



CITY OF SEASIDE
CITY COUNCIL

AGENDA

REGULAR MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Thursday, June 21, 2018
7:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **FIELD TRIP - 6:00 PM**

The City Council will conduct a field trip to 1739 Yosemite, Seaside to review Agenda Item 9A from the 7:00 p.m. Agenda. The City Council will depart from the parking lot in front of City Hall at 6:00 PM. For information call 831-899-6707. The Regular Meeting will convene at 7:00 PM.

2. **CALL TO ORDER**

3. **ROLL CALL – ESTABLISHMENT OF QUORUM**

Ralph Rubio	Mayor
Dennis Alexander	Council Member
Jason Campbell	Council Member
David R. Pacheco	Council Member
Kayla Jones	Council Member

4. **INVOCATION AND PLEDGE OF ALLEGIANCE**

5. **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).

6. **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 minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

7. **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.

8. **PRESENTATIONS**

A. PRESENTATION ON STATUS OF THE 2018 ILLEGAL FIREWORKS ENFORCEMENT PLAN

B. PRESENTATION OF NEIGHBORHOOD IMPROVEMENT PROGRAM COMMISSION'S MAY 2018 AND JUNE 2018 HOUSE OF THE MONTH AWARDS AND THE 2018 BUSINESS OF THE SECOND QUARTER AWARD

C. PRESENTATION THANKING THE CITY COUNCIL FOR THEIR SUPPORT OF GOLD COAST RODS

D. PROCLAMATION SUPPORTING LGBT PRIDE MONTH IN THE CITY OF SEASIDE

E. PROCLAMATION RECOGNIZING JUNETEENTH FREEDOM WEEK

9. CONSENT CALENDAR

The Consent Calendar includes routine items that can be approved with a single motion and vote. A member of the City Council or a member of the public may request that any time be pulled from the Consent Calendar for separate consideration.

A. APPROVE MINUTES OF JUNE 7, 2018 AND JANURARY 18, 2018

RECOMMENDATION: It is recommended that the minutes be reviewed and approved.

B. APPROVE AND FILE CITY CHECKS

PURPOSE & RECOMMENDATION: It is requested that the City Council approve and file the accounts payable and wired payments made during the period of May 26, 2018 through June 11, 2018. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of June 7, 2018 is requested. Total Accounts Payable and Payroll for the above referenced period is \$2,482,038.71.

C. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM BETHEL BAPTIST CHURCH

PURPOSE & RECOMMENDATION: The purpose of this agenda item is for the City Council to consider a Three Thousand Dollars (\$3,000.00) request from Bethel Baptist Church Program for a donation from the Mayor's Youth Fund to help cover the cost for a trip to the Aquarium for youth participants.

D. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM THE VILLAGE PROJECT/THE MAE C. JOHNSON EDUCATION & CULTURAL ENRICHMENT ACADEMY

PURPOSE & RECOMMENDATION: The purpose of this agenda item is for the City Council to approve a Three Thousand Dollar (\$3,000.00) request for a donation from the Mayor's Youth Fund from the Village Project on behalf of the Mae C. Johnson & Cultural Enrichment Academy to help cover the costs associated with a trip to Gilroy Gardens.

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

PURPOSE & RECOMMENDATION: The purpose of this agenda item is a request from the Seaside Aquatic Club - The Dolphins for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund for the costs associated with program operations of the team.

F. APPROVE A FEE WAIVER REQUEST FROM THE SEASIDE LIONS CLUB FOR THE USE OF OLDEMEYER CENTER KITCHEN AND BBQ PIT

PURPOSE & RECOMMENDATION:

The purpose of this agenda item is to consider a fee waiver request from the Seaside Lions Club in the amount of Nine Hundred Twenty Dollars and Twenty-Five Cents (\$920.25) for the use of the Oldemeyer Center Kitchen and BBQ pit for an event on August 18, 2018. Based on previous City Council actions, staff recommends approval of the request with the following conditions:

- Organization to provide non-refundable portion in the amount of \$147.81.
- Organization is to provide insurance coverage.

G. APPROVE A FEE WAIVER AND CO-SPONSORSHIP REQUEST FROM THE PAN-HELLENIC COUNCIL FOR COSTS ASSOCIATED WITH THE 2019 MARTIN LUTHER KING, JR. MARCH AND PROGRAM IN THE AMOUNT OF FIVE THOUSAND FOUR HUNDRED AND SEVENTY-TWO DOLLARS (\$5,472.00)

PURPOSE & RECOMMENDATION: The purpose of this item is to consider the request from Pan-Hellenic Council for a waiver of fees and costs associated with the 2018 Martin Luther King, Jr. March and program on January 21, 2019 in the amount of Five Thousand, Four Hundred and Seventy-Two Dollars (\$5,472.00). Based on previous City Council actions to waive fees and costs associated with the Martin Luther King Event, it is recommended that the request be approved.

H. APPROVE A CO-SPONSORSHIP AND FEE WAIVER REQUEST FOR 2018 HOT CARS COOL NITES CAR SHOWS

PURPOSE & RECOMMENDATION: The purpose of this item is for the City Council to consider a request from Gold Coast Rods for co-sponsorship of and to waive fees associated with the Hot Cars/Cool Nites Classic Car Show to be held on July 20, 2018 and August 17, 2018 in the amount of Six Thousand, Twenty-Two Dollars and Ninety Cents (\$6,022.90).

I. APPROVE A RESOLUTION MODIFYING THE CLASSIFICATION PLAN TO ADD THE CLASSIFICATIONS OF COMMUNITY DEVELOPMENT DIRECTOR, CHIEF BUILDING OFFICIAL, ECONOMIC DEVELOPMENT DIRECTOR, HUMAN RESOURCES DIRECTOR / RISK MANAGER, AND PUBLIC WORKS DIRECTOR / CITY ENGINEER

PURPOSE & RECOMMENDATION: It is recommended that the City Council adopt the resolution modifying the Classification Plan to include the classifications of Community Development Director, Chief Building Official, Economic Development Director, Human Resources Director / Risk Manager, and Public Works Director / City Engineer.

J. APPROVE A RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO THE DON CHAPIN COMPANY INC. FOR AN AMOUNT NOT TO EXCEED \$193,000 FOR THE CUTINO PARK ADA IMPROVEMENTS PROJECT

PURPOSE & RECOMMENDATION: The purpose of the item is to have the City Council consider awarding a construction contract to The Don Chapin Company Inc. for an amount not to exceed One Hundred Ninety Three Thousand Dollars for the Cutino Park ADA Improvements.

10. PUBLIC HEARING

A. AN APPEAL REQUESTING TO OVERTURN THE PLANNING COMMISSION DECISION TO APPROVE A SECOND STORY ADDITION TO AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 1739 YOSEMITE STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN 012-101-065). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.E.2.A, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE & RECOMMENDATION: The purpose of this item is to consider an appeal submitted by Felix Bachofner, seeking to overturn the approval made by the Planning Commission for a second story addition to an existing one-story single family residence located at 1739 Yosemite Street. Staff Recommendation is to deny the appeal and uphold the Planning Commission approval subject to findings, evidence, and conditions of approval in the draft Resolution.

B. ADOPTION OF MUNICIPAL CODE AMENDMENT TO CHAPTER 10.32 SECTION 10.32.070 AND CHAPTER 17.34 SECTION 17.34.030 OF THE SEASIDE MUNICIPAL CODE TO AMEND REGULATIONS FOR THE PARKING OR PLACEMENT OF VEHICLES ADVERTISED FOR SALE, HIRE, OR RENTAL CITYWIDE (SECOND READING - ROLL CALL VOTE).

PURPOSE & RECOMMENDATION: The purpose of this item is for the City Council to adopt the proposed text amendments to Section 10.32.070 and Section 17.34.030 of the Seaside Municipal Code regulating the parking or placement of vehicles advertised for sale, hire, or rental citywide. It is recommended that the City Council adopt the proposed ordinance.

C. INTRODUCTION OF AN ORDINANCE AND RESOLUTION ADOPTING MAP AMENDMENTS TO THE SEASIDE MUNICIPAL CODE: SEASIDE ZONING MAP AND SEASIDE GENERAL PLAN: FIGURE LU-2, LAND USE POLICY MAP FOR: 1624 DEL MONTE BOULEVARD, 1632 DEL MONTE BOULEVARD, AND 590 OLYMPIA AVENUE (FIRST READING- ROLL CALL VOTE).

PURPOSE & RECOMMENDATION:

The purpose of this item is to have the City Council consider map amendments to Seaside Municipal Code and General Plan updating parcels in the southwest portion of the CA zone adjacent to the Auto Center from Regional Commercial (RGC) to Mixed-Use (MX) and a map amendment to Title 17 (Zoning Code) from Automotive Regional Commercial (CA) to Commercial Mixed Zone (CMX). A Negative Declaration has been prepared for the proposed map amendments. It is recommended that the City Council take the following actions:

1. Adopt a Resolution certifying a Negative Declaration for the proposed map amendments in accordance with the California Environmental Quality Act Guidelines; and
2. Adopt a Resolution certifying the proposed General Plan map amendment, Figure LU-2, Land Use Policy Map for parcels 011-552-008, 011-552-009, 011-552-010, 011-552-011, and 011-552-012 is consistent with the City's General Plan Policies.
3. Accept the first reading of the Draft Ordinance.

D. CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF A RESOLUTION APPROVING THE 2018-2019 GENERAL AND OTHER FUNDS OPERATING BUDGET, CAPITAL OUTLAY BUDGET, CAPITAL IMPROVEMENT BUDGET, POSITION CONTROL LIST AND SALARY SCHEDULE, THE APPROPRIATIONS LIMIT, THE CAPITAL IMPROVEMENT PLAN, AND SET THE RESERVE AMOUNTS AND AUTHORIZE STAFF TO TAKE ACTIONS AS NECESSARY FOR BUDGET IMPLEMENTATION

PURPOSE & RECOMMENDATION: The purpose of this item is to give the City Council and the Successor Agency Board the opportunity to conduct a public hearing and review, discuss and consider the adoption of a resolution approving the 2018-2019 General and other funds operating budgets, capital outlay budget, capital improvement budget, position control list and salary schedule, the appropriations limit, the capital improvement plan, and set the reserve amounts and authorize staff to take actions as necessary for budget implementation. Modifications approved with this action will be incorporated into the 2018-2019 Budget prior to implementation and publication.

E. REVIEW, DISCUSS, CONDUCT A PUBLIC HEARING, AND CONSIDER ADOPTION OF A RESOLUTION TO APPROVE THE PROPOSED 2018-2019 FEE SCHEDULE

PURPOSE & RECOMMENDATION: The purpose of this item is to give the City Council the opportunity to review and adopt the attached resolution approving the 2018-2019 Proposed Fee Schedule for the City of Seaside.

F. INTRODUCTION OF TWO ORDINANCES AMENDING CHAPTER 17 (ZONING CODE) AND CHAPTER 3 (TRANSIENT OCCUPANCY TAX) OF THE SEASIDE MUNICIPAL CODE TO ADOPT SHORT-TERM RENTAL REGULATIONS WITHIN RESIDENTIAL DWELLINGS. (FIRST READING, ROLL CALL VOTE)

PURPOSE & RECOMMENDATION:

The purpose of this ordinance is to establish regulations for the use of privately owned residential dwellings as short-term rentals to minimize any negative impacts on surrounding properties and to ensure the collection and payment of transient occupancy taxes for said short-term rentals. It is recommended that the City Council:

- Adopt the Initial; Study and Negative Declaration of proposed text amendments related to short term rentals within a residential use.
- Introduce and hold first reading of an Ordinance to add Section 17.52.251 to the Seaside Municipal Code entitled "Short Term Rentals" and;
- Introduce and hold first reading of an Ordinance to amend Chapter 3.24 of the Seaside Municipal Code to include "Short-Term Rental" as use that would be subject to the collection of Transient Occupancy Tax (TOT) the same as a hotel and add new Section 3.24.121.A that would establish fund accounts whereby TOT collection from short-term rentals would set aside to assist with affordable housing activities/projects and community and neighborhood park improvements

G. INTROUCTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 2 ADDING 2.15 CITY COUNCIL LIAISONS AND AMENDING 2.24 UPDATING THE NAME OF THE NEIGHBORHOOD IMPROVEMENT PROGRAM COMMISSION (FIRST READING-ROLL CALL VOTE)

PURPOSE & RECOMMENDATION: To introduce and pass to print a draft ordinance amending Seaside Municipal Code adding Chapter 2.15 City Council Liaisons and removing the word "Program" from the Neighborhood Improvement Program Commission from Chapter 2.24

11. BUSINESS ITEMS

A. APPROVE A RESOLUTION ADOPTING THE CITY OF SEASIDE DEBT POLICY

PURPOSE & RECOMMENDATION: It is recommended that the City Council review and consider the proposed City of Seaside Debt Policy. It is further recommended that the City Council approve the attached resolution adopting the Proposed Debt Policy.

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

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

13. ADJOURNMENT

Next Regularly Scheduled Meeting:

July 5, 2018

7:00 PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, they are asked to contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings. City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:

<http://cvp.telvue.com/player?id=T01629&video=52314&noplaylistskin=1&width=400&height=300>

Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

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 Government Code Section 54954.2(a) or Section 54956.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Judy Veloz, Commander
Dan Meewis, Recreation Superintendent
Lesley Milton-Rerig, City Clerk

DATE: June 21, 2018

**SUBJECT: PRESENTATION ON STATUS OF THE 2018 ILLEGAL FIREWORKS
ENFORCEMENT PLAN**

PURPOSE & RECOMMENDATION

The purpose of this item is for the City Council to receive a presentation on the status of the 2018 illegal fireworks operations plan.

BACKGROUND

The Seaside Police Department, in partnership with the Seaside Fire Department, formulated an operations plan for illegal firework suppression beginning in May and continuing through July of 2018. The operation is designed to focus on public education, and the safety of citizens, visitors, and property from use of illegal fireworks.

PUBLIC OUTREACH

City staff designed a comprehensive public education program that included print and electronic media that warned of the consequences for the possession or use of illegal fireworks, how to report illegal fireworks and information about the City of Seaside's professional fireworks event. Electronic advertisements were developed and deployed via social media and through the city's website that discourage illegal fireworks and encourage attendance. All public education media is bilingual.

The following public outreach has been or will be conducted during the month of June:

- Postcards mailed to all residents in the City
- Large posters will be distributed to businesses and organizations for window placement
- Flyers will be distributed to neighborhood and business watch groups
- Postcards will be distributed at City facilities, the library and at all events and public

outreach opportunities until the holiday.

- Commercial developed for television advertising about the event and enforcement
- Information has been posted on the City's website about the use of drones for illegal firework enforcement, and ways to report illegal firework including through the City's crime tip website <http://www.tipsoft.com/index.asp?P=WebTips>.
- A letter distributed by Seaside Police Personnel to properties known to have illegal fireworks warning them of consequences for possession or use of illegal fireworks by tenants or others on their property.
- Public Works will be placing changeable messaging signs (CMS) at Fremont Blvd. at Kimball Ave., Canyon Del Rey Blvd. at Del Monte Blvd., and LaSalle Ave. at Fremont Blvd beginning on June 20, 2018.
- School Resource Officer presentations at Seaside High School and Seaside Middle School educating students on safe practices for using safe and sane fireworks, the consequences for using illegal fireworks, and how to report information to the police about illegal fireworks. She also encouraged students to attend the City's firework event with their families.

STAFFING & ENFORCEMENT

In addition to the public education program, the Police Department has coordinated with the Peninsula Regional Violence Narcotics Team (PRVNT) to gather possible intelligence on illegal fireworks being brought into the City. For all Seaside Police personnel, all holiday, vacation, and regular days off have been cancelled for July 4, 2018 to ensure full staffing for the event. Additionally, contracts have been executed with Monterey County Sheriff's Department for event security and the California Highway Patrol for traffic control at the fireworks event as well as additional enforcement for the holiday.

FAMILY FIREWORKS EVENT

As a way to provide an alternative to illegal fireworks in the City of Seaside the City will be hosting a family friendly event at Baoyonet Blackhorse golf course that will feature live music, food, fun and a professional fireworks sky concert. This event will begin at 4:30 PM and the fireworks sky concert is scheduled to begin at 9:30 PM. Local vendors will be providing food and arts and games. This event is free to the public. Final details for the event are still underway including a possible free shuttle from various locations in the City to the event location.

FISCAL IMPACT

The estimated fiscal impact of the event is as follows:

Public Outreach:

\$4,900 for public education outreach, printing and mailing costs.

Enforcement:

\$23,120 for public safety enforcement throughout the City

\$13,000 for event security provided by Monterey County Sheriff

\$2,350 for traffic control provided by California Highway Patrol

Event:

\$40,000 for the Family fireworks event including the fireworks sky concert

\$83,370 Total Anticipated Event Costs

ATTACHMENTS

1. Flyer - ENGLISH Half + Half
 2. Flyer - SPANISH Half + Half
 3. Postcard - BILINGUAL
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

THE CITY OF SEASIDE'S FIRST FOURTH OF JULY FAMILY FIREWORKS CELEBRATION

Wednesday, July 4 from 4:30 PM - 10 PM
Bayonet Black Horse Golf Course - 1 McClure Way

RED, WHITE AND BLUES - FREE EVENT



Kaye Bohler - 5:30 PM



Tommy Castro and
the Painkillers - 7:30 PM



Fireworks - 9:30 PM

Arts & Crafts • Carnival Games • Petting Zoo • Pony Rides • Rock Wall • Air Jumpers
Face Painting • Craft Vendors • Food Vendors • Live Entertainment • Prizes • Bounce Houses

www.ci.seaside.ca.us



@SeasideCA



@City_of_Seaside

2018 Citywide Zero Tolerance Policy

Municipal Code: 8.32 General prohibition against possession, use, or sale of illegal fireworks.

NO ILLEGAL FIREWORKS

\$2,500 FINE

Help keep Seaside safe by reporting illegal fireworks:

831-394-6811

(Non-Emergency)

Text "SSPDTIPS" + Message: 274637

Anonymous Tip Line: 831-899-6282

Online: tinyurl.com/SeasideTip

EL PRIMER CUATRO DE JULIO FAMILIAR DE LA CIUDAD DE SEASIDE CELEBRACIÓN CON CUETES

Miércoles, 4 de Julio de 4:30 PM - 10 PM
Campo de golf de Bayonet Black Horse - 1 McClure Way

RED, WHITE AND BLUES – EVENTO GRATIS



Kaye Bohler - 5:30 PM



Tommy Castro and
the Painkillers - 7:30 PM



Cuetes - 9:30 PM

Artesanías • Juegos de carnaval • Zoológico interactivo • Paseo en pony • Pared de roca • Brincolín inflable
Pinta-caritas • Vendedores de artesanías • Vendedores de comida • Entretenimiento en vivo • Premios • Brincolín

www.ci.seaside.ca.us



@SeasideCA



@City_of_Seaside

Póliza de cero tolerancia en toda la ciudad en el 2018

Codigo Municipal: 8.32.030 Prohibición general contra la posesión, el uso o la venta de cuetes ilegales

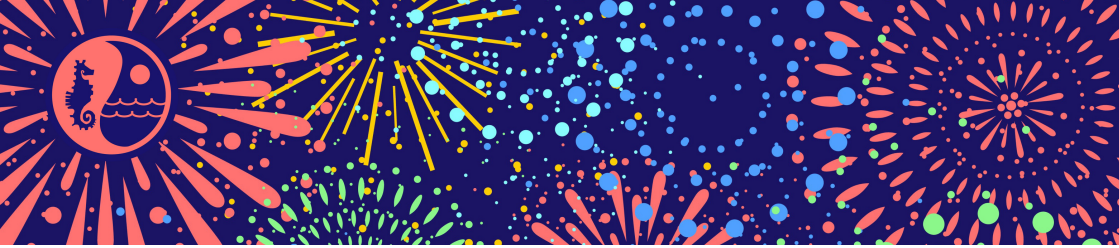
NO CUETES ILEGALES

MULTA DE \$2,500

Ayuda a mantener a Seaside seguro informando sobre cuetes ilegales:

831-394-6811
(No-Emergencia)

Línea de denuncia anónima: 831-899-6282
Envíe la palabra "SSPDITIPS" y su mensaje de texto: 274637
En línea: tinyurl.com/SeasideTip



THE CITY OF SEASIDE

FOURTH OF JULY FIREWORKS CELEBRATION

RED, WHITE AND BLUES - FREE EVENT / GRATIS

Cuatro de Julio Celebración de Fuegos Artificiales

July 4 from 4:30 PM - 10 PM

Bayonet Black Horse Golf Course - 1 McClure Way

www.ci.seaside.ca.us  @SeasideCA  @City_of_Seaside

**2018 Citywide Zero
Tolerance Policy:**

NO ILLEGAL FIREWORKS

You Light It, We'll Cite It

**\$2,500
FINE**

Póliza de cero tolerancia en
toda la ciudad en el 2018:

**NO FUEGOS
ARTIFICIALES ILEGALES**

Multa de \$2,500



Municipal Code: 8.32 General prohibition against possession, use, or sale of illegal fireworks.

Prohibición general contra la posesión, el uso o la venta de fuegos artificiales.

REPORT ILLEGAL FIREWORKS



REPORTE FUEGOS ARTIFICIALES ILEGALES

831-394-6811 Non-Emergency
No-Emergencia

Anonymous Tip Line 831-899-6282
Text "SSPD TIPS" + Message 247-637
Online / En línea tinyurl.com/SeasideTip

City of Seaside PROCLAMATION



LGBT PRIDE MONTH

June 2018

WHEREAS, the City of Seaside has a diverse Lesbian, Gay, Bisexual, Transgender (LGBT) community and is committed to celebrating and supporting visibility, dignity and equity for all people in the community; and

WHEREAS, many of the residents within the City of Seaside that contribute to the enrichment of our City are a part of the lesbian, gay, bisexual, and transgender community; and

WHEREAS, The City of Seaside has a long and proud history of inclusion and civil rights; and

WHEREAS, the City of Seaside commends the bravery and courage of all those in the LGBT community that face adversity and various forms of violence; and

WHEREAS, The Supreme Court decision guaranteeing marriage equality in all 50 States was a historic victory for the LGBT community, our country still has far to go with respect to the equitable treatment of the LGBT community; and

WHEREAS, continued opposition and oppression against LGBT people makes it important for cities to stand up and show solidarity and support for our LGBT residents and the community at large; and

WHEREAS, several cities across the United States recognize and celebrate June as LGBT Pride Month, June has become a symbolic month in which the LGBT community and allies come together in various celebrations of pride.

NOW THEREFORE, the City Council of the City of Seaside does hereby declare the month of June 2018 as Lesbian, Gay, Bisexual, and Transgender Pride month, symbolizing the City's celebration of diversity and support for the Lesbian, Gay, Bisexual, Transgender community.

Ralph Rubio, Mayor

June 21, 2018

CITY OF SEASIDE

PROCLAMATION



RECOGNIZING JUNETEENTH FREEDOM WEEK

WHEREAS *On September 22, 1862, President Lincoln signed the Emancipation Proclamation, officially ending slavery in the United States of America.*

WHEREAS *it took three more years of war to defeat the upholders of that evil institution, and the toil of generations to erase its awful legacy.*

WHEREAS *each year, many Americans celebrate the day known as “Juneteenth” as the true anniversary of the end of slavery.*

WHEREAS *Texas was among the last states to allow ownership of slaves, and on June 18, 1865, Union troops led by General Gordon Granger landed in Galveston to enforce the President’s order. On the following day, June 19, General Granger formally announced the end of slavery in Texas and hence the liberation of some of the last men and women to be legally held as slaves in our country.*

WHEREAS *the observation of Juneteenth is an important milestone in our nation’s long march towards equality, and is a reminder of the great contributions African-Americans have made as free citizens of our nation, as well as the injustices they suffered as slaves; and the courage of our forebears of all races and creeds who gave their lives to the fight against slavery and injustice.*

NOW THEREFORE *I, Ralph Rubio, Mayor, do hereby proclaim the week of June 18, 2018, as “Juneteenth National Freedom Week.” in the City of Seaside.*

PRESENTED *this 21st day of June 2018 during a regular City Council meeting.*

Ralph Rubio, Mayor



DRAFT MINUTES

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
COUNCIL CHAMBER
Thursday, June 7, 2018
7:00 PM

1. **CALL TO ORDER**

Mayor Rubio called the meeting to order at 7:00 PM.

2. **ROLL CALL – ESTABLISHMENT OF QUORUM**

PRESENT: Alexander, Campbell, Jones, Pacheco, Rubio

ABSENT: None

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

The City Council requested a moment of silence in honor of Memorial Day.

4. **REVIEW OF AGENDA**

No changes were request

5. **PUBLIC COMMENT**

Mayor Rubio invited comments from the public.

- Karen Berry spoke to the speeding on Kimball Avenue and thanked the City for recent attempts to control speed but requested more be done.
- Shree Topra spoke to the topic of the Carlton Road closure questioning if the City is doing anything about it.

Mayor Rubio responded indicating that the City is monitoring the situation on Carlton Road. Del Rey Oaks has released the traffic counts and they are currently considering a CEQA process which the City will file comments and attend meetings. There have been no public meetings to be able to attend on the topic.

6. **PUBLIC AGENCY COMMUNICATIONS**

- Economic Development Manager Mikesell invited the Council and the public to the Broadway Bash celebrating the reopening of the West Broadway Village Infrastructure project.
- City Engineer Riedl reported about the re-roofing of Oldemeyer Center starting Monday which will take approximately 1.5 months.
- Alana Miles, President of MPUSD Board of Trustees thanked the voters for the approval of Measure I which will allow the District to continue the improvements made to school facilities.

7. **PRESENTATIONS**

A. **PRESENTATION ON STATUS OF THE 2018 ILLEGAL FIREWORKS ENFORCEMENT PLAN**

Police Commander Veloz presented the 2018 Fireworks Enforcement Plan and outlined the public outreach and education plan regarding the City's Zero Tolerance Policy for illegal fireworks which includes marketing media, public outreach events, school presentations, electronic media and multi-agency coordination. She spoke to the fireworks enforcement during the special fireworks event including staffing, traffic control and the enforcement of the zero tolerance stance on the fireworks. Recreation Superintendent Meewis invited the Council and the public to the family fireworks event as an alternative entertainment to illegal fireworks. There will be music, family friendly activities, food and crafts that will end with a fireworks celebration sky concert. Shuttles will be at three locations, with service by reservation.

8. **CONSENT CALENDAR**

No items were pulled from consideration. Mayor Rubio invited public comments on the Consent Agenda.

- Joe Pastorey from the California Fire Mechanics Academy thanked City Council for the donation of the vehicles and spoke to the positive benefit it will have training fire vehicle mechanics state wide.

On motion by Mayor Pro Tem Dennis Alexander and seconded by Council Member Dave Pacheco and passed by the following vote the City Council approved the Consent Agenda as presented.

RESULT: **Approved**

AYES: Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones

NOES: None

A. **APPROVE MINUTES OF MAY 17, 2018**

Action: Approved

B. **APPROVE AND FILE CITY CHECKS**

Action: Approved

C. **APPROPRIATE \$15,000 TO THE OLDEMEYER CENTER BOILER REPLACEMENT PROJECT AND AWARD A CONSTRUCTION CONTRACT TO STEPHENS CONSTRUCTION INC.**

Action: Approved & Adopted Resolution 18-42

D. **RESOLUTION APPROVING A TWO-YEAR AUDIT CONTRACT WITH CLIFTON LARSON ALLEN LLP**

Action: Approved and Adopted Resolution 18-43

E. **ADOPT A RESOLUTION AUTHORIZING SURPLUS OF FIRE DEPARTMENT 2003 FORD F550 PICKUP TRUCK AND TRAILER AND APPROVE DONATION TO THE CALIFORNIA FIRE MECHANICS ACADEMY A 501(c) 6 CORPORATION.**

Action: Authorized and passed Resolution 18-44

F. **APPROVE A RESOLUTION ALLOWING THE CLOSURE OF BROADWAY AVENUE FROM HILLSDALE STREET TO ALHAMBRA STREET FOR A CERTIFIED FARMER'S MARKET SATURDAYS FROM 8:30AM TO 3:00PM BETWEEN JUNE 16 AND SEPTEMBER 29, 2018**

Action: Passed Resolution 18-45

- G. APPROVE DRAFT RESOLUTION AND AUTHORIZE THE USE OF \$81,284 IN EXCESS FUNDS FROM A REGIONAL ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FOR THE PURCHASE AND INSTALLATION OF A FIRE STATION ALERTING SYSTEM WITH \$8,128 IN CITY-MATCHING FUNDS.**

Action: Authorized and passed Resolution 18-46

- H. RESOLUTION APPROVING A BUDGET ADJUSTMENT OF \$35,000 FOR THE WATER MAIN REPLACEMENT PROJECT FY 2018**

Action: Approved and Adopted Resolution 18-47

- I. APPROVE A FEE WAIVER REQUEST FROM NARCOTICS ANONYMOUS FOR THE USE OF LAGUNA GRANDE HALL FOR A WOMEN'S BRUNCH**

Action: Approved

- J. RESOLUTION APPROVING A CONTRACT WITH RICHARDS WATSON GERSHON FOR BOND COUNSEL AND DISCLOSURE COUNSEL LEGAL SERVICES FOR THE PROPOSED \$10 MILLION FINANCING FOR STREET IMPROVEMENTS**

Action: Approved and Adopted 18-48

- K. RESOLUTION APPROVING A CONTRACT WITH C.M. DE CRINIS & CO., INC. FOR MUNICIPAL ADVISORY SERVICES FOR THE PROPOSED \$10 MILLION FINANCING FOR STREET IMPROVEMENTS**

Action: Approved and Adopted Resolution 18-49

9. PUBLIC HEARING

- A. SECOND READING OF MUNICIPAL CODE AMENDMENT TO CHAPTER 9.08, SECTION 9.08.60 OF THE SEASIDE MUNICIPAL CODE TO ALLOW ACCESS TO CITY OF SEASIDE PARKS BY SUPERVISED ON-LEASH DOGS (SECOND READING, ROLL CALL VOTE)**

Recreation Director Towne restated the purpose of the item and explained the costs associated with the implementation of this action to include the purchase and installation of pet waste receptacles of \$200 per station and the cost of bags per year. There were no additional questions from the Council and there were not requests to speak from the public.

On motion by Mayor Pro Tem Dennis Alexander and seconded by Council Member Dave Pacheco and passed by the following vote the City Council approved Ordinance 1050 amending the Seaside Municipal Code to allow access to City parks by supervised on-leash dogs.

RESULT: **Approved**

AYES: Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones

NOES: None

- B. RECEIVE A PRESENTATION, CONSIDER AND CONDUCT A PUBLIC HEARING ON THE PROPOSED 2018-2019 GENERAL AND OTHER FUNDS OPERATING BUDGET AND 2019-2020 BUDGET PLAN, CAPITAL IMPROVEMENT PROGRAM, POSITION CONTROL LIST AND SALARY SCHEDULE, AND THE RESERVE AMOUNTS**

City Manager Malin introduced the budget and explained any changes discussed would be incorporated and brought back for approval during the June 21, 2018 meeting. He spoke to the vision established by the Council and embedded in the budget are guiding principals to implement that strategic planning and to invest in that vision. He further explained the strategic

direction from the planning session was to target the repair and rebuilding of roads, Fort Ord blight removal and redevelopment, high value/low cost economic development, place making, securing sustainable water, improving parks. He noted that this budget has the largest park improvement budget in Seaside's history. He outlined the major projects and inclusionary changes for the next year to include capital improvements, Cutino park renovations, storm water improvements and the City Hall Solar infrastructure project. Service improvements include continuation of the Youth Resource Center staff, expanded weekend code enforcement and vehicle abatement for light duty officers, the addition of a community services officer, a geographic information system coordinator and funding for City Board and Commissions... He closed by announcing that Deputy City Manager Administrative Services Hodgson is retiring in August and there will be a need for reorganization to divide her work load. Finally, he spoke to the considered inclusion of a few items not yet in the budget document including a Fort Ord sign, enhanced public art, an Art and History archive and increasing the part time minimum pay.

Deputy City Manager Administrative Services Hodgson presented the details of the financial analysis. She detailed the delineation of the budget between general fund, internal service, enterprise and sanitation funds, capital outlay and debt service and special revenue and Successor Agency funds. Ultimately, the proposed budget has an operating surplus of \$90,075. She said that a 3% cost of living increase was incorporated but no significant increase in revenues. Reserves are at a high of over \$9 million. Ms. Hodgson and City Manager Malin answered questions from the Council.

Council Member Jones expressed concerns about the budget for the state lobbyist, she requested consideration of increasing all part time positions to a minimum of \$15 per hour and requested to put funding aside for public art. Council Member Pacheco requested more information about the impacts of the part time wage increase before making a decision. He also spoke against the state lobbyist services and he questioned the status of the homeless funding in last year's budget and urged the Homeless Committee to bring a recommendation forward quickly. Council Member Campbell requested staff to bring back ways to spend the low income housing fund in the near future for positive community benefit. He spoke in support of the long term fiscal planning for city buildings, and spoke to a great idea to have a civic center at the top of Broadway. Agrees with looking at minimum wage as well as elimination of the lobbyist services and the MPRWA because it is redundant with the Water Management District.

Mayor Pro Tem Alexander spoke in support to the growth of the budget during his tenure. He questioned the fire department changes now that the SAFR Grant is no longer valid as well as police department training, to which staff responded that many trainings were converted to the Human Resources budget and allocated through cost based allocation. He spoke in support of affordable housing options and funding for homeless services. Mayor Rubio spoke in support of the additional funds to enhance the homeless fund. Mr. Rubio spoke to Mr. Arriaga's assistance with the Youth Violence Prevention legislation and that he is currently working with Assembly member Caballero. He indicated he is amenable to reconsidering elimination during the mid-year budget. He urged patience with the MPRWA as the CPCN is coming up close and the Authority is working toward a sunset. He agreed with additional weekend code enforcement specifically for garage sale enforcement.

Mayor Rubio invited comments from the public and had no requests to speak.

No action was taken. The revised budget will come before the Council during the June 21, 2018 meeting.

C. REVIEW, DISCUSS, AND CONDUCT A PUBLIC HEARING ON THE PROPOSED 2018-2019 FEE SCHEDULE

Deputy City Manager Administrative Services Hodgson spoke to the approved standard to increase

fees according to the CPI every year, citing that this year was 3.4% increase. She also noted that some departments were independently assessed due to specific factors. The most significant change was the addition for a fee to allow a scuba school to use the facility which will be incorporated into the final schedule. Council Member Pacheco suggested adding liability provision to that use due to the potential damage of the metal tanks to the pool surface to which staff agreed they would incorporate. Council Member Campbell questioned if we have a bee keeping fee to which staff responded it is on the Environmental Committee work plan. Council Member Alexander suggested looking at other areas with comparable costs of living for CPI indexes.

Mayor Rubio invited comments from the public.

- Felix Bachofner thinks applying the CPI is fair and is glad that the fees on Broadway are waived again, and spoke in support of proposing fee holidays for specific project ideas the city wishes to focus on.

No action was taken. This item will be brought back on June 21, 2018 for approval.

D. INTRODUCTION OF AN ORDINANCE ADOPTING TEXT AMENDMENTS TO CHAPTER 10.32 AND 17.34 OF THE SEASIDE MUNICIPAL CODE TO AMEND REGULATIONS FOR THE PARKING OR PLACEMENT OF VEHICLES ADVERTISED FOR SALE, HIRE, OR RENTAL CITYWIDE.

City Engineer Riedl explained the proposed revisions to Chapters 19 and 17 with the objective to increase on street parking, removing visual blight and removal of safety hazards by the parking of vehicles for sale on public streets. He reported that the TAC and Planning discussed and recommended the draft ordinance. He outlined the text amendments and explained the planned outreach and enforcement efforts, including a 6 week grace period with courtesy notices. Staff answered questions from the Council.

Mayor Rubio invited comments from the public.

- A resident requested the City to create an area that people can advertise vehicles for sale or have a garage sale.
- Catherine Walmsley believes this is government micromanagement and is concerned that this is overbearing and is concerned it will create a problem for those who want to shop.

City Manager Malin spoke to the initiation of the ordinance that business was complaining and this is a response to rectify the concerns.

On motion by Council Member Jason Campbell and seconded by Council Member Dave Pacheco and passed by the following vote the City Council Approved the staff recommendation and Adopted the negative declaration as presented.

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None

On motion by Council Member Jason Campbell and seconded by Council Member Dennis Alexander and passed by the following vote the City Council passed to print the draft ordinance.

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None

10. **BUSINESS ITEMS**

Economic Development Manager Overmeyer presented the item explaining the purpose of a community revitalization and investment authority, created by legislation by AB 2. Staff hired Kosmont to do a fiscal analysis and feasibility study. He explained the process and applicability of the CRIA and gave examples of how to leverage the generated funding to fund infrastructure projects or leverage additional financial resources. The fiscal analysis affirmed that projections could potentially have a significantly positive financial gain for the City. Next steps require the creation of a CRIA plan, facilitated public hearings and a protest vote opportunity. Staff recommended extending the contract with Kosmont to assist the City with plan development and implementation with a cost not to exceed \$29,500. Staff answered questions from the Council.

The Council discussed scenarios if the County changes course, the impacts to affordable housing and the years for financial gain. City Manager Malin explained the City has been building fund balance because it would take approximately four years for the financial gain to start to be realized. This is only applicable to new developments in very specific districts, and only the Campus Town and Main Gate projects are eligible.

Mayor Rubio invited comments from the public.

- Felix Bachofner spoke against this action citing CRIA as RDA 2.0. The City will benefit when FORA sunsets and does not need this type of mechanism that will add additional bureaucracy.

Council Member Pacheco spoke to our mission to innovate, which includes getting things done in a creative way and likes the idea that the City would be a leader with this concept. Council Member Jones spoke in support as well as Council Member Alexander, yet Council Member Campbell expressed concern indicating that the City is still dealing with RDA dissolution and FORA is a similar redevelopment agency that is doing more harm than good. He thinks this action is premature and there should be more commitment from Monterey County prior to spending more money.

On motion by Mayor Pro Tem Dennis Alexander and seconded by Council Member Dave Pacheco and passed by the following vote the City Council approved resolution 18- approving the staff recommendation.

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Dave Pacheco, Kayla Jones
NOES:	None
ABSTAIN:	Jason Campbell

A. DISCUSSION OF FINDINGS OF FISCAL ANALYSIS OF A COMMUNITY REVITALIZATION AND INVESTMENT AUTHORITY (CRIA) AND CONSIDERATION OF CONTRACT AMENDMENT WITH KOSMONT AND ASSOCIATES, INC. TO COMPLETE THE REMAINING STEPS IN THE FORMATION OF A CRIA.

B. TO DISCUSS AND APPROVE THE CREATION OF CITY COUNCIL LIAISONS TO BOARDS, COMMISSIONS AND COMMITTEES

City Manager Malin presented the report explaining staff responded to Council direction with the attached draft guideline. Council Members would volunteer for which committee that they would wish to serve on and be approved by a vote of the Council. Council Liaisons are intended to be

conduits of information, not to participate or influence the discussion but create a linkage between the Council and the Commission.

Mayor Rubio invited comments from the public.

- Felix Bachofner spoke against the item believing Council Members attending meetings will cause undue influence and preclude participation when it comes before the Council for action.

Mayor Rubio reminded the Council the importance to remember as Council you are vested with certain authority and people will look to you for your opinion or reaction and that may affect how people vote or view the subject matter. He spoke to the process and appropriateness of recusing themselves if there is a conflict.

On motion by Council Member Jason Campbell and seconded by Kayla Jones and passed by the following vote the City Council approved the draft outline for creation of City Council Liaisons to Boards, Commissions and Committees.

RESULT: **Approved**

AYES: Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones

NOES: None

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

The Council reported on their committee assignments and special events attended. Council Member Pacheco expressed concern regarding MPUSD's staffing challenges noting teachers are leaving due to affordable housing issues. Mayor Pro Tem Alexander indicated may miss the next few meetings due to possible deployment by the Red Cross to assist with the disaster in Hawaii. The Council acknowledged the efforts by the Fire Department for containing the structure fire at McDonalds.

12. ADJOURNMENT

On motion the meeting as adjourned at 10:30 PM.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ralph Rubio, Mayor



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Daphne Hodgson, Deputy City Manager Administrative Services

DATE: June 21, 2018

SUBJECT: APPROVE AND FILE CITY CHECKS

PURPOSE & RECOMMENDATION

It is requested that the City Council approve and file the accounts payable and wired payments made during the period of May 26, 2018 through June 11, 2018. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of June 7, 2018 is requested. Total Accounts Payable and Payroll for the above referenced period is \$2,482,038.71.

BACKGROUND

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

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

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

- \$576,310.54 for Payroll and benefits.
- \$42,102.00 to Boys & Girls Club for clubhouse improvements at 1322 La Salle Avenue (CDBG request #1) .
- \$17,589.99 to California-American Water for City-related water consumption during the billing period of 04/24/2018 - 05/22/2018.
- \$15,889.67 to Ad Club for newspaper ads for the position of Building Maintenance Specialist during May, 2018.

- \$11,358.30 to Ad Club for newspaper ads for the position of Finance Director during June, 2018.
- \$41,775.48 to Tyler Technologies for system maintenance (In-Code) for the period of 07/01/2018 - 06/30/2019.
- \$1,519,638.55 to Monterey Peninsula Engineering for WBUV work through 04/20/2018.
- \$50,011.70 to MNS Engineers for WBUV work for March, 2018.
- \$45,490.67 to MNS Engineers for WBUV work for April, 2018.
- \$50,000.50 to PNC Equipment Finance for the lease of 3 pick-up trucks, a vector/patch truck, and the energy project for the period of 05/07/2018 - 06/06/2018.
- \$14,728.62 to PNC Equipment Finance for the lease of contract #179368000 for the period of 05/19/2018 - 06/18/2018.
- \$14,030.00 to Nichols Consulting Engineers for the pavement management program update for April, 2018.

The remaining checks, totaling \$83,112.69 include payments to vendors for operating expenditures.

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

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

FISCAL IMPACT

ATTACHMENTS

None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Nancy Towne, Recreation Services Director
Dan Meewis, Recreation Superintendent

DATE: June 21, 2018

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST
FROM BETHEL BAPTIST CHURCH**

PURPOSE & RECOMMENDATION

The purpose of this agenda item is for the City Council to consider a Three Thousand Dollars (\$3,000.00) request from Bethel Baptist Church Program for a donation from the Mayor's Youth Fund to help cover the cost for a trip to the Aquarium for youth participants.

BACKGROUND

The Bethel Baptist Church will host a 2 day trip to the Aquarium for their youth program. This trip is designed for youth ages 5 to 12 years of age including children with special needs and learning disabilities. The Bethel Baptist Church is the Host Church for approximately 400 youth from throughout California, including Seaside. The goal of the Aquarium trip is to show their youth that they care for them; individually and collectively. The church encourages pride for their city and demonstrates the positive impact that their recycling and group cleanup provides to the community. The funds will be used for the participant's food, travel, tickets and hotel expenses.

Bethel Baptist Church received their last donation at the June 20, 2017 City Council meeting.

FISCAL IMPACT

This request would be funded by a donation from The Waste Management's donation to the Mayor's Youth Fund.

ATTACHMENTS

1. MYF Bethel Baptist Church Fee Request & Application 2018

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

Mayor's Youth Fund Contribution Request

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

Name of Organization: Bethel Faith-Based Program 77-0011607

Name of Individual Submitting Request: Rev. H. H. Lusk

% Residents or Students of Seaside: 75% # of Participants 150

Ages of Participants: 6-18 years

Mailing Address: 390 Elm Avenue, Seaside, CA 93955

Phone Number: Home 831 394-1415 Work 831 394-7066
Cell _____

E-mail Address: hlusk4@yahoo.com

Description of Event (Attach Additional Information as Necessary)

Trip to the Aquarium June 15 & 16, 2018. This trip is designed for youth who graduated from grades 5-12, including children with special needs and learning disabilities.

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

Fund uses include meals, travel, tickets and hotel expenses.

Description of how your participation in this event or activity benefits the City of Seaside. See Mayor's Youth Fund Contribution Policy.

This 2 day event will demonstrate to our youth that we care for them, both individually and collectively, in the areas of self awareness, encourage pride for their city and most importantly, demonstrate the positive impact their recycling and group cleanup provides to their community.

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

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

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

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

Is funding a reward for one of these activities?

 YES

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

The program will provide our youth the ability to look inside to become outstanding in our current society utilizing scholarships, athletics & environmental tools to make these goals possible.

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

Counselling for behavioral modifications, field trips that will allow for hands-on experiences. Team building projects, workshops and individual assessments to demonstrate growth, change and positive progress

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

We have reached out to local businesses for donations and have requested and applied for grants, etc.

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

Funding Requirements

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

June 5, 2018

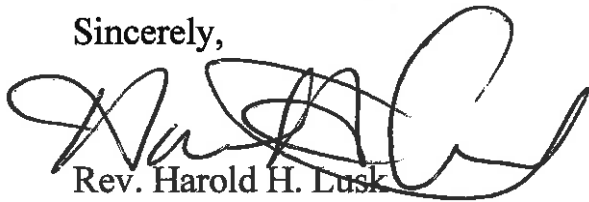
To Whom It May Concern:

Re: Mayor's Youth Fund Application

My Father is not doing well at the present time. I realize the application papers are late, however, if there is any way possible for us to still receive funding for this project, it will provide us with the necessary means to meet complete some of our obligations.

Should you have any questions or concerns, please do not hesitate to contact me at (831) 915-6002. Thanking you in advance.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold H. Lusk", written over a printed name.

Rev. Harold H. Lusk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Nancy Towne, Recreation Services Director
Dan Meewis, Recreation Superintendent

DATE: June 21, 2018

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST
FROM THE VILLAGE PROJECT/THE MAE C. JOHNSON
EDUCATION & CULTURAL ENRICHMENT ACADEMY**

PURPOSE & RECOMMENDATION

The purpose of this agenda item is for the City Council to approve a Three Thousand Dollar (\$3,000.00) request for a donation from the Mayor's Youth Fund from the Village Project on behalf of the Mae C. Johnson & Cultural Enrichment Academy to help cover the costs associated with a trip to Gilroy Gardens.

BACKGROUND

On behalf of the Mae C. Johnson Education & Cultural Enrichment Academy, the Village Project is requesting a Three Thousand Dollar (\$3,000.00) donation from the Mayor's Youth Fund to help cover the costs associated with an educational trip to Gilroy Gardens.

The Mae C. Johnson Education & Cultural Enrichment Academy will be having a six week program for at-risk youth. During the program the children will spend time in their onsite garden, where they will be growing fruit and vegetables that will be given to the homeless. The children will also be having a beach cleanup day. The children will be engaged in daily art activities and have one-on-one reading time to improve their reading skills. After their six week summer program, they will be rewarding their youth with a trip to Gilroy Gardens where they will be able to enhance their knowledge and gardening literacy while at the same time being rewarded with a fun filled adventure.

The Mae C. Johnson Education & Cultural Enrichment Academy is sponsored by the Village Project and the funds distributed to the Mae C. Johnson Education & Cultural Enrichment Academy will be handled through The Village Project.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. This is the first time that the Mae C. Johnson Education & Cultural

Enrichment Academy is requesting a donation.

FISCAL IMPACT

This request would be funded by a donation from the Waste Management's District to the Mayor's Youth Fund.

ATTACHMENTS

1. MYF Village Project- The Mae C. Johnson Education & Cultural Enrichment Academy - 2018
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

MAYOR'S YOUTH FUND POLICY

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

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

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

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

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

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.
- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)

- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).

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

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

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

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

###

Mayor's Youth Fund Contribution Request

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

Name of Organization: The Mae C. Johnson Education & Cultural Enrichment Academy

Address: 1450 Elm St. Seaside, CA 93955

Email: seasidetupi@gmail.com

Phone Number: Home _____ Work 831-392-1500 Cell 831-747-7437

Name of Individual: April Dunham

% Residents or Students of Seaside: 99 %

of Participants: 30

Ages: 6-12

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:

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

Is funding a reward for one of these activities?

yes, after a free six week summer program, the children will be rewarded for their participation with a fun filled learning experience where the children will be enhancing their gardening literacy.

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

please see attachment

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

please see attachment

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

The children will be having lemonade sales, bake sales, and a car wash to help raise funds.

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

Funding Requirements

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

We service underserved and at-risk youth, majority of our children are from Seaside, CA and unfortunately many of them have not traveled more than a 15miles radius. After their hard work and continuous learning in our six week summer program, we would like to reward them with a trip to Gilroy Gardens where they will be able to enhance their knowledge and gardening literacy while at the same time being rewarded with a fun filled adventure. This is not only a trip they might never get to attend again but also an experience to see a new city they might not be able to travel to again.

The funds will be an award for the children after a free six week summer program. During the program the children will spend time in our onsite garden, where they will be growing fruit and vegetables that will be given to the homeless. The children will also be having a beach cleanup day. The children will be engaged in daily art activities, we also will have a daily “read loud and read proud” where older students will work one on one with younger students to improve reading skills.

- Incomplete applications will not be forwarded for Council consideration; applications not answering the question related to reduce, reuse or recycle are considered incomplete.

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

MYF Policy Revised March 2018

MAYOR'S YOUTH FUND CLOSING REPORT *

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

Name of Organization: _____

Contact: _____

Address: _____

Email/Phone: _____

Amount of Donation Received: _____

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

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

Signature: _____

Date: _____

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

Request for Taxpayer Identification Number and Certification

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

Print or type
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. The Village Project, Inc.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: ☐ Individual/sole proprietor or single-member LLC ☒ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. ☐ Other (see instructions) ▶	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)
5 Address (number, street, and apt. or suite no.) 1069 Broadway Ave. Suite 201	Requester's name and address (optional)
6 City, state, and ZIP code Seaside, CA 93955	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

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

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

Social security number									
			-				-		
or									
Employer identification number									
6	1	-	1	5	6	2	5	1	5

Part II Certification

Under penalties of perjury, I certify that:

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

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

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

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

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

Purpose of Form

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

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

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

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

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

By signing the filled-out form, you:

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



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.E.

TO: City Council

FROM: Craig Malin, City Manager

BY: Nancy Towne, Recreation Services Director
Dan Meewis, Recreation Superintendent

DATE: June 21, 2018

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

PURPOSE & RECOMMENDATION

The purpose of this agenda item is a request from the Seaside Aquatic Club - The Dolphins for a donation of Three Thousand Dollars (\$3,000.00) from the Mayor's Youth Fund for the costs associated with program operations of the team.

BACKGROUND

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

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

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

FISCAL IMPACT

This request would be funded by a donation from the Waste Management's District to the Mayor's Youth Fund.

ATTACHMENTS

1. MYF Seaside Aquatic Club - The Dolphins 2018

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

SEASIDE AQUATICS CLUB
P.O. Box 950
Seaside, CA 93955

Mayor and City Council
City of Seaside
440 Harcourt
Seaside, CA 93955

Dear Mayor Rubio and Council Members:

Attached is an application for funding for the Mayor's Youth Fund for the Seaside Aquatic Club: The Dolphins. Our club has a long history in the City of Seaside and was started in 1993 at the Pattullo Swim Center. We started with a handful of kids and have grown to almost 120 strong. Currently we swim at pools on the Monterey peninsula including Pattullo Swim Center, Seaside High School and Carmel High School. We believe that swimming is an equal opportunity sport and that anyone can participate and nobody is excluded. It allows young people the opportunity to train individually and learn together as a team. Swimming fosters positive relationships and having a diverse team makes our community better.

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

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

The team is a strong supporter of the goals related to recycle, cleanup, and green sustainability. We recycle hundreds of pounds of bottles and cans and use those proceeds to help fund our program. Each year we also participate in the annual beach cleanups that are held. We use this opportunity to teach are swimmers the importance of volunteering and stewardship of the beaches. One of our strongest activities has been the Alcatraz Swims that is held each year. Many of our swimmers participate in these swims and practice in the Monterey Bay. A bay that is far colder than the San Francisco Bay. Seaside Aquatics Club has even won the Alcatraz Bay Swim on two occasions.

Thank you for considering our request and if you need any further information please feel free to contact me.

Sincerely,

Ken Fittro, Head Coach
backstrider@aol.com

MAYOR'S YOUTH FUND POLICY

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

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

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

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

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

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.
- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)

- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).

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

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

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

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

###

Mayor's Youth Fund Contribution Request

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

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

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

Email: ***backstrider@aol.com***

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

Name of Individual: ***Seaside Aquatics Club – The Dolphins***

% Residents or Students of Seaside: ***75%***

of Participants: ***100 - 120***

Ages: ***5 - 18***

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

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

Is funding a reward for one of these activities?

No. Funding is only used to help with costs associated with program operations of the team.

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

The Seaside Aquatics Club-The Dolphins

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

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

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

The Seaside Dolphins hold three major fund raisers each year to help support the team and to keep fees affordable; Fourth of July Fireworks sales, the annual Swim for Funds, and volunteer participation in the Big Sur Marathon.

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

Funding Requirements

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

- A representative from the organization is required to be at the Council meeting for their application to be heard. If no representative is present then the agenda item will be postponed to another City Council meeting upon notification by the applicant.
- Incomplete applications will not be forwarded for Council consideration; applications not answering the question related to reduce, reuse or recycle are considered incomplete.

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

SEASIDE AQUATICS





**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.F.

TO: City Council

FROM: Craig Malin, City Manager

BY: Nancy Towne, Recreation Services Director
Dan Meewis, Recreation Superintendent

DATE: June 21, 2018

SUBJECT: APPROVE A FEE WAIVER REQUEST FROM THE SEASIDE LIONS CLUB FOR THE USE OF OLDEMEYER CENTER KITCHEN AND BBQ PIT

PURPOSE & RECOMMENDATION

The purpose of this agenda item is to consider a fee waiver request from the Seaside Lions Club in the amount of Nine Hundred Twenty Dollars and Twenty-Five Cents (\$920.25) for the use of the Oldemeyer Center Kitchen and BBQ pit for an event on August 18, 2018. Based on previous City Council actions, staff recommends approval of the request with the following conditions:

- Organization to provide non-refundable portion in the amount of \$147.81.
- Organization is to provide insurance coverage.

BACKGROUND

The Seaside Lions Club is planning their annual BBQ fundraiser for August 18, 2018 and is requesting a Fee Waiver to use the Oldemeyer Center Kitchen and outdoor BBQ pit. They are requesting to only use the large kitchen and outdoor BBQ pit for a “take out” event. They will not be using the auditorium, and all tickets are presold. The purpose of this event is to raise funds for the Seaside Lions Club projects. Their last request was submitted and approved at the December 15, 2016 City Council meeting.

FISCAL IMPACT

The approximate fees which are applicable to this request are:

9 hours at \$ 102.25/hour \$ 920.25

Total \$ 920.25

ATTACHMENTS

1. Lions Club Fee Waiver 2018

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



City of Seaside
FEE WAIVER REQUEST

Name of Applicant ARLINGTON LA Min Organization SEASIDE LIONS CLUB
Address 10 BOX ~~874~~ 874 SEASIDE CA 93945
Street City State Zip
Home Phone _____ Cell Phone 831.277.3330 Email Address _____

Room(s) Requested KITCHEN & BBQ PIT

Day(s) and Date(s) Requested 8/18/2013

Hours Requested (include set-up time) 0600 - 1500 hrs Estimated Attendance 100 NOT AT SAME TIME

Description of Event BBQ FUND RAISER

Special Instructions or Equipment to Be Brought In _____

Reason for Requesting Fee Waiver

NON PROFIT FUND RAISER THAT MONEY GOES BACK TO THE COMMUNITY OF SEASIDE

Have you received a Fee Waiver in the past? Yes ☒ No ☐

If so, what was the date of your event? 5/2017

Is your organization based in Seaside? Yes ☒ No ☐

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

What is your organization's tax identification number? 94-626446

Is organization able to provide liability insurance? YES

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

Applicant Signature Arlington La Min Date 6/11/13

FOR OFFICE USE ONLY

Approved: _____
Denied: _____
Appealed: _____

Security Required? Yes ☐ No ☐ Notes: _____
Staff Approval: _____
Date: _____



PERMIT TO USE LAGUNA GRANDE HALL

City of Seaside Recreation Services
986 Hilby Avenue, Seaside, CA 93955
(831) 899-6800 Fax (831) 899-6274

Name of Applicant ARINGTON LA MIER Organization SEASIDE LIONS CLUB
Address PO Box 374 SEASIDE CA 93955
Street City State Zip
Home Phone _____ Cell Phone 331.277.3834 Email Address _____

Day(s) and Date(s) Requested SUNDAY 8/13/13

Hours Requested (include set-up time) 6AM - 3PM Estimated Attendance 100 NOT AT SAME TIME

Description of Event BBQ Fund Raiser

Special Instructions or equipment requested USE OF KITCHEN & BBQ PIT

Requested Use of ☐ Podium ☐ Coffee Pot ☐ Microphone ☐ US & California Flag
***Projectors and other electronic equipment including extension cords are not available for use**

	YES	NO		YES	NO
Is event open to the public?	☒	☐	Will refreshments be served?	☐	☒
Will admission be charged?	☐	☒	Will refreshments sold?	☒	☐
Are you a non-profit organization?	☒	☐	Will you be using the kitchen?	☒	☐
Will there be music?	☐	☒	Will alcohol be served?*	☐	☒
Live music or DJ? <u>None</u>			Will alcohol be sold?*	☐	☒

Name, of DJ or band: _____

* Alcohol is prohibited at youth oriented events.

DJ or band phone number and address: _____
Work Phone Cell Phone
Street City State Zip

Applicant will provide the following items 30 days prior to the event:

- ☐ Full payment of all applicable fees
- ☐ Copy of event security contract by licensed company (if applicable)
- ☐ Proof of liability insurance
- ☐ Copy of ABC license (if applicable)

☒ I will be using the Hall only ☐ I will be using the Hall & Kitchen only ☐ I will be using the Hall / Kitchen & Dance Studio ☐

I have read and agree to the Laguna Grande Hall Rules, Regulations and Conditions of Use on the back side of this form.

Applicant Signature [Signature] Date 8/7/13

FOR OFFICE USE ONLY			
Deposit:	_____	Amount Paid:	_____
Hourly Fees:	_____	Date:	_____
Insurance:	_____	Balance Due:	_____
Alcohol Deposit:	_____	Balance Due Date:	_____
Total Fees:	_____	Staff Approval:	_____
		Notes:	_____

OLDEMEYER CENTER
Room Fees & Requirements

Fee Description <i>*All rentals have a 3 hour minimum</i>	Maximum Capacity	Fees Per Hour	Fees Per Hour
		Resident	Non-Resident
Laguna Grande Hall <i>Includes use of Kitchen & Dance Studio</i>			
Hourly Fee	Dining: 225	\$102.25	\$127.25
Deposit	Theater: 300	\$591.25	\$738.75
Non-Refundable Portion (25%)		\$147.81	\$184.68
Refundable Portion		\$443.44	\$554.07
Alcohol Deposit *		\$575.50	\$719.5
Non-Refundable Portion (5%)		\$143.87	\$179.87
Refundable Portion		\$431.63	\$539.63
Liability Insurance (Approximately)*		\$81 - \$207	\$81 - \$207
Security Guards (Required)* 1 guard per 50 people	Dimensions: 128' x 120'	varies	varies



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.G.

TO: City Council

FROM: Craig Malin, City Manager

BY: Nancy Towne, Recreation Services Director
Dan Meewis, Recreation Superintendent

DATE: June 21, 2018

**SUBJECT: APPROVE A FEE WAIVER AND CO-SPONSORSHIP REQUEST
FROM THE PAN-HELLENIC COUNCIL FOR COSTS ASSOCIATED
WITH THE 2019 MARTIN LUTHER KING, JR. MARCH AND
PROGRAM IN THE AMOUNT OF FIVE THOUSAND FOUR
HUNDRED AND SEVENTY-TWO DOLLARS (\$5,472.00)**

PURPOSE & RECOMMENDATION

The purpose of this item is to consider the request from Pan-Hellenic Council for a waiver of fees and costs associated with the 2018 Martin Luther King, Jr. March and program on January 21, 2019 in the amount of Five Thousand, Four Hundred and Seventy-Two Dollars (\$5,472.00). Based on previous City Council actions to waive fees and costs associated with the Martin Luther King Event, it is recommended that the request be approved.

BACKGROUND

The Pan-Hellenic Council is planning to hold their annual march and post-march event honoring Martin Luther King, Jr. on Monday, January 21, 2019 from 8:00 a.m. to 4:00 p.m. The Pan-Hellenic Council has been the primary sponsor of this march since 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.

The Pan-Hellenic Council is requesting full fee waivers for costs associated with the 2019 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:

Auditorium	\$818.00
Fee Waiver Application Fee	\$ 90.00
Deposit (non-refundable portion)	\$148.00
Police Fees	\$217.00
Public Works Fees	<u>\$4,199.00</u>
TOTAL	\$5,472.00

ATTACHMENTS

1. MLK 2019 March Fee Waiver & Special Event Application

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



City of Seaside
FEE WAIVER REQUEST

Name of Applicant Alice Jordan Organization Pan-Hellenic Council
Address 1265 Mescal St. Seaside CA 93955
Street City State Zip
Home Phone 831-899-3391 Cell Phone 404-310-8485 Email Address Jordan@sonic.net
Room(s) Requested Laguna Grande, Dance Bayonet, Black Horse
Day(s) and Date(s) Requested Monday, January 21, 2019
Hours Requested (include set-up time) 8am - 4pm Estimated Attendance 400 + (plus)
Description of Event This is a joint partnership with the NAACP and the City of Seaside MLK Event (March & Program).
Special Instructions or Equipment to Be Brought In Podium, microphone, United States and CA flags
Reason for Requesting Fee Waiver
a joint event with the city of Seaside, NAACP and Kiwanis. The entire community of Seaside is invited to participate in Dr. King Day Celebration
Have you received a Fee Waiver in the past? Yes ☒ No ☐
If so, what was the date of your event? Monday, JAN 21, 2019
Is your organization based in Seaside? Yes ☒ No ☐
What percentage of your members or participants resides in Seaside? 80-90%
What is your organization's tax identification number? ID # 113693881
Is organization able to provide liability insurance? NO, IN the past the city of Seaside
Will alcohol be served or sold at your event? Yes ☐ No ☒ provided insurance
Applicant Signature Alice Jordan on behalf of Date 6/4/18
Pan-Hellenic Council

FOR OFFICE USE ONLY

Approved: _____
Denied: _____
Appealed: _____

Security Required? Yes ☐ No ☐ Notes: _____
Staff Approval: _____
Date: _____

Revised 5/12

2019

SPECIAL EVENT APPLICATION

Incomplete or illegible applications will not be processed. An application for a permit is NOT a permit.

ORGANIZATION NAME Pan-Hellenic Council Monterey chapter NAACP
 MAILING ADDRESS 1265 Mescal St. Seaside, CA 93955 NAACP
 CONTACT NAME Alice Jordan PHONE# 1-831-849-3391
 PHONE# 404-310-8486
 Names and phone numbers of person(s) in charge of the event who can be contacted on a 24-hour basis during the event.
 EMAIL: ajordan@sonic.net

EVENT NAME: Dr. Martin Luther King Jr. Annual March & Program

Event Category Athletic/Recreation Concert/Performance Circus
Celebration/Festival Parade/Procession/March Dance
Carnival Other Program

Setup Date 1/14/19 Time 8 AM
 Event Starts Date 1/14/19 Time 8 AM
 Event Ends Date 1/14/19 Time 8 AM
 Dismantle Date 1/14/19 Time 8 AM

SITE LOCATION Oldemeyer Center (program)

DESCRIPTION OF EVENT-PLEASE ATTACH SITE/ROUTE MAP

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.

The March will consist of local residents and various civic organizations, schools and churches that wish to participate. The march will begin at Broadway (OBAMA way) and 40th Buena Vista Street, the march will then head west to Fremont Street and south to Hilbo Street turning EAST to Oldemeyer Center.

SAFETY/SECURITY/ACCESSIBILITY

Please describe your procedures for crowd control and internal security.

There will be parade Marshalls consisting of Pan-Hellenic members.

NAME OF SECURITY ORGANIZATION (If required)

Please attach security contract.

N/A

* Also P.O. Box 831 - Seaside, CA 93955

SIGNS POSTED

Yes

OF PARTICIPANTS

400 + (plus)

IS THE EVENT OPEN TO THE PUBLIC? ☒ YES () NO

If no, please describe how the event will be restricted and indicate plan on detailed schematic.

IF ADMISSION IS TO BE CHARGED, WHAT IS THE PRICE OF TICKETS FOR THE EVENT?

N/A

☒ NON-PROFIT 501 C(3)

() 501 C(6)

() COMMERCIAL-FOR PROFIT

() OTHER

Federal ID#

Event Benefiting:

Seaside and the Seaside Community

WHAT CITY SERVICES DO YOU ANTICIPATE YOU WILL NEED? (IE., POLICE, FIRE, RECREATION, PUBLIC WORKS, ETC.)

Police, Public works and Recreation

METHOD OF TRASH COLLECTION/DISPOSAL AND PROVISION FOR ADDITIONAL SANITARY FACILITIES

Available Trash bins around Oldemeyer Center for Trash disposal.

PARKING ARRANGEMENTS:

Public Parking Needs

Parking around Oldemeyer is adequate.

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

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?
of Vendors

() YES ☒ NO

Describe the type of merchandise.

WILL ALCOHOL BE SERVED? () YES ☒ NO
WILL ALCOHOL BE SOLD? () YES ☒ NO
If yes, please attach ABC license.

WILL EVENT INCLUDE MUSIC OR LIVE PERFORMANCES? ☒ YES () NO

HOW WILL EVENT BE ADVERTISED AND PROMOTED?

Through local News media, letters and flyers

WILL FILM, VIDEO, OR PHOTOGRAPHY BE INVOLVED WITH THE PRODUCTION OF THE EVENT?

Yes

OTHER PERTINENT INFORMATION OR SPECIAL REQUESTS

This event is under the Co-sponsorship with the City of Seaside.

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.

Permit Holder's Signature *[Signature]* on behalf of _____ Date *6/4/2018*

The Pan-Hellenic Council

APPLICATION MUST INCLUDE:

Non-refundable Application Fee of \$90.00

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: N. Towne
986 Hilby Avenue

Risk Manager. Please obtain the required insurance and mail an original insurance certificate to City of Seaside, Recreation and Community Activities Department, P.O. box 810, Seaside, CA 93955.

Name of insurance agent _____ Agent's Name _____
Business Phone _____ 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.

Date _____

Signature of Permit Holder _____

Insurance is provided by the City of Seaside
.....
Administrative Use Only

Sign Off

☐ Building _____
☐ Planning _____

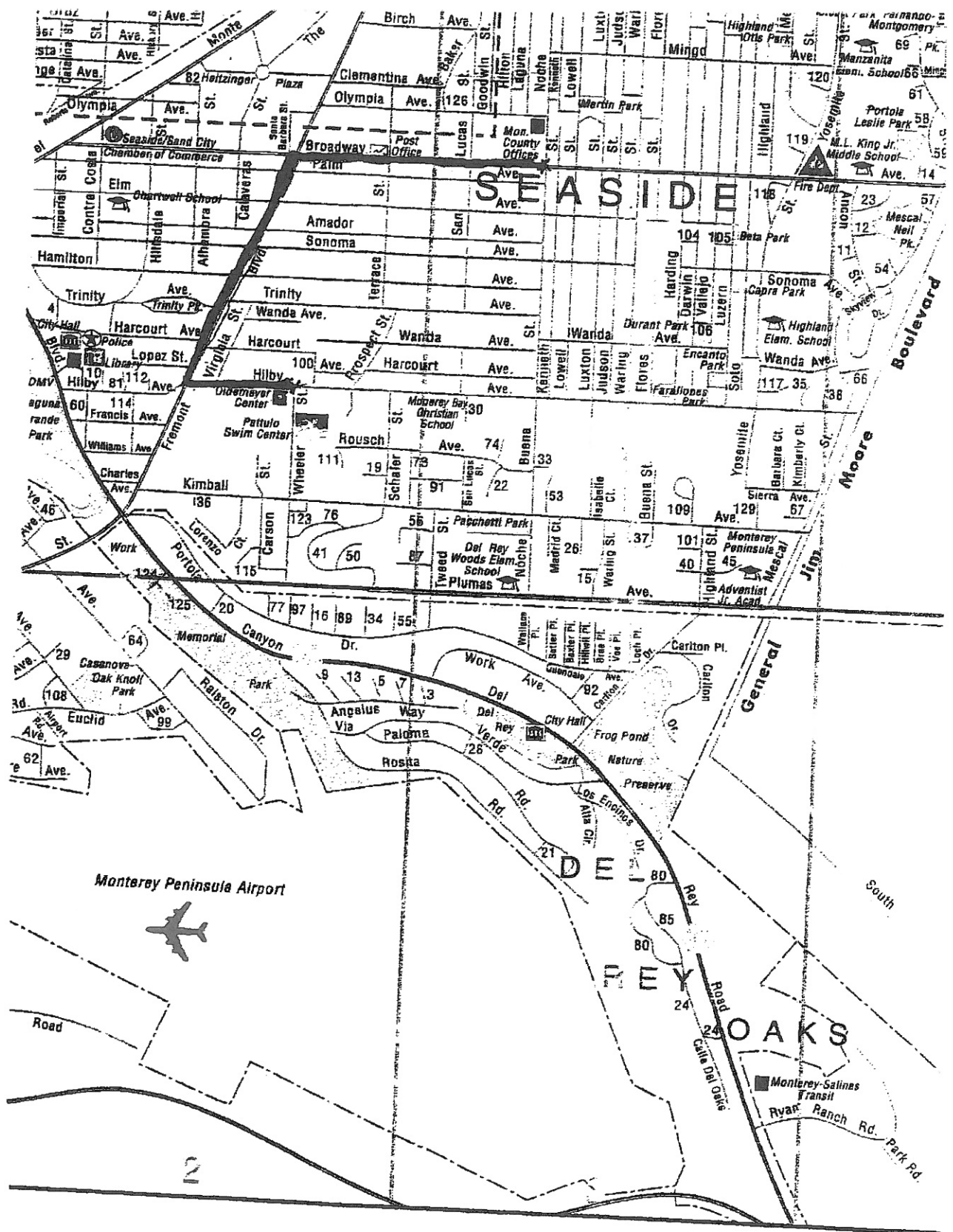
☐ Recreation _____
☐ Finance _____

☐ Police _____
☐ Fire _____

☐ Public Works _____
☐ County Health _____

Department Comments

Special Event application form
Revised February 18, 2014





**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.H.

TO: City Council

FROM: Craig Malin, City Manager

BY: Nancy Towne, Recreation Services Director
Dan Meewis, Recreation Superintendent

DATE: June 21, 2018

**SUBJECT: APPROVE A CO-SPONSORSHIP AND FEE WAIVER REQUEST FOR
2018 HOT CARS COOL NITES CAR SHOWS**

PURPOSE & RECOMMENDATION

The purpose of this item is for the City Council to consider a request from Gold Coast Rods for co-sponsorship of and to waive fees associated with the Hot Cars/Cool Nites Classic Car Show to be held on July 20, 2018 and August 17, 2018 in the amount of Six Thousand, Twenty-Two Dollars and Ninety Cents (\$6,022.90).

BACKGROUND

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

The 2014 and 2015 events were approved for co-sponsorship and fee waivers for costs associated with police and public works services. The Fee Waiver request was approved to close the streets on Broadway Avenue between Calaveras and Hillsdale and detour traffic during the event.

Gold Coast Rods has submitted a Special Event Application and is requesting all fees be waived for this year's event to be held July 20, 2018 and August 17, 2018. Gold Coast Rods will provide the insurance coverage and portable toilets.

FISCAL IMPACT

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

Special Event Application \$90.00
Public Works Staff: \$5,245.30 @\$2,622.65 per event
Police Staff: \$687.60 @\$343.80 per event

TOTAL: \$6,022.90

ATTACHMENTS

1. Gold Coast Fee Waiver 2018

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



City of Seaside
FEE WAIVER REQUEST

Name of Applicant Otis Stevenson Organization Gold Coast Rods
Address PO BOX 2672 Mtry CA 93940
Street City State Zip
Home Phone 601-2375 Cell Phone _____ Email Address Otis Autosoles @ gmail.com

Room(s) Requested SPECIAL EVENT - HOT CARS - COOL NITES

Day(s) and Date(s) Requested JULY 20 AND AUG. 17

Hours Requested (include set-up time) 4:00 - 7:00 pm Estimated Attendance 100-150

Description of Event CAR SHOW - ANNUAL EVENT.

Special Instructions or Equipment to Be Brought In _____

Reason for Requesting Fee Waiver

Have you received a Fee Waiver in the past? Yes ☒ No ☐

If so, what was the date of your event? Annual Event

Is your organization based in Seaside? Yes ☒ No ☐

What percentage of your members or participants resides in Seaside? 75%

Are you a registered non-profit organization? Yes ☐ No ☐

What is your organization's non-profit number? _____

Is organization able to provide liability insurance? _____

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

Applicant Signature N. Tami for HCCN Date 6/8/18

FOR OFFICE USE ONLY

Approved: _____
Denied: _____
Appealed: _____

Security Required? Yes ☐ No ☐ Notes: _____
Staff Approval: _____
Date: _____

SPECIAL EVENT APPLICATION

Incomplete or illegible applications will not be processed. An application for a permit is NOT a permit.

