. Significant discrepancies identified during inventory;
2. Diversion, theft, loss, or any criminal activity involving the dispensary or any agent or employee of the dispensary;
3. The loss or unauthorized alteration of records related to medical or adult cannabis, registered qualifying patients, primary caregivers, or dispensary employees or agents; or
4. Any other breach of security.

19.02.080 Signage.

Signs shall be posted at dispensaries as set forth following:

A. Signs shall be posted as appropriate at the entrance to any dispensary that includes the following language. The required text shall be of sufficient size to be easily read from a distance of five feet and illuminated at night.

FOR MEDICAL:

This Dispensary only provides Medical Cannabis to its members 18 years or older who must have a legally recognized California Medical Cannabis Identification Card or a verifiable, written recommendation from a physician for Medical Cannabis.

FOR ADULT:

This Dispensary only provides Cannabis to adults 21 years age or older who qualify under the Adult Use of Marijuana Act and applicable state law. No person under the age of 21 may enter or loiter within 50 feet of this facility. Providing cannabis products to those under 21 is illegal and shall be prosecuted to the fullest extent of the law.

B. A sign shall be posted in a conspicuous location inside the dispensary advising:

FOR MEDICAL:

This Dispensary is registered in accordance with the laws of the City of Seaside. The sale of marijuana and the diversion of marijuana for non-medical purposes are violations of

State law. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.

FOR ADULT:

This Dispensary is registered in accordance with the laws of the City of Seaside. The sale of marijuana and the diversion of marijuana to persons under the age of 21 are violations of State law. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.

C. No cannabis products or graphics describing cannabis shall be visible from the exterior of the property.

D. Signage for a dispensary shall comply with Chapter 17.40 SMC.

19.02.090 Delivery.

If the dispensary operations are proposed to include delivery, all employees of a dispensary delivering medical or adult cannabis or medical or adult cannabis products shall carry a copy of the documentation listed below when making deliveries. This information shall be provided upon request to law enforcement officers and to employees of state and local agencies enforcing this chapter or other local laws and regulations.

A. A copy of the dispensary's current permits, licenses, and entitlements authorizing them to provide delivery services, including permission to delivery in jurisdictions other than the city if that is the intent of the delivery;

B. The employee's government-issued identification;

C. A copy of the delivery request; and

D. Chain of custody records for all goods being delivered.

19.02.100 Neighborhood compatibility.

A. Dispensaries shall be operated in a manner that ensures neighborhood compatibility, and the owner of such facility shall take all steps necessary to ensure that customers, vendors, or others visiting the facility do not create neighborhood disturbances or nuisances.

B. Dispensaries shall provide the police department and all residents and property owners within one hundred feet with the current name, phone number, secondary phone number and e-mail address of an on-site responsible staff person to whom notice of any operating problems associated with the establishment may be reported. This information shall be updated as necessary to keep it current. Dispensaries shall encourage neighbors to call this person to try to solve any operating problems. Such calls may be anonymous and need not include an identity of the caller or number.

C. All dispensaries shall have an on-site manager responsible for overall operation at all times they are open, and shall provide the police department with contact information for all such persons, including telephone number, street address and e-mail address.

Dispensaries shall also provide the police department with the current name and phone numbers of at least one twenty-four-hour on-call manager. This information shall be updated as necessary to keep it current.

D. Dispensaries shall take all reasonable steps to discourage and correct objectionable conditions that constitute a public or private nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties. Such conditions include, but are not limited to: smoking; creating a noise disturbance; drinking; loitering; littering; urinating or defecating, and production of graffiti.

E. Dispensary will be of an architectural and visual quality and character which harmonizes with, and enhances, the surrounding area, and the design will avoid unduly large or obtrusive signs, unlandscaped parking areas, unduly bright or garish lighting, or design features which encourage loitering as determined by the zoning administrator.

F. Dispensaries will ensure that adequate litter receptacles will be provided and maintained where appropriate.

G. Where the dispensary or delivery-only dispensary is in proximity to residential uses, it will be limited in hours of operation, and designed and operated so as to avoid disruption of residents' sleep.

H. No cannabis or cannabis odors shall be detectable by sight or smell outside of a permitted facility.

I. Dispensaries shall ensure all graffiti is removed from property and parking lots under their control within twenty-four hours of its appearance.

J. Dispensaries shall operate only between the hours of nine a.m. and ten p.m.

19.02.110 Consumption of cannabis, tobacco, or alcohol.

A. Smoking of cannabis is prohibited at dispensaries, including areas in and around the facility, except as noted herein.

B. Sale, smoking, or consumption of tobacco products is prohibited at dispensaries.

C. Sale, possession, or consumption of alcoholic beverages at dispensaries is prohibited, and dispensaries shall prohibit any person in possession of an alcoholic beverage from entering or remaining on the premises.

D. This section does not prohibit the testing of medical or adult cannabis products by staff of a dispensary or the use of tinctures or topical medical cannabis products that do not have intoxicating effects.

19.02.120 Regulatory fees, seller's permit.

In addition to any other required conditions and mitigation measures approved by the city or state, all of the following conditions shall apply to the operation of all permits for a medical or adult cannabis dispensary:

A. The cannabis dispensary shall allow access to dispensary facilities and records if requested by the city, its officers, or agents, and shall pay for an annual inspection and submit to other inspections from the city or its officers to verify compliance with all relevant rules, regulations, and conditions.

B. The applicant, owner, and all permittees agree to submit to, and pay for, inspections of the operations and relevant records or documents necessary to determine compliance with this chapter from any enforcement officer of the city or their designee.

C. Any person operating a medical or adult cannabis dispensary shall obtain a valid and fully executed commercial medical or adult cannabis permit pursuant to this chapter of the Seaside Municipal Code prior to commencing operations, and must maintain such permit in good standing at all times in order to continue operations.

D. Upon implementation of state regulations pursuant to California Business and Professions Code Section 19320, a valid license from the state shall be required to operate any commercial medical cannabis activity.

E. The owner shall post or cause to be posted on site a copy of the use permit, the cannabis development/operating agreement, and all required city, county and state permits and licenses required to operate the dispensary. Such posting shall be in a central location, visible to the patrons, at the operating site, and in all vehicles that deliver or transport marijuana.

F. The owner shall be responsible for ensuring that all commercial ~~medical~~-cannabis activities at the site operate in good standing with all permits and licenses required by the Seaside Municipal Code and state law. Failure to take appropriate action to evict or otherwise remove permittees and persons conducting commercial ~~medical~~-cannabis activities at the site who do not maintain permits or licenses in good standing with the city or state shall be grounds for the suspension or revocation ~~of the required development/operating agreement, and may constitute grounds for cancellation~~ of the required development/operating agreement pursuant to Chapter ~~17.80~~19.10.010 of the Seaside Municipal CodeSMC and/or revocation of the required conditional use permit pursuant to Chapter 17.80 of the Seaside Municipal Code.

G. Dispensaries shall comply with all physical accessibility requirements of the Americans with Disabilities Act.

H. Businesses shall perform a Live Scan background check on all officers and employees to ensure that no violations of Section 19.02.020.A are occurring. These

records shall be maintained by the business and are subject to review and/or audit by the City of Seaside to verify compliance with this Section.

Chapter 19.06

PUBLIC HEARING

Sections:

19.06.010 Public hearing.

19.06.010 Public hearing.

Applications for ~~dispensaries development/operating agreements~~ shall be subject to a noticed public hearing before the City Council ~~regarding the application in the same manner as provided in SMC 17.78.020. The city manager or designee shall be the investigating official referred to in SMC 17.78.020 to whom the application shall be referred, pursuant to the procedures outlined in Chapter 17.78 of the Seaside Municipal Code. In recommending the granting or denying of such permit and in granting or denying the same, the city manager shall give particular consideration to the capacity, capitalization, and complaint history of the applicant and any other factors that in the city manager's discretion he/she deems necessary to maintain the peace, order and welfare of the public.~~

Chapter 19.07

RANKING AND ALLOCATION PROCEDURE AND CRITERIA

Sections:

19.07.010 Ranking and allocation procedure and criteria.

19.07.010 Ranking and allocation procedure and criteria.

In the event that multiple applications are submitted for any cannabis activity that is restricted in number, the city manager or designee shall use the following criteria for recommending to the city council which applicant shall receive approval to operate:

A. Businesses seeking a license to operate a dispensary or cultivation operation must submit the following for evaluation:

1. Business Plan. Applicants shall submit a business plan to the city that outlines an operational and financial plan. The business plan should include the names and resumes of key staff, operations plan, financial plan, sales projections and market study. Applicants are encouraged to provide a specific, written plan for how their operation will benefit the community.

2. Security Plan. All applicants shall submit a security plan outlining how the business expects to address security issues at their location.

3. Community Benefit Plan. The applicant shall submit a community benefit plan demonstrating steps to be taken by the business to ensure that the business represents a positive force in the community. These steps shall be in addition to required measures (such as the payment of taxes), and shall represent actions which will directly benefit the community by providing funds, sponsoring programs/non-profits, guaranteeing a living wage, prioritizing the hiring of Seaside residents, and/or other measures which would have a direct, positive impact on the City's residents.

34. Property Owner Approval. Applicants shall submit proof of approval of the owner of the real property together with a use permit indicating the use is appropriate at this property, and a cannabis development/operating agreement applicable where the proposed dispensary will be located if approved. Applicants are not required to have a signed lease, but a letter from the property owner indicating that:

a. The property owner is aware of and approves the use being proposed.

b. The property owner will lease the property to the cannabis business owner for the related use upon approval of application.

c. The property owner understands that conditional use permits for cannabis activities may be revoked if the conditions attached to the permit are violated; additionally, a required development/operating agreement that sets forth conditions of operation does not run with the land and can be required to be renewed annually.

45. Live Scan. All principal employees of any cannabis related use must submit fingerprints for a background investigation through Live Scan and submit the results with their application.

Chapter 19.08

SELECTION CRITERIA

Sections:

19.08.010 Selection criteria.

19.08.010 Selection criteria.

A. General Eligibility Review. In the event that an applicant is unable to meet the following minimum eligibility criteria, their application shall be denied. Applicants will be evaluated on the following:

1. Live Scan Fingerprint Results. Applicant must not have any criminal convictions that would result in ineligibility as defined in SMC 19.02.020.
2. Application must be complete to be evaluated. Incomplete applications will be denied but may be resubmitted. New application fees must be paid for resubmittal.
3. Proposed location of business and proof of property owner's approval of use must be supplied.
4. Applicant must agree to enter into a cannabis development/operating agreement with the city which is subject to annual review and approval which shall be discretionary with the city.

~~B. Application Evaluation.~~ The city shall adopt by Resolution criteria for the evaluation of applications. The criteria may include but not limited to, business location, business plan, local enterprise, community benefit, neighborhood compatibility, security plan and safety plan. Only those applications scoring above the standards set by resolution will be allowed to proceed with the use permit and development/operating agreement.

~~D. Use Permit. Only Applicants who score above the points required by resolution will be allowed to proceed with a conditional use permit and development/operating agreement.~~

~~C.E.~~ State cannabis licenses and local cannabis development/operating agreements ~~are annual in nature and~~ may be revoked at any time for cause, subject to the appeals process outlined in Chapter 19.10 SMC for failure to comply with all state laws and requirements and local ordinances and requirements, or for failure to comply with conditions in the development/operating agreement. ~~Cannabis development/operating agreements may automatically renew as long as the business has complied with all state and local ordinances and with conditions of approval, including the timely payment of all fees and taxes, in the sole discretion of the city.~~

~~F.D. Transfer of Use Permits and Development/Operating Agreements. Use Permits and Development/Operating Agreements for cannabis businesses activities do not automatically transfer. Prior to the sale or transfer of a majority or managing share of a cannabis business with a valid development/operating agreement, the owners of the new~~

business. New owners of existing operations will be required toshall apply to the City for transfer of such development/operating agreement. The City Council shall have the authority to approve or deny any transfer. and otherwise meet the requirements set forth in Section 19.02, including but not limited to, business operations plan, contact information, community benefits and security plan. The City Council may review such transfer applications in its discretion.



CITY OF SEASIDE STAFF REPORT

Item No.: 8.B.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Nick Borges, Police Chief

DATE: November 7, 2024

SUBJECT: AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 6.04 AND ADDING NEW SECTIONS 6.04.025, 6.04.155, 6.04.156, 6.04.157 AND 6.04.158 REQUIRING SPAY AND NEUTERING, CERTIFICATIONS FOR UNALTERED ANIMALS, BREEDING PERMITS AND VIOLATIONS (FIRST READING - ROLL CALL VOTE)

RECOMMENDATION

Conduct the first reading of an ordinance amending seaside municipal code chapter 6.04 and adding new sections 6.04.025, 6.04.155, 6.04.156, 6.04.157 and 6.04.158 requiring spay and neutering, certification for unaltered animals, breeding permits and violations.

BACKGROUND

Every year, hundreds of animals enter the two shelters in Monterey County. Sadly, more animals are euthanized every year than are adopted. 70% of cats that enter Monterey County shelters are euthanized each year. A female cat can get pregnant at four months of age and give birth to four litters of kittens per year. An average litter of kittens produces about five kittens. One cat can give birth to nearly 2,265 kittens in her lifespan. A female cat and her offspring can be responsible for over 57,000 kittens being born from just one un-spayed female cat.

There are similar numbers related to dogs as well. One female & one male dog can create sixteen puppies during the first year and in just six years' time, she and her offspring can be responsible for 67,000 puppies being born. Spaying and neutering has been proven to reduce the number of animals living on the streets. It also significantly reduces hundreds of cats & dogs being euthanized in Monterey County shelters every

year. Many people struggle with paying for pet medical care and costs associated with spay/neutering at a veterinarian can be expensive (\$300 to over \$1,500 per pet).

Many people who illegally breed cats/dogs know they can just bring unsold litters to the SPCA and the Police Department legally inherits the costs (near \$245 per animal).

Animal overpopulation in our city has many effects. We have encountered many acts by cat/dog owners that are inhumane as a result. Spaying and neutering helps reduce the burden on our city by controlling the number of strays and unwanted animals in the community. Irresponsible or accidental breeding contributes to dog attacks, dog bites, excessive barking calls, properties with unsanitary conditions due to animals and stray dogs roaming the streets looking for a mate. Seaside spends thousands of dollars every year on providing care for unwanted, abandoned and neglected animals. Having a spay/neuter requirement in our municipal code allows checks and balances and an avenue to investigate and enforce the growing challenge of breeding cats and dogs.

FISCAL IMPACT

No fiscal impact.

ATTACHMENTS

1. Draft Ordinance Spay and Neuter

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

ORDINANCE NO. XXXX
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AMENDING SEASIDE MUNICIPAL CODE CHAPTER 6.04 AND ADDING NEW
SECTIONS 6.04.025, 6.04.155, 6.04.156, 6.04.157 AND 6.04.158
REQUIRING SPAY AND NEUTERING, CERTIFICATIONS FOR UNALTERED
ANIMALS, BREEDING PERMITS AND VIOLATIONS**

WHEREAS, within the City of Seaside there is an increasing number of not spayed and neutered feral cats; and

WHEREAS, within the City of Seaside there are an increasing number of both cats, kittens, dogs and puppies which are surrendered to the SPCA; and

WHEREAS, the SPCA has reported numerous puppies being found abandoned on vacant lots adjacent to Chili's and turned into SPCA; and

WHEREAS, SPCA has substantially increased its fees to accept such animals found or abandoned within the Seaside jurisdictional limits. The the 2024 SPCA charge is \$245 per animal found within the City of Seaside and additionally, charges \$50 per animal to any private citizen of Seaside who surrenders an animal to the SPCA; and

WHEREAS, the average monthly billing from SPCA for surrendered animals exceeds \$10,000 and these fees are expected to increase in 2025; and

WHEREAS, Animal Control has had multiple interactions with Seaside residents that have intentionally bred cats or dogs with the intent to distribute offspring;

WHEREAS, the City of Seaside has funded low-cost vaccination and spay and neuter clinics to address the unspayed and neutered animal populations; and

WHEREAS, the City of Seaside has an aggressive and proactive trap and release program to limit the unfettered breeding and increase of the feral cat population; and

WHEREAS, a review of other cities that have a spay and neuter ordinance indicate there is a reduction of unwanted and surrendered animals.

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SEASIDE
ORDAINED AS FOLLOWS:**

SECTION 1: REVISIONS TO TITLE 6 CHAPTER 6.04

Add Section 6.04.025 Dogs – Spay and/or Neuter Required.

6.04.025 Dogs – Spay and/or Neuter Required. Every person owning, having charge, care, control or custody over any dog over six months of age shall have it spayed or neutered unless such person holds an unaltered animal certification for the animal issued pursuant to Section 6.04.155.

Add Section 6.04.155 Animals – Mandatory Spay and/or Neuter

6.04.155 Animals - Mandatory spay/ neutering

A. No person shall keep a dog over the age of six months or cat over the age of five months which has not been spayed or neutered unless such person holds an unaltered animal certification for the animal issued pursuant to Section 6.04.156.

B. Any person intentionally providing care or sustenance for a dog or cat shall be deemed the owner of such dog and shall comply with this section.

C. The following animals are exempt from the provisions of this section:

1. Dogs documented as having been appropriately trained and actually being used by public law enforcement agencies for law enforcement purposes, or dogs designated as breeding stock for law enforcement purposes by an appropriate agency or organization approved by the director of animal control after consultation with knowledgeable professionals;

2. Dogs or cats certified by a licensed veterinarian as having a health reason for not being spayed/neutered; or

3. Dogs or cat which are owned and in the custody and control of persons who do not reside in the City of Seaside, but who are temporarily visiting the City of Seaside or traveling through the City of Seaside.

ADD SECTION 6.04.156 Animals – Unaltered Animal Certification

6.04.156 Animals- Unaltered Animal Certification

The director of animal control shall establish and administer a certification program to allow for unaltered animals over the age of six months when the director of animal control determines that the following conditions have been met:

1. The animal is examined annually by a licensed veterinarian and is following the preventative health care program recommended by the veterinarian;
2. The owner has not had more than two violations of Chapter 6.04 of this code within the preceding twenty-four months;
3. The animal is properly housed and cared for as follows:
 - a. The animal is provided sufficient quantity of good and wholesome food and water;
 - b. The animal is provided shelter that will allow the animal to stand up, turn around, and lie down without lying in his/her feces;
 - c. The area where the animal is kept is properly cleaned and disinfected;
 - d. The animal must be fully contained on the owner's property and be provided appropriate exercise;
 - e. The animal owner otherwise complies with any applicable state or local law concerning the care and housing of animals;
4. The owner of an unaltered female dog furnishes the director of animal control with a signed statement agreeing to the following conditions:
 - a. The female unaltered animal will have no litter per year, unless the owner also obtains and maintains a permit for breeding the animal

ADD SECTION 6.04.157 Animals – Breeding Permit

Section 6.04.157. Animals - Breeding permit

A. No person shall cause or allow any dog or cat owned, harbored, or kept within the jurisdiction of the city to breed with the intent to sell, gift, or transfer the offspring for money without first obtaining a breeder permit, in addition to an unaltered certification pursuant to Chapter 6.04 of this code. A breeder permit is

written authorization, issued by city's director of animal control or authorized designee, giving permission to breed a dog or cat. The breeder permit shall be valid for one year from the date of issuance and may be renewed annually prior to the expiration date. Each applicant for a breeder permit shall pay an annual fee as prescribed by the city council and set forth in the fee schedule. Under no circumstances shall a breeder permit be issued to a person who has been convicted of animal cruelty or neglect.