ORGANIZATION

NAME GOLD COAST RODS

MAILING

ADDRESS PO BOX 2672 MTHY CA 93948

CONTACT

NAME Otis Stevenson PHONE# 831 601 2375

PHONE#

Names and phone numbers of person(s) in charge of the event who can be contacted on a 24-hour basis during the event.

EMAIL: Otis Auto Sales @ Gmail . com

EVENT

NAME: HOT CARS COOL NIGHTS

Event Category Athletic/Recreation Concert/Performance

 Circus

 Celebration/Festival

 Dance

 Parade/Procession/March

 Other CAR show

Setup Date July 20, 2018 Time 4pm (Both dates)
Event Starts Date Aug 17, 2018 Time

Event Ends Date Time
Dismantle Date July 20, 2018 Time 7pm (Both dates)
Aug 17, 2018

SITE

LOCATION Lower Broadway

DESCRIPTION OF EVENT-PLEASE ATTACH SITE/ROUTE MAP

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.

CLASSIC CARS PARKED ON
BROADWAY

SAFETY/SECURITY/ACCESSIBILITY

Please describe your procedures for crowd control and internal security

NAME OF SECURITY ORGANIZATION (If required)

Please attach security contract.

SIGNS

POSTED

OF PARTICIPANTS 100 TO 150

IS THE EVENT OPEN TO THE PUBLIC? ☒ YES () NO

If no, please describe how the event will be restricted and indicate plan on detailed schematic.

IF ADMISSION IS TO BE CHARGED, WHAT IS THE PRICE OF TICKETS FOR THE EVENT? \$5.00

() NON-PROFIT 501 C(3) () 501 C(6) () COMMERCIAL-FOR PROFIT
() OTHER

Federal ID# 77000 726 3

Event

Benefiting: LOCAL CHARITIES

WHAT CITY SERVICES DO YOU ANTICIPATE YOU WILL NEED? (IE., POLICE, FIRE, RECREATION, PUBLIC WORKS, ETC.)

PUBLIC WORKS FOR BARRIERS

METHOD OF TRASH COLLECTION/DISPOSAL AND PROVISION FOR ADDITIONAL SANITARY FACILITIES

WILL FILM, VIDEO, OR PHOTOGRAPHY BE INVOLVED WITH THE PRODUCTION OF THE EVENT?

NO

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.

Permit Holder's Signature

OTIS STEVENSON

Date

6-7-2018

APPLICATION MUST INCLUDE:

Non-refundable Application Fee of \$90.00

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: N. Towne
986 Hilby Avenue
Seaside, CA 93955
(831) 899-6801 (P)
(831) 899-6274 fax
email: towne.nancy@ci.seaside.ca.us**

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.).

PARKING ARRANGEMENTS:

Public Parking Needs

None

SPECIAL EQUIPMENT TO BE USED FOR PROPOSED EVENT. LIST ALL ELECTRICAL NEEDS YOU MAY REQUIRE

None

☒ P.A. System

☐ Generator(s)

☒ Amplified sound/music

☐ Booths

☐ Bleachers

☐ Cooking fuel

☐ Tents

☐ Banners

☒ Barricades

☐

Other _____

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

of Vendors _____

Describe the type of merchandise.

WILL ALCOHOL BE SERVED? ☐ YES ☒ NO

WILL ALCOHOL BE SOLD? ☐ YES ☒ NO

If yes, please attach ABC license.

WILL EVENT INCLUDE MUSIC OR LIVE PERFORMANCES? ☒ YES ☐ NO

HOW WILL EVENT BE ADVERTISED AND PROMOTED?

WRB News Papers

- 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.

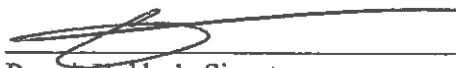
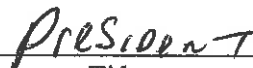
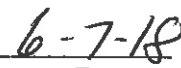
PROVISIONS

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.




 Permit Holder's Signature Title Date

INDEMNIFICATION, DEFENSE, HOLD HARMLESS

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

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

Name of insurance agent MANDIE MAZER Agent's
 Name CLIFFORD + BRADFORD
 Business Phone 361 283 8100 Policy
 Number 361 283 8100
MANDIE MAZER

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

6-7-18
Date

Packet Page 69



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.I.

TO: City Council

FROM: Craig Malin, City Manager

BY: Roberta Greathouse, Human Resources Director

DATE: June 21, 2018

SUBJECT: APPROVE A RESOLUTION MODIFYING THE CLASSIFICATION PLAN TO ADD THE CLASSIFICATIONS OF COMMUNITY DEVELOPMENT DIRECTOR, CHIEF BUILDING OFFICIAL, ECONOMIC DEVELOPMENT DIRECTOR, HUMAN RESOURCES DIRECTOR / RISK MANAGER, AND PUBLIC WORKS DIRECTOR / CITY ENGINEER

PURPOSE & RECOMMENDATION

It is recommended that the City Council adopt the resolution modifying the Classification Plan to include the classifications of Community Development Director, Chief Building Official, Economic Development Director, Human Resources Director / Risk Manager, and Public Works Director / City Engineer.

BACKGROUND

The City Manager and the management team continually evaluate the City's organizational structure to ensure it is efficient and effective. Prior to February of 2016, the City's Executive Management Team consisted of the Police Chief, Fire Chief, Deputy City Manager of Administrative Services, and Deputy City Manager of Resource Management Services. While this team was competent and knowledgeable, it was too small. The City Manager began the process to expand the Executive Team to include professionals from a wider range of disciplines and backgrounds in order to provide greater diversity of thought and insight to increase the team's effectiveness.

In February of 2016, the Human Resources Manager and Recreation Services Manager were upgraded to Department Directors, however when the Deputy City Manager of Resource Management Services retired in July of 2016, that position was left vacant and the various division managers reported directly to the City Manager who served as the Department Director for all of those divisions.

The draft 2018/2019 budget that was presented to the City Council on June 7, 2018, reflected an improved organizational structure with Department Directors serving over the Community Development, Economic Development, Building, and Public Works / Engineering Departments. The addition of these positions will provide greater stability and accountability for the each of the departments. The proposed positions will be unrepresented and at-will and the benefits for these classifications are outlined in the Executive Managers Compensation Plan adopted by the City Council on March 2, 2017. These positions will be filled internally.

In addition, the Deputy City Manager of Administrative Services will be retiring in August. The budget also reflects replacing the Deputy City Manager of Administrative Services position with a Finance Director and assigning the Risk Management functions to the Human Resources Director, whose title will be changed to Human Resources Director / Risk Manager effective August 11, 2018.

The annual salaries for these positions will be set at:

Chief Building Official: \$125,000
Community Development Director: \$125,000
Economic Development Director: \$125,000
Human Resources Director / Risk Manager: \$153,251
Finance Director: \$158,495
Public Works Director / City Engineer: \$158,495

FISCAL IMPACT

These proposed changes were incorporated into the draft 18/19 Fiscal Year Budget.

The net cost of these changes is approximately \$9,300:

Annual savings - Finance Director vs DCM Admin Services: \$29,500
Additional annual cost to upgrade positions: \$38,800

ATTACHMENTS

1. Resolution
2. Economic Development Director Job Description
3. Community Development Director Job Description
4. Chief Building Official Job Description
5. Human Resources Director / Risk Mgr Job Description
6. Public Works Director / City Engineer Job Description

Reviewed for Submission to the
City Council by:

Meeting Date: June 21, 2018



Craig Malin, City Manager

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE MODIFYING THE CLASSIFICATION PLAN TO ADD THE CLASSIFICATIONS OF COMMUNITY DEVELOPMENT DIRECTOR, CHIEF BUILDING OFFICIAL, ECONOMIC DEVELOPMENT DIRECTOR, HUMAN RESOURCES DIRECTOR / RISK MANAGER, AND PUBLIC WORKS DIRECTOR / CITY ENGINEER

WHEREAS, the City's Classification Plan of positions may be amended on recommendation of the City Manager and approval by the City Council; and

WHEREAS, there is a need to add the positions of Community Development Director, Chief Building Official, Economic Development Director, Human Resources Director / Risk Manager, and Public Works Director / City Engineer to the Classification Plan, create appropriate position descriptions, and establish the salaries for the new classifications;

WHEREAS, the new classifications will be exempt, at-will, and can be terminated with or without notice or cause and with no rights of appeal; and

WHEREAS, the benefits for the Directors will be consistent with the benefits provided to the City's other Department Directors as outlined in the Executive Managers Compensation Plan adopted by the City Council on March 2, 2017.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve adding the following positions to the City's Classification Plan:

<u>Position</u>	<u>Annual Salary</u>
Chief Building Official	\$125,000
Community Development Director	\$125,000
Economic Development Director	\$125,000
Human Resources Director / Risk Manager	\$153,251
Finance Director	\$158,495
Public Works Director / City Engineer	\$158,495

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside hereby approves adding these positions to the classification plan and establishing the salaries as outlined above.

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

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

Ralph Rubio, Mayor
City of Seaside

ATTEST:

Lesley Milton, City Clerk



JULY 2018
FLSA: EXEMPT

ECONOMIC DEVELOPMENT DIRECTOR

DEFINITION

Under administrative direction of the City Manager, plans, organizes, manages, and provides direction and oversight for all functions and activities of the Economic Development Department; coordinates assigned activities with other City departments, officials, outside agencies, and the public; fosters cooperative working relationships among City departments and with intergovernmental and regulatory agencies and various public and private groups; provides highly responsible and complex professional assistance to the City Manager in areas of expertise; and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives administrative direction from the City Manager. The work provides for a wide variety of independent decision-making, within legal and general policy and regulatory guidelines. Exercises general direction and supervision over professional, technical, and administrative support staff either directly or through subordinate levels of supervision.

CLASS CHARACTERISTICS

This is a department head classification that oversees, directs, and participates in all activities of the Economic Development Department. Successful performance of the work requires knowledge of public policy, municipal functions and activities, including the role of an elected City Council, and the ability to develop, oversee, and implement projects and programs in a variety of areas. Responsibilities include performing and coordinating the activities of the department with those of other departments and outside agencies and managing and overseeing the complex and varied functions of the department; and developing, implementing, and interpreting public policy.

EXAMPLES OF ESSENTIAL JOB FUNCTIONS (Illustrative Only)

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

- Assumes full management responsibility for all Economic Development Department programs, services, and activities.
- Develops, directs, and coordinates the implementation of goals, objectives, policies, procedures, and work standards for the department; establishes, within City policy, appropriate budget, service, and staffing levels.
- Plans, directs, and coordinates the Economic Development Department's work plan; meets with management staff to identify and resolve problems; assigns projects and programmatic areas of responsibility; reviews and evaluates work methods and procedures.
- Represents City in discussions with private developers and public agencies regarding City's participation in potential development projects. Negotiates financial and other terms under which City may undertake such projects.

- Represents the City in meetings with developers, builders, citizens and other governmental agencies.
- Develops programs to attract quality developers/development projects to the City.
- Oversees the work performed by consultant staff hired by the City. Evaluates services performed and costs for services performed by external consultants, vendors, and contractors.
- Meets with real estate brokers and owners of vacant and underutilized commercial properties to identify occupancy and development constraints, and works with property owners and City staff to minimize or eliminate those constraints.
- Meets with business representatives to determine overall growth and development needs and goals, in order to formulate needed economic development activities, programs and plans.
- Evaluates, identifies, and promotes model community and business/economic development projects.
- Manages and participates in the development and administration of the department's annual budget; directs the forecast of additional funds needed for staffing, equipment, materials, and supplies; directs the monitoring of and approves expenditures; directs and implements adjustments as necessary.
- Selects, trains, motivates, and directs department personnel; evaluates and reviews work for acceptability and conformance with department standards, including program and project priorities and performance evaluations; works with employees on performance issues; implements discipline and termination procedures; responds to staff questions and concerns.
- Contributes to the overall quality of the department's service by developing, reviewing, and implementing policies and procedures to meet legal requirements and City needs; continuously monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures; assesses and monitors the distribution of work, support systems, and internal reporting relationships; identifies opportunities for improvement; directs the implementation of change.
- Represents the Economic Development Department to other City departments, elected officials, and outside agencies; explains and interprets departmental programs, policies, and activities; negotiates and resolves significant and controversial issues.
- Conducts a variety of departmental organizational and operational studies and investigations; recommends modifications to programs, policies, and procedures as appropriate.
- Makes presentations to the City Council, Successor Agency Board, and a variety of other boards and commissions; attends and participates in professional group meetings; stays abreast of new trends and innovations in the field of Economic Development and other services as they relate to the area of assignment.
- Maintains and directs the maintenance of working and official departmental files.
- Monitors changes in laws, regulations, and technology that may affect City or departmental operations; implements policy and procedural changes as required.
- Prepares, reviews, and presents staff reports, various management and information updates, and reports on special projects as assigned by the City Manager.
- Responds to difficult and sensitive public inquiries and complaints and assists with resolutions and alternative recommendations.
- Performs other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Principles and practices of public and private financing mechanisms commonly used to fund development projects.

- Principles of real estate including property acquisition, disposition, and marketing. Administrative principles and practices, including goal setting, program development, implementation, and evaluation and supervision of staff either directly or through subordinate levels of supervision.
- Organizational and management practices as applied to the analysis and evaluation of projects, programs, policies, procedures, and operational needs; principles and practices of municipal government administration.
- Principles and practices of Economic development functions.
- Federal and State regulations and guidelines pertinent to the areas of responsibility.
- Public agency budgetary, contract administration, City-wide administrative practices, and general principles of risk management related to the functions of the assigned area.
- Basic terminology, methods, techniques and practices of the operation and maintenance of computer servers, network systems, and personal computer hardware and software.
- Applicable Federal, State, and local laws, codes, and regulations.
- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Technical, legal, financial, and public relations issues associated with the administration of Economic development programs.
- Methods and techniques for the development of presentations, contract negotiations, business correspondence, and information distribution; research and reporting methods, techniques, and procedures.
- Record keeping principles and procedures.
- Modern office practices, methods, financial programs, and computer equipment and applications related to the work.
- English usage, grammar, spelling, vocabulary, and punctuation.
- Techniques for effectively representing the City in contacts with governmental agencies, Economic groups, and various business, professional, educational, regulatory, and legislative organizations.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

Ability to:

- Develop and implement goals, objectives, policies, procedures, work standards, and internal controls for the department and assigned program areas.
- Provide administrative and professional leadership and direction for the department and the City.
- Prepare and administer large and complex budgets; allocate limited resources in a cost effective manner.
- Interpret, apply, and ensure compliance with Federal, State, and local policies, procedures, laws, and regulations.
- Plan, organize, direct, and coordinate the work of management, supervisory, professional, and technical personnel; delegate authority and responsibility; select, motivate, and evaluate the work of staff and train staff in work procedures.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Effectively administer special projects with contractual agreements and ensure compliance with stipulations; effectively administer a variety of administrative services programs and administrative activities.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.

- Establish and maintain a variety of filing, record-keeping, and tracking systems.
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.
- Operate modern office equipment including computer equipment and specialized software applications programs.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

Graduation from an accredited four-year college or university with major coursework in planning, public administration, business administration, or a closely related field and five (5) years of increasingly responsible experience in related areas, including supervisory experience, preferably in municipal administration. A Master's degree is desirable.

Licenses and Certifications:

- Possession of, or ability to obtain, a valid California Driver's License by time of appointment.

PHYSICAL DEMANDS

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

ENVIRONMENTAL ELEMENTS

Employees partially work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to potentially hazardous physical substances. Employees also work in the field and may be exposed to hot and cold temperatures, inclement weather conditions, loud noise levels, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.



JULY 2018
FLSA: EXEMPT

COMMUNITY DEVELOPMENT DIRECTOR

DEFINITION

Under administrative direction of the City Manager, plans, organizes, manages, and provides direction and oversight for all functions and activities of the Community Development Department; coordinates assigned activities with other City departments, officials, outside agencies, and the public; fosters cooperative working relationships among City departments and with intergovernmental and regulatory agencies and various public and private groups; provides highly responsible and complex professional assistance to the City Manager in areas of expertise; and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives administrative direction from the City Manager. The work provides for a wide variety of independent decision-making, within legal and general policy and regulatory guidelines. Exercises general direction and supervision over professional, technical, and administrative support staff either directly or through subordinate levels of supervision.

CLASS CHARACTERISTICS

This is a department head classification that oversees, directs, and participates in all activities of the Community Development Department, including short- and long-term planning, and administration of departmental policies, procedures, and services. Responsibilities include performing and coordinating the activities of the department with those of other departments and outside agencies; managing and overseeing the complex and varied functions of the department; and developing, implementing, and interpreting public policy.

EXAMPLES OF ESSENTIAL JOB FUNCTIONS (Illustrative Only)

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

- Assumes full management responsibility for all Community Development Department programs, services, and activities including short and long range planning and Community Development Block Grant Programs.
- Develops, directs, and coordinates the implementation of goals, objectives, policies, procedures, and work standards for the department; establishes, within City policy, appropriate budget, service, and staffing levels.
- Plans, directs, and coordinates the Community Development Department's work plan; meets with management staff to identify and resolve problems; assigns projects and programmatic areas of responsibility; reviews and evaluates work methods and procedures.
- Manages and participates in the development and administration of the department's annual budget; directs the forecast of additional funds needed for staffing, equipment, materials, and supplies; directs the monitoring of and approves expenditures; directs and implements adjustments as necessary.

- Selects, trains, motivates, and directs department personnel; evaluates and reviews work for acceptability and conformance with department standards, including program and project priorities and performance evaluations; works with employees on performance issues; implements discipline and termination procedures; responds to staff questions and concerns.
- Contributes to the overall quality of the department's service by developing, reviewing, and implementing policies and procedures to meet legal requirements and City needs; continuously monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures; assesses and monitors the distribution of work, support systems, and internal reporting relationships; identifies opportunities for improvement; directs the implementation of change.
- Represents the Community Development Department to other City departments, elected officials, and outside agencies; explains and interprets departmental programs, policies, and activities; negotiates and resolves significant and controversial issues.
- Conducts a variety of departmental organizational and operational studies and investigations; recommends modifications to programs, policies, and procedures as appropriate.
- Makes presentations to the City Council, Successor Agency Board, and a variety of other boards and commissions; attends and participates in professional group meetings; stays abreast of new trends and innovations in the field of Community Development and other services as they relate to the area of assignment.
- Maintains and directs the maintenance of working and official departmental files.
- Monitors changes in laws, regulations, and technology that may affect City or departmental operations; implements policy and procedural changes as required.
- Prepares, reviews, and presents staff reports, various management and information updates, and reports on special projects as assigned by the City Manager.
- Responds to difficult and sensitive public inquiries and complaints and assists with resolutions and alternative recommendations.
- Performs other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Administrative principles and practices, including goal setting, program development, implementation, and evaluation and supervision of staff either directly or through subordinate levels of supervision.
- Organizational and management practices as applied to the analysis and evaluation of projects, programs, policies, procedures, and operational needs; principles and practices of municipal government administration.
- Public agency budgetary, contract administration, administrative practices, and general principles of risk management related to the functions of the assigned area.
- Principles and practices of community development functions.
- Federal and State regulations and guidelines pertinent to the areas of responsibility.
- Basic terminology, methods, techniques and practices of the operation and maintenance of computer servers, network systems, and personal computer hardware and software.
- Applicable Federal, State, and local laws, codes, and regulations.
- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Technical, legal, financial, and public relations issues associated with the administration of community development programs.

- Methods and techniques for the development of presentations, contract negotiations, business correspondence, and information distribution; research and reporting methods, techniques, and procedures.
- Record keeping principles and procedures.
- Modern office practices, methods, financial programs, and computer equipment and applications related to the work.
- English usage, grammar, spelling, vocabulary, and punctuation.
- Techniques for effectively representing the City in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

Ability to:

- Develop and implement goals, objectives, policies, procedures, work standards, and internal controls for the department and assigned program areas.
- Provide administrative and professional leadership and direction for the department and the City.
- Prepare and administer large and complex budgets; allocate limited resources in a cost effective manner.
- Interpret, apply, and ensure compliance with Federal, State, and local policies, procedures, laws, and regulations.
- Plan, organize, direct, and coordinate the work of management, supervisory, professional, and technical personnel; delegate authority and responsibility; select, motivate, and evaluate the work of staff and train staff in work procedures.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Effectively administer special projects with contractual agreements and ensure compliance with stipulations; effectively administer a variety of administrative services programs and administrative activities.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.
- Establish and maintain a variety of filing, record-keeping, and tracking systems.
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.
- Operate modern office equipment including computer equipment and specialized software applications programs.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

Graduation from an accredited four-year college or university with major coursework in planning, public administration, business administration, or a closely related field and five (5) years of increasingly responsible experience in related areas, including supervisory experience, preferably in municipal administration. A Master's degree is desirable.

Licenses and Certifications:

- Possession of, or ability to obtain, a valid California Driver's License by time of appointment.

PHYSICAL DEMANDS

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

ENVIRONMENTAL ELEMENTS

Employees partially work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to potentially hazardous physical substances. Employees also work in the field and may be exposed to hot and cold temperatures, inclement weather conditions, loud noise levels, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.



JULY 2018
FLSA: EXEMPT

CHIEF BUILDING OFFICIAL

DEFINITION

Under administrative direction of the City Manager, plans, organizes, manages, and provides direction and oversight for all functions and activities of the Building Department; coordinates assigned activities with other City Departments, officials, outside agencies, and the public; fosters cooperative working relationships among City Departments and with intergovernmental and regulatory agencies and various public and private groups; provides highly complex and professional assistance to the City Manager in areas of expertise; and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives administrative direction from the City Manager. The work provides for a wide variety of independent decision-making, within legal and general policy and regulatory guidelines. Exercises general direction and supervision over professional, technical, and administrative support staff either directly or through subordinate levels of supervision.

CLASS CHARACTERISTICS

This is a department head classification that oversees, directs, and participates in all activities of the Building Department, including building inspection, plans examination, permit processing, and code compliance. Responsibilities include performing and coordinating the activities of the department with those of other departments and outside agencies; managing and overseeing the complex and varied functions of the department; and developing, implementing, and interpreting public policy.

EXAMPLES OF ESSENTIAL FUNCTIONS (Illustrative Only)

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

- Assumes full management responsibility for all Building Department programs, services, and activities including building inspection, plans examination, permit processing, code compliance, and the City Hall customer service counter.
- Develops, directs, and coordinates the implementation of goals, objectives, policies, procedures, and work standards for the department; establishes, within City policy, appropriate budget, service, and staffing levels.
- Plans, directs, and coordinates the Building Department's work plan; meets with management staff to identify and resolve problems; assigns projects and programmatic areas of responsibility; reviews and evaluates work methods and procedures.
- Manages and participates in the development and administration of the department's annual budget; directs the forecast of additional funds needed for staffing, equipment, materials, and supplies; directs the monitoring of and approves expenditures; directs and implements adjustments as necessary.

- Selects, trains, motivates, and directs department personnel; evaluates and reviews work for acceptability and conformance with department standards, including program and project priorities and performance evaluations; works with employees on performance issues; implements discipline and termination procedures; responds to staff questions and concerns.
- Contributes to the overall quality of the department's service by developing, reviewing, and implementing policies and procedures to meet legal requirements and City needs; continuously monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures; assesses and monitors the distribution of work, support systems, and internal reporting relationships; identifies opportunities for improvement; directs the implementation of change.
- Represents the Building Department to other City departments, elected officials, and outside agencies; explains and interprets departmental programs, policies, and activities; negotiates and resolves significant and controversial issues.
- Conducts a variety of departmental organizational and operational studies and investigations; recommends modifications to programs, policies, and procedures as appropriate.
- Makes presentations to the City Council, Successor Agency Board, and a variety of other boards and commissions; attends and participates in professional group meetings; stays abreast of new trends and innovations in related fields and other services as they relate to the area of assignment.
- Maintains and directs the maintenance of working and official departmental files.
- Monitors changes in laws, regulations, and technology that may affect City or departmental operations; implements policy and procedural changes as required.
- Prepares, reviews, and presents staff reports, various management and information updates, and reports on special projects as assigned by the City Manager.
- Responds to difficult and sensitive public inquiries and complaints and assists with resolutions and alternative recommendations.
- Serves as the City's Building Official and performs field inspections of new and existing residential, commercial, and industrial properties for conformance to codes, regulations, plans, specifications, and standards related to foundations, framing, electrical, mechanical, plumbing, housing, soil testing, access, life safety, and other functional elements.
- Serves as the City's American's with Disability Act (ADA) Coordinator.
- Serves as source of information for developers, engineers, property owners, and contractors regarding Building Code and City construction regulations; reviews complex code applications for requested code modifications and alternate materials and methods; represents the Department and City in Building Code disputes and litigations.
- Performs preliminary review of projects submitted to the Neighborhood Improvement Commission; performs site inspections of construction projects to ensure compliance with Federal, State, and local construction codes works closely with other departments in addressing City construction projects and code interpretations.
- Issues Certificates of Occupancy for new construction; addresses building appeals relating to City codes and ordinances; reviews alternate materials and methods of construction and unreasonable hardship requests; oversees special inspection programs.
- Negotiates, administers, and manages contracts for services.
- Conducts a variety of organizational studies, investigations, and operational studies; recommends modifications to programs, policies, and procedures, as appropriate.
- Performs other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Administrative principles and practices, including goal setting, program and project development, implementation, management, and evaluation and supervision of staff either directly or through subordinate levels of supervision.
- Organizational and management practices as applied to the analysis and evaluation of projects, programs, policies, procedures, and operational needs; principles and practices of municipal government administration.
- Public agency budgetary, contract administration, City-wide administrative practices, and general principles of risk management related to the functions of the assigned area.
- Principles and practices of employee supervision, either directly or through subordinate levels of supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Applicable Federal, State, and local laws, rules, regulations, ordinances, and organizational policies and procedures pertinent to the areas of responsibility.
- Recent and on-going developments, current literature, and sources of information related to the operations of areas of responsibility.
- Principles, practices, methods, materials, techniques, and safety standards of building construction, building inspection, and structural design for commercial, industrial, and residential buildings.
- Building, plumbing, electrical, mechanical, life safety, energy, housing, zoning, and related codes.
- Principles and practices of plan checking and plan review processes; basic principles and practices of civil and structural engineering.
- Business letter writing and report preparation techniques.
- Records management principles and practices.
- Modern office practices, methods, and computer equipment and applications related to the work.
- English usage, grammar, spelling, vocabulary, and punctuation.
- Techniques for effectively representing the City in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

Ability to:

- Develop and implement goals, objectives, policies, procedures, work standards, and internal controls for the department and assigned program areas.
- Provide administrative and professional leadership and direction for the department and the City.
- Prepare and administer large and complex budgets; allocate limited resources in a cost effective manner.
- Perform the most complex building inspection duties.
- Plan, organize, direct, and coordinate the work of management, supervisory, professional, and technical personnel; delegate authority and responsibility; select, motivate, and evaluate the work of staff and train staff in work procedures.
- Evaluate and develop improvements in operations, procedures, policies, or methods.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.

- Analyze, interpret, summarize, and present administrative and technical information and data in an effective manner.
- Interpret, apply, explain, and ensure compliance with applicable Federal, State, and local laws, rules, regulations, policies, and procedures.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.
- Effectively represent the department and the City in meetings with governmental agencies, community groups, and various businesses, professional, and regulatory organizations and in meetings with individuals.
- Establish and maintain a variety of filing, record keeping, and tracking systems.
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.
- Operate office equipment and computer applications related to the work.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

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

Equivalent to graduation from an accredited four-year college or university with major coursework in building trades, construction management, community development, engineering, architecture, or a related field and five (5) years increasingly responsible management and/or administrative experience as a building official or in plan checking and/or the enforcement of building codes with a public agency, including two (2) years of supervisory experience. A Master's degree is desirable.

Licenses and Certifications:

- Possession of, or ability to obtain, a valid California Driver's License by time of appointment.
- Certifications as Plumbing, Mechanical, Building or Combination Inspector and Plan Examiner by the International Conference of Building Officials or the International Code Council.
- Certification as a Building Official by the International Conference of Building Officials.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; to operate a motor vehicle and to visit various construction, City, and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office, partially a field classification, and standing and walking between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects weighing up to 25 pounds.

ENVIRONMENTAL ELEMENTS

Employees primarily work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to potentially hazardous physical substances. Employees partially work in the field and may be exposed to hot and cold temperatures, inclement weather conditions, loud noise levels, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures and City codes.



JULY 2018
FLSA: EXEMPT

HUMAN RESOURCES DIRECTOR / RISK MANAGER

DEFINITION

Under general direction, plans, directs, and organizes all phases of the City's centralized human resources program including labor relations, recruitment and selection, classification and compensation, employee benefits, safety, training, and employee relations; plans, directs, and manages the City's risk management program including insurance, vendor contracts, property claims management, and workers' compensation; coordinates assigned activities with other City departments, officials, outside agencies, and the public; fosters cooperative working relationships among City departments and with intergovernmental and regulatory agencies and various public and private groups; provides highly responsible and complex professional assistance to the City Manager in areas of expertise; and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the City Manager. The work provides for a wide variety of independent decision-making, within legal and general policy and regulatory guidelines. Exercises general direction and supervision over technical and administrative support staff.

CLASS CHARACTERISTICS

This is a department head classification that oversees, directs, and participates in all activities of the Human Resources Department, including short- and long-term planning and development and administration of departmental policies, procedures, and services. This class provides assistance to the City Manager in a variety of administrative, coordinative, analytical, and liaison capacities. Successful performance of the work requires knowledge of public policy and municipal functions and activities, including the role of an elected City Council, and the ability to develop, oversee, and implement projects and programs in a variety of areas. The incumbent is accountable for accomplishing departmental planning and operational goals and objectives and for furthering City goals and objectives within general policy guidelines.

EXAMPLES OF TYPICAL FUNCTIONS (Illustrative Only)

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

- Assumes management responsibility for all Human Resources programs, services, and activities, including risk management, occupational safety, worker's compensation, recruitment and selection, employee benefits administration, job analysis and classification, compensation, employee and labor relations, labor negotiations, employee training and development, and general human resources administration.

- Develops, directs, and coordinates the implementation of goals, objectives, policies, procedures, and work standards for the department; establishes, within City policy, appropriate budget, service, and staffing levels.
- Manages and participates in the development and administration of the department's annual budget; directs the forecast of additional funds needed for staffing, equipment, materials, and supplies; directs the monitoring of and approves expenditures; directs and implements adjustments as necessary; provides data necessary for the City's cost allocation plan.
- Selects, trains, motivates, and directs department personnel; evaluates and reviews work for acceptability and conformance with department standards, including program and project priorities and performance evaluations; works with employees on performance issues; implements discipline and termination procedures; responds to staff questions and concerns.
- Contributes to the overall quality of the department's service by developing, reviewing, and implementing policies and procedures to meet legal requirements and City needs; continuously monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures; assesses and monitors the distribution of work, support systems, and internal reporting relationships; identifies opportunities for improvement; directs the implementation of change.
- Manages a centralized recruitment and selection process that complies with all federal, state, and local laws and regulations; conducts interactive meetings with candidates requesting accommodation (ADA) in the testing process; oversees the selection process for new employees.
- Manages the City's training program, including new employee orientation, mandated training, health and safety training, and supervisory training; maintains training records and implement new training delivery methods and training programs.
- Administers the City's performance evaluation program, grievance procedure, and equal employment opportunity program.
- Manages the meet and confer process with employee representatives; participates in the development of the City's position with respect to the meet and confer process; prepares and reviews contract language; and prepares handouts and agendas for City Council closed session meetings.
- Manages the classification and pay plan including conducting classification reviews, salary and benefit studies, and preparing job descriptions.
- Manages the employee benefits programs including medical, dental, vision, employee assistance, life & accidental death and dismemberment, long term disability, section 125, retirement, and COBRA.
- Oversees the City's risk management functions, including general liability, property, special events, and workers' compensation.
- Participates on task forces and other City committees; and represent the City in meetings, hearings, and conferences.
- Prepares and directs the preparation of a variety of written work including contracts, Memoranda of Understanding, MOU amendments, Requests for Proposals, letters, memoranda, staff reports, resolutions, ordinances, the biannual Equal Employment Opportunity Report, and the annual OSHA Form 200.
- Advises and makes recommendations to department managers regarding complex and day-to-day personnel issues and organizational changes.
- Analyzes laws, legislation, and requirements pertaining to public personnel administration, risk management, worker safety, employee benefits, employee leaves, and general human resources related issues; recommend policy and procedural changes to implement adopted legislation.
- Serves as the Chair of the citywide safety committee and provide assistance and consultation to departments and department safety representatives on safety issues and concerns; updates the

City's executive team on safety committee needs and progress; and makes recommendations on safety improvements.

- Ensures compliance with Federal and State laws related to benefits and return to work including: Family Care and Medical Leave; Pregnancy Disability Leave; Workers' Compensation Leave; California Family Rights Act; and the Americans' with Disability Act.
- Responds to complaints from regulatory agencies such as the Equal Opportunity Employment Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH).
- Responds to requests for information from the public, other agencies, employees, employee associations, and other City departments.
- Makes presentations to the City Council, City employees, labor associations, and others as required; create handouts, agendas, and presentation materials for meetings as needed.
- Perform other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Administrative principles and practices, including goal setting, program development, implementation, and evaluation, and supervision of staff, either directly or through subordinate levels of supervision.
- Public agency budget development, contract administration, City-wide administrative practices, and general principles of risk management related to the functions of the assigned area.
- Organizational and management practices as applied to the analysis and evaluation of projects, programs, policies, procedures, and operational needs; principles and practices of municipal government administration.
- General principles of risk management related to the functions of the assigned area.
- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Principles, practices, and techniques of human resources in a public agency setting, including recruitment, selection, equal employment opportunity, and employee orientation; job analysis and classification; compensation and benefit analysis and administration; risk management, worker's compensation, and occupational safety; and employee and labor relations, including the interpretation of laws, regulations, policies, and procedures.
- Applicable Federal, State, and local laws, regulatory codes, ordinances, and procedures relevant to assigned area of responsibility.
- Technical, legal, financial, and public relations problems associated with the management of human resources programs.
- Methods and techniques for the development of presentations, contract negotiations, business correspondence, and information distribution; research and reporting methods, techniques, and procedures.
- Principles and procedures of record-keeping, technical report writing, and preparation of correspondence and presentations.
- Modern office practices, methods, and computer equipment and applications related to the work.
- English usage, grammar, spelling, vocabulary, and punctuation.
- Techniques for effectively representing the City in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

Ability to:

- Develop and implement goals, objectives, policies, procedures, work standards, and internal controls for the department and assigned program areas.
- Provide administrative and professional leadership and direction for the department and the City.
- Prepare and administer budgets; allocate limited resources in a cost effective manner.
- Interpret, apply, explain, and ensure compliance with Federal, State, and local policies, procedures, laws, and regulations.
- Plan, organize, direct, and coordinate the work of technical personnel; delegate authority and responsibility.
- Select, train, motivate, and evaluate the work of staff and train staff in work procedures.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Effectively administer a variety of human resources programs and administrative activities.
- Conduct effective negotiations and effectively represent the City and the department in meetings with governmental agencies, contractors, vendors, and various businesses, professional, regulatory, and legislative organizations.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.
- Establish and maintain a variety of filing, record-keeping, and tracking systems.
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.
- Operate modern office equipment including computer equipment and specialized software applications programs.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

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

Equivalent to graduation from an accredited four-year college or university with major coursework in human resources management, public or business administration, or a related field and seven (7) years of management and/or administrative experience in human resources, employee and labor relations, and risk management administration. A Master's degree in business or public administration or a related field is preferred.

Licenses and Certifications:

- Possession of a valid California Motor Vehicle Driver's license Class C.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; to operate a motor vehicle and to visit various City and meeting sites; vision to read printed

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

ENVIRONMENTAL ELEMENTS

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



JULY 2018
FLSA: EXEMPT

PUBLIC WORKS DIRECTOR / CITY ENGINEER

DEFINITION

Under administrative direction of the City Manager, plans, organizes, manages, and provides direction and oversight for all functions and activities of the Public Works Department; coordinates assigned activities with other City departments, divisions, outside agencies, and the public; fosters cooperative working relationships among City departments, divisions, and with intergovernmental and regulatory agencies and various public and private groups; provides highly responsible and complex professional assistance to the City Manager in areas of expertise; and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives administrative direction from the City Manager. The work provides for a wide variety of independent decision-making, within legal and general policy and regulatory guidelines. Exercises general direction and supervision over professional, technical, and administrative support staff either directly or through subordinate levels of supervision.

CLASS CHARACTERISTICS

This is a department head classification that oversees, directs, and participates in all activities of the Public Works Department, including operation and maintenance of Maintenance and Utilities Division, Engineering functions including short- and long-term Capital Improvement Program (CIP) planning, development and administration of Federal, State, and local funds for capital improvements and expansions, and providing professional-level support to the City Manager in a variety of areas. Successful performance of the work requires an extensive professional background as well as skill in coordinating departmental work with that of other City departments and public agencies. Responsibilities include performing and coordinating the activities of the department with those of other departments and outside agencies; managing and overseeing the complex and varied functions of the department; and developing, implementing, and interpreting public policy.

EXAMPLES OF ESSENTIAL JOB FUNCTIONS (Illustrative Only)

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

- Assumes full management responsibility for all Public Works Department programs, services, and activities, including all CIP planning, design, and construction, permitting and land development services, traffic and transportation engineering programs, construction inspection, real property management, operation and maintenance of water, sewer, traffic control, buildings, and streets.
- Develops, directs, and coordinates the implementation of goals, objectives, policies, procedures, and work standards for the department; establishes, within City policy, appropriate budget, service, and staffing levels.

- Manages and participates in the development and administration of the department's annual budget and capital improvement budget; directs the forecast of additional funds needed for staffing, equipment, materials, and supplies; directs the monitoring of and approves expenditures; directs and implements adjustments as necessary.
- Selects, trains, motivates, and directs department personnel; evaluates and reviews work for acceptability and conformance with department standards, including program and project priorities and performance evaluations; works with employees on performance issues; implements discipline and termination procedures; responds to staff questions and concerns.
- Contributes to the overall quality of the department's service by developing, reviewing, and implementing policies and procedures to meet legal requirements and City needs; continuously monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures; assesses and monitors the distribution of work, support systems, and internal reporting relationships; identifies opportunities for improvement; directs the implementation of change.
- Oversees the development of consultant requests for proposal for professional and/or construction services and the advertising and bid processes; evaluates proposals and recommends project award; negotiates and administers contracts after award; ensures contractor compliance with City standards and specifications, time and budget estimates; analyzes and resolves complex problems that may arise; recommends and approves field changes as required.
- Develops, recommends, implements, and oversees the City's capital improvement program; provides oversight and input into the conceptual design of engineering projects; investigates and resolves problems with scope of work or cost issues of major facility upgrade and replacement projects.
- Serves as the City Engineer and the District Engineer for the Seaside County Sanitation District.
- Analyzes civil engineering plan design, specifications, consultant and staff comments in accordance with design requirements and municipal and intergovernmental standards and regulations; recommends approval or additional engineering conditions and changes.
- Reviews and approves plans and specifications for CIP; tract and parcel maps, lot line adjustments, and legal reviews; controversial encroachment permits; and other engineering and design documents.
- Meets and confers with contractors, engineers, developers, architects, a variety of outside agencies, and the general public in acquiring information and coordinating engineering matters; provides information regarding City development requirements.
- Represents the Public Works Department to other City departments, elected officials, and outside agencies; explains and interprets departmental programs, policies, and activities; negotiates and resolves significant and controversial issues.
- Conducts a variety of departmental organizational and operational studies and investigations; recommends modifications to programs, policies and procedures as appropriate.
- Makes presentations to the City Council, Successor Agency Board, and a variety of other boards and commissions; attends and participates in professional group meetings; stays abreast of new trends and innovations in related fields and other services as they relate to the area of assignment.
- Maintains and directs the maintenance of working and official departmental files.
- Monitors changes in laws, regulations, and technology that may affect City or departmental operations; implements policy and procedural changes as required.
- Prepares, reviews, and presents staff reports, various management and information updates, and reports on special projects as assigned by the City Manager.
- Responds to difficult and sensitive public inquiries and complaints and assists with resolutions and alternative recommendations.
- Performs other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Principles and practices of municipal public works administration and engineering.
- Administrative principles and practices, including goal setting, program development, implementation, and evaluation, and supervision of staff either directly or through subordinate levels of supervision.
- Public agency budgetary, contract administration, administrative practices, and general principles of risk management related to the functions of the assigned area.
- Organizational and management practices as applied to the analysis and evaluation of projects, programs, policies, procedures, and operational needs; principles and practices of municipal government administration.
- Principles and practices of civil engineering as applied to the planning, design, cost estimating, construction, installation, and inspection of a wide variety of municipal facilities.
- Civil and transportation engineering principles, concepts, standards, and practices associated with public works programs and private development projects.
- Principles and practices of environmental impact assessment and related regulatory processes.
- Methods, materials and techniques used in the construction of public works projects.
- Applicable Federal, State, and local laws, codes, and regulations.
- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Methods and techniques for the development of presentations, contract negotiations and management, business correspondence, and information distribution; research and reporting methods, techniques, and procedures.
- Record keeping principles and procedures.
- Modern office practices, methods, and computer equipment and applications related to the work.
- English usage, grammar, spelling, vocabulary, and punctuation.
- Techniques for effectively representing the City in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors and City staff.
- Hazards and necessary safety protocols relating to public works and engineering.

Ability to:

- Develop and implement goals, objectives, policies, procedures, work standards, and internal controls for the department and assigned program areas.
- Provide administrative and professional leadership and direction for the department and the City.
- Plan, organize, and direct effective CIP and public works engineering services and programs.
- Conduct complex civil engineering research projects, evaluate alternatives, make sound recommendations and prepare effective technical reports.
- Analyze and interpret engineering plans and specifications in accordance with design requirements and applicable standards and regulations.
- Prepare and administer large and complex budgets; allocate limited resources in a cost effective manner.
- Interpret, apply, explain, and ensure compliance with Federal, State, and local policies, procedures, laws, and regulations, technical written material, and City engineering policies and procedures.

- Plan, organize, direct, and coordinate the work of supervisory, professional, and technical personnel; delegate authority and responsibility; select, motivate, and evaluate the work of staff and train staff in work procedures.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Effectively administer special projects with contractual agreements and ensure compliance with stipulations; effectively administer a variety of engineering programs and administrative activities.
- Conduct effective negotiations and effectively represent the City and the department in meetings with governmental agencies, contractors, vendors, and various businesses, professional, regulatory, and legislative organizations.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Establish and maintain a variety of filing, record-keeping, and tracking systems.
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.
- Operate modern office equipment including computer equipment and specialized software applications programs.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

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

Equivalent to graduation from an accredited four-year college or university with major coursework in civil engineering, or a closely related field; and six (6) years of management and/or administrative experience in civil engineering, capital improvement program, and/or public works administration, including two (2) years management and/or supervisory experience; and at least four (4) years of civil engineering experience. A Master's degree is desirable.

Licenses and Certifications:

- Possession of, or ability to obtain, a valid California class C driver's license by time of appointment.
- Possess and maintain a valid certificate or registration as a Professional Engineer in the State of California.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer, to inspect City development sites, to operate a motor vehicle, and to visit various City and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although walking around at construction sites on occasion is required in addition to standing in work areas and walking between work areas may be required. Finger dexterity is needed to access, enter and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push and pull drawers open and closed to retrieve and file information, and walk on uneven surfaces while in the field.

Employees must possess the ability to lift, carry, push and pull materials and objects weighing up to 25 pounds.

ENVIRONMENTAL ELEMENTS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may work in the field and occasionally be exposed to loud noise levels, cold and hot temperatures, inclement weather conditions, road hazards, vibration, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.J.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Riedl, City Engineer

DATE: June 21, 2018

SUBJECT: APPROVE A RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO THE DON CHAPIN COMPANY INC. FOR AN AMOUNT NOT TO EXCEED \$193,000 FOR THE CUTINO PARK ADA IMPROVEMENTS PROJECT

PURPOSE & RECOMMENDATION

The purpose of the item is to have the City Council consider awarding a construction contract to The Don Chapin Company Inc. for an amount not to exceed One Hundred Ninety Three Thousand Dollars for the Cutino Park ADA Improvements.

BACKGROUND

On December 15, 2016, the City Council authorized the preliminary design of the Cutino Park Improvements Project. The proposed improvements to the park include field renovations to incorporate synthetic turf for multi-use sport activities; new play structures; storage, restrooms, and concession facility renovations; new skate park and relocated basketball area; field lighting and restroom security enhancements; and ADA upgrades for pathways, entrances, and viewing areas. The design and engineering effort was divided into phases. The ADA improvement for the buildings and pathways would be constructed first due to the terms of the funding source.

The Cutino Park ADA Improvement plans and specs were completed in April and project bid notices were published on May 3, 2018 and again on May 10, 2018. A mandatory pre-bid meeting was held on May 17, 2018 in which several contractors were in attendance. A public bid opening was held on May 24, 2018 at 4:00 pm. The following bids were received:

Contractors	Bids
The Don Chapin Company	\$193,000
Jacob Construction	\$205,000

Based upon an evaluation of bid documents received, the Don Chapin Co. Inc. is the lowest responsive responsible bidder. The Don Chapin Company Inc. has completed a number of similar project for the City including the playground and barbeque improvements at various parks in 2015.

It is recommended that the City Council adopt a resolution awarding a construction contract to The Don Chapin Company Inc. for an amount not to exceed One Hundred Ninety Three Thousand (\$193,000) for the Cutino Park ADA Improvements project and authorize the City Manager to execute the contract including contract amendments such that the full value of the contract will not exceed \$212,300.

FISCAL IMPACT

The Cutino Park ADA Improvements project is funded through the Community Development Block Grant in the amount of \$215,503. The construction contract is for \$193,000. It is customary for a project to budget for a 10% contingency for a total project budget in the amount of \$212,300.

ATTACHMENTS

1. Resolutuion Chapin Cutino ADA
 2. Plans
 3. Specifications
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 18-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

AWARDING A CONSTRUCTION CONTRACT TO THE DON CHAPIN COMPANY INC. FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY THREE THOUSAND DOLLARS (\$193,000) FOR CONSTRUCTION OF CUTINO PARK ADA IMPROVEMENTS

WHEREAS, the Cutino Park Improvements project have been identified in the FY 2017/2018 Capital Improvement Program; and

WHEREAS, proposed improvements include field renovations, new play structures, storage, restrooms, and concession facility renovations, new skate park, relocated basketball area, field lighting and restroom security enhancements, and ADA upgrades for pathways, entrances, and viewing areas, and

WHEREAS, the project was divided into phases with the construction of the ADA improvements funded through grants received from the Community Development Block Grant program; and

WHEREAS, Verde Design was retained to prepare complete ADA improvement construction documents for the park; and

WHEREAS, on May 3, 2018 the ADA improvement project was put out to bid; and

WHEREAS, two bids were received and the lowest responsive responsible bidder was The Don Chapin Company Inc. who has successfully completed several similar projects for the City including the playground and barbeque improvements at various parks in 2015.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside approves a construction contract with The Don Chapin Company Inc. for an amount not to exceed One Hundred Ninety Three Thousand (\$193,000) for the Cutino Park ADA Improvements project and authorize the City Manager to execute the contract including contract amendments such that the full value of the contract will not exceed \$212,300.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 21st day of June 2018 by the following vote:

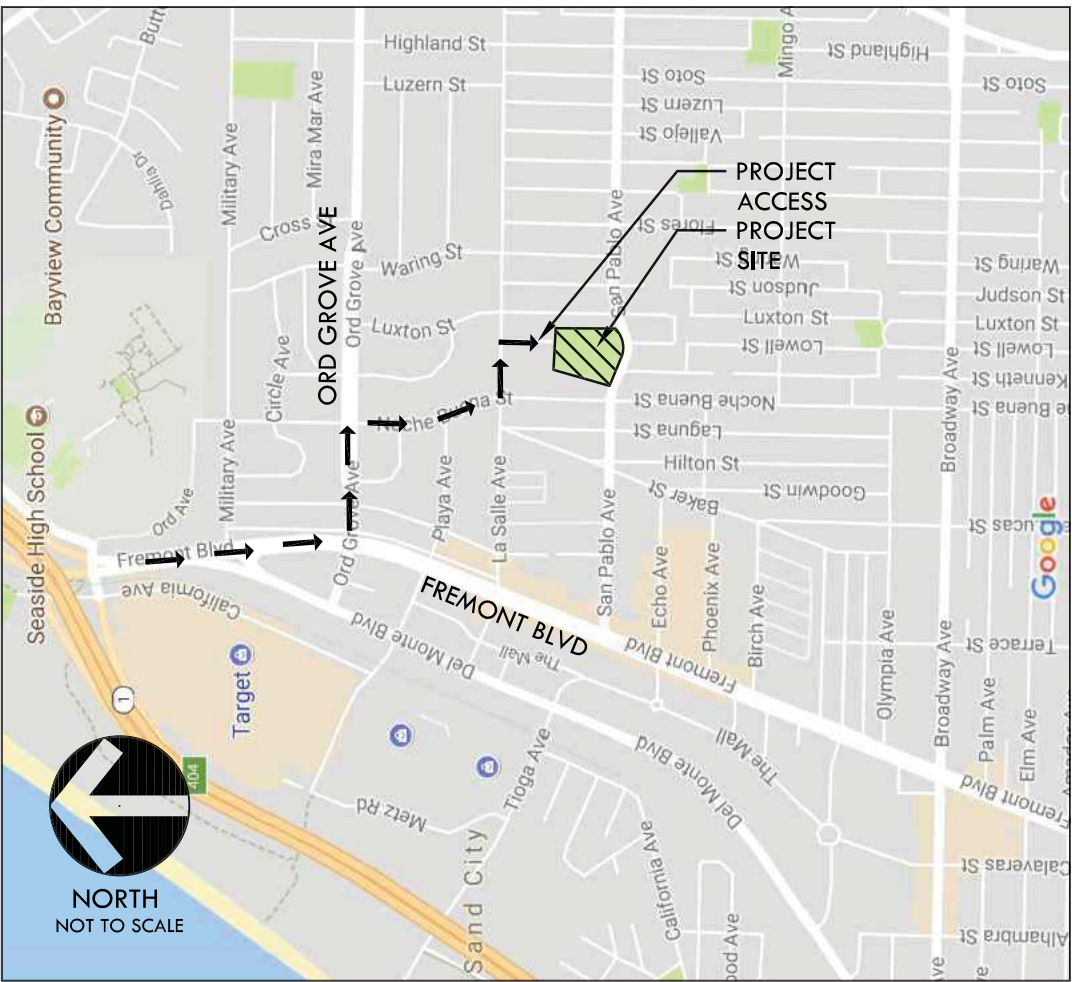
AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

PROJECT MAPS



VICINITY MAP



SITE MAP

APPLICABLE CODES

1. 2016 CBC CHAPTER 35: PROVIDE ALL THE APPLICABLE/ADOPTED STANDARDS. WHERE A PARTICULAR STANDARD IS REFERENCED IN THE CODE BUT DOES NOT APPEAR AS AN ADOPTED STANDARD IT MAY STILL BE USED. APPLY ONLY THE PORTION OF THE STANDARD THAT IS APPLICABLE TO THE CODE SECTION WHERE THE STANDARD IS REFERENCED, NOT THE ENTIRE STANDARD.

- 2016 BUILDING STANDARDS ADMINISTRATIVE CODE (CBC), PART 1, TITLE 24 C.C.R.
- 2016 CALIFORNIA BUILDING CODE (CBC), PART 2, TITLE 24 C.C.R.
- (2015 INTERNATIONAL BUILDING CODE VOLUMES 1-2 AND 2016 CALIFORNIA AMENDMENTS)
- 2016 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24 C.C.R.
- (2014 NATIONAL ELECTRICAL CODE AND 2016 CALIFORNIA AMENDMENTS)
- 2016 CALIFORNIA MECHANICAL CODE (CMC) PART 4, TITLE 24 C.C.R.
- (2015 UNIFORM MECHANICAL CODE AND 2016 CALIFORNIA AMENDMENTS)
- 2016 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24 C.C.R.
- (2015 UNIFORM PLUMBING CODE AND 2016 CALIFORNIA AMENDMENTS)
- 2016 CALIFORNIA ENERGY CODE, PART 6, TITLE 24 C.C.R.
- 2016 CALIFORNIA FIRE CODE, PART 9, TITLE 24 C.C.R.
- (2012 INTERNATIONAL FIRE CODE AND 2016 CALIFORNIA AMENDMENTS)
- 2016 CALIFORNIA EXISTING BUILDING CODE, PART 10, TITLE 24 C.C.R.
- (2015 INTERNATIONAL EXISTING BUILDING CODE AND 2016 CALIFORNIA AMENDMENTS)
- 2016 CALIFORNIA "GREEN" BUILDING REQUIREMENTS OR CAL GREEN, PART 11, TITLE 24 C.C.R.
- 2016 CALIFORNIA REFERENCED STANDARDS, PART 12, TITLE 24 C.C.R.
- 2013 TITLE 19 C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS.
- 2013 ASME A17.1/CSA B44-13 SAFETY CODE FOR ELEVATORS AND ESCALATORS

LIST OF FEDERAL CODES AND STANDARDS (IF APPLICABLE)
AMERICANS WITH DISABILITIES ACT (ADA), TITLE II OR TITLE III
FOR TITLE II: UNIFORM FEDERAL ACCESSIBILITY STANDARDS (UFAS) 28 CFR 35.151(c)
OR ADA STANDARDS FOR ACCESSIBLE DESIGN (APPENDIX A OF 28 CFR PART 36)
FOR TITLE III: ADA STANDARDS FOR ACCESSIBLE DESIGN (APPENDIX A OF 28 CFR PART 36) 28 CFR 36.406
2010 AMERICANS WITH DISABILITIES ACT (ADA) STANDARDS FOR ACCESSIBLE DESIGN

NOTE: TITLE II APPLIES TO PROJECTS FUNDED AND/OR USED BY STATE AND LOCAL GOVERNMENT SERVICES. TITLE III COVERS PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES. DEPENDING ON THE USE AND FUNDING, BOTH TITLE MAY APPLY TO THE PROJECT.

NFPA 13	AUTOMATIC SPRINKLER SYSTEMS (CALIFORNIA AMENDED)	2016 EDITION
NFPA 14	STANDPIPE SYSTEMS	2013 EDITION
NFPA 17	DRY CHEMICAL EXTINGUISHING SYSTEMS	2017 EDITION
NFPA 17A	WET CHEMICAL EXTINGUISHING SYSTEMS	2017 EDITION
NFPA 20	STATIONARY FIRE PUMPS	2016 EDITION
NFPA 22	WATER TANKS FOR PRIVATE FIRE PROTECTION	2013 EDITION
NFPA 24	PRIVATE FIRE SERVICE MAINS	2016 EDITION
NFPA 72	NATIONAL FIRE ALARM AND SIGNALING CODE (CALIFORNIA AMENDED) (NOTE SEE UL STANDARD 1971 FOR "VISUAL DEVICES")	2016 EDITION
NFPA 80	FIRE DOORS AND OTHER OPENING PROTECTIVES	2016 EDITION
NFPA 253	CRITICAL RADIANT FLUX OF FLOOR COVERING SYSTEMS	2015 EDITION
NFPA 2001	CLEAN AGENT FIRE EXTINGUISHING SYSTEMS	2015 EDITION
UL 300	FIRE TESTING OF FIRE EXTINGUISHING SYSTEMS FOR PROTECTION OF COMMERCIAL COOKING EQUIPMENT	2005 (R2010)
UL 464	AUDIBLE SIGNALING DEVICES FOR FIRE ALARM AND SIGNALING SYSTEMS, INCLUDING ADDESSORIES	2003 EDITION
UL 521	HEAT DETECTORS FOR FIRE PROTECTIVE SIGNALING SYSTEMS	1999 EDITION
UL 1971	SIGNALING DEVICES FOR THE HEARING IMPAIRED	2002 EDITION
ICC 300	BLEACHERS, FOLDING AND TELESCOPING SEATING, AND GRANDSTANDS	2012 EDITION
ASME 17.1	ELEVATOR STANDARD	2016 EDITION

REFERENCE CODE SECTIONS FOR APPLICABLE STANDARDS - 2016 CALIFORNIA BUILDING CODE (FOR SFM) REFERENCED STANDARDS CHAPTER 35

ADA STANDARD FOR ACCESSIBLE DESIGN (APPENDIX A OF 28 CFR PART 36)

2. THE INTENT OF THESE DRAWINGS AND SPECIFICATIONS IS THAT WORK OF THE ALTERATION, REHABILITATION OR RECONSTRUCTION IS TO BE IN ACCORDANCE WITH TITLE 24, CALIFORNIA CODE OF REGULATIONS. SHOULD ANY EXISTING CONDITIONS SUCH AS DETERIORATION OR NON-COMPLYING CONSTRUCTION BE DISCOVERED WHICH IS NOT COVERED BY THE CONTRACT DOCUMENTS WHEREIN THE FINISHED WORK WILL NOT COMPLY WITH TITLE 24, CALIFORNIA CODE OF REGULATIONS, A CHANGE ORDER, OR A SEPARATE SET OF PLANS AND SPECIFICATIONS, DETAILING AND SPECIFYING THE REQUIRED WORK SHALL BE SUBMITTED TO AND APPROVED BY THE OWNER REPRESENTATIVE BEFORE PROCEEDING WITH THE WORK.

3. ALL EXISTING FIRE EXTINGUISHING SYSTEMS ARE IN COMPLIANCE WITH UL 300, CBC 904.11, CFC 904.11.



ADA IMPROVEMENTS - CONSTRUCTION DOCUMENT

FOR

David Cutino Park

1332 LA SALLE AVE., Seaside, CA 93955

CITY PROJECT NO. 17-104

VERDE DESIGN, INC. PROJECT NO. 1706001

PREPARED BY



VERDE DESIGN
LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
SPORT PLANNING & DESIGN
www.VerdeDesignInc.com

2455 The Alameda
Santa Clara, CA 95050
tel: 408.985.7200
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1024 Iron Point Rd.
Suite 100 #1241
Folsom, CA 95630
tel: 916.415.6567
fax: 408.985.7260



ALL IDEAS, DESIGNS, ARRANGEMENTS, AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF VERDE DESIGN, INC. AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED, REPRODUCED, OR PUBLISHED BY ANY METHOD, IN WHOLE OR IN PART, OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN PERMISSION OF VERDE DESIGN, INC.

SCOPE OF WORK

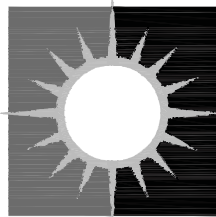
ADA IMPROVEMENTS: SITE IMPROVEMENTS INCLUDE THE DEMOLITION OF EXISTING IRRIGATION, SOFTSCAPE, HARDSCAPE PAVING, BUILDING AND SITE FURNISHINGS AS PER THESE PLANS. CONTRACTOR TO COMPLETE, EARTHWORK GRADING, SITE DRAINAGE, INSTALLATION OF HARDSCAPE, SITE FURNISHINGS, BUILDING ADA IMPROVEMENTS, AND ELECTRICAL. CONTRACTOR SHALL COORDINATE ALL WORK WITH THE CITY'S REPRESENTATIVE.

GENERAL NOTES

- PRIOR TO BIDDING, THE GENERAL CONTRACTOR SHALL VISIT & INSPECT THE SITE & FAMILIARIZE THEMSELVES WITH EXISTING CONDITIONS AFFECTING THE NEW WORK. THE GENERAL CONTRACTOR SHALL NOT DISPUTE, COMPLAIN OR ASSERT THAT THERE IS ANY MISUNDERSTANDING IN REGARDS TO LOCATION, EXTENT, NATURE OR AMOUNT OF WORK TO BE PERFORMED UNDER THIS CONTRACT DUE TO THE CONTRACTOR'S FAILURE TO INSPECT THE SITE. CONTRACTOR SHALL NOTIFY THE OWNER OF ANY CONDITIONS, REQUIRING WORK, WHICH ARE NOT COVERED IN THE CONTRACT DOCUMENTS.
- NO CONSTRUCTION SHALL COMMENCE WITHOUT THE OFFICIAL NOTICE TO PROCEED FROM THE OWNER.
- THE GENERAL CONTRACTOR & SUBCONTRACTORS ARE RESPONSIBLE FOR LOCATING & VERIFYING ALL EXISTING UNDERGROUND UTILITIES IN ALL AREAS OF NEW WORK PRIOR TO COMMENCEMENT OF EXCAVATION. EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE APPROXIMATE ROUTING LOCATIONS AS BEST DETERMINED FROM EXISTING DRAWINGS AND THE OWNER, BUT SHOULD NOT BE CONSTRUED TO REPRESENT ALL OF THE EXISTING UNDERGROUND UTILITIES. THE CONTRACTOR SHALL POITHOLE ALL EXISTING UTILITIES THAT MAY BE AFFECTED BY NEW FACILITIES IN THIS CONTRACT. VERIFY ACTUAL LOCATION AND DEPTH OF UTILITIES, AND REPORT POTENTIAL CONFLICTS TO THE OWNER PRIOR TO EXCAVATING FOR NEW FACILITIES.
- CONTRACTOR SHALL TAKE ALL NECESSARY STEPS TO PROTECT ALL EXISTING UTILITIES, WHETHER SHOWN OR NOT, IN THE CONTRACT DOCUMENTS. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO EXISTING UTILITIES CAUSED BY ITS OPERATIONS.
- THE CONTRACTOR SHALL PROTECT ALL EXISTING ITEMS WITHIN SITE IMPROVEMENTS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REPAIR ALL DAMAGED AREAS TO THEIR ORIGINAL CONDITION OR BETTER AT CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER.
- DIMENSIONS AND LOCATIONS OF EXISTING FACILITIES ARE APPROXIMATE AND SHALL BE FIELD VERIFIED BY CONTRACTOR. ANY DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER.
- ALL WORK SHALL CONFORM TO THE LATEST EDITION OF THE CALIFORNIA BUILDING CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA FIRE CODE AND ALL APPLICABLE STATE AND LOCAL CODES AND ORDINANCES, AS WELL AS ADAPTED STANDARDS.
- ALL NOTES ARE FOR GENERAL REFERENCE IN CONJUNCTION WITH, AND AS A SUPPLEMENT TO, THE WRITTEN SPECIFICATIONS AND DETAILS ASSOCIATED WITH THE CONTRACT DOCUMENTS.
- THIS DRAWING SET SHALL BE USED IN CONJUNCTION WITH THE CSI FORMAT SPECIFICATIONS PUBLISHED IN BOOK FORM. COMBINED, THEY ARE HEREIN REFERRED TO AS THE "CONTRACT DOCUMENTS".
- DIMENSIONS ON WORKING DRAWINGS TAKE PRECEDENCE OVER MEASURED ELEMENTS. CONTRACTOR SHALL NOT SCALE DRAWINGS.
- ALL TYPICAL DETAILS SHALL APPLY UNLESS NOTED OTHERWISE.
- CONTRACTOR SHALL PROVIDE ADEQUATE DUST CONTROL AND KEEP MUD AND DEBRIS OFF THE PUBLIC RIGHT-OF-WAY AT ALL TIMES.
- ALL TRENCHES AND EXCAVATIONS SHALL BE CONSTRUCTED IN STRICT COMPLIANCE WITH THE APPLICABLE SECTIONS OF CALIFORNIA AND FEDERAL O.S.H.A. REQUIREMENTS AND OTHER APPLICABLE SAFETY ORDINANCES. CONTRACTOR SHALL BEAR FULL RESPONSIBILITY FOR TRENCH SHORING DESIGN AND INSTALLATION.
- ANY ALTERATIONS OF EXISTING FACILITIES TO ACCOMMODATE THE INSTALLATION OF NEW WORK SHALL BE REVIEWED BY THE OWNER PRIOR TO COMMENCING WORK.
- ALL TEMPORARY WORK SHALL BE CONSIDERED A PART OF THIS CONTRACT AND NO EXTRA CHARGES WILL BE ALLOWED. THIS SHALL INCLUDE MINOR ITEMS OF MATERIAL OR EQUIPMENT NECESSARY TO MEET THE REQUIREMENTS AND INTENT OF THE PROJECT.
- THE PLANS AND SPECIFICATIONS DO NOT UNDERTAKE TO SHOW OR LIST EVERY ITEM TO BE PROVIDED, BUT RATHER TO DEFINE THE REQUIREMENTS FOR A FULL AND WORKING SYSTEM FROM THE STANDPOINT OF THE END USER. FOR THIS REASON, WHEN AN ITEM NOT SHOWN OR LISTED IS CLEARLY NECESSARY FOR PROPER CONTROL/OPERATION OF EQUIPMENT WHICH IS SHOWN OR LISTED, THE CONTRACTOR SHALL PROVIDE AN ITEM WHICH WILL ALLOW THE SYSTEM TO FUNCTION PROPERLY AT NO INCREASE IN PRICE.
- ALL CONTRACTORS SHALL REMOVE TRASH AND DEBRIS STEMMING FROM THEIR WORK ON A DAILY BASIS. PROJECT SITE SHALL BE MAINTAINED IN A CLEAN AND ORDERLY CONDITION.
- THE DETAILS REFLECT THE DESIGN INTENT FOR TYPICAL CONDITIONS. THE CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS AND SHALL INCLUDE, IN HIS SCOPE, THE COST FOR COMPLETE FINISHED INSTALLATIONS, INCLUDING ANOMALIES, OF ALL TRADES.
- NO WORK SHALL COMMENCE WITH UNAPPROVED MATERIALS. ANY WORK DONE WITH UNAPPROVED MATERIALS AND EQUIPMENT IS AT THE CONTRACTOR'S RISK AND IS SUBJECT TO REJECTION AND REPLACEMENT. SEE SPECIFICATIONS FOR SUBMITTAL AND SUBSTITUTION REQUIREMENTS.
- CONSTRUCTION MATERIALS STORED ON THE SITE SHALL BE PROPERLY STACKED AND PROTECTED SO AS TO PREVENT DAMAGE OR DETERIORATION UNTIL USED. FAILURE IN THIS REGARD MAY BE CAUSE FOR REJECTION OF MATERIAL AND/OR WORK.
- ALL EQUIPMENT SHALL BE FABRICATED FROM FIELD VERIFIED DIMENSIONS AND APPROVED SHOP DRAWINGS. COORDINATE MECHANICAL, PLUMBING AND ELECTRICAL EQUIPMENT.
- CONTRACTOR SHALL PERFORM THEIR CONSTRUCTION AND OPERATIONS IN A MANNER WHICH WILL NOT ALLOW HARMFUL POLLUTANTS TO ENTER THE STORM DRAIN SYSTEM. TO ENSURE COMPLIANCE, THE CONTRACTOR SHALL IMPLEMENT THE APPROPRIATE BEST MANAGEMENT PRACTICE (BMP) AS OUTLINED IN THE BROCHURES ENTITLED "BEST MANAGEMENT PRACTICE FOR THE CONSTRUCTION INDUSTRY" ISSUED BY THE CALIFORNIA STORM WATER QUALITY ASSOCIATION, NON-POINT SOURCE POLLUTION CONTROL PROGRAM, TO SUIT THE CONSTRUCTION SITE AND JOB CONDITION. THE CONTRACTOR SHALL PRESENT HIS PROPOSED BMP AT THE PRECONSTRUCTION MEETING FOR DISCUSSION AND APPROVAL.
- CONTRACTOR SHALL PROVIDE TEMPORARY CONSTRUCTION FENCING PER CONTRACT DOCUMENTS TO SERVE LIMIT OF WORK AREAS. FENCING MAY BE ADJUSTED DURING CONSTRUCTION BASED ON CONSTRUCTION SEQUENCE OR THE OWNER'S DIRECTION.
- OVERNIGHT PARKING OF CONSTRUCTION EQUIPMENT IN THE STREET RIGHT-OF-WAY OR OUTSIDE OF THE FENCED WORK AREA SHALL NOT BE PERMITTED.

CONTACT INFORMATION

ORGANIZATION	NAME	PHONE
OWNER SEASIDE CITY	RICK RIEDL	(831) 899-6825
CIVIL ENGINEER/ LANDSCAPE ARCHITECT VERDE DESIGN INC.	DEREK MCKEE CORBIN SCHNEIDER	(408) 850-3410 (408) 850-3416
ARCHITECTURE AND ELECTRICAL SALSA O'BRIEN	JEFFRY GOSAL JOSEPH GONZALEZ	(408) 282-1500



SALASOBRIEN
| expect a difference |
305 South 11th Street
San Jose, California 95112-2218
408.282.1500 | 408.297.2995 (f)
salasobrien.com
Bozeman | Los Angeles | Monterey
Oakland | Orange County | Sacramento
San Diego | San Luis Obispo | Seattle



SHEET INDEX

SHEET NO.	SHEET DESCRIPTION
C0.0	COVER SHEET
L1.1	EXISTING CONDITIONS PLAN
L2.1	ACCESSIBILITY PLAN
L3.1	EROSION AND SEDIMENT CONTROL PLAN
L4.1	DEMOLITION PLAN
L5.1	GRADING, DRAINAGE AND UTILITY PLAN
L6.1	LAYOUT, MATERIAL, DETAIL REFERENCE, AND PLANTING PLAN
D1.1	CONSTRUCTION DETAILS
A-1.1	ARCHITECTURAL FLOOR PLAN
A-5.1	ARCHITECTURAL DETAILS

CITY OF SEASIDE PUBLIC WORKS DIVISION
440 HARCOURT AVENUE SEASIDE, CA 93955 (831) 899-6835

APPROVED BY:

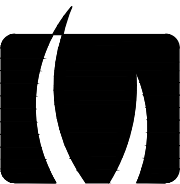

RICHARD RIEDL, PE, CITY ENGINEER
RCE #49631

DATE: _____



Digitally signed by Rick Riedl
DN: cn=Rick Riedl, o=Seaside, ou= email=riedl@ci.seaside.ca.us, c=US
Date: 2018.05.02 11:24:11 -0700

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VERDE DESIGN

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
SPORT PLANNING & DESIGN

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Santa Clara, CA 95050
Tel: 408.985.7200
Fax: 408.985.7260
www.VerdeDesignInc.com

STAMP

CONSULTANT

TOPOGRAPHIC SURVEY

FORMER OF
BLOCKS 43, 44 & 45
HANNON PROJECT
UNIT No.3
VOLUME 10, CITIES & TOWNS, PAGE 50
CITY OF SEASIDE COUNTY OF MONTEREY STATE OF CALIFORNIA
VERDE DESIGN
MONTEREY BAY ENGINEERS, INC.
CIVIL ENGINEERING • SURVEYING • LAND SURVEYING • CONSTRUCTION STAKING
6077 Charles Ave. Suite B Phone: (831) 866-7999 Seaside, California 93955
SCALE: 1" = 20' JOB No. 17-070 AUGUST 2017
FIELD: JL & ENT DRAWN BY: AL

SHEET TITLE

EXISTING CONDITIONS
PLAN

PROJECT NAME

DAVID CUTINO PARK -
ADA IMPROVEMENTS

PROJECT ADDRESS

1332 LA SALLE AVE.,
SEA SIDE, CA
93955

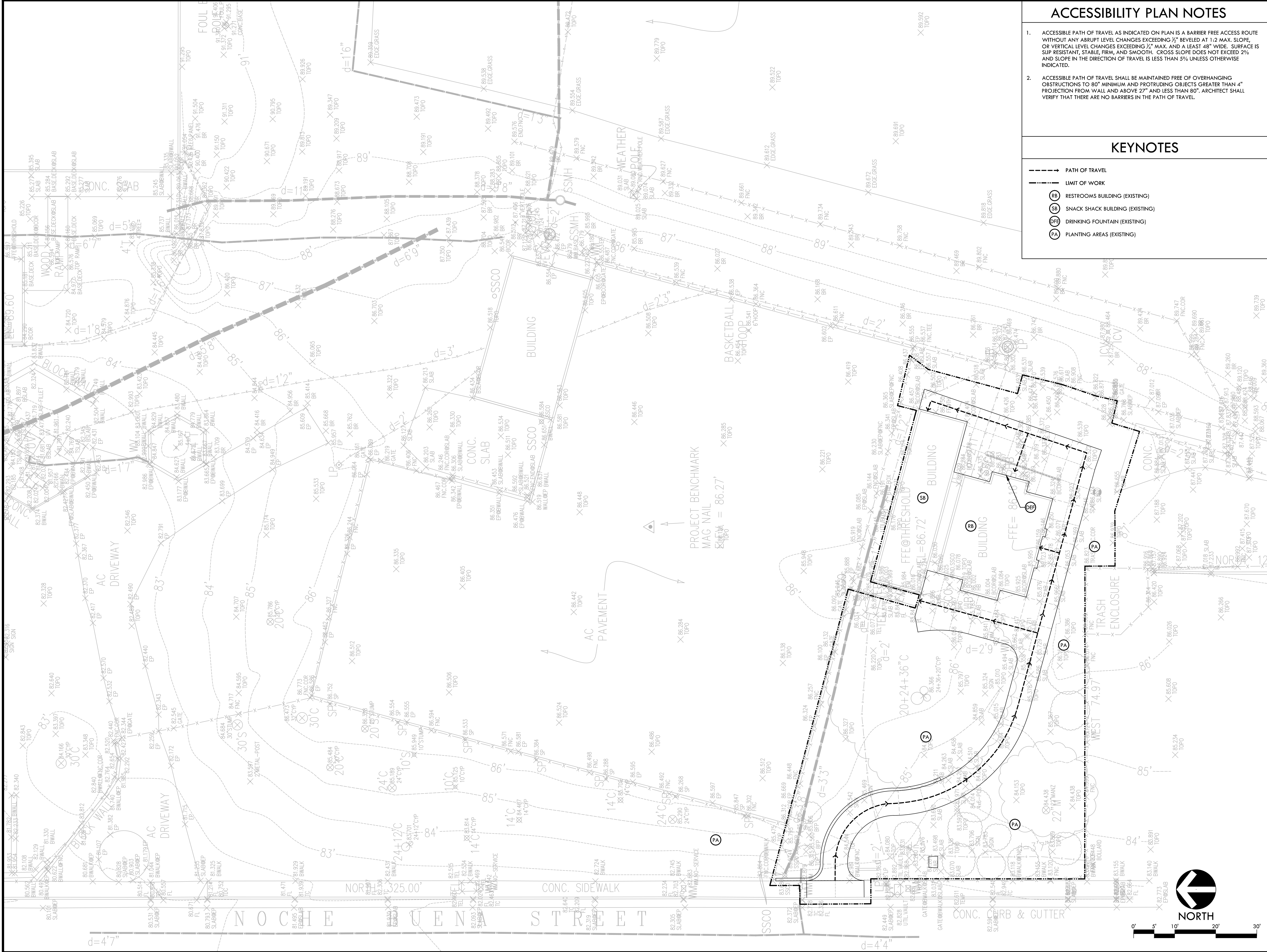
SUBMITTAL	DATE
60% SUBMITTAL	2-26-18
95% SUBMITTAL	3-20-18
BID SUBMITTAL	05-01-18

NO.	REVISIONS	DATE
1		
2		
3		
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10		

DRAWN BY LW/RK	CHECKED BY CMES / DM
DATE ISSUED 05-01-18	SCALE 1" = 10'-0"
PROJ. NO. 1706001	
SHEET NO. L1.1	OF SHEETS

EXISTING CONDITIONS PLAN

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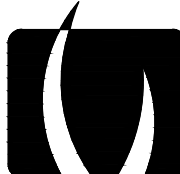


ACCESSIBILITY PLAN NOTES

1. ACCESSIBLE PATH OF TRAVEL AS INDICATED ON PLAN IS A BARRIER FREE ACCESS ROUTE WITHOUT ANY ABRUPT LEVEL CHANGES EXCEEDING 1/2" BEVELED AT 1:2 MAX. SLOPE, OR VERTICAL LEVEL CHANGES EXCEEDING 1/4" MAX. AND A LEAST 48" WIDE. SURFACE IS SLIP RESISTANT, STABLE FIRM, AND SMOOTH. CROSS SLOPE DOES NOT EXCEED 2% AND SLOPE IN THE DIRECTION OF TRAVEL IS LESS THAN 5% UNLESS OTHERWISE INDICATED.
2. ACCESSIBLE PATH OF TRAVEL SHALL BE MAINTAINED FREE OF OVERHANGING OBSTRUCTIONS TO 80" MINIMUM AND PROTRUDING OBJECTS GREATER THAN 4" PROJECTION FROM WALL AND ABOVE 27" AND LESS THAN 80". ARCHITECT SHALL VERIFY THAT THERE ARE NO BARRIERS IN THE PATH OF TRAVEL.

KEYNOTES

- PATH OF TRAVEL
- LIMIT OF WORK
- (RB) RESTROOMS BUILDING (EXISTING)
- (SB) SNACK SHACK BUILDING (EXISTING)
- (DF) DRINKING FOUNTAIN (EXISTING)
- (PA) PLANTING AREAS (EXISTING)



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CONSULTANT

SHEET TITLE

ACCESSIBILITY PLAN

PROJECT NAME

DAVID CUTINO PARK - ADA IMPROVEMENTS

PROJECT ADDRESS

1332 LA SALLE AVE.,
SEA SIDE, CA
93955

SUBMITTAL	DATE
60% SUBMITTAL	2-26-18
95% SUBMITTAL	3-20-18
BID SUBMITTAL	05-01-18

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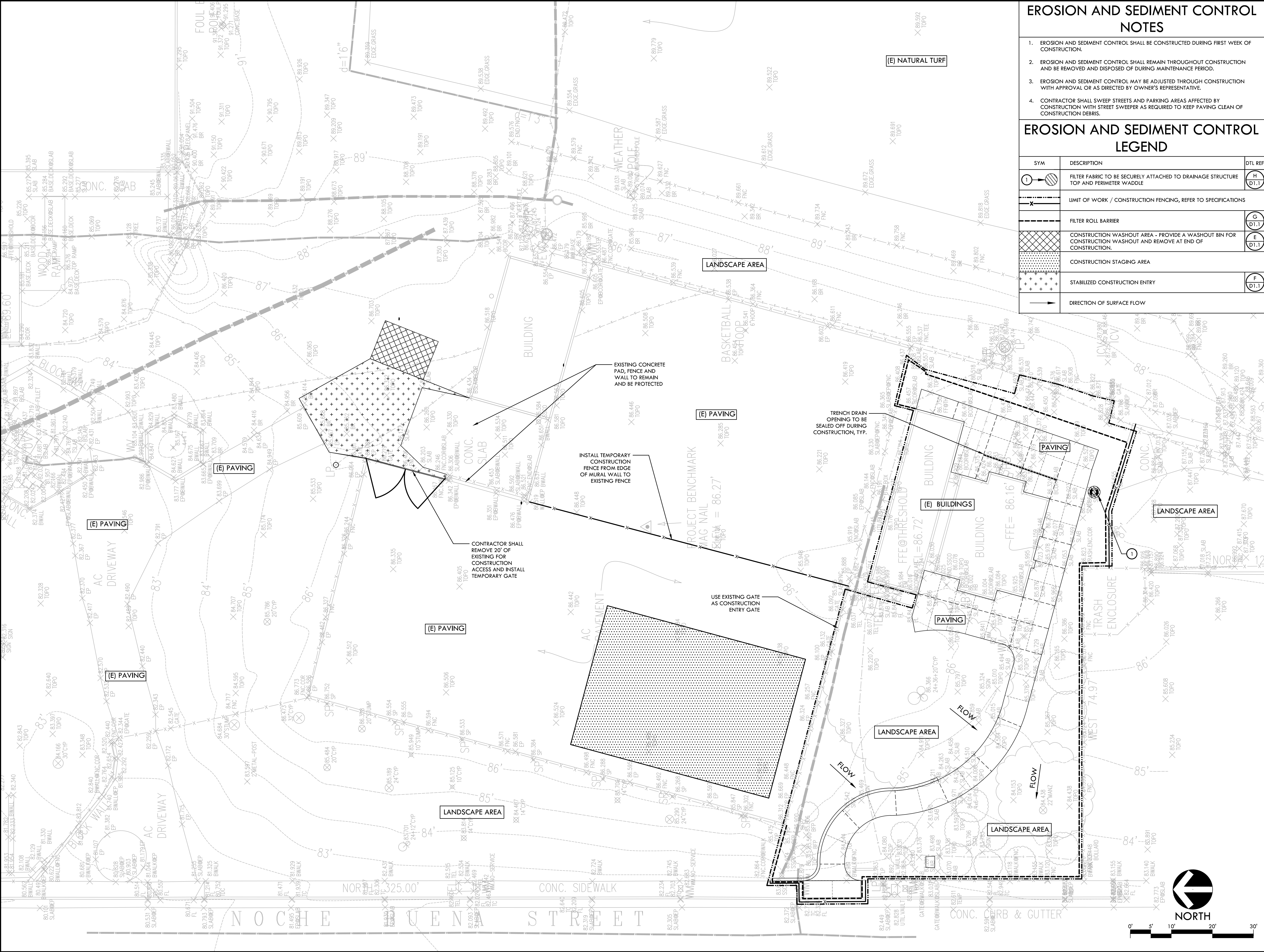
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DATE ISSUED 05-01-18	SCALE 1" = 10'-0"
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PROJ. NO. 1706001	
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SHEET NO. L2.1	OF SHEETS
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EROSION AND SEDIMENT CONTROL NOTES

1. EROSION AND SEDIMENT CONTROL SHALL BE CONSTRUCTED DURING FIRST WEEK OF CONSTRUCTION.
2. EROSION AND SEDIMENT CONTROL SHALL REMAIN THROUGHOUT CONSTRUCTION AND BE REMOVED AND DISPOSED OF DURING MAINTENANCE PERIOD.
3. EROSION AND SEDIMENT CONTROL MAY BE ADJUSTED THROUGH CONSTRUCTION WITH APPROVAL OR AS DIRECTED BY OWNER'S REPRESENTATIVE.
4. CONTRACTOR SHALL SWEEP STREETS AND PARKING AREAS AFFECTED BY CONSTRUCTION WITH STREET SWEEPER AS REQUIRED TO KEEP PAYING CLEAN OF CONSTRUCTION DEBRIS.

EROSION AND SEDIMENT CONTROL LEGEND

SYM	DESCRIPTION	DTL REF
	FILTER FABRIC TO BE SECURELY ATTACHED TO DRAINAGE STRUCTURE TOP AND PERIMETER WADDLE	H D1.1
	LIMIT OF WORK / CONSTRUCTION FENCING, REFER TO SPECIFICATIONS	
	FILTER ROLL BARRIER	G D1.1
	CONSTRUCTION WASHOUT AREA - PROVIDE A WASHOUT BIN FOR CONSTRUCTION WASHOUT AND REMOVE AT END OF CONSTRUCTION.	E D1.1
	CONSTRUCTION STAGING AREA	
	STABILIZED CONSTRUCTION ENTRY	F D1.1
	DIRECTION OF SURFACE FLOW	

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CONSULTANT

SHEET TITLE

**EROSION AND
SEDIMENT
CONTROL PLAN**

PROJECT NAME

**DAVID CUTINO PARK -
ADA IMPROVEMENTS**

PROJECT ADDRESS

**1332 LA SALLE AVE.,
SEA SIDE, CA
93955**

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EROSION AND SEDIMENT CONTROL PLAN

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DEMOLITION NOTES

1. THE CONTRACTOR SHALL PERFORM ALL CLEARING, DEMOLITION, REMOVAL OF OBSTRUCTIONS AND SITE PREPARATIONS NECESSARY FOR THE PROPER EXECUTION OF ALL WORK CONTAINED IN THE CONTRACT DOCUMENTS.
2. CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES AND PROVIDE THE REQUIRED CONNECTION FOR THEIR TEMPORARY DISCONNECTION, PROTECTION, REMOVAL AND/OR STORAGE AS MAY BE REQUIRED DURING CONSTRUCTION. CONTRACTOR SHALL COORDINATE WITH THE OWNER TO DETERMINE WHETHER TEMPORARY SERVICES ARE NECESSARY. POT HOLE TO LOCATE UNDERGROUND UTILITIES PRIOR TO PERFORMING THE PROPOSED WORK. POT HOLE SHOULD BE PERFORMED WITH VACUUM EQUIPMENT OR HAND DIGGING, NOT MECHANIZED EQUIPMENT.
3. THE CONTRACTOR SHALL VISIT THE SITE PRIOR TO BID SUBMITTAL TO DETERMINE THE EXACT EXTENT AND DEPTH OF SITE DEMOLITION REQUIRED AND VERIFY COMPLIANCE WITH DRAWINGS. THE OWNER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES.
4. THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL EXISTING UTILITIES, STRUCTURES AND SERVICES BEFORE COMMENCING WORK. THE LOCATIONS OF UTILITIES, STRUCTURES AND SERVICES SHOWN IN THE CONTRACT DOCUMENTS SHALL BE DEEMED TO BE APPROXIMATIONS ONLY. ALL DISCREPANCIES BETWEEN WHAT IS SHOWN AND THE ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (USA) AT (800) 227-2600 PRIOR TO ANY DEMOLITION OR EXCAVATION. UPON COMPLETION OF USA MARKING OPERATIONS, CONTRACTOR SHALL RECORD ALL UTILITY MARKINGS ON A SEPARATE SET OF DRAWINGS. THIS SET SHALL BE KEPT ON-SITE FOR REFERENCE FOR DURATION OF CONTRACT. NOTIFY THE OWNER'S REPRESENTATIVE IMMEDIATELY SHOULD CONFLICTS ARISE AND REDIRECT WORK TO AVOID DELAY.
5. ALL EXISTING ITEMS ARE TO REMAIN UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING, AT CONTRACTOR'S EXPENSE, ANY EXISTING ITEM DAMAGED OR DESTROYED BY CONSTRUCTION OPERATIONS. CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR REPAIRING OR REPLACING ANY AND ALL DAMAGES TO ADJACENT PROPERTIES. THE DAMAGED ITEMS SHALL BE RESTORED TO AN "AS-WAS" OR BETTER CONDITION OR REPLACED PER THE DISCRETION OF THE OWNER'S REPRESENTATIVE.
6. PRIOR TO ANY DEMOLITION WORK, CONTRACTOR SHALL INSTALL SELF-SUPPORTING INTERLOCKING CHAIN-LINK TEMPORARY CONSTRUCTION FENCING TO ENCLOSE AND SECURE THE PROJECT AREA LIMIT OF WORK. THE FENCING SHALL CONTAIN PEDESTRIAN AND/OR VEHICULAR ACCESS GATES AS NECESSARY AND SHALL BE MINIMUM 6 FEET HIGH WITH A TOP AND BOTTOM RAIL WITH KNUCKLED TOP AND BOTTOM SELVAGE AND BARBED WIRE (SHAWMUT), FENCE SHALL INCLUDE FULL HEIGHT GREEN SHADE CLOTH COVERING. THE CONSTRUCTION FENCING WORK SHALL BE SUBJECT TO THE DISCRETION OF THE OWNER'S REPRESENTATIVE.
7. PRIOR TO ANY DEMOLITION WORK, CONTRACTOR SHALL PROTECT ALL EXISTING PLANT MATERIAL NOT SCHEDULED FOR REMOVAL BY INSTALLING TEMPORARY 4 FOOT HIGH "BLAZE ORANGE" CONSTRUCTION SAFETY FENCING AT THE DRIP LINE OR PERIMETER. THE FENCING SHALL BE SECURED WITH DRIVEN METAL STAKES. ALL TREE PROTECTION WORK SHALL BE SUBJECT TO THE DISCRETION OF THE OWNER'S REPRESENTATIVE.
8. DEMOLITION SHALL INCLUDE THE REMOVAL OF ITEM AND ANY FOUNDATION OR STRUCTURAL SUPPORT RELATED TO ITEM. FOR PLANT MATERIAL THIS SHALL INCLUDE STUMPS AND ROOTS OVER 2 INCHES IN DIAMETER. DISPOSAL SHALL BE OFF-SITE IN A LEGAL MANNER ACCEPTABLE TO THE OWNER'S REPRESENTATIVE AND IN COMPLIANCE WITH ALL FEDERAL, STATE AND LOCAL CODES AND ORDINANCES.
9. REFER TO SPECIFICATIONS FOR ADDITIONAL CLEARING, GRUBBING, TOPSOIL STOCKPILING AND OTHER PERTINENT INFORMATION.

DEMOLITION LEGEND

SYM	DESCRIPTION
	LIMIT OF WORK / CONSTRUCTION FENCING, REFER TO SPECIFICATIONS
	CLEAR AND GRUB, REFER TO SPECIFICATIONS.
	EXISTING HARDSCAPE PAVING INCLUDING CURBS AND BASE MATERIAL TO BE DEMOLISHED AND REMOVED.
	EXISTING TREES / SHRUBS TO REMAIN AND BE PROTECTED. ANY CLEAR AND GRUB WORK WITHIN TREE PROTECTION FENCING TO BE DONE BY HAND ONLY REFER TO SPECIFICATIONS.
	DEMOLISH AND REMOVE EXISTING FENCE, INCLUDING GATES, POSTS, HARDWARE, FABRIC, FOOTINGS, BASEBOARDS AND CONCRETE EDGEBANDS. SIGNS ON FENCE SHALL BE REMOVED AND SALVAGED TO THE CITY.
	SAWCUT EXISTING ASPHALT / CONCRETE PAVING.

ITEMS TO BE DEMOLISHED AND/OR REMOVED

1	EXISTING SIGN TO BE REMOVED AND SALVAGED TO THE CITY.
2	EXISTING PICNIC TABLE TO BE REMOVED AND DISPOSED OF.
3	EXISTING PLANTING AND IRRIGATION TO BE REMOVED.
4	CUT AND CAP EXISTING WATER LINE.
5	EXISTING WATER LINE SHALL BE ABANDONED IN PLACE EXCEPT AS NOTED OTHERWISE AND IF IT IS IN CONFLICT WITH IMPROVEMENT WORKS, AT WHICH TIME COMPONENTS SHALL BE REMOVED.

ITEMS TO BE PROTECTED OR RELOCATED

A	EXISTING FENCE AND GATES TO REMAIN AND BE PROTECTED.
B	EXISTING PAVING TO REMAIN AND BE PROTECTED.
C	EXISTING ELECTRICAL LINES TO REMAIN AND BE PROTECTED.
D	EXISTING BUILDING WALL, DOORS, WINDOWS, DOWNSPOUTS, DRINKING FOUNTAIN, DRINKING FOUNTAIN WALLS, HOSE BIBS AND ALL UTILITIES ON BUILDINGS SHALL REMAIN AND BE PROTECTED.
E	EXISTING WATER METERS, WATER VALVES TO REMAIN AND BE PROTECTED.
F	EXISTING BACKFLOW TO REMOVE AND RELOCATE AS PER UTILITY PLAN.
G	EXISTING WATER LINE TO REMAIN AND BE PROTECTED.
H	EXISTING COMMUNICATION LINES AND TELEPHONE BOXES TO REMAIN AND BE PROTECTED.
I	EXISTING SANITARY SEWER CLEAN OUTS TO REMAIN AND BE PROTECTED.
J	POTHOLE AND LOCATED EXISTING SANITARY SEWER LINE. EXISTING SANITARY SEWER LINE TO REMAIN AND BE PROTECTED.
K	EXISTING LIGHT AND ELECTRICAL BOX TO REMAIN AND BE PROTECTED.
L	EXISTING GATE TO REMAIN AND BE PROTECTED. GATE IS TO BE LOCKED DURING CONSTRUCTION.
M	EXISTING PLANTING AND IRRIGATION TO REMAIN AND BE PROTECTED.
N	EXISTING SIGN TO BE REMOVED AND RELOCATED, REFER TO MATERIAL PLAN FOR NEW LOCATION.

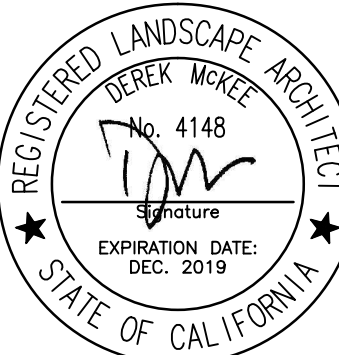


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CONSULTANT

SHEET TITLE

DEMOLITION PLAN

PROJECT NAME

DAVID CUTINO PARK - ADA IMPROVEMENTS

PROJECT ADDRESS

1332 LA SALLE AVE.,
SEA SIDE, CA
93955

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DEMOLITION PLAN

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GRADING NOTES

- EXISTING GRADES ARE BASED ON INFORMATION PROVIDED BY: MONTEREY BAY ENGINEERS INC. CONTRACTOR SHALL VERIFY EXISTING GRADES FOR ACCURACY PRIOR TO THE START OF GRADING, NOTIFY THE OWNER'S REPRESENTATIVE IMMEDIATELY SHOULD CONFLICTS ARISE AND REDIRECT WORK TO AVOID DELAY.
- PROPOSED GRADES SHALL MEET EXISTING GRADES WITH A SMOOTH AND CONTINUOUS TRANSITION SO AS TO AVOID TRAPPING WATER. CONTRACTOR SHALL NOTIFY OWNER'S REPRESENTATIVE IF PUDDLING IS SUSPECTED AND REDIRECT WORK SO AS TO AVOID DELAY WHILE AWAITING RESPONSE.

GRADING LEGEND

SYM	DESCRIPTION	DTL REF
	PROPOSED CONTOUR	
	PROPOSED FINISH SURFACE ELEVATION OF HARDSCAPE.	
	TOP OF TALL CURB	
	TRENCH DRAIN	
	PROPOSED BUILDING FINISHED FLOOR ELEVATION	
	CONFORM TO EXISTING GRADE	
	FLOW DIRECTION AND PERCENT SLOPE	
	LIMIT OF GRADING - CONFORM TO EXISTING GRADES AT THIS LINE	
	EXISTING CONTOUR	
	EXISTING ELEVATION	

DRAINAGE & UTILITY NOTES

- THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL EXISTING UTILITIES, STRUCTURES, AND SERVICES BEFORE COMMENCING WORK. THE LOCATIONS OF UTILITIES, STRUCTURES, AND SERVICES SHOWN IN THE CONTRACT DOCUMENTS SHALL BE DEEMED TO BE APPROXIMATIONS ONLY. ALL DISCREPANCIES BETWEEN WHAT IS SHOWN AND THE ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL CONTACT UNDER GROUND SERVICE ALERT (USA) AT (800) 227-2600 PRIOR TO ANY DEMOLITION OR EXCAVATION. UPON COMPLETION OF USA MARKING OPERATIONS, CONTRACTOR SHALL RECORD ALL UTILITY MARKINGS ON A SEPARATE SET OF DRAWINGS. THIS SET SHALL BE KEPT ON-SITE FOR REFERENCE FOR DURATION OF CONTRACT.
- ALL EXISTING DRAINAGE STRUCTURES, BOXES, UTILITY VAULTS ETC. TO REMAIN, SHALL BE BROUGHT TO FINAL FINISH GRADE PRIOR TO FINAL SURFACE TREATMENT.
- THE CONTRACTOR IS TO PROTECT DRAINAGE SYSTEM FROM DEBRIS, INCLUDING SOIL, ROCK MATERIAL, AND TRASH FROM ENTERING THE PIPE DURING CONSTRUCTION. CONTRACTOR SHALL AVOID PLACING CONSTRUCTION VEHICLES OVER INSTALLED DRAINAGE TRENCHES TO PREVENT CRUSHING OF PIPE.
- COORDINATE ALL SLEEVING AND UTILITY LOCATIONS AS SHOWN ON THE PLANS AND DETAILS CONTAINED WITHIN THESE CONTRACT DOCUMENTS.
- THE CONTRACTOR IS TO ENSURE THAT ALL REMAINING ACTIVE AND NEW DRAINAGE AND UTILITY LINES ARE PROTECTED AND UNDAMAGED FROM TRENCHING AND FOOTING EXCAVATIONS FOR NEW FOOTINGS, PARTICULARLY FOR NEW FENCING AND WALLS.
- ALL ABANDONED STORM LINES SHALL REMAIN IN PLACE UNLESS IN CONFLICT WITH PROPOSED DRAINAGE, UTILITY, OR SUBGRADING OPERATIONS, IN WHICH CASE ABANDONED PIPE IN CONFLICT SHALL BE REMOVED. REMAINING ABANDONED STORM PIPE SHALL BE SEALED WITH APPROPRIATELY SIZED CONCRETE CAP (3 SACK MIX) 6" ENVELOPE OUTSIDE AND INSIDE DIAMETER OF PIPE.
- PRIOR TO ALL DRAINAGE AND UTILITY WORK, CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL POTENTIAL DRAINAGE CONNECTIONS AND EXISTING UTILITY BY POT-HOLING. IN ADDITION, ALL DOWNSTREAM CONNECTIONS TO EXISTING STRUCTURES SHALL BE THE START OF THESE OPERATIONS, AND GRADES SHALL BE VERIFIED.
- WHEN WORK HAS TO OCCUR UNDER THE DRIPLINE OF EXISTING TREES NOT SCHEDULED FOR REMOVAL, THE CONTRACTOR SHALL USE ALL POSSIBLE CARE TO AVOID INJURY TO THE TREES AND TREE ROOTS. GRADE IN LINES RADIAL TO THE EXISTING TREES RATHER THAN TANGENTIAL. ALL PARTIAL CUTS OR TEARS THROUGH ROOTS TWO INCHES IN DIAMETER AND LARGER SHALL BE CUT CLEAN. TRENCHES ADJACENT TO TREES SHALL BE FILLED WITHIN 24 HOURS AFTER EXCAVATION, BUT WHERE THIS IS NOT POSSIBLE, THE SIDE OF THE TRENCH ADJACENT TO THE TREE, AND ANY EXPOSED ROOTS SHALL BE KEPT SHADED AND MOIST WITH DAMPENED BURLAP OR CANVAS.

DRAINAGE & UTILITY LEGEND

SYM	DESCRIPTION	DETAIL NUMBER SHEET NUMBER
	DRAINAGE PERCOLATION CHAMBER WITH CATCH BASIN IN LANDSCAPE AREA	
	TRENCH DRAIN, REFER TO SPECIFICATIONS	
	STORM DRAIN PIPE, REFER TO SPECIFICATIONS	
	WATER LINE - MATCH EXISTING WATER LINE SIZE, REFER TO SPECIFICATIONS	
	2" DOMESTIC WATER LINE SCHEDULE 40 PVC, REFER TO SPECIFICATIONS	
	2" DOMESTIC WATER LINE - TYPE K COPPER, REFER TO SPECIFICATIONS	
	GATE VALVE - NIBCO; T-113-LF BRONZE GATE VALVE FOR VALVE 2" AND SMALLER IN SIZE	
	SLEEVE - CLASS 200 PVC, SIZE AS NOTED, WITH 30" COVER, REFER TO SPECIFICATIONS	

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CONSULTANT

GRADING, DRAINAGE AND UTILITY PLAN

DAVID CUTINO PARK - ADA IMPROVEMENTS

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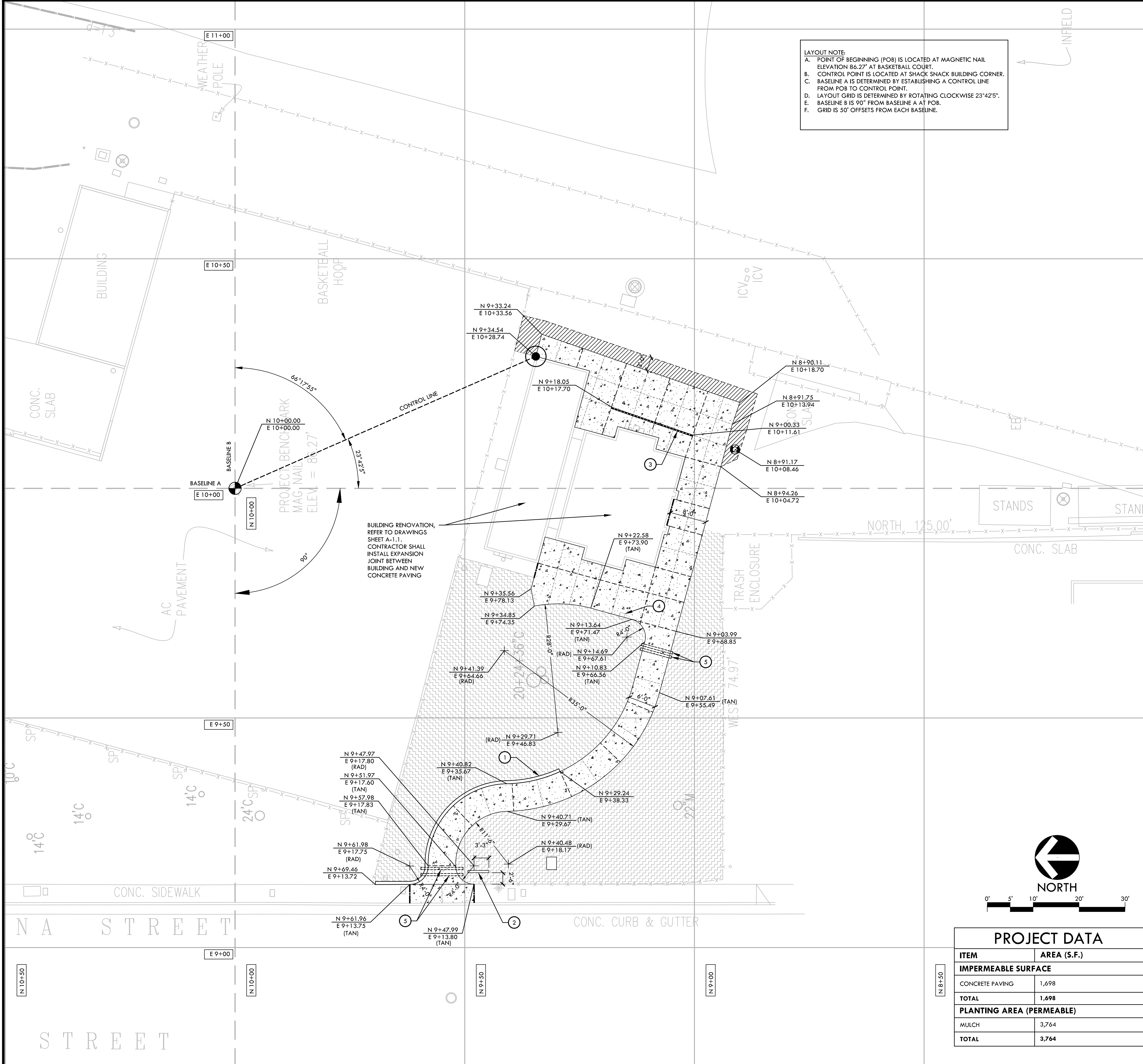
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GRADING, DRAINAGE AND UTILITY PLAN

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LAYOUT NOTE:
A. POINT OF BEGINNING (POB) IS LOCATED AT MAGNETIC NAIL ELEVATION 86.27' AT BASKETBALL COURT.
B. CONTROL POINT IS LOCATED AT SHACK SNACK BUILDING CORNER.
C. BASELINE A IS DETERMINED BY ESTABLISHING A CONTROL LINE FROM POB TO CONTROL POINT.
D. LAYOUT GRID IS DETERMINED BY ROTATING CLOCKWISE 23°42'5".
E. BASELINE B IS 90° FROM BASELINE A AT POB.
F. GRID IS 50' OFFSETS FROM EACH BASELINE.

- ### LAYOUT NOTES
- THE CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION ELEMENTS INCLUDING UTILITY LOCATIONS AND REQUIRED SLEEVING PRIOR TO INSTALLATION. VERIFY CRITICAL DIMENSIONS, REFERENCE POINT LOCATIONS AND CONSTRUCTION CONDITIONS PRIOR TO INITIATING CONSTRUCTION. TEMPORARY BENCHMARKS OR REFERENCE POINTS SHALL BE SET BY THE CONTRACTOR AS NECESSARY. NOTIFY THE OWNER'S REPRESENTATIVE IMMEDIATELY SHOULD DISCREPANCY ARISE AND REDIRECT WORK TO AVOID DELAYS.
 - ALL DIMENSIONS SHALL BE VERIFIED IN FIELD AND CHALKED, STRING LINED OR FLAGGED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. ANY MINOR ADJUSTMENTS MADE TO ACHIEVE OVERALL DESIGN LAYOUT SHALL BE ACCEPTED BY THE OWNER PRIOR TO CONSTRUCTION.
 - LAYOUT IS BASED ON THE POINT(S) OF BEGINNING (P.O.B.) AND BASELINE(S) OR GRID SYSTEM AS SHOWN. DIMENSIONS SHOWN ARE ROUNDED TO THE NEAREST INCH.
 - ALL LAYOUT AND GRADES SHALL BE COMPLETED BY A LICENSED SURVEYOR.

LAYOUT LEGEND	
SYM	DESCRIPTION
	POINT OF BEGINNING SYMBOL
	CONTROL POINT
	RADIUS POINT / CENTER MARK
	PROPOSED ANGLE BETWEEN ELEMENTS
	ALIGN EDGES OF ELEMENTS
	BASELINE & GRID
	CONTROL LINE
	CENTER LINES
	NORTHING/EASTING LAYOUT COORDINATE CALLOUT
(COD)	CENTER OF DRAIN / DRY WELL
(POB)	POINT OF BEGINNING FOR GRID LAYOUT
(RAD)	RADIUS POINT
(TAN)	TANGENT POINT

- ### MATERIAL NOTES
- THE CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION ELEMENTS INCLUDING UTILITY LOCATIONS AND REQUIRED SLEEVING PRIOR TO INSTALLATION. VERIFY CRITICAL DIMENSIONS, REFERENCE POINT LOCATIONS AND CONSTRUCTION CONDITIONS PRIOR TO INITIATING CONSTRUCTION. TEMPORARY BENCHMARKS OR REFERENCE POINTS SHALL BE SET BY THE CONTRACTOR AS NECESSARY. NOTIFY THE OWNER'S REPRESENTATIVE IMMEDIATELY SHOULD DISCREPANCY ARISE AND REDIRECT WORK TO AVOID DELAYS.
 - THE INTERFACE OF ALL PROPOSED IMPROVEMENTS TO EXISTING SITE SHALL CONFORM AND BE SMOOTH AND UNIFORM.
 - ALL REINFORCING AND FORMS SHALL BE SECURED IN PLACE AND ACCEPTED BY OWNER'S REPRESENTATIVE PRIOR TO PLACING ANY CONCRETE.
 - CONCRETE FINISHES SHALL BE AS NOTED. CONTRACTOR SHALL PROVIDE 4"x4" SAMPLES OF ALL SPECIFIED FINISHES OF CONCRETE USING THE SAME MATERIALS THAT WILL BE USED IN THE ACTUAL CONSTRUCTION FOR EACH TYPE SPECIFIED. SAMPLES SHALL BE PREPARED WELL ENOUGH IN ADVANCE OF SCHEDULED CONCRETE POUR TO ALLOW FOR REVIEW AND POSSIBLE RE-POURING OF UNACCEPTABLE SAMPLES. UNACCEPTABLE SAMPLES SHALL BE RE-PREPARED UNTIL ACCEPTED BY THE OWNER'S REPRESENTATIVE. ACCEPTED SAMPLES SHALL BE PROTECTED AND REMAIN ON SITE FOR REFERENCE UNTIL FINAL ACCEPTANCE.
 - WHEN WORK HAS TO OCCUR UNDER THE DRIPLINE OF EXISTING TREES NOT SCHEDULED FOR REMOVAL, THE CONTRACTOR SHALL USE ALL POSSIBLE CARE TO AVOID INJURY TO THE TREES AND TREE ROOTS. GRADE IN LINES RADIAL TO THE EXISTING TREES RATHER THAN TANGENTIAL. ALL PARTIAL CUTS OR TEARS THROUGH ROOTS TWO INCHES IN DIAMETER AND LARGER SHALL BE CUT CLEAN. TRENCHES ADJACENT TO TREES SHALL BE FILLED WITHIN 24 HOURS AFTER EXCAVATION, BUT WHERE THIS IS NOT POSSIBLE, THE SIDE OF THE TRENCH ADJACENT TO THE TREE, AND ANY EXPOSED ROOTS SHALL BE KEPT SHADED AND MOIST WITH DAMPENED BURLAP OR CANVAS.

MATERIAL LEGEND		DTL REF
	CONCRETE PAVING	(J) D1.1
	CONFORM AREA / DIRT AREA	
	MULCH AREA, REFER TO SPECIFICATIONS	
	SCORE JOINT EXPANSION JOINT	(K) D1.1
	DOWEL JOINT	(M) D1.1
①	8" WIDE CONCRETE TALL CURB	
②	RELOCATED PARK SIGN, CONTRACTOR SHALL INSTALL NEW CONCRETE FOOTING.	
③	TRENCH DRAIN, REFER TO GRADING AND DRAINAGE PLAN	(D) D1.1
④	ADJUST WATER METER BOX TO BE FLUSH WITH CONCRETE PAVEMENT	
⑤	INSTALL 6" SLEEVES FOR FUTURE IMPROVEMENTS. SLEEVES SHALL EXTEND 6" MIN. ON EITHER SIDE OF PAVEMENT. CAP SLEEVES ON BOTH SIDES, REFER TO SPECIFICATIONS	

PROJECT DATA	
ITEM	AREA (S.F.)
IMPERMEABLE SURFACE	
CONCRETE PAVING	1,698
TOTAL	1,698
PLANTING AREA (PERMEABLE)	
MULCH	3,764
TOTAL	3,764

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SHEET TITLE

LAYOUT, MATERIAL, AND DETAIL REFERENCE PLAN

PROJECT NAME

DAVID CUTINO PARK - ADA IMPROVEMENTS

PROJECT ADDRESS

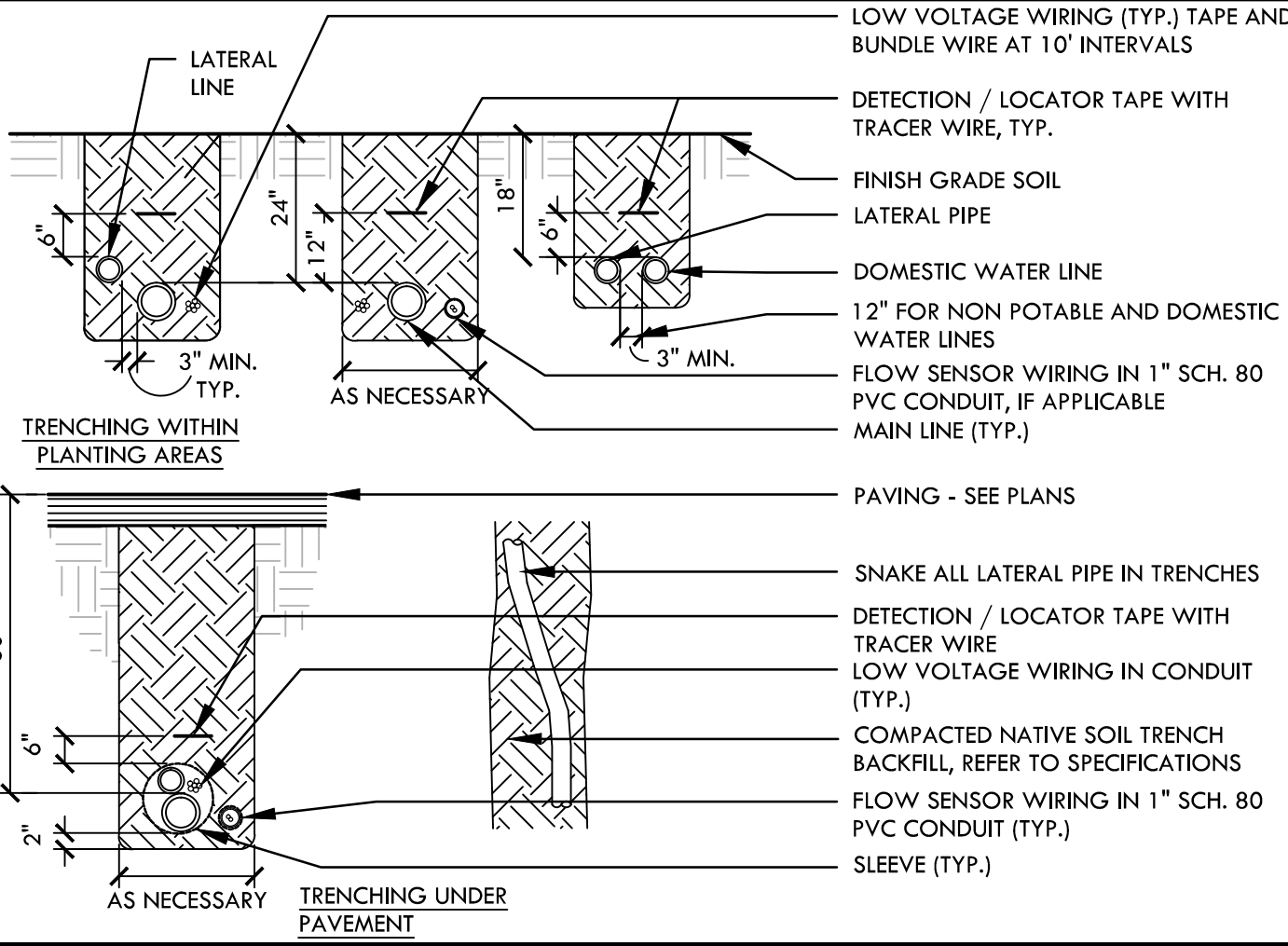
**1332 LA SALLE AVE.,
SEA SIDE, CA
93955**

SUBMITTAL	DATE
60% SUBMITTAL	2-26-18
95% SUBMITTAL	3-20-18
BID SUBMITTAL	05-01-18

NO.	REVISIONS	DATE
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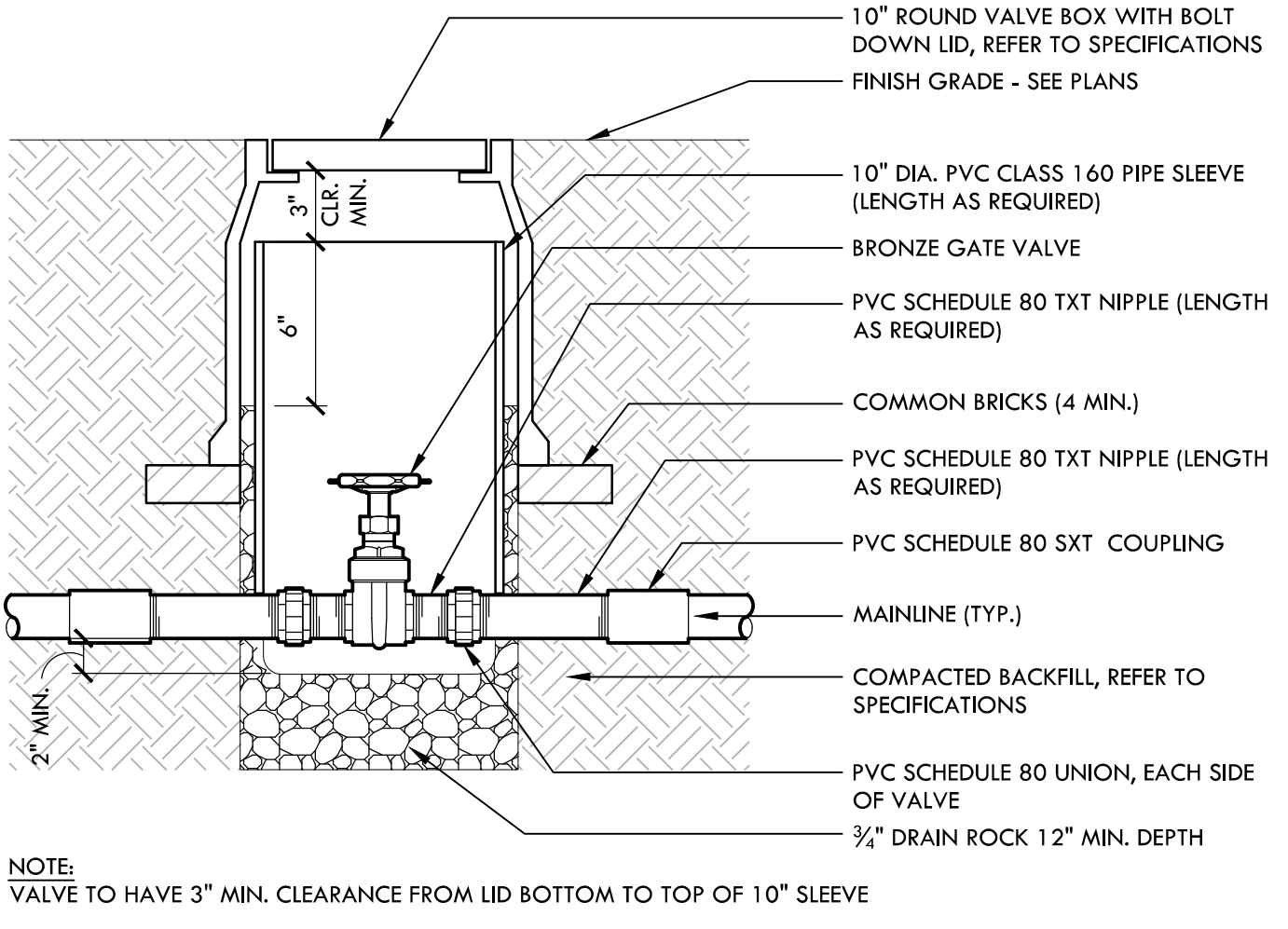
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DATE ISSUED 05-01-18	SCALE 1" = 10'-0"
PROJ. NO. 1706001	
SHEET NO. L6.1	OF SHEETS

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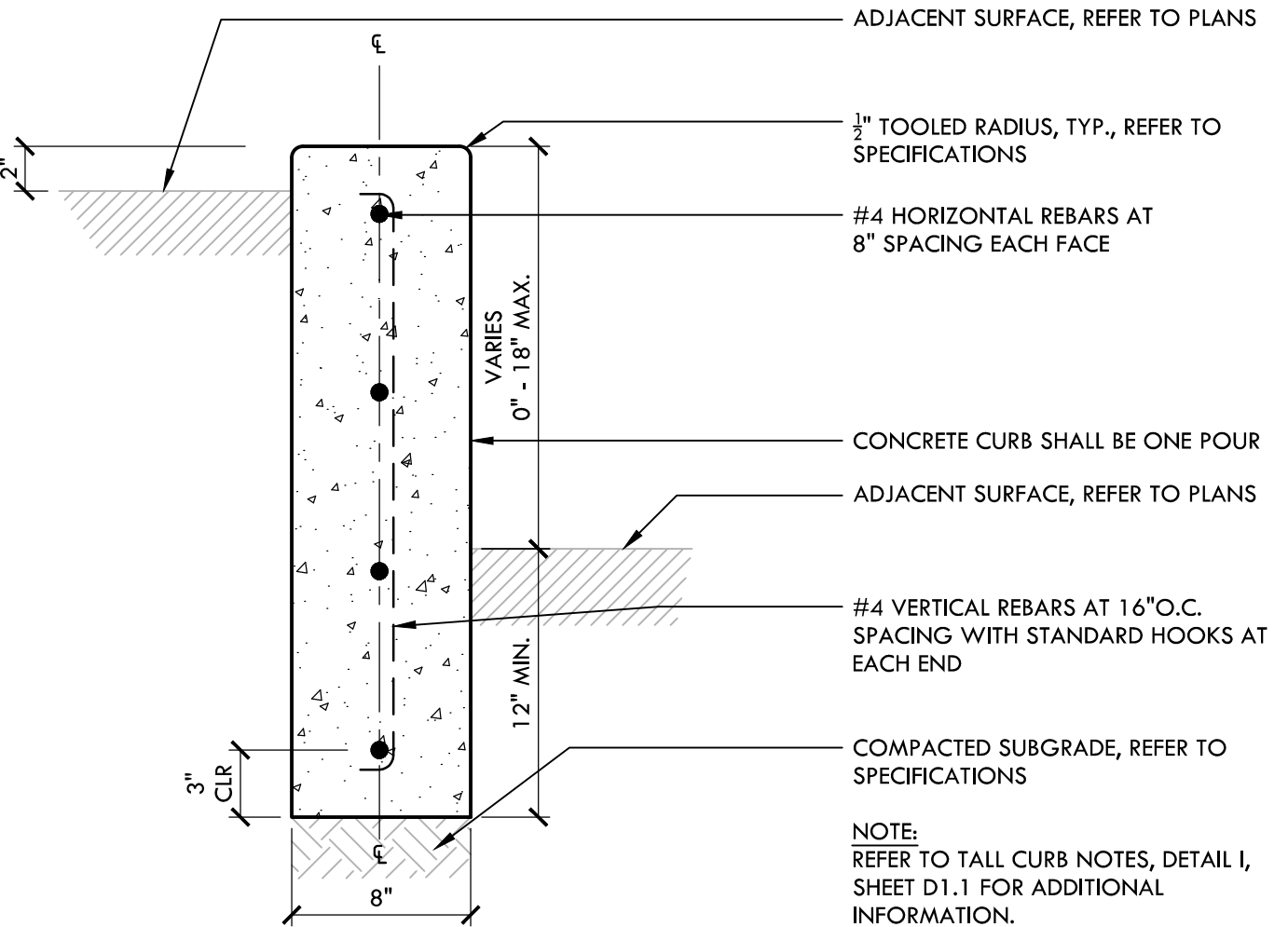
IRRIGATION PIPE TRENCHING

NTS



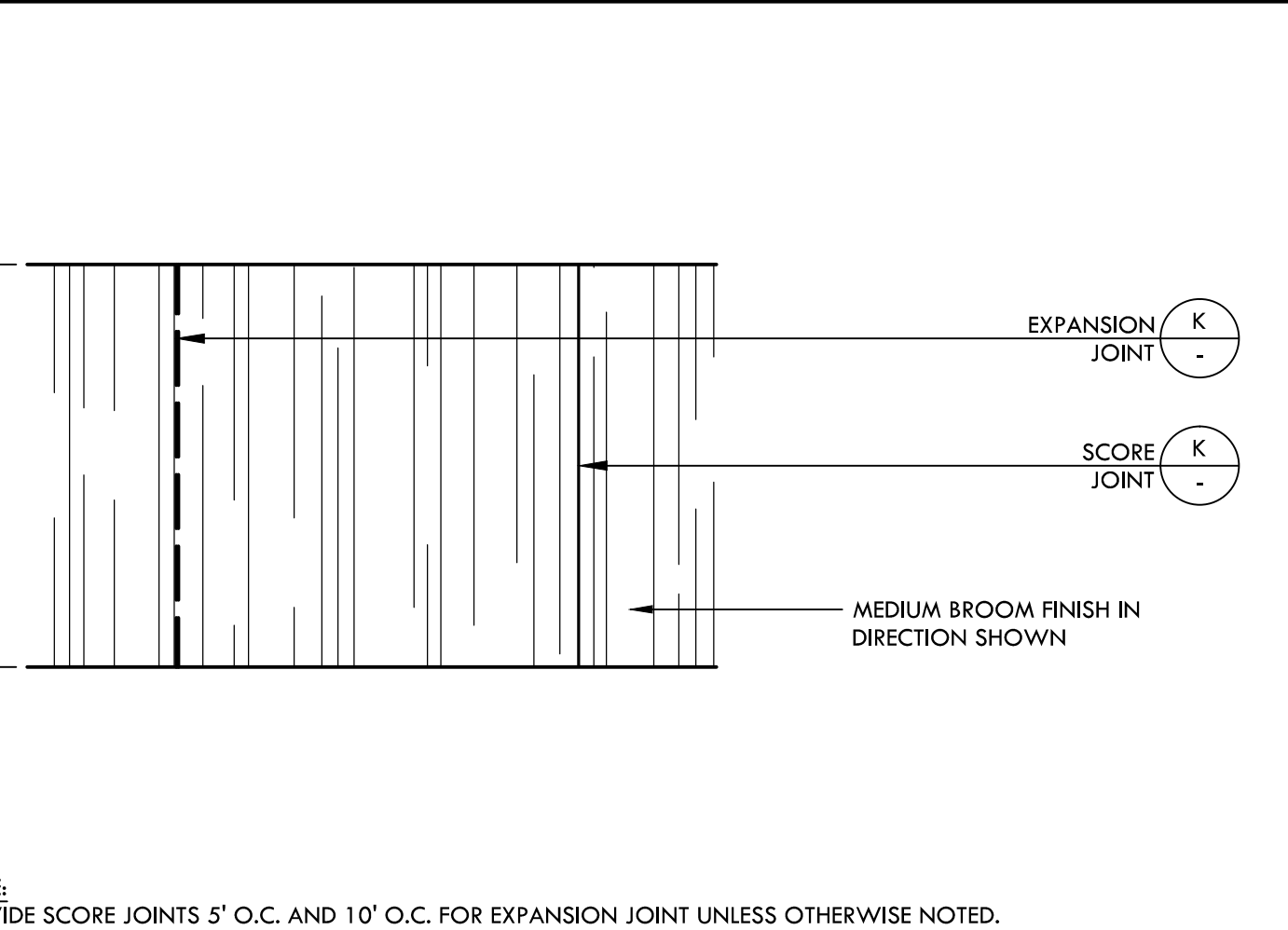
GATE VALVE - 2" AND SMALLER IN SIZE

NTS



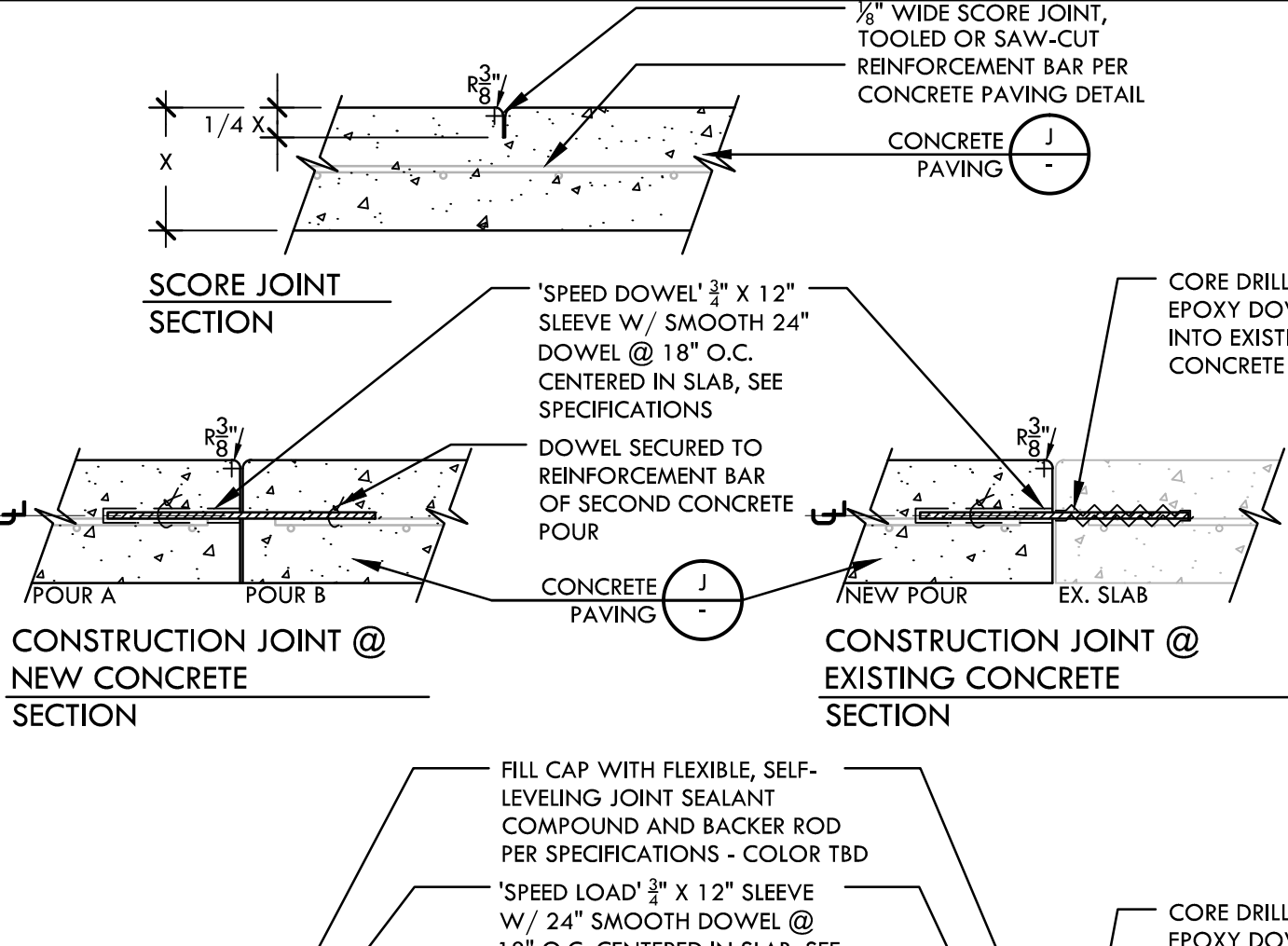
8" WIDE CONCRETE TALL CURB

NTS



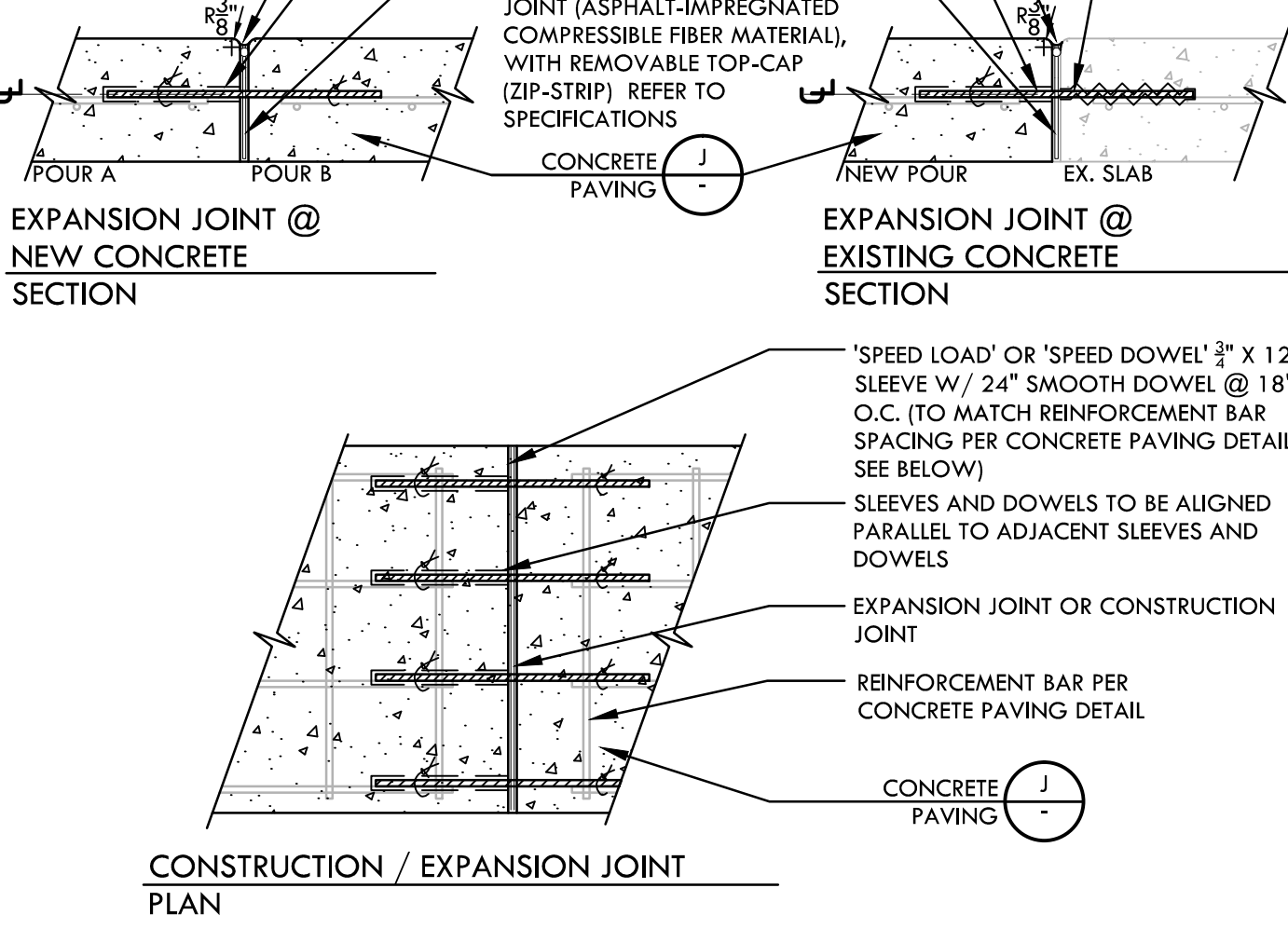
CONCRETE PAVING FINISH

NTS



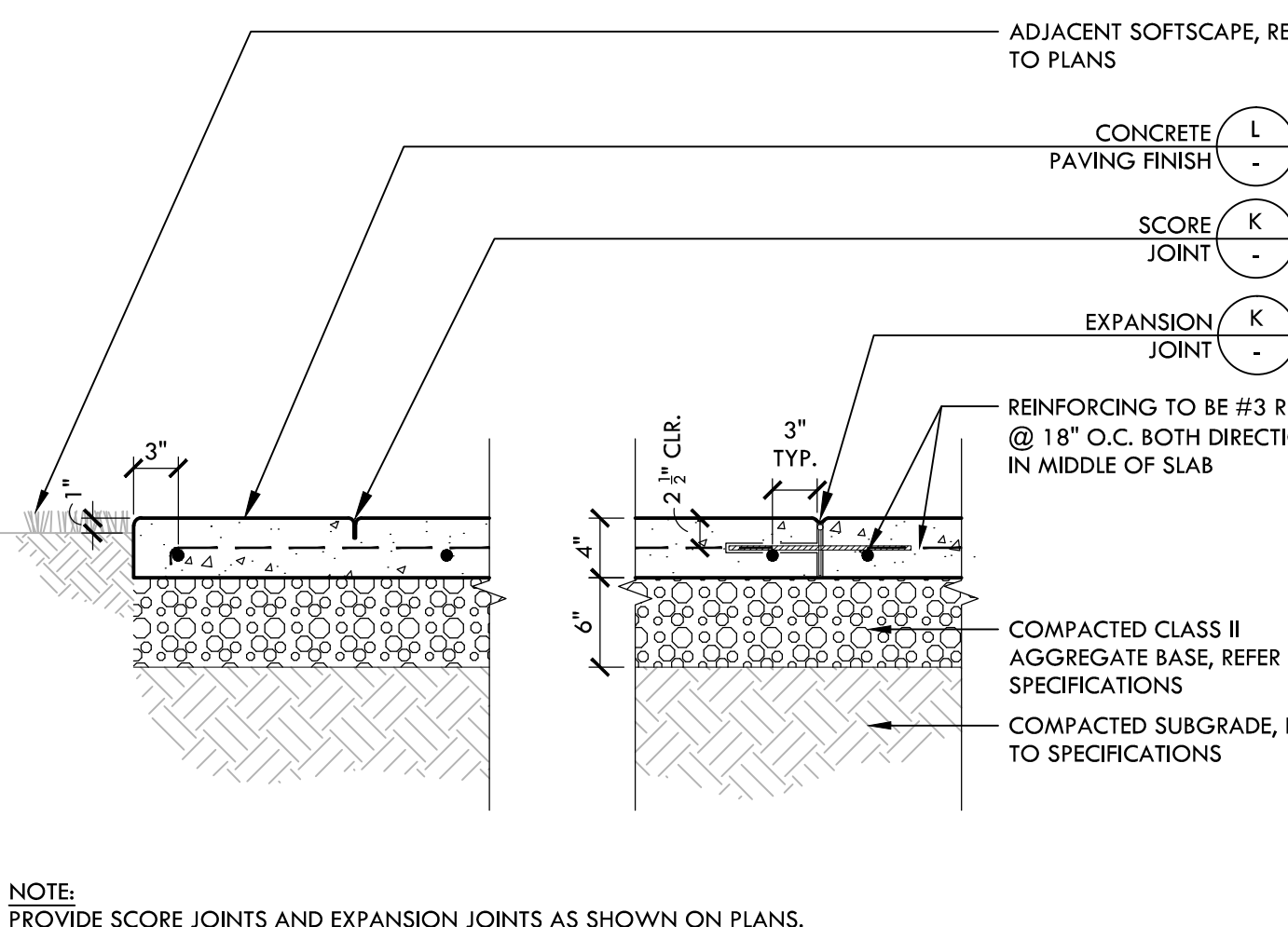
CONCRETE JOINTS

NTS



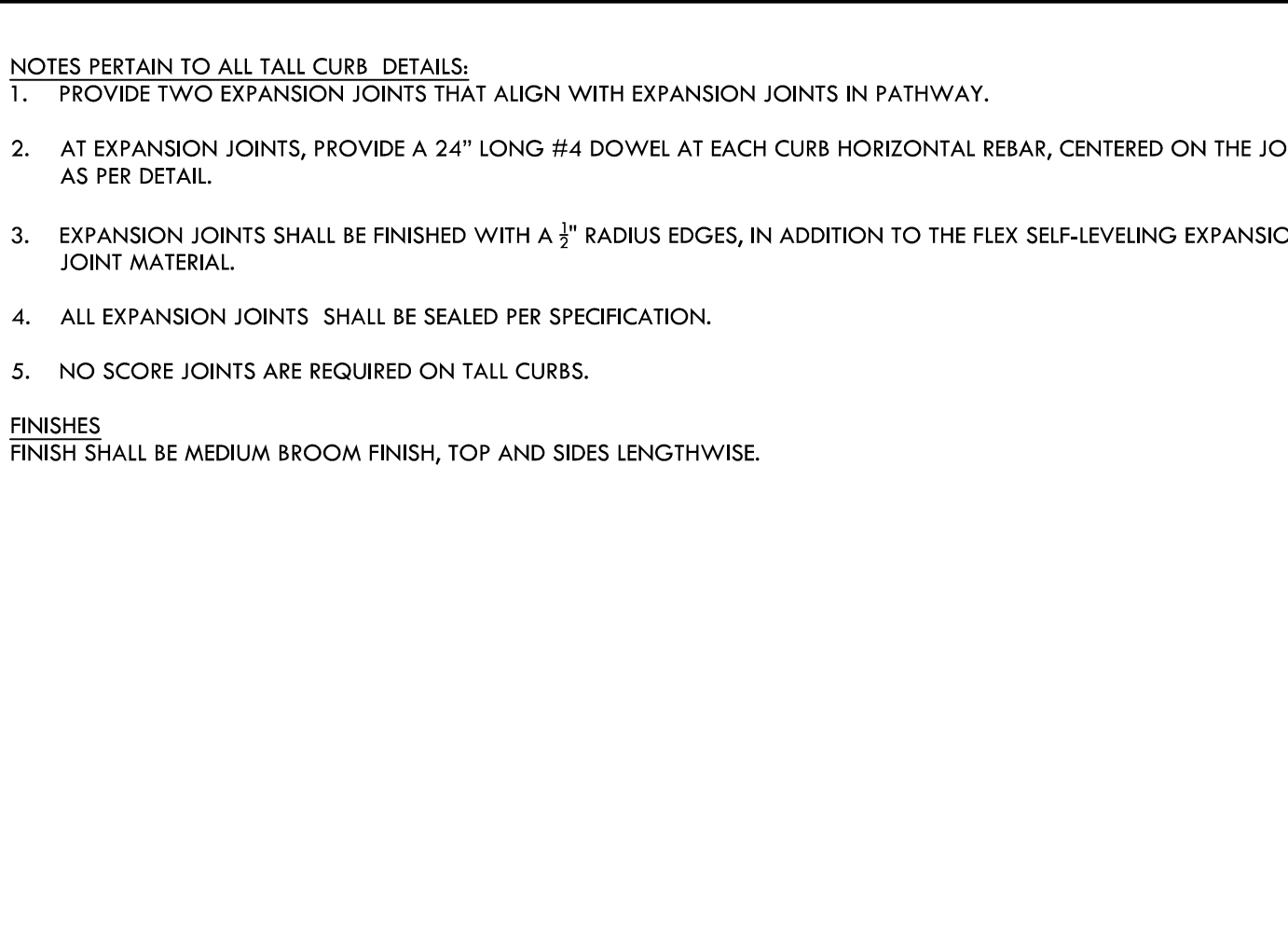
CONCRETE JOINTS

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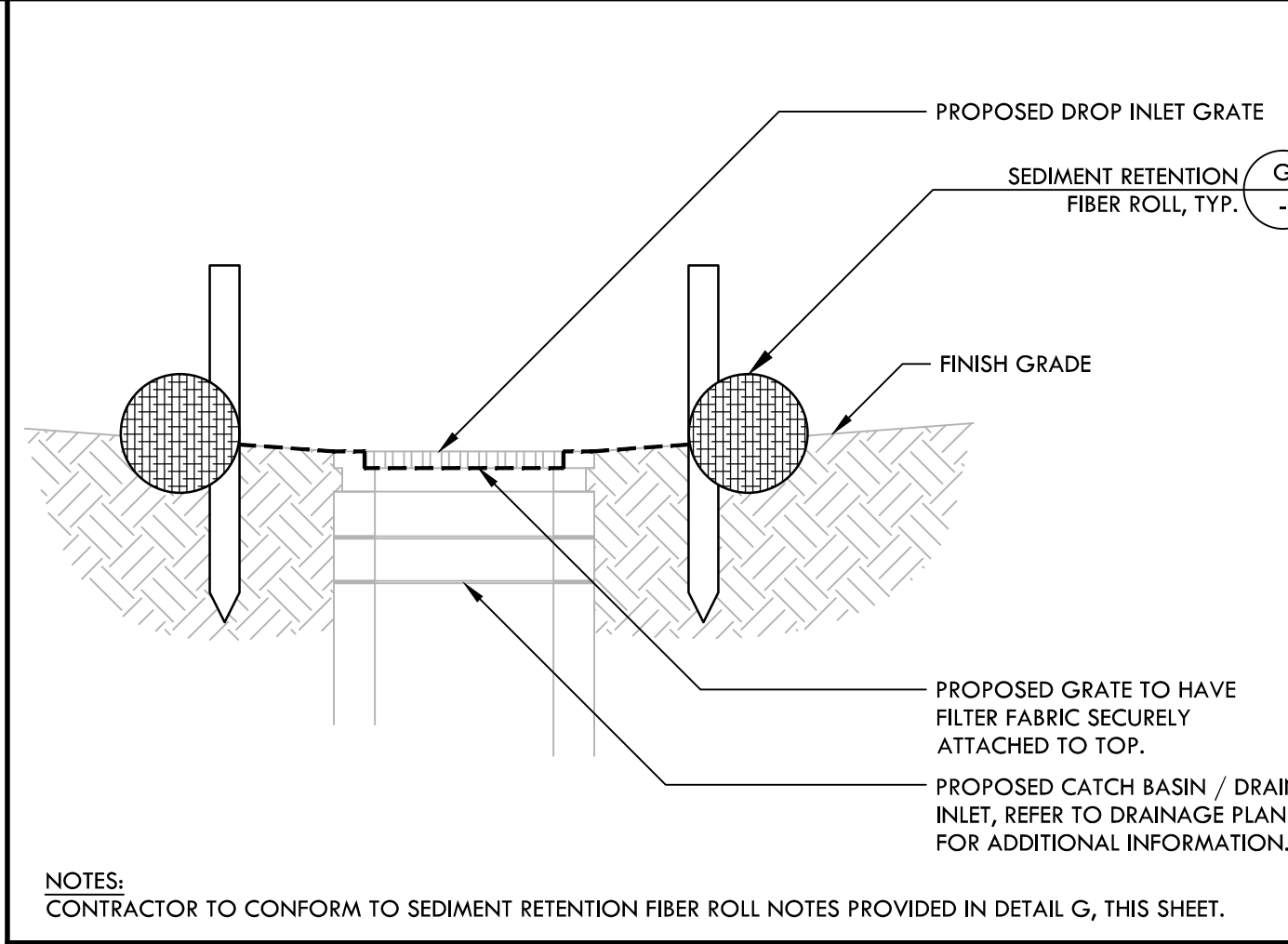
CONCRETE JOINTS