B. The director of animal control shall establish procedures for and administer a breeder permit program to allow the responsible breeding of unaltered dogs and cats, including limitations on the total numbers of breeding permits to be issued within the City of Seaside. In addition to the procedures set forth by the director of animal control,

1. Any breeder permit holder who advertises to the public the availability of any dog or cat for sale, adoption, or transfer, whether for compensation or otherwise, must prominently display the breeder permit number in any such advertisement. Further, the breeder permit holder must provide the permit number to any person who purchases, adopts, or receives any animal from the permit holder and include the permit number on any receipt of sale or transfer document.
2. Breeder permits will not be issued for animals under twelve months of age or over seven years of age.
3. Any breeder permit holder selling or otherwise transferring a dog or cat, whether for compensation or otherwise, shall maintain records for a period of three years containing the name, address, and telephone number of the animal's new owner on a form approved by the director of animal control.
4. Any breeder permit holder which sells or otherwise transfers a dog or cat, whether for compensation or otherwise, shall provide to the new animal owner written information regarding the license and permit requirements of the city; and all puppies must be microchipped or have some other form of identification acceptable to the director of animal control and shall be licensed by city.

ADD SECTION 6.04.158 – VIOLATIONS OF SECTIONS 6.04.155-6.04.157

Section 6.04.158 - VIOLATIONS OF SECTIONS 6.04.155-6.04.157

Any dog owner in violation of this chapter is subject to the following penalties:

1. First-time violators will receive a correction notice detailing the particular violations. Violators will have thirty days from the date when the owner was first notified of the violation to correct the violations.
2. Second and subsequent violations of this chapter will be punished in accordance with Chapter 6.04.200

SECTION 2. REPEAL & SEVERABILITY

The City Council declares that, should any provision, section, paragraph, sentence, or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this ordinance are hereby adopted shall remain in full force and effect.

SECTION 3. EFFECT

This ordinance takes effect 30 days following the date of its passage.

INTRODUCED at a regular meeting of the City Council of the City of Seaside held on the ____th day of November, 2024 and passed to print.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the ____ day of _____ 2024 by the following vote:

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

Attest:

Ian N. Oglesby, Mayor

Lesley Milton, City Clerk



CITY OF SEASIDE STAFF REPORT

Item No.: 9.A.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Mary Gutierrez, Fire Chief

DATE: November 7, 2024

**SUBJECT: ADOPT A RESOLUTION APPROVING THE UPDATED CITY OF
SEASIDE EMERGENCY OPERATIONS PLAN**

RECOMMENDATION

Adopt a resolution approving the updated City of Seaside Emergency Operations Plan.

BACKGROUND

The City of Seaside Emergency Operations Plan has been updated to reflect minor changes. The updated plan reflects the primary and secondary locations of the Emergency Operations Centers (EOC) to be used by City of Seaside staff in the event of a declared emergency. It also has updated emergency contact numbers to contact the EOC Manager at CSUMB who will open up (stand up) the Monterey Peninsula Emergency Operations Center (MPRECC). The locations and contact numbers have been redacted from the attachment to ensure the security of the locations and contacts. The locations and contact numbers will be available in the plan and distributed to city council and city staff once the plan has been adopted.

The plan also highlights the members of the Emergency Disaster Council as defined in Seaside Municipal Code Chapter 2.40.030.

The Mayor is the Chairman. The Director and Vice-Chairman is the City Manager. The Assistant Director is the Fire Chief and all other Department heads will be Chiefs of emergencies. All positions have specific assignments and responsibilities in the event of a declared emergency. All positions and job duties are defined in the Emergency Operations Plan.

The Plan also highlights the establishment of Monterey County's "Local Hazard

Mitigation Plan" and the City of Seaside's Annex, which was approved by CalOES/FEMA in June 2022 and adopted in July 2023. Having an updated Hazard Mitigation Plan allows the city to receive pre-and-post disaster mitigation funding from the Federal Emergency Management Agency (FEMA). This plan is updated within a five-year cycle.

The Fire Department has established an emergency contact list for all key city staff who will be notified via Genasys (Department of Emergency Management for Monterey County) in the event of an emergency. The list has also been distributed to all city staff who would respond to the emergency operations center.

FISCAL IMPACT

No fiscal impact. Updated plan developed by the Fire Chief.

ATTACHMENTS

1. Resolution
2. Emergency Operations Plan Updated November 7, 2024
3. Chapter 2.40 Emergency Disaster Council
4. Chapter 14 Emergency Organization and Disaster Council Functions
5. Ordinance No. 546
6. Ordinance No. 999

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPTING THE CITY OF SEASIDE EMERGENCY OPERATIONS PLAN

WHEREAS, the Seaside Emergency Operations Plan describes the City's emergency organization, policies and procedures; and

WHEREAS, the plan has been updated and prepared in accordance with NFPA 1660, which provides a Standard for Emergency Continuity and Crisis Management; Preparedness, Response, and Recovery; and

WHEREAS, the goals of the emergency program are to provide a safe environment before, during and after any emergency; and

WHEREAS, the objectives are to prepare for any type of disaster, respond appropriately and recover as soon as possible; and

WHEREAS, the plan defines the Seaside Emergency Disaster Council in accordance with Seaside Municipal Code Chapter 2.40.030; and

WHEREAS, the Mayor shall be the Chairman of the Emergency Disaster Council; the City Manager shall be the Director of Emergency Services and the Vice-Chairman; the Fire Chief per Ordinance No. 999 adopted May 5, 2011 shall be the Assistant Director of Emergency Services; and City Department Directors per Ordinance No. 999 shall be Chiefs of Emergencies; and

WHEREAS, membership assignments may be changed by a resolution of the city council, (Ordinance 999, 2011; Ordinance 546, 1979); and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby adopt the updated City of Seaside Emergency Operations Plan

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of Seaside duly held on the 7th day of November 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

The City of Seaside Emergency Operations Plan



City Council of the City of Seaside

Ian N. Oglesby, Mayor
Dave Pacheco, Mayor Pro Tem
Alexis Garcia Arrazola, Council Member
Rita Burks, Council Member
Alex Miller, Council Member

Effective: November 2012

Revised: November 2024 (Fire Chief, Mary Gutierrez)

City of Seaside Emergency Operation Plan
Adopted November 15, 2012
Revised September 2024
Per Resolution No. 2012-63
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A. Program Administration

(1) Executive Policy

The City of Seaside is a community located approximately 115 miles south of San Francisco on the Monterey Peninsula. The City of Seaside was incorporated as a City in 1954. Seaside's history began in 1887 when Dr. John Roberts created the area's first subdivision. The City's population, as reflected in the 2020 U.S. Census, stands at 32,366 however, the population has varied with the expansion and subsequent closure of Fort Ord.

The Seaside Emergency Operations Plan describes the City's emergency organization, policies, and procedures. The plan also addresses integration and coordination with other governmental agencies when required. This plan has been prepared in accordance with NFPA 1660. NFPA 1660 provides a Standard for Emergency, Continuity, and Crisis Management: Preparedness, Response, and Recovery, establishes a common set of requirements for emergency management and business continuity programs; mass evacuation, sheltering, and re-entry programs; and the development of pre-incident plans for emergency.

Despite the name, NFPA 1600 is not a fire-based standard. It is a universal standard that emergency management and business continuity professionals can use to prepare for disasters and ensure property protection, life safety, and business continuity. The National Commission on Terrorist Attacks upon the United States (the 9/11 Commission), recognized NFPA 1600 as our National Preparedness Standard ®. Widely used by public, non-for-profit, nongovernmental, and private entities on a local, regional, national, international and global basis. NFPA 1600 has been adopted by the U.S. Department of Homeland Security as a voluntary consensus standard for emergency preparedness.

(2) Goals and Objectives

The goals of the emergency program are to provide a safe environment before, during, and after any emergency. The objectives are to prepare for any type of disaster, respond appropriately, and recover as soon as possible after an event. In addition, the program seeks ways to mitigate the potential impacts of anticipated potential disasters.

(3) Plans and Procedures

This plan addresses how Seaside will respond to disasters, from preparedness through response, recovery and mitigation. The responsibilities of each department are identified, based on each identified hazard or threat examined in Seaside's hazard analysis and probability matrix. Standard Operating Procedures (SOPs) are discussed, including roles and responsibilities.

(4) Authorities, Legislation, and Regulations

This plan is based on the functions and principles of the National Incident Management System (NIMS) as described in Homeland Security Presidential Directive HSPD-5. NIMS

superseded California's Standardized Emergency Management System (SEMS) in FY 2007; for the purpose of this plan, NIMS and SEMS are considered transparent.

(5) Emergency Disaster Council - Advisory Committee

In accordance with Seaside Municipal Code Chapter 2.40.030, the Seaside Emergency Disaster Council shall consist of the following:

- The **Mayor**, who shall be **chairman**;
- The **Director of Emergency Services, (City Manager)**, who shall be **vice-chairman**;
- The **Assistant Director of Emergency Services (Fire Chief)** – Per Ordinance No. 999 passed and adopted unanimously May 5, 2011.) or other designee as appointed by the director. (Ord. No. 999; 2.40.050);
- Such **Chiefs of Emergencies (City Department Directors)** per Ordinance No. 999 passed and adopted unanimously at a regular meeting of the City Council of the City of Seaside May 5, 2011.) as are provided for in the current emergency plan of the city, adopted pursuant to this chapter, shall be comprised of the department heads;
- Based on the nature of the emergency, representatives of civic, business, labor, veterans, disabled, professional, schools or other organizations having an official emergency responsibility, as may be appointed by the director.
- Membership assignments may be changed by a resolution of the city council. (Ordinance 999, 2011; Ordinance 546, 1979)
- Resolution _____ adopted _____ 2024.

(6) Emergency Disaster Council – Powers and Duties

It shall be the duty of the Seaside Emergency Disaster Council to develop and recommend for adoption by the City Council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The disaster council shall meet upon call of the chairman or, in his absence from the city or inability to call such meeting, upon call of the vice-chairman. (Ord 999, 2011; Ord 546, 1979) ***The Mayor and the City Council will adopt the Seaside Emergency Operations Plan along with updates to the plan.***

Section 1. General and Concept of Operations

Mitigation

Each city in California is required to prepare a “Local Hazard Mitigation Plan” which must be submitted through the State of California’s Office of Emergency Services to the Federal Emergency Management Agency for review and approval.

The Monterey County Office of Emergency Services (currently called the Department of Emergency Management or DEM) updated the Monterey County Multi-Jurisdictional Hazard Mitigation Plan in 2022 and submitted it to the State for forwarding to FEMA.

Milestones Included:

Community Outreach began May 2019 – August 2021
Update period January 2021 – October 2021
Stakeholder Review November 2021 – January 2022
Public Review January 2022 – March 2022
CalOES/FEMA Review March 2022
Approval March 2022 – June 2022
Adoption July 2022 – July 2023

The Disaster Mitigation Act (DMA) of 2000 (Public Law 106-390) requires state and local government agencies to prepare comprehensive Hazard Mitigation Plans in order to be eligible to receive pre-and post-disaster mitigation funding from the Federal Emergency Management Agency (FEMA). The DMA also requires the Hazard Mitigation Plan to be monitored, evaluated, and updated within a five-year cycle to remain eligible for disaster related benefits under the DMA.

The 2022 Monterey County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP)

The 2022 MJHMP is a comprehensive update to the 2016 Monterey County Multi-Jurisdictional Hazard Mitigation Plan and represents the third iteration of the Monterey County Multi-Jurisdictional Hazard Mitigation Plan, which was initially adopted in 2007. The planning area for the MJHMP encompasses the entire geographic area of Monterey County and includes the following Participating Jurisdictions: Monterey County, the cities of Carmel-by-the-Sea, Del Rey Oaks, Gonzales, Greenfield, King, Marina, Monterey, Pacific Grove, Salinas, Sand City, Seaside, and Soledad, as well as the Monterey County Water Resources Agency, the Carmel Area Wastewater District, Monterey One Water, the Monterey Regional Waste Management District, and the Moss Landing Harbor District.

The 2022 update to the MJHMP was developed by the MJHMP Steering Committee, made up of participants from the County and Participating Jurisdictions. The Steering Committee served as an advisory body on hazard and mitigation action priorities both for the County as a whole and each jurisdiction individually, with Monterey County Office of Emergency Services as the Planning Lead. The Monterey County MJHMP:

- Provides an explanation of prevalent hazards within the County and describes how hazards may affect the County and participating jurisdictions differently based upon various relationships to natural hazards.
- Includes a discussion of hazard location, size of a typical event, historical occurrences, and the probability of future occurrences for each identified hazard.
- Identifies risks to vulnerable assets, both people and property.
- Provides a mitigation strategy that responds to the identified vulnerabilities within each community and provides prescriptions or actions to achieve the greatest risk reduction based upon available resources.
- Pools resources from throughout the County and creates a uniform local hazard mitigation plan that can be consistently implemented.
- Ensures eligibility for Federal Emergency Management Agency (FEMA) and Cal OES grants.

The **City of Seaside Hazard Mitigation Annex "L"** provides specific details on the City's planning process, a City specific risk and vulnerability assessment, and a mitigation strategy that responds to the identified vulnerabilities within to achieve the greatest risk reduction based upon available resources.

The plan underwent review by the County and Participating Jurisdictions, the public (Review period occurred from December 2021 to March 2022) and received Approval Pending Adoption from FEMA on June 14, 2022.

OTHER AGENCY INVOLVEMENT:

The Multi-Jurisdictional Hazard Mitigation revision process brought together representatives of involved stakeholder agencies and organizations who could have a role in mitigation planning and implementation of mitigation strategies as identified in the plan. Monterey County, the cities of Carmel-by-the-Sea, Del Rey Oaks, Gonzales, Greenfield, King, Marina, Monterey, Pacific Grove, Salinas, Sand City, Seaside, and Soledad, as well as the Monterey County Water Resources Agency, the Carmel Area Wastewater District, Monterey One Water, the Monterey Regional Waste Management District, and the Moss Landing Harbor District participated in the planning and completion of the plan.

Preparedness

Seaside's response to disasters shall be based on the National Incident Management System (NIMS) phases of:

- **Mitigation**
- **Preparedness**
- **Response**
- **Recovery**

During each phase, specific actions will be taken to reduce and/or eliminate the threat of specific disaster situations. In coordination with the Incident Commander (Fire or Police), the Seaside Director of Emergency Services (City Manager) will determine the phase and initiate the appropriate level of alert for response agencies, including the activation of the Monterey County Department of Emergency Management as required. Refer to page 8.2, NIMS Organization Chart.

Increased Readiness

Upon receipt of a warning or the observation that an emergency is imminent or likely to occur soon, Seaside may initiate actions to increase its readiness. Events that may trigger increased readiness activities include:

- Receipt of a special weather advisory from the National Weather Service
- Receipt of emergency notifications or communications from the Monterey County Department of Emergency Management (DEM).
- Conditions conducive to large scale urban fires, such as the combination of high heat, strong winds, and low humidity
- A hazardous materials incident
- Information or circumstances indicating the potential for terrorism, acts of community violence to include active shooter or civil disturbance
- Excessive rainfall and flooding
- Road Closures
- High winds / High surf advisories
- Boil Water Notices

Increased readiness activities may include, but are not limited to, the following activities:

- Brief the City Manager, City Council, Department Heads, Managers and employees of Seaside regarding the situation
- Increase public information efforts through social media
- Contact Fire or Police Communications to send out a community alert through **Genasys ALERT** – The April 2024 new Alert and Warning platform for the Alert Monterey County Program
- Key City staff (Fire, Police and Public Works) can send out Genasys ALERTS to alert internal city stakeholders such as City Council, City Manager and Department Heads
- Contact Monterey County CERT through Communications
- Inspect critical facilities and equipment
- Recruit additional staff and volunteer disaster service workers (DSW's) (All city workers are considered Disaster Service Workers)
- Warn threatened areas of the Seaside population
- Conduct precautionary evacuations in potentially impacted areas
- Mobilize personnel and pre-positioning resources and equipment
- Establish staging areas (establish staging manager)

Initial Response

- Seaside's initial response activities are primarily performed at the field response level. Emphasis is placed on minimizing the effects of the emergency or disaster. Field responders will use the NIMS Incident Command System (ICS) to organize response to the emergency or disaster, incorporating the functions, principles and components of ICS (i.e., unified command, action planning, span of control, hierarchy of command, etc.). The role of the Monterey County Department of Emergency Management is coordination of information and resources to support the Incident Commander in the field who is in charge of actual response activities.

Examples of initial response activities include:

- Making all necessary notifications, including the Monterey County Operational Area
- Make necessary emergency notifications to the public through the Department of Emergency Management
- The Fire Department will make necessary notifications to key city staff through Genesis (Emergency Notification System)
- Proclaiming a local emergency in Seaside and sending the proclamation to the Monterey County Operational Area
- Disseminate warnings, emergency public information, and instructions to the residents, workers, shoppers, and visitors in Seaside
- Set up an emergency shelter (Oldemeyer Center) (Use Red Cross as a resource)
- Contact the Red Cross for assistance through communications
- Establish a Reunification center if necessary
- Conducting evacuations and/or rescue operations
- Caring for displaced persons and treating the injured
- Conducting initial damage assessments and surveys
- Assessing need for auto or mutual aid assistance
- Restricting movement of traffic/people and unnecessary access to affected areas
- Coordinating information and resources with Operational Area, State and Federal agencies
- Activate and coordinating Community Emergency Response Team (CERT) efforts through Monterey County CERT

Extended Response – City of Seaside Primary and Secondary EOC

Seaside may have extended response activities, which will be conducted in the field and in the Emergency Operations Center (EOC). The **primary EOC is located at** [REDACTED]

[REDACTED]

[REDACTED] The Fire Chief or their designee will activate the City of Seaside EOC and make all necessary notifications to have the EOC staffed with City Personnel.

Extended emergency operations involve the coordination and management of personnel and resources to mitigate an emergency and facilitate the transition to recovery operations. Field response personnel will use the NIMS Incident Command System to manage field operations.

EOC Staff will be organized to coordinate information and resources to support the Incident Commander in the field. The EOC Staff will use the components and principles of NIMS. EOC Staff will keep in communication with the incident commander in the field to obtain the incident action plan and measurable and attainable objectives to be achieved for each given operational period.

The EOC Staff will maintain contact with appropriate members and organizational counterparts on the Monterey County DEM staff.

- When the EOC is activated, communications and coordination will be established between the EOC and the Incident Commander(s) in the field. Communications and coordination will be established between the Monterey County Department of Emergency Management when activated.

NIMS Mutual Aid System allows for the progressive mobilization of resources to or from emergency response agencies, local governments, operational areas, regions, and the State with the intent of providing adequate resources to requesting agencies.

Examples of extended response activities include:

- Preparing detailed damage assessments
- Operating mass care facilities
- Coordinating coroner operations
- Procuring resources to sustain operations
- Documenting situation status
- Protecting, controlling, and allocating vital resources
- Restoring vital utility services
- Tracking resource allocations
- Conducting advanced planning activities
- Documenting expenditures
- Developing and implementing Action Plans for extended operations
- Dissemination of emergency public information
- Prioritizing resource allocation

Recovery

As the immediate threat to life, property, and the environment subsides, the rebuilding of Seaside will begin through various recovery activities.

Recovery activities involve the restoration of services to the public and rebuilding affected areas. Recovery activities may be both short-term and long-term, ranging from

restoration of essential utilities such as water and power, to mitigation measures designed to prevent future occurrences of a given threat facing Seaside.

The Seaside Recovery Plan is contained in **Appendix B**. It identifies details of Seaside's recovery operations. The Monterey County Operational Area Emergency Operations Plan covers the recovery process in detail, describing roles and responsibilities and the procedures for accessing the federal and state disaster assistance programs, which would be available for individuals, businesses, and the city of Seaside.

Examples of Seaside Recovery Plan activities include:

- Restoring of all utilities
- Establishing and staffing Local Assistance Centers and Disaster Assistance Centers
- Applying for state and federal assistance programs
- Conducting hazard mitigation analyses
- Identifying residual hazards
- Determining and recovering costs associated with response and recovery

Responsibilities of Seaside

Seaside is responsible for preparedness, response, recovery and mitigation for disasters within its jurisdiction. During disasters, Seaside is required to communicate and coordinate emergency operations with the Monterey County Operational Area and, in some instances, other local governments.