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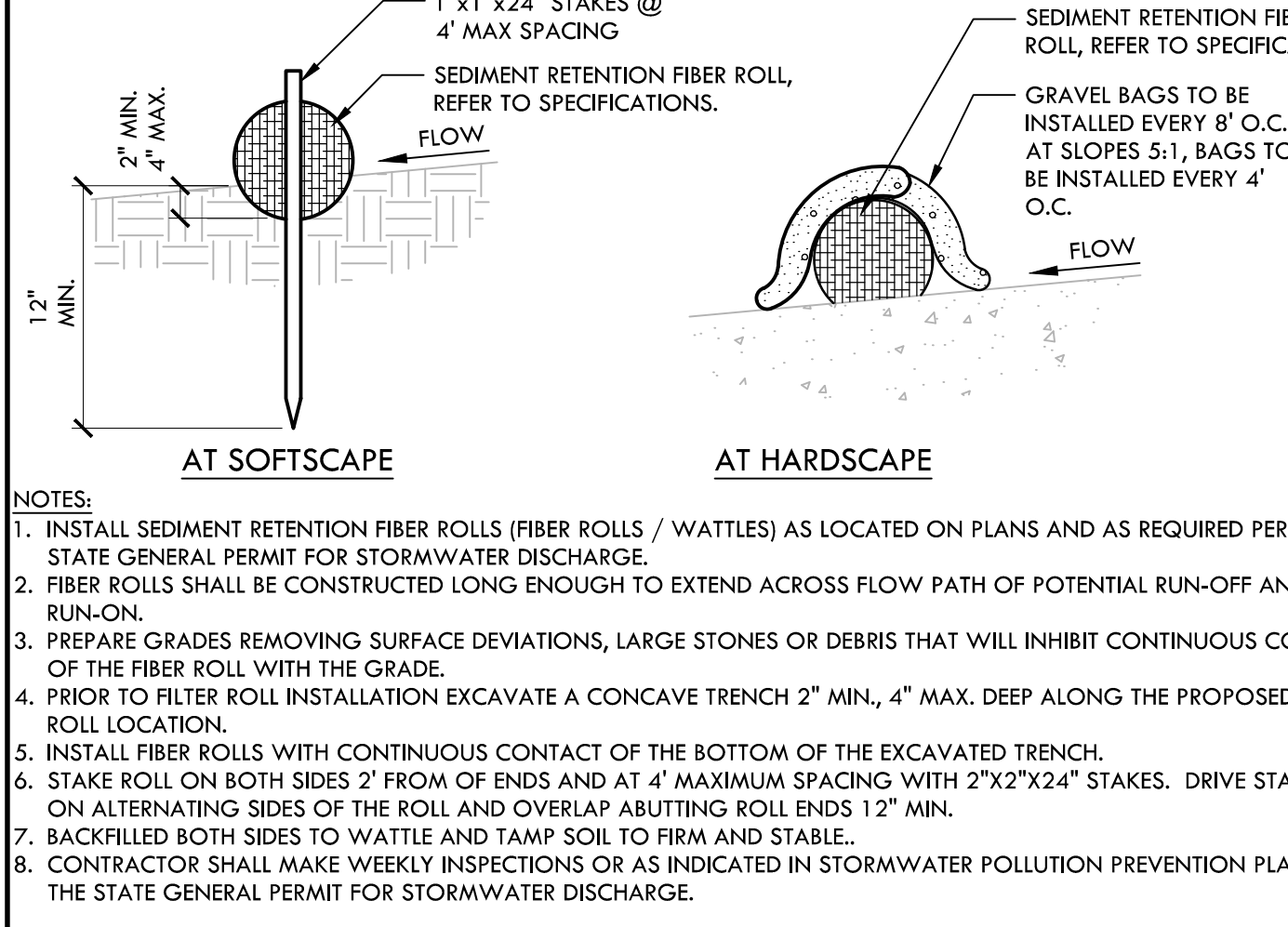
CONCRETE JOINTS

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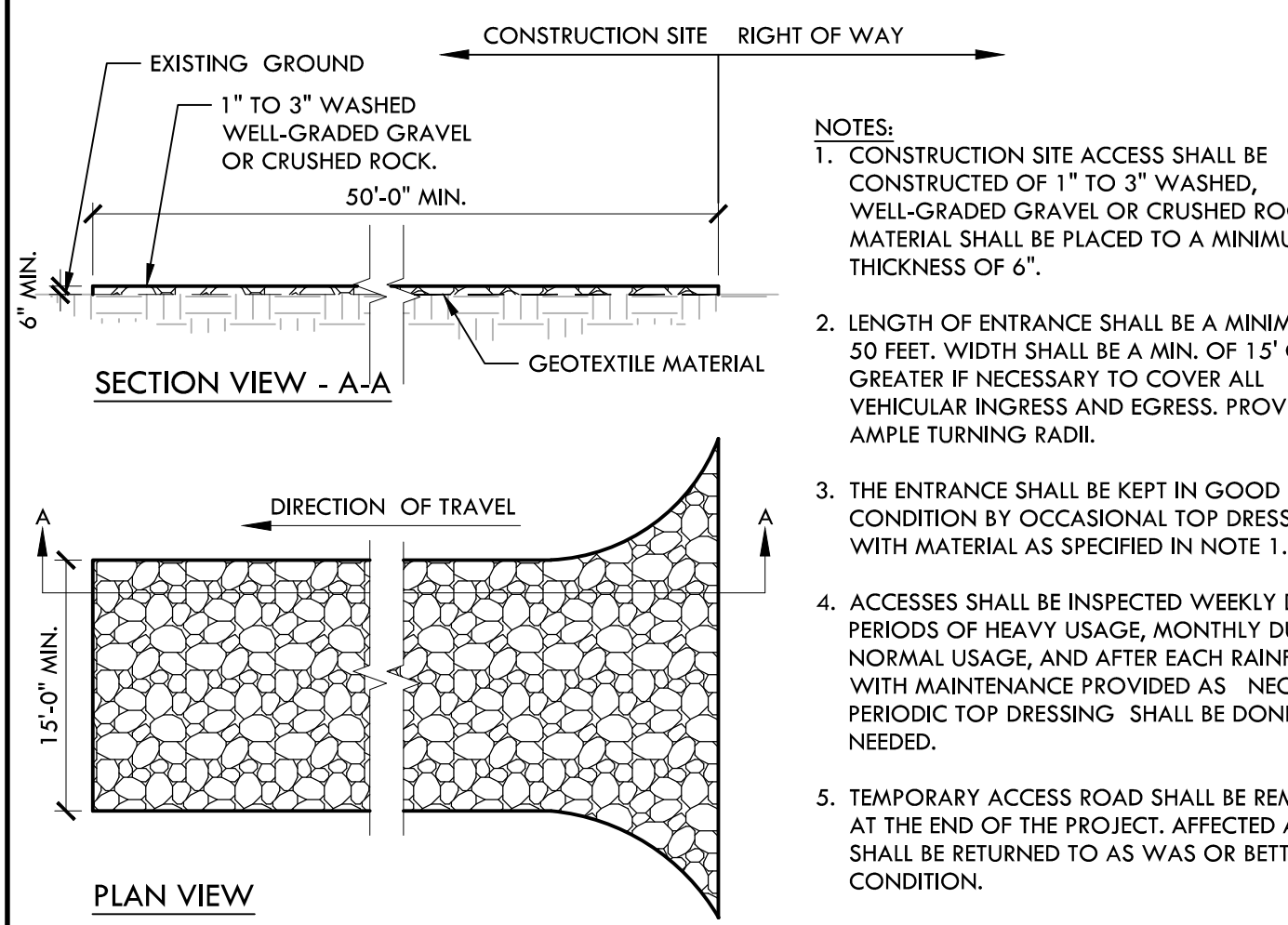
STORM DRAIN INLET FILTER FOR EXISTING AND PROPOSED STORM DRAINS

NTS



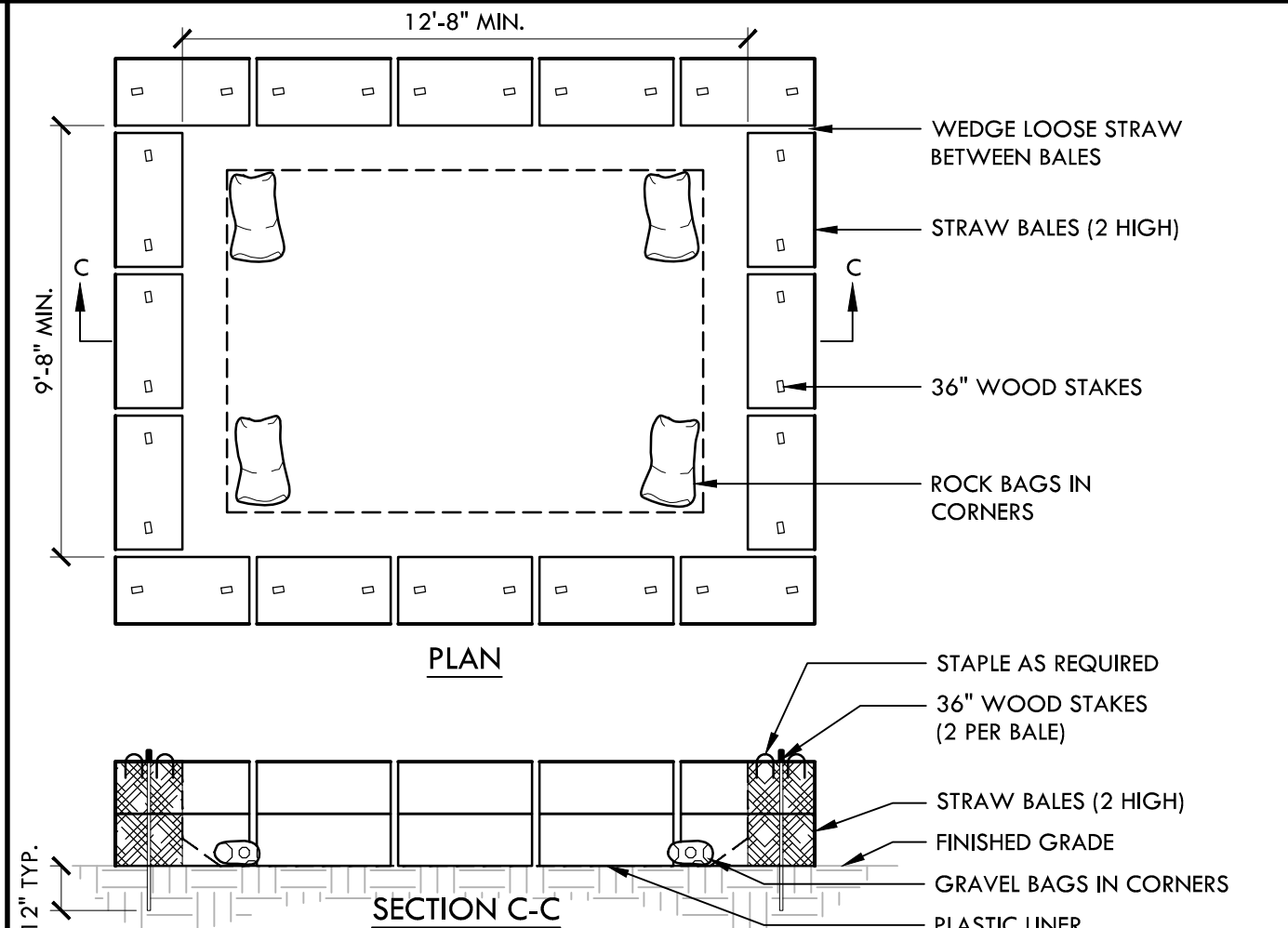
SEDIMENT RETENTION FIBER ROLL

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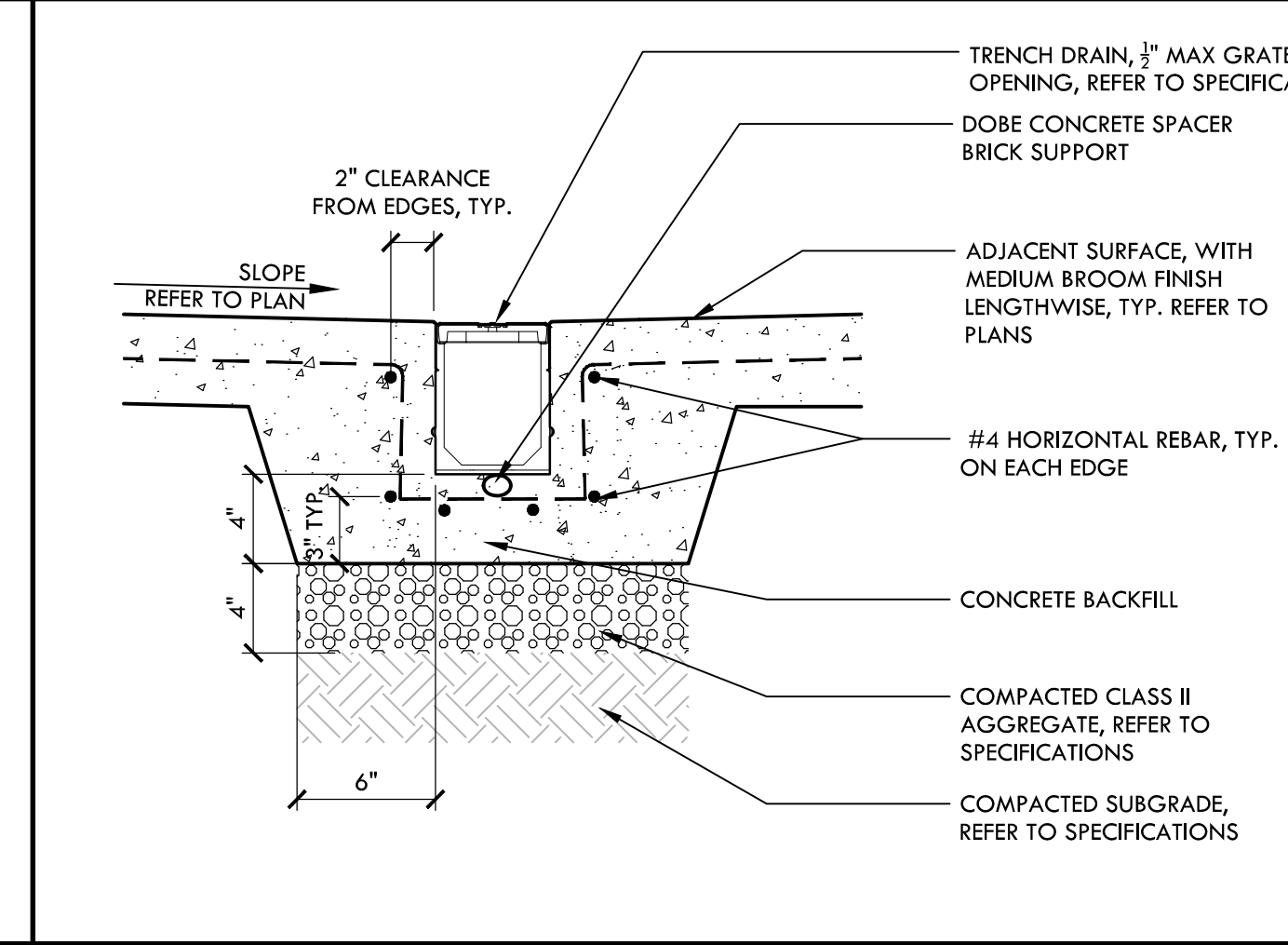
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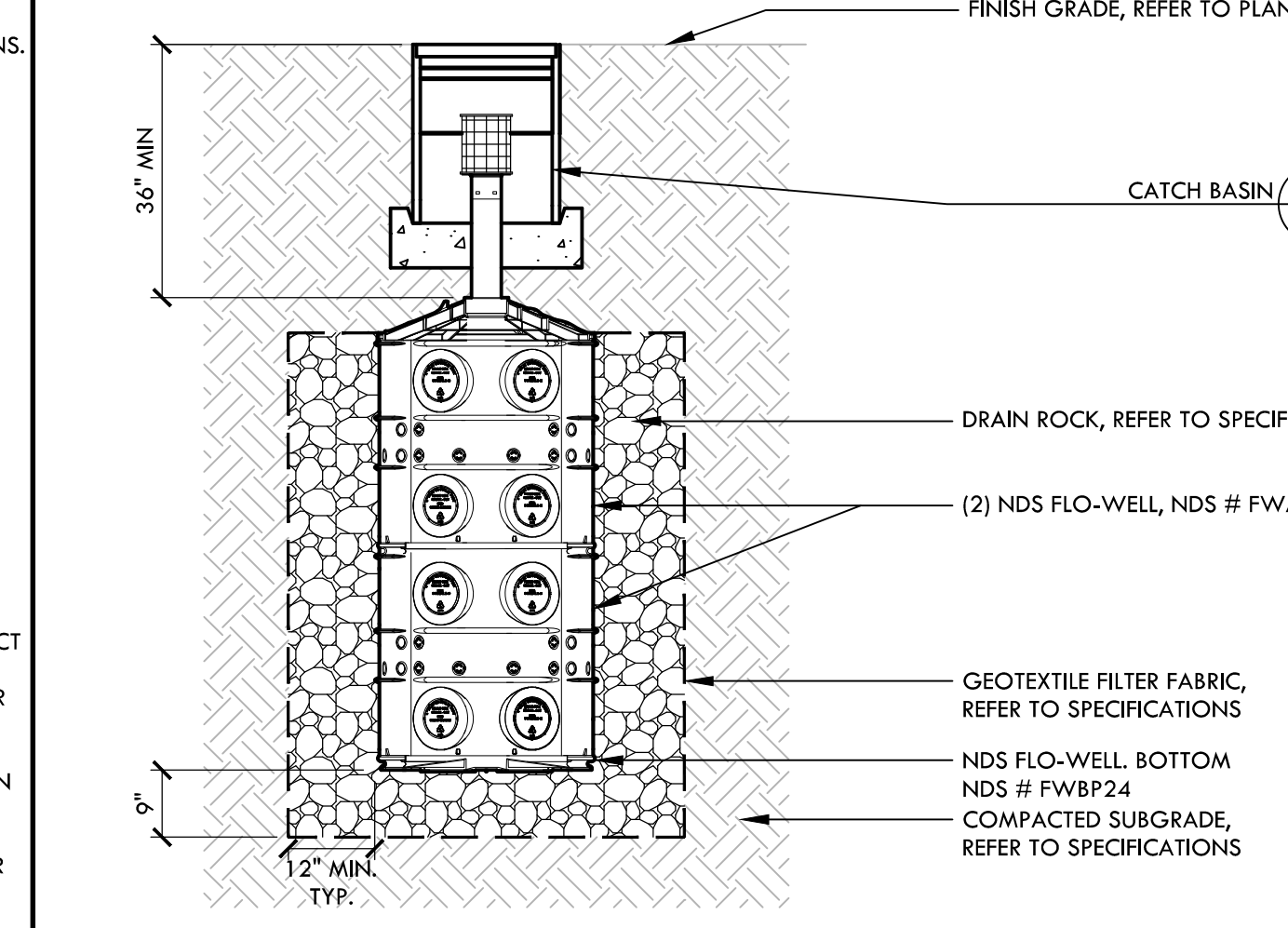
STABILIZED CONSTRUCTION ENTRY

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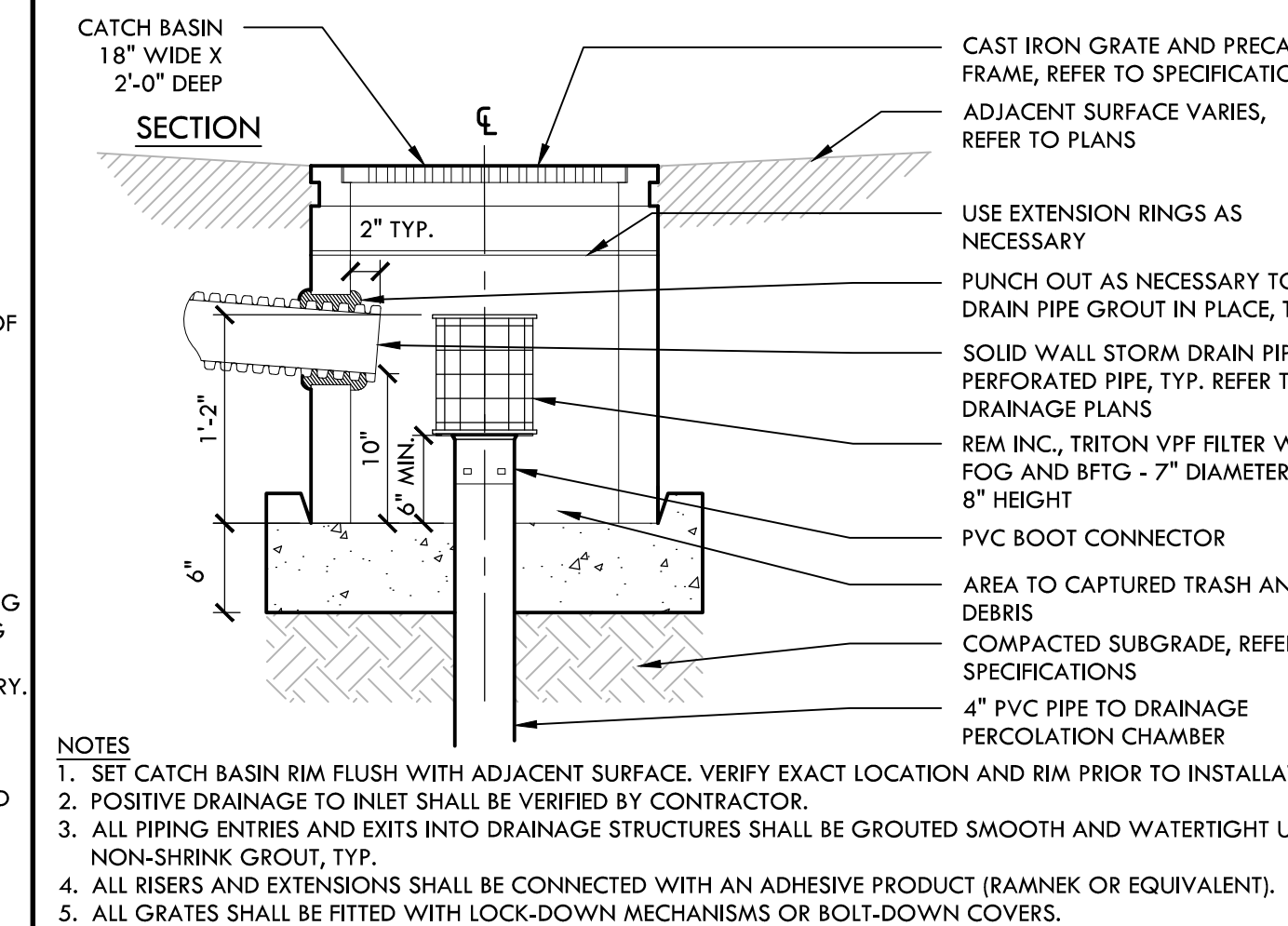
TRENCH DRAIN

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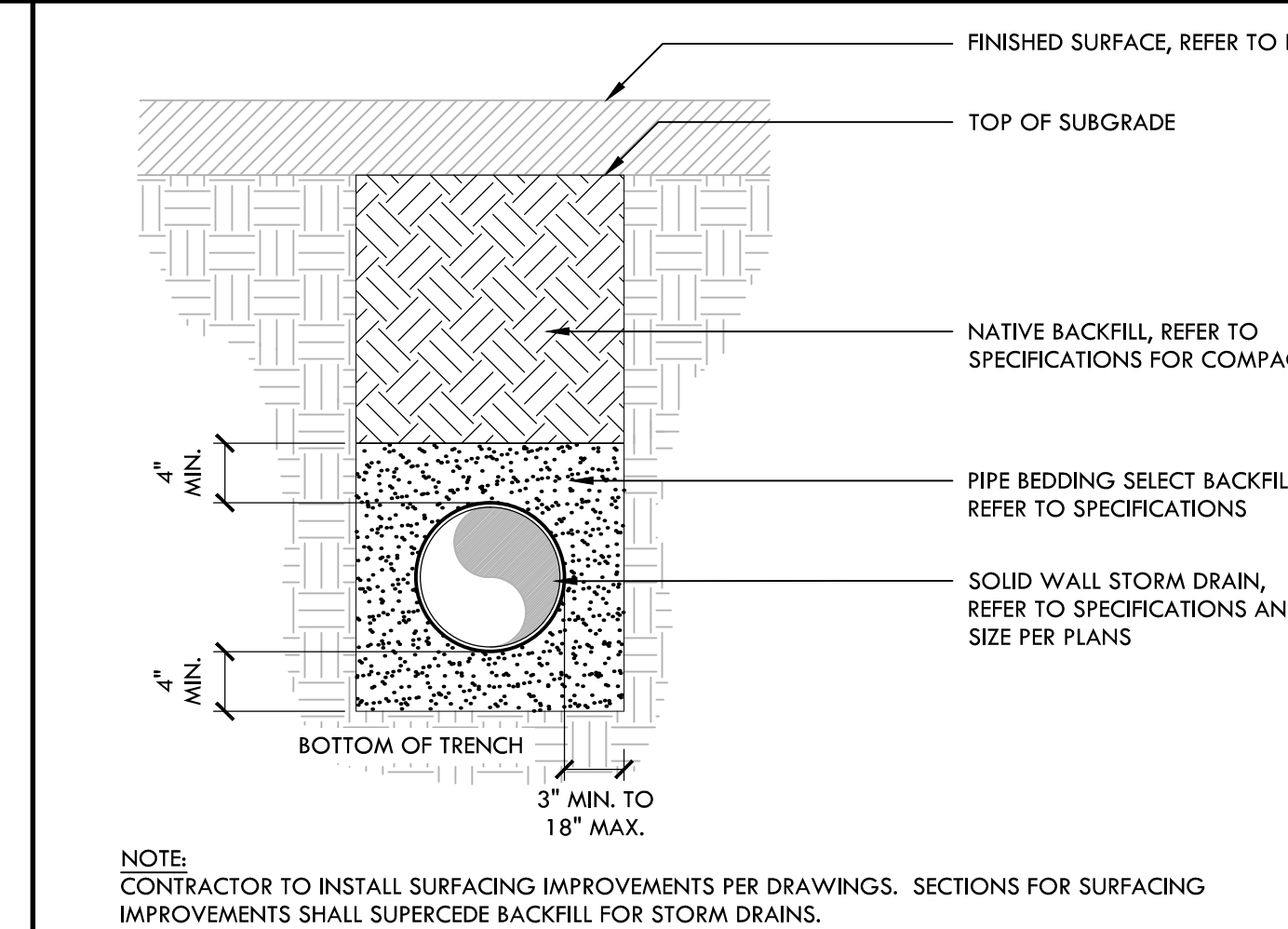
TRENCH DRAIN

NTS



DRAINAGE PERCOLATION CHAMBER WITH CATCH BASIN IN LANDSCAPE AREA

NTS



CATCH BASIN

NTS

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SHEET TITLE

CONSTRUCTION DETAILS

PROJECT NAME

DAVID CUTINO PARK - ADA IMPROVEMENTS

PROJECT ADDRESS

**1332 LA SALLE AVE.,
SEA SIDE, CA
93955**

SUBMITTAL	DATE
60% SUBMITTAL	2-26-18
95% SUBMITTAL	3-20-18
BID SUBMITTAL	05-01-18

NO.	REVISIONS	DATE
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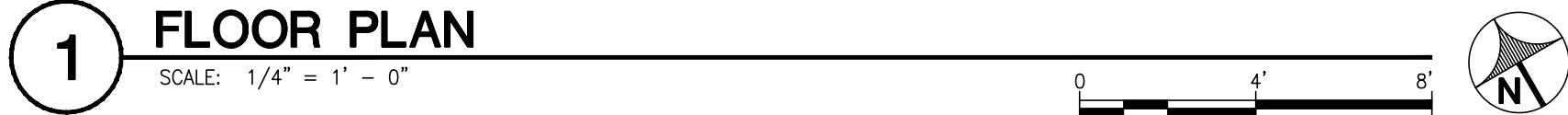
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DATE ISSUED	05-01-18	SCALE	AS SHOWN
PROJ. NO.	1706001		

SHEET NO.

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OF SHEETS

CONSTRUCTION DETAILS



- ① CUT CMLU HEAD 1" AND INSTALL STEEL LINTEL PER DETAIL 1/A-5.1. RELOCATE DOOR FRAME FOR 80 INCH HEADROOM CLEARANCE. DOOR FRAMES TO BE HEAVY DUTY WELDED ALL AROUND. (RECORD #116150 & #116162)
- ② LOWER LAVATORY TO MAX ADA HEIGHT OF 34 INCHES ABOVE FINISH GRADE (RECORD #116140)
- ③ INSTALL PROTECTOR WRAP ON WATER VALVE AND DRAIN PIPES (RECORD #116141 & #116193)
- ④ LOWER URINAL FLUSH VALVE TO 44 INCHES ABOVE FINISH GRADE OR INSTALL AUTOMATIC FLUSH VALVE. (RECORD #116142)
- ⑤ REPLACE WALL MOUNTED PICTOGRAM SIGN TO GATE AT +60" WITH TAMPER PROOF STAINLESS SCREWS OR RIVETS. (RECORD #116143, 116144 & #116194). SEE DETAIL 4/A-5.1.
- ⑥ INSTALL (ISA) INTERNATIONAL SYMBOL OF ACCESSIBILITY SIGN (RECORD #116143, #116144 & #116195). SEE DETAIL 3/A-5.1.
- ⑦ RELOCATE GRAB BAR SO THERE IS 1½ INCHES CLEARANCE AT PROJECTING OBJECTS. GRAB BAR CAN BE MOUNTED 33 INCHES MIN. TO 36 INCHES MAXIMUM ABOVE FINISH FLOOR MEASURED TO TOP OF GRIPPING SURFACE. (RECORD #116164 & #116119)
- ⑧ INSTALL AUTOMATIC DOOR CLOSURE OR SPRING HINGE: INSTALL PULL BAR OR ACCESSIBLE HANDLE ON INTERIOR (RECORD #116165 & #116120)
- ⑨ RELOCATE TOILET PAPER DISPENSER 19 INCHES MIN. ABOVE FINISH FLOOR, AND NOT BEHIND GRAB BAR. DISPENSER TO BE MOUNTED 7 TO 9 INCHES IN FRONT OF WATER CLOSET. (RECORD #116166, #116168, #116121, #116122, & #116123)
- ⑩ RELOCATED OPERABLE PART OF SOAP DISPENSER TO 40 INCH ABOVE FINISH FLOOR (RECORD #116192)
- ⑪ RESLOPE PAVING AREA AT ACCESSIBLE DRINKING FOUNDATION WITH 2% MAX SLOPE. SEE LANDSCAPE DRAWING (RECORD #116117).
- ⑫ PROVIDE AND INSTALL GRAB BARS EACH SIDE FOR AMBULATORY STALL. RELOCATE PAPER TISSUE DISPENSER TO CLEAR GRAB BAR AS REQUIRED. STALL 60" DEPTH MIN & WIDTH 35" MIN & 37" MAX. SEE DETAIL 2B/A-5.1.

- (21) CONCRETE SLAB ON GRADE THRESHOLD TO BE $\frac{1}{4}"$ MAX ABOVE NEW PAVING. SEE LANDSCAPE DRAWINGS.
- (22) CUT CMU AND DROP STAINLESS STEEL COUNTER +34" ABOVE FINISH INTERIOR/EXTERIOR GRADES; REPLACE SST SERVING COUNTER AS REQUIRED. REPLACE SECURITY SHUTTER WITH NFA HAND CRANK BY RS COUNTER DOOR - STAINLESS STEEL INTERLOCKING SLATS, GUIDES, BRACKETS AND HOOD. FOR COMPLETE ASSEMBLY WITH THUMB TURN CYLINDER LOCK. (RECORD #116129). SEE DETAIL 5/A-5.1. DOOR SHOE FLUSH THRESHOLD AND AUTOMATIC DOOR CLOSURE.
- (23) REPLACE METAL DOOR AND LATCH SET WITH ACCESSIBLE LEVER LOCK SET PER CITY STANDARD. GRIND OFF SLIDE BOLT PROTRUSION ON DOOR FRAME AND REPLACE DOOR WITH LEVEL 2 HEAVY DUTY, 1-3/4" THICK WITH FULL FLUSH WELDED SEAMS.
- (24) DEMO EXISTING SINK COUNTER AND REPLACE WITH SST UNIT.
- (25) REPLACE SINK CABINET WITH STAINLESS JUST MANUFACTURING CO. MODEL NSF8-360-24R-12/12-ADA WITH STAINLESS LEGS AND FEET. THREE COMPARTMENT, NSF CERTIFIED, 87" WIDE X 27-1/2" DEPTH X 34" HT., BOWL TO BE 7" MAX TO MEET 27" ACCESSIBILITY KNEE CLEARANCES. (SEE J-35-BLA-2 TWIST HANDLE STRAINER; JT-200 P-TRAP. WRAP ALL EXPOSED DRAIN PIPES & VALVES FOR ACCESSIBILITY KNEE PROTECTION.
- (26) PROVIDE AND INSTALL 1-1/2" SEWER VENT TO EXT. ROOF WITH SST PIPE FLASHING. SEE DETAIL 7/A-5.1.
- (27) SAWCUT COUNTER TOP AND PROVIDE END PANEL TO EXISTING CABINET.

③① TRENCH DRAIN, SEE LANDSCAPE DRAWINGS.

③② SITE PAVING, SEE LANDSCAPE DRAWINGS.

41 PROVIDE AND INSTALL NEW LIGHT FIXTURE. EXTEND WIRING TO NEAREST EXTERIOR BUILDING LIGHT CIRCUIT. USE LITHONIA LIGHT FIXTURE OLWX2-LED-90-40K-DOB, 208V

A. PRIME AND PAINT ALL REPAIR AREAS TO MATCH EXISTING.

B. PATCH AND REPAIR ALL EXTERIOR PLASTER FINISHES TO MATCH EXISTING.

C. PRIME AND PAINT ALL EXPOSED EXTERIOR STEEL AND CONDUITS PART OF THIS PROJECT.

RECORD #'S AS NOTED ARE FOR REFERENCE PER ADA ACCESSMENT REPORT
PREPARED BY DISABILITY ACCESS CONSULTANTS DATED 3-26-2016.

A detailed site map of the Lowell Street area in San Pablo, California. The map shows the intersection of Lowell Street, Luxton Street, and San Pablo Avenue. A large rectangular area is outlined, and a smaller area within it is shaded and labeled "AREA OF WORK". A north arrow is in the top right corner. The map includes various street names, landmarks, and a scale bar.



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408.282.1500 | 408.297.2995 (f)
salasobrien.com**

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Oakland | Orange County | Sacramento
San Diego | San Luis Obispo | Seattle

SHEET TITLE

ARCHITECTURAL FLOOR PLAN

PROJECT NAME

DAVID CUTINO PARK ADA IMPROVEMENTS

PROJECT ADDRESS

1332 LA SALLE AVE.
SEASIDE, CA
93955

SUBMITTAL	DATE
60% SUBMITTAL	03/09/18
95% SUBMITTAL	03/20/18
BID SUBMITTAL	04/06/18

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CHECKED BY _____

DATE ISSUED _____

SCALE

PROJ. NO.

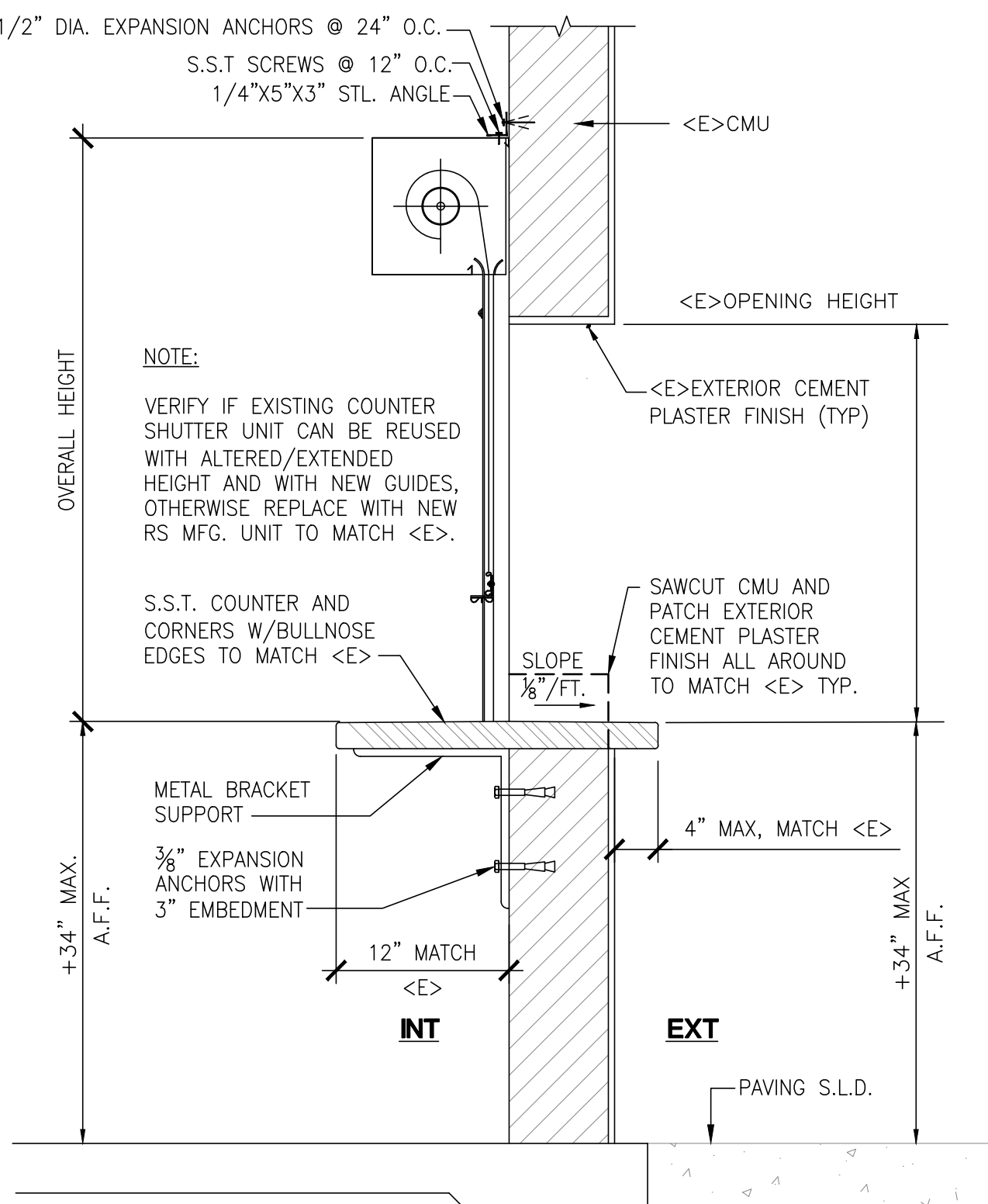
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SHEET NO.

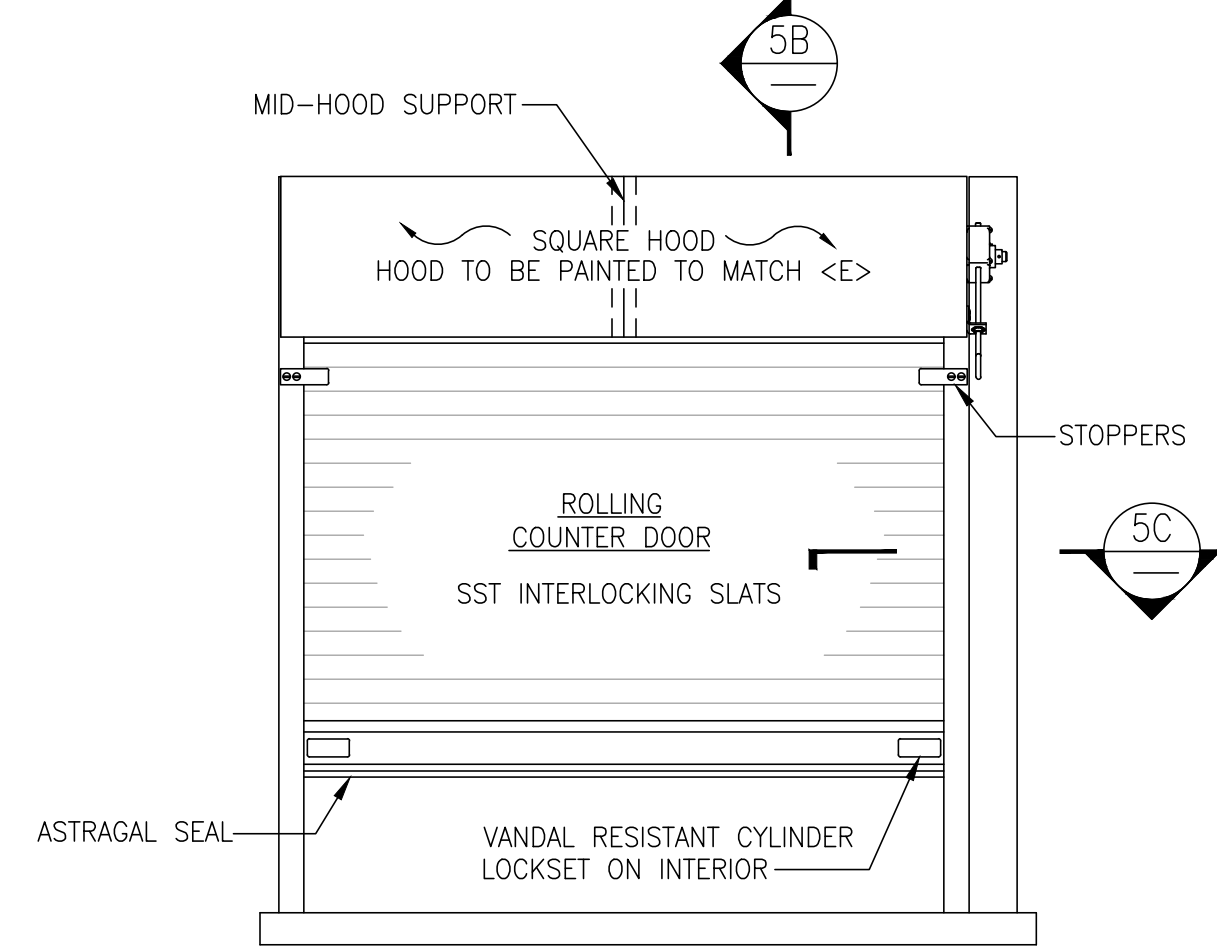
A-1.1

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Packet Page 109

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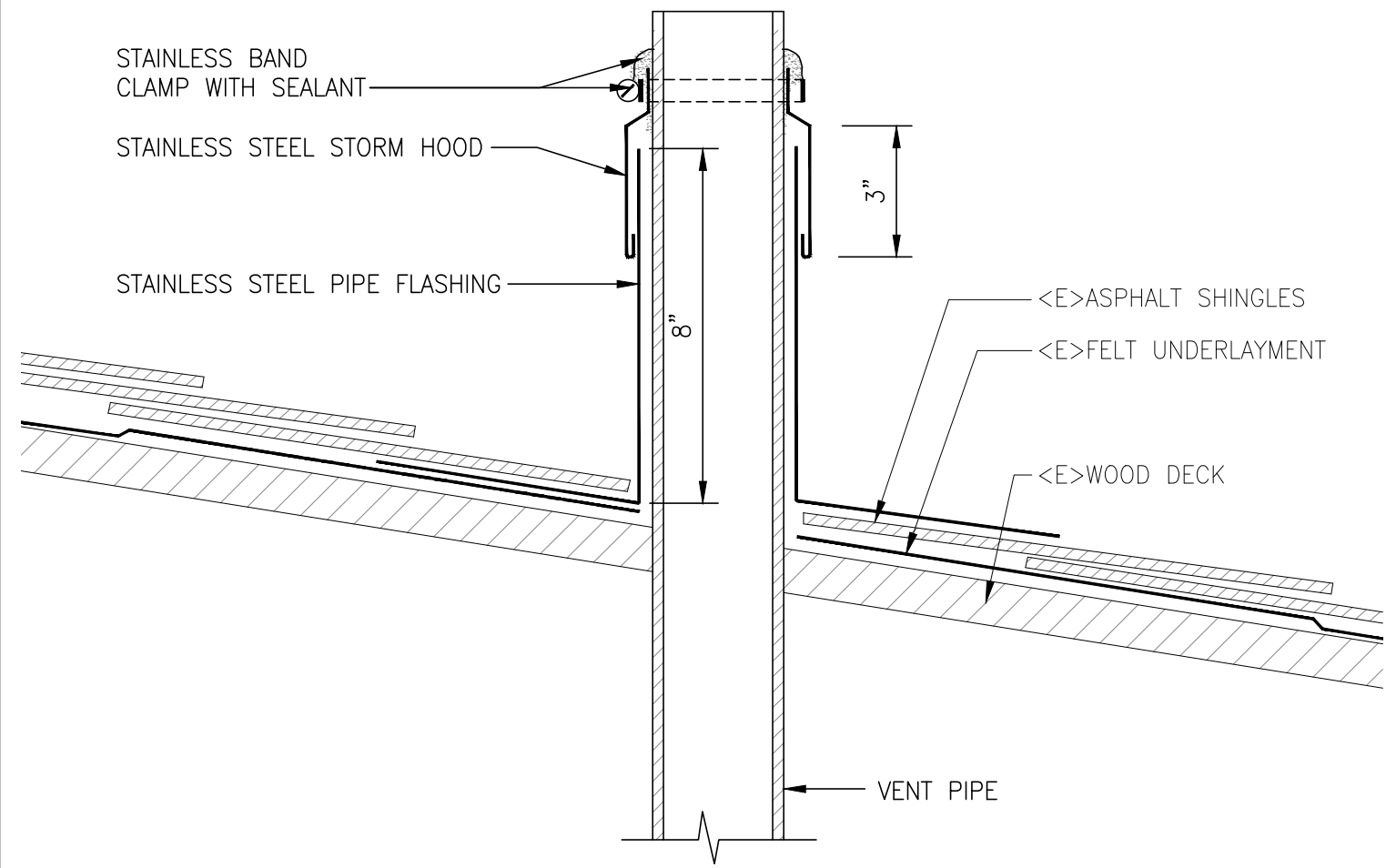
5B - SECTION



5A - COIL SIDE INTERIOR ELEVATION

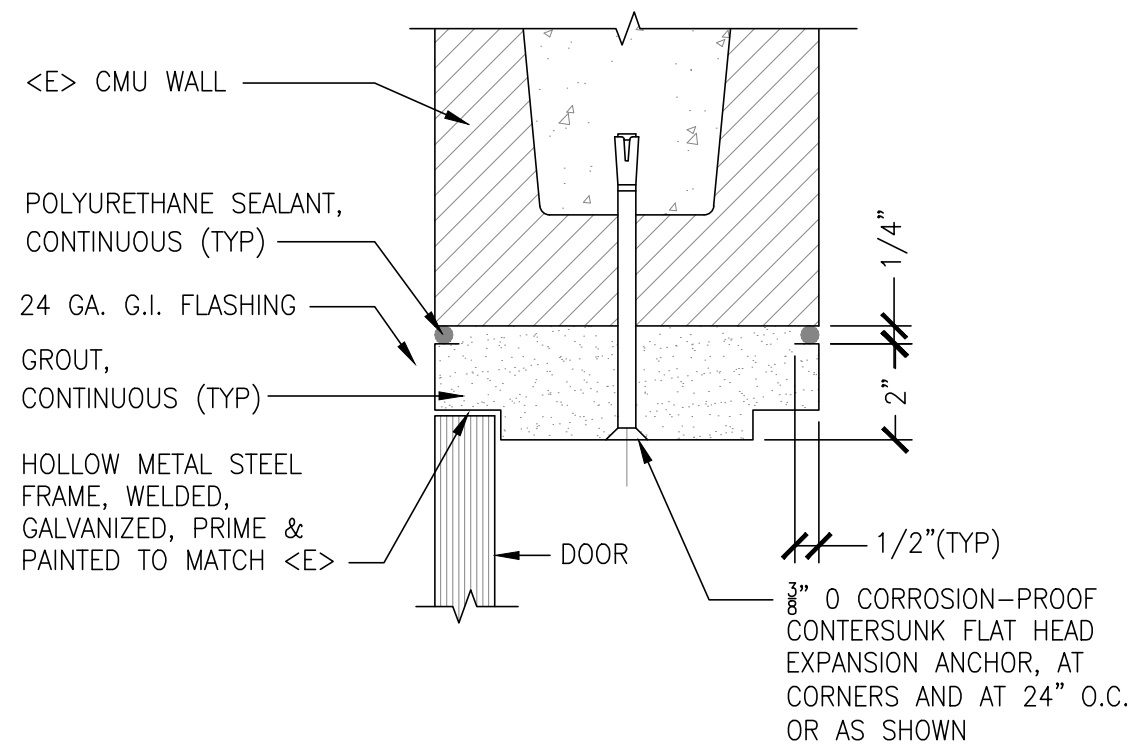
5 ACCESSIBLE COUNTER

SCALE: N.T.S.



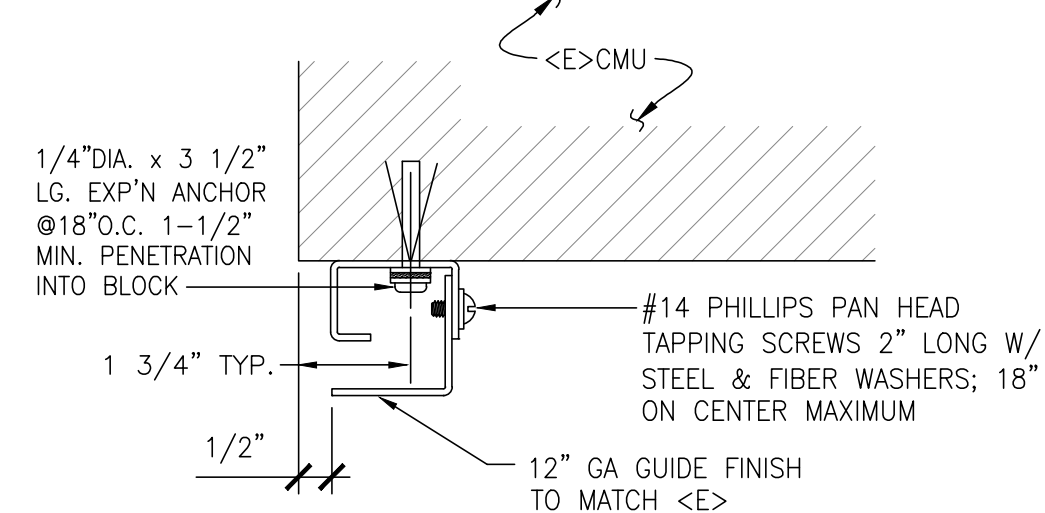
7 ROOF VENT PIPE PENETRATION

SCALE: N.T.S.



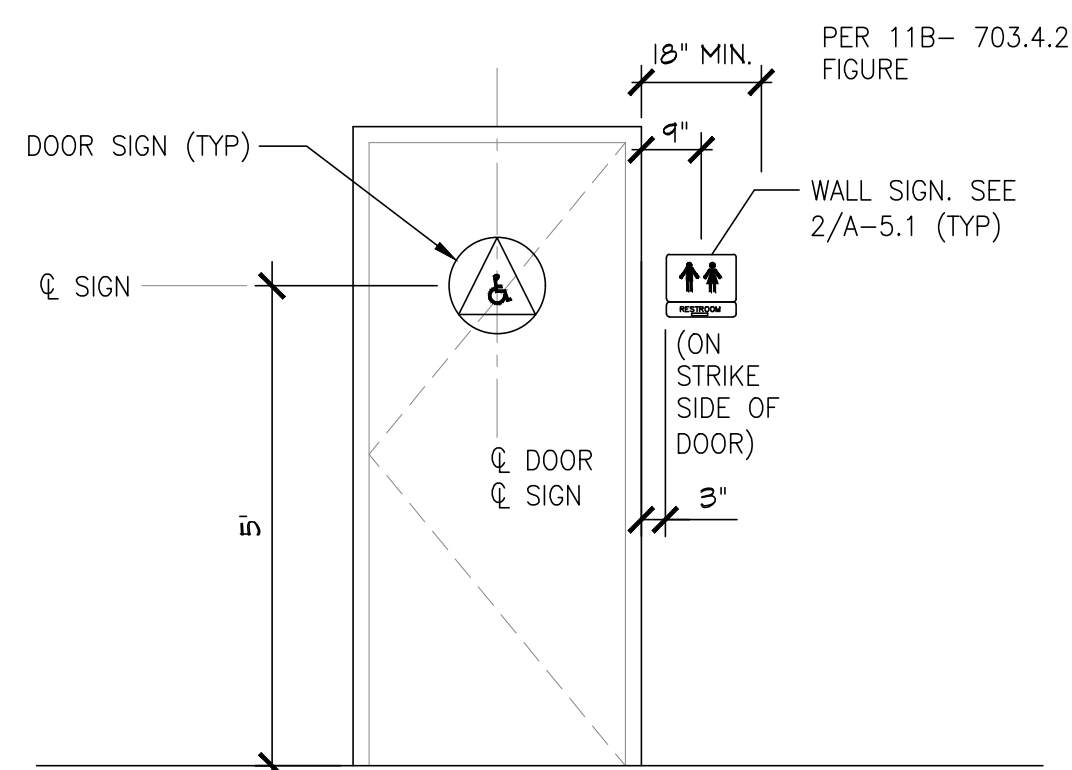
6 DOOR HEAD

SCALE: N.T.S.



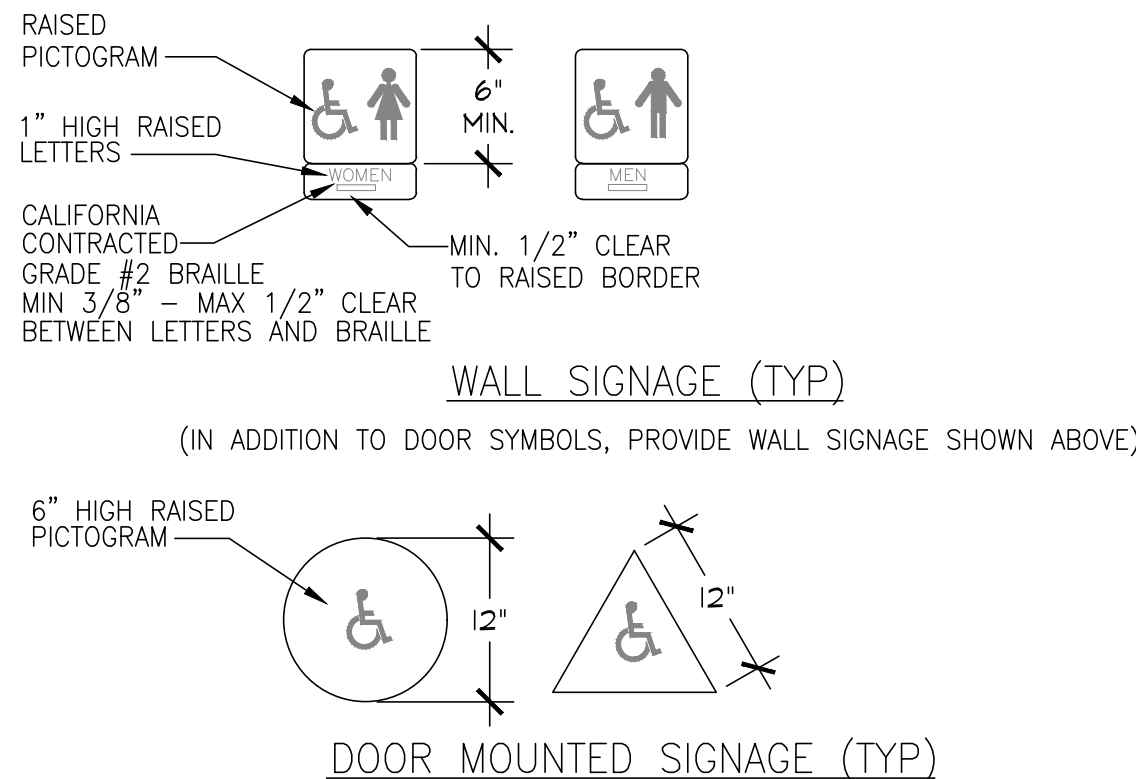
5C - GUIDE RAIL SECTION

NOTES:
GALVANIZED WELDED FRAME PRIME & PAINTED TO MATCH <E> DOOR JAMB DETAIL.



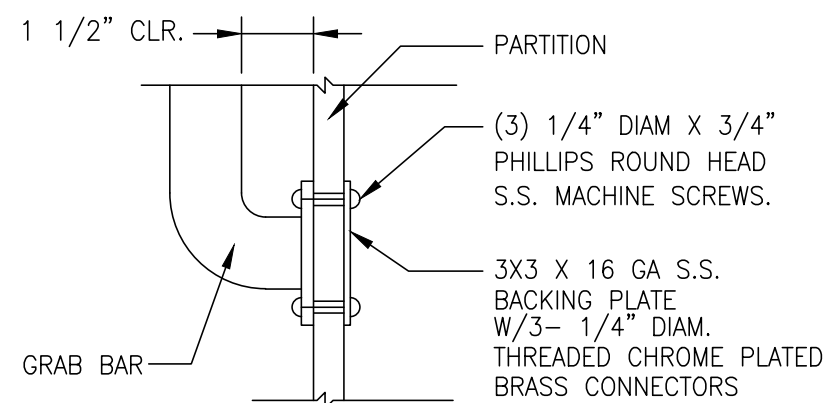
4 SIGNAGE AT ENTRY DOOR

SCALE: N.T.S.

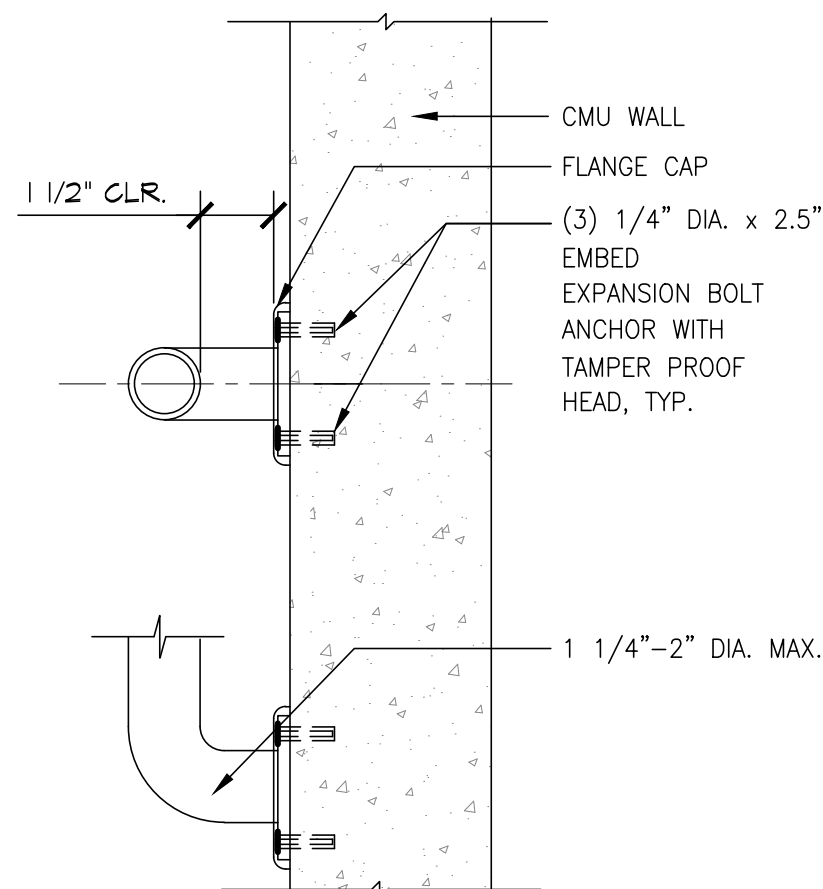


3 RESTROOM SIGNAGE DETAILS

SCALE: N.T.S.



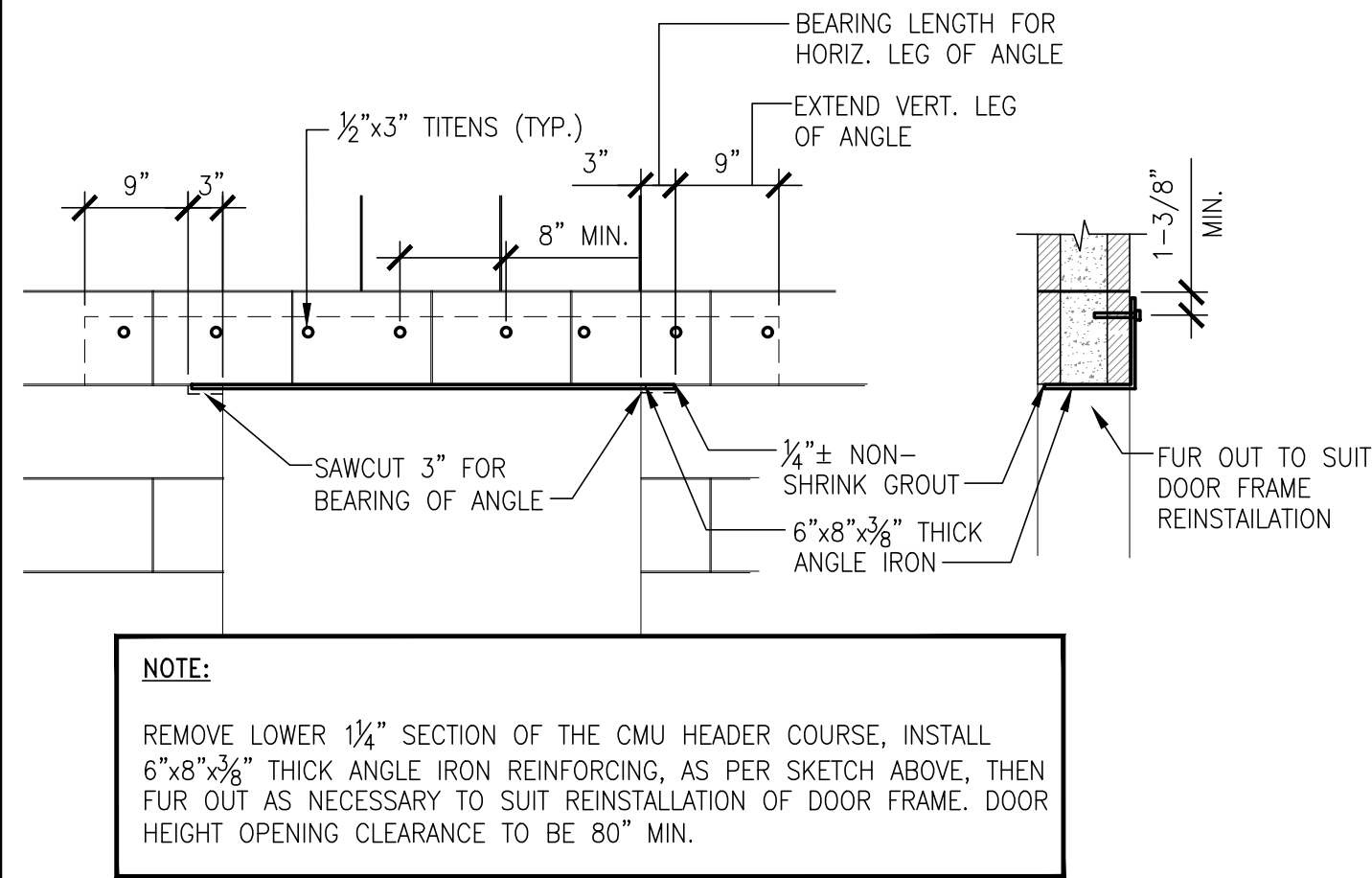
DETAIL 2B - PARTITION



DETAIL 2A - CONCRETE

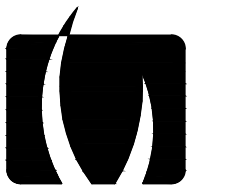
2 GRAB BAR

SCALE: N.T.S.



1 CMU DOOR HEADER REINFORCEMENT

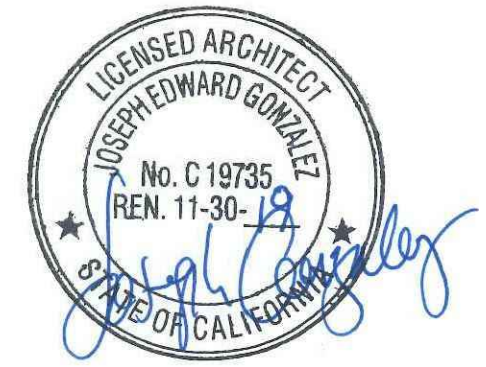
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SHEET TITLE

ARCHITECTURAL
DETAILS

PROJECT NAME

DAVID CUTINO PARK
ADA IMPROVEMENTS

PROJECT ADDRESS

1332 LA SALLE AVE.
SEASIDE, CA
93955

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DATE ISSUED 04/06/18	SCALE
PROJ. NO. 1706001 (SOBE #170630.1)	
SHEET NO. A-5.1	OF SHEETS

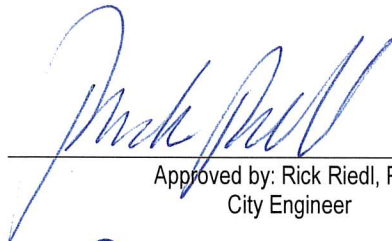
BOOK 1

NOTICE, PLANS & SPECIAL PROVISIONS

CUTINO PARK ADA IMPROVEMENTS

City Project No. 17-104




Approved by: Rick Riedl, P.E.
City Engineer


Reviewed by: Leslie Llantero, Assistant Engineer

**CITY OF SEASIDE
Department of Public Works
MAY 2018**

Table of Contents

CUTINO PARK ADA IMPROVEMENTS

Notice Inviting Bids.....	3
Special Provisions Volume I	4
SECTION 1. SPECIFICATIONS AND PLANS.....	4
1.01 GENERAL	4
1.02 DEFINITIONS AND TERMS.....	5
1.03 CONTRACTOR'S COPIES OF CONTRACT DOCUMENTS.....	5
1.04 PAYMENT	5
SECTION 2. PROPOSAL REQUIREMENTS AND CONDITIONS	6
2.01 GENERAL	6
2.02 FEDERAL LOBBYING RESTRICTIONS	6
2.03 DISADVANTAGED BUSINESS ENTERPRISE (DBE).	6
2.04 EXAMINATION OF SPECIFICATIONS, SPECIAL PROVISIONS, AND WORK SITE	6
2.05 PROPOSAL FORMS	6
2.06 REJECTION OF PROPOSALS CONTAINING ALTERATIONS ERASURES, OR IRREGULARITIES.....	6
2.07 PROPOSAL GUARANTY	6
2.08 WITHDRAWAL OF PROPOSAL	7
2.09 PUBLIC OPENING OF PROPOSALS.	7
2.10 DISQUALIFICATION OF BIDDERS	7
2.11 COMPETENCY OF BIDDERS	7
2.12 PERMITS AND LICENSES	7
SECTION 3. AWARD AND EXECUTION OF CONTRACT	8
3.01 GENERAL	8
3.02 AWARD OF CONTRACT	8
3.03 CONTRACT BONDS	8
3.04 EXECUTION OF CONTRACT	8
3.05 FAILURE TO EXECUTE CONTRACT.....	8
3.06 RETURN OF PROPOSAL GUARANTIES.....	9
3.07 INDEMNIFICATION.....	9
3.08 RESPONSIBILITY FOR DAMAGE AND INSURANCE	9
SECTION 4. PROSECUTION AND PROGRESS.....	12
4.01 BEGINNING OF WORK, TIME OF COMPLETION, AND LIQUIDATED DAMAGES.	12
4.02 PRECONSTRUCTION CONFERENCE	12
4.03 SUBCONTRACTORS.....	12
4.04 SCHEDULE	12
4.05 SUSPENSION OF CONTRACT	12
4.06 RESOLUTION OF CONSTRUCTION CLAIMS	12
4.07 MEASUREMENT AND PAYMENT	13

4.08	PROGRESS PAYMENTS.....	13
4.09	FINAL PAYMENT	14
4.10	CLEANUP	14
4.11	HOURS OF WORK.....	14
4.12	PUBLIC NOTIFICATION	14
5.01	LABOR NONDISCRIMINATION	15
5.02	PREVAILING WAGE	15
5.03	PUBLIC SAFETY.....	15
5.04	REMOVAL OF ASBESTOS AND HAZARDOUS SUBSTANCES.....	16
5.05	SUBCONTRACTING	16
5.06	PROMPT PAYMENT OF FUNDS WITHHELD TO SUBCONTRACTORS	17
SECTION 6. NOT USED		17
SECTION 7. MATERIALS		18
7.01	SOURCE OF SUPPLY AND QUALITY OF MATERIALS	18
7.02	TRADE NAMES AND ALTERNATIVES	18
7.03	SUBMITTALS	19
SECTION 8. OTHER REQUIREMENTS.....		20
8.01	GENERAL.	20
8.03	PROJECT APPEARANCE. The Contractor shall maintain a neat appearance to the work. In any area visible to the public, the following shall apply, at no additional cost to the City:.....	20
8.04	WORK SEQUENCING	20
8.05	DUST CONTROL	20
8.06	WATERING	20
8.07	OBSTRUCTIONS	20
8.08	MAINTAINING TRAFFIC	21
8.09	COOPERATION	21
8.10	DESCRIPTIONS OF BID ITEMS.....	21
SPECIAL PROVISIONS VOLUME II – TECHNICAL SPECIFICATIONS		



CITY OF SEASIDE **Notice Inviting Bids** **CUTINO PARK ADA IMPROVEMENTS**

PUBLIC NOTICE IS HEREBY GIVEN that the City of Seaside will receive sealed bids for the above stated project in the office of the City's Deputy City Manager – Administrative Services, located at City Hall, 440 Harcourt Avenue, Seaside, CA 93955, until 4:00 p.m. on Thursday, May 24, 2018, at which time all bids will be publicly opened and read aloud.

The scope of the work will consist of all labor, material, equipment and services necessary to complete the work identified in plans titled David Cutino Park ADA Improvements and in the specifications, including but not limited to:

ADA paving around restrooms, perimeter paving, drainage, site furnishing improvements, and utility upgrades and general nature and extent of the work and appurtenant facilities as shown on the plans and specifications under the title David Cutino Park ADA Improvements.

A pre-bid conference shall be held on **Wednesday, May 16, 2018 at 10:00 am**, at the Modular Office Building A, 440 Harcourt Avenue, Seaside, California.

Copies of the Bid Documents will be available on the City's website at www.ci.seaside.ca.us or can be purchased from the City of Seaside Public Works office: 440 Harcourt Avenue, Seaside, CA 93955; by telephone - (831) 899-6835. There is a nonrefundable fee of \$100.00 charged for the plans and specifications and an additional \$7.00 mailing fee to be paid in advance of mailing.

The quantities shown in the proposal forms are approximate only and given as a basis for the comparison of bids. The City does not expressly or by implication assert that the actual amount of work will correspond herewith and reserves the right to increase or decrease the amount of any portion of the work or to omit portions of the work as may be deemed necessary.

Bidders are required to sign and submit the bid forms provided in the Proposal and Contract book. No bid will be considered unless it is made on a proposal form furnished by the City and is accompanied by a bid bond for ten percent (10%) of the bid amount. The successful bidder shall furnish a Labor and Materials Bond, a Performance Bond, and a Surety Bond. The successful bidder will be required to secure a City Business License before commencing work on the project and must possess a Class A General Engineering Contractors License or a Class B General Building Contractors License.

Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in Monterey County, in which the work is to be done have been determined by the Director of the California Department of Industrial Relations. These wages are set forth in the General Prevailing Wage Rates for this project, available from the California Department of Industrial Relations' Internet web site at <http://www.dir.ca>.

A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

Bidders shall contact the Department of Public Works office the day prior to Bid opening to obtain any addenda information. Submittal of a signed Bid shall be evidence that the Bidder has obtained this information and that the Bid is based on any changes contained therein.

Notice is also hereby given that all Bidders may be required to furnish a sworn statement of their financial responsibility, technical ability and experience before award is made to any particular Bidder.

Provision is made for security substitution on payment withholds as provided in Public Contract Code Sections 22200 and 22300.

The City reserves the right to reject any or all bids and the right to waive minor irregularities or informalities in any bid proposal.

CITY OF SEASIDE
Public Works Department
_____/s/_____
Richard Riedl, PE
City Engineer

May 4, 2018

Date

CITY OF SEASIDE

Special Provisions Volume I

CUTINO PARK ADA IMPROVEMENTS

SECTION 1. SPECIFICATIONS AND PLANS

1.01 GENERAL. The work embraced herein shall be done in accordance with these special provisions and the Standard Specifications of the State of California Department of Transportation dated 2015 sections 1-99, insofar as the same may apply, which specifications are hereinafter referred to as the "Standard Specifications."

Whenever in these special provisions attention is directed to specific portions of the Standard Specifications, such direction is not exclusive and shall not be interpreted as excluding other applicable provisions of said specifications.

The following General Provisions of the Standard Specifications do not apply:

Section No.	Section Name
2-1.15	Disabled Veteran Business Enterprises
2-1.18	Small Business and Non-Small Business Subcontractor Preferences
2-1.27	California Companies
2-1.31	Opt Out of Payment Adjustments for Price Index Fluctuations
3-1.08	Small Business Participation Report
9-1.07	Payment Adjustments for Price Index Fluctuations
9-1.16C	Materials on Hand
9-1.16F	Retentions

In the event of conflict in the contract documents, the order of precedence shall be as follows:

1. Governing ranking of Contract parts in descending order is:

- 1.1. Permits and licenses
- 1.2. Special provisions
- 1.3. Project plans
- 1.4. Revised Standard Specifications
- 1.5. Standard Specifications
- 1.6. Revised standard plans
- 1.7. Standard plans
- 1.8. Supplemental project information

2. Written numbers and notes on a drawing govern over graphics

3. Detail drawing governs over a general drawing

4. Specific specification governs over a general specification

5. Specification in a section governs over a specification referenced by that section

1.02 DEFINITIONS AND TERMS.

Specifications: Standard specifications, revised standard specifications, and special provisions.

1. standard specifications: Specifications standard to Caltrans construction projects. These specifications are in a book titled *Standard Specifications, State of California, California State Transportation Agency, Department of Transportation*, dated 2015 published by the California Department of Transportation.
2. revised standard specifications: New or revised standard specifications. These specifications are in a section titled Revised Standard Specifications of a book titled "Contract Documents, Plans and Special Provisions."
3. special provisions: Specifications specific to the project. These specifications are in sections titled "Special Provisions Volume I" and "Special Provisions Volume II" of a book titled "Contract Documents, Plans and Special Provisions".

Whenever in the Standard Specifications, the terms "State of California," "Department of Transportation," "Director," "Division of Highways," "Chief Engineer," "Engineer," or "Laboratory" are used, the following terms shall be substituted therefore and any reference to any of the above terms shall be understood and interpreted to mean and refer to such substituted terms as follows:

"State of California," substitute "City of Seaside."

"Department of Transportation" -- the "Seaside City Council."

"Director"-- the "Seaside City Manager."

"Division of Highways"-- the "Public Works Department of the City of Seaside."

"Engineer" or "Chief Engineer"-- the "City Engineer," acting either directly or through properly authorized agents, such agents acting within the scope of the particular duties entrusted to them.

"Laboratory"-- the contract laboratory of the City of Seaside or such other laboratory as may be authorized by the City to test materials and work involved in the contract.

1.03 CONTRACTOR'S COPIES OF CONTRACT DOCUMENTS. The Engineer will supply the Contractor with two (2) full-size sets and one pdf set of contract documents that include the plans and specifications. Maintain at least one complete set of plans and specifications at the site of construction in good condition and at all times available to the Engineer. Additional copies of the contract documents, if required, can be furnished by the Engineer at the cost of reproduction.

1.04 PAYMENT. Full compensation for work specified in Volume I of the special provisions is included in the payment for the bid items involved unless:

1. Bid item for the work is shown on the Bid Item List
2. Work is specified as change order work

SECTION 2. PROPOSAL REQUIREMENTS AND CONDITIONS

2.01 GENERAL. The bidder's attention is directed to the provisions in Section 2, "Bidding," of the Standard Specifications and these special provisions for the requirements and conditions which the bidder must observe in the preparation of the proposal form and the submission of the bid. Proposal forms are provided in a separate book entitled Book 2 "Proposal and Contract" for Cutino Park ADA Improvements.

The Bidder's Bond Statement mentioned in the last paragraph in Section 2-1.34, "Bidder's Security" of the Standard Specifications will be found following the signature page of the Proposal in the Proposal and Contract Book.

Failure of the bidder to fulfill the requirements of the Special Provisions for submittals required to be furnished after bid opening may subject the bidder to a determination of the bidder's responsibility in the event it is the apparent low bidder on a future public works contracts.

2.02 FEDERAL LOBBYING RESTRICTIONS. Section 1352, Title 31, United States Code prohibits Federal funds from being expended by the recipient or any lower tier sub recipient of a Federal-aid contract to pay for any person for influencing or attempting to influence a Federal agency or Congress in connection with the awarding of any Federal-aid contract, the making of any Federal grant or loan, or the entering into of any cooperative agreement.

The Contractor, subcontractors and any lower-tier contractors shall file a disclosure form at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed by the Contractor, subcontractors and any lower-tier contractors. An event that materially affects the accuracy of the information reported includes:

- (1) A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action; or
- (2) A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or
- (3) A change in the officer(s), employee(s), or Member(s) contacted to influence or attempt to influence a covered Federal Action.

2.03 DISADVANTAGED BUSINESS ENTERPRISE (DBE). Federal aid projects must comply with the requirements of section 2-1.12 of the Standard Specifications.

2.04 EXAMINATION OF SPECIFICATIONS, SPECIAL PROVISIONS, AND WORK SITE. The bidder shall examine carefully the site of the work contemplated and the proposal, specifications, and contract forms therefore. It will be assumed that the bidder has investigated and is satisfied as to the conditions to be encountered, as to the character, quality and quantities of work to be performed, materials to be furnished, and as to the requirements of the specifications, these special provisions, and the contract.

If any party contemplating submitting a bid for the proposed contract is in doubt as to the true meaning of any part of the specifications or proposed contract documents, or finds discrepancies in or omissions from the specifications, shall submit to the City a written request for an interpretation or correction thereof. The party submitting the request will be responsible for its prompt delivery. Any interpretation or correction of the proposed documents prior to bid opening will be made only by addendum duly issued, and a copy of such addenda will be mailed to each person receiving a set of such documents. The City will not be responsible for any other explanations or interpretations of the proposed documents. No request will be reviewed or heard within seventy-two (72) hours of bid opening.

The bidder shall perform or make any investigations or studies he deems necessary to evaluate the site conditions and bid on the construction operations necessary to complete the project under this Contract. No additional compensation will be made for such investigations. All investigations shall be coordinated with the City and shall be subject to all applicable City standards and ordinances.

2.05 PROPOSAL FORMS. All proposals shall be made upon the forms obtained from the City. Proposals submitted on forms other than those issued by the City will be disregarded. All bids shall be presented under sealed cover, plainly marked "Proposal" and identifying the project name and number.

2.06 REJECTION OF PROPOSALS CONTAINING ALTERATIONS, ERASURES, OR IRREGULARITIES. Proposals may be rejected if they show any alteration of form, additions not called for, conditional bids, incomplete bids, erasures, or irregularities of any kind.

2.07 PROPOSAL GUARANTY. All bids shall be accompanied by cash, cashier's or certified check, or by bidder's bond made payable to the City of Seaside and executed as surety by some corporation authorized to issue surety bonds in the State of

California, for an amount equal to at least ten percent of the total bid amount. No bid shall be considered unless cash, cashiers' or certified check, or bidder's bond is enclosed therewith.

2.08 **WITHDRAWAL OF PROPOSAL.** Any bid may be withdrawn at any time prior to, but not after, the hour fixed in the public notice for the opening of bids, provided that a request in writing, executed by the bidder or his duly authorized representative, for the withdrawal of such bid, is filed with the City Engineer. The withdrawal of a bid shall not prejudice the right of a bidder to file a new bid.

2.09 **PUBLIC OPENING OF PROPOSALS.** Proposals will be opened and read publicly at the time and place indicated in the Notice to Bidders. Bidders or their authorized agents and the public are invited to be present.

2.10 **DISQUALIFICATION OF BIDDERS.** The City will not consider more than one proposal from an individual, firm, or partnership, a corporation, or an association under the same or different names. A Contractor may be interested in one bid as prime Contractor and another as subcontractor, providing no collusion exists. Proposals in which the prices are unbalanced may be rejected.

2.11 **COMPETENCY OF BIDDERS.** No bid will be accepted from or contract awarded to a Contractor to whom a proposal form has not been issued by the Engineer or who has not successfully performed on projects of similar character and scope of proposed construction. Submit a completed Bidder's Information Statement with your proposal using the form provided by the City.

2.12 **PERMITS AND LICENSES.** Comply with Section 5-1.20B, "Permits, Licenses, Agreements, and Certifications," of the Standard Specifications and these special provisions.

Additionally, Contractor must:

- Hold a valid City of Seaside business license for the duration of this contract.
- Possess a Class A General Engineering Contractor license or Class B General Building Contractor license
- Obtain all applicable permits at no additional cost to the City
- Obtain City of Seaside no-fee encroachment permit
- Obtain City of Seaside no-fee building permit

SECTION 3. AWARD AND EXECUTION OF CONTRACT

3.01 GENERAL. The bidder's attention is directed to the provisions in Section 3, "Contract Award and Execution," of the Standard Specifications and these special provisions for the requirements and conditions concerning award and execution of contract.

Bid protests are to be delivered to the following address: 440 Harcourt Avenue, Seaside, CA 93955

The contract shall be executed by the successful bidder and shall be returned, together with the contract bonds, to the City so that it is received within 10 days, not including Saturdays, Sundays and legal holidays, after the bidder has received the contract for execution. Failure to do so shall be just cause for forfeiture of the proposal guaranty. The executed contract documents shall be delivered to the following address: Public Works, 440 Harcourt Avenue, Seaside, CA 93955.

3.02 AWARD OF CONTRACT. The City reserves the right to reject any or all bid proposals and to waive minor irregularities or informalities in any bonds or in any proposals. Bids are required for all the work described herein unless otherwise indicated on the proposal. The award of contract, if awarded, will be made within sixty calendar days to the lowest responsible bidder whose proposal complies with all the requirements prescribed.

3.03 CONTRACT BONDS. The successful bidder shall furnish three separate bonds: a performance bond, a labor and materials bond and a surety bond. Each of the said bonds shall be executed in a sum equal to one hundred percent of the Contract price and issued by a bonding company with an A.M. Best rating of A- or better, or instrument of credit.

- Performance Bond: This bond shall guarantee the faithful performance of said contract by the Contractor. The performance bond will be held until final acceptance of the project.
- Labor and Materials Bond: This bond shall be furnished as required by the terms of Division 3, Title 15, Chapter 7, Section 3247, et seq. of the Civil Code of the State of California. The Labor and Materials bond shall be held until final acceptance of the project.
- Surety Bond: This bond shall serve as surety for the guaranty requirements, as follows: The successful bidder shall unconditionally guarantee the materials for a period of one year from the date of recording of the notice of completion. The guarantee shall cover one hundred percent of all costs of repairs within this one-year period, including all costs of labor, materials, equipment and incidentals.

Whenever any surety or sureties on any such bonds, or on any bonds required by law for the protection of the claims of laborers and material suppliers, become insufficient, or the City has cause to believe that such surety or sureties have become insufficient, a demand in writing may be made of the Contractor for such further bond or bonds or additional surety, not exceeding that originally required as is considered necessary considering the extent of the work remaining to be done. Thereafter, no payment shall be made upon such contract to the Contractor or any assignees of the Contractor until such bond or bonds or additional surety have been furnished.

3.04 EXECUTION OF CONTRACT. Attention is directed to the provisions in Section 3-1.18 "Contract Execution" of the Standard Specifications. The contract shall be signed by the successful bidder and returned, together with the contract bonds, copies of insurance policies, and Certificates of Insurance within 10 days, not including Saturdays, Sundays and legal holidays, after the bidder has received the contract for execution.

3.05 FAILURE TO EXECUTE CONTRACT. Failure to execute a contract and file acceptable bonds within five calendar days after receiving notice that the contract has been awarded shall be just cause for the annulment of the award and the forfeiture of the proposal guaranty. If the successful bidder refuses or fails to execute the contract, the City Council may award the contract to the second lowest responsible bidder. On the refusal or failure of the second or third lowest responsible bidder to whom such contract is so awarded to execute the same, such bidder's guaranty shall be likewise forfeited to the City. The work may then be readvertised or may be constructed by day labor as the City Council may decide.

3.06 RETURN OF PROPOSAL GUARANTIES. Within ten days after the award of contract, the City will return the proposal guaranties accompanying such of the proposals as are not to be considered in making the award. All other proposal guaranties will be held until the contract has been finally executed, after which they will be returned to the respective bidder whose proposal they accompany.

3.07 INDEMNIFICATION. To the fullest extent permitted by law, the Contractor agrees to indemnify, defend and hold harmless, City and any and all of City's boards, officers, employees, agents, assigns, and successors in interest through legal counsel reasonably acceptable to the City, from and against any and all claims losses, demand and expenses, including, but not limited to, attorney's fees and cost of litigation, on account of bodily injury, including death, or property damage arising out of or in any way connected to the work performed by Contractor under this agreement. Without affecting the rights of City under any provision of this agreement, Contractor shall not be required to indemnify and hold harmless City for liability attributable to the active negligence of City, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where City is shown to have been actively negligent and where City's active negligence accounts for only a percentage of the liability involved, the obligation of Contractor will be for that entire portion or percentage of liability not attributable to the active negligence of City.

3.08 RESPONSIBILITY FOR DAMAGE AND INSURANCE. Prior to the beginning of and throughout the duration of the work, Contractor will maintain insurance in conformance with the requirements set forth below. Contractor will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth here, it will be amended to do so. Contractor acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to City in excess of the limits and coverage required in this agreement and which is applicable to a given loss, will be available to City.

Contractor shall provide the following types and amounts of insurance:

1. Commercial General Liability Insurance using Insurance Services Office "Commercial General Liability" policy form CG 00 01 or the exact equivalent. Defense costs must be paid in addition to limits. There shall be no cross liability exclusion for claims or suits by one insured against another. Limits shall be no less than \$2,000,000 per occurrence for all covered losses and no less than \$4,000,000 general aggregate.

Contractor's policy shall contain no endorsements limiting coverage beyond the basic policy coverage grant for any of the following:

- Explosion, collapse or underground hazard (XCU)
- Products and completed operations
- Pollution liability
- Contractual liability

Coverage shall be applicable to City for injury to employees of contractors, subcontractors or others involved in the project. Policy shall be endorsed to provide a separate limit applicable to this project.

2. Workers Compensation on a state-approved policy form providing statutory benefits as required by law with employer's liability limits no less than \$1,000,000 per accident for all covered losses.
3. Business Auto Coverage on ISO Business Auto Coverage form CA 00 01 06 92 including symbol 1 (Any Auto) or the exact equivalent. Limits shall be no less than \$1,000,000 per accident, combined single limit. If Contractor owns no vehicles, this requirement may be satisfied by a non-owned auto endorsement to the general liability policy described above. If Contractor or Contractor's employees will use personal autos in any way on this project, Contractor shall provide evidence of personal auto liability coverage for each such person.
4. Excess or Umbrella Liability Insurance (Over Primary) if used to meet limit requirements, shall provide coverage at least as broad as specified for the underlying coverages. Any such coverage provided under an umbrella liability policy shall include a drop down provision providing primary coverage above a maximum \$25,000 self-insured retention for liability not covered by primary but covered by the umbrella. Coverage shall be provided on a "pay on behalf" basis, with defense costs payable in addition to policy limits. There shall be no cross liability exclusion precluding coverage for claims or suits by one insured against another. Coverage shall be applicable to City for injury to employees of Contractor, subcontractors or others involved in the Work. The scope of coverage provided is subject to approval of City following receipt of proof of insurance as required herein. Limits are subject to review but in no event less than \$1,000,000 per occurrence and aggregate.

Insurance procured pursuant to these requirements shall be written by insurers that are admitted carriers in the state of California and with an A.M. Best rating of A- or better and a minimum financial size VII.

Contractor and City agree as follows:

1. Contractor agrees to endorse the third party general liability coverage required herein to include as additional insureds City, its officials, employees and agents, using standard ISO endorsement No. CG 2010 with an edition date of 1985. Contractor also agrees to require all contractors, subcontractors, and anyone else involved in any way with the project contemplated by this agreement to do likewise.
2. Any waiver of subrogation express or implied on the part of City to any party involved in this agreement or related documents applies only to the extent of insurance proceeds actually paid. City, having required that it be named as an additional insured to all insurance coverage required herein, expressly retains the right to subrogate against any party for sums not paid by insurance. For its part, Contractor agrees to waive subrogation rights against City regardless of the applicability of any insurance proceeds, and to require all contractors, subcontractors or others involved in any way with the project(s) contemplated by this agreement, to do likewise.
3. All insurance coverage maintained or procured by Contractor or required of others by Contractor pursuant to this agreement shall be endorsed to delete the subrogation condition as to City, or to specifically allow Contractor or others providing insurance herein to waive subrogation prior to a loss. This endorsement shall be obtained regardless of existing policy wording that may appear to allow such waivers.
4. It is agreed by Contractor and City that insurance provided pursuant to these requirements is not intended by any party to be limited to providing coverage for the vicarious liability of City, or to the supervisory role, if any, of City. All insurance coverage provided pursuant to this or any other agreement (express or implied) in any way relating to City is intended to apply to the full extent of the policies involved. Nothing referred to here or contained in any agreement involving City in relation to the project(s) contemplated by this agreement is intended to be construed to limit the application of insurance coverage in any way.
5. None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to City and approved of in writing.
6. All coverage types and limits required are subject to approval, modification and additional requirements by the City, as the need arises. Contractor shall not make any reductions in scope of coverage (e.g. elimination of contractual liability or reduction of discovery period) that may affect City's protection without City's prior written consent.
7. Proof of compliance with these insurance requirements, consisting of binders of coverage, or endorsements, or certificates of insurance, at the option of City, shall be delivered to City at or prior to the execution of this Agreement. In the event such proof of any insurance is not delivered as required, or in the event such insurance is canceled at any time and no replacement coverage is provided, City has the right, but not the duty, to obtain any insurance it deems necessary to protect its interests under this or any other agreement and to pay the premium. Any premium so paid by City shall be charged to and promptly paid by Contractor or deducted from sums due Contractor, at City option.
8. Contractor agrees to endorse, and to require others to endorse, the insurance provided pursuant to these requirements, to require 30 days notice to City and the appropriate tender prior to cancellation of such liability coverage and notice of any material alteration or non-renewal of any such coverage, and to require contractors, subcontractors, and any other party in any way involved with the project contemplated by this agreement to do likewise.
9. It is acknowledged by the parties of this agreement that all insurance coverage required to be provided by Contractor or any subcontractor, is intended to apply first and on a primary non-contributing basis in relation to any other insurance or self insurance available to City.
10. Contractor agrees to ensure that subcontractors, and any other party involved with the project who is brought onto or involved in the project by contractor, provide the same minimum insurance coverage required of Contractor. Contractor agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. Contractor agrees that upon request, all agreements with subcontractors and others engaged in the project will be submitted to City for review.
11. Contractor agrees that all layers of third party liability coverage required herein, primary, umbrella and excess, will have the same starting and expiration date. Contractor agrees further that all other third party coverages required herein will likewise have concurrent starting and ending dates.
12. Contractor agrees not to self-insure or to use any self-insured retentions or deductibles on any portion of the insurance required herein and further agrees that it will not allow any contractor, subcontractor, Architect, Engineer or other entity or person in any way involved in the performance of work on the project contemplated by this agreement to self-insure its obligations to City. If contractor's existing coverage includes a deductible or self-insured retention, the deductible or self-insured retention must be declared to the City. At that time the City shall review options with the contractor, which may

include reduction or elimination of the deductible or self-insured retention, substitution of other coverage, or other solutions.

13. The City reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the Contractor ninety (90) days advance written notice of such change. If such change results in substantial additional cost to the Contractor, the City will negotiate additional compensation proportional to the increased benefit to City.
14. For purposes of applying insurance coverage only, all contracts pertaining to the project will be deemed to be executed when finalized and any activity commences in furtherance of performance under this agreement.
15. Contractor acknowledges and agrees that any actual or alleged failure on the part of City to inform Contractor of non-compliance with any insurance requirement in no way imposes any additional obligations on City nor does it waive any rights hereunder in this or any other regard.
16. Contractor will renew the required coverage annually as long as City, or its employees or agents face an exposure from operations of any type pursuant to this agreement. This obligation applies whether or not the agreement is canceled or terminated for any reason. The insurance shall include but not be limited to products and completed operations and discontinued operations, where applicable. Termination of this obligation is not effective until City executes a written statement to that effect.
17. Contractor agrees to waive its statutory immunity under any workers' compensation statute or similar statute, in relation to the city, and to require all subcontractors and any other person or entity involved in the project contemplated by this agreement to do likewise.
18. Requirements of specific coverage features are not intended as limitations on other requirements or as a waiver of any coverage normally provided by any given policy. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue, and is not intended by any party or insured to be all-inclusive.
19. Any provision in any of the construction documents dealing with the insurance coverage provided pursuant to these requirements, is subordinate to and superseded by the requirements contained herein. These insurance requirements are intended to be separate and distinct from any other provision in this agreement and are intended by the parties here to be interpreted as such.
20. All liability coverage provided according to these requirements must be endorsed to provide a separate aggregate limit for the project that is the subject of this agreement and evidencing products and completed operations coverage for not less than two years after issuance of a final certificate of occupancy by all appropriate government agencies or acceptance of the completed work by City.
21. Contractor agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Contractor for the cost of additional insurance coverage required by this agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.
22. Contractor agrees to obtain and provide to City a copy of Professional Liability coverage for Architects or Engineers working on this project through Contractor. City shall determine the liability limit.

SECTION 4. PROSECUTION AND PROGRESS

4.01 BEGINNING OF WORK, TIME OF COMPLETION, AND LIQUIDATED DAMAGES. Attention is directed to the provisions in Section 8-1.04, "Start of Job Site Activities," in Section 8-1.05 "Time" and in Section 8-1.10, "Liquidated Damages," of the Standard Specifications.

The Contractor shall begin work within 15 calendar days after the Notice to Proceed has been issued by the City of Seaside. This work shall be diligently prosecuted to completion before the expiration of 40 WORKING DAYS beginning on the fifteenth calendar day after approval of the contract.

The Contractor shall pay to the City of Seaside the sum of \$800 per day, for each and every calendar day's delay in finishing the work in excess of the number of working days prescribed above.

Upon written request of the Contractor, the Engineer will add one day to the contract completion date for each working day that in the judgment of the Engineer work cannot be performed to the specifications herein due to inclement weather conditions. The Contractor shall submit such delay request to the Engineer no later than 9:00 a.m. on the workday in question.

4.02 PRECONSTRUCTION CONFERENCE. Prior to or in conjunction with issuance of the Notice to Proceed, a preconstruction conference will be held for the purpose of discussing with the Contractor the scope of work, contract drawings, specifications, existing conditions, schedule, traffic control, materials to be ordered, equipment to be used, and all essential matters pertaining to the prosecution of and the satisfactory completion of the project as required. The Contractor's representative at this conference shall include all major superintendents for the work and may include major subcontractors.

At or before the preconstruction conference, submit to the Engineer a "letter of responsibility" on company letterhead indicating (1) the names and phone numbers of at least three different persons who shall be available to be contacted in case of emergency at any time during the term of the contract. (said persons must have decision-making authority within the company); and (2) the name and title of each of your officials who will be authorized to sign contract change orders, daily extra work reports, and the final pay estimate.

4.03 SUBCONTRACTORS. In the event that the bidder proposes to subcontract any portion of the work in an amount in excess of one-half of one percent (0.5%) of the total amount of bid, he shall complete the form included in the proposal showing the name and location of the place of business of each subcontractor and the portion of the work to be done by such subcontractor. The purchase of sand, gravel, crushed rock, batched concrete, aggregates, ready-mixed concrete and/or any other materials produced at and furnished from established and recognized commercial plants, together with the delivery of such materials to the site of the work by means of vehicles owned and operated by such plants or by recognized commercial hauling companies, shall not be considered as subcontracting under these special provisions.

4.04 SCHEDULE. A detailed progress schedule shall be submitted for approval at the scheduled pre-construction meeting. Schedule must comply with the requirements of Section 8-1.02 "Schedule" of the Standard Specifications.

4.05 SUSPENSION OF CONTRACT. Attention is directed to Section 8-1.13, "Contractor's Control Termination" of the Standard Specifications for requirements regarding suspension of contract.

4.06 RESOLUTION OF CONSTRUCTION CLAIMS. "Claim" means a separate demand by the Contractor for (1) a time extension, (2) payment of money or damages arising from work done by or on behalf of the Contractor pursuant to the contract for a public work and payment of which is not otherwise expressly provided for or the claimant is not otherwise entitled to, (3) an amount the payment of which is disputed by the City. This section applies to all public works claims of three hundred seventy-five thousand dollars [\$375,000] or less. For any claim subject to this section, the following requirements apply:

1. The claim shall be in writing and include the documents necessary to substantiate the claim. Claims must be filed on or before the date of final payment. Nothing herein is intended to extend the time limit or supersede notice requirements otherwise provided by contract for the filing of claims.
2. For claims of less than fifty thousand dollars the City shall respond in writing to any written claim within 45 days of receipt of the claim, or may request in writing within 30 days of receipt of the claim any additional documentation supporting the claim or relating to defenses or claims the City may have against the claimant.

If additional information is thereafter required, it shall be requested and provided pursuant to this section upon mutual agreement of the City and the Contractor. The City's written response to the claim, as further documented, shall be submitted to the claimant within 15 days after receipt of the further documentation or within a period of time no greater than that taken by the claimant in producing the additional information, whichever is greater.

3. For claims of over fifty thousand and less than or equal to three hundred seventy-five thousand dollars the owner

shall respond in writing to all written claims within 60 days of receipt of the claim, or may request in writing within 30 days of receipt of the claim any additional documentation supporting the claim or relating to defenses or claims the City may have against the Contractor. If additional information is thereafter required, it shall be requested and provided pursuant to this section upon mutual agreement of the City and the Contractor. The City's written response to the claim, as further documented, shall be submitted to the Contractor within 30 days after receipt of the further documentation, or within a period of time no greater than that taken by the claimant in producing the additional information or requested documentation, whichever is greater.

4. If the claimant disputes the owner's written response or the City fails to respond within the time prescribed, the claimant may so notify the City in writing either within 15 days of receipt of the City's response or within 15 days of the City's failure to respond within the time prescribed, respectively, and demand an informal conference to meet and confer for settlement of the issues in dispute. Upon a demand, the owner shall schedule a meet and confer conference within 30 days for settlement of the dispute.
5. If following the meet and confer conference the claim or any portion remains in dispute, the claimant may file a claim pursuant to Chapter 1 [commencing with Section 900] and Chapter 2 [commencing with Section 910] of Part 3, Division 3.6, Title 1 of the Government Code. For purposes of those provisions, the running of the period of time within which a claim must be filed shall be tolled from the time the claimant submits his or her written claim pursuant to subsection (1) until the time the claim is denied, including any period of time utilized by the meet and confer conference.

The following procedures are established for all civil actions filed to resolve claims subject to this article:

- (1) Within 60 days, but no earlier than 30 days, following the filing of response pleading, the court shall submit the matter to non-binding mediation unless waived by mutual stipulation of both parties. The mediation process shall provide for the selection within 15 days by both parties of a disinterested third person as mediator, shall be commenced within 30 days of the submittal, and shall be concluded within 15 days from commencement of the mediation unless a time requirement is extended upon a good cause showing to the court.
- (2) If the matter remains in dispute, the case shall be submitted to judicial arbitration pursuant to Chapter 2.5 [commencing with Section 1141.10] of Title 3 of Part 3 of the Code of Civil Procedure, notwithstanding Section 1141.11 of that code. The Civil Discovery Act of 1986, Article 3 [commencing with Section 2016] of Chapter 3 of Title 3 of Part 4 of the Code of Civil Procedure shall apply to any proceeding brought under this subdivision consistent with the rules pertaining to judicial arbitration.

In addition to Chapter 2.5 [commencing with Section 1141.10] of Title 3 of Part 3 of the Code of Civil Procedure, [A] arbitrators shall, when possible, be experienced in construction law, and [B] any party appealing an arbitration award who does not obtain a more favorable judgment shall, in addition to payment of costs and fees under that chapter, also pay the attorney's fees on appeal of the other party.

4.07 MEASUREMENT AND PAYMENT. Measurement and payment shall conform to the applicable provisions of Section 9 of the Standard Specifications, except as the referenced section is modified herein.

The City does not share costs. You are responsible for the entire cost of flagging and BMP maintenance.

4.08 PROGRESS PAYMENTS. Attention is directed to Section 9-1.16, "Progress Payments," of the Standard Specifications.

After acceptance of the contract pursuant to the provisions in Section 9-1.17, "Payment After Contract Acceptance," of the Standard Specifications, the amount, if any, payable for a contract item of work in excess of the maximum value for progress payment purposes hereinabove listed for the item, will be included for payment in the first estimate made after acceptance of the contract.

The City shall retain five percent of such estimated value of the work done as aforesaid as part security for the fulfillment of the contract by the Contractor, and shall pay monthly to the Contractor while carrying on the work the balance not retained, as aforesaid, after deducting therefrom all previous payments and all sums to be kept or retained under the provisions of the contract. No such estimate or payment shall be required to be made when, in the judgment of the Engineer, the work is not proceeding in accordance with the provisions of the contract, or when, in his judgment, the total value of the work done since the last estimate amounts to less than Three hundred dollars. No such estimate or payment shall be construed to be an acceptance of any defective work or improper materials.

The City of Seaside, by and through the appropriate officer or officers, may at its option and at any time retain out of any amounts due the Contractor sufficient to cover any unpaid claims provided that sworn statements of said claims shall have been filed in the office of the City Engineer.

No progress payments will be made for any materials on hand which are furnished but not incorporated in the work.

4.09 FINAL PAYMENT. Within fifteen days after the completion of the work, make a semi-final estimate in writing of the final quantities of work done under the contract and the value of such work and submit such estimate to the Engineer. The City will retain five percent of such estimated value of the work done and will pay to the Contractor the balance not retained as aforesaid after deducting therefrom all amount to be kept and all amounts to be retained under the provisions of the contract.

Within fifteen days after submission to the City of the semi-final estimate, submit to the Engineer your written statement of all claims for additional compensation due under the contract. Claim statements must comply with the requirements of Section 9-1.17D(2), "Claim Statement" of the Standard Specifications.

Upon your approval, or if you file no claims within said period of fifteen days, the Engineer will issue a final written estimate, and the City will pay you the entire sum so found to be due after deducting therefrom all previous payments and all amounts to be kept or retained under the provisions of the contract. If you, within said period of fifteen days, file claims, the Engineer will then consider and investigate such claims, and will make such revision in the final quantities as he may find to be due, and will then make and issue a final written estimate. The City will pay the amount so found due, after deducting therefrom all previous payments and amounts to be retained under the provisions of the contract.

All prior partial estimates and payments shall be subject to correction in the final estimate and payment. The final estimate shall be conclusive and binding against both parties to the contract on all questions relating to the performance of the contract and the amount of work done thereunder and compensation therefor, except in the case of gross error.

Payment on the final estimate shall not be due and payable in less than thirty-five days after the date of recording of the notice of completion in the county recorder's office.

The City, by and through the appropriate officer or officers may at its option and at any time retain out of any amounts due the Contractor sums sufficient to cover any unpaid claims provided that sworn statements or said claims shall have been filed in the Public Works Department.

Attention is directed to Section 5.06, "Prompt Payments," of these Special Provisions.

4.10 CLEANUP. Attention is directed to Section 4-1.13, "Cleanup," of the Standard Specifications. Ensure that all vehicles leaving the site area are in a condition so that no dirt or debris will be spilled upon the City's streets or highways. Full compensation for all cleanup work is considered included in the various contract bid items, and no additional payment will be made therefore.

4.11 HOURS OF WORK. The hours of construction shall be begin at 7:00 am and end at 5:00 pm Monday through Friday. No work except maintenance of the traveled way or maintenance of completed work shall be performed on Saturday, Sunday or legal holidays without prior written approval of the Engineer. Perform overtime and shift work only when approved by the Engineer. You must pay the City's costs for inspection and management of overtime and shift work.

4.12 PUBLIC NOTIFICATION. Prior to beginning work and during the course of the work, deliver notices to each business and resident adjacent to the project area, and to residents of adjacent streets that may have access restricted during construction. Submit notices and proposed delivery schedule for each at the pre-construction conference. Notices in English and Spanish shall be posted as door hangers at each address at least on month prior to the work and within two (2) weeks of restricting access. Notice must include a brief description of the work, estimated duration of access restriction, and names, email addresses and mobile phone numbers for Contractor' Project Superintendent and City contact representatives.

In addition to obtaining approval from the Seaside Police and Fire Departments in compliance with the Public Safety section of these special provisions, notify the United States Post Office (831.394.6329), and Monterey-Salinas Transit (831.899.2555) by telephone two workdays prior to implementing street and lane closures for this project.

Full compensation for providing public notification shall be considered as included in the contract lump sum price paid for "Mobilization," and no separate payment will be made therefor.

SECTION 5. GENERAL

5.01 LABOR NONDISCRIMINATION. Comply with the requirements of Section 7-1.02I(2) "Nondiscrimination," of the Standard Specifications.

5.02 PREVAILING WAGE. The general prevailing wage rates are determined by the Director of Industrial Relations, for the County of Monterey. Current prevailing wage rates can be found in "General Prevailing Wage Determinations made by the Director of Industrial Relations" (wage determinations) at the Division of Labor Statistics and Research, Prevailing Wage Unit, P. O. Box 420603, San Francisco, CA 94142, (415) 703-4774, or at DIRs website at <http://www.dir.ca.gov/>. These wage rates are not included in the Bid book for the project. Changes, if any, to the general prevailing wage rates will be available at the same location. The City will include a copy of the applicable State prevailing wage rates with the contract.

The Contractor will be required to maintain and distribute certified payroll records in compliance with Section 1776 of the California Labor Code. The Contractor shall register as specified in Labor Code section 1771.1(a). The project is subject to compliance monitoring and enforcement by the Department of Industrial Relations in accordance with Labor Code sections 1725.5 (contractor registration requirements and criteria), 1771.1 (requirement to register as a condition to bid or work on public works), and 1771.4 (project compliance monitoring).

The labor surcharge, equipment rental rates, and the delay factors for each classification of equipment are listed in the Department of Transportation publication entitled "Labor Surcharge and Equipment Rental Rates."

5.03 PUBLIC SAFETY. The Contractor shall provide for the safety of traffic and the public in conformance with the provisions in Section 7-1.04, "Public Safety," of the Standard Specifications and these special provisions.

The Contractor shall install temporary railing (Type K) between a lane open to public traffic and an excavation, obstacle or storage area when the following conditions exist:

- A. Excavations--The near edge of the excavation is 12 feet or less from the edge of the lane, except:
 - 1. Excavations covered with sheet steel or concrete covers of adequate thickness to prevent accidental entry by traffic or the public.
 - 2. Excavations less than 1 foot deep.
 - 3. Trenches less than 1 foot wide for irrigation pipe or electrical conduit, or excavations less than 0.3-m in diameter.
 - 4. Excavations parallel to the lane for the purpose of pavement widening or reconstruction.
 - 5. Excavations in side slopes, where the slope is steeper than 1:4 (vertical: horizontal).
 - 6. Excavations protected by existing barrier or railing.
- B. Temporarily Unprotected Permanent Obstacles--The work includes the installation of a fixed obstacle together with a protective system, such as a sign structure together with protective railing, and the Contractor elects to install the obstacle prior to installing the protective system; or the Contractor, for the Contractor's convenience and with permission of the Engineer, removes a portion of an existing protective railing at an obstacle and does not replace such railing complete in place during the same day.
- C. Storage Areas--Material or equipment is stored within 12 feet of the lane and the storage is not otherwise prohibited by the provisions of the Standard Specifications and these special provisions.

The approach end of temporary railing (Type K), installed in conformance with the provisions in this section "Public Safety" and in Section 7-1.04, "Public Safety," of the Standard Specifications, shall be offset a minimum of 15 feet from the edge of the traffic lane open to public traffic. The temporary railing shall be installed on a skew toward the edge of the traffic lane of not more than 1 foot transversely to 10 feet longitudinally with respect to the edge of the traffic lane. If the 15 feet minimum offset cannot be achieved, the temporary railing shall be installed on the 10 to 1 skew to obtain the maximum available offset between the approach end of the railing and the edge of the traffic lane, and an array of temporary crash cushion modules shall be installed at the approach end of the temporary railing.

Except for installing, maintaining and removing traffic control devices, whenever work is performed or equipment is operated in the following work areas, the Contractor shall close the adjacent traffic lane unless otherwise provided in the Standard Specifications and these special provisions:

Approach Speed of Public Traffic (Posted Limit) (Miles Per Hour)	Work Areas
Over 45 Miles Per Hour	Within 6 feet of a traffic lane but not on a traffic lane
35 to 45 Miles Per Hour	Within 3 feet of a traffic lane but not on a traffic lane

The lane closure provisions of this section shall not apply if the work area is protected by permanent or temporary railing or barrier.

When traffic cones or delineators are used to delineate a temporary edge of a traffic lane, the line of cones or delineators shall be considered to be the edge of the traffic lane, however, the Contractor shall not reduce the width of an existing lane to less than 10 feet without written approval from the Engineer.

When work is not in progress on a trench or other excavation that required closure of an adjacent lane, the traffic cones or portable delineators used for the lane closure shall be placed off of and adjacent to the edge of the traveled way. The spacing of the cones or delineators shall be not more than the spacing used for the lane closure.

Suspended loads or equipment shall not be moved nor positioned over public traffic or pedestrians.

In addition to any other measures pursuant to the provisions of Section 7-1.04, "Public Safety," of the Standard Specifications, your attention is directed to the following special provisions. Maintain access to all fire hydrants within the project area to the satisfaction of the Seaside Fire Department. Obtain their written approval prior to using any hydrant within the City of Seaside.

Make provisions for the safe passage of pedestrians around the area of work at all times.

Construction is within City owned right-of-way, and you must make provisions for the safe passage of public traffic through the necessary portions of the work at all times, unless full closure of the right-of-way is required and authorized by the Engineer.

Maintain access to adjacent parking areas by motor vehicles at all times, and make provisions for the safe passage of pedestrians around walkway and parking areas at all times.

Prior to the closure of any portion of a street, written approval shall be obtained from the Seaside Fire Department (831.899.6790), the Seaside Police Department (831.899.6280), and the Engineer. Fire and Police Departments shall immediately be notified when such street is reopened. Keep the City police and fire departments informed of obstructions in either public or private roads caused by reason of your operations.

Comply with the California MUTCD for all items related to traffic control.

The fact that rain or other causes, either within or beyond your control, may force suspension or delay of the work shall in no way relieve you of responsibility for maintaining traffic through the project and providing local access as specified herein. At all times, keep on the job such materials, force, and equipment as may be necessary to keep roads, streets, and driveways within the project open to traffic and in good repair, and expedite the passage of such traffic, using such force and equipment as may be necessary.

Should you fail, in the opinion of the Engineer, to provide all the materials, force, and equipment necessary to maintain traffic through the work as set forth herein, the City, upon the recommendation of the Engineer, may take steps necessary to suspend the contract. The City may then, upon such suspension, cause such work as may be necessary to maintain traffic to be done and may charge same against you and your sureties.

Minor deviations from the requirements of this section concerning hours of work which do not significantly change the cost of the work may be permitted upon the written request of the Contractor if in the opinion of the Engineer public traffic will be better served and the work expedited. Such deviations shall not be adopted until the Engineer has indicated his written approval. All other modifications will be made by contract change order.

5.04 REMOVAL OF ASBESTOS AND HAZARDOUS SUBSTANCES. Comply with the requirements of Section 14-11, "Hazardous Waste and Contamination" of the Standard Specifications.

If delay of work in the area delays the current controlling operation, you will be compensated for the delay in conformance with the provisions in Section 8-1.07, "Delays," of the Standard Specifications.

5.05 SUBCONTRACTING. Comply with the requirements of Section 5-1.13, "Subcontracting" of the Standard Specifications. The Contractor shall perform, with the Contractor's own organization, contract work amounting to not less than 50 percent of the original total contract price, except that any designated "Specialty Items" performed by subcontract may be deducted from the original total contract price before computing the amount of work required to be performed by the Contractor with the Contractor's own organization. Attention is also directed to Section 2, "Proposal Requirements and Conditions," Section

3, "Award and Execution of Contract," elsewhere in these Special Provisions. A sheet for listing the subcontractors is included in the proposal.

5.06 PROMPT PAYMENT OF FUNDS WITHHELD TO SUBCONTRACTORS. The City of Seaside shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency, of the contract work, and pay retainage to the prime contractor based on these acceptances. The prime contractor, or subcontractor, shall return all monies withheld in retention from a subcontractor within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency

SECTION 6. NOT USED

SECTION 7. MATERIALS

7.01 SOURCE OF SUPPLY AND QUALITY OF MATERIALS. All materials required to complete the work under the attached contract shall be furnished by the Contractor unless otherwise specified. Upon approval of the contract, the Contractor shall notify the Engineer of the proposed source of supply of all materials to be used in the work, and shall furnish samples of such materials as may be required by the Engineer for testing.

At the request of the Engineer, the Contractor shall submit manufacturer/supplier certificates of compliance for any or all materials used in the construction of the project. If certification is so requested, said certificates must be reviewed and accepted in writing by the Engineer prior to any use or installation of the material on the project.

7.02 TRADE NAMES AND ALTERNATIVES. Attention is directed to Section 6-1.05, "Specific Brand or Trade Name and Substitution," of the Standard Specifications.

Requests for substitutions will be considered only if received within 10 calendar days from the date of award. Requests received after this period may be accepted or rejected at the discretion of the Engineer.

Prepare and submit each request for substitution to the City in accordance with the procedures for submittals. Provide the following additional information:

1. An explanation of the advantages to the City for accepting the substitution.
2. A comparison of significant qualities of the proposed substitution with those specified.
3. When the substitute equipment or material necessitates changes to or coordination with any portion of the work, include drawings and details showing all such changes. You must perform these changes as a part of any acceptance of substitute material or equipment.
4. A statement indicating the substitution's effect on the construction schedule compared to the construction schedule without acceptance of the substitution. Indicate the effect of the proposed substitution on overall contract time.
5. Cost information, including a proposal of the net change, if any, in the Contract Sum.
6. Certification that the substitution is equal to or better in every respect to that required by Contract Documents, and that it will perform adequately in application indicated. Include Contractor's waiver of rights to additional payment or time extensions that may be necessary because of the substitution's failure to perform adequately.

Substitution requests will be considered by the Engineer when the following conditions are satisfied, as determined by the Engineer; otherwise, requests will be returned without action except to record noncompliance with these requirements.

1. Extensive revisions to Contract Documents are not required.
2. Proposed changes are in keeping with the general intent of Contract Documents.
3. The request is timely, fully documented and properly submitted.
4. The specified product or method of construction cannot be provided within the specified Contract Time. The request may not be considered if the product or method cannot be provided as a result of failure of the Contractor to pursue the work promptly or coordinate activities properly.
5. A substantial advantage is offered the City, in terms of cost, time, energy conservation or other considerations of merit, after deducting offsetting responsibilities the City may be required to bear. Additional responsibilities for the City may include additional compensation to the Consulting Engineer/Architect for redesign and evaluation services, increased cost of other construction by the City or separate contractors, and similar considerations.
6. The specified product or method of construction cannot receive necessary approval by a regulatory agency, and the requested substitution can be approved.
7. The specified product or method of construction cannot be provided in a manner that is compatible with other materials, and where the Contractor certifies that the substitution will overcome the compatibility.
8. The specified product or method of construction cannot be coordinated with other materials, and where the Contractor certifies that the proposed substitution can be coordinated.
9. The specified product or method of construction cannot provide a warranty required by the Contract Documents and where the Contractor certifies that the proposed substitution can provide the required warranty.

Submittal of shop drawings, product data or samples that do not comply with the Contract Documents does not constitute a valid request for substitution, nor does it constitute acceptance of a substitution.

The Engineer will notify the Contractor of acceptance or rejection of the proposed substitution within 28 calendar days of receipt. If a decision on use of a substitute cannot be made within these time limits, the product originally specified shall be used.

No extension of contract time will be allowed through your failure to either transmit requests for substitution sufficiently in advance of the work, or on account of processing time outside the time limits noted above.

Should the originally specified materials not be available within the specified contract time due to your failure to order and obtain such materials, you are responsible to provide, install and maintain a temporary "equal" material as approved by the City, and for replacing such temporary material with the required product upon availability. You are responsible for all costs associated with the installation, maintenance, and removal of the temporary product and the installation of the specified product, including an extended one year warranty to cover the final product installed. Sufficient funds to cover the purchase and installation of the specified product will be withheld until such work has been completed and accepted by the City.

The use of any material or equipment so offered will be permitted only after written acceptance of the Contractor's offer by the Engineer. Such acceptance by the Engineer shall not relieve the Contractor from full responsibility from the efficiency, sufficiency, and quality, and performance of the substitute material or equipment, in the same manner and degree as the material and equipment specified in the Contract Documents.

7.03 SUBMITTALS. This section supplements the requirements of section 5-1.23, "Submittals" of the Standard Specifications.

All submittals must be electronic.

Accompany submittals with a transmittal form. Use a separate form for each item, class of material, equipment, and for items specified in separate specification sections. Submittals for various items shall be made with a single form when the items taken together constitute a manufacturer's package or are functionally related such that expediency indicates checking or review of the group or package as a whole. Assign a sequential number to each submittal and note the number on the transmittal form accompanying each item submitted.

Submittal numbers shall have the following format:

XX.YY (NN-N.NN)

Where:

XX = the sequential submittal number

YY= the sequential number of the submittal ("01" for the first submittal, "02" for the second submittal, etc.)

(NN-N.NN) identifies the specification section number that requires the submittal.

For example, if the twelfth submittal made is the quality control plan for sign panels, as required by section 56-2.01A, the initial submittal would be 12.01 (56-2.01A). If a re-submittal were required, it would be 12.02 (56-2.01A).

In general, allow 10 working days for Engineer's review of submittals. Allow 20 working days for Engineer's review of submittals that include shop drawings or calculations.

SECTION 8. OTHER REQUIREMENTS

8.01 GENERAL. Section 8 includes specifications for miscellaneous project-specific work, and bid item descriptions.

8.03 PROJECT APPEARANCE. The Contractor shall maintain a neat appearance to the work. In any area visible to the public, the following shall apply, at no additional cost to the City:

When practicable, broken concrete and debris developed during clearing and grubbing shall be disposed of concurrently with its removal. No stockpiling is allowed.

8.04 WORK SEQUENCING. Work sequencing shall conform to the provisions in Section 10-1.02, "Work Sequencing," of the Standard Specifications, the plans, and these special provisions.

The Contractor's sequence of construction operations shall provide for the maintenance of full and uninterrupted utility services, except that minor planned interruptions of utility services may be permitted, with prior written approval of the Engineer. The Contractor shall submit to the City a written notice of the intent to disrupt services at least ten days prior to the planned disruption. Said notice shall specify the dates and time, nature of the service disrupted, and a complete list of properties affected. It shall be the Contractor's responsibility to notify occupants of properties affected of any services interruptions and to coordinate the work necessitating the interruption with the appropriate owners, or their authorized agents, of the utilities involved. Approval by the Engineer to disrupt services shall be in no way relieve the Contractor of his responsibility for damage or preservation of property as specified in Section 5-1.36, "Property and Facility Preservation" and Section 5-1.39, "Damage Repair and Restoration" of the Standard Specifications.

Sequence work in accordance with the "Stage Construction and Traffic Handling Plan" found in the plans.

8.05 DUST CONTROL. Control the dust resulting from construction of this project regardless of whether it is the result of your operations or caused by public traffic only.

8.06 WATERING. The application of water for dust control, landscaping, and other uses shall conform to Section 10-6 and applicable sections of the Standard Specifications, these special provisions, and as directed by the Engineer. Provide all the water required to perform any operations and work under this Contract.

8.07 OBSTRUCTIONS. Attention is directed to Section 5-1.36, "Property and Facility Preservation" of the Standard Specifications. Section 1540(a) 1 of Construction Safety Orders (Title 8) California Administrative Code, Section 1540 states:

"Prior to opening any excavation, effort shall be made to determine whether underground installations i.e., sewer, water fuel, electric lines etc., will be encountered and, if so, where such underground installations are located. When the excavation approaches the approximate location of such installation, the exact location shall be determined by carefully probing or hand digging; and, when it is uncovered, adequate protection shall be provided for the existing installation. All known owners of underground facilities in the area concerned shall be advised of proposed work at least two working days prior to start of actual excavation."

Contractor shall make the effort to determine the exact locations of the underground installations.

No extra payment will be allowed for the removal, replacement, repair, or possible increased cost caused by inadvertent or planned interception and breaking of underground obstructions which may exist.

Attention is directed to the existence of certain underground facilities that may require special precautions be taken by you to protect the health, safety and welfare of workers and of the public. Facilities requiring special precautions include, but are not limited to: conductors of petroleum products, oxygen, chlorine, and toxic or flammable gases; natural gas in pipelines greater than 6 inches in diameter or pipelines operating at pressures greater than 60 psi (gage); underground electric supply system conductors or cables, with potential to ground of more than 300 volts, either directly buried or in duct or conduit which do not have concentric grounded conductors or other effectively grounded metal shields or sheaths. If such facilities are not located on the plans in both alignment and elevation, no work shall be performed in the vicinity of said facilities, except as provided herein for conduit to be placed under pavement, until the owner, or his representative, has located the facility by potholing, probing, or other means that will locate and identify the facility. Any conduit to be installed under pavement in the vicinity of such facilities shall be placed by the trenching method as specified.

You are responsible for the protection of utility facilities and services. Rearrangement of underground utilities may be required at various locations. You are not liable to the various utility owners nor to the City of Seaside for the cost of utility rearrangements. You must:

- (1) Coordinate the efforts of the utility owners in identifying all possible points of conflict between existing underground utilities and improvements to be constructed under this Contract, and

- (2) Coordinate your construction activities with the utility owners to expedite the rearrangement of existing underground utilities as necessary to construct the improvements as shown on the plans.

If utility conflicts exist when you start construction, be prepared to schedule your work around these conflicts. While you will be granted time extensions without penalty for utility delays if such delays impede your overall progress, no extra payment will be made for utility delays.

Notify the Engineer and the appropriate regional notification center for operators of subsurface installations at least 2 working days, but not more than 14 calendar days, prior to performing any excavation or other work close to any underground pipeline, conduit, duct, wire or other structure.

8.08 MAINTAINING TRAFFIC. Attention is directed to Sections 7-1.03, "Public Convenience," 7-1.04, "Public Safety," and 12, "Temporary Traffic Control," of the Standard Specifications and to the Section 5.03, "Public Safety" in these special provisions. Nothing in these special provisions shall be construed as relieving the Contractor from his responsibility as provided in said Section 7-1.04. Lane closures shall conform to the provisions in section 12 of these special provisions.

At the pre-construction meeting, submit Traffic Control Plan(s) conforming to the *California MUTCD*, Part 6 "Temporary Traffic Control," and the requirements of these Special Provisions for acceptance by the Engineer.

Notify local authorities of your intent to begin traffic control work at least working 5 days before work is begun. Cooperate with local authorities relative to handling traffic through the area and make your own arrangements relative to keeping the working area clear of parked vehicles.

You bear the entire cost of flagging, including furnishing all flaggers, stands, towers and the transportation of flaggers. .

The provisions in this section shall in no wise relieve you from your responsibility for providing for the safety of the public as provided in said Section 7-1.04 nor relieve you from your responsibility for damage as provided in Section -5-1.39, "Damage Repair and Restoration "

If not otherwise specified, whenever vehicles or equipment are parked on the shoulder within 6 feet of a traffic lane, the shoulder area shall be closed with fluorescent traffic cones or portable delineators placed on a taper in advance of the parked vehicles or equipment and along the edge of the pavement at 25-foot intervals to a point not less than 25 feet past the last vehicle or piece of equipment. A minimum of 9 cones or portable delineators shall be used for the taper. A C23 (Road Work Ahead) or C24 (Shoulder Work Ahead) sign shall be mounted on a telescoping flag tree with flags. The flag tree shall be placed where directed by the Engineer.

The full width of the traveled way shall be open for use by public traffic on Saturdays, Sundays and designated legal holidays, after 3:00 p.m. on Fridays and the day preceding designated legal holidays, and when construction operations are not actively in progress.

Designated legal City holidays are: New Year's Day, Dr. Martin Luther King's Birthday, President's Day, Cesar Chaves Day Observed, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day Following Thanksgiving Day, Day before and Christmas Day. When a designated legal holiday falls on a Sunday, the following Monday shall be a designated legal holiday. When November 11th falls on a Saturday, the preceding Friday shall be a designated legal holiday.

Unless otherwise specified, provide a minimum of one paved traffic lane, not less than 10 feet wide, for use by public traffic.

8.09 COOPERATION. In the event construction is under way by other forces or by other contractors within or adjacent to the limits of the work specified, cooperate with the other contractors or other forces to the end that any delay or hindrance to their work will be avoided. Each contractor shall be responsible to the other for damage to work, to persons or property caused to the other by their operations, and for loss caused the other due to unnecessary delays or failure to finish the work within the time specified for completion.

8.10 DESCRIPTIONS OF BID ITEMS. Attention is directed to Section 9-1.03, "Payment Scope," of the Standard Specifications. The project area is as shown in the contract documents in the City of Seaside. The unit and lump sum prices paid shall be full compensation for completing the contract, and shall include all labor, materials, equipment, taxes and incidentals for a complete job, and no separate or additional compensation shall be made therefor. Payment of all the following items shall be for actual materials installed on the job and for actual work accomplished. The scope of work for each item shall include, but shall not be limited to:

BASE BID

Item 1. Mobilization/Demobilization: Mobilization and Demobilization shall consist of preparatory work and operations, including, but not limited to, those necessary for the movement and security of personnel, equipment, supplies and incidentals to the project site; for the establishment of all offices, buildings and other facilities necessary for work on the project, and for all other work and operations which must be performed or costs incurred prior to beginning work on the various contract items on the project site and removal of all items associated with mobilization. Payment for this item will be made on a lump sum basis.

Item 2. Demolition/Clearing & Grubbing: Furnish all labor, materials, equipment, facilities, transportation and services to complete all site clearing, grubbing, and demolition work plus all related activities as shown on the plans and/or specified in the specifications. This item will be paid on a lump sum basis.

Item 3. Drainage and Utilities: Furnish all labor, materials, equipment, facilities, transportation and services to complete all storm drainage system improvements and water line improvements plus all related activities as shown on the plans and/or specified in the specifications. This item will be paid on a lump sum basis.

Item 4. Concrete Flatwork: Furnish all labor, materials, equipment, facilities, transportation and services to complete all flatwork, earthwork, base course, grading, compacting and related concrete activities as shown on the plans and/or specified in the specifications. This item will be paid on a lump sum basis.

Item 5. Restroom Upgrades: Furnish all labor, materials, equipment, facilities, transportation and services to complete all improvements to the Restroom plus all related work as shown on the plans and/or specified in the specifications. This item will be paid on a lump sum basis.

Item 6. Snack Shack Upgrades: Furnish all labor, materials, equipment, facilities, transportation and services to complete all improvements to the Snack Shack plus all related work as shown on the plans and/or specified in the specifications. This item will be paid on a lump sum basis.

Item 7. Landscaping: Furnish all labor, materials, equipment, facilities, transportation and services to complete all landscaping and all related work as shown on the plans and/or specified in the specifications. This item will be paid on a lump sum basis.

Item 8. Project Closeout: This section specifies administrative and procedural requirements for project close out including but not limited to inspection, project document submittal, final cleaning, and project record drawings. This item will be paid on a lump sum basis.

ANCILLARY ITEMS

Payment for any items that do not have instruction indicating where expenses for said items are to be accounted for are to be considered ancillary to the work and accounted for in every one of the lump sum or unit price items and no additional compensation will be allowed therefore.

**David Cutino Park
ADA Improvements**
Seaside, CA 93955

PROJECT SPECIFICATIONS
Bid Submittal

04-27-18

PREPARED BY:



VERDE DESIGN

Project No.1706001

The technical specifications contained herein have been prepared under the direction of the following Registered Persons:

LANDSCAPE ARCHITECTURE

Derek Mckee	04/06/18
Registered Landscape Architect	Date



ARCHITECTURE

Joseph Edward Gonzalez	04/06/18
Registered Architect	Date

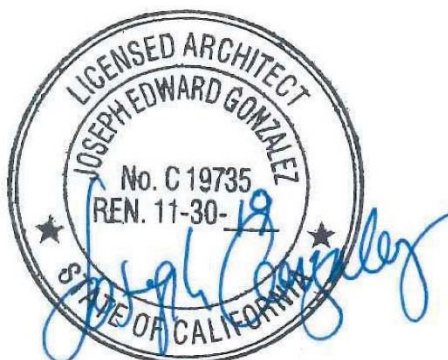


TABLE OF CONTENTS

TECHNICAL SPECIFICATIONS

DIVISION 1	General Requirements
01 11 00	Summary of Work
01 33 00	Submittals
01 42 00	References
01 45 00	Quality Control
01 50 00	Construction Facilities and Temporary Controls
01 62 00	Product Options and Substitutions
01 77 00	Contract Closeout
01 78 39	Project Record Drawings
DIVISION 2	Existing Conditions
02 41 00	Site Clearing and Demolition
DIVISION 4	Masonry
04 20 00	Unit Masonry
DIVISION 07	Thermal and Moisture Protection
07 90 00	Joint Sealers
DIVISION 08	Openings
08 11 00	Steel Doors and Frames
08 33 13	Coiling Counter Doors
08 71 00	Door Hardware
DIVISION 09	Finishes
09 24 00	Cement Plastering
DIVISION 10	Specialties
10 44 50	Signs
10 81 00	Toilet Accessories
DIVISION 11	Equipment
11 40 00	Foodservice Equipment
DIVISION 12	Furnishings
12 36 00	Countertops
DIVISION 31	Earthwork
31 13 00	Tree Protection
31 20 00	Earthwork
31 23 00	Excavation Backfilling
DIVISION 32	Exterior Improvements
32 11 00	Base Courses
32 13 13	Portland Cement Concrete
32 90 00	Landscaping
DIVISION 33	Utilities
33 40 00	Storm Drainage
33 11 00	Domestic Water Systems

END OF TABLE OF CONTENTS

SECTION 01 11 00

SUMMARY OF WORK

PART 1 GENERAL

1.01 SUMMARY

- A. Abbreviated Written Summary / Scope of work: Briefly and without force and effect upon the Contract Documents, the work of the Contract can be summarized to include as follows:
 - 1. ADA paving around restrooms, perimeter paving, drainage, site furnishing improvements, and utility upgrades
- B. Related sections:
 - 1. All pertinent sections of the specifications

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. Refer to Section 01 42 00 - References.

1.03 PROJECT LOCATION

- A. David Cutino Park – ADA Improvements
1801 Lowell St (San Pablo)
Seaside, CA 93955

1.04 CONTRACT DOCUMENTS

- A. The general nature and extent of the work and the appurtenant facilities are shown on the Drawings under the title: David Cutino Park – ADA Improvements
- B. Perform work within the Limit of Work line indicated on the Drawings and per the discretion of the Owner.

1.05 DRAWINGS

- A. Drawings such as irrigation plans, utility plans, etc., are essentially diagrammatic. Actual runs indicated on the Drawings shall be followed as closely as coordination with the work of other trades will permit. The exact routing of such improvements and locations of equipment shall be governed by site conditions, obstructions, and locations of other utilities as acceptable to the Owner.
- B. In the event that discrepancies arise over dimensions, product references, omissions, or written statements, these conflicts shall be immediately brought to the Owner's attention by the contractor. If available, this may be accomplished with the use of a "Request for Information" (RFI) form. While awaiting direction or clarification from the Owner, the contractor shall re-direct work as necessary so as not to cause delay to the project.
- C. If discrepancies arise between plans, details, or specifications, the order of descending precedence shall be: 1.) Specifications 2.) Details 3.) Plans (ex. Details have precedence over Plans, yet Specifications have precedence over both).
- D. Products, materials, labor, etc., installed or performed without proper clarification, or prior to Owner acceptance shall be the Contractor's sole responsibility and shall be removed, repaired, replaced, and/or reinstalled per the Owner's direction at no additional cost to the Owner or its agents.

1.06 CONTRACTOR'S DUTIES

- A. Provide and pay for:
 - 1. Labor, materials, equipment, tools, construction equipment machinery, and other facilities and services necessary for proper execution and completion of the Contract.
 - 2. Water and temporary utilities required for construction excluding any metering and connection fees or charges.
 - a. Subject to the discretion of the Owners Representative (contractor to verify), utilities which are in place and/or are in use by the Owner at the site (excluding telephone) may be utilized by the Contractor, to the extent available, at no cost.
 - 3. Other facilities and services necessary for proper execution and completion of work to provide a facility capable of operation.
 - 4. Legally required sales, consumer, and use taxes.
- B. Permits:
 - 1. The Owner shall obtain and pay for the building permits, utility cut-offs and hook-ups including, but not limited to: water, gas, and electrical meters, sanitary and storm sewer connection fees.
 - 2. The contractor shall obtain and pay for other permits required by Owner, County and other agencies, including but not limited to business licenses and hauling & dumping permits as applicable.
 - 3. Provisions of required permits and licenses, whether obtained by the Owner's Representative or the contractor, shall become a part of the Contract Documents and shall be adhered to by the contractor.
- C. Comply with latest adopted edition of the governing building code and other codes, ordinances, rules, regulations, orders and other legal requirements of public authorities which bear on performance of the work. Nothing in the Drawings or Specifications shall be construed to permit work not conforming to these applicable laws, ordinances, rules, and regulations. In case of conflicts between code requirements, the most restrictive shall apply; except that where the requirements of these Specifications exceed code requirements, the Specifications shall govern.
- D. Attend pre-scheduled on-site job conference meetings and/or any special meetings as may be required by the Owner's Representative.
- E. Promptly submit written notice to the Owner's Representative of any observed variance in Contract Documents from legal requirements. Appropriate modifications to Contract Documents will be performed by the Owner's Representative to incorporate such necessary modifications.
 - 1. Contractor shall assume responsibility for work performed and known to be contrary to such requirements.
- F. Enforce strict discipline and good order among the contractor's or sub-contractor's employees per the discretion of the Owner's Representative.
- G. Prior to bidding, the contractor shall visit the site to become familiar with existing conditions and the requirements of the work.
- H. The contractor shall be held to have examined the site and to have compared it with the Drawings and Specifications, to have carefully examined all of the Contract Documents and to have satisfied himself as to the conditions under which the work is to be performed before entering in this Contract. No allowance shall subsequently be made on behalf of the contractor on account of an error on his part or his negligence or failure to acquaint him with the conditions of the site.

All discrepancies found shall be brought to the attention of the Owner's Representative by the contractor prior to bid date.

- I. Examine site and verify that site conditions are acceptable to begin any work. Verify that work specified elsewhere has been completed to an appropriate stage to begin any applicable work. This includes, but is not limited to: lines, grades and surfaces prepared by others. Notify the Owner's Representative in writing of any irregularities or unacceptable conditions. Start of work by contractor shall indicate contractor's acceptance of site conditions.
- J. Throughout the job the contractor shall be responsible for the general safety of the public and shall take appropriate means at no extra cost to Owner to provide a safe and secure job site to the satisfaction of the Owner's Representative.
- K. Verify all measurements, materials and systems taken from the Drawings and Specifications. Contractor shall be responsible for all investigations, field measurements layouts, and coordination necessary to properly fit, install and complete the work required, including integration of new work into, and with existing.
- L. Contractor shall deliver, receive, store, protect, install and apply all materials in accordance with manufacturer's and/or industry specifications and instructions unless specifically modified and shown otherwise in the Contract Documents. All installations shall be tight, smooth, level, straight, true to line, and secure.

1.07 PROTECTION OF PROPERTY, MATERIALS AND WORK

- A. Contractor shall be held responsible insofar as his operations are concerned for the care, protection, and preservation of the adjoining premises, buildings, trees, landscaping, utilities, walks, streets, and adjacent properties from damage resulting from or incidental to this Contract.
- B. Protect all existing structures, planted areas and improvements not designated for removal. Any damage to existing structures including asphalt paving, utilities, and fixtures shall be replaced to an "as was" or better condition, at contractor's expense, per the direction and satisfaction of the Owner's Representative.
- C. All materials and equipment, both before and after installation, shall be properly protected by the contractor from the weather and other hazards and kept in a clean and orderly manner.
- D. All utility piping and conduit stub-outs, and parts or equipment left unconnected shall be capped, plugged, or otherwise properly protected by the contractor to prevent damage or the intrusion of dirt or other foreign matter.
- E. Materials and equipment damaged or containing defects developed before acceptance of the work shall be replaced with new at the contractor's expense.

1.08 WORK SEQUENCE / SCHEDULE

- A. The sequence and scheduling of the work to be performed by the contractor shall be subject to review and acceptance by the Owner's Representative. The contractor shall submit a Submittal Progress Log and Schedule in accordance with Section 01 33 00 – Submittals prior to starting work. Project schedules shall conform to Specification Section 01 33 00.

1.09 CONTRACTOR'S USE OF PREMISES

- A. Confine operations to areas immediately within the proposed project sites.
 - 1. Develop and utilize construction access and haul routes as per the rules and regulations pertaining to the locale in which the work is to be performed and per the discretion of the Owner's Representative.
 - 2. Do not encumber site with materials or equipment.

- B. Limit use of premises for work and construction operations to allow for work by other contractors.
 - 1. Conduct operations so as not to cause unnecessary delay or hindrance to other contractors.
 - 2. Conduct, adjust, correct, and coordinate work with others to prevent project discrepancies and/or delays.
- C. Assume full responsibility for protection and safekeeping of products stored on premises and work performed until Final Acceptance of the work.
- D. Move stored products under contractor's control which interfere with operations of the Owner.
- E. Obtain and pay for use of additional storage or work areas needed for construction operations.

1.10 WORK HOURS AND WORK DURING ONGOING ACTIVITIES

- A. Carry on the work as quietly as possible to prevent possible annoyance to adjacent properties. Avoid unnecessary noise at all times. Comply with all local noise regulations or requirements. Absolutely no work, delivery of equipment or materials shall take place between the hours of 5:00 PM and 8:00 AM, or during non-working hours/days without written authorization by the Owner's Representative.
- B. When connecting new utilities to existing, and similar operations, the contractor shall time and coordinate with Owner's Representative, facility operators, and utility companies such operations to minimize interference with existing activities and operations.

1.11 MATERIALS

- A. All materials and equipment used in the work herein specified shall be new, first class, condition (unless otherwise noted or scheduled), suited to the intended use.
- B. Materials shall be delivered to the site and stored in original containers sheltered from the elements, but readily accessible for inspection by the Owner's Representative until installed.
- C. Materials of the same general type shall be of the same make and quality throughout the work to provide uniform appearance, operation, and maintenance ease.
- D. Equipment specified by manufacturer's number shall include all accessories, controls, etc., listed in catalog as standard equipment. Furnish optional or additional accessories as specified.
- E. Where no specified make of material or equipment is specified, any product by a reputable manufacturer which conform to the requirements of the Construction Documents may be used with the Owner's Representative's acceptance.
- F. Materials and equipment shall be current products by manufacturers regularly engaged in the production of such products.
 - 1. All equipment items shall be supported by service organizations, which are reasonably convenient to the equipment installation in order to render satisfactory service to the equipment on a regular and emergency basis during the Specified Warranty Period.

1.12 NUISANCE WATER

- A. The contractor shall protect the work at all times from damage, and shall take measures to prevent delays in the progress of the work caused by nuisance water, such as rainfall, irrigation water and groundwater.
- B. The contractor shall dispose of nuisance water using appropriate mechanical means at their sole expense and without adverse effects upon the Owner's, or any other property.

- C. The contractor shall comply with any and all applicable non-point source pollution regulations required by the Owner.

1.13 REFERENCE POINTS

- A. The contractor shall leave all existing benchmarks, stakes and reference points in their existing locations unless directed or authorized otherwise by the Owner's Representative. The contractor shall set additional stakes and reference points as necessary to properly establish horizontal and vertical controls required for the work. Contractor shall maintain and check existing benchmarks a minimum of once a week to ensure they have not been disturbed and still represent the original horizontal and vertical data.

1.14 COORDINATION:

- A. The contractor shall coordinate all items of work to assure efficient and orderly sequence of installation of construction elements.
 - 1. The contractor shall make provisions for accommodating items installed by the Owner or under separate contracts.
 - 2. The contractor shall coordinate and cooperate fully with all other agencies, sub-contractors, or utility company personnel furnishing labor, materials, or services, so that the work, as a whole, shall be executed in the most efficient manner and without conflict or delay.
- B. The contractor shall verify that characteristics of interrelated operating equipment are compatible and coordinate work having interdependent responsibilities for installing of mechanical, irrigation, or electrical work, which may be indicated diagrammatically on Drawings.
- C. The contractor shall coordinate space requirements and installation of work, which is indicated diagrammatically on Drawings.
 - 1. Follow routing shown for pipes, and conduits as closely as possible, run lines parallel with lines of construction edges whenever possible.
 - 2. Utilize spaces efficiently for other installations, for maintenance, and for repairs.
 - 3. Work out all conditions involving work of all trades in advance of installation. If necessary, and before work proceeds in areas with constricted clearances, prepare supplementary drawings for Owner's Representative review, showing all work in "tight" areas. Provide supplementary drawings and additional work necessary to overcome spatially constricted conditions.
- D. Differences or disputes concerning coordination, interference or extent of work between divisions shall be decided by the Owner's Representative.
- E. Access Doors and Panels:
 - 1. Coordinate access door and panel requirements with each trade installing work to which access must be available to the Owner's Representative from time to time.

1.15 CUTTING AND PATCHING

- A. Contractor shall be responsible for all cutting, fitting, or patching of work which may be required to make its several parts come together properly and fix it to receive or be received by work of other trades.
- B. Any cost caused by defective or poorly timed work shall be borne by the responsible party, as determined by the Owner's Representative. Contractor shall not endanger any work, persons or construction by cutting, digging, or otherwise, and shall not alter the work of any other contractor except as acceptable to the Owner's Representative.

- C. Patching of all openings for new installations and all openings resulting from the removal or relocation of any installations shall be done with material of the same type adjoining openings and as acceptable to the Owner's Representative.

1.16 CLEANING DURING CONSTRUCTION

- A. Execute weekly cleaning operations to keep the work, site, streets, and adjacent properties free from accumulations of waste materials, rubbish, and windblown debris resulting from construction operations.
 - 1. The Owner's Representative may, at any time during construction, order general clean up of the site at no additional cost to the Owner.
- B. Provide on-site containers for the collection of waste materials, debris and rubbish.
- C. Remove hazardous waste materials, debris, and rubbish from the site periodically and properly dispose of such materials at legal disposal areas.
 - 1. Location of legal disposal sites and all costs incurred from waste disposal and transportation shall be the responsibility of the contractor.
 - 2. Waste material or debris shall not be buried or burned on the site.

1.17 PROJECT COMPLETION

- A. Conform to Section 01 77 00 - Contract Closeout.
- B. The contractor shall, at completion of the project, leave all work installed properly operating and in a thoroughly clean condition.
- C. Thoroughly instruct the Owner's Representative and any applicable operation and maintenance personnel in the contents of the "operations and maintenance manual." Refer to Section 01 33 00 - Submittals.

PART 2 PRODUCTS - Not Applicable

PART 3 EXECUTION - Not Applicable

END OF SECTION

SECTION 01 33 00

SUBMITTALS

PART 1 GENERAL

1.01 SUMMARY

- A. Scope of work:
 - 1. Submit all items specified herein and as noted elsewhere in the Contract Documents.
- B. Related sections:
 - 1. All pertinent sections of the specifications

1.02 SCHEDULE OF SUBMITTALS

- A. Within ten (10) working days from date of Notice To Proceed, the contractor shall submit to the Owner a comprehensive list of all submittals and the Submittal Progress Log and Schedule (refer to Section 01 11 00-Summary Of Work) for review and acceptance. The submitted list shall be broken down by specification section, material / product and other applicable information. The log shall be reviewed and accepted prior to submission of actual submittals.
- B. Upon acceptance by the Owner Representative, the list and Progress Schedule shall become part of the Contract Documents. **All project submittals shall be submitted to the Owners Representative within ten (10) working days from the date of the Notice To Proceed unless noted otherwise.**
- C. Coordinate the Progress Schedule with all sub-contractors, material suppliers, etc. to ensure adherence to the schedule.
- D. Revise and update the Progress Schedule on a monthly basis to reflect on-going construction conditions and sequences.
- E. Submit one copy of the Progress Schedule monthly to the Owner Representative showing all revisions for review and comment. Coordinate this submittal with Progress Payment requests or as acceptable to the Owners Representative.

1.03 IDENTIFICATION OF SUBMITTALS

- A. Identify each submittal with the following information:
 - 1. Date and revision dates
 - 2. Project title and number
 - 3. The names of:
 - a. Sub-contractor
 - b. Supplier
 - c. Manufacturer
 - d. Separate detailer when pertinent
 - 4. Identifications of product or material (the submitted product must be clearly identified).
 - 5. Applicable standards
 - 6. Identification of deviations from Contract Documents
 - 7. Contractor's stamp, initialed or signed, certifying review of submittal, verification of field measurements, and compliance with Contract Documents.

PART 2 PRODUCTS

2.01 PRODUCT LITERATURE

- A. Contractor will have the option to provide electronic or hardcopy submittals. Our preference would be electronic.
 - 1. Electronic Submittal: Include transmittal sheets and highlighted product data sheets.
 - 2. Hardcopy Submittal: Submit six (6) copies of the manufacturer's printed data and instructions to the Owners Representative for review. Two (2) copies shall be to be returned to the contractor and two (2) copies shall be retained by the Owners Representative.
- B. Clearly indicate, by colored highlight or colored stamp (USING A COLOR THAT WILL COPY), which portion of the literature is submitted to be reviewed for compliance with the Contract Documents. This should include at a minimum, the product name, manufacturer's no., technical data, materials, size, color, picture, etc.