Under the National Incident Management System, the city has responsibilities at two levels: the field response and local government levels.

At the field response level, all agencies will use the NIMS Incident Command System to standardize the emergency response.

At the local government level, the Monterey Peninsula Regional Emergency Operations Center will be the central location for coordination of information and resources, and communicating with the Monterey County Operational Area.

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Section 2. Laws and Authorities

The following provides emergency authorities for conducting and/or supporting emergency operations:

Federal

- Federal Civil Defense Act of 1950 (Public Law 920, as amended).
- Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Public Law 93-288, as amended).
- Army Corps of Engineers Flood Fighting (Public Law 84-99)
- Homeland Security Presidential Directive 5, March 2003
- Homeland Security Presidential Directive 8, December 2003

State

- California Emergency Services Act (Chapter 7 of Division 1 of Title 2 of the Government Code).
- Standardized Emergency Management System (SEMS) Regulations (Chapter 1 of Division 2 of Title 19 of the California Code of Regulations) and (California Government Code §8607 et sec).
- Hazardous Materials Area Plan Regulations (Chapter 4 of Division 2, Title 19, Article 3, §2720-2728 of the California Code of Regulations) and (California Health and Safety Code, Division 20, Chapter 6.95, Section 25503.5)
- California Department of Water Resources Flood Control (California Water Code §128).
- Orders and Regulations which may be Selectively Promulgated by the Governor during a STATE OF EMERGENCY.
- Orders and Regulations which may be Selectively Promulgated by the Governor to take effect upon the Existence of a STATE OF WAR.

Local

- City of Seaside Code Sections 2.40.010-2.40.100 Emergency Services Council.
- Resolution dated _____, 2024 – adopting an update to the City of Seaside Emergency Operations Plan.
- Resolution dated March 11, 1952 - adopting the California Master Mutual Aid Agreement.

- City of Seaside Resolution 90-80, adopting Workmen's Compensation Benefits for Disaster Service Workers, adopted June 8, 1988.
- Resolution un-numbered, adopting the Emergency Operations Plan, adopted December 19, 1995.
- Resolution 99-14 Continuity of government: Interim successors for the Board of Supervisors.

Emergency Disaster Council

The authority for creation of the Emergency Disaster Council is contained in Chapter 2.40 of the Seaside Municipal Code. Applicable sections of the Code are included with the following sub-paragraphs for reference purposes.

2.40.010 Purposes

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of an emergency, the direction of the emergency organization, and the coordination of the emergency functions of the city with all other public agencies, corporations, organizations, and affected private persons. (Ord. 546 §2(part), 1979: prior code §14-101).

2.40.020 Emergency defined.

As used in this chapter, "emergency" means the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the city, requiring the combined forces of other political subdivisions to combat. (Ord. 546 §2(part), 1979: prior code §14-102).

2.40.030 Disaster Council-Created-Membership.

The city disaster council shall consist of the following:

- A. **Mayor** - Chairperson
- B. **City Manager** - Director of Emergency Services, Vice Chairperson
- C. **Fire Chief** - Assistant Director of Emergency Services

D. **Chiefs** (Fire and Police) of emergency services as are provided for in a current emergency plan of the city, adopted pursuant to this chapter.

E. Based on the nature of the emergency, representatives of civic, business, labor, veterans, disabled, professional, schools or other organizations having an official emergency responsibility, as may be appointed by the director.

(Ord. 546 §2(part), 1979: prior code §14-103).

2.40.040 Disaster Council-Powers and Duties

It shall be the duty of the city disaster council, and it is hereby empowered, to develop and recommend for adoption by the city council emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The disaster council shall meet upon call of the chairperson or, in his absence from the city or inability to call such meeting, upon call of the vice-chairperson. (Ord. 546 §2(part), 1979: prior code §14-104).

2.40.050 Director and Assistant Director of Emergency Services-Offices created

A. There is created the office of director of emergency services. The City Manager shall be the director of emergency services.

B. There is created the office of assistant director of emergency services, who shall be the Fire Chief. (Ord. 546 §2(part), 1979: prior code §14-105).

2.40.060 Director and Assistant Director of Emergency Services-Powers and duties

A. The Director is empowered to:

1. Request the city council to proclaim the existence or threatened existence of a local emergency if the city council is in session or to issue such proclamation if the city council is not in session. Whenever a local emergency is proclaimed by the director, the city council shall take action to ratify the proclamation within seven days thereafter or the proclamation shall be of no further force or effect;

2. Request the Governor to proclaim a state of emergency when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency;

3. Control and direct the effort of the emergency organization of the city for the accomplishment of the purposes of this chapter;

4. Direct cooperation between and coordination of services and staff of the emergency organization of the city, and resolve questions of authority and responsibility that may arise between them;

5. Represent the city in all dealings with public or private agencies on matters pertaining to emergencies as defined in this chapter;

6. In the event of the proclamation of a local emergency as provided in this section, the proclamation of a state of emergency by the Governor or the director of the State Office of Emergency Services or the existence of a state of war emergency, the director is empowered:

- A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council.
- B. To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use.
- C. To require emergency services of any city officer or employee and, in the event of the proclamation of a state of emergency in the county in which the city is located or the existence of a state of war emergency, to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers.
- D. To requisition necessary personnel or material of any city department or agency.
- E. To execute all of his ordinary power as city manager, all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant to this chapter adopted by the city council, all powers conferred upon him by any statute, by any agreement approved by the city council, and by any other lawful authority.
- F. The director of emergency services shall designate the order of succession to that office, to take effect in the event the director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the city council.
- G. The assistant director shall, under the supervision of the director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of the city, and shall have such other powers and duties as may be assigned by the director. (Ord. 546 §2(part), 1979: prior code §14-106).

2.40.070 Emergency organization

All officers and employees of the city, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons pressed into service under the provisions of subsections A and C of Section 2.40.060, be charged with duties incident to the protection of life and property in the city during such emergency, shall constitute the emergency organization of the city. (Ord. 546 §2(part), 1979: prior code §14-107).

2.40.080 Seaside Emergency Operations Plan

The Seaside Disaster Council shall be responsible for the development of the Seaside Emergency Operations Plan, which plan shall provide for the effective mobilization of all the resources of the city, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency, and shall provide for the organization, powers, and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the city council. (Ord. 546 §2(part), 1979: prior code §14-108).

2.40.090 Expenditures

Any expenditure made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city. (Ord. 546 §2(part), 1979: prior code §14-109).

2.40.100 Violation--Penalty

It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars, or by imprisonment for not to exceed six months, or both, for any person, during an emergency, to:

- A. Willfully obstruct, hinder, or delay any members of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon him by virtue of this chapter;
- B. Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if such act is of such a nature as to vie or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of the city, or to prevent, hinder, or delay the defense or protection thereof;
- C. Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the state. (Ord. 546 §2(part), 1979: prior code §14-110).

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Section 3. Hazard Identification, Risk Assessment, and Impact Analysis

General

The City of Seaside recognizes that the planning process must address each hazard that threatens Seaside. Seaside is vulnerable to several categories of hazards: natural and technological (man-made hazards, including national security/terrorism). Seaside's Local Hazard Mitigation Plan identified possible hazards, made risk assessments, analyzed impacts, and prioritized and recommended appropriate mitigation activities. The local hazard mitigation plan is discussed in Section 4, Hazard Mitigation.

Natural and Technological (Man-made) Hazards

Seaside, with its varying topography, growing permanent population, and growing shopping, industrial and recreational population, is subject to a wide variety of possible harmful events from natural and technological hazards. A preliminary hazard matrix that outlines each of these hazards and identifies their likelihood of occurrence and severity, (Figure 3.1), follows. This matrix will be explored in more detail during the hazard mitigation plan process as discussed in Section 4.

Potential Threats

The following threats are considerable applicable to the City of Seaside. In some instances, the City has directly experienced these threats; in other cases, the potential threats are acknowledged to have the capacity to affect the City. The occurrence of any of these threats singularly or together could result in a disaster or major emergency and require the activation of the MPREOC.

- **Earthquake:** The San Andreas Fault lies approximately twenty-five miles to the east of the City. While this segment of the fault is relatively less active than other segments, it does have the potential to produce earthquakes that could cause structural damage and injuries within the City and its environs. Additional secondary faults lie off shore of the City.
- **Winter Storm/Extreme Weather:** Monterey County is prone to damage from winter storms from November through April. Generally, Coastal Monterey receives the major impacts from these storms, and the potential for damage from high winds and/or heavy rains (flooding) does exist for the City.
- **Flooding:** Flooding usually occurs as the direct result of winter storms. Therefore, it is not uncommon that the two will combine to form a "compound emergency" in which the emergency response system will be required to deal with the salient characteristics of both types of threat.

The effects of flooding on the City of Seaside will normally be confined to localized flooding of streets and intersections, low lying areas, and areas near Laguna Grande. No major streams flow through or adjacent to the City.

- **Tsunami:** The present tsunami warning system will provide timely warning to California coastal cities of tsunamis caused by earthquakes in Alaska or Japan. In the future, however, a strong offshore earthquake along the San Gregorio fault or the Cascadia Subduction Zone has the potential of creating a significant tsunami at Seaside with very little alerting warning time. Although Seaside's actual oceanfront is relatively small, the impact potential for this type of emergency should not be discounted.
- **Urban/Wildland Intermix Fire:** A fire of this nature could seriously affect the City along its eastern border and former Fort Ord lands.
- **Urban Fire/Conflagration:** Older wood structure buildings grouped in small or downtown areas and built before contemporary building codes were enacted could present a localized area fire hazard, particularly under the prevailing coastal wind conditions.
- **Essential Services/Transportation/Utilities Disruption:** The potential for disruption of life sustaining services on the Monterey Peninsula is real. Various forms of emergencies could disrupt vehicular and/or air transportation that could result in the disruption of essential services, including all forms of utilities delivery, emergency medical transportation, propane deliveries, and other critical services. The City has experienced electrical and natural gas services disruptions in the past.
 - **Potable Water Contamination/Disruption:** The City receives its potable water from the California American Water Company and its distribution system. A remote possibility exists of contamination and/or disruption of potable water services due to a variety of manmade or natural causes.
 - **Electrical/Natural Gas Service Disruption:** Disruption of electrical and natural gas service has and could result from winter storms, high winds (downed power lines), human error, and other causes. This type of emergency incident has the potential to be relatively common. As PG&E provides electricity from the state-wide grid, it is not dependent on one source of power. A major disruption of the grid or the immediate local distribution system could result in a prolonged power outage. Natural gas distribution to the City is handled by a single pipeline as a sole source.
- **Hazardous Materials Incident:** The location of Highway 1 on the western boundary of the City means that hazardous and flammable materials are frequently transported in close proximity to residential areas of the City. A vehicular accident could result in a hazardous materials incident and/or a major conflagration. **The Monterey County Hazardous Materials Incident Plan** will govern field operations should this event occur.
 - **Agriculture Industry Hazardous Material or Chemical Incident:** The City is not located in proximity to large scale agriculture operations; consequently, the likelihood of this type of emergency is remote.

- **Evacuation:** Any incident could result in the need to evacuate residents or businesses of the City of Seaside. In order to ensure effectiveness and maintain civil order evacuations must be well planned and executed. For the purpose of this plan, a situation in which evacuation or other actions are deemed necessary to protect the citizens of Seaside, the following three category definitions will be applied:
 - **Precautionary or Advisory Evacuation:** No immediate threat exists, however prudent emergency management dictates removal of persons from a specific area, or evacuation of specific vulnerable portions of the community.
 - **Mandatory Evacuation:** A threat is present or impending and requires that all persons and livestock living in a specific area be evacuated from the scene for their protection without delay.
 - **Shelter-in-Place:** Shelter-in-Place may be employed in the event that a threat exists or is impending, but in which citizens are safe within their residences or place of employment. Implicit with Shelter-in-Place is the understanding that those citizens involved are self-sufficient in food, water, medicines, and propane/cooking fuels. Citizens who are not self-sufficient in these areas will be subject to evacuation.
- **Multi-Casualty Incident:** A multi-casualty incident is one in which the local medical responders or facilities are taxed beyond their resources. While no number figure for actual casualties defines this event, practical experience has indicated that the general number of five major casualties will normally constitute a multi-casualty incident. **The Monterey County Multi-Casualty Incident Plan** will govern field operations should this event occur.
- **Public Health Emergency/Pandemic:** This type of emergency can cover a wide range of specific situations that could be hazardous to the City's citizens, including localized public health emergencies such as drinking water contamination or a pandemic.

The Monterey County Department of Health (MCHD) possesses the infrastructure, resources, and expertise to deal with public health emergencies and/or conduct appropriate liaison with the California Department of Health. In all jurisdictions within Monterey County, public health emergencies are handled under the auspices of the Monterey County Health Department, utilizing the protocols and plans developed by that agency. The City of Seaside could be called upon to support or participate in Health Department operations within the City or to affect evacuations in response to the Health Department's direction.

- **Civil Unrest/Violence:** Although unlikely to occur in the City of Seaside, civil unrest/violence could pose a threat to the well-being of the community. The potential for gang related violence, while generally isolated in scope, could fall into this category.

- **Terrorism:** With a few exceptions, the City of Seaside does not offer the high value targets preferred by terrorists. However, this type of emergency could be a carryover from other local areas that do have the potential for generating high profile or high value targets.
- **Armed Shooter/School Lockdown:** This type of event is normally a law enforcement matter, with appropriate assistance and support of fire service and emergency medical resources. A school shooting can present a highly emotional scenario and a public information/relations challenge of the first order. While the priority of the on-scene incident commander will probably be the safety of students and faculty, the MPREOC may be in the position to deal more directly with the media and the public information aspects of the emergency incident, thus freeing the Incident Commander to deal with the tactical situation at hand. In the event that an emergency of this nature involves a school, the MPREOC and the On Scene Incident Commander will work closely with the school's administration using the school's emergency plan.
- **Miscellaneous Incidents:** Included in this category are the following:
 - **Aircraft Crash:** The City is located within three miles of the Monterey Peninsula Airport. While most prescribed IFR approaches and patterns do not overfly the City, the possibility of an aircraft crash or accident, while remote, is a potential threat. This type of incident could result in a Multi-Casualty Incident. **The Monterey County Aviation Incident Response Plan** addresses this type of incident from the Operational Area's perspective.
 - **Other Incidents:** Any other incident not covered above that results or could result in a major emergency/disaster.
- **Other Emergency Operational Considerations and Factors:** These considerations and factors are likely to be applicable to all types of emergency incidents and include:
 - **Vulnerable Populations:** For the purpose of this plan, vulnerable populations may include the elderly, the infirmed and/or handicapped, those who are dependent on medicines, those without viable means of transportation, those members of the community who may not be able to care for themselves in a reliable and consistent manner in the event of an emergency incident, and those without viable language skills. Vulnerable populations may require special assistance during an evacuation or a shelter-in-place scenario. In particular, it may be necessary to plan to provide food services to members of vulnerable populations during emergencies that deprive them of the means to prepare food for themselves. It is imperative that these elements of the community be identified
 - **Continuity of Government (COG):** Continuity of Government (COG) is the ability of the City's government to continue to function during a major emergency or disaster. Frequently associated with a pandemic emergency in which a large portion of the City's staff could be assumed

to be incapacitated, for the purpose of this plan, the concept of COG will be considerable applicable to all forms of potential major emergencies or disasters.

- **Continuity of Operations (COOP):** Continuity of Operations (COOP) relates to the City's ability to continue to operate during a major emergency or disaster. Again, this function is often associated with a pandemic emergency, but in reality, could be applicable to any disaster or major emergency. For the purposes of this plan, COOP will be considered to be situational dependent. Depending on the situation and the extent of impact, the City may elect to suspend non-essential operations and divert personnel and equipment resources to essential operations as necessary to sustain vital functions and protect the public. The decisions needed to accomplish these actions will be undertaken as part of the overall emergency response phase effort.

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Emergency Incident Likelihood of Occurrence and Severity for Seaside (Fig. 3.1)

HAZARD	LIKELIHOOD	SEVERITY	REMARKS
Earthquake (Magnitude <5.0)	Frequent	Low	Severity Dependent on Location and Proximity
Earthquake (Magnitude 5.0>)	Very Low	High	Severity Dependent on Location and Proximity
Winter Storm/ Extreme Weather	Seasonal	Low to Severe	None
Flooding	Moderate	Moderate	Can Accompany Winter Storms
Tsunami	Very Low	Low to Moderate	Severity Dependent on Location and Earthquake Magnitude
Urban/Wildland Intermix Fire	Low	Low to Moderate	Seasonal and Dependent on Weather/Fuel Conditions
Urban Fire/ Conflagration	Low	Moderate to High	Severity Dependent on the Location of the Fire and the Structures Involved
Essential Services/Transportation/ Utilities Disruption	Low	Low to Moderate	Severity Dependent on the Nature and Location of the Disruption
Potable Water Contamination/ Disruption	Low	Moderate to High	Severity Dependent on the Nature and Location of the Disruption
Hazardous Materials Incident	Low	Low to Moderate	Severity Dependent on the Location of the Spill and Type of Chemical Involved
Agriculture Industry Hazardous Material or Chemical Incident	Very Low	Low to Moderate	Severity Dependent on the Location of the Spill and Type of Chemical Involved

Evacuation	Low	Low to Moderate	Severity Dependent on the Type of Incident Causing the Evacuation and the Urgency Involved
Multi-Casualty Incident	Low	Low to Moderate	Severity Dependent on the Nature of the Incident and the Number of Casualties Involved
Public Health Emergency	Low	Low to Severe	Severity Dependent on the Nature and Scope of the Emergency
Pandemic	Low	Low to Severe	Severity Dependent on the Nature and Scope of the Actual Pandemic
Civil Unrest/ Violence	Very Low	Low to High	Severity Dependent on the Nature of the Incident
Terrorism	Very Low	Low to High	Severity Dependent on the Nature of the Incident
Armed Shooter/ School Lockdown	Low	Low to Severe	Severity Dependent on the Nature of the Incident
Aircraft Crash	Low	Low to High	Severity Dependent on the Type of Aircraft and the Nature of the Crash

Note:

1. The likelihood of occurrence for this matrix is classified as Very Low, Low, Moderate, Seasonal, and High.
2. The severities of impact for this matrix are classified as Low, Moderate, High and Severe.
3. The remarks are intended to provide an indication of the factors that could affect the severity of impact of the type of incident.

Organizational Roles and Responsibilities

Seaside departments have specific responsibilities and related activities/actions assigned to them for each identified hazard and threat. Each department is responsible for ensuring coordination with the other departments. Each department will be responsible for identifying key departmental personnel with backups and alternates for each position.

The Seaside Office of Emergency Services is responsible for developing and maintaining an emergency alert list, which will be used to notify key city personnel. Each department will develop their own departmental alert list, which will be used by the departments to alert departmental personnel. The Seaside Office of Emergency Services has overall responsibility for coordinating the City's response to each identified hazard and threat. Departmental responsibilities are outlined in hazard/threat specific matrices. Seaside functions are shown in (Figure 3.2), Seaside Functions.

Typical activities/actions performed during a specific hazard/threat are listed on the vertical axis (y-axis); and the five NIMS/SEMS functions are listed on the horizontal axis (x-axis). For each activity/action, the departments' assigned responsibilities under this activity/action are listed under the appropriate NIMS/SEMS function. The following legend will apply to all the matrices:

- FD = Fire Department
- BLDG = Building Department /Code Enforcement
- CD = Community Development / Housing
- ADMIN = Administration/City Manager/City Clerk
- OES = Office of Emergency Services
- PW = Public Works / Engineering / Maintenance
- PD = Police Department
- FIN = Finance
- REC = Recreation & Community Services
- HR = Human Resources / Risk Management

Figure 3.2 Seaside Emergency/Organizational Functions

Activities	Mgmt/ Command	Operations	Planning/ Intelligence	Logistics	Finance/ Admin.
Incident Command	FD, PD				
Establish Perimeter		FD, PD			
Control Access		FD, PD, PW			
Traffic/Crowd Ctr.		PD, PW			
EOC Operations	ADMIN, FD, CD, FIN, OES, PD	PD, FD, PW,	CD, ADMIN	ADMIN, PW, PD	FIN, ADMIN
Evacuations		PD, FD		PW	
Notifications		PD, FD, ADMIN			
Communications		FD, PD, PW, OES, ADMIN		PD	
Initial Damage Assessment		PD, FD, PW	BLDG		
Detailed Damage Assessment			BLDG		
Shelter Operations				REC	
Public Information	ADMIN, PD, FD, OES	FD, PD			
Fire Suppression		FD			
HazMat Operations		FD			
Debris Removal		PW			
Utility Restoration		PW			
Facility Restoration		PW,CD			
Situation Status			CD		
Documentation			CD		FIN
Procurement				ADMIN	FIN
Volunteer Mgmt.		FD, PD			HR
Fatalities Mgmt.		PD, FD, PW			
Recovery Operations		ADMIN, FD, PD,PW, CD			

Section 4. Hazard Mitigation Plan

This annex provides an overview of the Hazard Mitigation Plan for the City of Seaside. It is intended to be employed prior to any disaster or major emergency incident to identify and mitigate existing or foreseen hazards.

Mitigation Plan Development

All California jurisdictions are required to develop a "**Local Hazard Mitigation Plan**". This plan must be submitted via the Governor's Office of Emergency Services to the Federal Emergency Management Agency (FEMA) for approval. Seaside is a participant in the development of the **Monterey County Operational Area Hazard Mitigation Plan**.

Seaside prepared "The City of Seaside Local Hazard Mitigation Plan" in accordance with the new requirements from the Department of Homeland Security. It was adopted by Seaside City Council Resolution. In 2022 the Seaside's Local Hazard Mitigation Plan was approved by FEMA. The Local Hazard Mitigation Plan can be viewed by contacting the City Clerk, 440 Harcourt Avenue, Seaside, CA 93955.

The City of Seaside's local hazard mitigation plan is based on hazard identification, risk assessment, impact analysis, historical experiences, program assessment and cost-benefit analyses. Some of the mitigation strategies may be as follows:

- Applicable building construction standards
- Appropriate land-use practices
- Relocation of structures at risk
- Elimination of the hazard
- Reduction of the size of the hazard
- Segregation of the hazard
- Modification of the hazard
- Establishment of hazard warning systems and procedures in accordance with Storm Ready and Tsunami Ready plans
- Redundancy of personnel, systems, equipment, or materials

Local Hazard Mitigation Goals

The following hazard mitigation goals were established by the City of Seaside. These goals are long term in nature, broad in scope, and are based on fundamental risk assessment criteria and local findings:

- Minimize the loss of life and property from all emergency incidents.
- Mitigate the private, public, and commercial impacts for all emergency incidents and disasters.
- Improve the overall safety for residents, commercial businesses, and city owned property within the City of Seaside.
- Increase public awareness of potential hazards through education and outreach designed so that residents can better anticipate the effects of a disaster/emergency incident and better prepare for it.
- Maintain the viability of essential City governmental facilities and operations during and after a disaster/emergency incident through retrofitting and well-designed new construction.
- Ensure the continuity of governmental operations and minimize disruption of essential services during and after a disaster/emergency incident.
- In cooperation with other agencies, ensure that critical utilities and transportation systems continue to function during and after a disaster/emergency incident.
- Sustain the economic viability of Seaside and ensure minimal disruption of commercial and business entities.
- Identify vulnerable segments of the population and take action to ensure their needs are addressed in the event of a disaster/emergency incident.

Section 5. Resource Management

The underlying concepts of resource management in this context are that:

- There will be a uniform method of identifying, acquiring, allocating, and tracking resources.
- It uses effective mutual-aid and donor assistance, and is enabled by the standardized classification of kinds and types of resources required to support the incident management organization.
- It uses a credentialing system tied to uniform training and certification standards to ensure that requested personnel resources are successfully integrated into ongoing incident operations.
- The coordination is the responsibility of the Monterey Peninsula Regional Emergency Operations Center.
- It should also encompass resources contributed by private sector and nongovernmental organizations.

Section 6. Mutual Aid

Seaside is a city with limited resources. Mutual aid will be necessary because most disasters will overwhelm the City's resources. Some mutual aid agreements for law enforcement augmentation, fire suppression assistance and public works assistance are already in place.

Requests for additional mutual aid resources will be sent to the Monterey County Operational Area Emergency Operations Center.

Section 7. Planning

Seaside's overall emergency program includes an emergency management strategic plan, an emergency operations plan, a mitigation plan, a recovery plan, a continuity of government plan, and a preparedness/prevention plan.

Seaside Emergency Management Strategic Plan

Seaside's Emergency Management Strategic Plan is presented in the Introduction/Program Administration Section, which defines the vision, mission, goals and objectives of the emergency program.

Seaside Emergency Operations Plan

Seaside's Emergency Operations Plan defines the scope of preparedness and incident management activities necessary for our city. The SEOP describes organizational structures, roles and responsibilities, policies, and protocols for providing emergency support. The SEOP facilitates response and short-term recovery activities, which set the stage for successful long-term recovery. It will drive decisions on long-term prevention and mitigation efforts or risk-based preparedness measures directed at specific hazards. The SEOP is flexible enough for use in all emergencies. The SEOP describes the purpose of the plan, situation and assumptions, concept of operations, organization and assignment of responsibilities, administration and logistics, plan development and maintenance, and authorities and references. It also contains functional annexes and hazard-specific appendices. The SEOP includes pre-incident and post-incident public awareness, education, and communications plans and protocols. The Emergency Operation Plan has been updated and revised to be in accord with the Department of Homeland Security's National Incident Management System. The organization of the plan follows the guidance of the National Fire Protection Association NFPA 1600 Standard on Disaster/Emergency Management and Business Continuity Programs, 2004 Edition.

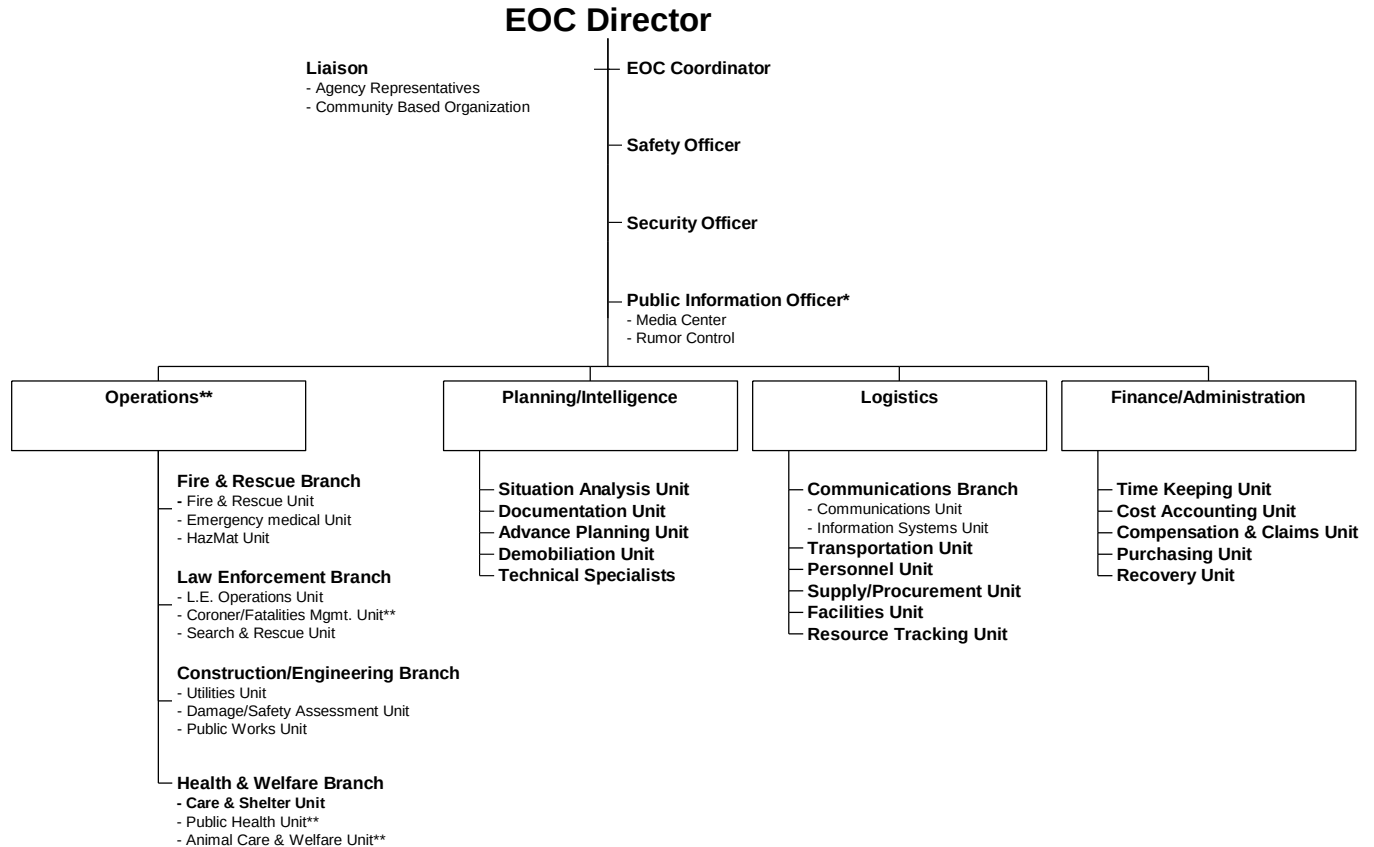
Incident Action Plan

The Incident Action Plan (IAP) is normally developed by the MPREOC Planning Section within two hours after MPREOC activation. The IAP addresses all goals and objectives to be accomplished within the current Operational Period. A follow-on or updated IAP is developed for the next Operational Period.

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Section 8. Direction, Control, and Coordination

Figure 8.1 City of Seaside National Incident Management System (NIMS) Organization Chart



* Public Information may be Organized through use of Assistant Information Officers or as units if necessary.

** Normally coordinated by county, but a local coordinator may be designed if needed.

Each jurisdiction must determine the appropriate organization for the functions performed.

Pre-Activation Responsibilities and Preparation - Checklists

All City departments share in pre-activation preparation. Completing and maintaining these preparation steps is a key factor that enables the City to assume a disaster management footing smoothly and with minimum disruption.

Seaside City Manager (Emergency Services Director)

- Establish and maintain the MPREOC and an alternate site.
- Ensure all MPREOC positions are assigned to appropriate and qualified personnel.
- Coordinate the recruitment of potential volunteers.
- Ensure that procedures are in place to maintain normal City operations during a local state of emergency.
- Ensure that all MPREOC communications systems are tested and functional on a regular basis.
- Ensure that all MPREOC equipment is available and ready for use.
- Maintain situational awareness if there is advance warning of an impending disaster situation.
- Brief the Mayor, City Council, the Emergency Services Director, and appropriate City employees if there is advance warning of an impending emergency.

Seaside Chief of Police

- Develop procedures for checking the condition of critical City Police Department facilities and equipment.
- Test and ensure the operability of all assigned communications equipment.
- Ensure that appropriate police communications channels are available and operable in the MPREOC.
- Develop and maintain procedures for notifying and mobilizing departmental personnel.
- Pre-position resources and equipment as required.
- Ensure that any field incident is managed using the NIMS/ICS and that assigned personnel are trained accordingly.
- Develop and maintain procedures for departmental response to the potential threats identified in this plan. These procedures will ensure coordination with the Fire Department and the Public Works Department if required.
- Develop procedures for initiating:
 - Site security including perimeter management and access control.

- Traffic and crowd control.
- Initial damage assessment ("Windshield Survey").
- Evidence safeguarding.
- Requesting law mutual aid.
- Evacuation/movement operations including designation of routes, reception/collection areas, and general security.
- Develop procedures in coordination with the Monterey County Sheriff/Coroner for conducting coroner operations until the Coroner arrives on site.

Seaside Fire Chief

- Develop procedures for checking the condition of critical City Fire Department facilities and equipment.
- Test and ensure the operability of all assigned communications equipment.
- Develop and maintain procedures for notifying and mobilizing departmental personnel.
- Pre-position resources and equipment as required.
- Ensure that any field incident is managed using the NIMS/ICS and that assigned personnel are trained accordingly.
- Develop and maintain procedures for departmental response to the potential threats identified in this plan. These procedures will ensure coordination with the Police Department and the Public Works Department if required.
- Develop procedures for initiating:
 - Initial damage assessment ("Windshield Survey").
 - Medical treatment and Triage operations.
 - Rescue operations.
 - Requesting fire mutual aid.
 - Assist the Seaside Police Department with evacuation/movement operations including designation of routes and reception/collection areas.

Public Works Director or Designee

- Develop procedures for checking the condition of critical City Public Works Department facilities and equipment.
- Test and ensure the operability of all assigned communications equipment.
- Develop and maintain procedures for notifying and mobilizing departmental personnel.
- Pre-position resources and equipment as required.
- Maintain cordoning/access limiting equipment as required.
- Develop and maintain procedures for departmental response to the potential threats identified in this plan. These procedures will ensure coordination with the Police Department and the Public Works Department if required.
- Develop procedures for initiating:
 - Cordoning off and restricting entry into damaged structures and hazardous areas.
 - Damage assessment of facilities, roads, utilities, and critical infrastructure.
 - Damage assessment of homes, businesses, and industrial facilities.
 - Debris removal.
 - Repair and/or restoration of facilities, roads, utilities, and infrastructure.
 - Flood prevention measures including sandbagging.
 - Hazardous waste removal and disposal operations.
 - Request for public works mutual aid.
 - Assess potable water supplies and sanitation discharge systems.

Chief Building Official or Designee

- Develop and maintain procedures for notifying and mobilizing departmental personnel.
- Pre-position resources and equipment as required.
- Develop procedures for initiating:
 - Safety inspections of damaged facilities and determining whether they can be occupied.
 - Requests for mutual aid for building inspectors.
 - Detailed updated situation reports that provide a running dialogue on damage assessment and the process to regain normal operations. These reports should include appropriate cost estimates with requisite documentation.
- Conduct advanced long-term planning activities.

Finance Director

- Develop procedures for the procurement of goods and services during an emergency and for procuring emergency resources to sustain operations.
- Develop and maintain a Local Emergency Resource Guide and Directory.
- Develop and maintain a disaster accounting system for documenting the financial costs associated with any disaster.
- Develop and maintain the processes and procedures for tracking employees' work time and ensuring payment during a disaster.

Human Resources Director / Risk Manager

- Develop and maintain the processes and procedures for submitting worker's compensation claims.

Section 9. Communications and Warning

The City of Seaside has established communications systems and procedures, and regularly tests them to support the City's emergency program. The systems have a reliable capacity to notify officials and alert emergency response personnel. Emergency warning protocols, processes and procedures have been developed with the Monterey County Department of Emergency Management (DEM) and are regularly tested to alert residents, employees, shoppers, and visitors in Seaside who may be potentially impacted by an actual or impending disaster, such as a tsunami. Communication needs and capabilities to execute all required activities in response and recovery have been addressed as well as the inter-operability aspects of multiple responding organizations and personnel.

The Incident Commander in the field manages communications at an incident using a common communications plan and incident-based communications established solely for use by the command, tactical, and support resources assigned to the incident. All entities involved in managing the incident will use common terminology for communications as prescribed by the National Incident Management System.

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Section 10. Operations and Procedures

The City of Seaside has developed and implemented operational procedures to support Seaside's emergency program. These procedures address the issues of the health, safety, and welfare of residents, employees, shoppers, and visitors, and protection of property in Seaside for response to and recovery from the consequences of hazards to be expected in Seaside. Also a situation analysis has been conducted which includes damage assessment and identification of resources to support response, recovery and initiation of mitigation. **Appendix C**, SEOC Positional Checklists, contains these checklists of operational procedures while **Appendix D**, Seaside Continuity of Government Plan, contains the Succession of Government procedures.

National Incident Management System (NIMS)/Standardized Emergency Management System (SEMS)

NIMS provides an organizational framework and guidance for operations at each level of the emergency management system. It is the umbrella under which all response agencies may function in an integrated manner. The objective of NIMS is to improve the coordination of state and local emergency response. The City of Seaside will adopt NIMS as our system for managing all local emergencies. NIMS will replace California's Standardized Emergency Management System (SEMS) by September 2007; for the purposes of this plan, this transition is considered transparent. All local governments must use NIMS/SEMS in multi-jurisdictional or multi-agency emergency responses to be eligible for state reimbursement of response-related personnel costs.

- **NIMS Levels**

There are five levels of NIMS organization:

- Field Level – At this level all emergency operations are based at a command post and an Incident Commander manages the SEMS organization. The field level of SEMS shall be utilized for all multi agency responses.
- Local Level – At the local level management functions will be based at the Emergency Operations Center (EOC.) Our MPREOC shall be activated when the scope of the emergency requires extensive resources from outside of our city, or whenever the emergency will potentially extend beyond 12 hours (one operational period.)
- Operational Area Level – This level is activated by the Monterey County Office of Emergency Services. All requests for assistance outside of Seaside shall be directed to the Monterey County Operational Area EOC.
- Region Level – Seaside falls within the boundaries of the Coastal Region of the State Office of Emergency Services. The Monterey County Operational Area EOC will make requests for assistance from this level.

- State Level – Managed by the State Office of Emergency Services in Sacramento. The Operational Area EOC will make requests for assistance from this level. Direct requests to the State EOC shall not be made from the MPR (Local) EOC, unless specifically directed by the Operational Area or Coastal Region EOC staff.
- **SEMS Functional Matrix**
 - Command/Management -- Within the MPREOC, the City Manager, or his/her designee, is responsible for establishing policy. All four general staff functions (Operations, Planning/Intelligence, Logistics, and Finance/ Administration) report to the City Manager for direction. The Manager also develops an Incident Action Plan (IAP) that identifies event objectives.
At the field level of SEMS, the Incident Commander(s) are responsible for managing the situation at their individual incident locations.
 - Operations Section --_Meets objectives listed in the Incident Action Plan by coordinating all response related activities during a given operational period.
 - Planning/Intelligence Section -- Collects, evaluates, and disseminates information needed to create the incident action plan and keep it current. This function must anticipate changes and needs that will affect the upcoming operational period, so that any changes or needs are reflected in the IAP.
 - Logistics Section -- Provides or arranges to provide all facilities, equipment, materials, and services needed to support the event. This includes personnel required to operate these services.
 - Finance/Administration -- Archives all records related to response and recovery, provides funding for response and logistical resources, tracks all event/incident related costs, and administers all claims associated with the event/incident.
 - Public Information Section/Officer -- Collects, analyses, and disseminates emergency information to MPREOC Staff, City employees, and the public at large.

Emergency Operations Plan and MPREOC Activation Guidelines

The following policies are applicable to Seaside Emergency Operations Plan activation:

- The Seaside Emergency Operations Plan (SEOP) is considered activated when the Monterey Peninsula Regional Emergency Operations Center (MPREOC) is activated.
- Activation of the MPREOC is not dependent upon declaration of a Local State of Emergency by the City. In most emergency situations requiring activation of an

EOC, the declaration of a Local State of Emergency is accomplished after activation of the EOC and initial assessment of the overall situation.