2.02 SHOP DRAWINGS

- A. Shop drawings shall be drawn accurately to a scale sufficiently large to depict all aspect of the items and its methods of connection to the work. Submit shop drawings to the Owners Representative in the quantity specified in "PRODUCT LITERATURE" above.
- B. Review of the shop drawings by the Owners Representative shall not relieve the contractor of the responsibility for errors and/or omissions in the design of adequate connections or satisfactory construction of the work or conformance to applicable codes, etc.
- C. Clearly indicate, by colored highlight or colored stamp (USING A COLOR THAT WILL COPY), the desired deviations from the Drawings (as applicable). These deviations should also show materials, dimensions, locations, reference points, sizes, depth, etc.

2.03 SAMPLES

- A. Samples shall be of the actual article(s) to be furnished.
- B. Submit four (4) samples to the Owners Representative for review. Two (2) samples shall be returned to the contractor and two (2) shall be retained by the Owners Representative.
- C. When specifically acceptable to the Owners Representative the returned sample(s) may be used in the work as an installed item.
- D. Construct the work, or re-submit in accordance with the Owners Representative's review.

2.04 COLORS AND PATTERNS

- A. As required in related sections of these Specifications, submit actual color chips of specified colors and patterns as applicable to the actual material proposed for use in the work. Submit quantity as noted in "SAMPLES" above.

2.05 MANUALS

- A. Submit four (4) copies of all required manuals.
- B. Unless specified elsewhere, all manuals shall be bound in identical plastic binders approximately 8.5" x 11" in size and shall contain at least the following:
 - 1. Label on the front cover and binding edge stating general nature of the manual

2. Neatly typed table of contents.
 3. Complete instructions regarding operation and maintenance of all equipment to be furnished as part of the work.
 4. Complete list of replaceable parts with part numbers and name and address of nearest supplier.
 5. Copies of all guarantees and warranties issued.
 6. Copies of reviewed shop drawings.
 7. Photographs of exposed work before final covering, if required by the Owners Representative.
- C. When the manual includes manufacturer's catalog "cut-sheets", clearly indicate the actual items installed in the project.

PART 3 EXECUTION

3.01 SUBMITTAL ORGANIZATION

- A. Unless otherwise directed by the Owners Representative, organize all submittals in categories by specification section number from which the submittal was requested and submit all at one time in format as described in "MANUALS" above.
- B. Owners Representative reserves the right to reject incomplete or partial submittals.

3.02 SUBMITTAL REVIEW

- A. Contractor shall sign or stamp all submittals as verification that the submittal complies with the Contract Documents.
- B. The Owners Representative shall review all submittals and respond with one of the following markings:
1. No Exceptions Taken
 2. Furnish as Corrected
 3. Revise and Resubmit
- C. The Owners Representative's review of submittals shall not relieve the contractor from responsibility for deviations from the Constructions Documents unless the contractor has called the Owner Representative's attention to such deviations and secured written acceptance, nor shall it relieve the contractor from the responsibility for errors and/or omissions in shop drawings or other data.

3.03 RESUBMITTAL REQUIREMENTS

- A. General:
1. The contractor shall make all submittals in advance of scheduled dates of installation to provide ample time for Owners Representative's review, for possible revision and re-submittal, placing orders, necessary delivery lead times and for delivery to project site.
 2. In scheduling, the contractor shall allow at least ten full working days for the Owner Representative's review following receipt of the submittal. If a submittal is time sensitive, the contractor shall clearly indicate this on the submittal and the Owners Representative shall make all reasonable effort to review the submittal and respond by the time it is needed.
- B. Financial impact of delays due to contractor's tardiness of submittals will be backcharged as necessary to the contractor and shall not be at the temporal or financial expense of the Owner.

END OF SECTION

SECTION 01 42 00

REFERENCES

PART 1 GENERAL

1.01 SUMMARY

- A. This section covers abbreviations, definitions, and the general requirements for regulatory requirements pertaining to the work. This section shall be supplementary to all other abbreviations, definitions, and regulatory requirements mentioned or references elsewhere in the Contract Documents.
- B. Scope of work:
 - 1. Reference Standards
 - 2. Abbreviations
 - 3. Definitions
- C. Related sections can include, but may not be limited to the following:
 - 1. All applicable sections of the Specifications.

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. Refer to latest editions of the references stated herein.
- B. Work shall comply with the requirements of all applicable codes, laws, rules, regulations, and standards of applicable code enforcing authorities. Nothing in the drawings or specifications shall be constructed to permit work not conforming to the applicable laws, ordinances, rules, and regulations. In case of conflicts between code requirements, the most restrictive shall apply; except that where the requirements of these Specifications exceed code requirements, the Specifications shall govern. The following codes and specifications are hereby referenced and considered part of these Contract Documents.
- C. State Standard Specifications: Standard Specifications, State of California, Department of Transportation (Cal-trans) latest edition.
- D. Building Standards Administrative Code (2010 Edition)
- E. California Building Code (International Building Code, with California Amendments), current edition
- F. California Mechanical Code (Uniform Mechanical Code, with California Amendments), current edition
- G. California Plumbing Code (Uniform Plumbing Code, with California Amendments), current edition
- H. California Electrical Code (National Electrical Code, with California Amendments), current edition
- I. California Fire Code (International Fire Code, with California Amendments) , current edition
- J. California Energy Code, current edition
- K. American Society for Testing and Materials.
- L. American Association of State Highway and Traffic Officials.
- M. National Fire Protection Association.

- N. Occupational Safety and Health (ACT) Standards.
- O. Other statutes, ordinances, laws, regulations, rules, orders and codes specified in other sections of the Specifications or bearing on the work.
- P. State and Local Public Health Codes.
- Q. State Fire Marshall.
- R. Safety Orders of Division of Industrial Safety.
- S. State of California Public Utilities Commission.
- T. State of California Low Voltage Electrical Safety Orders (CAL/OSHA).
- U. Americans with Disabilities Act (ADA).
- V. Consumer Products Safety Commission Guidelines (CPSC).

1.03 ABBREVIATIONS

Abbreviations for numerous common references, terms and materials used throughout the specifications include:

AA	Aluminum Association
AAMA	Architectural Aluminum Manufacturers Association
AAN	American Association of Nurserymen
AASHTO	American Association of State Highway and Traffic Officials.
ACI	American Concrete Institute
AEIC	Association of Edison Illuminating Companies
AFI	Air Filter Institute
AIA	American Institute of Architects
AIEEE	American Institute of Electrical and Electronic Engineers
AISC	American Institute of Steel Construction
AJCHN	American Joint Committee on Horticultural Nomenclature
AMCA	Air Moving and Conditioning Association
ANSI	American National Standard Institute
APA	American Plywood Association
APWA	American Public Works Association
ARI	American Refrigeration Institute
AHSRAE	American Society of Heating, Refrigeration and Air Conditioning Engineers
ASLA	American Society of Landscape Architects
ASME	American Society of Mechanical Engineers
ASSE	American Society of Sanitary Engineering
ASTM	American Society for Testing and Materials
AWI	Architectural Woodwork Institute
AWPI	American Wood Preservers Institute
AWS	American Welding Society
AWWA	American Water Works Association
BC	Bottom of Curb
BFP	Backflow Preventer
BOC	Back of Curb
CB	Catch Basin
CL	Center Line
CONC	Concrete
COTG	Clean Out To Grade
CS	U.S. Commercial Standards
CSI	Construction Specifications Institute

DG	Decomposed Granite
DHI	Door Hardware Institute
DI	Drain Inlet
FG	Finish Grade
FGMA	Flat Glass Marketing Association
FL	Flow Line
FM	Factory Mutual
FOC	Face of Curb
FS	Finish Surface
GA	Gypsum Association
HP	High Point
INV	Invert
LP	Low Point
MH	Manhole
NAAMM	National Association of Architectural Metal Manufacturers
NAFM	National Association of Fan Manufacturers
NBS	National Bureau of Standards
NEC	National Electrical Code
NEMA	National Electric Manufacturers Association
NFC	National Fire Code
NFPA	National Fire Protection Association
NLMA	National Lumber Manufacturers Association
NSF	National Sanitation Foundations
PDI	Plumbing and Drainage Institute
PL	Property Line
PS	Product Standard, U.S. Department of Commerce
PVC	Polyvinyl Chloride
RIS	Redwood Inspection Service
SDI	Steel Deck Institute
SDI	Steel Door Institute
SFPA	Southern Forest Products Association
SMACNA	Sheet Metal & Air Conditioning Contractors National Association, Inc.
SS	Sanitary Sewer
SD	Storm Drain
TC	Top of Curb
TYP	Typical
UBC	Uniform Building Code
UL	Underwriters Laboratory, Inc.
UON	Unless Otherwise Noted
WM	Water Meter
WCLIB	West Coast Lumber Inspection Bureau
WIC	Woodwork Institute of California
WWDA	Wood Window and Door Association
WWM	Welded Wire Mesh
WWPA	Western Wood Products Association

1.04 DEFINITIONS

Reference to Drawings: Where the words "shown", "indicated", "detailed", "noted", "scheduled". or words of similar import are used, it shall be understood that reference is made to the Drawings accompanying these Specifications, unless otherwise noted.

Addendum: The word "Addendum" shall mean written and/or graphic modifications to the contract documents provided to holders of the Contract Documents prior to the opening of bids. Addenda shall be issued by the Owners Representative.

Alternates: The word "Alternates" shall be understood to mean alternate products, materials, equipment, systems, methods, units of work or elements of the construction, which may, at the Owners option and under the terms established by the Contract Documents, be added to, or deleted from the work.

Approvals: The words "approved", "approval", "acceptable", "acceptance", shall mean acceptance by the Owners Representative is required.

Contract Change Order: The words "Contract Change Order" shall mean a change order authorization to the contractor, covering changes to the Contract found by the Owner Representative to be necessary for the proper completion or construction for the whole work required by the Contract, and establishing the basis of payment and/or time adjustments for the work affected by the changes, also sometimes referred to as a "Change Order".

Contract Documents: The words "Contract Documents" shall mean the documents contained within the General Conditions, Special Provisions of the Contract, the Drawings, the Specifications, all Addenda, Change Orders, clarifications and other modifications issued by the Owners Representative prior to and after execution of the Contract.

Directions: The words "directed", "designated", and "selected", shall mean the directions, designations, selection, of the Owners Representative, unless otherwise noted.

Drawings: The word "Drawings" shall mean the official project bid or construction plans, plan details, profiles, typical cross sections, working drawings, shop drawings, supplemental drawings, and/or reproductions thereof, accepted or issued by the Owners Representative, which show the locations, character, dimensions, and details of work to be performed. All such documents are to be considered as a part of the Drawings.

Equals: The words "or equal", "equal to", "approved equal", "or approved equal" and "equivalent", shall mean "equal to or acceptable in the opinion of the Owners Representative," unless stated otherwise.

Language: Words and phrases requiring an action or performance, such as "perform", "provide", "install", "furnish", "connect", "test", "coordinate", and words and phrases of similar import, shall be understood to be preceded by the phrase "The contractor shall" unless otherwise stated.

Modifications: The word "modifications" shall mean a written amendment to the Contract signed by both parties, a Change Order, a written interpretation issued by the Owners Representative or a written order for a minor change in the work issued by the Owners Representative.

Notice To Proceed: The words "Notice to Proceed" shall mean the written notice issued by the Owners Representative to the contractor fixing the date on which or within which dates the contractor shall start to perform the contractor's obligations under the Contract Documents.

Perform: The word "perform" shall mean that the contractor, at his expense, shall perform all operations including necessary labor, tools, and equipment and further including the furnishing and installation of materials that are indicated, specified, and required to complete such the conditions of the Contract and Contract Documents.

Project: The word "project" shall mean the total construction of the work performed under the Contract Documents.

Provide: The word "provide" shall mean that the contractor, at his expense, shall furnish and install the work, complete in place and ready for use, including furnishing of necessary labor, materials, tools, equipment and transportation.

Required: The word "required" shall mean "as required to properly complete the work and as required and acceptable to the Owner's Representative" unless otherwise noted.

Shop Drawings: The words "shop drawings" shall mean drawings, diagrams, schedules, and other data specifically prepared for the work by the contractor or his sub-contractor, manufacturer, supplier, or distributor to illustrate some portion of the work.

Site: The words "Site" or "Sites" shall be understood to mean the property or properties described within the Contract Documents and indicated on the Drawings where the work shall commence.

Substantial Completion: The words "substantial completion" shall mean the time and date when the work, or designated portion thereof, is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the work, or designated portion thereof, for the use for which it was intended, as evidenced by the Owner's Certificate of Substantial Completion. The Certificate of Substantial Completion shall set forth the date on which Substantial Completion is deemed by the Owners Representative in its sole discretion to have occurred. This shall occur only when the site improvements are 100% complete and shall exclude correction of final punch list items(s) and the execution of the Landscape Maintenance Period. The issuance of a Certificate of Substantial Completion shall signify the date on which the accounting of Contract "Working Days" or "Calendar Days" is terminated insofar as they may relate to Liquidated Damages.

Work: The word "work" whether capitalized or in lower case, shall be understood to mean labor, materials, or both, and the entire construction encompassed by the Contract Documents.

PART 2 **PRODUCTS** - Not Applicable
PART 3 **EXECUTION** - Not Applicable

END OF SECTION

SECTION 0145 00

QUALITY CONTROL

PART 1 GENERAL

1.01 SUMMARY

- A. Materials furnished and work performed under the Contract shall be subject to review by the Owner's Representative. The contractor shall be held strictly to the requirements of the Contract Documents with regard to quality of materials, workmanship, and diligent execution of the Contract. Such review may include mill, plant, shop, or field review as deemed necessary.
- B. Scope of work:
 - 1. Work performed in the absence of any prescribed inspection or observation may be subject to removal and replacement. In such a case, the entire cost of removal and replacement shall be borne by the contractor, regardless of whether the work removed is found to be defective or not.
 - 2. Testing, inspection, or other related services shall be performed by an independent consultant, testing laboratory or services selected by the Owner's Representative.
 - 3. Furnish labor necessary to obtain and handle testing samples at the project site or at other locations.
- C. Related sections can include, but may not be limited to the following:
 - 1. All applicable sections of these Specifications.

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. Control of Work: Conform to Section 5 of the State Standard Specifications.
- B. Control of Materials: Conform to Section 6 of the State Standard Specifications.

PART 2 PRODUCTS

2.01 INSPECTION AND TESTS:

- A. Inspections, observations and/or testing that may be required by the Contract Documents during progress of the work shall be made by a pre-qualified, independent testing agency selected and paid for by the Owner's Representative. When tests indicate non-compliance, the contractor shall pay all direct and indirect costs of subsequent re-testing until compliance is established.
- B. Costs associated with testing, inspections and observations due to the following shall be the responsibility of the contractor:
 - 1. Re-testing due to failure of initial samples
 - 2. Unacceptable changes in sources, lots, or suppliers of materials after original testing established compliance
 - 3. Changes in methods or materials of construction by contractor that require testing, inspection or other related services in excess of that require by original design
 - 4. Failure to properly notify the Owner's Representative at critical stages of construction
 - 5. Requesting testing, inspection, and/or observation of work not ready.

2.02 TOLERANCES

- A. Tolerances not specifically identified shall meet the written standards and/or recognized commercial tolerances established for the specific materials or product. Refer to Section 01 42 00 - References.

PART 3 EXECUTION

3.01 EXAMINATION OF CONDITIONS

- A. Prior to installing any portion of the work, the contractor shall examine the site and verify that site conditions are acceptable to begin work of each section.
- B. Verify that work specified elsewhere has been completed to an appropriate stage to begin work of each section.
- C. Materials or products requiring installation under the supervision or inspection of a specific materials manufacturer or manufacturer's representative shall be examined and/or tested, and accepted in writing, by such representative(s) prior to installation of work.
- D. Notify the Owner's Representative immediately in writing of any irregularities or unacceptable conditions and re-direct work to avoid delay.
- E. Start of work by contractor shall indicate contractor's acceptance of site conditions.

END OF SECTION

SECTION 01 50 00

CONSTRUCTION FACILITIES AND TEMPORARY CONTROLS

PART 1 GENERAL

1.01 SUMMARY

- A. Scope of work: Provide construction facilities and temporary controls required for the performance of the work, which may include, but are not necessarily limited to, the following:
 - 1. Temporary utilities
 - 2. Enclosures, barricades, and fences
 - 3. Fire protection
 - 4. Protection of work
 - 5. Protection of trees
 - 5. Bottled water
- B. Related sections can include, but may not be limited to the following:
 - 1. All pertinent sections of the specifications

1.02 SELECTED REFERENCE AND REGULATORY REQUIREMENTS

- A. National Fire Protection Association (NFPA):
 - 1. 10 - Portable Fire Extinguishers.
 - 2. 241 - Safeguarding Building Construction and Demolition Operations.
- B. State of California Department of Transportation Standard Specifications, latest edition.

1.03 UTILITY SERVICES

- A. Power and Lighting: Furnish, install, and maintain temporary wiring, poles, meter board, service entrance switch, lamps, and equipment as necessary to provide temporary lighting and power for the construction site.
 - 1. Pay all costs for temporary electrical systems required for construction.
 - 2. Source of power shall be at location on site acceptable to the Owner's representative. Required temporary transmission lines shall be arranged by contractor in conjunction with the appropriate utility company.
- B. Water:
 - 1. Install temporary piping and valves downstream from permanent (new) meter locations as acceptable to the Owner's representative. No temporary water services shall be installed prior to meter installation without prior Owner review and acceptance.
 - 2. Temporary water facilities shall be installed with an acceptable reduced pressure backflow prevention unit furnished and installed by the contractor.
 - 3. Locate temporary sources of water route, and construct pipelines so that they do not create a hazard or interfere with public access, traffic, or construction operations.
 - 4. Design and construct such pipelines.
- C. Utility Costs for Contractors:
Distribution of temporary utility services to sub-contractors shall be contractor's responsibility and cost.

1.04 SANITARY FACILITIES

- A. Provide, install and maintain, through duration of the work, temporary sanitary facilities for use of construction personnel.

1. Sanitary facilities shall be provided, maintained with supplies as required for the number of construction personnel in compliance to local regulations.
 2. Locate such facilities a reasonable distance from all working areas.
- B. Provide weather tight and floored structures, maintained in clean and sanitary condition acceptable to the Owner's representative.
- C. New or existing restroom facilities shall not be used by construction personnel except with written permission from the Owner.

1.05 STORAGE ENCLOSURES

- A. Provide sheds and enclosures necessary for storing applicable materials and equipment.
- B. Enclosures shall be conveniently located, substantially and neatly constructed, and weather tight.
- C. Store and protect products in accordance with manufacturer's instructions, with seals and labels intact and legible.
- D. For exterior storage of fabricated products, place on sloped supports, above ground.
- E. Provide off-site storage and protection when site does not permit on-site storage or protection.
- F. Cover products subject to deterioration with impervious sheet covering. Provide ventilation to avoid condensation or potential degradation of product.
- G. Store loose granular materials on solid flat surfaces in a well-drained area. Prevent contamination by foreign matter.
- H. Provide equipment and personnel to store products by methods to prevent soiling, disfigurement, or damage.
- I. Arrange storage of products to permit access for inspection. Periodically inspect to verify products are undamaged and are maintained in acceptable condition.

1.06 MAINTENANCE OF CONSTRUCTION FACILITIES

- A. All facilities shall be provided and maintained by the contractor in accordance with Cal-OSHA and applicable laws and ordinances.

1.07 SECURITY

- A. Employment of a watchman for non-construction hours shall be left to the discretion of the contractor, who shall be fully responsible for any theft or damage to any material, equipment or to portion of the work until Project Final Acceptance. Such security service shall be paid for by the contractor
- B. All site security shall be the responsibility of the contractor.
- C. Contractor is strongly encouraged to provide site security during installation and curing of the track surfacing in order to prevent damage to surfacing.

1.08 FIRE PROTECTION

- A. Take precautions to prevent and eliminate fire hazards. The contractor shall be responsible for providing, maintaining, and enforcing any necessary or required fire prevention safeguards until Project Final Acceptance.

- B. Provide fire extinguishers on the premises during the course of construction of the type and sizes recommended by the NFPA 10 and NFPA 241 to control fires resulting from the particular work being performed. Instruct employees in their use. Place extinguishers in the immediate vicinity of the work being performed, ready for use.
- C. Fire Inspection: The contractor's superintendent shall inspect the entire project as necessary to make certain the required precautions are being adhered to.
- D. Combustible and/or flammable Building Materials: Only an appropriate working supply of flammable fuel or building materials shall be located inside of any storage facility.
- E. During the use of hazardous equipment, such as acetylene torches, welding equipment, bitumen kettles, and similar devices, no work shall start or equipment used unless fire extinguishers of specified type and capacity are placed in the working area and available for use by workmen using such hazardous equipment.
 - 1. Extinguishers shall meet standards established by Underwriter's Laboratory, and shall be inspected at regular intervals and recharged by the contractor as necessary.
- F. Combustible and/or flammable Waste Materials. Oil-soaked rags, papers, and other highly combustible materials must be stored in closed metal containers with tightly-hinged lids at all times, and shall be removed from the site at the close of each day's work and more often when necessary.

1.09 BARRICADES

- A. Furnish or construct fences, barricades, railing, warning lights, lights and other barricades required by law, Contract Documents, common sense or to ensure public safety.
- B. Give adequate warning to the public at all times whenever a dangerous condition exists as the result of construction work. Furnish Owner's representative with name, address, pager number and local telephone number of the superintendent responsible and at least one other person for the maintenance of barriers, signs, lights and other accident prevention devices for evenings and weekends.

1.10 PROTECTION OF WORK AND FACILITIES

- A. Protect adjacent property, roads, streets, curbs, planting areas, erosion control materials and other improvements during construction operations. All damaged materials shall be replaced and/or repaired at the expense of the contractor and to the satisfaction of the Owner's representative.
- B. Protect installed work and provide special protection where applicable.
- C. Provide temporary and removable protection for installed products. Control activity in immediate work area to prevent damage.
- D. All new turf areas shall be fenced off during turf establishment and specified Landscape Maintenance Period subject to the discretion of the Owner's Representative.
- E. Contractor shall install temporary construction fencing per contract documents and place signage on the fence stating "Construction Area – Keep Out" and "No Trespassing". Signs shall be located along fence every 75'.

1.11 VEHICULAR SAFETY

- A. All motorized and/or self-propelled construction equipment shall be equipped with a reverse signal alarm (hub-cap type).

1.12 FIRST AID

- A. Provide and maintain first aid supplies as required Cal-OSHA and applicable local ordinances. Make arrangements with local emergency center and nearest hospital to receive personnel requiring medical attention, including emergencies. Such information shall be conspicuously displayed at the construction office when an office is required on the project.

1.13 ACCESS ROADS & PARKING AREAS

- A. Construct, designate and maintain specific vehicular access as required for the orderly progress of the work. Engineer construction access roads and parking areas as necessary to provide suitable support during all weather conditions for anticipated loads, including municipal fire apparatus. Provide adequate surface drainage without interrupting natural flow of existing drainage.
- B. Provide designated parking areas for use by construction personnel and Owner's representative(s) such parking areas are subject to the discretion of the Owner's representative.
- C. Restore temporary vehicular access and parking areas to original or specified conditions prior to Project Final Acceptance.

1.14 HAUL ROUTES

- A. Comply with any and all local governing ordinances and guidelines.

1.15 MAINTENANCE AND REMOVAL

- A. Maintain temporary facilities and controls as long as needed for safe and proper completion of the work. Coordinate removal of temporary facilities with the Owner's representative.
- B. After removal of temporary facilities, restore grounds or buildings which have been damaged or disturbed back to an "as was" or better condition subject to the discretion of the Owner's representative.

1.16 Storm Water Pollution Prevention Plan (SWPPP)

- A. Contractor shall be required to adhere to the project's SWPPP that is provided within these contract documents.

PART 2 PRODUCTS - Not Applicable

PART 3 EXECUTION - Not Applicable

END OF SECTION

SECTION 01 62 00

PRODUCT OPTIONS AND SUBSTITUTIONS

PART 1 GENERAL

1.01 SUMMARY

- A. Scope of work:
 - 1. Wherever in the Contract Documents a material, article, or process is indicated or specified by trade, patent, proprietary name, or name of manufacturer, such specification shall be deemed to be followed by the words, "or equal, as accepted in writing by the Owner's representative".
 - 2. The naming of more than one manufacturer in a section does not imply that all products produced by such manufacturers are acceptable for use on the project. Where more than one proprietary name, process, product, etc. is specified, the contractor may provide materials or equipment of any one of the manufacturers specified, only if full compliance with other portions of the Contract Documents can be provided and the product is acceptable to the Owner's representative.
- B. Related sections can include, but may not be limited to the following:
 - 1. Section 01 33 00 - Submittals
 - 2. All other applicable sections of the Specifications

1.02 MATERIALS

- A. Unless otherwise specifically provided in the Contract Documents, all equipment, material, and articles incorporated into the work shall be new and suitable for the purposes intended.
- B. Reference to any equipment, material, article or patented process, by trade name or catalog number shall not be construed as limiting competition. Specifications designating a material, product, or service by specific brand or trade name, with only one name listed is:
 - 1. Required to be used since it is a unique product application
 - 2. Used as a standard of quality which must be satisfied without compromise
 - 3. The only brand or trade name known to the Owner's representative

1.03 SUBSTITUTIONS

- A. Materials and equipment for the work shall be the standard product of a manufacturer regularly engaged in the production of such materials and equipment. Product options or substitutions shall not be the basis for any price increase above the original bid price for the Contract.
- B. Substitutions which are equal in quality, efficiency, durability and utility to those specified will be permitted, subject to the following provisions:
 - 1. All substitutions must be favorably reviewed and accepted by the Owner's representative in writing prior to implementation.
- C. Submit to the Owner's representative, not later than twenty (20) working days from date of Notice To Proceed, a typewritten list containing a thorough side-by-side description of each proposed substitute item or material compared with the specified item as specified in Section 01 33 00.
 - 1. Provide sufficient data, drawings, samples, literature and other detailed information which demonstrates to the Owner's representative that the proposed substitute is equal in quality, operating efficiency, and durability of the material specified.
- D. The Owner's representative shall review such proposed substitutions and determine if a substitution is acceptable.

- E. Favorable review shall not relieve the contractor from complying with the requirements of the Contract Documents, and the contractor shall be responsible for all expenses for any changes resulting from acceptable substitutions which affect other parts of the work.
- F. Failure of the contractor to submit proposed substitutions for review in the manner specified shall be sufficient cause for rejection by the Owner's representative of any substitutions otherwise proposed.
- G. Failure to place orders for specified equipment or material sufficiently in advance of the scheduled date of installation shall not be considered a valid reason upon which the Contractor may base a request for any substitutions or for any deviations from the Contract Documents.
- H. The first or only named manufacturer is the basis for the project design and the use of alternative-names, second-names, or unnamed manufacturer's products may require modifications in the project design and construction.
 - 1. Costs incurred due to requests, changes or revisions resulting from substitutions requiring drawings or services of the Owner's representative or project consultants to facilitate purchase, installation or erection of any portion of the work, shall be borne by the contractor. A flat hourly rate, as agreed upon, shall be paid by the contractor whether the change is accepted or not. This fee shall be deducted, and paid, from Contract moneys due to the contractor as determined by the Owner's representative.
- I. Contractor shall furnish full information concerning the material or articles being proposed for substitution.
 - 1. Testing of a proposed substitute material to assure compliance with the Specifications may be required by the Owner's representative at the contractor's expense.
 - 2. Samples shall be submitted for review as specified in Section 01 33 00.
 - 3. Equipment, material, and articles installed or used by the contractor without required review, shall be at the contractor's risk.
- J. Substitutions shall comply with or exceed all requirements of size, function, structure, durability, and appearance without exception.
 - 1. Use of accepted substitutions shall in no way relieve the contractor from responsibility for compliance with the Contract Documents after installation.
 - 2. The contractor shall assume all extra costs caused by the use of such substitutions where they affect other work or trades.

1.04 SUBSTITUTION REQUEST FORM

- A. All requests for alternate materials or substitutions shall be submitted on the attached Substitution Request Form with descriptive information outlining the equivalent characteristics of the alternate product or material.

PART 2 PRODUCTS - Not applicable.

PART 3 EXECUTION

3.01 SUBSTITUTION REQUEST FORM

- A. For all proposed substitutions, the contractor shall complete the attached Substitution Request Form, attach all substantiating back-up literature and submit to the Owner's representative within time limit specified above.

END OF SECTION

ATTACHMENT: Substitution Request Form

SUBSTITUTION REQUEST FORM

DATE:

TO: OWNER'S REPRESENTATIVE

PROJECT NAME:

SPECIFIED ITEM: Section _____ Page _____ Item Number _____ Paragraph

DESCRIPTION:

The undersigned requests consideration of the following:

PROPOSED SUBSTITUTION: (put N/A where not appropriate)

Manufacturer: _____ Color: _____

Model Number: _____ Material: _____

Attached data includes product description, specifications, drawings, photographs, performance and test data adequate for evaluation of the requests; applicable portions of the data are clearly identified.

Attached data also includes description of changes to Contract Documents which the proposed substitution requires for proper installation.

The undersigned states that the following paragraphs, unless modified on attachments, are correct:

1. The proposed substitution does not affect dimensions shown on Drawings. If, in fact, it does affect dimensions, the contractor shall provide shop drawings, accurately showing changes to documents.
2. The undersigned shall pay for changes to the design, including engineering design, detailing, and construction costs caused by the requested substitution.
3. The proposed substitution shall not adversely affect other trades, the construction schedule, or specified warranty requirements.
4. Maintenance and service parts are locally available for the proposed substitution.

The undersigned further states that the function, appearance, and quality of the proposed substitution are equivalent or superior to the specified item.

Submitted by:

Signature: _____ Title: _____

David Cutino Park – ADA Improvements
Verde Design JOB NO. 1706001
Product Options and Substitutions - 01 62 00 - 4

License Category: _____ License Number: _____

Firm: _____ Phone No.: _____

Address: _____ Fax No.: _____

Telephone: _____

OWNER'S REPRESENTATIVES REVIEW:

* NO EXCEPTIONS TAKEN * EXCEPTIONS TAKEN (SEE ATTACHED COMMENTS)

* FURNISH AS CORRECTED * REVISE AND RESUBMIT

By: _____

Date: _____

Comments:

Attachments:

SECTION 01 77 00

CONTRACT CLOSE-OUT

PART 1 GENERAL

1.01 SUMMARY

- A. Scope of work:
This section specifies administrative and procedural requirements for project close-out, that may include but are not necessarily limited to:
 - 1. Inspection and/or observation procedures
 - 2. Project record document submittal
 - 3. Operating and maintenance manual submittal
 - 4. Warranty submittal
 - 5. Final cleaning
- B. Related sections can include, but may not be limited to the following:
 - 1. All pertinent Sections of the Specifications

1.02 SUBSTANTIAL COMPLETION

- A. Refer to the General Provisions as applicable, and section 01 42 00 for procedures required to establish Substantial Completion.
 - 1. Final, regular Certificate for Payment (progress payment) shall be issued when all pertinent requirements of the achieving Substantial Completion are met. Final retention payment shall be made after project Final Acceptance and conclusion of any specified Landscape Maintenance Periods subject to the discretion of the Owner's representative.
- B. Inspection Procedures: Upon receipt of a request for inspection or observation, the Owner's representative shall either proceed or advise the Contractor of unfilled requirements. The Owner's representative shall prepare the Certificate of Substantial Completion following review, or advise the contractor of what must be completed or corrected by "punch-list" before the Certificate is issued. Upon receipt of "punch-list", contractor shall complete all work described in a timely manner subject to the discretion of the Owner's Representative.
 - 1. The Owner's representative shall repeat inspection and/or observation when requested provided the contractor has made the request within the specified lead time and given written assurance that the "punch-list" work has been completed.
 - 2. Results of the completed inspection and/or observation shall help form the basis of requirements for Final Acceptance and if acceptable, may signal the beginning of the specified Landscape Maintenance Period.

1.03 UNCORRECTABLE WORK

- A. Should the Owner's representative determine it is not practical or possible for the contractor to correct work that is damaged or improperly executed, an equitable deduction from the Contract sum may be made at the sole discretion of the Owner's representative.

1.04 CLOSE-OUT SUBMITTALS

- A. Submit two (2) copies of the following, where applicable, in accordance with applicable Contract Documents:
 - 1. Project record documents (as-constructed)
 - 2. Operation and maintenance manuals
 - 3. Warranties, guaranties, and bonds
 - 4. Keys and keying schedule

5. Spare parts and extra materials
 6. Other items required by the Specifications
 7. Binder of all manufactured items final submittal information that were installed or provided for the project.
- B. Specified number of copies of above close-out submittals shall be received and accepted by the Owner's representative before Final Acceptance shall be given.
- C. In addition to those items previously mentioned in this section, the contractor shall submit to the Owner's representative the following items before a Notice Of Completion will be filed:
1. Up-to-date sub-contractor list with names, addresses and telephone numbers.
- D. Final Adjustment of Account:
1. Submit a final statement of accounting to the Owner's representative showing all adjustments to the Contract sum.

1.05 MAINTENANCE MANUALS

- A. Submit two (2) copies of proposed manual(s) to the Owner's representative for review and acceptance. All maintenance manuals shall be received and accepted by the Owner's representative before Final Acceptance shall be given.
- B. Organize operating and maintenance data into properly indexed heavy duty 2-inch, 3-ring vinyl covered binders. Mark appropriate identification on front and spine of each binder. Manuals can include but are not limited to the following types of information:
1. Emergency instructions
 2. Spare parts list
 3. Copies of warranties or actual warranty cards
 4. Wiring diagrams
 5. Recommended "turn around" cycles
 6. Inspection procedures
 7. Shop drawings and product data
 8. Fixture lamping schedule
- C. Product submittal items (1.04-A-7) can be provided with warranty information binders.

1.06 DEMONSTRATION

- A. Prior to Final Acceptance, the contractor shall fully instruct Owner's representative's designated operating and maintenance personnel in the operation, adjustment and maintenance of all products, equipment, and systems installed.
1. Provide services of factory trained instructors from the manufacturers of each major item of equipment or system, if necessary or requested by the Owner's representative.
- B. Operation and maintenance manual(s) shall be fully described at this instruction meeting.
1. Review contents of manual(s) with personnel in full detail to explain all aspects of operations and maintenance such as:
 - a. Maintenance manuals
 - b. Record documents
 - c. Spare parts and materials
 - d. Tools
 - e. Fuels
 - f. Identification systems
 - g. Control sequences
 - h. Hazards
 - i. Cleaning
 - j. Warranties and bonds

- k. Maintenance agreements and similar continuing commitments.
- 2. As part of instruction for operating equipment, demonstrate the following procedures:
 - a. Start-up
 - b. Shutdown
 - c. Emergency operations
 - d. Noise and vibration adjustment
 - e. Safety procedures
 - f. Economy and efficiency adjustments
 - g. Effective energy utilization

1.07 WARRANTY/GUARANTY FORMAT

- A. Provide written warranties, guaranties (except manufacturers' standard printed warranties and/or guaranties), addressed to the Owner's representative, in the format shown at the end of this section. Manufacturers' standard printed warranties and/or guaranties shall be submitted as-is.
- B. Warranties and guaranties shall be submitted in duplicate, in the attached format, signed by all pertinent parties and by the contractor in every case, with modifications as accepted by the Owner's representative to suit the conditions pertaining to the warranty or guaranty. Collect and assemble written warranties and guaranties into bound booklet form, and deliver bound books to the Owner's representative for review.

1.08 REMOVAL OF TEMPORARY FACILITIES

- A. Prior to final inspection, the contractor shall remove tools, materials, sheds, temporary power poles, temporary tree protection, and other articles from the project site. Should the contractor fail to take prompt action, the Owner's representative may, given 30 days written notice, treat them as abandoned property.

1.09 FINAL SITE CLEANING

- A. Broom clean and power wash exterior paved surfaces and adjacent public streets. Utilize appropriate cleaning methods to remove spills, stains, tire tracks, etc. from all paved surfaces. Rake clean other surfaces of the site.
- B. Hose down and scrub walls and paving surfaces dirtied or stained as a result of the construction work, as directed by the Owner's representative.
- C. Remove from the site construction waste, unused materials, excess earth, and debris resulting from the work.

PART 2 PRODUCTS - Not Used

PART 3 EXECUTION - Not Used

END OF SECTION

ATTACHMENT: Warranty/Guaranty Form

WARRANTY/GUARANTY FORM

TO: XXXXX

We, the undersigned, do hereby warranty and guaranty that the parts of the Work described above which we have furnished and/or installed for:

XXX
XXX
XXX

are in accordance with the Contract Documents and that all said work as installed will fulfill or exceed the Warranty and Guaranty requirements. We agree to repair or replace work installed by us, together with any adjacent work which is displaced or damaged by so doing, that proves to be defective in workmanship, material, or operation within a period of one (1) year from the date of Final Acceptance by Owner's representative or from the date of Certificate of Substantial Completion, whichever is the earlier, at no cost to the Owner, ordinary wear and tear and unusual neglect or abuse excepted.

In the event of our failure to comply with the above-mentioned conditions within a reasonable time period determined by the Owner's representative, after notification in writing, we, the undersigned, all collectively and separately, hereby authorize the Owner's representative to have said defective work repaired and/or replaced and made good, and agree to pay to the Owner upon demand all moneys that the Owner's representative may expend in making good said defective work, including all collection costs and reasonable attorney fees.

Date: _____

(Sub-Contractor, Sub-subContractor, Manufacturer or Supplier)

By: _____

Title: _____

State License No.: _____

Local Representative: For maintenance, repair, or replacement service, contact:

Name: _____

Address: _____

Phone Number: _____

SECTION 01 78 39

PROJECT RECORD DRAWINGS

PART 1 GENERAL

1.01 SUMMARY

- A. Scope of work:
 - 1. Prepare Project Record Drawings of as-constructed conditions as required by various sections of these Specifications and whenever work is installed differently than as shown in the Construction Documents as bid.
 - 2. Maintain a continually updated Job Set of as-constructed Contract Documents at the job site for review by the Owner's representative at all times.
- B. Related sections can include, but may not be limited to the following:
 - 1. Section 32 80 00 - Irrigation
 - 2. Section 33 40 00 - Storm Drainage

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. State of California Department of Transportation Standard Specifications, current edition

1.03 SUBMITTALS

- A. Submit full Job Set to Owner's representative for review and acceptance prior to preparation of final Project Record Drawings.
- B. After acceptance, prepare and submit final Project Record Drawings to Owner's representative at Contract Close-Out. Final Record Drawings shall be received prior to Final Acceptance.

1.04 QUALITY ASSURANCE

- A. Job Set maintenance shall be delegated to one person on contractor's staff who will be present at all meetings.
- B. Final Record Drawings shall be clearly drafted by a competent draftsman on reverse-reading erasable sepia mylar sheets

1.05 DELIVERY, STORAGE, AND HANDLING

- A. Store Job Set separate from Construction Document sets in a safe fire-resistant location.
- B. Protect Job Set and completed final Record Drawings from damage at all times.
- C. Maintain all documents in neat, legible condition.

PART 2 PRODUCTS - Not Used

PART 3 EXECUTION

3.01 MAINTENANCE OF JOB SET

- A. Clearly mark the designated Contract Documents as "Job Set."
- B. Record all deviations from the "as-bid" Contract Documents onto Job Set daily prior to covering of

all work that has deviated.

- C. Convert schematic lay-outs to portray precise physical lay-out (including depths) of all exposed and concealed work.
- D. Clearly identify deviations by drawing a "cloud" around affected area and make sufficient notations to describe the change.
- E. Contractor shall solely bear any cost of uncovering, recording and re-covering work not recorded on Job Set.

3.02 FINAL RECORD DOCUMENTS

- A. Submit Job Set for review and acceptance by the Owner's representative prior to preparing final Record Drawings.
- B. After acceptance by Owner's representative, the contractor shall cleanly and clearly draft, on the non-erasable side of the sheet, all information contained in the accepted Job Set. The final Record Drawing sheet material shall be as specified above in 1.04 - Quality Assurance. One set of reproducible Drawings shall be provided for the contractor by the Owner's representative at no cost.
- C. Deliver the Job Set and mylar final Record Drawings, plus one set of blueline prints of final Record Drawings to the Owner's representative prior to Final Acceptance.

END OF SECTION

SECTION 02 41 00

SITE CLEARING AND DEMOLITION

PART 1 GENERAL

1.01 SUMMARY

- A. Furnish all labor, materials, equipment, facilities, transportation and services to complete all site clearing and demolition work plus all related activities as shown on the Drawings and/or specified herein.
- B. Scope of work: The general extent of the site clearing and demolition work is shown on the Drawings and can include, but is not necessarily limited to the following:
 - 1. Demolition, removal and disposal of designated items
 - 2. Careful removal, protection and re-installation of designated items
 - 3. Careful removal and salvage of designated items
 - 4. Disconnection and capping of existing utility and/or irrigation lines
 - 5. Incidental demolition of abandoned utility and irrigation lines
 - 6. Protection of existing plant material
 - 7. Removal of designated trees and planting materials
- C. Related sections can include, but may not be limited to:
 - 1. Section 31 13 00 - Tree Protection
 - 2. Section 31 20 00 – Earthwork

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. State of California Department of Transportation Standard Specifications, current edition

1.03 SUBMITTALS

- A. Conform to requirements of Section 01 33 00 Submittals and/or applicable Division One and Division Two specifications, General Conditions and Special Provisions.
- B. Indicate the proposed time line for site clearing and demolition work including all required shut off times and capping of utility services on the project schedule.
- C. Provide product information on herbicides to be used for approval prior to use.

1.04 QUALITY ASSURANCE

- A. The Owner shall obtain and pay for all permits required in connection with this work. Fees for the dumping of debris shall be paid for by the Contractor.

1.05 PROJECT CONDITIONS

- A. Dust Control:
 - 1. The contractor shall, at all times, prevent the formation of airborne dust on and around the project site with the use of sprinkled water or other means acceptable to the Owner's representative. Non-compliance with proper dust control measures shall be grounds for issuance of "stop work" orders by the Owner's representative until such time as satisfactory measures are implemented.
- B. Utility Services:
 - 1. Issue written notices of planned demolition operations to utility companies and coordinate site clearing and demolition improvements as requested by said utility companies.

2. Existing power poles and lines serving existing occupied buildings shall remain. Arrange all necessary work in order to maintain utilities not designated for removal.
3. Coordinate work in order to maintain utilities to any applicable temporary on-site facilities.

PART 2 PRODUCTS

2.01 HERBICIDES

- A. All herbicides shall conform to Owner's approved chemicals list.
- B. Herbicide shall be non-selective broad spectrum systemic herbicide for perennial vegetation and straight contact herbicide for annual vegetation in accordance with a licensed pest control advisor or herbicide manufacturers recommendations.

PART 3 EXECUTION

3.01 EXAMINATION

- A. Conform to Section 01 45 00 - Quality Control (as applicable).
- B. Carefully identify limits of demolition.
- C. Mark project areas as directed by the Owner's representative and as necessary to clearly identify the interface of items to be removed and items to be left in place intact.

3.02 PREPARATION

- A. Protection:
 1. Make provisions and take necessary precautions to protect all existing items not designated for removal. Any existing item or area damaged during construction operations shall be replaced or repaired to an "as-was" or better condition at no additional cost to the project and subject to the acceptance of the Owner's representative.
 2. Erect barriers, fences, guard rails, enclosures, chutes, and shoring as necessary to protect personnel, structures, and utilities remaining intact.
 3. Provide warning signs and lighting as necessary for vehicular and personnel protection. Maintain warning signs during construction as required by applicable safety ordinances and as reasonably prudent.
 4. Coordinate arrangements for items to be salvaged and turned over to the Owner.
 5. Notify Underground Service Alert (USA), (800) 642-2444, and local utility companies to verify locations of existing utilities a minimum of 48 hours prior to beginning work.
 6. Provide tree protection fencing prior to any demolition work.
- B. Traffic Access:
 1. Ensure minimum interference with roads, streets, driveways, sidewalk and adjacent facilities.
 2. Do not close or obstruct streets, sidewalk, alleys or passageways without acceptance from the Owner's representative.
 3. Provide approved alternate routes around closed or obstructed traffic ways as required by the Owner's representative.
 4. Maintain access to adjacent existing buildings to ensure uninterrupted operations during demolition work.

3.03 DEMOLITION

- A. General:
 1. Refer to drawings for extent of demolition work.

- B. Paving:
1. Demolish paving in accordance with local noise ordinance regulations and as acceptable to the Owner's representative.
- C. Filling:
1. Completely fill below-grade areas and voids resulting from demolition work. Install appropriate, acceptable fill material consisting of soil, gravel or sand, free of trash and debris, stones over 2" diameter, roots or other organic matter. Meet compaction requirements as specified.
- D. Other:
1. If unanticipated mechanical, electrical or structural elements which conflict with intended function or design are encountered, investigate and measure both the nature and extent of the conflict. Submit report to Owner's representative in written, accurate detail. Pending receipt of directive from Owner's representative, rearrange selective demolition schedule as necessary to continue overall job progress without delay.
- E. Clearing and Grubbing:
1. Irrigation heads, valves, and controllers shall be salvaged and provided to Owner.
 2. Clear/strip vegetative material from soil surface in proposed paving areas and remove unless noted otherwise.
 3. Areas receiving paving will have existing planting to be removed and need to be stripped to remove organic soil.
 4. Contractor is responsible for stockpiling and protecting all topsoil needed for landscaping improvements. Refer to Earthwork and Landscape Specifications.
- G. Utilities and Related Equipment:
1. The locations of existing utilities, as may be shown on the Drawings, are approximate. Should existing utilities not shown on the Drawings be encountered during construction operations, notify the Owner's representative immediately, and re-direct work to avoid delay. The Owner's representative shall then determine what action, if any, is required.
 2. Remove all abandoned utilities as indicated and as uncovered by the work, and terminate in a manner conforming to code.
 3. Remove and salvage designated items and related equipment and deliver to a location acceptable to the Owner's representative.
- H. Underground Piping:
1. Existing storm drain and irrigation systems, as may be shown on the Drawings, may be modified to allow for construction of new items as a part of this project. Caution shall be exercised so as not to damage underground piping not scheduled for removal.
 2. Remove underground piping as indicated, or as necessary, and backfill to designated compaction density.
 3. Lines scheduled for removal which connect to active systems shall have their active remaining portions capped, plugged, or blind-flanged as appropriate.
 4. Materials used for pipe terminations and temporary connections shall be the same as the existing lines. Fittings and flanges shall be of weight and class suitable for the service in which used.

3.04 SALVAGE

- A. Demolition:
1. Materials or equipment to be demolished shall become the property of the Contractor except for items specified to be salvaged for the Owner.
 2. Carefully remove items to be salvaged to avoid damage.
 3. Irrigation heads, valves and existing controller shall be salvaged and provided to Owner. Contractor shall clean and box items. Items shall be returned to Owner corporation yard.

- B. Replacement:
 - 1. In the event items not scheduled to be demolished are damaged, promptly replace or repair such items to an as-was or better condition per the discretion of the Owner's representative at no additional cost.
- C. Materials scheduled for removal shall not be placed on view to prospective purchasers or sold on site.

3.05 CLEANING

- A. Debris and Rubbish:
 - 1. Remove and transport debris and rubbish as it accumulates and dispose in a legal manner via recognized haul routes per Section 01 50 00, in a manner that will prevent spillage on streets or adjacent areas.
 - 2. Remove all tools, equipment and appliances used for demolition from the site upon completion of the work.
 - 3. Clean entire project area, adjacent streets, and pavements to a broom-clean, "stain-free" condition per the discretion of the Owner's representative.

END OF SECTION

SECTION 04 20 00
UNIT MASONRY**PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Concrete Block.
- B. Mortar and Grout.
- C. Reinforcement and Anchorage.
- D. Lintels.
- E. Accessories.

1.02 REFERENCE STANDARDS

- A. ASTM A615/A615M - Standard Specification for Deformed and Plain Carbon Steel Bars for Concrete Reinforcement; 2015.
- B. ASTM A641/A641M - Standard Specification for Zinc-Coated (Galvanized) Carbon Steel Wire; 2009a (Reapproved 2014).
- C. ASTM A1064/A1064M - Standard Specification for Carbon-Steel Wire and Welded Wire Reinforcement, Plain and Deformed, for Concrete; 2015.
- D. ASTM C91/C91M - Standard Specification for Masonry Cement; 2012.
- E. ASTM C129 - Standard Specification for Nonloadbearing Concrete Masonry Units; 2011.
- F. ASTM C270 - Standard Specification for Mortar for Unit Masonry; 2014a.
- G. ASTM C476 - Standard Specification for Grout for Masonry; 2010.

1.03 SUBMITTALS

- A. Shop Drawings: Provide shop drawing for Steel Lintel.

PART 2 PRODUCTS**2.01 CONCRETE MASONRY UNITS**

- A. Concrete Block: Comply with referenced standards and as follows:
 - 1. Size: Standard units with nominal face dimensions of 16 x 8 inches and nominal depth of 8 inches.
 - 2. Non-Loadbearing Units: ASTM C129.
 - a. Solid block, as indicated.
 - b. Normal weight.

2.02 MORTAR AND GROUT MATERIALS

- A. Masonry Cement: ASTM C91/C91M, Type S or Type M, 2800 PSI at 28 days.
- B. Water: Clean and potable.

2.03 REINFORCEMENT AND ANCHORAGE

- A. Reinforcing Steel: ASTM A615/A615M, Grade 40 (40,000 psi), deformed billet bars; epoxy-coated.
- B. Single Wythe Joint Reinforcement: Truss or ladder type; ASTM A1064/A1064M steel wire, mill galvanized to ASTM A641/A641M, Class 3; 0.1483 inch side rods with 0.1483 inch cross rods; width as required to provide not more than 1 inch and not less than 1/2 inch of mortar coverage on each exposure.

2.04 LINTELS

- A. Steel Lintels:
 - 1. Size as noted on Construction Drawings.

2.05 MORTAR AND GROUT MIXES

- A. Mortar for Unit Masonry: ASTM C270, using the Proportion Specification.

1. Exterior, non-loadbearing masonry: Type N.
- B. Grout: ASTM C476; consistency required to fill completely volumes indicated for grouting; fine grout for spaces with smallest horizontal dimension of 2 inches or less; coarse grout for spaces with smallest horizontal dimension greater than 2 inches.

PART 3 EXECUTION**3.01 EXAMINATION**

- A. Verify that field conditions are acceptable and are ready to receive masonry and or Lintel.
- B. Verify that built-in items are in proper location, and ready for roughing into masonry work.

3.02 PLACING AND BONDING

- A. Masonry unit to be in full bed of mortar above lintel.
- B. Remove excess mortar and mortar smears as work progresses.
- C. Perform job site cutting of masonry units with proper tools to provide straight, clean, unchipped edges. Prevent broken masonry unit corners or edges.

3.03 REINFORCEMENT AND ANCHORAGE - GENERAL

- A. Unless otherwise indicated on drawings or specified under specific wall type, install horizontal and vertical joint reinforcement 16 inches on center.

3.04 LINTELS

- A. Install loose steel lintels over openings.
- B. Maintain minimum 3 inch bearing on each side of opening.

3.05 CUTTING AND FITTING

- A. Cut and fit for steel lintel. Coordinate with other sections of work to provide correct size, shape, and location.
- B. Obtain approval prior to cutting or fitting masonry work not indicated or where appearance or strength of masonry work may be impaired.

3.06 CLEANING

- A. Remove excess mortar and mortar droppings.
- B. Clean soiled surfaces with cleaning solution.

END OF SECTION

SECTION 07 90 00
JOINT SEALERS**PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Sealants and joint backing.
- B. Joints in vertical surfaces and horizontal surfaces as indicated below:
 - 1. Joints of toilet fixtures.
 - 2. Perimeter joints between materials listed above and frames of doors and glazed assemblies.
 - 3. Wall joints (exterior).
- C. Precompressed foam sealers.
- D. Polyester/polyurethane backer block

1.02 REFERENCES

- A. ASTM C 834 - Standard Specification for Latex Sealants,
- B. ASTM C 920 - Standard Specification for Elastomeric Joint Sealants.
- C. ASTM C 1193 - Standard Guide for Use of Joint Sealants.
- D. ASTM D 1667 - Standard Specification for Flexible Cellular Materials--Poly(Vinyl Chloride) Foam (Closed-Cell).
- E. ASTM D 2628 - Standard Specification for Preformed Polychloroprene Elastomeric Joint Seals for concrete Pavements.
- F. BAAQMD 8-51 - Bay Area Air Quality Management District Regulation 8, Rule 51, Adhesive and Sealant Products; www.baaqmd.gov; current edition.
- G. SCAQMD 1168 - South Coast Air Quality Management District Rule No.1168; current edition; www.aqmd.gov.

1.03 SUBMITTALS

- A. Samples: Submit two samples, illustrating sealant colors for selection.
- B. Certified Tests: With product data submit certified test reports for elastomeric sealants on aged performances as specified, including hardness, stain resistance, adhesion, cohesion or tensile strength, elongation, low-temperature flexibility, compression set, modulus of elasticity, water absorption, and resistance (aging, weight loss, deterioration) to heat and exposures to ozone and ultraviolet.

1.04 QUALITY ASSURANCE

- A. Sealants must meet or exceed the VOC limits of California Green Code.

1.05 DELIVERY, STORAGE, AND HANDLING

- A. Storage: Store in accordance with manufacturer's instructions. Do not use sealant materials that have been stored for a period of time exceeding the maximum recommended shelf life of the materials.

PART 2 PRODUCTS**2.01 MANUFACTURERS**

- A. Silicone Sealants:
 - 1. GE Silicones: www.gesilicones.com. or approved equal.
- B. Polyurethane Sealants:
 - 1. Pecora Corporation: www.pecora.com. or approved equal
- C. Butyl Sealants:
 - 1. Pecora Corporation: www.pecora.com. or approved equal
- D. Preformed Compressible Foam Sealers:

1. Emseal Joint Systems, Ltd: www.emseal.com. or approved equal
- E. Polyester/Polyurethane Backer Block
 1. MMSYSTEMCORP.COM. or approved equal.

2.02 SEALANTS

- A. Sealants and Primers - General: Provide only products having lower volatile organic compound (VOC) content than required by the more stringent of the South Coast Air Quality Management District Rule No.1168 and/or California Green Code.
- B. General Sealer Requirements: Provide colors indicated or, if not otherwise indicated, as selected by Architect from manufacturer's standard colors. Select materials for compatibility with joint surfaces and other indicated exposures and except as otherwise indicated select modulus of elasticity and hardness or grade recommended by manufacturer for each application indicated. Where exposed to foot traffic, select nontracking materials of sufficient strength and hardness to withstand stiletto heel traffic without damage or deterioration of sealer system.
- C. Type 1 - General Purpose Exterior Sealant: Polyurethane; ASTM C 920, Grade NS, Class 25, Uses M, G, and A; single component.
 1. Color: Standard colors matching finished surfaces.
 2. Product: Sikaflex manufactured by Sika Corp.
 3. Applications: Use for:
 - a. Control, expansion, and soft joints in masonry.
 - b. Joints between concrete and other materials.
 - c. Joints between metal frames and other materials.
- D. General Purpose Interior Sealant: Acrylic emulsion latex; ASTM C 834, Type OP, Grade NF single component, paintable.
 1. Color: Standard colors matching finished surfaces.
 2. Applications: Use for:
 - a. Interior wall and ceiling control joints.
 - b. Joints between door and window frames and wall surfaces.
- E. Bathtub/Tile Sealant: Silicone; ASTM C 920, Uses M and A; single component, mildew resistant.
 1. Applications: Use for:
 - a. Joints between plumbing fixtures and floor and wall surfaces.
 - b. Joints between kitchen and bath countertops and wall surfaces.
- F. Type 5 - Silicone Sealant: ASTM C 920, Grade NS, Class 25, Uses NT, A, G, M, O; single component, neutral curing, non-sagging, non-staining, fungus resistant, non-bleeding.
 1. Color: Standard colors matching finished surfaces.
 2. Applications: Use for: Ceramic Tile
- G. Colors to match existing.
- H. Cellular/Foam Joint Fillers and Sealant Backers:
 1. Closed-Cell Synthetic Rubber Joint Filler (CcSynR-JF): Provide expanded synthetic rubber complying with ASTM D 1056, Class SC-E (oil resistant and medium swell), of 2 to 5 psi compression deflection (Grade SCE 41); except provide 13 to 17 psi compression deflection (Grade SCE 44) where filler is applied under sealant exposed to traffic.
- I. Polyurethane/Polyurethane Backer Block:
 1. ColorJoint ESS Series: High performance engineered silicone sealing system that combines a factory cured silicone seal fused to a cellular polyurethane / polyester backer block creating a binary monolithic seal. 3-sided bonding on each side of seal with a primerless one-part silicone sealant. +/- 50% movement capability, resistant to UV, ozone, acid rain, and extreme temperatures.

2.03 ACCESSORIES

- A. Primer: Non-staining type, recommended by sealant manufacturer to suit application.

- B. Joint Cleaner: Non-corrosive and non-staining type, recommended by sealant manufacturer; compatible with joint forming materials.
- C. Joint Backing: Round foam rod compatible with sealant; ASTM D 1667, closed cell PVC; oversized 30 to 50 percent larger than joint width.
- D. Sealant Backer Rod (S-BR): Provide compressible rod stock of polyethylene foam, polyurethane foam, polyethylene jacketed polyurethane foam, butyl rubber foam, neoprene foam or other flexible, permanent, durable nonabsorptive material as recommended by sealant manufacturer for back-up of and compatibility with sealant. Where used with hot-applied sealant, provide heat-resistant type which will not be deteriorated by sealant application temperature as indicated.

PART 3 EXECUTION

3.01 EXAMINATION

- A. Installer must examine substrates, (joint surfaces) and conditions under which joint sealer work is to be performed, and must notify Contractor in writing of unsatisfactory conditions. Do not proceed with joint sealer work until unsatisfactory conditions have been corrected in a manner acceptable to Installer.
- B. Verify that substrate surfaces are ready to receive work.
- C. Verify that joint backing and release tapes are compatible with sealant.

3.02 PREPARATION

- A. Clean joint surfaces immediately before installation of gaskets, sealant or caulking compound. Remove dirt, insecure coatings, moisture and other substances which could interfere with seal of gasket or bond of sealant or caulking compound. Etch concrete and masonry joint surfaces as recommended by sealant manufacturer. Roughen vitreous and glazed joint surfaces as recommended by sealant manufacturer.
- B. Remove loose materials and foreign matter which might impair adhesion of sealant.
- C. Clean and prime joints in accordance with manufacturer's instructions.
- D. Perform preparation in accordance with manufacturer's instructions and ASTM C 1193.
- E. Protect elements surrounding the work of this section from damage or disfigurement.

3.03 INSTALLATION

- A. Employ only proven installation techniques, which will ensure that sealants are deposited in uniform, continuous ribbons without gaps or air pockets, with complete "wetting" of joint bond surfaces equally on opposite sides. Except as otherwise indicated, fill sealant rabbet to a slightly concave surface, slightly below adjoining surfaces. Where horizontal joints are between a horizontal surface and vertical surface, fill joint to form a slight cove, so that joint will not trap moisture and dirt.
- B. Perform work in accordance with sealant manufacturer's requirements for preparation of surfaces and material installation instructions.
- C. Perform installation in accordance with ASTM C 1193.
- D. Set joint filler units at depth or position in joint as indicated to coordinate with other work, including installation of bond breakers, backer rods and sealants. Do not leave voids or gaps between ends of joint filler units.
- E. Install sealant free of air pockets, foreign embedded matter, ridges, and sags.
- F. Recess exposed edges of gaskets and exposed joint fillers slightly behind adjoining surfaces, unless otherwise shown, so that compressed units will protrude from joints.
- G. Tool joints concave within ten minutes of sealant application. Do not leave air voids in joints.

3.04 CLEANING

- A. Clean adjacent soiled surfaces.

3.05 CURING / PROTECTING

- A. Protect sealants during and after curing period from contact with contaminating substances or from damage resulting from construction operations or other causes so that they are without deterioration or damage at time of Substantial Completion.
- B. If, despite such protection, damage or deterioration occurs, cut-out and remove damaged or deteriorated joint sealants immediately so that installations with repaired areas are indistinguishable from original work.

END OF SECTION

SECTION 08 11 00
STEEL DOORS AND FRAMES

PART 1 GENERAL**1.01 SECTION INCLUDES**

- A. Steel doors and frames.

1.02 REFERENCES

- A. ANSI/ICC A117.1 - American National Standard for Accessible and Usable Buildings and Facilities; International Code Council.
- B. DHI A115 Series - Specifications for Steel Doors and Frame Preparation for Hardware; Door and Hardware Institute; (ANSI/DHI A115 Series).
- C. NAAMM HMMA 840 - Guide Specifications for Installation and Storage of Hollow Metal Doors and Frames; The National Association of Architectural Metal Manufacturers.

1.03 SUBMITTALS

- A. Product Data: Submit manufacturer's technical product data substantiating that products comply with requirements.
- B. Shop Drawings: Submit for fabrication and installation of steel frames. Include details of each frame type, elevations of each type, conditions at openings, details of construction, location and installation requirements of finish hardware and reinforcements, and details of joints and connections. Show anchorage and accessory items.
 - 1. Provide schedule of frames using same reference numbers for details and openings as those on Contract Drawings.

PART 2 PRODUCTS**2.01 MANUFACTURERS**

- A. Steel Doors and Frames:
 - 1. Ceco Door Products: www.cecodoor.com.
 - 2. Titan Metal Products. www.titanmetalproducts.com.
 - 3. Steelcraft: www.steelcraft.com.

2.02 MATERIALS

- A. Hot-Rolled Steel Sheets and Strip: Commercial quality carbon steel, pickled and oiled, complying with ASTM A 569, ASTM A 568, and ASTM A620.
- B. Cold-Rolled Steel Sheets: Commercial quality carbon steel, complying with ASTM A 366 and ASTM A 568.
- C. Galvanized steel sheets: Commercial quality, Class 1, zinc-coated carbon steel sheets complying with ASTM A 526, with ASTM A 525, A 60 zinc coating, mill phosphatized.
- D. Primer: Capable of withstanding without deterioration ASTM B 117 salt spray test for 150 hours and ASTM D 1735 water fog test for 200 hours.
- E. Supports and Anchors: Fabricate of hot-dip galvanized if less than 16 gauge. Hot dip - galvanize all items in exterior walls.
- F. Shop Applied Primer: Rust-inhibitive enamel or paint, either air drying or baking, suitable as a base for specified finish paints.

2.03 FINISH MATERIALS

- A. Paints:
 - 1. Shop primer: Rust-inhibitive enamel or paint, either air-drying or baking, suitable as a base for specified finish paints complying with ANSI A224.1, "Test Procedure and Acceptance Criteria for Prime Painted Steel Surface for Steel Doors and Frames", and compatible with finish paint system specified in Section 09 90 00.

2. For touch-up of damaged galvanized surfaces: SSPC Paint No. 20, Type II (Organic), Tnemec-Zinc 90-97 by Tnemec Co., MZ-4 by Valspar Corp., 308 Zinc-Lok by Porter International or Amercoat 68HS by Ameron Protective Coating Division.

2.04 FINISH

- A. Shop priming: After assembly, clean steel surfaces of mill scale, rust, oil, grease, dirt, and other foreign materials before painting. Grind welds and fabrication marks flush and smooth with parent metal. Fill depressions with metal filler before applying the shop primer. Apply one or more coats or epoxy mineral filler to conceal spot welds.
- B. Acid-etch galvanized surfaces before pre-treating.
- C. Apply shop primer, within time limits recommended by pretreatment manufacturer, to provide a smooth coat of even consistency and to produce a dry film thickness of not less than 1-1/2 mil.
- D. Doors & frames with visible welds before or after application of finish paint will be unacceptable.

2.05 ACCESSORY MATERIALS

- A. Removable Stops: Formed sheet steel, mitered corners; prepared for countersink style tamper proof screws.
- B. Door Silencers: Except on weatherstripped frames, drill stops to receive 3 silencers on strike jambs of single-swing frames and 2 silencers on heads of double-swing frames.

2.06 FABRICATION, GENERAL

- A. Fabricate steel frame units to be rigid, neat in appearance and free from defects, warp or buckle. Wherever practicable, fit and assemble units in manufacturer's plant.
- B. Fabricate work of this Section to required profiles by roll-forming, brake-forming and welding to produce hollow metal work with straight and square edges, with surfaces free from warp, wave, buckle, oil-canning and other defects.
- C. Conform to AWS standards for welding. Frames shall be face welded with exposed welds ground flush and smooth with parent metal.
- D. Fabricate doors and frames at the following locations from galvanized steel; exterior walls, toilet rooms and concession rooms.
- E. Locate hardware as recommended in Table V of SDI 100, except where ADA regulations are in conflict, in which case comply with ADA regulations.
- F. Provide 16 gage reinforcement for pull plates and bars; through bolt are not permitted. Provide reinforcement for closers on all door frames.
- G. Except on weatherstripped frames, drill stops to receive 3 silencers on strike jambs of single-door frames and 2 silencers on heads of double-door frames.
- H. Fabricate frames, concealed stiffeners, and reinforcement from either cold-rolled or hot-rolled steel (at fabricator's option).
- I. Exposed Fasteners: Unless otherwise indicated, provide countersunk flat Phillips heads for exposed screws and bolts.
- J. Shop Painting:
 1. Clean, treat, and paint exposed surfaces of steel frame units.
 2. Clean steel surfaces of mill scale, rust, oil, grease, dirt, and other foreign materials before application of paint.
 3. Apply shop coat of prime paint of even consistency to provide a uniformly finished surface ready to receive finish paint.

2.07 FINISH HARDWARE PREPARATION

- A. Prepare frames to receive to receive mortised and concealed finish hardware in accordance with final Finish Hardware Schedule and templates provided by hardware supplier. Comply with applicable requirements of ANSI A115 series specifications for door and frame preparation for hardware.

- B. Reinforce doors for required finish hardware, as follows:
 - 1. Hinges: Steel plate 3/16" thick x 1-1/2" wide x 6" longer than hinge, secured by not less than 6 spot-welds.
 - 2. Mortise Locksets and Dead Bolts: 14 gage steel sheet, secured with not less than 2 spot-welds.
 - 3. Cylinder Locks: 12 gage steel sheet, secured with not less than 2 spot-welds.
 - 4. Surface-Applied Closers: 12 gage steel sheet, secured with not less than 6 spot-welds.
- C. Locate finish hardware as indicated on final shop drawings or, if not indicated, in accordance with DSA/ADA requirements and "Recommended Locations for Builder's Hardware", published by Door and Hardware Institute.

2.08 DOORS AND FRAMES

- A. Requirements for All Doors and Frames:
 - 1. Accessibility: Comply with ANSI/ICC A117.1.
 - 2. Door Top Closures: Flush with top of faces and edges.
 - 3. Door Edge Profile: Beveled on both edges.
 - 4. Door Texture: Smooth faces. No visible welds.
 - 5. Hardware Preparation: In accordance with DHI A115 Series, with reinforcement welded in place, in addition to other requirements specified in door grade standard.
 - 6. Galvanizing for all units: All components hot-dipped zinc-iron alloy-coated (galvannealed), manufacturer's standard coating thickness.
 - 7. Fabricate doors and frames from galvanized steel.
 - 8. Finish: Factory primed, for field finishing.
 - 9. Do not begin fabrication until the hardware schedule approved by the Architect and submitted by the hardware supplier has been received by the fabricator.
- B. Hinges:
 - 1. Top: 5 inches from head of frame to top of hinge.
 - 2. Bottom: 10 inches from finished floor to bottom of hinge.
- C. Unit and integral type locks and latches: 38 inches from finished floor to centerline of knob.
- D. Deadlocks: 48 inches from finished floor to centerline of strike.

2.09 STEEL DOORS

- A. Hollow metal doors:
 - 1. SDI Grade II, Model 2, seamless, (16 gage) for doors up to 3 ft. wide, and Grade III, Model 2, seamless. Close the top of outswinging exterior doors with an inverted flush channel and make waterproof.
 - 2. Core: Solid Polystyrene core at Exterior doors.
 - 3. Thickness: 1-3/4 inches.
 - 4. Texture: Smooth faces, no weld marks allowed
 - 5. Finish: Factory primed, for field finishing.
- B. Doors:
 - 1. Construct doors with smooth, flush surfaces without visible joints or seams or exposed faces or stile edges, except around glazed or louvered panel inserts. Provide weep hole openings in the bottom of exterior doors to permit the escape of entrapped moisture.
 - 2. Reinforce inside of doors with vertical galvanized sheet steel channel-shaped sections or interlocking z-shaped sections not less than 22 gage. Space vertical reinforcing 6" o.c. and extend full door heights. Spot-weld at not more than 5" o.c. to both face sheets. Provide incombustible internal insulation on inside of face sheets in accordance with NAAMM standards.
 - 3. Continuous truss-form inner core of 28 gage galvanized sheet steel reinforcing may be provided as inner reinforcement, in lieu of above. Spot-weld at not more than 3" o.c. vertically and horizontally over entire surface of both sides.

4. Reinforce tops and bottoms of doors with 16 gage horizontal steel channels welded continuously to the outer sheets. Close top and bottom edges to provide weather seal, as integral part of door construction or by addition of inverted steel channels.

2.10 STEEL FRAMES

- A. General:
 1. Provide metal frames for doors of types and styles as shown on Drawings and schedules. Conceal fastenings, unless otherwise indicated. Fabricate frames in accordance with engineer approved shop drawings:
 - a. Fabricate frames of full-welded unit construction, with corners mitered, reinforced, continuously welded full depth and width of frame, unless otherwise indicated.
 - b. Knock-down type frames are not acceptable.
 - c. Fabricate work of this Section to required profiles by roll-forming, brake-forming and welding to produce hollow metal work with straight and square edges, with surfaces free from warp, wave, buckle, oil-canning and other defects.
 - d. Conform to AWS standards for welding. Frames shall be face welded with exposed welds ground flush and smooth with parent metal.
- B. Anchors:
 1. Jamb Anchors:
 - a. In-Place Concrete or Masonry: Anchor frame jambs with minimum 3/8" concealed bolts into expansion shields or inserts at 6" from top and bottom and 26" o.c., unless otherwise shown. Reinforce frames at anchor locations. Apply removable stop to cover anchor bolts unless otherwise indicated.

2.11 FINISH HARDWARE PREPARATION

- A. Prepare frames to receive to receive mortised and concealed finish hardware in accordance with final Finish Hardware Schedule and templates provided by hardware supplier. Comply with applicable requirements of ANSI A115 series specifications for door and frame preparation for hardware.
- B. Reinforce frames to receive surface-applied hardware. Drilling and tapping for surface-applied finish hardware may be done at Project Site.
- C. Reinforce doors for required finish hardware, as follows:
 1. Hinges: Steel plate 3/16" thick x 1-1/2" wide x 6" longer than hinge, secured by not less than 6 spot-welds.
 2. Mortise Locksets and Dead Bolts: 14 gage steel sheet, secured with not less than 2 spot-welds.
 3. Strike Plate Clips: Steel plate 3/16" thick x 1-1/2" wide x 3" long.
 4. Cylinder Locks: 12 gage steel sheet, secured with not less than 2 spot-welds.
 5. Flush Bolts: 12 gage steel sheet, secured with not less than 2 spot-welds.
 6. Surface-Applied Closers: 12 gage steel sheet, secured with not less than 6 spot-welds.
- D. Locate finish hardware as indicated on final shop drawings or, if not indicated, in accordance with ADA requirements and "Recommended Locations for Builder's Hardware", published by Door and Hardware Institute.

PART 3 EXECUTION

3.01 EXAMINATION

- A. Verify existing conditions before starting work.
- B. Verify that opening sizes and tolerances are acceptable.
- C. Inspect adjacent construction and supports.
- D. Make sure that openings are within allowable tolerances, plumb, level, clean, will provide a solid anchoring surface, and that other conditions detrimental to the proper or timely completion of this work are corrected before proceeding with installation.

3.02 PREPARATION

- A. Coat inside of frames to be installed in masonry or to be grouted, with bituminous coating, prior to installation.

3.03 INSTALLATION

- A. Install in accordance with the requirements of the specified door grade standard and NAAMM HMMA 840.
- B. Placing Frames: Comply provisions of SDI-105 "Recommended Erection Instructions for Steel Frames", unless otherwise indicated.
 - 1. At in-place concrete or masonry construction, set frames and secure to adjacent construction with machine screws and masonry anchorage devices.
 - 2. Provide a minimum of 3 anchors per jamb for frame with doors under 81 in. high; provide one additional anchor for doors in frame over 81 in.
 - 3. Attach jamb anchors to studs with a minimum of four 3/8 in. diameter self-tapping screws or bolts (2 per side).
- C. Set anchorage devices opposite each anchor location, in accordance with details on final shop drawings and anchorage device manufacturer's instructions. Leave drilled holes rough, not reamed, and free from dust and debris.
- D. Provide UL tested adjustable floor clips for all frames. Anchor clips to floor with powder-driven pins or bolts in expansion shields.
- E. Leave frame spreader bars intact, wherever possible, until frames are set perfectly square and plumb and all anchors are securely attached and grouted where required.
- F. Finish surfaces having abrasion damage smooth; touch-up with rust inhibitive primer.
- G. Grout frames in masonry construction, using hand trowel methods; brace frames so that pressure of grout before setting will not deform frames.
- H. Coordinate installation of hardware.
- I. Touch up damaged factory finishes.