- The plan may be activated by the City Council (if in session), the City Manager (serving as the Emergency Services Director), or the designated Alternate Emergency Services Director. **(See City Code 2.40.080.)**
- The plan will be activated upon declaration of a Local State of Emergency by the City Council (if in session) or upon issuance of a declaration by the City Manager, or by declaration of a Local State of Emergency by Monterey County, or by declaration of State of Emergency either as declared by the Governor as defined in the California Emergency Services Act, or a State of War Emergency is declared by the President of the United States. **(See City Code 2.40.080.)**

Specific Activation Levels

In order to avoid confusion of terminology, the levels employed in this plan are consistent with those used by the Monterey County Operational Area.

- **Level Zero:** Normal routine City operations are in place. The EOC is **not** activated. City personnel are performing their normal duties. This level will be in effect for 99.9 per cent of time.
- **Level One:** The EOC has been activated at a minimum level or for training. Only essential personnel are employed in the EOC during a minimum level of activation. Level One can be a contingency level of activation used in anticipation a higher level of activation being required.
- **Level Two:** The EOC is activated with selected positions being filled as required to sustain operations. Level Two would be applicable to a minor emergency or one that has the potential to escalate into a major emergency or disaster.
- **Level Three:** The EOC is activated with all positions being filled. Personnel may be released from the EOC at the discretion of the Emergency Services Director. Level Three would be applicable to a city-wide or fire district-wide emergency.

Operational Area Membership

The City of Seaside is a member of the Monterey County Operational Area as originally established to fulfill the requirements of SEMS.

Depending on the type of disaster or major emergency involved, it is envisioned that the City could have resources committed at the Local and Field Levels of the SEMS organizational structure. The City is committed to operating in accordance with the doctrines and protocols established by the Monterey County Operational Area.

Activation Considerations

The period of time from the initial awareness of the emergency situation or disaster until the MPREOC is fully activated and functioning will be challenging to all concerned, as well as critical to the success of the emergency response. The challenge will be compounded if the activation occurs during non-working hours or without warning. The keys to ensuring timely and effective activation of the EOC are:

- Pre-event planning and notification in the case of a forecast emergency.
- Timely notification in the event of a simultaneous emergency.
- Training and proficiency of MPREOC members.
- The personal (home) preparedness of MPREOC members.
- The use of the position duty descriptions and position action checklists contained in this plan.

Physical Activation of the MPREOC

Upon declaration of a Local State of Emergency or the direction to activate the MPREOC by the City Manager, or his/her designee, the Monterey Peninsula Regional Emergency Operations Center shall be set-up. Immediately following an emergency, each department should refer to their EMERGENCY OPERATIONS CHECKLIST for initial guidance. The Monterey Peninsula Regional Emergency Operations Center is a Full-time or Hot EOC fully stocked with technology in a dedicated facility [REDACTED]; by the time Seaside employees arrive, the EOC will be operational.

[REDACTED]

In the event the primary EOC at CSUMB is involved in the incident and/or is not functional, the back-up EOC will be established.

The CSUMB Emergency Manager has primary responsibility for setting up the back-up EOC. If Community Services Staff is unavailable, each arriving staff member will retrieve his or her designated operations box and set up in the back-up EOC according to the layout provided on top of their box.

In the event of an earthquake, the Chief Building Official (CBO), or their designee, shall first inspect the back-up EOC to determine if the structure is safe for habitation. If it is deemed safe, EOC set-up will commence. If the structure is deemed unsafe, the operations boxes and all supplies shall be transported to the alternate EOC and that facility shall be inspected for safety prior to set-up.

Note: The contact list is confidential and, with the exception of City Management, shall not be released to individuals outside of the MPREOC. The EOC Duty Officer, at the direction of the City Manager or their designee, will post EOC shift schedules.

Representatives assigned to the EOC shall check in and check out. EOC security is important both to avoid interference with operations and because confidential information may be in view. Once set-up, the EOC shall be secured to prevent unauthorized entry. A police officer shall be posted at the EOC entrance to restrict access to authorized individuals. Unless otherwise directed by the Emergency Services

Director or his/her designee, all City Officials and employees are authorized entrance. The EOC Duty Officer will serve as the Liaison Officer and issue other authorized persons a pass when they report to the EOC.

Department Specific EOC Operational Responsibilities

In dealing with the after effects of an emergency, these matrixes are intended to serve as a guide for the specific responsibilities of each department.

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PRIMARY OPERATIONAL RESPONSIBILITIES

City Manager:	Policy direction and management of emergency operations.
Community Development:	Situation analysis, planning.
Building Department:	Building inspection, City liaison and recovery
Finance:	Supply and procurement, cost analysis, and accounting.
Fire Operations:	Fire suppression, medical & rescue, hazardous materials mitigation.
Human Resources / Risk Management:	Human Resources, workers' compensation, and disaster worker mobilization.
Police Operations:	Law enforcement, traffic control, public warning, public movement, animal control, and communications.
Public Works Operations:	Water distribution, flood & sewage control, providing heavy equipment (rescue assistance), fuel distribution, and equipment repair. Facility restoration & maintenance.
Recreation:	Mass care (in conjunction with the Red Cross) and public information.

Specific Departmental Duty Assignments

The following duty assignments will apply to any activation.

- **The City Manager will be the Director of Emergency Services.**
- **A Fire or Police Department representative will be the Operations Section Chief.** The Operations Section will communicate with the Incident Commander and his staff in the field.
- **A Community Development representative will be the Planning Section Chief** responsible for situation status, resource status, and documentation.

- A **Finance Department representative will be Logistics Section Chief** communicating with the Incident commander and his staff in the field with regard to submitting requests for mutual aid resources.
- A **Finance Department representative will be the Finance Section Chief.**

Seaside Emergency Operations Center (SEOC) Demobilization

The demobilization phase of any SEOC operation is as critical to the success of the emergency response as the initial activation. All actions and expenditures undertaken during the activation must be recorded and all records must be concisely closed out. Most event audits by federal and state agencies responsible for administration of disaster relief funding rely on analysis of records maintained during activation. Experience has demonstrated that valid reimbursable claims are frequently disallowed due to lack of complete and accurate records.

Demobilization is also applicable to the individual members of the SEOC Staff. Stress levels are elevated during activations, and all concerned should aware be of the impacts an SEOC activation can have on the mental and physical well-being of assigned personnel. The use of critical stress debriefing resources should be employed as appropriate.

The overall objective of demobilization is to return the City's organization to normal operations. The concerted efforts of assigned personnel are required to ensure that all necessary details are accomplished prior to personnel being released.

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Section 11. Public Information

Keeping the public informed is critical to the success of emergency or disaster operations. The resources available to a small city for this function are generally limited, however, effective use of the Monterey County Operational Area Emergency Operations Center Public Information Section can enable local efforts and support the objectives established for dissemination of event critical information. The Operational Area has a range of options capable of reaching the public and the media, as well as trained public information officers. To this end, the MPREOC Public Information Section will maintain close liaison with Operational Area EOC and promulgate information through that agency when appropriate. Public Information will be disseminated in both English and Spanish.

A media and information room will be established in the location to be determined. To avoid interference with MPREOC operations, this is the only area where the media is permitted free access. An information officer or assistant should be posted at this location. Media is not permitted in the EOC.

Confidential information shall not be released to the media or public. Examples of prohibited information from release include contact information for public officials and employees and hazard/vulnerability intelligence, such as critical utility routes, which could prove useful for those involved in criminal or terrorist activity.

Information entering the EOC is to be channeled through the EOC message center. The message center will ensure that all messages are directed to the proper recipient. The message coordinator is responsible for maintaining EOC duty officer upon assignment or departure duplicate message and recording the disposition of each message.

The EOC will be deactivated at the direction of the City Manager or their designee. The debriefing will be held prior to deactivation of the EOC, at which time all forms, records, and reports shall be collected for purposes of analysis, cost recovery, and historical documentation. The Finance Department maintains responsibility for keeping all of this information.

Section 12. Logistics and Facilities

The City of Seaside has established logistical capability and procedures to locate, acquire, store, distribute, maintain, test, and account for services, personnel, resources, materials, and facilities procured or donated to support the City's emergency management program.

[REDACTED]

[REDACTED]

[REDACTED]

- A dedicated, secure, "hot" facility that's in a constant state of readiness - 24/7/365, including emergency power; redundant analogue, voice over internet protocol (VOIP), and emergency responder and amateur radio capability as well as video and audio multi-media systems;

- A full complement of IT hardware, software and support services available throughout the emergency management cycle;

- An adaptable facility suitable for training and meeting activities for groups of up to 30;

- CSUMB will work with Seaside to ensure correct and concise public information is provided and a Joint Information Center will be established. The location will depend on where the incident and damage is. It may not be at CSUMB.

- CSUMB will provide an EOC Manager to operate the EOC.

- The regional agreement states CSUMB will provide training, education, and exercises to assure effective RECC staffing in an emergency.

- The facility is operated in close coordination with the regional Emergency Resource Staging Area that provides a location for forward deployment of vital response resources as well as a dedicated staging area for out of area resources and multiple helispots suitable for air branch operations if needed.

[REDACTED]

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Section 13. Training

The City of Seaside has assessed training needs for the City's emergency program and has developed and implemented a training and educational curriculum to support the City's program. This training will comply with all applicable regulatory requirements.

The City's Human Resources Department is responsible for arranging for appropriate training for all emergency responders, ensuring that all applicable laws are met, and employees are familiar with and knowledgeable of NIMS and the Seaside's emergency operations plan.

Currently the **minimum required training for all employees** through NIMS has been identified as **NIMS ICS 100, 200 and 700. Employees that will be supervising in the field operation** will comply with the minimum training requirements along with **ICS 300**.

The City Manager, Fire Chief and Police Chief should attend the following course at Harvard within 1 year of their appointment.

National Preparedness Leadership Initiative Training at Harvard.

<https://npli.hsph.harvard.edu/> (Crisis Leadership; in person 1 week course)

The objective of the training will be to create awareness and enhance the required skills to execute the City's emergency system. The frequency and scope of the training will be identified. For example, **a tabletop exercise will be scheduled at least annually**. Training records will be maintained by the Fire Department and by the emergency operations center.

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Section 14. Exercises, Evaluations, and Corrective Action

The Seaside Office of Emergency Services is responsible for developing and distributing an exercise schedule, which covers the exercises to be conducted throughout a given calendar year. Each department is responsible for sending emergency responders to these scheduled events pursuant to the exercise schedule published by the Office of Emergency Services.

An evaluation of the exercise will be conducted after the conclusion of each exercise. The lessons learned would be addressed to determine what appropriate corrective action should be taken.

With regard to actual disasters, the National Incident Management System (NIMS) regulations require any city or county declaring a local emergency for which the governor proclaims a state of emergency to complete and transmit an after-action report to California Office of Emergency Services within (90) days after the close of the incident period

The after-action report will provide, at a minimum, response actions taken, application of NIMS, suggested modifications to NIMS, necessary modifications to plans and procedures, identified training needs, and recovery activities to date. The after-action report will serve as a source for documenting Seaside's emergency response activities, identifying areas of concern and successes. It will also be utilized to develop and describe a work plan for implementing improvements.

An after-action report will be a composite document for all NIMS levels, providing a broad perspective of the incident, referencing more detailed documents, and addressing all areas specified in regulations. It will include an overview of the incident, including enclosures, and addressing specific problem areas for improving the Emergency Operations Plan, if necessary.

It will be coordinated with studies of possible hazard mitigation activities. Hazard mitigation efforts should be included in the "recovery actions to date" portion of the after-action report.

The Seaside Office of Emergency Services will be responsible for the completion and distribution of the Seaside after-action report, to the Governor's Office of Emergency Services within the required 90-day period. The City of Seaside should coordinate with the Monterey Operational Area in the completion of the after-action report, incorporating appropriate information from the County for the report.

The Seaside after-action report's primary local audience will be City management and employees.

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Section 15. Crisis Communication and Public Information

The Seaside Office of Emergency Services has developed procedures to disseminate and respond to requests for pre-disaster, disaster, and post disaster information, including procedures to provide information to internal and external audiences, including the media, and deal with their inquiries.

The Mayor and city council members under the direction of the Director of Emergency Services (City Manager) will be responsible for disseminating accurate and timely information to city employees, residents, businesses, industries, shoppers, and visitors in Seaside. The Mayor may ask various residents and personnel from Seaside businesses and industries to assist in these public information outreach efforts. The Mayor will also brief the media before disasters when advance information and warning about possible forthcoming events such as tsunamis has been received from the National Weather Service. The Mayor and council members should talk to and listen to these employees, residents, visitors, the various media representatives and others to monitor their concerns and provide appropriate answers to address these concerns.

The Director of Emergency Services will designate a Public Information Officer (Communications Specialist) to coordinate all crisis communication and public information activities with the Mayor and council members. The PIO will clear such activities with the Director so that there will one official source of information about disasters in Seaside. The public information officer's responsibilities include:

- Providing a contact facility for the media.
- Developing a system for collecting accurate and timely information about the disaster and the city's response efforts.
- Preparation of regular information bulletins.
- Procedures for obtaining clearance and release of official information.
- Procedures for dissemination of information to disabled populations.
- Procedures for dissemination of guidelines for evacuation, sheltering, and shelter-in-place.

Public education and awareness programs shall be developed for hazards such as earthquakes and tsunamis, which may pose problems for residents, businesses, and others in Seaside. City employees need to know how to respond, where to respond, and how to minimize the impact of the disaster. The residents, businesses, industries, shoppers and visitors need to know how they will be notified of impending disasters, the potential effects of the disasters, and how to protect themselves from the impact of the disasters.

The Public Information Officer will coordinate the release of public information to the media with the Monterey County Operational Area Emergency Operations Center Public Information Section Chief. The use of systems, equipment, and facilities utilized by the Operational Area EOC for the rapid and timely dissemination of emergency information is authorized and encouraged.

Section 16. Finance and Administration

The City of Seaside has developed effective financial management and administrative procedures to provide accurate financial records before, during, and after disasters. This system should provide for flexible and responsive action to provide timely assistance for disaster activities and procurements requested by the Incident Commander. The accounting procedures should provide documentation for recording financial data for future cost recovery.

The financial procedures include:

- Definition of responsibilities for financial authority, including reporting relationship to Director of Emergency Services.
- Procurement procedures.
- Payroll.
- Accounting system to track and document cost.

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Appendix A - Emergency Management Strategic Plan

General

The City of Seaside's Strategic Plan, as approved by the City Council on January 2023, contained a Vision Statement. Seaside is a vibrant, proudly diverse, energetic and safe community, with extraordinary natural beauty, quality of life and economic opportunities.

The City Council uses a strategic planning process to set goals and identify the actions needed to accomplish these goals. The City Council identified the following two-year priorities and goals.

2023 City Council Priorities

Effective, Accessible Governance

Vibrant Local Economy

Diverse & Inclusive Community

Enhanced Physical Infrastructure & Abundant Water Supply

Community Safety & Quality of Life

The City's goals reflect the City Council's commitment to fulfilling the City's vision in a way that is consistent with the City's values: ethical behavior; respect; honesty and integrity; accountability to each other and the public; teamwork; initiative and innovation; fiscal responsibility; and excellent customer service.

Emergency Operations Vision Statement

The vision of the Emergency Operations Program is to have staff and citizens prepared for likely emergencies, create a safer environment, identify and mitigate hazards to the extent feasible, and enable our community to respond to and recover from the consequences of disasters.

Emergency Operations Mission Statement

It is the mission of the Emergency Operations Program to develop a comprehensive and fully functional emergency operations program.

Goals of the Emergency Operations Program

- Develop a comprehensive emergency plan, which addresses all phases of emergency management: mitigation; preparedness; response; and recovery
- Train city staff and employees in emergency management principles
- Regularly exercise emergency personnel and test the plan to ensure its functionality in order to correct deficiencies
- Partner with the City's business community to plan for and ensure rapid economically viable recovery after disasters

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Appendix B – Recovery Plan

This annex provides the basic Recovery Plan that will be employed by the City of Seaside in the event of disaster or major emergency incident. It is intended to ensure the restoration of City, public, private, and commercial functions and facilities to their pre-event status.

Concept of Recovery Phase Operations

It is anticipated that all aspects of the City of Seaside's infrastructure will be involved in recovery operations. Likewise, the emergence of a variety of personal and communal specialized needs should be expected. Likely among these, in no priority order, are:

- Assessment of the scope and severity of damages to structures, city-owned infrastructure, businesses, and other real property.
- Restoration of damaged or inoperable essential utilities, including electricity, natural gas, water and fire main systems, sewer systems, storm drains, and telephone service.
- Restoration of streets, roadways, and other means of vehicular conveyance.
- Restoration of essential services, including delivery and dispensing of gasoline and other petroleum products, foodstuffs, essential deliveries, medical care, and pharmacy services.
- Removal of debris and general clean-up.
- Restoration and clean-up of contaminated areas, structures, and facilities. Depending on the nature of the disaster, this need could include hazardous material clean-up and other forms of contamination.
- Restoration of non-essential services including cable service, mail service, parcel delivery
- Repair and restoration for occupancy of homes, schools, businesses, and governmental facilities.
- Addressing the specific and possibly unique recovery needs of vulnerable populations.
- The restoration of veterinary care and the care of pets and animals.
- Recovery of records.
- Specialized post event professional counseling for residents whose mental health and well-being have been adversely affected by the disaster or major emergency incident.

Techniques for Recovery of Valuable Records

Today, so much is restorable that the question is no longer what can we save but what is worthwhile to save. It is only cost-effective to restore items that can't be replaced or reproduced, or where originals are required by law. A recovery expert can confirm restorability and help set priorities.

Order of Recovery and Pre-Event Recovery Planning

The City of Seaside is committed to having a basic recovery plan in place prior to the occurrence of a disaster or major emergency incident. This plan meets this commitment. When multiple departmental records are damaged, conflicts may arise at the disaster scene over whose records are most time-critical. With the mitigation clock ticking, the time of impact is not the time to determine recovery priorities. As soon as possible after commencement of response operations, a Recovery Priority Plan will be developed based on the anticipated needs derived from the original assessment of the severity and scope of the disaster. It should be anticipated that those needs which directly affect the health, well-being, and safety of residents will receive the highest priorities.

Timely Emergency Response

Technologies now exist to restore most forms of vital records. A crucial factor determining restorability is an effective emergency response that stabilizes the items and keeps restoration options open. Paper and other forms of vital records deteriorate rapidly when wet or contaminated, and mitigation steps must be implemented immediately. Especially in cases where the quantity of records is so great that pack-out may take days, the ambient conditions of the environment in which they're housed need to be brought under control quickly. When humidity and temperature levels are elevated, degradation of paper is rapidly accelerated. To stabilize the environment, humidity levels must be brought to 40 percent or less and temperatures to 70° F or less. If a significant portion of the building is wet and it is 90° F outside, this is no small feat. The restoration contractor will have temporary temperature and humidity control equipment available to achieve these conditions. If operational, the mechanical systems in the building may also be used.

Vendor Pre-Appointment

It is especially prudent to have a pre-appointed restoration contractor who has experience restoring vital records. In the heat of the battle, the decisions which need to be made regarding disposition and restoration of records will come fast and furious. During the crucial hours immediately following a crisis, having a pre-loss vendor relationship and recovery strategy goes a long way. The following mitigation suggestions are offered to help recovery personnel through the immediate moments following an event.

Water-Damaged Media

Since 90 percent of all disasters involve moisture from floods or fire suppression, water damage mitigation steps for various media are as follows:

- **Paper Documents:** Despite all our technological advances, paper is still predominant in government and business. Wet books and documents should be frozen as soon as possible to forestall degradation. It is recommended that a freezer trailer and a frozen storage vendor be pre-approved in the recovery plan, although the restoration contractor should have those resources available.
- **Planning Options:** Since water-damaged materials can be frozen safely for an indefinite period of time, planners can freeze all materials immediately and later

consider what to restore versus discard, as well as the best restoration options for the situation. There are various methods of restoring paper documents.

- **Books:** Books are more of a challenge than paper documents because of the binding and the potential for warping. Books must be handled and packed very carefully; they should not be opened or closed; their covers should not be removed; and they should be packed loosely, spine side down, in plastic milk crates or plastic bags placed in boxes. Freeze-drying is the preferred method for restoring books.

Optical Media

Scratches on optical media can cause data loss, so gloves should be worn and the media handled with care when recovering. As long as no physical damage has occurred, cleaning and data recovery can be relatively easy.

Magnetic Tapes, Microfilm, X-Rays, and Photographs

If wet these media types should be placed in plastic bags and put in cold storage to keep from drying out. (A refrigerator will suffice for small quantities.) If allowed to dry, the coatings present on many types of film may cause layers to stick together and important information to be torn off.

If they cannot be dealt with in less than five days, tapes, microfilm, X-rays, and photographs should be frozen. Long-term wet storage will cause additional damage. Tapes can be cleaned on special equipment that removes contaminants and re-tensions the tape.

Fire-and Mold-Damaged Media

Other types of damage to vital records such as fire damage, toxic chemicals, biological contaminants, and mold can be restored. For fire damage, processes such as ionized air washing and deodorization can be employed. Soot particulate must be removed, and trimming or re- processing may be required if permanent damage has occurred. For bacteria and mold, Gamma and Electron Beam Radiation may be used to sterilize the documents if they can be transported to a laboratory. Other treatments may include manual cleaning in containment areas using downdraft tables to capture mold spores.

Inventory Control

Restoration contractors should have inventory control systems that prevent document loss and enable any document to be located and retrieved in a timely manner. This is especially important for working documents such as court records.

Recovery Phases

Recovery operations can be divided into two distinct phases:

- **Short-Term Recovery:** Short-term recovery operations normally start at the commencement of recovery, and include those elements essential to public safety and health. Examples include:
 - Restoration of essential utilities.
 - Ensuring the functionality of City government.
 - Providing medical and mental health services.
 - Debris removal and clean up.
 - Restoration of streets, roadways, and other essential transportation routes.
 - Demolition of hazardous structures.
 - Addressing the needs of vulnerable populations.

The setting of clear and coordinated priorities during the short-term recovery phase is essential to ensuring critical and immediate needs are addressed in a timely and responsive manner.

The City of Seaside will coordinate directly with the Monterey County Operational Area EOC and private utility companies on all efforts to restore systems and services.

- **Long-Term Recovery:** Long-term recovery operations usually are phased in after completion of short-term recovery, and may extend for a lengthy period of time. These operations frequently include direct assistance and/or funding from State and federal programs. Examples include:
 - Restoration of damaged homes, structures, businesses, schools, and facilities.
 - Restoration of the local economy to pre-disaster levels or higher.
 - Repair of levees and other protective systems.
 - Reimbursement of disaster related costs.
 - Efforts to repair damage or conditions that mitigate the original threat. (These efforts may transition into the Prevention or Mitigation Phases of disaster management.)
 - Enhanced land use planning. (These efforts may transition into the Prevention or Mitigation Phases of disaster management.)

Long-term recovery operations may require extensive engineering or planning, and coordination with agencies outside of the City, including but not limited to the Monterey County Operational Area and the Governor's Office of Emergency Services.

All mitigation actions that arise from recovery operations will be the primary responsibility of the City.

These efforts could include building code revisions, zoning variances, plan reviews, seismic safety considerations, and other land use planning factors. The City is committed to expeditiously processing all mitigation actions in order to ensure a smooth and viable completion of recovery operations.

Recovery programs will also be facilitated for residents and businesses. To the extent possible, the Community Development Department will assist in this process, and if necessary, streamline procedures to ensure a responsive process.

Recovery Operations Organization

Recovery operations will be managed and directed by the City Manager. All recovery issues involving other jurisdictions or agencies will be coordinated between the City Manager and their designated representatives. The City Manager will hold meetings with department heads, key personnel, and representatives of external agencies on a regularly scheduled basis to deal with recovery matters, make collective decisions, if appropriate, and disseminate and collect information and policies regarding the ongoing recovery processes.

Recovery Operations Transition Following MPREOC Demobilization

It is anticipated that recovery operations will continue after demobilization of the MPREOC has been accomplished. To this extent, the transition from an MPREOC driven recovery operations to a departmental driven operation should be as smooth as possible. The key to continuity will be the extended involvement of the key involved in recovery operations, and the complete and accurate documentation of these operations. To the extent possible, the personnel assigned to the Recovery function on the EOC Staff should be the same personnel who will be responsible for recovery as part of their regularly assigned staff position.

Recovery Operations Responsibilities

Specific responsibilities for recovery operations are assigned as follows:

Office/Department/Agency	Functional Responsibilities
City Manager	Political process management, decision making, interdepartmental coordination, policy development and enactment, and public information origination and dissemination.
City Attorney	Provide advice on emergency statutes, actions, and associated potential liabilities, prepare legal opinions, and draft new or revised ordinances and/or resolutions.
Building Department Director	Preparation of land use and/or zoning variances, issuance of permits and controls for new development, revisions of building regulations and applicable codes, code enforcement, and building and safety inspections.
Community Development Department Director	Redevelopment of existing damaged areas, planning of new redevelopment projects, and financing new projects.
Public Works Department Director	Debris removal from public land, demolition, construction, contract management and liaison, preparation of a detailed damage assessment, and restoration of City owned utility services.
Private Utility Companies	Debris removal from company owned land and facilities, and restoration of utility services.
Fire Department	Safety and fire code compliance inspections and enforcement.
Police Department	Site security and looting protection.
Finance Director	Public finance, budgeting, contracting, accounting and claims processing, taxation, and insurance settlements.
FEMA	Processing of applications for disaster financial assistance, liaison with local assistance providers, on-site recovery support, and disaster financial assistance. *
SBA	Processing of applications for disaster financial assistance for small businesses.

Documentation

All phases and elements of recovery operations must be documented in detail to ensure the best possible justification for receiving State and/or Federal funding assistance. It is essential that documentation be retained for at least three or more years to enable any audits that may precede final recovery payments and/or final resolution of any claims.

Initial Damage Assessment and Recovery

An Initial Damage Assessment is developed during the response phase of the disaster/major emergency situation to support the Declaration of Emergency and the request for a gubernatorial declaration and for the Governor to request a presidential declaration. The Initial Damage Assessment will be updated as required, and will be followed by a detailed damage assessment that provides the basis for determining the type and amount of state and/or federal financial aid available for recovery. See the **Recovery Operations Responsibility Matrix** above for specific responsibilities.

Preparation of the detailed damage assessment will be coordinated with the Monterey County Operational Area.

After-Action Reports

NIMS requires that a jurisdiction declaring a local state of emergency for which the Governor proclaims a state of emergency complete and forward an After-Action Report to the Governor's Office of Emergency Services within ninety days of the close of the incident period. The report should address the following issues:

- Response actions taken.
- Application of NIMS, and suggested modifications thereto.
- Modifications to plans and procedures.
- Identified training needs.
- Recovery actions undertaken to date.

The after-action report will serve as a source for documenting the City's emergency response activities, and identifying areas of concern and success. It will be used to develop a work plan for implementing needed improvements. The report should contain mitigation actions taken to date. The report will be coordinated with the Monterey County Office of Emergency Services.

Disaster Assistance Programs

Existing disaster assistance programs vary in their applicability and eligibility parameters, and are designed to assist four groups:

- Individuals
- Businesses
- Government entities
- Non-profit organizations

Individuals may receive loans or grants for repair or replacement of real property, funeral, medical, transportation, unemployment, sheltering, and rental assistance, depending on the nature and scope of damage.

Loans for businesses are usually made under the auspices of the United States Small Business Administration. The loans are intended to relieve physical and economic losses sustained as the result of a disaster or major emergency situation.

Funds and grants are available to government and non-profit agencies to mitigate the risk of future damage from similar disasters or major emergency situations.

Public Assistance Program Responsibilities

City of Seaside and private agencies have the responsibility for the completion and submission of the required documents for both state and federal public assistance programs for their jurisdiction, agency, or company.

Individual Assistance Program Responsibilities

Individuals are expected, whenever possible, to provide for themselves and direct their own personal recovery. However, many individuals will expect the City of Seaside to deliver assistance to them well after the disaster.

The City of Seaside will assist the individuals in any way possible, including providing them with the Federal Emergency Management Agency's (FEMA) hotline number for individual assistance.

City of Seaside's objective is to provide the citizens of their community with all the necessary information to help themselves recover from the disaster.

Type of Emergency Declaration

State grant programs are available to local governments to respond to and recover from disasters. Federal grant programs are available to assist governments and certain non-profit organizations in responding to and recovering from disasters. At each level of emergency declaration, various disaster assistance programs become available to individuals, businesses, governments, and non-profit organizations. Under local emergency declarations, the City of Seaside may be eligible for assistance under the Natural Disaster Assistance Act (with concurrence of the Director of the Governor's Office of Emergency Services).

The City will coordinate with all Local, County, State and Federal Recovery Resources to meet the city needs.

Hazard Mitigation Grant Program Responsibilities

Within declared jurisdictional areas, the City of Seaside is responsible for identifying projects that will substantially reduce the risk of future damage, hardship, loss, or suffering from a disaster. Each identified mitigation project must be cost effective and meet basic project eligibility requirements.

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Appendix C - Emergency Operations Checklists

General

This annex contains specific Departmental Emergency Operations Checklists that specify specific initial department emergency responsibilities and to allow departments to response to an emergency prior to the activation of the MPREOC. The contents of these checklists may not be all inclusive; updating of these checklists should be an integral part of the demobilization and activation debriefing process.

Emergency Operations Checklists

Departmental Emergency Operations Checklists have been prepared to provide guidance as to roles and responsibilities. The following checklist will be used by the incumbents indicated for their initial emergency responses.

Elected Officials Checklist

Role:

Responsible for: Protection of residents, their property and the businesses of the City of Seaside.

Action Checklist:

- Directions: Upon activation of the MPREOC and/or declaration of a local disaster, the **staff of the City Manager's Office** will ensure that the following items are addressed.
- Actions:
 - ☐ Mayor (Chairman) communicate with the City Manager (Director).
 - ☐ Ensure City Council are aware of the disaster.
 - ☐ Briefings: Attend regular scheduled briefings for council members as arranged by the Director of Emergency Services. (City Manager).
 - ☐ Public Outreach: Mayor and Council Members should act as Public Information Officers under direction of Director of Emergency Services to keep the media, residents, and businesses aware of the extent of the disaster and the City's response actions. Mayor may invite some residents and leaders in Seaside businesses and industries to assist in these public outreach efforts. Talk to residents, workers, shoppers and visitors to Seaside to monitor community's response to the disaster.
 - ☐ Disaster Proclamation: Meet as the City Council to endorse and sign the declaration of Stage of Local Emergency which had been prepared and sent to the Monterey County Department of Emergency Management by the Director of Emergency Services, or to make determination as to whether or not to declare a local emergency.

City Manager Checklist

Role:

Responsible for functioning as the Seaside **Director of Emergency Services**.

Action Checklist:

- **Directions:** Upon activation of the MPREOC and/or declaration of a local disaster, the staff of the City Manager's Office will ensure that the following items are addressed.
- **Actions:**
 - ☐ Issue the Declaration of Local State of Emergency/Disaster.
 - ☐ Notify Monterey County Department of Emergency Management of the proclamation.
 - ☐ Managers and staff to report to MPREOC.
 - ☐ Notify the City Council regarding status of our disaster operations.
 - ☐ Request a resource status report from department representatives reporting to the MPREOC.
 - ☐ Request a citywide hazard/damage assessment from Community Development Department.
 - ☐ Prioritize immediate needs based on potential threat to human life.
 - ☐ Appoint a Public Information Officer / Communications Specialist and provide for dissemination of vital information.
 - ☐ Prioritize all operations, as needed.
 - ☐ Develop and implement an overall initial Incident Action Plan (IAP).

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City Attorney Checklist

Role:

Responsible for providing legal advice to the Seaside Emergency Services Manager.

Action Checklist:

- **Directions:** Upon activation of the MPREOC and/or declaration of a local disaster, the staff of the City Attorney will ensure that the following items are addressed.
- **Actions:**
 - ☐ City Attorney to report to MPREOC.
 - ☐ Establish and staff the MPREOC Legal Officer position.
 - ☐ Analyze the need for emergency ordinances in consultation with City Manager and MPREOC Staff.
 - ☐ Assist staff in development of emergency ordinances, if needed.
 - ☐ Provide any legal guidance, as required.

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Finance Department Checklist

Role:

Responsible for administering all aspects of fiscal operations during a MPREOC activation.

Action Checklist:

- Directions: Upon activation of the MPREOC and/or declaration of a local disaster, the staff of the Finance Department will ensure that the following items are addressed.
- Actions:
 - ☐ During work hours, supervisors are to account for all finance personnel and provide notification of disaster declaration.
 - ☐ After hours, recall all finance personnel and notify them of where to report.
 - ☐ Finance Director is to report to MPREOC.
 - ☐ Develop and maintain a citywide inventory of vital supplies (water, food, medical supplies, sanitation needs, fuel, tools and building materials.)
 - ☐ Establish a central cache/supply center for each of the above supplies.
 - ☐ Coordinate requests for supplies from various departments.
 - ☐ Contact suppliers and procure necessary supplies.
 - ☐ Arrange for transportation of supplies (pick-up and delivery.)
 - ☐ Provide accounting for supplies and associated costs.
 - ☐ Coordinate mass care needs, if required, in conjunction with Red Cross and the Salvation Army.

Police Department

Role:

Responsible for administering all aspects of law operations during an MPREOC activation.

Action Checklist:

- Directions: Upon activation of the SEOC and/or declaration of a local disaster, the staff of the on-duty personnel of the Police Department will ensure that the following items are addressed.
- Actions:
 - ☐ Police Chief report to MPREOC.
 - ☐ Supervisors to account for all on-duty members and issue disaster declaration notification.
 - ☐ Recall all off duty and reserve personnel and notify them of where to report.
 - ☐ Police management (on duty & off) report to MPREOC.
 - ☐ Inform all field units of need to coordinate communications through MPREOC.
 - ☐ Establish a communications element via the MPREOC and Coordinate with the Communications Center.
 - ☐ Request citywide/disaster area assessment of law enforcement needs.
 - ☐ Prioritize law enforcement needs.
 - ☐ Provide needed resources for immediate law enforcement issues.
 - ☐ Provide needed resources for traffic control, as needed.
 - ☐ Provide needed resources for evacuation/public warning.
 - ☐ Provide needed animal control services.

Fire Department Checklist

Role:

Responsible for administering all aspects of fire operations during an MPREOC activation.

Action Checklist:

- Directions: Upon activation of the MPREOC and/or declaration of a local disaster, the staff of the on-duty personnel of the Fire Department will ensure that the following items are addressed.
- Actions:
 - ☐ Fire Chief report to EOC. (Assistant Director)
 - ☐ Supervisors to account for all on-duty members and inform all personnel that a Local State of Emergency has been declared.
 - ☐ Provide a brief situation report to fire communications and obtain tactical channel assignment for in-house fire dispatch.
 - ☐ Recall all off duty and reserve personnel and notify them of where to report.
 - ☐ Request Monterey County CERT through communications if needed.
 - ☐ Division Chiefs (on duty & off) to report to Emergency Operations Center.
 - ☐ Move all apparatus outside of Fire Station following an earthquake.
 - ☐ EOC to assume fire communications duties and establish link with Fire Comm. as soon as practicable. Fire units will be instructed to minimize radio traffic and communicate through EOC only.
 - ☐ Establish a log of all equipment used, personnel time etc. for cost recovery.
 - ☐ Assist in establishment of an Incident Action Plan (IAP)

Public Works Department Checklist

Role:

Responsible for administering all aspects of public works operations during an SEOC activation.

Action Checklist:

- Directions: Upon activation of the MPREOC and/or declaration of a local disaster, the staff of the on-duty personnel of the Public Works Department will ensure that the following items are addressed.
- Actions:
 - ☐ Department Head and Superintendent to report to MPREOC.
 - ☐ During work hours, supervisors to account for all public works personnel and provide notification of disaster declaration.
 - ☐ After hours, recall all public works personnel and notify them of where to report.
 - ☐ Inform all field units of need to coordinate communications through the MPREOC.
 - ☐ Request city wide/disaster area damage assessment as soon as possible.
 - ☐ Assign crew(s) to open blocked roads to enable emergency vehicle access, and affect emergency repairs to vital facilities, as needed.
 - ☐ Assign personnel and equipment to assist with heavy rescue, as needed.
 - ☐ Assign personnel to assess water system and maintain potable water for emergency and domestic needs.
 - ☐ Equipment Repair staff to prepare for field repair of priority vehicles and establish fueling arrangements.
 - ☐ Assign personnel to assess/operate sewer system.
 - ☐ Coordinate with public utilities to ensure continued availability of electric, telephone, gas, water and sewer service.
 - ☐ Coordinate necessary heavy equipment as needed.
 - ☐ Coordinate and assist with repair of city owned buildings and structures.

Building Department Checklist

Role:

Responsible for administering all assigned actions/operations during an SEOC activation.

Action Checklist:

- Directions: Upon activation of the MPREOC and/or declaration of a local disaster, the staff of the on-duty personnel of the Community Development Department will ensure that the following items are addressed.
- Actions:
 - ☐ During work hours, supervisors to account for all community development personnel and provide notification of disaster declaration.
 - ☐ After hours, recall all Community Development Department personnel and notify them of where to report.
 - ☐ Community Development Director to report to EOC.
 - ☐ If needed, conduct hazard inspections of all vital facilities (Back-up EOC at Oldemeyer Center, alternate EOC at Seaside Youth Recreation Center)
 - ☐ Obtain citywide/disaster area damage assessment and provide situation analysis.
 - ☐ Provide liaison to allied government agencies, mutual aid responders and Monterey County EOC, if activated.
 - ☐ If needed, provide building inspection/assessment of structural safety throughout city/disaster area.
 - ☐ Condemn and coordinate abatement of unsafe structures.
 - ☐ Coordinate resources and provide guidance for recovery planning.

Recreation Department

Role:

Responsible for administering all assigned actions/operations during an SEOC activation.

Action Checklist:

- Directions: Upon activation of the MPREOC and/or declaration of a local disaster, the staff of the on-duty personnel of the Recreation and Community Activities Department will ensure that the following items are addressed.
- Actions:
 - ☐ Recreation Director and Recreation Superintendent report to MPREOC.
 - ☐ Contact full-time and key part-time employees and have them report to Oldemeyer Center.
 - ☐ Coordinate mass care needs, if required, in conjunction with Red Cross and the Salvation Army.
 - ☐ Provide at least one Spanish speaking and Tagalog speaking interpreter at the Oldemeyer Center. Assess need for other languages.

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Human Resources Director / Risk Manager

Role:

Responsible for administering all assigned actions/operations during an MPREOC activation.

Action Checklist:

- Directions: **Upon activation of the MPREOC and/or declaration of a local disaster, the Personnel Officer will ensure that the following items are addressed.**
- Actions:
 - ☐ During work hours, account for Human Resources Department Staff and provide notification of disaster declaration.
 - ☐ After hours, recall Human Resources Department Staff and notify them of where to report.
 - ☐ Human Resources Director / Risk Manager to report to the MPREOC.
 - ☐ Analyze need for civilian disaster workers (litter carriers, laborers, messengers and clerks, food service, computer repair/operation, medical, fire fighters, law enforcement/security.)
 - ☐ Coordinate above personnel needs with Red Cross Representative.
 - ☐ **Establish and staff disaster worker recruiting center**, as needed.
 - ☐ **Register all disaster workers** and maintain worker's compensation records.
 - ☐ Coordinate requests for personnel from various departments.