3.04 HANGING DOORS

- A. Install finish hardware in compliance with its manufacturer's templates and printed instructions.
- B. Hang doors in compliance with their manufacturer's instructions, and adjust to the clearances specified in SDI publication 100, paragraph 2.2.1, except where more stringent clearances are indicated on the Drawings or required by UL listing for fire-rated doors.
- C. Fit hollow metal doors accurately in their respective frames, with the following clearances:
 - 1. Jambs and Head: 3/32".
 - 2. Bottom: 3/8", where no threshold or carpet.
 - 3. Bottom: at Threshold or Carpet: 1/8".
- D. Do not install doors warped, bowed, dented or otherwise damaged.
- E. Adjust hardware so that doors operate freely for their entire travel, but not loosely, without sticking or hinge binding, with all hardware adjusted and functioning properly.

3.05 ADJUSTING

- A. Adjust for smooth and balanced door movement.
- B. Final Adjustments: Check and readjust operating finish hardware items, leaving steel frames undamaged and in complete and proper operating condition.
- C. Prime Coat Touch-up: Immediately after erection, sand smooth any rusted or damaged areas of prime coat and apply touch-up of compatible air-drying primer.

3.06 FIELD QUALITY CONTROL

- A. Before application of primer, touchup galvanized surfaces with zinc-rich coating where zinc coating has been removed or damaged.

END OF SECTION

SECTION 08 33 13
COILING COUNTER DOORS

PART 1 GENERAL**1.01 SECTION INCLUDES**

- A. Non-fire-rated coiling counter doors and operating hardware.

1.02 REFERENCE STANDARDS

- A. ASTM A666 - Standard Specification for Annealed or Cold-Worked Austenitic Stainless Steel Sheet, Strip, Plate, and Flat Bar; 2015.

1.03 SUBMITTALS

- A. Product Data: Submit manufacturer's standard literature showing materials and details of construction and finish.
- B. Shop Drawings: Indicate rough and actual opening dimensions, anchorage methods, hardware locations, and installation details. Shop drawings to depict actual project conditions: CMU walls, Countertop, etc.
- C. Operation and Maintenance Data: Indicate modes of operation, lubrication requirements and frequency, and periodic adjustments required.

PART 2 PRODUCTS**2.01 COILING COUNTER DOORS**

- A. Coiling Counter Doors, Non-Fire-Rated: Stainless steel slat curtain.
 - 1. Mounting: Interior face mounted.
 - 2. Nominal Slat Size: 1-1/4 inches wide. Match existing.
 - 3. Slat Profile: Flat.
 - 4. Finish: No. 4 - Brushed.
 - 5. Guides: Formed track; same material and finish unless otherwise indicated.
 - 6. Hood Enclosure: As indicated on drawings; powder coated.
 - 7. Manual hand chain lift operation.
 - 8. Locking Devices: Slide bolt on inside.

2.02 MATERIALS

- A. Curtain Construction: Interlocking, single thickness slats.
 - 1. Slat Ends: Alternate slats fitted with end locks to act as wearing surface in guides and to prevent lateral movement.
 - 2. Curtain Bottom: Fitted with angles to provide reinforcement and positive contact in closed position.
 - 3. Stainless Steel Slats: ASTM A666, Type 304; minimum thickness 22 gage, 0.03 inch.
- B. Guide Construction: Continuous, of profile to retain door in place, with mounting brackets of same metal.
 - 1. Stainless Steel Guides: ASTM A 666, Type 304, rollable temper.
- C. Hood Enclosure: Internally reinforced to maintain rigidity and shape.
- D. Latching Mechanism: Inside mounted, adjustable keeper, spring activated latch bar feature to keep in locked or retracted position.
- E. Slide Bolt: Provide on both-jamb sides, extending into slot in guides.
- F. Manual Chain Lift: Provide padlockable chain keeper on guide.
- G. Roller Shaft Counterbalance: Steel pipe and torsion steel spring system, capable of producing torque sufficient to ensure smooth operation of curtain from any position and capable of holding position at mid-travel; with adjustable spring tension; requiring 25 lb nominal force to operate.

PART 3 EXECUTION

3.01 EXAMINATION

- A. Verify that opening sizes, tolerances and conditions are acceptable.

3.02 INSTALLATION

- A. Install units in accordance with manufacturer's instructions.
- B. Use anchorage devices to securely fasten assembly to wall construction and building framing without distortion or stress.
- C. Fit and align assembly including hardware; level and plumb, to provide smooth operation.
- D. Install perimeter trim as required.

3.03 ADJUSTING

- A. Adjust operating assemblies for smooth and noiseless operation.

3.04 CLEANING

- A. Clean installed components.
- B. Remove labels and visible markings.

END OF SECTION

SECTION 08 71 00
DOOR HARDWARE**PART 1 GENERAL****1.01 RELATED DOCUMENTS**

- A. General provisions apply to this section of the Contract, General and Supplementary Conditions, and drawings apply to this section.

1.02 SUMMARY OF WORK

- A. Finish Hardware for new doors as required to complete the work, including fasteners and attachments specified for complete installation.

1.03 REFERENCES

- A. Use date of standard in effect as of Bid date.
- B. ANSI/ICC A117.1 - American National Standard for Accessible and Usable Buildings and Facilities; International Code Council.
- C. ADA - Americans with Disabilities Act.
- D. DHI - Door and Hardware Institute.
- E. American National Standards Institute - ANSI 156.18 - Materials and Finishes.
- F. BHMA - Builders Hardware Manufacturers Association.
- G. WHI - Warnock Hersey International.
- H. State of California Building Code (CBC).
- I. UL - Underwriters Laboratories.
- J. NAAM - National Association of Architectural Metal Manufacturers.
- K. ASTM E 283 - Standard Test Method for Determining the Rate of Air Leakage through Exterior Windows, Curtain Walls and Doors Under Specified Pressure Differences Across the Specimen; 1991 (Reapproved 1999).

1.04 SUBMITTALS

- A. Submit final door hardware schedule. Organize schedule in vertical format into Hardware Groups with an index of headings and doors, including a complete description of each door opening. Horizontal schedule format will be rejected. Include the following in schedule:
 - 1. Heading and hardware set.
 - 2. Door location cross-referenced to indications on Drawings both on floor plans and door and frame schedule.
 - 3. Door and frame size, materials, swing and degree of swing.
 - 4. Quantity, part number, size, function, finish and fasteners at each hardware item.
 - 5. Manufacturer of each item.
 - 6. Catalog cuts of each item scheduled.
 - 7. Manufacturers data and installation instructions for any electric or electronic hardware.
 - 8. List of manufacturers and the corresponding hardware to be furnished.
 - 9. Furnish updated or new manufacturers items if discontinued. List corresponding discontinued part number for comparison purposes.
- B. Keys: Deliver with identifying tags to Owner via security shipment direct from hardware supplier.
- C. Where size and shape of members is such as to prevent the use of types specified, hardware shall be furnished of suitable types having as nearly as practicable the same operations and quality as the type specified, and shall be subject to the approval of Owner's Representative.

1.05 QUALITY ASSURANCE

- A. Hardware: New and free from defects in manufacturing. Obtain each item (locksets, closers, exit devices) and material parts from one manufacturer.

- B. Warranty: Warrant all hardware for a period of one (10) year from the date of Substantial Completion.

1.06 COORDINATION

- A. Coordinate the work with other sections directly involved in the manufacture or fabrication of doors and door frames for door hardware.
- B. Furnish printed templates or actual hardware to the various subcontractors responsible for installation of, or preparation for installation of hardware furnished under this Section. Check shop drawings of such other work, to conform that adequate provisions are made for proper location and installation of hardware.
- C. Coordinate Owner's keying requirements during the course of the Work.
- D. All exit doors shall be openable from the inside at all times without the use of a key for special knowledge or effort. All hardware shall be as determined by building, accessibility and fire codes in effect and current at the time of furnishing the finish hardware to the Project.

1.07 WARRANTY

- A. Warranty, against defective materials and workmanship for a period of one (1) year after Substantial Completion.
- B. Provide ten (10) year warranty for door closers.
- C. Materials that become defective during the warranty period shall be replaced at no cost to the Owner and shall be corrected to the complete satisfaction of the Architect.

PART 2 PRODUCTS

2.01 FINISH OF HARDWARE

- A. In general, furnish hardware with BHMA 626, Satin Chromium finish.
 - 1. Areas using BHMA 626 finish shall have push plates, pulls and protection plates of BHMA 630 Brushed Stainless Steel, unless otherwise noted.
- B. Door Closers: Factory powder coated to match adjacent hardware.
- C. Aluminum Items: Match adjacent hardware.

2.02 GENERAL REQUIREMENTS FOR DOOR HARDWARE

- A. Hardware shall be uniform in color, and free from imperfections affecting serviceability, or marring appearance.
- B. Hand of door: Drawings show direction of slide, swing or hand of each door leaf. Furnish each item of hardware for proper installation and operation of door movement as shown. If door hand is changed during construction, make necessary changes in hardware at no additional expense to Owner.
- C. Base Materials: Produce hardware units of basic metal and forming method indicated, using manufacturer's standard metal alloy, composition, temper, and hardness, but in no case of lesser (commercially recognized) quality than specified for applicable hardware units by applicable ANSI A156 series standard for each type hardware item and with ANSI A156.18 for finish designations indicated. Do not furnish "optional" materials or forming methods for those indicated, except as otherwise specified.
- D. Fasteners: Provide hardware manufactured to conform to published templates, generally prepared for machine screw installation. Do not provide hardware which has been prepared for self-tapping sheet metal screws, except as specifically indicated.
- E. Furnish screws for installation with each hardware item. Provide Phillips flat-head screws except as otherwise indicated. Finish exposed (exposed under any condition) screws to match hardware finish or, if exposed in surfaces of other work, to match finish of such other work as closely as possible, including "prepared for paint" in surfaces to receive painted finish.

- F. Provide concealed fasteners for hardware units which are of type specified that are available with concealed fasteners. Use thru-bolts for installation where bolt head or nut on opposite face is exposed in other work where specifically noted.

2.03 HINGES

- A. Provide steel, 4-1/2 x 4-1/2 full mortise template hinges, unless specified otherwise in the Hardware Groups. Provide 2 hinges for doors up to 60" in height and one additional hinge for every 30" in additional height.
 - 1. Exterior Doors: Provide outswinging doors with non-ferrous, full mortise template hinges with non-removable pins (NRP).
- B. Furnish hinges of sufficient width where required to clear trim or other obstructions or to permit doors to swing 180 degrees.

2.04 LOCKSETS

- A. Unless noted otherwise, locksets and latchsets shall be Best 35H series mortise or 9K series cylindrical locks.
- B. All locksets and latchsets shall have component parts included to facilitate correct and trouble free installation. Locks shall be furnished with box strikes and long lip strikes long enough to protect adjacent trim. All locks shall have 3/4" throw where required.
- C. All locksets and latchsets shall be constructed in order to allow the door to open from the inside without any special knowledge or the use of a key.

2.05 SURFACE CLOSERS

- A. Surface mounted closers shall be of rack and pinion type with cast iron shell extra duty forged steel arm as manufactured by LCN.
- B. Closers shall be non-sized and capable of 180 degree swing. Provided with drop plates, corner brackets, transom shoes and extra long arms in order to facilitate proper operation. Where "Cush" closers shock absorbing closers are specified a combination heavy duty parallel arm with a heavy duty spring stop will be accepted.
- C. Door closers shall have visual indicators for power adjustment, and shall be fully adjustable for spring setting, latch sweep speed, and back check valve controls. Provide delayed action option and slide track applications where specified.
- D. Closer delay time shall comply with ADA-4-13-10 and CBC 1133B2.5. Maximum closer opening pressure, taking into account air pressure in pressurized shafts where applicable, shall not exceed the following:
 - 1. Exterior Doors: 5 lbs.

2.06 PROTECTION PLATES

- A. Unless otherwise specified kick, mop or armor plates shall be of BHMA 630 Stainless Steel, .050 thick with standard bevel at each of 4 sides. Plate height shall be 10" unless louvers or other obstructions necessitate the use of a smaller plate. Lengths shall be 1-1/2" less door width (LDW) at single doors and 1" less door width at pairs for doors with removable mullions. Doors without mullions shall be 1" less door width for each leaf. Install protection plates at each side of single and pairs of doors. Sizes or other types of plates shall be specified in the Hardware Groups.

2.07 DOOR STOPS AND HOLDERS

- A. Place door stops in such a position as not to create an obstruction hazard but allow for maximum door swing.
- B. Stops shall be of sufficient height to engage doors.
- C. Do not mount floor stops more than 4" away from face of walls or partition.
- D. At exterior and interior doors where a floor stop or holder would be used, furnish specified closer with Cush & Stop or H-Cush feature to obviate the use of a stops or door holder. Utilize wall stops at interior conditions where sufficient blocking is constructed or overhead surface or

concealed type stops or holders; Glynn Johnson 90 or 100 series as specified and where condition require.

2.08 THRESHOLDS AND WEATHERSEAL

- A. Thresholds: As scheduled and per details:
 - 1. Ramp thresholds shall be utilized at all new and exterior openings where offsets between the building exterior and interior flooring exceed 1/2". Furnish thresholds with 3-1/2" top plate, miter returns and abrasive non-slip coating.
 - 2. Ramp thresholds shall extend 24" past the strike side of each door in accordance with ADA requirements for accessibility.
 - 3. At new or existing conditions, no offset shall exceed 1" in height. If offsets over 1" are scheduled or encountered at existing sites, these shall be brought to the immediate attention of the Architect for review.
- B. Weatherseal:
 - 1. Solid neoprene: MIL Spec. R6855CL-III, Grade 40.
 - 2. Furnish non-corroding fasteners at exterior doors.

2.09 SILENCERS

- A. For steel frames without seals, furnish the following push-in type silencer at each opening as follows:
 - 1. Single Doors - 3 per lock jamb.

2.10 KEYING

- A. General: Successful bidder shall meet with the City of Seaside Parks Dept. to finalize keying requirements and to obtain final keying instructions in writing.
- B. All locks and cylinders shall be equipped with removable core type cylinders unless otherwise directed herein.
 - 1. Furnish construction cores installed into permanent locksets during the construction phase.
 - 2. Furnish 5 construction keys and 2 control keys directly to the Contractor or Construction Manager. Requests for additional keys shall be satisfied at no additional cost to the Owner.
 - 3. Final keying shall be as specified by the City of Seaside Parks Dept.

2.11 FASTENINGS

- A. Furnish all hardware complete with all necessary screws, bolts, and other fasteners of suitable type and size to anchor the hardware in position for hard use and long life. All fastenings shall harmonize with the hardware as to material and finish. Furnish fastenings where necessary with expansion shields, sex bolts, toggle bolts, or other anchors approved by the Owner's Representative, according to the material to which the hardware is to be applied, and the recommendations of the hardware manufacturer.

2.12 HARDWARE SCHEDULE

- A. While the Hardware Schedule is intended to cover all doors and other moveable parts of the building and establish a type and standard of quality, it shall be the specific duty and responsibility of the finish hardware supplier to examine the Drawings and Specifications and furnish proper hardware for all openings whether listed or not.
- B. If there are any omissions in the hardware groups, they shall be called to the attention of the Architect prior to bid opening for instructions. Otherwise the list shall be considered complete. No extra will be allowed for omissions, changes or corrections necessary to facilitate proper installation.
- C. Locate hardware in accordance with SDI-100 and applicable building, fire-life safety, accessibility and local codes.

PART 3 EXECUTION**3.01 PREPARATION**

- A. Prepare openings and doors in accordance with manufacturer's installation instructions.
- B. Contractor shall field verify opening size, existing hardware locations, threshold requirements and make all necessary adjustments for an ADA approved system. See drawings for appropriate details.

3.02 INSTALLATION

- A. Install in accordance with manufacturer's instructions, details, and applicable codes.
- B. Use templates provided by hardware item manufacturer.
- C. Mount hardware in accordance with height recommended in "Recommended Locations For Builders Hardware" by DHI unless otherwise indicated or in conflict with applicable governing regulations:
 - 1. Comply with T-24 CBC, 11338.2.5.1.
 - 2. Hand activated hardware: Between 30 and 40 inches above finish floor.
 - 3. Deadlocks: 44" centerline above finish floor.
- D. Floor mounted door stops shall be installed no more than 4 inches from face of walls or partitions.
- E. Drill and countersink units which are not factory-prepared for anchorage fasteners. Space fasteners and anchors in accordance with industry standards.
- F. Any items which are found to be in conflict with the drawings or specification at the Project site shall be brought to the attention of the Architect.

3.03 ADJUSTING

- A. Adjust hardware for smooth operation.
- B. Door closers: Sweep period of the closer shall be adjusted so that from an open position of 70 degrees, the door will take at least 3 seconds to move to a point 3 inches (75 mm) from the latch, measured to the landing edge of the door.
- C. Replace units which cannot be adjusted to operated freely and smoothly as intended for the application made.

3.04 PROTECTION OF THE FINISHED WORK

- A. Do not permit adjacent work to damage hardware or finish.

PART 4 - HARDWARE**4.01 SCHEDULED HARDWARE**

- A. Requirements for design, grade, function, finish, size and other distinctive qualities of each type of finish hardware is indicated in the Hardware Schedule at the end of this section. Products are identified by using hardware designation numbers as follows.
- B. ANSI/BHMA designations used elsewhere in this section or in schedules to describe hardware items or to define quality or function are derived from the following standards. Provide products complying with these standards and requirements specified elsewhere in this section.

4.02 ACCEPTABLE MANUFACTURERS

- A. The following is a Schedule of Hardware to be furnished for this work. The material listed shall conform throughout to the requirements of the foregoing Specification. It is the responsibility of the Contractor to coordinate this section with Section such as 08110 - Steel Doors and Frames. Any items which are found to be in conflict with the specification shall be brought to the attention of the Architect by means of questions within the Hardware Submittal or through an RFI.

4.03 APPROVED SUBSTITUTIONS

- A. Provide finish hardware as follows: Where "As Specified" is designated San Jose Public Works standards shall apply and no substitution is permitted.

1.	HARDWARE ITEM	SPECIFIED MFG.	APPROVED SUBSTITUTION
2.	Hinges	Hager	
	Stanley, McKinney		
3.	Continuous Hinges	Pemko	Roton
4.	Locks, Latches, Padlocks	Schlage	As Specified
5.	Closers	LCN	As Specified
6.	Push/Pull Plates, Kickplates, Misc.	Trimco	Ives, Hager
7.	Stops, Door Holders	Trimco	Ives, Hager
8.	Flush Bolts, Coordinator's, DPS	Door Controls	
	Trimco, Ives		
9.	Thresholds and Seals	Pemko	National Guard
10.	Door and Frame Fillers	Don-Jo	

4.04 HARDWARE GROUPS

A. HW1: Each Single Door to Have:

1.	3	EA	Butts BB1191 4-1/2 x 5 NRP	630	Hager
2.	1	EA	Lock 93K7D15D	626	Best
3.	1	EA	Closer 4041PA-Cush	689	LCN
4.	1	EA	Kickplates 10 x 1-1/2" LDW	630	Trimco
5.	1	EA	Door Bottom 216AV		Pemko
6.	1	EA	Door Seal 332 CR		Trimco
7.	1	EA	Threshold 272A x SS MS/A		Pemko
8.	1	EA	Lock Guard 5000	630	Trimco
9.	9.				

END OF SECTION

**SECTION 09 24 00
CEMENT PLASTERING****PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Cement plastering.

1.02 REFERENCE STANDARDS

- A. ASTM C150/C150M - Standard Specification for Portland Cement; 2015.
- B. ASTM C207 - Standard Specification for Hydrated Lime for Masonry Purposes; 2006 (Reapproved 2011).
- C. ASTM C926 - Standard Specification for Application of Portland Cement-Based Plaster; 2015b.
- D. ASTM C932 - Standard Specification for Surface-Applied Bonding Compounds for Exterior Plastering; 2006 (Reapproved 2013).

1.03 SUBMITTALS

- A. Product Data: Provide data on plaster materials and trim accessories.

PART 2 PRODUCTS**2.01 CEMENT PLASTER APPLICATIONS**

- A. Solid Plaster Base: Concrete masonry.
 - 1. Plaster Type: Factory prepared plaster mix.
 - 2. Number of Coats: Two.
 - 3. First Coat: Apply to a nominal thickness of 1/4 inch.
 - 4. Second Coat: Apply to a nominal thickness of 1/4 inch.
 - 5. Finish: Acrylic.

2.02 PREMIXED ONE-COAT BASE: MIXTURE OF TYPE I PORTLAND CEMENT COMPLYING WITH ASTM C150/C150M, HYDRATED LIME COMPLYING WITH ASTM C207, FIBERS AND OTHER APPROVED INGREDIENTS; INSTALL IN ACCORDANCE WITH ASTM C926.

- A. Manufacturers:
 - 1. The QUIKRETE Companies; QUIKRETE® One Coat Fiberglass Reinforced Stucco: www.quikrete.com.
- B. Premixed Base Coats: Mixture of cement, aggregate, fibers, and proprietary admixtures for scratch and brown coats; install in accordance with ASTM C926.
- C. Primer: Acrylic, as recommended by coating manufacturer and compatible with plaster base coat.
- D. Premixed Finish Coating: Integrally colored, acrylic coating.

2.03 ACCESSORIES

- A. Bonding Compound: Provide type recommended for bonding plaster to solid surfaces, complying with ASTM C932.

PART 3 EXECUTION**3.01 EXAMINATION**

- A. Verify existing conditions are acceptable prior to starting this work.
- B. Verify masonry joints are flush and surfaces are ready to receive work of this section, and that there are no existing bituminous or water repellent coatings on masonry surfaces.
- C. Verify concrete surfaces are flat, honeycombs are filled flush, and surfaces are ready to receive work of this section, and that there are no existing bituminous, water repellent, or form release agent coatings on concrete surfaces that may be detrimental to plaster bond.

3.02 PREPARATION

- A. Dampen masonry surfaces to reduce excessive suction.

- B. Clean concrete surfaces of foreign matter using approved acid solutions, solvents, or detergents, and then rinse surfaces thoroughly with clean water.
- C. Roughen smooth concrete surfaces and apply bonding compound in accordance with manufacturer's written installation instructions.
- D. Apply dash bond coat of plaster to solid bases and moist cure for at least 24 hours before applying first coat of jobsite mixed plaster.

3.03 MIXING

- A. Mix only as much plaster as can be used prior to initial set.
- B. Mix materials dry, to uniform color and consistency, before adding water.

3.04 APPLICATION

- A. Apply plaster in accordance with manufacturer's written instructions and comply with ASTM C926.
- B. Base Coats:
 - 1. Follow guidelines in ASTM C926 and manufacturer's written installation instructions for moist curing base coats and application of subsequent coats.
- C. Finish Coats:
 - 1. Primer and Acrylic Coatings:
 - a. Remove surface contaminants such as dust and dirt without damaging substrate.
 - b. Apply primer in accordance with manufacturer's instructions.
 - c. Apply finish coating in number of coats and to thickness recommended by manufacturer.

3.05 REPAIR

- A. Patching: Remove loose, damaged or defective plaster and replace with plaster of same composition; finish to match surrounding area.

END OF SECTION

SECTION 10 44 50
SIGNS**PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Door Signs.
- B. Room Signs.

1.02 REFERENCES

- A. T-24 CBC Section 11B.
- B. ATBCB ADAAG - Americans with Disabilities Act Accessibility Guidelines; US Architectural and Transportation Barriers Compliance Board.

1.03 SUBMITTALS

- A. Product Data: Manufacturer's descriptive literature for sign types specified, including components and accessories.
- B. Samples of each sign form and material showing finishes, colors and surface texture.
 - 1. Submit full-size sample units. Acceptable units may be installed as part of the work.
 - 2. Samples of exposed metal with respective finish.
 - 3. Signage colors will be selected by the Architect from color samples submitted.
- C. Large scale, dimensioned shop drawings of all signs. Include elevations, sections, and large scale details of copy and lettering layout. Show anchorages and accessory items. Furnish location template drawings for signs supported or anchored to other construction.
 - 1. Indicate sign styles, lettering font, foreground and background colors, locations, overall dimensions of each sign.
- D. Selection Samples: Two sets of color chips representing manufacturer's full range of available colors.
- E. Manufacturer's instructions: Printed installation instructions for each product.
- F. Manufacturer's Warranty: Submit at closeout.

1.04 QUALITY ASSURANCE

- A. Regulatory Requirements: Sign types to comply with ADAAG requirements.
- B. Work of this Section shall be a complete system, products of one manufacturer as well as custom items from local distributors.
- C. T-24 CBC Section 11B.
- D. Manufacturer Qualifications: Company specializing in manufacturing the products specified in this section with minimum 3 years of documented experience.

1.05 WARRANTY

- A. Warrant this work against defective materials, workmanship, and design for 5 years from Substantial Completion.
- B. Fading, cracking, warping, peeling, delaminating, rusting, corroding, and structural failure, including distortion by whatever cause, shall be construed to mean failure because of faulty materials and workmanship.
- C. Failures during the warranty period shall be repaired or replaced at no cost to the District.

PART 2 PRODUCTS**2.01 MANUFACTURERS**

- A. Acceptable Manufacturer's:
 - 1. ASI
 - 2. ReadyMade
 - 3. EMED Co., Inc.

4. Seton Name Plate Co.
 5. Flinn Scientific Inc.
- B. Unless otherwise specified for an individual product or material, supply all products specified in this section from the same manufacturer.

2.02 SIGNS

- A. Cast Acrylic Sheet: Cast (not extruded or continuous cast) methacrylate plastic sheet with a minimum flexural strength of 16,000 psi, ASTM D790, as follows.
1. Transparent sheet: Colorless sheet with light transmittance of 92%, ASTM D 1003, in matte finish, unless otherwise indicated.
 2. White translucent sheet: White translucent sheet of density required to produce uniform brightness and minimum halation effects.
 3. Opaque sheet: Colored opaque acrylic sheet in colors and finishes indicated.
- B. Fasteners: Use concealed fasteners unless otherwise indicated. Fabricate from metals which are non-corrosive to sign materials and mounting surface.
- C. Anchors and inserts:
1. Non-ferrous metal or hot-dipped galvanized steel anchors and inserts for exterior installations.
 2. Toothed steel or lead expansion bolt devices for drilled-in-place anchors. Furnish inserts, as required, to be set into concrete or masonry work.
- D. Engraved Signs:
1. Sign Types: As indicated.
 2. Colors: Selected by Architect from manufacturer's full range of available colors.
 3. Graphics/Lettering: As indicated.
- E. Accessories: Installation accessories specified in manufacturer's instructions.

2.03 DOOR MOUNTED SIGNS

- A. Toilet Rooms: International Symbol of Accessibility - 6 in. x 6 in. blue/white acrylic signs.
1. Conform to Title 24 and ADA requirements at 60 in. above the finished floor.
 2. Women: 12 in. dia. circle x 1/4 in. thick with symbol.
 3. Men: 12 in. x 12 in. x 1/4 in. triangle with symbol.
 4. Attach sign with silicone adhesive.
 5. Attached sign with tamper proof screws.

2.04 ACCESSIBLE SYMBOL SIGNS FOR TOILET ROOMS

- A. Acrylic signs shall be 6 in. x 6 in. x 1/8 in. thick with eased corners. Border, graphic symbols and lettering shall be raised 1/32 in. above background.
- B. Type face shall be upper case modified "Helvetica".
- C. Corresponding Grade 2 Braille symbol shall be with dots at 1/10 in. o.c. in each cell with 1/5 in. space between cells. Dots shall 1/40 in. above background.
- D. Attach sign with silicone adhesive and tamper proof screws. Paint screws to match.

2.05 ROOM I.D. WALL SIGN

- A. Acrylic, 2 color signs shall be 6x 6 x 1.4 in.
- B. Border and lettering shall be raised 1/32 in. above background.
- C. Type face shall be modified "Helvetica", upper case, 2 in. tall.
- D. Corresponding Grade 2 Braille symbol shall be with dots at 1/10 in. o.c. in each cell with 1/5 in. space between cells. Dots shall 1/40 in. above background.
- E. Sign shall be mounted on wall, 60" to center line, 4" from jamb. Colors as indicated in Contract Documents.

2.06 ACCESSORIES

- A. Mounting Hardware: Stainless Steel screws.

PART 3 EXECUTION

3.01 INSTALLATION

- A. Install wall and door signs where shown and in accordance with manufacturer's printed installation instructions.
- B. Install signs after doors or surfaces are finished, in locations indicated; as directed; or scheduled.
- C. Center signs on door surface, level.
- D. Position signs as indicated.
- E. Locate signs in accordance with approved shop drawings and ADAAG requirements.
- F. Sign shall be a complete vandal resistant installation. Fasteners shall be concealed, in drilled holes, counter sunk. Secure interior signs to solid backing with 4 No. 12 screws. Sign shall align with adjacent lines and edges, be level, flat on the mounting surface.
- G. Graphics shall be free from defects impairing strength and durability. Individual surface mounted signs letters are to be set as shown on the Drawings.
- H. Finishes shall be complete and unblemished.
- I. Accessories shall be provided in organized set and in containers which will protect the finishes.

3.02 CLEANING AND PROTECTION

- A. At completion of installation, clean all surfaces in accordance with manufacturer's instructions. Protect units from damage until acceptance. Repair or replace damaged an unsatisfactory units.

END OF SECTION

SECTION 10 81 00
TOILET ACCESSORIES**PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Toilet Room Accessories.
- B. Mens and Womens Accessories.
- C. Concession Area

1.02 REFERENCES

- A. ATBCB ADAAG - Americans with Disabilities Act Accessibility Guidelines; US Architectural and Transportation Barriers Compliance Board.
- B. ASTM A 240/A 240M - Standard Specification for Chromium and Chromium-Nickel Stainless Steel Plate, Sheet, and Strip for Pressure Vessels and for General Applications.
- C. ASTM A 554 - Standard Specification for Welded Stainless Steel Mechanical Tubing.
- D. ASTM F 446 - Standard Consumer Safety Specification for Grab Bars and Accessories Installed in the Bathing Area.

PART 3 EXECUTION**2.01 EXAMINATION**

- A. Installer's Examination:
 - 1. Have installer of this section examine conditions under which construction activities of this section are to be performed, then submit written notification if such conditions are unacceptable.
 - 2. Transmit two copies of installer's report to Architect within 24 hours of receipt.
 - 3. Beginning construction activities of this section before unacceptable conditions have been corrected is prohibited.
 - 4. Beginning construction activities of this section indicates installer's acceptance of conditions.

2.02 INSTALLATION

- A. Install toilet accessories plumb and level in accordance with shop drawings and manufacturer's printed installation instructions.
- B. Locate toilet accessories at heights specified by Americans with Disabilities Act (ADA).

2.03 CLEANING

- A. Clean surfaces in accordance with manufacturer's recommendations.

END OF SECTION

SECTION 11 40 00
FOODSERVICE EQUIPMENT**PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Food service equipment.
- B. Connections to utilities.

1.02 REFERENCE STANDARDS

- A. ASTM A666 - Standard Specification for Annealed or Cold-Worked Austenitic Stainless Steel Sheet, Strip, Plate, and Flat Bar; 2015.

1.03 SUBMITTALS

- A. Product Data: Provide data on appliances; indicate configuration, sizes, materials, finishes, locations, and utility service connection locations, service characteristics, and wiring diagrams.
 - 1. Note: Sink needs to conform to ADA accessibility standards. Top of sink 34" max and bottom of sink 27" clear.
 - 2. Note: Sink to be certified to NSF Standard No. 2 for Food Service Equipment by NSF International.

PART 2 PRODUCTS**2.01 MANUFACTURERS**

- A. Food Service Equipment:
 - 1. Food service equipment specified other than by name and catalog number shall be manufactured by a Food Service Equipment Fabricator of at least five (5) years experience with engineering facilities to properly design, detail, and manufacture high quality food service equipment.
 - a. Just Manufacturing company or approved equal.

2.02 EQUIPMENT

- A. Equipment Schedule: Refer to equipment in the Contract Documents.
- B. Pipe stands for open base tables or dish tables shall be constructed of 1-5/8" dia. x 16 gauge stainless steel tubular legs, with stringer and cross braces of the same material. Joints between legs and cross braces shall be welded and ground smooth. Flattened ends on tube stretchers are not permitted.
- C. Table tops shall be 14-gauge stainless steel unless otherwise noted; with all shop seams and corners welded, ground smooth and polished. Tops of closed base fixtures shall be reinforced on the underside with a framework of 1-1/2" angles or 16-gauge stainless steel hat section; and on open pipe frames with a 4" channel at each pair of legs. The leg sockets shall be welded to this channel. The channel in turn stud welded to the top. Tops shall be reinforced so that there will not be any noticeable deflection. Metal tops shall be turned down 2", and back at 15 degree angle, with 1-1/8" turn-under, except where adjacent to walls or other pieces of equipment. The wall side shall be turned up 10" and back 2" at a 45-degree angle. Ends of this splash are to be closed. Free corner of tops shall be spherical.
- D. Sinks and drain boards shall be constructed of 14 gauge stainless steel. The working edge of the sink shall be provided with 5/8" radius sanitary rolled edge in one piece with rounded corners. The drain boards shall be made as an integral part of the sink; all vertical and horizontal corners shall be rounded with 5/8" radius; and the working front edges shall be maintained at one level, taking up the pitch of the drain boards by dropping the sink to allow for same. Depth of sink bowl shall be determined from the top bowl. Sinks shall be provided with back and end splashes with top edge flanged back 2-1/4" at 45-degree angle, and attached to the building wall with "zee" clips. Splash back of sinks and drain boards shall be grained in the same direction. Suitable openings shall be cut for hot and cold water supplies and waste outlets. Bottom of each sink bowl with center drain connection shall be fitted with a 2" lever type action waste valve mounted into the sink and made absolutely watertight.

- E. All welding shall be of the heliarc method with welding rod of the same composition as the parts welded. Welds shall be complete, strong, and ductile with excess metal ground off and joints finished smooth to match adjoining surfaces. Welds shall be free of mechanical imperfections and shall be continuously welded so that the fixture shall appear as one piece construction. Butt welds made by spot solder and finished by grinding are not acceptable.
- F. All exposed welded joints in stainless steel construction shall be suitably coated with an approved metallic-based paint.
- G. Installation Accessories: Provide all rough-in hardware, supports and connections, attachment devices, closure trim, and accessories required for complete installation.

2.03 MATERIALS

- A. Stainless Steel Sheet: ASTM A666 Type 304 commercial grade, No. 4 finish.

PART 3 EXECUTION**3.01 EXAMINATION**

- A. Verify ventilation outlets, service connections, and supports are correct and in required location.

3.02 INSTALLATION

- A. Install items in accordance with manufacturers' instructions.
- B. Insulate to prevent electrolysis between dissimilar metals.
- C. Provide and install sewer vent to roof with stainless steel flashing.

3.03 EXISTING EQUIPMENT

- A. Disconnect, move, and prepare for new sink utility connection. Patch and Repair all wall area to match existing.

3.04 CLEANING

- A. Remove masking or protective covering from stainless steel and other finished surfaces.
- B. Wash and clean equipment.
- C. Polish glass, plastic, hardware, accessories, fixtures, and fittings.

END OF SECTION

**SECTION 12 36 00
COUNTERTOPS****PART 1 GENERAL****1.01 SECTION INCLUDES**

- A. Countertops for Snack Shack Stainless Steel.

1.02 REFERENCE STANDARDS

- A. ASTM A666 - Standard Specification for Annealed or Cold-Worked Austenitic Stainless Steel Sheet, Strip, Plate, and Flat Bar; 2015.

1.03 SUBMITTALS

- A. Product Data: Manufacturer's data sheets on each product to be used, including:
 - 1. Preparation instructions and recommendations.
 - 2. Storage and handling requirements and recommendations.
 - 3. Specimen warranty.
- B. Shop Drawings: Complete details of materials and installation; combine with shop drawings of cabinets and casework specified in other sections.

PART 2 PRODUCTS**2.01 COUNTERTOP ASSEMBLIES**

- A. Stainless Steel Countertops: ASTM A666, Type 304, stainless steel sheet; 14 gage, .07 inch nominal sheet thickness at Snack Shack
 - 1. Finish: 4B satin brushed finish at Kitchen; Galvanized finish at Maintenance Building.
 - 2. Exposed Edge Shape: Straight turndown with return; 1-1/2 inch high face, 1/2 inch return to face of case; reinforced with hardwood or steel. All Interior and Exterior corners to have radius edges.

2.02 FABRICATION

- A. Secure to countertop with concealed fasteners and with contact surfaces set in waterproof glue.

PART 3 EXECUTION**3.01 EXAMINATION**

- A. Do not begin installation until substrates have been properly prepared.
- B. If substrate preparation is the responsibility of another installer, notify Architect of unsatisfactory preparation before proceeding.
- C. Verify that wall surfaces have been finished and mechanical and electrical services and outlets are installed in proper locations.

3.02 PREPARATION

- A. Clean surfaces thoroughly prior to installation.
- B. Prepare surfaces using the methods recommended by the manufacturer for achieving the best result for the substrate under the project conditions.

3.03 INSTALLATION

- A. Attach stainless steel countertops using stainless steel fasteners and clips.
- B. Seal joint between back/end splashes and vertical surfaces.

END OF SECTION

SECTION 31 13 00

TREE PROTECTION

PART 1 GENERAL

1.01 SUMMARY

- A. Scope of work:
 - 1. Protect, prune, irrigate and maintain all existing trees and other vegetation not designated for removal.
- B. Related sections can include, but may not be limited to:
 - 1. Section 02 41 00 - Site Clearing and Demolition
 - 2. Section 31 01 90 - Landscape Maintenance
 - 3. Section 31 20 00 - Earthwork
 - 4. Section 31 23 00 - Excavation, Backfill and Compaction
 - 5. Section 32 90 00 - Landscaping
 - 6. Section 33 40 00 - Storm Drainage

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. American Joint Committee on Horticultural Nomenclature (AJCHN), Standardized Plant Names
- B. American Association of Nurserymen, Inc. (AAN), American Standard for Nursery Stock.
- C. Sunset Western Garden Book, Lane Publishing CO.
- D. Agricultural Code of California.

1.03 SUBMITTALS

- A. Conform to requirements of Section 01 33 00 and/or applicable Division One and Division Two specifications, General Conditions and Special Provisions.
- B. Submit four (4) copies of product data or "cut-sheets" for all products proposed for use.

PART 2 PRODUCTS

2.01 MATERIALS

- A. Protective Fencing:
 - 1. Protective fencing shall consist of four foot (4') to six foot (6') high "blaze orange" plastic fencing material installed with metal posts and wire ties. Fence fabric shall be accepted by Owner's representative.
 - 2. Metal posts shall be accepted by Owner's representative.

PART 3 EXECUTION

3.01 GENERAL

- A. Protect, prune, irrigate and maintain all existing trees and other vegetation not designated for removal.
- B. At a minimum, protect existing all existing trees and other vegetation not designated for removal from the following:
 - 1. Breaking, cutting and/or skinning of branches, bark and/or roots

2. Stockpiling of building materials, soil or trash within dripline
 3. Vehicular traffic and parking
- C. Trees (and other vegetation not designated for removal) that become damaged during the life of the project shall be repaired or replaced by the contractor at no cost to the Owner subject to the discretion of the Owner's representative.

3.02 PROTECTIVE FENCING

- A. Prior to site clearing, demolition or grading, install acceptable protective fencing around all existing trees and other vegetation not designated for removal one (1) foot beyond dripline or as directed by Owner's representative.
- B. Locate structural roots by hand probing and set posts with care to preclude root damage.
- C. Space protective fencing posts at 6'-0" centers maximum and securely attach fabric.
- D. Maintain protection until Final Acceptance of project.
- E. Install signage indicating that the protective fencing and area within shall not be disturbed.
- F. When work is required within the fenced protection area, submit a written request to the Owner's representative stating work to be performed and approximate time of completion. No work shall be allowed within the protected fenced area without the prior acceptance by the Owner's representative. Fencing shall be replaced promptly following completion of said work.

3.03 GRADING AND TRENCHING

- A. The earth surface within protective fencing shall not be altered except as acceptable to the Owner's representative. Any grading or trenching necessary within the dripline shall be done by hand per the discretion of the Owner's representative.

3.04 IRRIGATION

- A. Provide and/or maintain irrigation for all existing trees and other vegetation not designated for removal as necessary to promote healthy, vigorous growth. Weekly watering shall occur with a 20 minute soak equivalent to 100 gallons per tree.

3.05 ROOT PRUNING

- A. Root pruning shall consist of a smooth, final cut and shall be performed wherever a root 2" or more in diameter has been broken or severed.

3.06 PRUNING REPAIRS

- A. Prune and treat any damaged area as directed by the Owner's representative.

3.07 CLEAN-UP

- A. Branches, trimmings and debris remaining upon completion of each operation shall become property of the Contractor and shall be promptly removed from the site.

END OF SECTION

SECTION 31 20 00

EARTHWORK

PART 1 GENERAL

1.01 SUMMARY

- A. Furnish all labor, materials, equipment, facilities, transportation and services to complete all earthwork and related work shown on the Drawings and/or specified herein.
- B. Scope of work:
The general extent of the earthwork is shown on the Drawings and can include, but is not necessarily limited to the following:
 - 1. Rough grading
 - 2. Filling and backfilling to attain required grades
 - 3. Excavating for paving, footings and foundations
 - 4. Adherence to requirements, recommendations and/or Best Management Practices (BMPs) for storm water management or as required by governing agencies
- C. Related sections can include, but may not be limited to:
 - 1. Section 01 33 00 - Submittals
 - 2. Section 01 78 39 - Project Record Drawings
 - 3. Section 02 41 00 - Site Clearing and Demolition
 - 4. Section 31 13 00 - Tree Protection
 - 5. Section 32 11 00 - Base Courses
 - 6. Section 32 90 00 - Landscaping

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. 2010 California Building Code (CBC)
- B. American Society for Testing and Materials (ASTM):
 - 1. D 1557-07 - Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Modified Effort
- C. California Occupational Safety and Health Standards (OSHA):
 - 1. Article 6 - Excavations and Shoring.
- D. State of California Department of Transportation Standard Specifications, current edition

1.03 SUBMITTALS

- A. Conform to requirements of Section 01 33 00 Submittals and/or applicable Division One and Division Two specifications, General Conditions and Special Provisions.
- B. Project Record Drawings:
 - 1. Conform to Section 01 78 39 and/or applicable Division One and Division Two specifications, General Conditions and Special Provisions.
 - 2. Accurately record locations of utilities remaining, re-routed utilities, new utilities, and newly discovered utilities by horizontal dimensions, elevations, inverts, and slope gradients.

1.04 QUALITY ASSURANCE

- A. Geotechnical Investigation:
 - 1. A geotechnical investigation report has been prepared for use on this project. The

recommendations contained therein shall be followed and considered a part of the Contract Documents.

2. The Owner may designate and pay for the services of a Geotechnical Engineer to make recommendations based on the soil conditions encountered the results of field and laboratory tests, and observations of the activities performed under this Section.
3. Compaction densities specified for structural fills under footings, slabs, or pavements shall be determined in accordance the geotechnical engineer's written recommendations.

B. Certification:

1. The contractor shall certify source and type of backfill and topsoil proposed to be incorporated into the work, at the request of the Owner's Representative.
2. The contractor shall certify elevations of excavations, footings, subgrades and finish grades with the use of a Licensed Surveyor, at contractor's expense, at the request of the Owner's Representative.

C. Control of Work: Conform to Section 5 of the Standard Specifications.

D. Control of Materials: Conform to Section 6 of the Standard Specifications.

1.05 PROTECTION

- A. Protect all existing structures, fences, roads, sidewalks, paving, curbs, and other items as necessary from earthwork activity.
- B. Protect above or below grade utilities which are to remain.
- C. Protect trees to remain in accordance with Section 31 13 00 - Tree Protection (as applicable).
- D. Repair damage to any existing site features which are to remain. Repair and restoration shall be equal to quality and appearance of prior condition and to the satisfaction of the Owner's representative.

1.06 PROJECT / SITE CONDITIONS

- A. Underground Utilities: Unknown buried utility lines may exist. If encountered, notify Owner's representative immediately for direction and re-direct work to avoid delay.
 1. Cooperate and coordinate with Owner's representative and utility companies in keeping respective services and facilities in operation. Repair damaged utilities to satisfaction of utility owner.
 2. Do not interrupt existing utilities serving occupied facilities without proper notification to, and written direction from, Owner's representative.
- B. Wet Conditions: No grading operations shall be conducted when excessively wet conditions exist as determined by the Owner's representative.
- C. Contractor shall provide de-watering equipment as required to continue scheduled operations and provide optimum working conditions at no additional cost to Owner.
- D. Dry Conditions: Contractor shall apply sufficient water to materials during construction to properly compact materials and control dust. Contractor shall provide dust control in conformance with Section 10 of Standard Specifications and shall provide water to subgrades as necessary to achieve compaction goals.

1.07 GRADE STAKES AND LINES

- A. All grading and subgrading shall be controlled by contractor-installed intermediate grade stakes and lines necessary to obtain the finished grade elevations shown or implied in the Drawings.

Subgrade and finish grade surfaces shall conform to the control planes established by these grade stakes and lines.

- B. Protect and maintain all existing bench marks, monuments and other reference points. If disturbed or destroyed, they shall be replaced at the Contractor's expense.
- C. Contractor shall set temporary bench marks as necessary to properly complete construction operations.

1.08 SURVEYING

- A. Contractor shall be responsible for hiring a licensed professional surveyor to perform all surveying, layout and staking. Contractor shall be responsible for informing Owner's representative (minimum two (2) working days notice) when staking and layout is scheduled so that a review of completed chalk lines and staking can take place.

1.09 TOLERANCES

- A. Refer to related specification sections for grading tolerances of specified improvements.

PART 2 PRODUCTS

2.01 MATERIALS

- A. Select material for structural backfill shall be in accordance with applicable portions of Section 19 - Earthwork, of the Standard Specifications, unless modified by this section or by recommendations and requirements of the Project Geotechnical Report.
- B. Topsoil: Excavated material from top 6 inches (maximum) of existing grade (unpaved areas) and/or acceptable import material graded free of roots and rocks larger than two inches, subsoil, debris, weeds, large mats of grass, and other deleterious material.
- C. Subsoil: Excavated material below top 6 inches of existing grade, graded free of clay clods larger than 2 inches, rocks larger than 2 inches, and debris.

PART 3 EXECUTION

3.01 PREPARATION

- A. Identify all required lines, levels, contours, datum, control points and property lines required to properly establish limits of work.
- B. Verify elevations of critical existing grades as noted on Drawings and as directed by Owner's representative. Notify Owner's representative of discrepancies prior to start of work and re-direct work to avoid delay.
- C. Identify all known below grade utilities. Stake and flag locations.
- D. Identify and flag surface grades and utilities.
- E. Contact Underground Service Alert (USA) (800-642-2444) and local utility companies to verify locations of existing utilities a minimum of two (2) working days prior to excavation.

3.02 PROTECTION

- A. Maintain and protect existing utilities remaining which pass through work area.

- B. Perform excavation work near utilities by hand. Provide necessary protection as the work progresses.
- C. Provide and maintain protection for walks, curbs, drains, trees, corners of structures, etc., as necessary to prevent damage.
- D. Barricade and/or cover open excavations occurring as part of this work and post with warning lights to the satisfaction of the Owner's representative. Operate warning lights during hours from dusk to dawn each day and as otherwise required.
- E. Keep adjacent properties, streets and drives clean of any dirt, dust, or stains caused by earthwork operations.
- F. Upon discovery of unknown utility or concealed conditions, notify the Owner's representative immediately and re-direct work to avoid delay.
- G. Control dust on and near the work, and on and near off-site borrow areas.
 - 1. Thoroughly moisten surfaces as required to prevent dust from being a nuisance to the public, neighbors, and concurrent performance of any other activities that may occur on the site.
 - 2. Non-compliance with proper dust control measures shall be grounds for issuance of "stop work" orders by the Owner's representative until such time as satisfactory measures can be implemented.

3.03 TOPSOIL EXCAVATION

- A. Excavate topsoil from all areas scheduled for paving or rough grading and stockpile material in neat wind-row(s) in location(s) that have been previously established which will cause least interference to construction operations, and which is/are acceptable to the Owner's representative.
- B. Do not excavate topsoil that has become wetted to, or beyond, the saturation point that would be required for optimum compaction.
- C. Stockpile topsoil in wind-row(s) of a height not to exceed 8 feet, protect from erosion, and cover as necessary to prevent formation of dust.
- D. Topsoil staging areas shall be clearly defined and protected from other grading and utility operations.

3.04 ROUGH GRADING

- A. Grade site subsoil to establish proper subgrade elevations and site contouring as described or implied in the Drawings:
- B. Contouring:
 - 1. Construct landforms depicted in the Drawings to the satisfaction of the Owner's representative.
 - 2. "Round-off" all tops of slopes.
 - 3. "Feather" all toes of slopes.
- C. Compaction: Compact subgrade for the specific areas as follows unless otherwise noted:
 - 1. **Areas to be planted:** Maximum eight inch (8") loose lifts to be between 85% and 90% relative compaction.
 - 2. **Areas to be paved:** Shall be as follows:
 - a. Maximum eight inch (8") loose lifts to at least 90% relative density.
 - b. Additional lifts should not be placed if the previous lift did not meet the required density, relative compaction, moisture content or if the soil conditions are not stable.

- c. All fill soils shall be compacted to no less than 90% relative compaction at moisture content of 2 to 4 percent for pavement area.
 - d. Compacted subgrade should be non-yielding under construction traffic, including a loaded ten-wheel truck such as a water or dump truck, in all pavement areas. Removal and subsequent replacement of some material (i.e. areas of excessively wet materials, unstable subgrade, or pumping soils) may be required to obtain the minimum 95 percent compaction to the recommended depth of 12 inches.
 - e. Subgrade preparation for pavement areas shall extend laterally for at least two feet beyond the edge of pavement.
- D. Remove all excess subsoil material from site and dispose of in a legal manner. Refer to "Material Storage" below.
- E. Entire project shall be rough graded at one time. No earthwork operation shall occur for partial areas without receiving direction from the Owner or prior written approval from the Owner.

3.05 EXCAVATION

- A. Remove and dispose of all miscellaneous materials encountered when establishing required grade elevations:
 - 1. Miscellaneous materials can include but are not limited to: pavements and other obstructions, underground structures, utilities, abandoned irrigation materials, and other materials encountered per the discretion of the Owner's representative.
 - B. Stability of Excavations:
 - 1. Comply with any applicable recommendations contained within the Project Geotechnical Report and requirements of agencies having jurisdiction.
 - 2. Maintain sides and slopes of excavations in a safe condition until completion of backfilling.
 - C. De-watering: Provide and maintain, at all times during construction, ample means and devices with which to promptly remove and properly dispose of water from any source entering structural excavation, pipe trenches, or other excavations. All costs incurred from de-watering activities shall be paid for by the contractor.
 - D. Excavation for Structures:
 - 1. Conform to elevations and dimensions shown in the drawings within a tolerance of plus-or-minus one tenth (0.10') of a foot, and extending a sufficient distance from footings and foundations to permit placing and removal of concrete form-work, installation of services, and quality review.
 - E. Excavation for Pavements:
 - 1. Cut surface under pavements to comply with cross-sections, elevations, and grades as shown in the Drawings.
 - F. Material Storage: Stockpile satisfactory excavated materials where appropriate, until required for use.
- Stockpile topsoil and subgrade soil in separate piles.
- Place, grade and shape stockpiles for proper drainage.
- 1. Locate and retain stockpiles away from edge of excavations.
 - 2. Dispose of excess soil material in a legal fashion after it has become evident that the material is no longer needed on the project and is of no value to the Owner.

3.06 TOPSOIL PLACEMENT

- A. Topsoil placement requirements for planting areas shall be as follows:
 - 1. Topsoil shall not be placed until all earthwork and utility operations are complete.
 - 2. Topsoil shall be installed at one time for entire project. No partial placements shall occur.
- B. Compact topsoil to 84% to 89% relative density.
- C. Maintain all slopes and gradients established during subgrade operations and shape landforms to satisfaction of the Owner's representative.
- D. Refer to Section 32 90 00 - Landscaping for finish grading information and finish grades at edge of planting areas and hardscape.

3.07 TOLERANCES

- A. Shall conform to Conform to Section 26 of the Standard Specifications, unless more stringent requirements in these Contract Documents are provided, in which place the more stringent tolerances shall govern. Refer to specification section 01 71 23 for additional project requirements.

3.08 FIELD QUALITY CONTROL

- A. The Owner Representative shall review and accept work at the following stages:
 - 1. Topsoil removal and stockpile.
 - 2. Grading plan for project. Plan shall provide strategy for grading sequence for entire site at one time. Limits and sequence shall be reviewed and coordinated.

END OF SECTION

SECTION 31 23 00

EXCAVATION, BACKFILLING, AND COMPACTING

PART 1 GENERAL

1.01 SUMMARY

- A. Furnish all labor, materials, equipment, facilities, transportation, and services to complete all excavation, trenching, backfilling, compaction, and related work as shown on the Drawings and/or specified herein.
- B. Scope of work:
The general extent of all trenching, backfilling, and compaction is shown on the Drawings and may include, but is not necessarily limited to, the following:
 - 1. Storm Drainage System Installation
 - 2. Irrigation System Installation
 - 3. Electrical Conduit Installation
 - 4. Paving Installation
- C. Related sections can include, but may not be limited to:
 - 1. Section 01 78 39 - Project Record Drawings
 - 2. Section 31 13 00 - Tree Protection
 - 3. Section 31 20 00 - Earthwork
 - 4. Section 32 13 13 - Portland Cement Concrete
 - 5. Section 32 90 00 - Landscaping
 - 6. Section 33 40 00 - Storm Drainage

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. State of California Department of Transportation Standard Specifications, current edition.

1.03 SUBMITTALS

- A. Project Record Drawings:
 - 1. Conform to requirements of Section 01 78 39 and/or applicable Division One and Division Two specifications, General Conditions and Special Provisions.
 - 2. Accurately record locations of utilities remaining, re-routed utilities, new utilities, and newly discovered utilities by horizontal dimensions, elevations, inverts and slope gradients as practical.

1.04 QUALITY ASSURANCE

- A. Control of Work: Comply with Section 5 of the Standard Specifications.
- B. Control of Materials: Comply with Section 6 of the Standard Specifications.
- C. Trench Safety: Comply with applicable portions of Sections 5 and 7 of the Standard Specifications and requirements of other agencies having jurisdiction (OSHA etc.).

1.05 PROJECT/SITE CONDITIONS

- A. Wet Conditions: No trenching shall occur when excessively wet conditions exist in the opinion of the Owner's Representative.
- B. Dry Conditions: Contractor shall provide dust control in conformance with Section 10 of Standard Specifications and shall provide water to work as necessary to achieve compaction goals.

1.06 SEQUENCING AND SCHEDULING

- A. Refer to all other Contract Documents, determine the extent and character of related work, and properly coordinate work specified herein with that described elsewhere to produce a complete, operational installation.

PART 2 PRODUCTS

2.01 MATERIALS

- A. Provide materials as described below free of debris, roots, wood, scrap material, vegetative matter, refuse, soft unsound particles, or other deleterious and objectionable materials.
- B. Native Backfill: Native backfill shall be acceptable soil material excavated from the project site. This material will be considered unclassified and no testing other than for compaction will be required. Additional material required for backfill shall be acceptable to the Owner's Representative.
- C. Aggregate Base: Refer to Section 32 11 00 – Base Courses.

PART 3 EXECUTION

3.01 PREPARATION

- A. General:
 - 1. Prior to trenching, the contractor shall pothole existing utilities at locations indicated or implied on the plans, where new piping or utilities will cross existing utilities of uncertain depth to determine the elevation of the utility in question and ensure that the new line will clear the potential obstruction.
 - 2. The Contractor shall mark out all construction areas in white, non-permanent paint and contact Underground Service Alert (U.S.A.) (800-642-2444) to locate all known utilities a minimum 48 working hours prior to any excavation.
 - 3. Should an existing crossing utility present an obstruction, the proposed line shall be adjusted as acceptable to the Owner's Representative to clear the existing utility.

3.02 TRENCH EXCAVATION

- A. General:
 - 1. Excavation shall include removal of all water and materials that interfere with construction. Remove any water which may be encountered in the trench by pumping or other methods prior to pipe laying, bedding and backfill operations. Trenches shall be sufficiently dry to permit proper jointing and compaction.
 - 2. It shall be the contractor's responsibility to direct vehicular and pedestrian traffic safely through or around the work area at all times.
 - 3. The contractor shall relocate, replace, reconstruct or repair, to an "as-was" or better condition, all surface or subsurface improvements which are in the line of construction or which may be damaged, removed, disrupted or otherwise disturbed by the construction activities. Except as specified in other Sections or shown in the Drawings, this provision applies to all surface improvements of whatever nature such as walls, fences, above-grade utilities, landscaping, paving, structures, or other physical features whether shown in the Drawings or not and to all subsurface improvements such as utilities which may be indicated in the Drawings or marked in the field. The contractor shall connect such utilities to existing systems and leave all in a workable and operating condition. The cost of this work shall be considered as included in other items of work and no additional compensation will be allowed.
 - 4. The maximum allowable trench width at the top of pipe shall be 18 inches greater than the pipe diameter.
 - 5. New utility trenches extending deeper than 2 feet below finish grade should be located a minimum of five feet away from foundations.

- B. Existing Paving Areas:
1. Existing asphalt concrete paving over new trenches shall be sawcut, removed, and legally disposed. Existing asphalt concrete paving shall be neatly sawcut one foot (1') greater on each side than the trench width. If a longitudinal pavement joint or edge of pavement is located within three feet of the limit of excavation, all intervening pavement shall be removed and replaced after completion of backfilling. If concrete curb and/or gutter are to be replaced, the adjacent existing asphalt concrete paving shall be sawcut two feet (2') from the edge of concrete curb and/or gutter.
 2. Existing Portland cement concrete paving over new trenches shall be sawcut to a minimum depth of 1-1/2 inches in straight lines either parallel to the curb or at 90 degree angles to the alignment of the sidewalk prior to being broken out. No section to be replaced shall be smaller than 30 inches in either length or width. If the sawcut would fall within 30 inches of a construction joint, expansion joint, or edge, or within 12 inches of a score mark, the concrete shall be removed to the joint, edge, or mark.
- C. Walkway Areas:
Backfill for trenches or other excavations within walkway areas should be compacted in six inch (6") maximum layers, unless otherwise noted, with hand-held tampers to assure adequate subgrade support.
- D. Compacted Fill Areas:
Where trenches must be excavated in compacted fill, these trenches shall be backfilled with the fill materials excavated and re-compacted in the layers and to the density specified for the particular area.
- E. Open Trench:
1. No trench shall be left in an open un-protected condition at the end of the day. At the end of the day any open trench shall be protected in a manner acceptable to the Owner's Representative.
 2. Provisions for trench crossings and access shall be made at all street crossings, driveways, water gate valves, and fire hydrants unless otherwise acceptable to the Owner's Representative.
- F. Excavated Material:
1. All excavated material not required for backfill or of value to the Owner shall be removed and legally disposed of by the contractor at no additional cost.
 2. Material excavated in streets and roadways shall be laid alongside the trench no closer than two feet from the trench edge and kept trimmed to minimize inconvenience to public traffic.
 3. Provisions shall be made whereby all storm and waste water can flow uninterrupted in gutters or drainage channels to drainage structures.
 4. Excavated material shall not be stored on existing landscaping or paving without provisions being made to protect the surface below from being stained or otherwise adversely affected.
- G. Shoring
1. Should excavations extend more than 4 feet below existing ground surface, shoring will be required.
 2. Excavations can be sloped back to an inclination of 1.5 horizontal to 1 vertical as an option for shoring in these conditions.
 3. Utility trenches shall be excavated according to accepted engineering practices following OSHA.

3.03 PIPE BEDDING

- A. Stabilization of Trench Bottom:
When the trench bottom is unstable due to wet or spongy foundation, trench bottom shall be de-watered as necessary. The Owner's Representative shall determine the suitability of the trench bottom and the amount of sand, gravel, or crushed rock needed to stabilize the soft foundation.

3.04 TRENCH BACKFILL AND COMPACTION

- A. General:
 - 1. Construct backfill in two operations (initial and final).
 - 2. Do not backfill where the foundation material in trench is already saturated, except as acceptable to the Owner's Representative. Provide a minimum cover as may be specified.
 - 3. Where settling greater than the tolerance allowed for grading occurs in trenches and pits due to un-stable subgrade material, excavate to the depth necessary to rectify the problem, then backfill and compact the excavation as specified herein and restore the surface to the required elevation.
 - 4. For utilities under roads, streets, concrete slabs or other areas to be paved, place final backfill in 6-inch maximum loose lifts. Compact all backfill surrounding ducts, conduits, pipes and other structures, including the top 12-inches of subgrade to 95 percent of ASTM D1557 maximum density. Backfill to permit the rolling and compacting of the completed excavation with the adjoining material providing the specified density necessary to enable rock placement of paving of the area immediately after backfilling has been completed.
- B. Initial Backfill:
 - 1. Prior to trench backfill, the condition of the trench and laying of pipe shall be acceptable to the Owner's Representative.
 - 2. Select backfill material shall be used as initial backfill for all utilities except irrigation piping, unless otherwise noted. After the pipe has been properly laid and accepted by the Owner's Representative, select backfill material shall be placed on both sides of the pipe and compacted to the depth shown in the Drawings.
 - 3. Compaction: The initial backfill material shall be hand tamped in layers not exceeding four inches (4") in uncompacted depth and shall be brought up uniformly on both sides of the pipe to avoid bending or distortional stress. After hand tamping, the relative compaction of the initial backfill material shall be at least 95% relative compaction.
- C. Final Backfill:
 - 1. Native backfill material shall be used for final backfill, unless otherwise noted.
 - 2. Compaction: Final backfill compaction shall be by mechanical means with backfill material placed in layers not exceeding six inches (6") in loose depth. Each layer shall be thoroughly compacted before succeeding layers are placed. The use of machine tampers, except manually held types, shall not be permitted. Final backfill shall be compacted to a relative compaction of 95% for paving area. In planting areas, provide acceptable topsoil to required depth compacted to 85% to 89% maximum relative compaction.
- D. Jetting: No jetting shall be allowed.

3.05 TRENCH SURFACING

- A. General:
 - 1. In unimproved areas, the trench surface shall be restored to its original condition. No mounds of earth shall be left along the trench.
 - 2. All backfill shall be flush with adjoining grade in a firm, unyielding position with no visible settling for a period of one year after Final Acceptance.
- B. Paved Areas:
 - 1. Temporary surfacing acceptable to the Owner's Representative shall be laid within one day after backfilling (except where the contractor elects to place permanent surfacing within this time period) until permanent paving is installed.

END OF SECTION

SECTION 32 11 00

BASE COURSES

PART 1 GENERAL

1.01 SUMMARY

- A. Furnish all labor, materials, equipment, facilities, transportation and services to complete all base course preparation, installation and related work as shown on the Drawings and/or specified herein.
- B. Scope of work:
The general extent of the base course work is shown on the Drawings and may include, but is not necessarily limited to, the following:
 - 1. Grading and compaction of subgrade soil for areas to receive pavement, structures, base material, etc.
 - 2. Furnishing and placing of aggregate base material.
- C. Related sections can include, but may not be limited to:
 - 1. Section 31 20 00 - Earthwork
 - 2. Section 32 13 13 - Portland Cement Concrete

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. State of California Department of Transportation Standard Specifications, current edition.

1.03 SUBMITTALS

- A. Conform to the requirements of Section 01 33 00 and/or applicable Division One and Division Two Specifications, General Conditions and Special Provisions.
- B. Submit material certificates of compliance and/or sieve analyses for all products and materials proposed to be used in work covered by this Section.

1.04 QUALITY ASSURANCE

- A. Control of Work: Conform to Section 5 of the Standard Specifications.
- B. Control of Materials: Conform to Section 6 of the Standard Specifications.

1.05 PROJECT/SITE CONDITIONS

- A. Wet Conditions: No subgrade preparation or base material placement shall occur when excessively wet conditions exist in the opinion of the Owner's Representative.
- B. Dry Conditions: Contractor shall provide dust control in conformance with Section 10 of Standard Specifications and shall provide water to subgrades and base courses as necessary to achieve compaction goals.

1.06 DELIVERY, STORAGE, AND HANDLING

- A. Materials shall be stockpiled on site in locations that, in the opinion of the contractor, cause least interference with construction operations and as acceptable to the Owner's Representative.
- B. Materials shall not be stockpiled in proposed planting areas.

- C. Protect materials from segregation, contamination and wind and water erosion.

1.07 SEQUENCING AND SCHEDULING

- A. Work of this section shall not proceed until all underground utilities and sleeving has been installed and accepted.
- B. Contractor shall schedule work so that installation of paving/surfacing occurs no later than five (5) working days after placement and proper compaction of base materials. Base materials left un-paved longer than this time period shall be subject to testing and re-compaction at the contractor's expense.

PART 2 PRODUCTS

2.01 MATERIALS

- A. Aggregate Base: Aggregate base shall be Class 2, 3/4" maximum material conforming to Section 26-1.02A of the Standard Specifications. No recycled materials will be accepted for synthetic turf, all-weather track surfacing, or building pad areas. All other paving and surfacing using aggregate base can use recycled materials.

PART 3 EXECUTION

3.01 SUBGRADE PREPARATION

- A. Preparation of subgrade shall conform to Section 6 of the Standard Specifications and as described in section 31 20 00.
- B. Remove unsuitable subgrade material as necessary and replace with suitable material or aggregate base per the discretion of the Owner's Representative.

3.02 BASE MATERIAL PLACEMENT

- A. Conform to Section 26 of the Standard Specifications.
- B. Obtain acceptance of subgrade preparation work prior to placing base material thereon.
- C. Place and compact base material in six inch (6") maximum lifts unless otherwise noted. Compaction shall be at least 95 percent relative compaction.
- D. Base material shall be moisture conditioned to between optimum and 3 percent above optimum prior to placement and compaction.

3.03 TOLERANCES

- A. Conform to Section 26 of the Standard Specifications, unless more stringent requirements in these Contract Documents are provided, in which place the more stringent tolerances shall govern.

3.04 CLEAN-UP OF WORK AREA

- A. The contractor shall remove and legally dispose of excess materials/spoils and debris from the job site on a daily basis.

3.05 PROTECTION OF FINISHED PRODUCT

- A. The contractor shall provide lighted barricades, signs and other devices as necessary to prevent damage to finished base courses.

END OF SECTION

SECTION 32 13 13

PORTLAND CEMENT CONCRETE

PART 1 GENERAL

1.01 SUMMARY

- A. Furnish all labor, materials, equipment, facilities, transportation, and services to complete all concrete and related work as shown on the Drawings and/or specified herein.
- B. Scope of work:
The general extent of the concrete work is shown on the Drawings and may include, but is not necessarily limited to the following:
 - 1. Vertical Curbs
 - 2. Flatwork, Slabs and Walkways
 - 3. Expansion, Deep Score and Score Joints
 - 4. Misc. Footings
 - 5. Reinforcement and/or Doweling
- C. Related sections can include, but may not be limited to:
 - 1. Section 01 33 00 - Submittals
 - 2. Section 12 93 00 - Site Furnishings
 - 3. Section 31 20 00 - Earthwork
 - 4. Section 32 11 00 - Base Courses
 - 5. Section 32 90 00 - Landscaping
 - 6. Section 33 40 00 - Storm Drainage

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. State of California Department of Transportation Standard Specifications, current edition
- B. California Building Code 2017

1.03 SUBMITTALS

- A. Conform to Section 01 33 00 and applicable Division One and/or Division Two specifications, General Conditions and Special Provisions.
- B. Submit cut-sheets, mill certificates, certificates of compliance etc. for all products proposed for use on the project.

1.04 QUALITY ASSURANCE

- A. Concrete
 - 1. Conform to Section 01 45 00 Quality Control (as applicable).
 - 2. All formwork, joint patterns, base material, reinforcement and other miscellaneous items such as "dobies" and ties shall be reviewed and accepted by the Owner's Representative prior to pouring concrete. Contractor shall have any and all such items in place and shall give a minimum of two (2) working day lead-time notice to Owner's Representative when scheduling the review request. Contractor shall also schedule and allow a minimum of two (2) working days after review for possible modifications to concrete preparation work, at no cost or delay to the project.

3. The Owner's Representative shall at all times have access to any off-site batch plant or quarry supplying materials for subject project and trucks en route to the project site. The Owner's Representative may at any time request slump tests and secure samples of concrete, cement, aggregates or other materials. All applicable materials shall be provided by the contractor at no additional cost to the Owner.
4. Any specified review or observation by the Owner's Representative of the concrete work shall be requested by the contractor at least two (2) working days prior to the need for the review or observation.
5. Finishes and colorants other than the concrete darkening agent (see Part 2 Products) are called out in the Drawings. A four foot by four foot (4' x 4') sample of all concrete colorants (including concrete darkening agent) and finishes shall be poured by the contractor in the field for review and acceptance by the Owner's Representative. Sample shall include all joints, finishes and tooled conditions for approval. Contractor shall schedule review well in advance of concrete operations to allow for color and/or finish modifications if necessary.
6. Codes and Standards: Comply with the provisions of the following codes, specifications and standards, except where more stringent requirements are shown or specified:
 - a. California Building Code 2010, Title 24, Part 2, Chapter 19A - Concrete
 - b. ACI 301 Specifications for Structural Concrete for Buildings
 - c. ACI 318 Building Code Requirements for Reinforced Concrete
 - d. ACI 614 Recommended Practice for Measuring, Mixing, and Placing Concrete
 - e. Concrete Reinforcing Steel Institute, Manual of Standard Practice
7. Concrete Testing Service: The Owner may retain and engage a testing laboratory to perform material evaluation tests.

1.05 DELIVERY AND STORAGE

- A. Deliver concrete reinforcement to job site properly tagged and ready to set. Store above ground surface on platforms, skids, or other supports. Coordinate delivery and storage of all other materials as appropriate.

PART 2 PRODUCTS

2.01 CONCRETE MATERIALS

- A. Concrete shall be Portland Cement Concrete conforming to Section 90 of the Standard Specifications. Unless otherwise specified, all concrete shall be Class B at a minimum.
- B. Cement shall be Type II cement conforming to ASTM Designation C150 as modified by Section 90 of the Standard Specifications.
- C. Mortar shall conform to Section 51 of the Standard Specifications. Mortar, when used for patching, shall match the color of the work to be patched.
- D. Water used for mixing shall be potable.
- E. Minimum mix requirements: It shall be the contractor's responsibility to design the concrete mixes to provide the minimum requirements listed below. Increase cements content over that listed if necessary to obtain the specified compressive strength. Minimum ultimate compression strength of concrete at 28 days is as follows:

Item	Strength	Max. slump	Size of aggregate	Cement (# of 94 lb. sacks per yard)	W/C Ratio
Slab-On-Grade	3,000	4"	3/4"-1"	5	.60
Walls/Footings	3,000	4"	3/4"-1"	5	.60
Thrust Blocks	2,500	4"	3/4"-1'	4.5	.45

2.02 OTHER MATERIALS

- A. Formwork materials shall be surfaced lumber, plywood, metal, metal-framed plywood faced or other acceptable panel-type materials, to provide continuous, straight, smooth, exposed surfaces. Furnish in largest practicable sizes to minimize number of joints and to conform to joint system shown on drawings. Provide form material with sufficient thickness to withstand pressure of newly-placed concrete without bow or deflection, and as follows:
1. All form panels shall be placed in a neat, symmetrical pattern, subject to the acceptance of the Owner's Representative.
 2. Form clamps or bolts shall be used to fasten forms. The use of ties is permitted. All tie caps must be removed and filled and finished to blend in with the wall.
 3. All exposed sharp edges shall be bullnosed to prevent mortar runs and to preserve smooth, straight lines, unless otherwise acceptable to the Owner's Representative or noted in the Drawings.
 4. Before concrete is placed in forms, all inside surfaces of forms which will later be removed shall be thoroughly coated with commercial quality form oil, which will permit the ready release of the forms and will not discolor the concrete.
 5. Where form panels are attached directly to the studding or joists, the panels shall be not less than five-eighths of an inch (5/8") thick, and the studding, or joists, shall be spaced not more than twelve inches (12") center to center.
 - a. Form panels less than five-eighths of an inch (5/8") thick, otherwise conforming to the requirements specified, may be used with a continuous backing of surfaced material three-fourths of an inch (3/4") thick.
 - b. Form panels more than five-eighths of an inch (5/8") thick attached to studding or joists spaced at more than twelve inches (12") center to center may be used, provided that the deflection of the panel between studding or joists does not exceed that of a five-eighths inch (5/8") thick panel attached to studding or joists spaced at eighteen inches (18") center to center.
 6. Curved surfaces shall be formed with timber, plywood, masonite, or sheet metal as appropriate. Sheet metal shall have masonite or plywood backing. Plywood for forming shall be ACX or better grade.
- B. Expansion Joints:
1. Joint primer: Sonneborn horizontal paving joint primer No. 733, or No. 766, one component solvent based primer or acceptable equal.
 2. Key Kold joint: not used
 3. Expansion joint: One-half inch (1/2") asphalt impregnated fiber strips in compliance with ASTM D1751 or acceptable equal. Expansion joint material shall be variety with "zip-strip" H-channel joint sealant receptacles. If proposed joint material is not installed with sealant receptacles then, the expansion joint material shall be completely covered with a Sonneborn "Sonofoam" closed cell backer rod or acceptable or equal prior to application of joint sealant. Provide three eighth inch (3/8") tooled edges each side of joint material. Refer to Drawings for additional information.
 4. Expansion joint sealant: Self leveling sonolastic elastomeric polyurethane joint sealant in accordance with Federal Specification TT-S-00227E, Type I, Class A-Sonneborn SL-2, (800) 433-9517, or acceptable equal. Color shall match concrete. Sonneborn products are available through the Cade Co. San Jose, CA (408) 292-3435.