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Appendix D – Continuity of Government Plan

General

This annex provides a summation of the Seaside Continuity of Government (COG) Plan to be used by the City of Seaside during and following a disaster or major emergency incident to ensure continuity of city government. In order to successfully respond to and recover from a disaster or major emergency incident, the sustained continuity of leadership is paramount. If personnel have been injured or are unable to assume their assigned roles within City government for whatever reason, designated successors must be established for each position and function.

Succession

Seaside Municipal Code Chapter 2.40 delineates the succession process for the City. The City Manager will designate the order of succession for his/her position as Emergency Services Director. The City Council will approve this order of succession.

Delegation of Emergency Authority

Seaside Municipal Code Chapter 2.40.060 specifies the powers and duties of the Emergency Services Director. The Director shall:

- Request the City Council to proclaim the actual existence or threatened existence of a local emergency if the City Council is in session or to issue such a proclamation if the City Council is not in session. Whenever the Director proclaims a local emergency, the City Council will take action to ratify the proclamation within seven days thereafter or the proclamation shall be no longer in effect or of no force.
- Request the County to declare a local state of emergency when, in the opinion of the Director, locally available resources are insufficient to deal with the situation at hand or forecasted.
- Control and direct the efforts of the City's emergency organization to accomplish the purposes and intent of this plan.
- Ensure cooperation between and coordination of services and staff of the City's emergency services organization, and resolve any questions of authority and responsibility that may arise.
- Represent the City in all dealings with the Monterey County Operational Area.
- Represent the City in all dealings with public and/or private agencies in all matters relating to the emergency.
- In the event of the proclamation as provided herein, the proclamation of a state of emergency by the County of Monterey and/or the Governor, the Director shall be empowered:

- To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by said emergency, provided, however, such rules will be confirmed at the earliest practicable time by the City Council.
- To obtain critical supplies, equipment, and such other properties not readily available and needed for the protection of life and property and to bind the City for the fair value of same, and if required immediately, to commandeer the same for public use.
- To require emergency services of any City employee and, in the event of a proclamation of a state of emergency in Monterey County, to command the aid of as many citizens of this community as he/she deems necessary in the execution of his/her duties, such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers.
- To requisition necessary personnel and/or material of any City department or agency.
- To execute all of his/her ordinary powers as City Manager, all of the special powers conferred upon him/her by this chapter or by resolution or emergency plan pursuant to this chapter adopted by the City Council, all powers conferred by any statute, by any agreement approved by the City Council, and by any other lawful authority.

The Director of Emergency Services (City Manager) shall designate the order of succession to his/her office, to take effect in the event the Director is unavailable to attend meetings and otherwise perform his/her duties during an emergency. Such order of succession will be approved by the City Council.

The Assistant Director shall, under the supervision of the Director and with the assistance of appropriate department heads, develop emergency plans and manage the emergency programs of the City, and have such other powers and duties as may be assigned by the Director.

Emergency Action Steps

Procedures have been, or will be developed to facilitate the ability of Seaside personnel to respond expeditiously to any disaster or major emergency incident.

Checklists and standard operating procedures have been or will be prepared to identify disaster assignments, responsibilities, and key disaster locations. Likewise, procedures have been, or will be developed for alerting, notifying, and recalling members of the Seaside emergency services organization.



"Go-Kit": What to Bring to Your Disaster Work Location -

The following list is intended to help senior officials prepare personal go-kits of essential items to bring to their anticipated work locations for extended disaster operations. It is recommended that they have enough personal items available to be self-sustaining for several days. They should evaluate the contents of their kits based on individual needs.

- ♣ Backpack, bag or case (to put all items in);
- ♣ Work items: cell phone and charger, laptop, radio and charger, emergency job aids (e.g., checklists, guides, contact information) and identification;
- ♣ Clothes and shoes fit for the weather and a change of clothing (e.g., for press conferences);
- ♣ Food and snacks based on any special dietary needs (confirm whether the disaster work location has arrangements for providing food and hydration);
- ♣ Glasses and an extra pair of prescription glasses; ♣ Personal medications, supplements and hygiene items (e.g., toothbrush, toothpaste);
- ♣ Personal money (e.g., credit cards, cash in small bills);
- ♣ Pencil, pen and notebook;
- ♣ Contact list of family, friends and professional contacts; and
- ♣ Favorite personal and/or comfort items.

Training and Indoctrination of Personnel

To the maximum extent possible, department heads and other key supervisors will train and indoctrinate assigned personnel in their basic department head and supervisory duties. The purpose of this policy is to provide a limited degree of capability redundancy on a hierarchical basis within each department or organization, so that in the event of the incapacitation of any supervisor, personnel are trained and will be able to fulfill, to the extent possible, the duties of the incapacitated supervisor. Training can be undertaken on a formal or informal basis, with the scope and depth being at the discretion of the supervisor.

Other Continuity Considerations

Depending on the situation extant, a variety of other considerations could affect the continuity of government, and its ability to conduct viable response and recovery operations within the City. Provisions may need to be undertaken to accommodate these considerations. These include, but are not limited to, the following:

- If needed, procedures will need to be developed to control access to the area/s affected by the disaster.
- It may be necessary to provide means of identification for personnel engaged in response and recovery efforts.
- For safety purposes, it may be necessary to employ personnel accounting systems to account for personnel involved in response or recovery operations.
- Accountability systems will need to be established for residents and City employees who are affected, displaced, evacuated, injured, and killed during or following a disaster or major emergency incident. Depending on the scope of commitment of its resources, the American Red Cross may be able to assist in this regard.
- The provisions for sustaining the mental health and physical well-being of individuals affected by the disaster may be necessary. This includes providing critical incident stress debriefing for emergency services responders. City employees and members of the SEOC Staff.
- The provision of temporary, short-term, or long-term housing, feeding, and care of residents displaced or affected by the disaster or major emergency incident.
- The provision of special needs for vulnerable segments of the City's population should be anticipated.
- Means whereby extended families can be reunited and care for affected members may need to be established.
- The need for mortuary care may be needed to enable the recovery, identification, and safeguarding of human remains should be anticipated.

Facilities

The City's facilities are capable of providing temporary working spaces and accommodations for essential emergency workers during response and recovery operations. Depending on the scope of the disaster, it may be necessary to obtain commercially available facilities (motels, workshops, repair garages, etc.) in order to ensure the well-being and functionality of personnel.

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Appendix E – Web EOC

The MPREOC uses Web EOC to coordinate with the county, state and regional ECC. Web EOC is an internet-based crisis management system that provides a central location for situation awareness during an incident. If an incident occurs within the county, such as severe flooding, Web EOC will be used to help coordinate a fast and effective response.

SEASIDE EMERGENCY OPERATIONS PLAN (APPENDIX F)

PROCLAMATION OF EMERGENCY (and Termination)

A local proclamation of emergency is the legal method that authorizes extraordinary measures to solve disaster problems. The proclamation allows for the emergency use of resources, the bypassing of time-consuming requirements such as hearings and the competitive bid process, and activates extraordinary measures as outlined in the jurisdiction's comprehensive emergency management plan. The proclamation is usually a prerequisite for state assistance and made at the onset of a disaster to allow the jurisdiction to do as much as possible to help itself.

A proclamation of emergency is made by the Mayor. The mayor may make the proclamation, if the council is not in session, subject to the confirmation of the council at the earliest practical time. In the event that the Mayor is not available, the Mayor Pro Tem proclaims the emergency. In the absence of the Mayor and Mayor Pro Tem, the city administrator shall make the proclamation.

In preparing a proclamation, a description of the event and the necessary emergency authorizations need to be documented. The Monterey County Department of Emergency Management should be informed and a news release made as soon as possible after the proclamation is signed.

When the situation which required the proclamation is over, the designated official is empowered to make a proclamation terminating the emergency.

Attached are a proclamation template and a sample proclamation and termination.

PROCLAMATION OF EMERGENCY

Whereas, the City of Seaside (department) has reported to the Mayor that beginning (date) (event) has caused (list the problems) in the City of Seaside, and;

Whereas, these problems have caused a threat to life and property, and;

Whereas, this constitutes an emergency as defined by the Seaside Emergency Operation Plan and necessitates the utilization of emergency powers granted pursuant to the City of Seaside Municipal Code 2.40.10 – 2.40.100; therefore,

Be it proclaimed by the Mayor that an emergency exists in The City of Seaside; therefore, the Seaside Director of Emergency Services and Seaside department directors are authorized to take emergency actions and to provide emergency services to protect the health and safety of persons and property pursuant to the Seaside Emergency Operations Plan ("Plan"), Chapter 2.40.080, and the City of Seaside Municipal Code Chapters 2.40.10 – 2.40.100. As directed pursuant to the Plan each Seaside department director is authorized to exercise the powers vested under this proclamation in the light of the urgent requirements of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements).

(Type name of Mayor)
Mayor, City of Seaside

Dated this ____ day of ____, year.

Recommended by:

Type name of Director
Director of Emergency Services

Dated this ____ day of ____, year.

PROCLAMATION TERMINATION

Whereas, the conditions which required the Proclamation of Emergency on (Date), are over.

Be it proclaimed by the Mayor, City of Seaside that the Proclamation of Emergency on that date is terminated effective (date).

(Type name of Mayor)
Mayor, City of Seaside

Dated this ____ day of ____, year.

Recommended by:

(Type name of Director)
Director of Emergency Services

Dated this ____ day of ____, year.

Glossary

C

CAL OES - California Governor's Office of Emergency Services

CBO - Chief Building Official

CERT - Community Emergency Response Team

COG - Continuity of Government

COOP - Continuity of Operations

CSUMB - California State University of Monterey Bay

D

DEM - Department of Emergency Management

DMA - Disaster of Mitigation Act

DSW - Disaster Service Worker

E

ECC - Emergency Communications Center

EOC - Emergency Operations Center

F

FEMA - Federal Emergency Management Agency

H

HSPD-5 - Homeland Security Presidential Directive 5

I

IAP - Incident Action Plan

ICS - Incident Command System

IFR - Instrument Flight Rules

M

MCHD - Monterey County Department of Health

MJHMP - Multi-Jurisdictional Hazard Mitigation Plan

MPREOC - Monterey Peninsula Regional Emergency Operations Center

N

NFPA - National Fire Protection Association

NIMS - National Incident Management System

O

Ord - Ordinance

P

PIO - Public Information Officer

S

SEMS - Standardized Emergency Management System

SEOC - Seaside Emergency Operations Center

SEOP - Seaside Emergency Operations Plan

SOP - Standard Operating Procedures

V

VOIP - Voice Over Internet Protocol

W

WEB EOC - Web based Emergency Operations Center

Chapter 2.40

EMERGENCY DISASTER COUNCIL

Sections:

2.40.010 Purposes.

2.40.020 Emergency defined.

2.40.030 Disaster council – Created – Membership.

2.40.040 Disaster council – Powers and duties.

2.40.050 Director and assistant director of emergency services – Offices created.

2.40.060 Director and assistant director of emergency services – Powers and duties.

2.40.070 Emergency organization.

2.40.080 Emergency plan.

2.40.090 Expenditures.

2.40.100 Violation – Penalty.

2.40.010 Purposes.

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of an emergency, the direction of the emergency organization, and the coordination of the emergency functions of the city with all other public agencies, corporations, organizations, and affected private persons. (Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-101)

2.40.020 Emergency defined.

As used in this chapter, "emergency" means the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the city, requiring the combined forces of other political subdivisions to combat. (Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-102)

2.40.030 Disaster council – Created – Membership.

The city disaster council is created and shall consist of the following:

- A. The mayor, who shall be chairman;
- B. The director of emergency services, who shall be vice-chairman;
- C. The assistant director of emergency services shall be the fire chief;
- D. Such chiefs of emergency services as are provided for in a current emergency plan of the city, adopted pursuant to this chapter, shall be comprised of the department heads;
- E. Such representative of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the director with the advice and consent of the city council;
- F. Membership assignments may be changed by a resolution of the city council. (Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-103)

2.40.040 Disaster council – Powers and duties.

It shall be the duty of the city disaster council, and it is hereby empowered, to develop and recommend for adoption by the city council emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The disaster council shall meet upon call of the chairman or, in his absence from

the city or inability to call such meeting, upon call of the vice-chairman. (Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-104)

2.40.050 Director and assistant director of emergency services – Offices created.

A. There is created the office of director of emergency services. The city manager shall be the director of emergency services.

B. There is created the office of assistant director of emergency services, who shall be the fire chief or other designee as appointed by the director. (Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-105)

2.40.060 Director and assistant director of emergency services – Powers and duties.

A. The director is empowered to:

1. Request the city council to proclaim the existence or threatened existence of a local emergency if the city council is in session or to issue such proclamation if the city council is not in session. Whenever a local emergency is proclaimed by the director, the city council shall take action to ratify the proclamation within seven days thereafter or the proclamation shall be of no further force or effect;
2. Request the Governor to proclaim a state of emergency when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency;
3. Control and direct the effort of the emergency organization of the city for the accomplishment of the purposes of this chapter;
4. Direct cooperation between and coordination of services and staff of the emergency organization of the city, and resolve questions of authority and responsibility that may arise between them;
5. Represent the city in all dealings with public or private agencies on matters pertaining to emergencies as defined in this chapter;

6. In the event of the proclamation of a local emergency as provided in this section, the proclamation of a state of emergency by the Governor or the director of the State Office of Emergency Services, or the existence of a state of war emergency, the director is empowered:

- a. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council,
- b. To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use,
- c. To require emergency services of any city officer or employee and, in the event of the proclamation of a state of emergency in the county in which the city is located or the existence of a state of war emergency, to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers,
- d. To requisition necessary personnel or material of any city department or agency, and
- e. To execute all of his ordinary power as city manager, all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant to this chapter adopted by the city council, all powers conferred upon him by any statute, by any agreement approved by the city council, and by any other lawful authority.

B. The director of emergency services shall designate the order of succession to that office, to take effect in the event the director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the city council.

C. The assistant director shall, under the supervision of the director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of the city, and shall have such other powers and duties as may be assigned by the director. (Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-106)

2.40.070 Emergency organization.

All officers and employees of the city, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions SMC [2.40.060](#)(A) and (C), be charged with duties incident to the protection of life and property in the city during such emergency, shall constitute the emergency organization of the city. (Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-107)

2.40.080 Emergency plan.

The city disaster council shall be responsible for the development of the city emergency plan, which plan shall provide for the effective mobilization of all the resources of the city, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency, and shall provide for the organization, powers, and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the city council. (Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-108)

2.40.090 Expenditures.

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city. (Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-109)

2.40.100 Violation – Penalty.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor:

A. Willfully obstruct, hinder, or delay any members of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon him by virtue of this chapter;

B. Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if such act is of such a nature as to vie or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of the city, or to prevent, hinder, or delay the defense or protection thereof;

C. Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the state. (Ord. [1042](#) § 2, 2017; Ord. [999](#), 2011; Ord. [546](#) § 2 (Exh. A), 1979; prior code § 14-110)

CHAPTER 14

EMERGENCY ORGANIZATION AND FUNCTIONS
CITY OF SEASIDE DISASTER COUNCIL

14-101 PURPOSES:

The declared purposes of this ordinance are to provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of this city with all other public agencies, corporations, organizations, and affected private persons.

14-102 DEFINITION:

As used in this ordinance, "emergency" shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this city, requiring the combined forces of other political subdivisions to combat.

14-103 DISASTER COUNCIL MEMBERSHIP:

The City of Seaside Disaster Council is hereby created and shall consist of the following:

- A. The Mayor, who shall be Chairman.
- B. The Director of Emergency Services, who shall be Vice-Chairman.
- C. The Assistant Director of Emergency Services.
- D. Such chiefs of emergency services as are provided for in a current emergency plan of this city, adopted pursuant to this ordinance.
- E. Such representative of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the director with the advice and consent of the city council.

14-104 DISASTER COUNCIL POWERS AND DUTIES:

It shall be the duty of the City of Seaside Disaster Council, and it is hereby empowered, to develop and recommend for adoption by the city council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Disaster Council shall meet upon call of the chairman or, in his absence from the city or inability to call such meeting, upon call of the vice-chairman.

14-105 DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES:

(A) There is hereby created the office of director of emergency services. The City Manager shall be the director of emergency services.

(B) There is hereby created the office of assistant director of emergency services, who shall be appointed by the director.

14-106 POWERS AND DUTIES OF THE DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES:

(A) The director is hereby empowered to:

- (1) request the city council to proclaim the existence or threatened existence of a "local emergency" if the city council is in session or to issue such proclamation if the city council is not in session. Whenever a local emergency is proclaimed by the director, the city council shall take action to ratify the proclamation within 7 days thereafter or the proclamation shall be of no further force or effect.
- (2) Request the Governor to proclaim a "state of emergency" when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency.
- (3) Control and direct the effort of the emergency organization of this city for the accomplishment of the purposes of this ordinance.
- (4) Direct cooperation between and coordination of services and staff of the emergency organization of this city; and resolve questions of authority and responsibility that may arise between them.
- (5) Represent this city in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.
- (6) In the event of the proclamation of a "local emergency" as herein provided, the proclamation of a "state of emergency" by the Governor or the Director of the State Office of Emergency Services, or the existence of a "state of war emergency," the director is hereby empowered:

- (a) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council;
 - (b) To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use;
 - (c) To require emergency services of any city officer or employee and, in the event of the proclamation of a "state of emergency" in the county in which this city is located or the existence of a "state of war emergency," to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;
 - (d) To requisition necessary personnel or material of any city department or agency; and
 - (e) To execute all of his ordinary power as City Manager, all of the special powers conferred upon him by this ordinance or by resolution or emergency plan pursuant hereto adopted by the city council, all powers conferred upon him by any statute, by any agreement approved by the city council, and by any other lawful authority.
- (B) The director of emergency services shall designate the order of succession to that office, to take effect in the event the director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the city council.
- (C) The assistant director shall, under the supervision of the director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of this city; and shall have such other powers and duties as may be assigned by the director.

14-107 EMERGENCY ORGANIZATION:

All officers and employees of this city, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of Section 6 (a) and 6 (c) of this ordinance, be charged with duties incident to the protection of life and property in this city during such emergency, shall constitute the emergency organization of the City of Seaside.

14-108 EMERGENCY PLAN:

The City of Seaside Disaster Council shall be responsible for the development of the City of Seaside Emergency Plan, which plan shall provide for the effective mobilization of all the resources of this city, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and shall provide for the organization, powers, and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the City Council.

14-109 EXPENDITURES:

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Seaside.

14-110 PUNISHMENT OF VIOLATIONS:

It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars (\$500), or by imprisonment for not to exceed six months, or both, for any person, during an emergency, to:

- A. Willfully obstruct, hinder, or delay any members of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed upon him by virtue of this ordinance.
- B. Do any act forbidden by any lawful rule or regulation issued pursuant to this ordinance, of such act is of such a nature as to vie or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of this city, or to prevent, hinder, or delay the defense or protection thereof.
- C. Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the State.

14-111 EFFECTIVE DATE:

This ordinance shall become effective thirty (30) days from and after its passage.

14-112 SEVERABILITY:

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

ORDINANCE NO. 546OFFICE OF THE
CITY MANAGERStephen E. Ross
MAYORGlenn Olea
Mayor Pro TemCouncilmen:
Ted Bowser
Louis Haddad
Berdine HouserORDINANCE AMENDING THE MUNICIPAL CODE TO REVISE AND UPDATE THOSE
SECTIONS RELATING TO THE EMERGENCY DISASTER COUNCIL

WHEREAS, Chapter 14-101 through 110 of the Municipal Code establish an emergency disaster council to implement the City's emergency disaster plan; and

WHEREAS, the City Council of the City of Seaside desires to provide the best protection and relief to citizens in times of emergency; and

WHEREAS, changes and improvements in the California Emergency Plan require an updating and revising of the existing Municipal Code Sections relating to disaster;

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

SECTION 1

The existing Municipal Code Section 14-101 through 14-111 are hereby repealed and rescinded.

SECTION 2

The new and revised Municipal Code Section 14-101 through 14-112 attached hereto as Exhibit "A" and incorporated herein by reference as if fully set forth are hereby adopted as part of the Seaside Municipal Code.

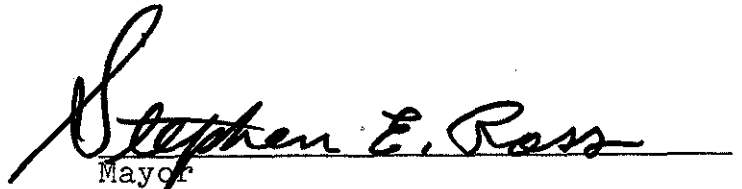
SECTION 3

This Ordinance shall be published once after its passage in the Seaside News-Sentinel and shall be in force and take effect thirty (30) days from and after its passage and approval.

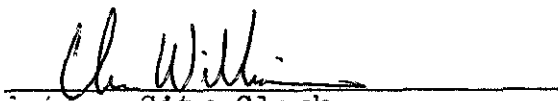
INTRODUCED this 20th day of September, 1979.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 4th day of October, 1979, by the following vote:

AYES: COUNCILMEN: Bowser, Haddad, Houser, Olea, Mayor Ross
NOES: COUNCILMEN: none
ABSENT: COUNCILMEN: none

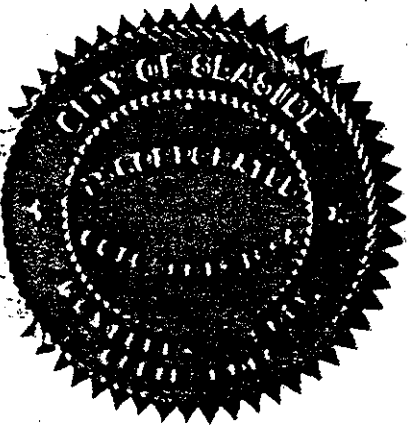

Mayor
Stephen E. Ross

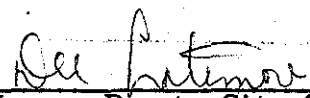
ATTEST:


STATE OF CALIFORNIA)
COUNTY OF MONTEREY) SS

I, Dee Latimore, Deputy City Clerk, of the City of Seaside, State of California, hereby certify that on the 10th day of October, 19 79, a true copy of the foregoing Ordinance No. 546 of the City of Seaside was published in the Seaside News-Sentinel.

Witness my hand and the seal of the City of Seaside this 10th day of October, 19 79.




Dee Latimore, Deputy City Clerk
CITY OF SEASIDE
County of Monterey, State of California

CHAPTER 14EMERGENCY ORGANIZATION AND FUNCTIONS
CITY OF SEASIDE DISASTER COUNCIL14-101 PURPOSES:

The declared purposes of this ordinance are to provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of this city with all other public agencies, corporations, organizations, and affected private persons.

14-102 DEFINITION:

As used in this ordinance, "emergency" shall mean the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this city, requiring the combined forces of other political subdivisions to combat.

14-103 DISASTER COUNCIL MEMBERSHIP:

The City of Seaside Disaster Council is hereby created and shall consist of the following:

- A. The Mayor, who shall be Chairman.
- B. The Director of Emergency Services, who shall be Vice-Chairman.
- C. The Assistant Director of Emergency Services.
- D. Such chiefs of emergency services as are provided for in a current emergency plan of this city, adopted pursuant to this ordinance.
- E. Such representative of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the director with the advice and consent of the city council.

14-104 DISASTER COUNCIL POWERS AND DUTIES:

It shall be the duty of the City of Seaside Disaster Council, and it is hereby empowered, to develop and recommend for adoption by the city council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The Disaster Council shall meet upon call of the chairman or, in his absence from the city or inability to call such meeting, upon call of the vice-chairman.

14-105 DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES:

(A) There is hereby created the office of director of emergency services. The City Manager shall be the director of emergency services.

(B) There is hereby created the office of assistant director of emergency services, who shall be appointed by the director.

14-106 POWERS AND DUTIES OF THE DIRECTOR AND ASSISTANT DIRECTOR OF EMERGENCY SERVICES:

(A) The director is hereby empowered to:

- (1) request the city council to proclaim the existence or threatened existence of a "local emergency" if the city council is in session or to issue such proclamation if the city council is not in session. Whenever a local emergency is proclaimed by the director, the city council shall take action to ratify the proclamation within 7 days thereafter or the proclamation shall be of no further force or effect.
- (2) Request the Governor to proclaim a "state of emergency" when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency.
- (3) Control and direct the effort of the emergency organization of this city for the accomplishment of the purposes of this ordinance.
- (4) Direct cooperation between and coordination of services and staff of the emergency organization of this city; and resolve questions of authority and responsibility that may arise between them.
- (5) Represent this city in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.
- (6) In the event of the proclamation of a "local emergency" as herein provided, the proclamation of a "state of emergency" by the Governor or the Director of the State Office of Emergency Services, or the existence of a "state of war emergency," the director is hereby empowered:

- (a) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council;
 - (b) To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use;
 - (c) To require emergency services of any city officer or employee and, in the event of the proclamation of a "state of emergency" in the county in which this city is located or the existence of a "state of war emergency," to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers;
 - (d) To requisition necessary personnel or material of any city department or agency; and
 - (e) To execute all of his ordinary power as City Manager, all of the special powers conferred upon him by this ordinance or by resolution or emergency plan pursuant hereto adopted by the city council, all powers conferred upon him by any statute, by any agreement approved by the city council, and by any other lawful authority.
- (B) The director of emergency services shall designate the order of succession to that office, to take effect in the event the director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the city council.
- (C) The assistant director shall, under the supervision of the director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of this city; and shall have such other powers and duties as may be assigned by the director.

14-107 EMERGENCY ORGANIZATION:

All officers and employees of this city, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of Section 6 (a) and 6 (c) of this ordinance, be charged with duties incident to the protection of life and property in this city during such emergency, shall constitute the emergency organization of the City of Seaside.

14-108 EMERGENCY PLAN:

The City of Seaside Disaster Council shall be responsible for the development of the City of Seaside Emergency Plan, which plan shall provide for the effective mobilization of all the resources of this city, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and shall provide for the organization, powers, and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the City Council.

14-109 EXPENDITURES:

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Seaside.

14-110 PUNISHMENT OF VIOLATIONS:

It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars (\$500), or by imprisonment for not to exceed six months, or both, for any person, during an emergency, to:

- A. Willfully obstruct, hinder, or delay any members of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this ordinance, or in the performance of any duty imposed upon him by virtue of this ordinance.
- B. Do any act forbidden by any lawful rule or regulation issued pursuant to this ordinance, of such act is of such a nature as to vie or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of this city, or to prevent, hinder, or delay the defense or protection thereof.
- C. Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the State.

14-111 EFFECTIVE DATE:

This ordinance shall become effective thirty (30) days from and after its passage.

14-112 SEVERABILITY:

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

ORDINANCE NO. 999

CONSIDERATION OF AN AMENDMENT TO THE CITY OF SEASIDE MUNICIPAL CODE, CHAPTER 2.40 TO DESIGNATE THE FIRE CHIEF AS ASSISTANT DIRECTOR OF EMERGENCY SERVICES AND THE CITY DEPARTMENT DIRECTORS AS THE CHIEFS OF EMERGENCY SERVICES

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

Section: 2.40.010 - Purposes

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of an emergency, the direction of the emergency organization, and the coordination of the emergency functions of the city with all other public agencies, corporations, organizations, and affected private persons.

Section 2.40.020 - Emergency defined.

As used in this chapter, "emergency" means the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions, including conditions resulting from war or imminent threat of war, but other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the city, requiring the combined forces of other political subdivisions to combat.

Section 2.40.030 - Disaster council—Created—Membership.

The city disaster council is created and shall consist of the following:

- A. The mayor, who shall be chairman;
- B. The director of emergency services, who shall be vice-chairman;
- C. The assistant director of emergency services shall be the fire chief;
- D. Such chiefs of emergency services as are provided for in a current emergency plan of the city, adopted pursuant to this chapter shall be comprised of the department heads;
- E. Such representative of civic, business, labor, veterans, professional, or other organizations having an official emergency responsibility, as may be appointed by the director with the advice and consent of the city council;
- F. Membership assignments may be changed by a resolution of the city council.

Section 2.40.040 - Disaster council—Powers and duties.

It shall be the duty of the city disaster council, and it is hereby empowered, to develop and recommend for adoption by the city council emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The disaster

council shall meet upon call of the chairman or, in his absence from the city or inability to call such meeting, upon call of the vice-chairman.

Section 2.40.050 - Director and assistant director of emergency services—Offices created.

- A. There is created the office of director of emergency services. The city manager shall be the director of emergency services.
- B. There is created the office of assistant director of emergency services, who shall be the fire chief or other designee as appointed by the director.

Section 2.40.060 - Director and assistant director of emergency services—Powers and duties.

- A. The director is empowered to:
 - 1. Request the city council to proclaim the existence or threatened existence of a local emergency if the city council is in session or to issue such proclamation if the city council is not in session. Whenever a local emergency is proclaimed by the director, the city council shall take action to ratify the proclamation within seven days thereafter or the proclamation shall be of no further force or effect;
 - 2. Request the Governor to proclaim a state of emergency when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency;
 - 3. Control and direct the effort of the emergency organization of the city for the accomplishment of the purposes of this chapter;
 - 4. Direct cooperation between and coordination of services and staff of the emergency organization of the city, and resolve questions of authority and responsibility that may arise between them;
 - 5. Represent the city in all dealings with public or private agencies on matters pertaining to emergencies as defined in this chapter;
 - 6. In the event of the proclamation of a local emergency as provided in this section, the proclamation of a state of emergency by the Governor or the director of the State Office of Emergency Services, or the existence of a state of war emergency, the director is empowered:
 - a. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council,
 - b. To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use,
 - c. To require emergency services of any city officer or employee and, in the event of the proclamation of a state of emergency in the county in which the city is located or the existence of a state of war emergency, to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be

- entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers,
- d. To requisition necessary personnel or material of any city department or agency, and
 - e. To execute all of his ordinary power as city manager, all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant to this chapter adopted by the city council, all powers conferred upon him by any statute, by any agreement approved by the city council, and by any other lawful authority.
- B. The director of emergency services shall designate the order of succession to that office, to take effect in the event the director is unavailable to attend meetings and otherwise perform his duties during an emergency. Such order of succession shall be approved by the city council.
- C. The assistant director shall, under the supervision of the director and with the assistance of emergency service chiefs, develop emergency plans and manage the emergency programs of the city, and shall have such other powers and duties as may be assigned by the director.

Section 2.40.070 - Emergency organization.

All officers and employees of the city, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of subsections A and C of Section 2.40.060, be charged with duties incident to the protection of life and property in the city during such emergency, shall constitute the emergency organization of the city.

Section 2.40.080 - Emergency plan.

The city disaster council shall be responsible for the development of the city emergency plan, which plan shall provide for the effective mobilization of all the resources of the city, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency, and shall provide for the organization, powers, and duties, services, and staff of the emergency organization. Such plan shall take effect upon adoption by resolution of the city council.

Section 2.40.090 - Expenditures.

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city.

Section 2.40.100 - Violation—Penalty.

It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars, or by imprisonment for not to exceed six months, or both, for any person, during an emergency, to:

- A. Willfully obstruct, hinder, or delay any members of the emergency organization in the enforcement of any lawful rule or regulation issued

pursuant to this chapter, or in the performance of any duty imposed upon him by virtue of this chapter;

- B. Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if such act is of such a nature as to vie or be likely to give assistance to the enemy or to imperil the lives or property of inhabitants of the city, or to prevent, hinder, or delay the defense or protection thereof;
- C. Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the state.

Introduced at the April 7, 2011 City Council Meeting

The City Clerk shall certify to the adoption of this Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the May 5th, 2011, by the following vote:

AYES: COUNCILMEMBERS: ALEXANDER; EDWARDS; OGLESBY;
BLOOMER; BACHOFNER

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:



Felix H. Bachofner, Mayor
City of Seaside

ATTEST:



Maricela Hernandez, MMC
City Clerk



CITY OF SEASIDE STAFF REPORT

Item No.: 9.B.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Andrew Myrick, Economic Development & Community Planning Manager

DATE: November 7, 2024

SUBJECT: UPDATE ON WATER ALLOCATION FOR ACCESSORY DWELLING UNITS

RECOMMENDATION

Receive an update on the available water allocation for accessory dwelling units.

BACKGROUND

An Accessory Dwelling Unit (ADU) is a residential unit that is built on the same site as another, principal dwelling unit. California Law includes a number of provisions that preempts much local regulation when it comes to approving Accessory Dwelling Units.

Proponents of ADUs argue that these units represent an opportunity for the development of additional housing in already-developed residential areas.

Within the City of Seaside, one of the primary barriers to the unchecked development of ADUs is the lack of available water. To alleviate this issue and promote the development of ADUs in the City of Seaside, on October 3, 2019, the City Council approved Ordinance 1064, which updated the City's Water Allocation Program for the Cal Am service area and identified a water allocation category for ADUs. The Council followed this with additional actions at its November 19, 2020, meeting, during which it approved several additional resolutions related to ADU water:

- Resolution No. 20-99 set the purchase price for ADU water release permits at \$2,500 per fixture unit.
- Resolution No. 20-100 allocated five acre feet of water to the residential ADU category.
- Resolution No. 20-102 limited the amount of water that could be allocated per ADU to 6.8 fixtures (ie 0.068 acre-feet) and required all existing main house

water appliances be retrofitted to high efficiency.

- Resolution No. 20-102 also provided the option for property owners to receive ADU water allocations at no cost if they deed restricted their ADUs to low or very low income renters for 45 years.

Current ADU Water Allocation

The allocation of water for ADUs resulted in significant interest in ADU construction in the City of Seaside. Demand for the water credits was so robust that on June 30, 2022, City staff announced that no additional applications would be considered until it was clear that sufficient water resources were available for the units for which applications had already been received. In October 2022, staff reported that the City was processing a total of 143 applications and was holding water for 10 units for the City's CalHome program. At that time, those applications would require an estimated 4.877 acre-feet per year (APY), which represented 97.5% of the total allocation.

During the past two years, many of these applications have progressed into new ADUs, and additional ADUs have been approved and/or are under construction. A few are still in the permitting process, while others have not moved forward. As of the writing of this report, 82 ADUs have been completed ("Finaled"), 21 are currently approved and/or under construction, and 13 are still in permitting, as noted in the following Table:

Status	Number of Permits	Water Allocation (AFY)
Finaled	82	2.579
Issued/Under Construction	21	0.729
In Permitting	13	0.46
Total	116	3.768
Remaining Water:		1.232

As noted in the Table, due to reductions in the number of active applications, there now is an estimated 1.232 AFY of water available from the original 5 AFY allocation. Since the City stopped accepting new applications after June 2022, staff has been maintaining a "wait list" for potential future water allocations. There are currently approximately 100 names on the wait list, although a significant number of these may not be seriously considering an ADU project. Staff is currently reaching out to those on the wait list to determine the actual number of interested parties.

Other City Water Allocations

The City Council's most recent comprehensive update to the City's Water Allocation

Program for the Cal Am service area occurred on November 19, 2020, through the adoption of Resolution 20-101. At that time, the Council allocated its remaining 33.549 AFY of water towards several categories of uses, as defined in the Table below. Since then, much of the water has been set aside for various projects. Additionally, 0.469 AFY was "refunded" to the City by the Monterey Peninsula Water Management District (MPWMD) in May 2023 to compensate for allocations that were erroneously made to properties within the Seaside Municipal Water District. As of the date of this Report, the City has 14.3418 AFY of water available for use, as detailed in the following Table:

Projects	Location	2020 Allocation	Remaining Allocation
Broadway and Terrace	Broadway Ave and Terrace St	11.746	0
Auto Center Properties	Del Monte to Fremont, North of Olympia and south of Auto Center Parkway	3.602	3.602
West Broadway Urban Village	WBUV Specific Plan Area	7.545	4.4838
Small Commercial Allocation Account	MPWMD Coverage Area	5.656	4.555
ADU Water Allocation		5.000	1.232
May 2023 "Refund"	Unallocated	-	0.469
Public Credit*		1.144	1.043
Total		33.549	14.3418

*Public Credit not counted towards the listed Total.

Potential Allocation of Water for ADU Development

On average, each ADU has received a water allocation of 0.033 AFY, and is allowed to receive as much as 0.068 AFY. This means that each acre foot of water can support at least 14 units, and more likely could support approximately 30 ADUs. The exact number of units would depend on the specific applications received and the amount of water demand for those units.

If additional water was allocated to ADUs at this time, an equal amount of water would need to be deducted from one or more of the other categories. Alternatively, MPWMD has indicated that it expects to approve additional water for all jurisdictions within its boundaries in early 2025. This would make additional water available. Staff's recommendation is that the City proceed with allocating the remaining 1.232 AFY of ADU water to those on the wait list (using criteria to be identified), and to obtain additional information from MPWMD regarding the water allocation, with the goal of identifying a long-term course of action within the next six months.

FISCAL IMPACT

No fiscal impact is associated with this Item.

ATTACHMENTS

None

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager



CITY OF SEASIDE STAFF REPORT

Item No.: 9.C.

TO: City Council

FROM: Craig Malin, Interim City Manager

BY: Dan Meewis, Recreation Director

DATE: November 7, 2024

**SUBJECT: ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF
BROADWAY AVENUE FROM HILLSDALE TO ALHAMBRA
STREETS FOR THE SEASIDE STARS 3RD ANNUAL UNVEILING
EVENT ON SATURDAY, NOVEMBER 16, 2024**

RECOMMENDATION

Adopt a resolution authorizing the street closure for the Seaside Stars unveiling event.

BACKGROUND

The City of Seaside will be hosting its third annual "Seaside Stars" unveiling ceremony on Saturday, November 16, 2024. The "Seaside Stars" program is a way that the City of Seaside can honor members of the Seaside Community who have contributed to the betterment of the City with a "Star" on Broadway. There are a variety of different categories that honorees could fall into, such as: Outstanding Achievement, Community & Social Equality, Journalism & Literature, Athletics & Competition, Education, Arts & Performing Media, Government & Civics, and Environment & Conservation.

The closure of Broadway Avenue from Hillsdale to Alhambra will provide an event space for the public and honorees to move safely and freely to view all the new stars that will be installed to honor the community. The proposed road closure will be from 10am - 3pm.

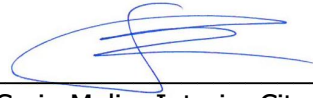
FISCAL IMPACT

The project has been budgeted in FY 24/25.

ATTACHMENTS

1. Resolution - Broadway Closure Seaside Stars

Reviewed for Submission to the City Council by:



Craig Malin, Interim City Manager

RESOLUTION NO. 24-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPTING A RESOLUTION AUTHORIZING THE CLOSURE OF BROADWAY AVENUE FROM HILLSDALE TO ALHAMBRA STREETS FOR THE SEASIDE STARS 3RD ANNUAL UNVEILING EVENT ON SATURDAY, NOVEMBER 16, 2024

WHEREAS, The City of Seaside will be holding their second annual Seaside Stars Unveiling event that is open to the public; and

WHEREAS, the closure of Broadway Avenue from Hillsdale Street to Alhambra street is necessary between the hours of 10:00 a.m. and 3:00 p.m. on Saturday, November 16, 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 Hillsdale Street to Alhambra Street is necessary between the hours of 10:00 a.m. and 3:00 p.m. on Saturday, November 16, 2024, to ensure the safety of the public

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 1st day of November 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