- C. Score Joints:
 - 1. Score joints: Shall be three eighth inch (3/8") radius tooled joints to a one inch (1") depth.
- D. Reinforcing bars: Comply with Section 52-1.02B of Standard Specifications, Section 1907 of IBC, Title 24, C.C.R. and ASTM A-615A. Grade 60, deformed, except #3 and smaller may be Grade 40. Test in accordance with IBC Section 1704.4, Title 24, C.C.R. Bars shall be in a new, "first-class" condition.
- E. Smooth Dowel Steel Bars for Expansion Joints: ASTM A-29, #3 smooth Grade 40. Provide as indicated on drawings. Where shown, provide metal dowel sleeve at one end of dowel (or other approved break-bond method), to permit lateral movement at dowel within concrete section. Provide for movement with equals joint width plus one-half inch (1/2"). Bars shall be in a new, "first-class" condition.
- F. Tie Wires: Black annealed, ASTM A-82, minimum 16 gauge.
- G. Supports for Reinforcement: Provide supports for reinforcement including bolsters, chairs, spacers and other devices for spacing, support and fastening reinforcing bars and welded wire fabric in place. Use wire bar type supports complying owner CRSI specifications, unless otherwise acceptable.
- H. Welded wire mesh (WWM) shall conform to ASTM A-185 and shall be 6 x 6 #10 unless noted otherwise in the Drawings. Wire mesh shall be "chaired" up with 2" x 2" x 2" concrete blocks to insure uniform embedment into concrete section to dimension as shown in the Drawings.
- I. Concrete Darkening Agent: Add one quarter pound (1/4 lb.) of Davis Colors Inc. colorant #8084 Black (or acceptable equal) per 94 lb. sack of cement to all exterior concrete which will be exposed to view when cured (Drain rims and concrete receiving other colorants excluded). Contact Davis Colors Inc. for local distribution information Ph.: (800)-800-6856 Fx.: (213)-269-1053. Other colorants shall be as noted in the Drawings.
- J. No admixtures will be allowed without prior acceptance by the Owner's Representative.
- K. Fiberglass additive into the trench drain concrete bedding shall be done at the batch plant. Fibers (FM 300) shall be 1.5 lbs. per cubic yard of concrete.
- L. Sleeves: All sleeves shall be PVC class 200. Install sleeves in locations and at the depths shown on the drawings. Sleeves shall extend a minimum of 6" past the above hard surface for ease of location.

PART 3 EXECUTION

3.01 EXCAVATION

- A. In addition to the general grading excavation required, the contractor shall excavate to the required depths in the locations shown for flatwork, retaining walls, curbs, footings, etc. Excess excavation shall be replaced with concrete poured monolithically with the wall or pavement, at no additional cost to the Owner.

3.02 FORMING

- A. All forming shall conform to Section 51 of the Standard Specifications and as follows:
 - 1. The Contractor shall build forms with a high degree of care and shall select from materials of adequate strength and smoothness to produce smooth, even surfaces of uniform texture and appearance, free of bulges, depressions, or other imperfections per the discretion of the Owner's Representative. Remove any residue remaining on concrete after forms are removed.

2. Concrete walls are to be vibrated as necessary to provide uniform density. No concrete surfaces with "rock pockets" or "honeycombing" shall be accepted.
3. Transition of curves to straight lines and of curves to curves shall be formed as smooth, continuous, and uninterrupted with typical 90 degree radius alignment at the points of tangency.

3.03 CONCRETE CONSTRUCTION

- A. All concrete shall be mixed in accordance with Section 90 of the Standard Specifications.
- B. Construction of concrete substructures shall conform to applicable provisions of Section 51 of the Standard Specifications.
- C. Construction of concrete curbs, gutters, sidewalks, wheelchair ramps, and driveway aprons shall conform to Section 73 of the Standard Specifications.
- D. At the termination of all curbs, the final eighteen inch (18") length of curb shall be tapered from the full curb height to the gutter flow line or adjacent pavement elevation unless noted otherwise on the plans.

3.04 CONCRETE JOINTS

- A. Joints shall be constructed at locations indicated and as detailed in the Drawings.
- B. Construct concrete joints as follows:
 1. Expansion Joints:
 - a. General. Refer to drawings for location and type expansion joints.
 - b. Install to full depth of slab per drawings and manufacturer's instructions.
 - c. Key kold joints – not used
 - d. Fiber expansion joints - After allowing concrete to fully cure, remove zip strips and install expansion joint sealant. Expansion joint sealant. Install per drawings and manufacturer's instructions.
 2. Score Joints: Refer to drawings for locations.
- C. Curb and edge band joint locations – unless otherwise noted on plans
 1. Every five feet for score joints
 2. Install fiber expansion joints fifteen feet maximum.
 3. Align score and fiber expansion joints with proposed fence posts.
 4. Install fiber expansion joints at all corners, beginnings and endings of radii.
 5. Install expansion joints between face of building footing and all new concrete paving.

3.05 EDGING

- A. All edges of slabs, curbs, and other structures shall be tooled with a one-half inch (1/2") radius edging tool, unless otherwise specified in the Drawings.
- B. All trowel marks resulting from tooling of edges shall be carefully troweled out.

3.06 REINFORCEMENT

- A. Reinforcement installation shall conform to the provisions of the Standard Specifications as follows:
 1. Cleaning - Section 52-1.03B
 2. Bending - Section 52-1.03C
 3. Placing - Section 52-1.03D
 4. Splicing - Section 52-6
 5. Lapped Splices - Section 52-6.03B

3.07 CONCRETE PLACEMENT

- A. Concrete placement shall conform to Section 40-1.03, H of the Standard Specifications.
- B. Concrete shall not be dropped freely where reinforcing bars will cause segregation, nor shall it be dropped freely more than six feet. Spouts, elephant trunks, or other acceptable means shall be used to prevent segregation.

3.08 SURFACE DRAINAGE

- A. Finish surfaces shall drain properly with no areas of standing water. Tops of curbs, walls and foundations shall be level unless otherwise specified.

3.09 CURING

- A. All newly placed concrete shall be cured in accordance with the provisions in Section 90 of the Standard Specifications.

3.10 PROTECTION

- A. All newly placed concrete shall be protected in accordance with the provision in Section 40-1.03P of the Standard Specifications.
- B. Provide all necessary security to protect the concrete from vandalism. Any concrete which is defaced or damaged during the course of this contract shall be replaced by the Contractor at no additional cost to the Owner.

3.11 CONCRETE FINISHES

- A. Patching of concrete to repair or disguise flaws, imperfections or other damage, shall commence only with the acceptance of the Owner's Representative. Patching color and finish shall conform to the original adjacent concrete color and finish and the Owner's Representative shall be the sole judge in this respect. Any patching of concrete walls must occur prior to final wall finishing.
- B. Provide concrete finishes where shown in the Drawings and as follows:
 - 1. Trowel Finish: Trowel finish shall be smooth and clean with no obvious trowel marks.
 - 2. Broom Finish: Broom with medium bristled broom to a uniformly roughened surface. Finished surface shall be clean with uniform and straight lines.
 - 3. Provide samples, as previously specified, of all concrete finishes for review and acceptance prior to pouring concrete. All accepted samples shall be left on Job site as quality control examples until removal and disposal of samples is acceptable to the Owner's Representative.
 - 4. Paving with a slope greater than 6% shall be heavy broom finish and paving less than 6% shall be a medium broom finish.

3.12 BUILT-INS

- A. Refer to drawings for additional information relating to built-ins that shall be coordinated with concrete work (e.g., light fixtures, benches, handrails, guardrails, site furnishings, signs, etc).

3.13 CLEANING

- A. Remove excess base material, concrete spills, cement stains and all other excess materials from all project areas prior to Final Acceptance.

3.14 TOLERANCES

A. Concrete

1. Vertical deviation from specified grades shall not exceed 0.04 foot.
2. Surface smoothness deviations shall not exceed 1/8 inch in 8 feet, in any direction.
3. Thickness shall not be more than 0.01 foot less than planned thickness at any point.

END OF SECTION

SECTION 32 90 00

LANDSCAPING

PART 1 GENERAL

1.01 SUMMARY

- A. Furnish all labor, materials, facilities, transportation and services to complete all landscaping and related work as shown on the Drawings and specified herein.
- B. Scope of work:
The general extent of the landscaping is shown on the Drawings and can include, but may not be limited to the following:
 - 1. Fine grading
 - 2. Landscape Maintenance Period
- C. Related sections can include, but may not be limited to:
 - 1. Section 02 41 00 - Site Clearing and Demolition

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. State of California Department of Transportation Standard Specifications, current edition.

1.03 SUBMITTALS

- A. Conform to requirements of Section 01 33 00 and/or applicable Division One and Division Two specifications, General Conditions and Special Provisions.
- B. Samples: Submit four (4) samples of the following (1 quart size "zip-lock" plastic bag min. each):
 - 1. Mulch top dress

1.04 SOURCE/QUALITY ASSURANCE

- A. Control of work: Comply with Section 5 of the Standard Specifications.
- B. Control of materials: Comply with Section 6 of the Standard Specifications.
- C. Contractor shall employ on-site at all times during execution of this Section at least one person who is thoroughly familiar and experienced with the materials and products being installed and proper methods of their installation. Notify the Owner's Representative immediately of all changes in supervision.

1.05 DELIVERY, STORAGE, AND HANDLING

- A. General:
 - 1. Handle and store all products of this Section in such a manner as to protect them from damage at all times.
 - 2. Storage of products on-site shall be coordinated by the contractor in an orderly manner so as not to unnecessarily impede the work or reasonable use of project site.
- B. Bulk Material:
 - 1. Coordinate delivery and storage of bulk material with Owner's Representative.
 - 2. Confine materials to neat piles in areas acceptable to the Owner's Representative.

1.06 GUARANTEE

- A. All work executed and all materials provided or used under this Section shall be guaranteed to be free of defects and poor workmanship for a period of one year after Final Acceptance.

- B. Repair all defective materials and work as acceptable to the Owner's Representative during guaranty period.

1.07 MAINTENANCE PERIOD

- A. Refer to Section 31 01 90 - Landscape Maintenance for information.

PART 2 PRODUCTS

2.01 MULCH TOP DRESS

- A. Mulch top dress shall be a medium-sized (3/4"-1") decorative chipped wood product free of deleterious and inorganic materials. Material shall be homogenous in appearance, free from sticks or shredded/stringy/fibrous materials.

2.02 OTHER MATERIALS

- A. Provide all other materials necessary to complete landscaping work as shown on Drawings and specified herein.

PART 3 EXECUTION

3.01 MULCH TOP DRESS

- A. Apply three (3) inches of specified mulch top dress to all planting areas and other areas as may be specified in the Drawings. Mulch is to at a (1) inch depth adjacent to all paving and utility boxes, feathering to a (3) inch depth at (18) inches from paved or box edge. Trees in planting areas shall receive the tree well and mulch in the well.
- B. Rake mulch top dress evenly to create a uniform surface and pull bark mulch top dress away from trunks or stalks of plants 1"-2".
- C. Mulch does not dictate finish grade in planting areas. Mulch is to be added to finish grade. Refer to 3.02.

3.04 FIELD QUALITY CONTROL

- A. The Owner's Representative shall review and accept the following prior to the contractor proceeding with subsequent work:
 - 1. Preparation - At completion of finish grading and prior to mulching, grading tolerances and soil preparation shall be checked for conformance to Construction Documents.
 - 2. Pre-maintenance review - At completion of this Section, work shall be reviewed to check conformance with Construction Documents. Acceptance shall mark beginning of the specified maintenance period. If acceptance is not given, a punch-list of items requiring attention will be issued to the contractor. One more review will be allowed after contractor certifies in writing that the punch-list has been completed. Punch-list shall be completed to the satisfaction of the Owner's Representative prior to commencement of the Specified Maintenance Period.
- B. All costs incurred from repeat reviews required due to contractor not being prepared or non-conformance with Construction Documents shall be back charged to the contractor.

END OF SECTION

SECTION 33 40 00

STORM DRAINAGE

PART 1 GENERAL

1.01 SUMMARY

- A. Furnish all labor, materials, equipment, facilities, transportation and services to complete all storm drainage system improvements and related work as shown on the Drawings and/or specified herein.
- B. Scope of work: The general extent of the drainage work is shown on the Drawings and includes, but is not necessarily limited to, the following:
 - 1. Storm drainage system installation
- C. Related sections can include, but may not be limited to:
 - 1. Section 01 33 00 - Submittals
 - 2. Section 01 78 39 - Project Record Drawings
 - 3. Section 12 93 00 - Site Furnishings
 - 4. Section 31 20 00 - Earthwork
 - 5. Section 31 23 00 - Excavation, Backfilling and Compaction
 - 6. Section 32 11 00 - Base Courses
 - 7. Section 32 13 13 - Portland Cement Concrete

1.02 REGULATORY REQUIREMENTS AND REFERENCES

- A. State of California Department of Transportation Standard Specifications, current edition.
- B. California Building Code, current edition.

1.03 SUBMITTALS

- A. Submit cut-sheets or samples of all products to be used in conformance with Section 01 33 00 Submittals and/or applicable Division One and Division Two specifications, General Conditions and Special Provisions.
- B. Record Drawings:
 - 1. Conform to Section 01 78 39 - Project Record Drawings.
 - 2. Accurately record location of new piping, drain structures, and connections to existing systems using horizontal dimensions, elevations, inverts and slope gradients as applicable.

1.04 QUALITY ASSURANCE

- A. Control of Work: Conform to Section 5 of the Standard Specifications.
- B. Control of Materials: Conform to Section 6 of the Standard Specifications.

1.05 PROTECTION OF PROJECT SITE

- A. Make provisions for, and take the necessary precautions to protect existing and new work from damage during entire life of project.

1.06 DELIVERY, STORAGE, AND HANDLING

- A. Store pipe neatly and orderly, stacked and blocked to prevent damage. Cracked, checked, spalled or otherwise damaged pipe shall be removed from site.

- B. Use of chain slings shall not be permitted.
- C. All piping, fittings and related materials shall be carefully handled at all times.
- D. All pipelines, fittings and drainage structures shall be kept clean and closed during construction.

1.07 PROJECT/SITE CONDITIONS

- A. Work of this section shall not be executed when site conditions are detrimental to quality of work as determined by the Owner's Representative.

1.08 SEQUENCING AND SCHEDULING

- A. Coordinate work of this section with all other work contained in the Contract Documents.

PART 2 PRODUCTS

2.01 PIPE AND FITTINGS

- A. All pipe and fittings shall be clearly and permanently marked to identify manufacturer, type, class, or schedule and NSF approval as applicable.
- B. Corrugated High Density Polyethylene (CHDPE) Pipe (Perforated and Solid - Dual Wall)
 - 1. High-density polyethylene perforated corrugated pipe with an integrally formed smooth waterway. Nominal sizes shall have a full circular cross-section, with an outer corrugated pipe wall and an essentially smooth inner wall (waterway). Corrugations may be either annular or spiral. All sizes shall conform to the AASHTO classification "Type S". Pipe manufacturer for this specification shall comply with the requirements for test methods, dimensions, and markings found in AASHTO Designations M252 and M294. Pipe and fittings shall be made from virgin PE compounds which conform with the requirements of cell class 324420C as defined and described in ASTM D 3350.
 - a. The minimum parallel plate stiffness values when tested in accordance with ASTM D2412 shall be as follows:

Diameter	Pipe Stiffness
4 inch (100 mm)	50 psi (340 kPa)
6 inch (150 mm)	50 psi (340 kPa)
8 inch (200 mm)	50 psi (340 kPa)
10 inch (250 mm)	50 psi (340 kPa)
12 inch (300 mm)	50 psi (340 kPa)
15 inch (375 mm)	42 psi (290 kPa)
 - 2. The fittings shall not reduce or impair the overall integrity or function of the pipeline. Common corrugated fittings include in-line joint fittings, such as couplers and reducers, and branch or complimentary assembly fittings such as "tees", "wyes", and end caps. These fittings may be installed by various methods, such as snap-on, screw-on, bell and spigot, and wrap around. Couplings shall provide sufficient longitudinal strength to preserve pipe alignment and prevent separation at the joints. Only fittings supplied or recommended by the pipe manufacturer shall be used. Where designated on the plans and as required by the manufacturer, a neoprene or rubber gasket shall be supplied. Installation of the pipe specified above shall be in accordance with ASTM Recommended Practice D2321 as covered elsewhere in these specifications.
 - 3. Corrugated Polyethylene Pipe shall be N-12 drainage pipe as manufactured by Advanced Drainage Systems, Inc. or approved equal.
- C. Smooth Polyvinyl Chloride Pipe (P.V.C.) and fittings: Shall be polyvinyl chloride pipe, SDR 26 Spigot, Type I P.V.C. 1120, NSF approved. Comply with ASTM D3034.

- D. All perforated drain lines shall be CHDPE pipe.

2.02 DRAINAGE STRUCTURES (as applicable)

- A. Catch Basins:
 - 1. 18-inch basins shall be CB18 as supplied by Central Precast – US Concrete (with lockable round grate), or acceptable equivalent product. Ph: (925) 462-6804. Note that this grate is not ADA compliant and shall not be used in pedestrian hardscape areas.
 - 2. Grates in paved areas shall have grates that conform to ADA Regulations.
 - 3. All catch basins to have locking mechanism or screw down grate to frame.
 - 4. Provide two grade rings at each catch basin.
- A. Extensions: Provide box extensions, junction boxes and grade rings compatible with structures as necessary to finish at the proper elevation and to facilitate future elevation adjustments as noted below.
- B. Media Filter: Shall be as shown or noted in the Drawings.
- C. Trench Drains in paving: Shall be KS 100S pre-sloped slot channel drain as supplied by ACO Polymer Products, Inc (or acceptable equivalent product). Contact name is Tom Blyndo (209) 572-1511. Contractor to provide appropriate end connections and 600 series catch basin with in-line trash bucket and outlet connections. Use 494Q ADA grate with quick lock locking device. Traffic areas shall use the 411D (galvanized). All grates shall comply with ADA requirements.
- D. DRYWELL: Manufactured products as indicated on the drawings shall be provided by NDS (part number NDS FWAS24), ph: (800) 726-1998.

2.03 MISCELLANEOUS MATERIALS (as applicable)

- A. Drainage Rock: Shall be ¾" inch crushed drain rock or acceptable equal as shown in the drawings, materials available through Stevens Creek Quarry, Cupertino, or TMT Enterprises, San Jose, or equal.
- B. Filter Fabric for French Drain: Shall be Mirafi 140N or acceptable equal.
- C. Filter Fabric Fasteners: Metal clip type staple.
- D. Mortar: Shall conform to all applicable sections of the Standard Specifications. Mixture shall be a 1:2 Portland Cement to sand mixture with a minimum of water.
- E. Reinforcing bars: Refer to Section 32 13 13.
- F. Minor concrete: Refer to Section 32 13 13.
- G. Structural Adhesives for Catch Basins, and Junction Boxes: Shall be Ramnek or equivalent product. Available thru multiple suppliers.

PART 3 EXECUTION

3.01 PIPE LAYING

- A. General: Pipe shall be installed per manufacturers' instructions and in conformance with the Contracts Documents.
- B. CHDPE Pipe:
 - 1. Pipe shall be installed with a minimum cover under the H-20 live load = 12 inches to the top of subgrade elevation.

2. Minimum compaction for pipe subject to H-20 live load is 90% per Section 19, Standard Specifications.
 3. CHDPE pipe shall be laid and jointed in accordance with generally accepted practice and the following provisions to provide the required work.
- C. PVC (perforated and non-perforated) Pipe:
1. Pipe shall be laid in trench to specified lines and grades fully and evenly supported by bedding material. Excavate bedding as required so bell fittings are clear from soil 12" on each side of joint and to a depth sufficient to avoid contamination of joint.
 2. Pipe shall be laid beginning at the outlet and proceeding with each bell end facing upgrade.
 3. Cut pipe square and ream to remove burrs.
 4. Connections shall be solid, true to grade and watertight. Grease gaskets as necessary to facilitate joining pipe.

3.02 DRAINAGE STRUCTURES

- A. General: Set rim or cover elevations to specified grades utilizing a minimum of two grade rings (or extensions) at top of drainage structure to facilitate potential elevation adjustments in the future.
- B. Catch Basins: Install as shown in the Drawings and as follows:
1. Excavate as required.
 2. Set on firm, unyielding base. Set on compacted select backfill material if directed by Owner's Representative.
 3. Prefabricated units not having a bottom shall be set on a poured-in-place concrete slab with smooth trowel finish. Mortar and properly seal unit to slab, making a water tight connection.
 4. Install pipe inlets and outlets to specified elevations. Grout and/or seal all joints to a watertight condition with material per manufacturer's recommendation.
- C. Trench Drains: Install as shown in the Drawings and in accordance with the manufacturer's written recommendations.
- D. Drywells: Install as shown in the Drawings and in accordance with the manufacturer's written recommendations.

3.03 FIELD QUALITY CONTROL

- A. The Owner's Representative shall review and accept work at the following stages:
1. Excavated trench with bedding in place prior to any pipe being laid.
 2. Pipe laid prior to backfilling. Any pipe covered prior to review and acceptance shall be uncovered and re-backfilled at contractor's expense.
 3. Drainage device location and pipe connection.
 4. New drainage system shall be flood tested and clean of debris.

END OF SECTION

33 11 00

DOMESTIC WATER SYSTEMS

PART 1 GENERAL

1.01 SUMMARY

- A. Furnish all labor, materials, equipment, facilities, transportation and services to complete all domestic and fire water systems and related work shown on the Drawings and/or specified herein.
- B. Scope of work:
The general extent of the domestic water and fire system work is shown on the Drawings and can include, but is not necessarily limited to the following:
 - 1. Water supply and distribution system(s):
 - a. Domestic water system, including all pipes, fittings, valves, valve boxes, and connections.
 - b. Compliance with AWWA C-600-87
 - c. Intermediate staking and layout for domestic water system
- C. Related sections can include, but may not be limited to:
 - 1. Section 32 11 00 - Base Courses
 - 2. Section 32 13 13 - Portland Concrete Cement
 - 3. Section 32 90 00 - Landscaping

1.02 REFERENCES AND REGULATORY REQUIREMENTS

- A. AWWA - current edition
- B. California Plumbing Code - current edition
- C. State of California Department of Transportation Standard Specifications, current edition.

1.03 SUBMITTALS

- A. Submit copies of product data or "cut-sheets" for all products proposed for use.

1.04 RECORD DOCUMENTS

- A. Project Record Drawings:
 - 1. Contractor shall provide accurately record locations of utilities remaining, re-routed utilities, new utilities, and newly discovered utilities by horizontal dimensions, elevations, inverts, and slope gradients.

1.05 QUALITY ASSURANCE

- A. Unless otherwise specified, install all materials in accordance with manufacturer's recommendations. Contractor shall make all necessary repairs to the domestic water system as well as to other work affected by defects in the system through project Final Acceptance and specified warranty period. All repairs shall be made at the contractor's sole expense.

1.06 DELIVERY, STORAGE, AND HANDLING

- A. Store pipe in a neat and orderly manner fully supported and protected from sunlight.
- B. Do not dump pipe off truck. Pipes are to be delivered, unloaded and handled so as to prevent damaging the material.

1.07 PROJECT/SITE CONDITIONS

- A. PVC pipe shall not be cemented during wet conditions as determined by the Owner's Representative.
- B. Trench excavation and backfilling shall not be executed during excessively wet conditions as determined by the Owner's Representative.

1.08 SEQUENCE AND SCHEDULING

- A. Refer to all other Contract Documents, determine the extent and character of related work, and properly coordinate work specified herein with that described elsewhere to produce a complete, operational installation.
- B. Contractor shall be solely responsible for coordinating, sequencing, and scheduling all work with all applicable trades and/or sub-contractors so as to insure proper and timely performance.

1.09 GUARANTY

- A. Contractor shall provide a written guarantee covering entire system against defects in installation, workmanship, and equipment for a period of one year from date of final acceptance.
- B. Contractor shall make necessary repairs to the system as well as to other work affected by defects in the system during warranty period. Repairs shall be made at the Contractor's sole expense.

1.10 MAINTENANCE

- A. Service: Contractor shall service and maintain domestic water system as necessary until project Final Acceptance.

PART 2 PRODUCTS

2.01 PIPE AND FITTINGS

- A. General:
 - 1. Pipe materials for domestic and fire water lines shall be in conformance with the Uniform Plumbing Code and local agencies.
 - 2. Plans and details, if shown, are schematic in nature and do not necessarily identify all fittings and appurtenances required to provide a complete installation. The contractor is responsible for providing complete and functional systems.
 - 3. Materials and procedures not specifically addressed herein shall comply with the appropriate AWWA standard.
 - 4. All materials proposed for use shall be in a new, "first class" condition unless otherwise noted.
- B. Water Lines 3 Inches and Greater Diameter:
 - 1. Ductile Iron Pipe (DIP): Pipe shall conform to AWWA C151, minimum Class 52. All ductile iron pipe shall be cement mortar lined in conformance with AWWA C104. Pipe shall be of domestic manufacture; U.S. Pipe Tyton joint, Pacific States; or acceptable equal. Buried ductile iron pipe and fittings shall be wrapped in an 8-mil. thick polyethylene film sleeve. The

- Contractor shall furnish certification that all pipe supplied for this project has been manufactured in compliance with all requirements of AWWA C151.
2. Polyvinyl Chloride Pipe (PVC): Pipe shall conform to AWWA C900, Class 200, cast iron O.D. sizes. Pipe shall be of domestic manufacture; JM Mfg. Co., PW Pipe, Certain teed Fluid-Tite; or acceptable equal. Pipe shall be furnished with integral bells. Spigot end pipe with separate double hub couplings is not acceptable. The Contractor shall furnish certification that all pipe supplied for this project has been manufactured in compliance with all requirements of AWWA C900.
- C. Water Lines 2 (two) Inches and Smaller Diameter: Shall be one of the following:
1. Pipe shall be annealed (soft) Type "K" copper (Cu).
 2. Polyvinyl Chloride Pipe (PVC): Pipe shall conform to AWWA C900, Class 200, cast iron O.D. sizes. Pipe shall be of domestic manufacture; JM Mfg. Co., PW Pipe, Certain teed Fluid-Tite; or acceptable equal. Pipe shall be furnished with integral bells. Spigot end pipe with separate double hub couplings is not acceptable. The Contractor shall furnish certification that all pipe supplied for this project has been manufactured in compliance with all requirements of AWWA C900.
- D. Couplings and Sleeves:
1. General: Couplings and Sleeves shall be a minimum of 200-psi working pressure-rated unless otherwise noted. Couplings and sleeves shall be mechanical joint type.
 2. For DIP and PVC Pipe 3" thru 12":
 - a. Unless otherwise noted, couplings and sleeves for DIP and PVC shall be ductile iron conforming to AWWA C153 and shall be 350 psi working pressure rated. Couplings, sleeves, and accessories shall be of domestic manufacture; U.S. Pipe Trim Tyte, Union Foundry, Tyler; or acceptable equal.
 - b. Unless otherwise noted, flanges on all DIP spools shall conform to AWWA C115.
 3. For PVC Pipe 2 1/2" and smaller:
 - a. Schedule 40, solvent-weld PVC socket couplings.
 4. For Copper Tubing:
 - a. Couplings for copper tubing shall be Mueller 110 compression connections or acceptable equal.
- E. Valves:
1. Gate valves:
 - a. Use gate valves designed for a working pressure of not less than 150 psi.
 - b. Provide connections as required for the piping in which they are installed.
 - c. Provide an arrow on the operating nut or wheel, cast in metal, indicating direction of opening.
 2. Thrust Blocks:
 - a. Thrust blocks shall be constructed of Class "A" concrete. Thrust block dimensions shall conform to the California Plumbing Code.
- F. Valve Boxes
1. Shall be 10" round boxes for gate valves.
 2. Valves shall be labeled with "water" on lid.
 3. Boxes located in landscape areas shall be plastic. Valve boxes shall be round model equivalent to Carson Model 910-10 with 910-4 lid.
 4. Boxes located in paving shall be concrete with concrete lid.
 5. Valve boxes shall have a bolt down lid.
- G. Pipe Detection Tape: "Sentry Line" three (3) inch wide, detectable, "Caution Water Line Buried Below" tape as available from Terra Tape Inc. Houston, Texas (800)-231-6074 or acceptable equal.
- H. Reinforced Tracer Wire: Copperhead Reinforced Tracer Wire available at Copperhead Industries, LLC. 877-726-5644.

PART 3 EXECUTION

3.01 EXAMINATION

- A. Prior to starting work, test and verify that water pressure levels meet the domestic water system requirements. Notify the Owner's Representative immediately of any discrepancies and re-direct work to avoid delay.
- B. The utility plan and the piping details are diagrammatic. Pipe lines shown parallel in the Drawings may be placed in a common trench, provided that a minimum horizontal distance of six (6) inches is maintained between buried lines, except for sanitary sewer lines, which require ten feet (10') horizontal clearance.

3.02 HANDLING

- A. Handle pipe accessories so as to ensure delivery to the trench in sound, undamaged condition.
- B. Use pinch bars or tongs for aligning or turning the pipe only on the bare end of the pipe.
- C. Thoroughly clean interior of pipe and accessories before lowering pipe into trench. Keep clean during laying operations by plugging or other acceptable method.
- D. Before installation, inspect each piece of pipe and each fitting for defects:
- E. Replace all material found to be defective (before or after laying) with sound material meeting the specified requirements, without additional cost to the Owner.
- F. Rubber gaskets: Store in a cool dark place until just prior to time of installation.

3.03 PIPE CUTTING

- A. Cut pipe neatly and without damage to the pipe.
- B. Unless otherwise recommended by the pipe manufacturer, cut pipe with mechanical cutter only.
- C. Use wheel cutters when practicable.
- D. Cut pipe square and remove all burrs prior to use.

3.04 TRENCHING

- A. Conform to specification section 31 23 00.
- B. Excavate trenches with vertical sides uniform bottom, free of deleterious materials, and wide enough for pipes to lay side by side, fully supported on bottom.
 - 1. No lines shall be installed parallel to and directly over another line.
 - 2. When lines must cross, the angle shall be forty-five to ninety-degree (45-90°), and a minimum of six (6) inch vertical clearance shall be maintained.
- C. Provide minimum coverage as follows:
 - 1. Pressurized service: 24" in landscape areas, 30" under pavement.

3.05 PLACING AND LAYING

- A. General:
 - 1. Lower pipe and accessories into trench by means recommended by the manufacturer.
 - 2. Except where necessary in making connections to other lines, lay pipe with the wide bell end opening facing source.
 - 3. Rest the full length of each section of pipe solidly on the pipe bed, with recesses excavated to

- accommodate wells, couplings, and joints.
- 4. Replace pipe that has been disturbed after laying.
- 5. Do not lay pipe in water, or when trench conditions are unsuitable for the work. De-water trench until jointing is completed.
- 6. Securely close open ends of pipe and valves when work is not in progress.
- 7. Where any part of coating or lining is damaged, repair at no additional cost to the Owner.
- 8. Follow manufacturer's detailed instructions in installing and assembling pipe.

B. Plastic Pipe:

- 1. Position pipe and fittings in trench in a manner that identifying markings will be readily visible for inspection.
- 2. Cutting and joining:
 - a. Protect against abrasion from serrated holding devices.
 - b. Remove burrs and glosses from surfaces to be jointed; use abrasive paper, file, or steel wool.
 - c. Remove dirt, dust, and moisture by wiping clean with dry cloth.
- 3. Align pipe system components without strain.
- 4. Support plastic pipe in trenches with a two (2) inch min. layer of bedding. Provide a min. three (3) inch bedding sand cover. Allow no rocks, debris, or potentially damaging substances within six (6) inches of plastic pipe in trenches.

C. Connections:

- 1. Use appropriate fittings to suit the actual condition where connections are made between new work and service points.

3.06 JOINTING

A. Other joints:

- 1. Mechanical joints and push-on type joints: Install in accordance with AWWA C600, modified as necessary by the recommendation of the manufacturer to provide for special requirements of specified pipe.
- 2. Make connections between different types of pipe and accessories with transition fittings.
- 3. Rubber gaskets: Handle and install in strict accordance with the recommendations of the manufacturer. Lubricants for gaskets shall be manufactured by or approved by the pipe manufacturer for use under the conditions found in the field.

3.07 SETTING VALVES AND VALVE BOXES

A. General:

- 1. Center valve boxes on the valves, setting plumb.
- 2. Tamp earth fill around each valve box to a distance of four feet on all sides, or to be undisturbed trench face if less than four feet.
- 3. Tighten mechanical joints, and fully open and close each valve to assure that all parts are in working condition.

3.08 THRUST BLOCKS

A. General:

- 1. Provide and install thrust blocks in accordance with California Building Code requirements and installation guidelines.

3.09 TESTING, INSPECTING, AND DISINFECTION

- A. Closing uninspected work: Do not allow or cause any of the work of this Section to be covered up or enclosed until after it has been completely inspected and tested and has been accepted.

B. Time for making test:

- 1. Except for joint material setting, or where concrete reaction backing necessitates a five-day delay, pipelines joints, or couplings may be subjected to hydrostatic pressure, inspected, and

tested for leakage at any time after partial completion of backfill. All testing of water service shall be in accordance with the requirements of AWWA C600 for hydrostatic testing. Contractor to keep records of each piping test, including date and time of test, name of witnessing Owner representative, test pressure, description of piping tested, and remarks (i.e. leaks and repairs made). All tests shall last 4 hours and be tested at 200 psi.

C. Disinfection:

1. Before acceptance of the potable water system, disinfect each unit of completed service line in accordance with AWWA C601 and criteria of the local governing jurisdiction.
 - a. Proposed method shall be submitted to the Owner's Representative for review and acceptance.
 - b. Perform all tests and disinfection in a manner acceptable to governmental agencies having jurisdiction.
2. Furnish two copies of a Certificate of Compliance to the Owner.

3.10 BACKFILLING

A. General:

1. Backfill only after specified tests have been performed and accepted.
2. Clean trenches of all debris and deleterious material before backfilling.
3. Backfill, as specified or shown in Drawings free from deleterious material.
4. Compact trenching to 95% relative compaction under pavement and 85% relative compaction within planting areas.
5. Trench surfaces shall be flush with finish grade. All trench settling shall be corrected by the contractor at no additional cost to the Owner.
6. Install pipe detection tape and reinforced tracer wire above all pressurized lines.

3.11 DEMONSTRATION

- A. Contractor shall instruct Owner's personnel in complete and proper operation of domestic water system per prior to contract closeout.

3.12 FINAL REVIEW

- A. Provide Owner's Representative with all Guaranty and record drawing requirements prior to Final Review.

END OF SECTION



Cutino Park ADA Improvements

ADDENDUM No.1

May 8, 2018

Addendum No. 1 is being issued for revisions to the Drawings and Specifications for the Cutino Park ADA Improvements.

The clarifications and revisions declared in this addendum are an essential element to the contract documents. The contract documents to be executed will contain a copy of this addendum.

ADDENDUM

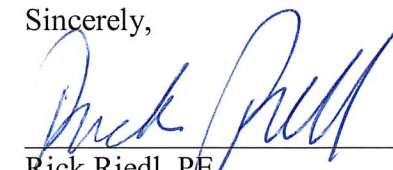
1. **Remove** 4th paragraph on page 3, Notice Inviting Bids and **Replace** with the following:

A mandatory pre-bid conference shall be held on **Thursday, May 17, 2018 at 9:30 am**, at the Modular Office Building A, 440 Harcourt Avenue, Seaside, California.

If you are a bidder, you must acknowledge receiving this Addendum by signing and returning the Addendum with your sealed bid. The addendum must also be acknowledged on page 5 of the bid proposal.

This letter has been sent to all known bidders. Submit bids for this work with the understanding and full compensation of this addendum. If there are any questions regarding this addendum, please contact Leslie Llantero at (831) 899 – 6832.

Sincerely,


Rick Riedl, PE
City Engineer / Public Works Services Manager

ACKNOWLEDGED:

Name and Title of Bidder's Representative

Bidder: _____



Cutino Park ADA Improvements

ADDENDUM No.2

May 22, 2018

Addendum No. 2 is being issued for revisions to the Drawings and Specifications for the Cutino Park ADA Improvements.

The clarifications and revisions declared in this addendum are an essential element to the contract documents. The contract documents to be executed will contain a copy of this addendum. This Addendum shall supersede the original Contract Documents, and previous Addenda wherein it contradicts the same and shall take precedence over anything to the contrary therein. All other conditions remain unchanged.

ADDENDUM

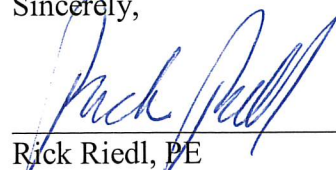
1)	Plan Sheet L4.1 – Demolition Plan	a) Existing concrete area to remain and be protected. b) See attached revised sheet for revisions.
2)	Plan Sheet L6.1 – Layout, Material, and detail Reference Plan	a) Install thickened concrete edge as shown. b) See attached revised sheet for revisions.
3)	Detail Sheet – D1.1 – Construction Details	a) See attached revised detail J/D1.1 – Concrete Paving, for thickened edge.
4)	Plan Sheet A-5.1	a) Question: How can we bid an unknown? b) Detail 5/A5.1 – Section 5B, note. See attached sheet with note that the existing counter shutter and guides are to be removed and replaced with a new unit.
5)	Special Provisions, (page 14), 4.11 – Hours of Work	a) Question: There is a discrepancy between the Hours of Work in Section 4.11 and the technical specifications section 01 11 00 Part 1.10. b) 4.11 says: The hours of construction shall be begin at 7:00 am and end at 5:00 pm Monday through Friday. • Section is revised as follows: The hours of construction shall begin at 8:00 am and end at 5:00 pm Monday through Friday.
6)	Special Provisions, (page 14), 4.12 - Public Notification	a) Question: Public notification does not provide adequate time to notify the public given the working day allowed. b) 4.12 says: Notices in English and Spanish shall be posted as door hangers at each address at least on month prior to the work and within two (2) weeks of restricting access. • Section is revised as follows: Notices in English and Spanish shall be posted as door hangers for addresses adjacent to the project and along Noche Buena Street within two (2) weeks of beginning construction.
7)	Special Provisions, (page 16), 5.04 – Removal of Asbestos and Hazardous Substances	a) Question: Is this spec necessary? b) 5.04 says: Comply with the requirements of Section 14-11 “Hazardous Waste and Contamination” of the Standard Specifications.” • Section is revised as follows: This Section will be removed in its entirety.
8)	Special Provisions, (page 19), 7.03 - Submittals	a) Question: Engineer’s review of submittals provided 20 days on a 40 working day project? b) 7.03 says: In general, allow 10 working days for Engineer’s review of submittals.

		Allow 20 working days for engineer's review of submittals that include shop drawings or calculations. • Section is revised as follows: In general, allow 5 working days for Engineer's review of submittals including submittals that include shop drawings or calculations.
9)	Specification Section 01 45 00 – Quality Control, 2.10, A – INSPECTION AND TESTS	a) Question: Does the City have a list of pre-qualified independent testing agency's? b) 2.10 says: Inspections, observations and/or testing that may be required by the Contract Documents during progress of the work shall be made by a pre-qualified, independent testing agency selected and paid for by the Owner' Representative. When tests indicate non-compliance, the contractor shall pay all direct and indirect costs of subsequent re-testing until compliance is established. • Section is revised as follows: Inspections, observations and/or testing that may be required by the Contract Documents during progress of the work shall be made by City Staff or a pre-qualified, independent testing agency selected and paid for by the Owner' Representative. When tests indicate non-compliance, the contractor shall pay all direct and indirect costs of subsequent re-testing until compliance is established.
10)	Specification Section 01 50 00 – Construction Facilities and Temporary Controls, 1.16, A – Storm Water Pollution Plan (SWPPP)	a) Question: Will the SWPPP be provided to the contractor? b) 1.16 says: Contractor shall be required to adhere to the project's SWPPP that is provided within these contract documents. • Section is revised as follows: This Section will be removed in its entirety.
11)	Specification Section 01 78 39 – Project Record Drawings, 1.04, B – QUALITY ASSURANCE	a) Question: Will a set of mylar drawings be provided? b) 1.04 says: Final Record Drawings shall be clearly drafted by a competent draftsman on reverse-reading erasable sepia mylar sheets. • Section is revised as follows: Final Record Drawings shall be clearly drafted on reproducible bond paper.

If you are a bidder, you must acknowledge receiving this Addendum by signing and returning the Addendum with your sealed bid. The addendum must also be acknowledged on page 5 of the bid proposal.

This letter has been sent to all known bidders. Submit bids for this work with the understanding and full compensation of this addendum. If there are any questions regarding this addendum, please contact Leslie Llantero at (831) 899 – 6832.

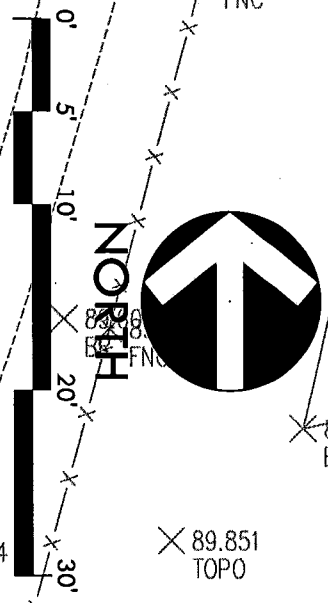
Sincerely,


Rick Riedl, PE
City Engineer / Public Works Services Manager

ACKNOWLEDGED:

Name and Title of Bidder's Representative

Bidder: _____



PROJECT NAME: DAVID CUTINO PARK - ADA IMPROVEMENTS

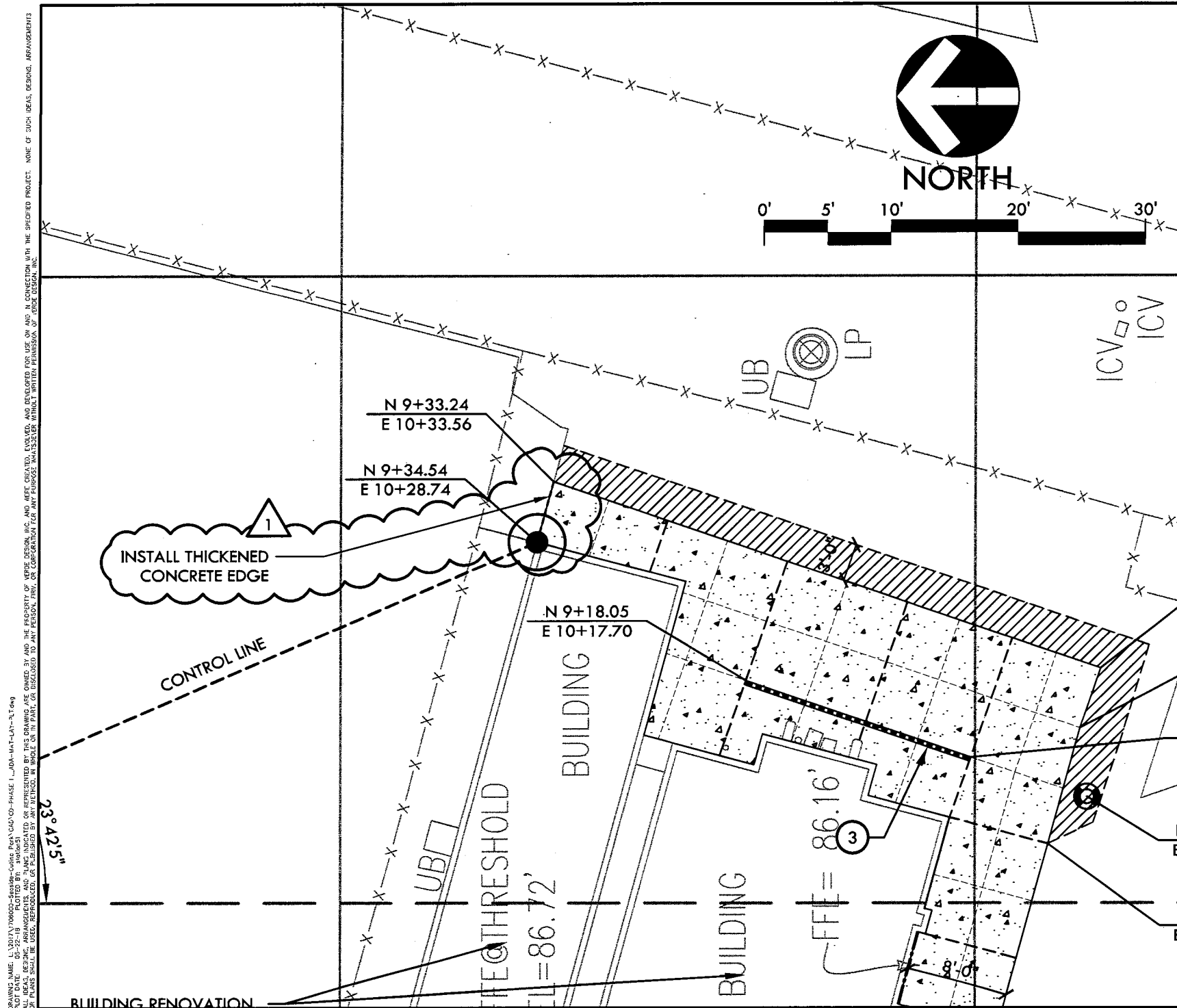
DEMOLITION PLAN

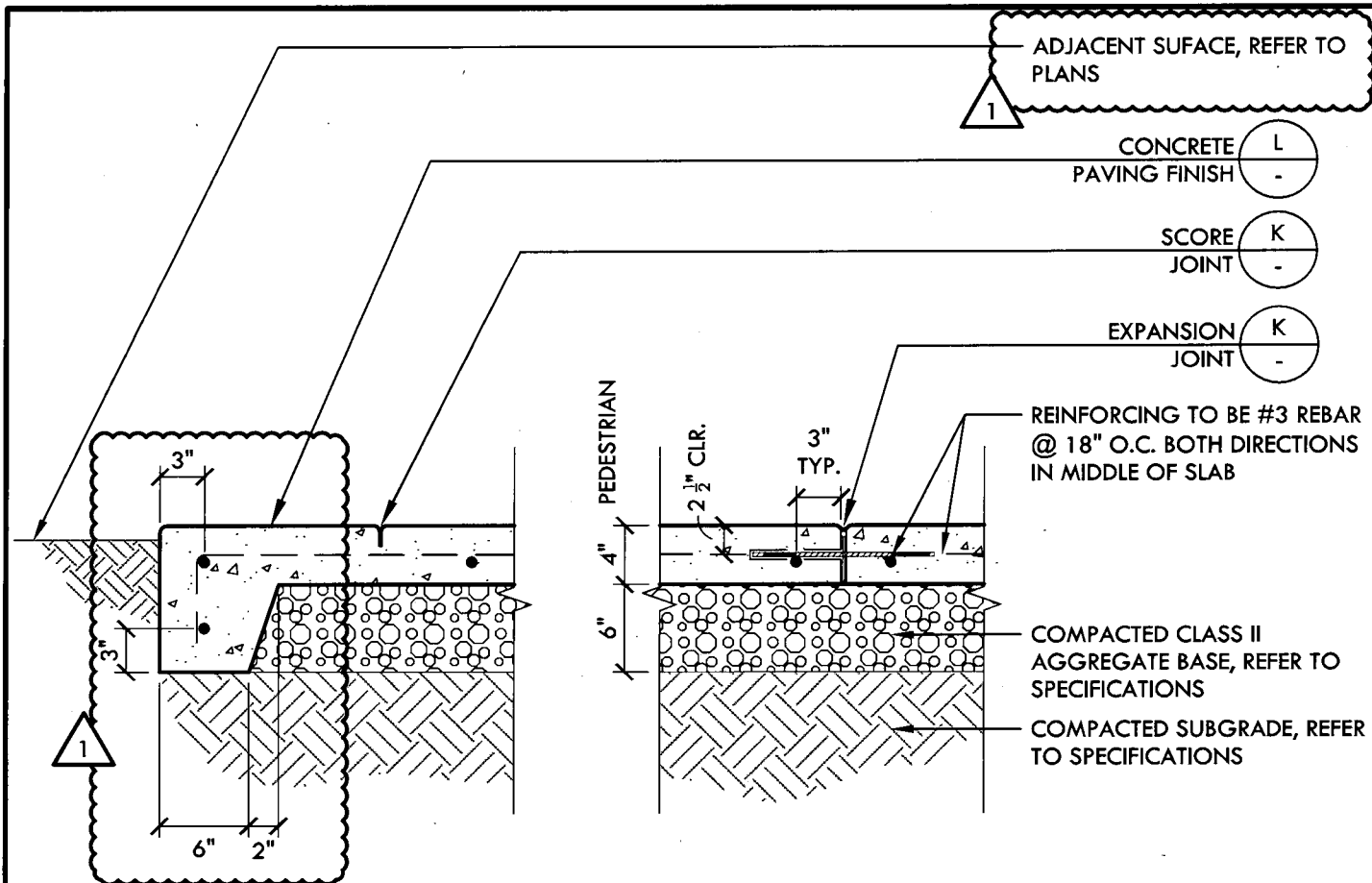


PROJECT NAME
DAVID CUTINO PARK -
ADA IMPROVEMENTS

PROJECT ADDRESS
1322 LA SALLE AVE,
SEA SIDE, CA 93955

SUBMITTAL		DATE
ADDENDUM # 2		05-21-18
DRAWN BY		CHECKED BY
RK		CS
DATE ISSUED		SCALE
05-21-18		AS SHOWN
PROJ. NO.		
		1516600
SHEET NO.		
		L6.1



PROGRAM NAME: L:\2017\170600--Seaside-Culline Park\CAD'CD--PHASE 1_AUA-DTL-01.1--CON.dwg
DATE: 08-19-2017
TIME: 10:00 AM
USER: JLD
CUT DATE: 08-19-2017
CUT TIME: 10:00 AM
CUT USER: JLD
CUT DATE: 08-19-2017
CUT TIME: 10:00 AM
CUT USER: JLD

NOTE:

PROVIDE SCORE JOINTS 5' O.C. AND 10' O.C. FOR EXPANSION JOINT UNLESS OTHERWISE NOTED.

J

CONCRETE PAVING

NTS



VERDE DESIGN

**LANDSCAPE ARCHITECTURE
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SPORT PLANNING & DESIGN**

2455 The Alameda
Santa Clara, CA 95050
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www.VerdeDesignInc.com

CONSTRUCTION DETAILS

SHEET TITLE

PROJECT NAME

DAVID CUTINO PARK -
ADA IMPROVEMENTS

PROJECT ADDRESS

1322 LA SALLE AVE,
SEA SIDE, CA 93955

SUBMITTAL	DATE
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NO.	REVISIONS	DATE
A	ADD REMARKS HERE	

1	ADDENDUM # 2	05-21-18
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RK	CS
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DATE ISSUED	SCALE
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05-21-18	AS SHOWN
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PROJ. NO. 1516600

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SECTION 00 91 11
ADDENDUM NUMBER 2

PARTICULARS

1.01 DATE: MAY 22, 2018

1.02 PROJECT: 170630- CUTINO PARK ADA IMPROVEMENTS

1.03 OWNER : CITY OF SEASIDE

1.04 ARCHITECT : SALAS O'BRIEN , INC.

TO: PROSPECTIVE BIDDERS :

2.01 THIS ADDENDUM FORMS A PART OF THE CONTRACT DOCUMENTS AND MODIFIES THE BIDDING DOCUMENTS DATED APRIL 6, 2018, AND ADDENDUM NUMBER TWO ISSUED MAY 22, 2018 , WITH AMENDMENTS AND ADDITIONS NOTED BELOW.

2.02 ACKNOWLEDGE RECEIPT OF THIS ADDENDUM IN THE SPACE PROVIDED IN THE BID FORM . FAILURE TO DO SO MAY DISQUALIFY THE BIDDER.

2.03 THIS ADDENDUM CONSISTS OF 1 PAGE AND THE FOLLOWING DRAWINGS:

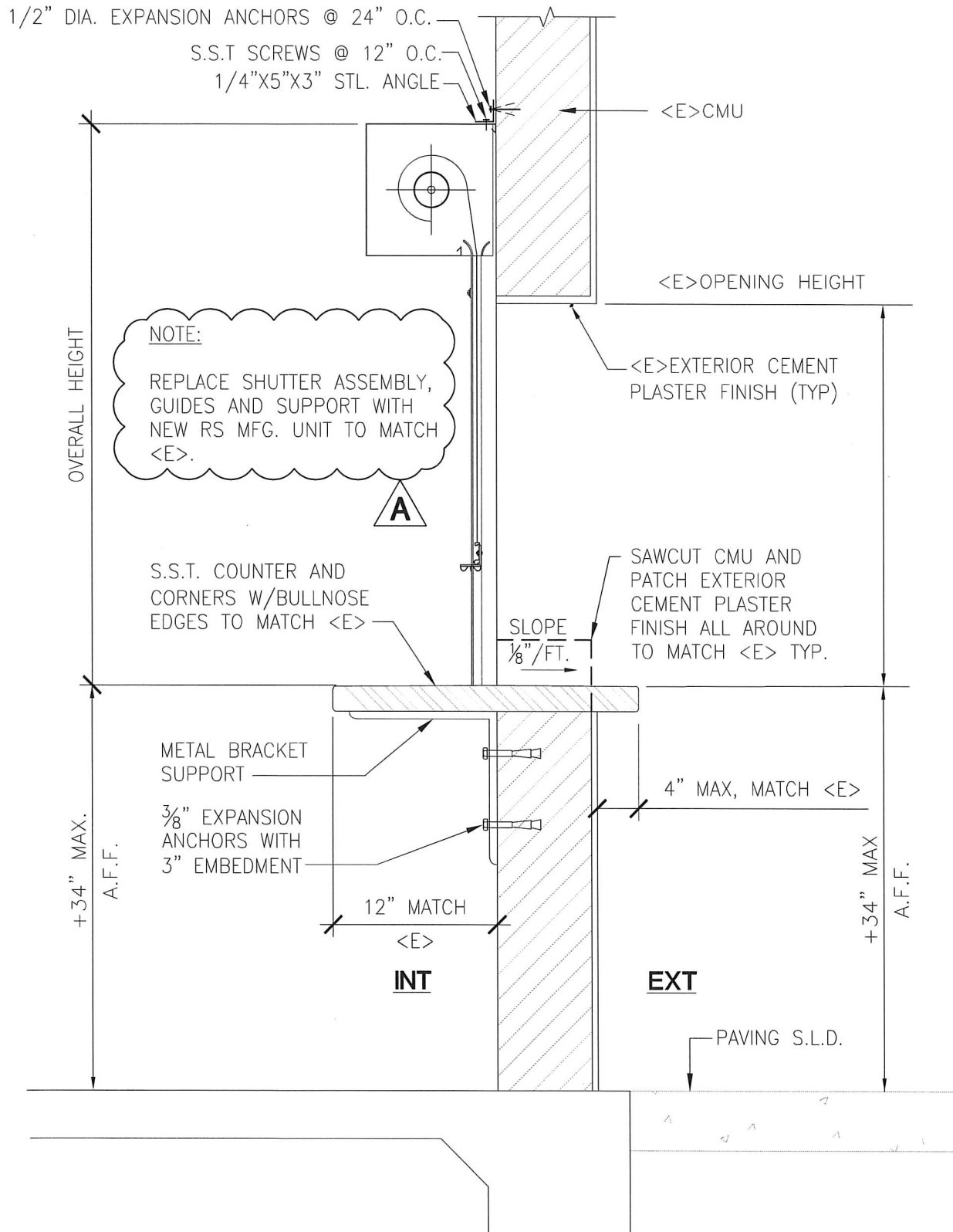
CHANGES TO THE DRAWINGS:

3.01 DRAWING A-5.1

A. Detail 5/A5.1 Section 5B

1. Stainless Shutter Assembly to be all new with new guides and supports to match existing.

END OF ADDENDUM NUMBER 2



5B - SECTION

5

ACCESSIBLE COUNTER

SCALE: N.T.S.

ADDENDUM #1

DATE: 05/22/18

JOB # 170630.1

MOD DWG:

5/A-5.1

SHT X OF X



SALASOBRIEN

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305 South 11th Street

San Jose, California 95112-2218

408.282.1500 | 408.297.2995 (f)

salasobrien.com

California | Georgia | Louisiana

Montana | Texas | Washington

DAVID CUTINO PARK ADA IMPROVEMENTS

1332 LA SALLE AVE. SEASIDE, CA 93955

DETAIL



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Bob Larsen, Associate Planner
Rick Medina, Senior Planner

DATE: June 21, 2018

SUBJECT: **AN APPEAL REQUESTING TO OVERTURN THE PLANNING COMMISSION DECISION TO APPROVE A SECOND STORY ADDITION TO AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 1739 YOSEMITE STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN 012-101-065). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.E.2.A, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

PURPOSE & RECOMMENDATION

The purpose of this item is to consider an appeal submitted by Felix Bachofner, seeking to overturn the approval made by the Planning Commission for a second story addition to an existing one-story single family residence located at 1739 Yosemite Street. Staff Recommendation is to deny the appeal and uphold the Planning Commission approval subject to findings, evidence, and conditions of approval in the draft Resolution.

BACKGROUND

The subject property is currently developed with a one-story, 1,004 square foot single family dwelling consisting of three bedrooms and two bathrooms with an attached two-car garage. The dwelling was constructed in 1969.

The Board of Architectural Review reviewed the proposed project on February 21, 2018, a BAR meeting was held on the proposed project. for the construction of a 922 square foot second story addition consisting of a master bedroom, master bathroom, relocation of kitchen from first floor, great room, and half bath. In addition to the upstairs living area, two covered decks would be created on the south side and rear west elevations and on the north side elevation. Modifications on the first floor

will consist of removing the existing kitchen, and converting the existing living room and dining room into the second and third bedrooms. The total floor area of the dwelling with the new addition will be increased to approximately 1,926 square feet. An existing wood deck and detached accessory structure located within the rear yard setback will be removed.

At the February 21, 2018 meeting the BAR had concerns with the amount of roof area being added, the lack of substantial second story building offsets from the first floor footprint, and the lack of a cohesive entry feature over the front door. During the public comment period of the design review process the following concerns were addressed by neighbors.

- obstructions of views toward the Monterey Bay,
- overall building mass, and
- extension of the roof over the open deck on the second floor.

This matter was continued to the April 4, 2018 meeting to allow the applicant time to respond to the BAR comments.

The applicant submitted revised plans which were heard at the April 4, 2018 BAR meeting. The revised plans are submitted as Exhibit A to Attachment 1. The revised plans include the following modifications:

- sections of a flat roof,
- lowering the ridge line eleven inches,
- lowering the second floor plate height from 9 to 8 feet,
- shortened the roof at the north and south ends of the house by 2 feet,
- revised the front entry to match the house with a hip roof, and
- providing solid wood siding at the master bedroom deck.

The applicant also introduced landscaping to mitigate the impact on sightlines to the properties on St. Helena Street. The BAR approved the revised plans subject to the following revisions:

- (enlarging) the front entry,
- adding a belly band on the front elevation to the left of the entry, and
- Consider using more of the front setback to increase the entry feature.

The applicant's explanation of the modifications/revisions to the project plans are provided as Attachment 2. The BAR acted to approve the proposed project as revised. The minutes from the BAR meetings are provided as Attachment 3 (February 21, 2018) and Attachment 4 (April 4, 2018).

The BAR staff report from the March 21, 2018 meeting is listed below:

<https://seasideca.civicclerk.com/Admin/Agendas/EditAgendaObj.aspx?id=1206&caller=Agendas.aspx>

The BAR staff report from the April 4, 2018 meeting is listed below:

<https://seasideca.civicclerk.com/Admin/Agendas/EditAgendaObj.aspx?id=1214&caller=Agendas.aspx>

On May 9, 2018, the Planning Commission heard an appeal of the BAR decision to approve the project. The Planning Commission denied the appeal and upheld the BAR decision. On May 16, 2018 an application was filed to appeal the Planning Commission decision to the City Council. The basis for the appeal includes the following:

1. Approval violates various provisions of the General Plan.
2. Approval ignores significant elements of the Seaside Single Family Residential Design Guidelines.
3. Environmental impacts were not adequately considered.
4. Significant submissions of written testimony not acknowledged.

The Planning Commission staff report from the May 9, 2018 meeting is listed below.

The minutes from the May 9, 2018 Planning Commission meeting are provided as Attachment 5. The written comments received from the public on the appeal are provided as Attachment 6,

-

SITE LOCATION AND DESCRIPTION

The project site is a 5,320 square foot parcel located on the west side of Yosemite Street between Mingo Avenue and San Pablo Avenue. The International School of Monterey is located on the east side of Yosemite Street. The adjacent properties to the south, west, and north are composed of one-story single family residences. See Attachment 7 for a Location Map. See Attachment 8 for Site Photos, Street View with Revised Staking and Flagging. See Attachment 9 for Site Photographs, Rear Yard.

-

STAFF ANALYSIS

Appeal Process

In accordance with Section 17.76.030(D) of the Seaside Municipal Code, appeal hearings are considered as a “de novo” hearing whereby the City Council may consider any issue involving the proposed second story addition as well as the specific grounds for the appeal. In review of the appeal, the City Council may, 1) affirm the BAR/PC approval; 2) affirm the approval in part; 3) or reverse the

decision that is the subject of the appeal, based upon findings of fact and evidence in support of the appeal.. The City Council may also adopt additional conditions of approval that address issues or concerns other than the request being made by the appellant. If new or different evidence is presented on the appeal, the City Council may remand the matter to the Planning Commission for further consideration or make its own findings.

-

RS-12 Residential Development Standards

The proposed project is in compliance with the Seaside Development Standards as noted: the Floor Area Ratio (FAR) will be at 37 percent (FAR) which is under the maximum 45 percent FAR for a single family residential zone. The proposed 41 percent Lot Coverage will be under the maximum 65 percent maximum. The maximum height will be 22 feet 6 inches which is under the maximum 24-foot height limit allowed in the RS-12 zoning district. The footprint of the dwelling will be in compliance with the required setbacks listed below.

Setbacks	Minimum	Proposed
Front	15 feet	20 feet
Side	5 feet	5 feet
Rear	15 feet	26 feet 6 inches

Design Criteria

-

Seaside Zoning Code section 17.62.030.E.1 states that Architectural Review approval shall consider the character, quality, scale of design, architectural relationships with the site, building materials, lighting, and other applicable aspects of the design.

The exterior finish of the dwelling will consist of a combination of stucco (Kelly Moore “Ice Age” - gray) and horizontal cedar wood siding (stained Cabot Tone Deck & Siding Stain). A cedar wood fascia and window trim will surround the metal frame windows and doors and will be painted Kelly Moore “Wrought Iron Gate”. The hip roof over the second story living area and decks will consist of a charcoal gray standing seam metal roof material. Stainless steel deck railing and cable systems with wood caps will be used at the balcony and decks. The master bedroom deck will be enclosed with solid wood siding. A four panel sectional roll up garage door is proposed. See Attachment 5 for Colors and Material Board.

Exterior lights will consist of the following fixtures:

- Recessed can lights will be located at the covered decks.

- Titanium finish exterior wall sconces (Hinckley Lighting H1648) will be located on the perimeter walls and doorways.

All second story additions require design review approval and are reviewed on a case-by-case basis, taking into account the natural features and characteristics of the surrounding neighborhood, the massing and placement of the second story addition, its integration into the existing neighborhood, and compatibility with the architectural design of the dwelling. The General Plan and the Zoning Ordinance empowers both the BAR and Planning Commission to impose conditions needed to protect the health, safety, and general welfare of the adjoining properties. The city has adopted Single Family Residential Design Guidelines (SFRDG) to serve as performance standards in regulating the overall architectural characteristics and style (e.g. mass, scale, proportion, elimination of “box like” appearance”, neighborhood compatibility) of an addition in relation to both the project site and surrounding neighborhood. The SFRDG are provided as Attachment 10. Per the SMC, the project has been staked and flagged to identify the ridgeline and perimeter of the proposed construction.

Project Issues

The appellant contends that 1.) The approval violates provisions of the General Plan. 2.) Approval ignores significant elements of the SFRDG. 3.) Environmental impacts were not adequately considered. 4.) Significant submissions of written testimony not acknowledged.

Issue #1: Approval violates various provisions of the General Plan

The proposed construction is adding to an existing single family residence that is in compliance with setback, height, Floor Area Ratio, and all other requirements of the Seaside Municipal Code (SMC).

The City of Seaside does not have an ordinance that strictly prohibits construction that could have a potential to block another property’s view. n. General Plan page UD-18 speaks to Streetscapes and Viewsheds. It reads:

- Goal UD-3: Provide and maintain a streetscape system that protects visual quality and continuity within the community.
- Policy UD-3.1: Protect private views of significant natural features, such as the Monterey Bay, Roberts Lake, the Pacific Ocean, the surrounding mountains, and other important viewsheds.
- Implementation Plan UD-3.1.1: View Protection and the BAR. Continue to require all additions that increase building heights and new developments to stake and flag development at least ten days prior to consideration by the BAR for design approval. When feasible, require project site redesign, modified landscaping, or reduced building heights to avoid obstruction of private views.

-

Prior to the May 9, 2018 PC Meeting, the Planning Commission conducted a tour of inspection to see in person the magnitude of the project and potential view and massing issues the appellant has noted in the appeal statement. The Planning Commission determined that the project, as amended, would be consistent with the General Plan based on the following evidence:

Evidence: The Planning Commission found that based on the proposed project, as amended, would not create excessive bulk and mass that would be out of character with the surrounding neighborhood and/or adversely affect the privacy of the neighboring dwelling units. The Planning Commission found that potential view blockage will not result in a significant impact. There is a balance of views of and from the subject property.

Issue #2: Project ignores significant elements of the City's adopted Single-Family Residential Design Guidelines

The city has adopted SFRDG to serve as performance standards in regulating the overall architectural characteristics and style (e.g. mass, scale, proportion, elimination of "box like" appearance, neighborhood compatibility) of an addition in relation to both the project site and surrounding neighborhood.

The SFRDG Section II. Mass and Scale, Subparagraph C, Second Story Setbacks, recommends that the second story front setback should average 5 feet more than the first floor setback. This section continues to say that for some architectural styles it may not be appropriate to step back the second floor or in some cases it may not be reasonably feasible for additions to existing homes. The modified plans show the average front setback of the second story to be 3.5 feet from the first story of the house. The north side of the house is set back an average of 16 feet to the face of the building. The south side of the house is set back an average of 4 feet to the face of the building. The Planning Commission considered this setback to be consistent with the SFRDG. The Planning Commission found that the project includes the following design elements from the SFRDG:

I.A.iii. Entry walkways should extend to the sidewalk, rather than the driveway.

Evidence: The applicant proposes to introduce a new walkway system parallel to the driveway from the entry to the sidewalk.

II.A.i. The physical size and mass of the project should be proportional to the lot size.

Evidence: The proposed Floor Area Ratio (FAR) is 37%. The allowed FAR is 45%. The proposed Lot Coverage is 41%. The allowed Lot Coverage is 65%.

- II.A.iii.** Architectural elements should be designed to eliminate the appearance of box like buildings.

Evidence: The second story includes setbacks/offsets on the front, sides and rear elevations, and multiple building materials

- III.A.v.** To the extent feasible, the architectural character established for the street facing elevations should continue on all elevations.

Evidence: The use of a hip roof design, stucco exterior, and metal frame windows will continue the street facing elevations on all four elevations.

- III.A.viii.** The boundary between each floor of the dwelling structure should be delineated through belt courses, cornice lines, balconies, or similar architectural detailing.

Evidence: A belly band, changes in the materials of construction, and matching fascia details delineate the two floors of the building.

- III.D.i.** Consistent and harmonious use of high quality, durable materials is encouraged.

Evidence: The applicant is proposing stucco, wood siding, wood fascia and a metal roof throughout.

The Planning Commission determined that the proposed project, as amended, would be consistent with the SFRDG based on the following evidence:

Evidence: The approved amended project design has increased the second story setbacks, lowered the overall height of the structure, and articulates the massing of the structure in accordance with the Mass and Scale requirements of the Single Family Residential Design Guidelines.

Evidence: The amended project will avoid a box-like appearance through the variation in the roofline, building materials, and elevations.

Issue #3: Environmental impacts were not adequately considered

The Planning Commission found that in accordance with Section 15301.E.2.A of the California Environmental Quality Act, additions not resulting in an increase of more than 10,000 square feet in area and are allowable under the provisions of the General Plan are Categorically Exempt from

CEQA.

Evidence: The proposed 922 square foot second story addition is less than 10,000 square feet in area and is allowable under the provisions of the General Plan.

Issue #4: Significant submissions of written testimony not acknowledged

Evidence: The Planning Commission received a packet of all material received for this matter. This material was also made available to the public.

Additional information received from the Appellant is provided as Attachment 12. Additional information received from the Applicant is provided as Attachment 13.

ENVIRONMENTAL REVIEW

In accordance with Section 15301.E.2.A of the California Environmental Quality Act, additions not resulting in an increase of more than 10,000 square feet in an area and is allowable under the provisions of the General Plan are deemed categorically exempt from the provisions of CEQA.

Evidence: The proposed 922 square foot addition is less than 10,000 square feet and is allowable under the provisions of the General Plan for a Low Density Singly Family Residential Land Use category.

FISCAL IMPACT

This project will not impact the City's General Fund.

ATTACHMENTS

1. Attachment 1 - Draft Resolution
 2. Attachment 1, Ex. A - Revised Project Plans
 3. Attachment 2 - Applicant's Explanation of Modifications to Project Plans
 4. Attachment 3 - Minutes from February 21, 2018 BAR Meeting
 5. Attachment 4 - Minutes from April 4, 2018 BAR Meeting
 6. Attachment 5 - Minutes of May 9, 2018 Planning Commission Meeting
 7. Attachment 6 - Written Comments received from the Public
 8. Attachment 7 - Location Map
 9. Attachment 8 - Site Photo with Revised Staking
 10. Attachment 9 - Site Photos, Rear Yard
 11. Attachment 10 - SFRDG
 12. Attachment 11 - Letters from appellants for May 9 PC meeting
-

- 13. Attachment 12 - Letter from Appellant for June 21 City Council Meeting
 - 14. Attachment 13 - Letter from Applicant for June 21, 2018 City Council Meeting
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

**CITY COUNCIL
RESOLUTION NO. 18-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, DENYING AN APPEAL TO OVERTURN THE PLANNING COMMISSION DECISION APPROVING A SECOND STORY ADDITION AT 1739 YOSEMITE STREET. (APN 012-101-065).

WHEREAS, the Planning Commission met on May 9, 2018 to review the application of Arthur Nobida, property owner, for a second story addition to an existing one-story single family residence located at 1739 Yosemite Street; and

WHEREAS, Felix Bachofner, Appellant, has filed an appeal to the City Council to overturn the decision of the Planning Commission action taken on May 9, 2018, approving Board of Architectural Review Application No. BAR-17-15 with stipulated modifications for a second story addition; and

WHEREAS, the Seaside City Council, at a duly noticed public hearing on June 21, 2018, considered oral comments and written information concerning the proposed second story addition; and

WHEREAS, the City Council heard the appeal de novo, and it is the responsibility of the City Council to consider and weigh the merits of the appeal and public input in relation to the policies, standards and intent of the Seaside General Plan and the Seaside Municipal Code for the proposed second story addition; and

WHEREAS, the proposed second story addition is Categorically Exempt, Class 1, Section 15301.e.2.A, pursuant to the California Environmental Quality Act (CEQA) Guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the City Council adopts the following findings denying the appeal and upholding the approval of the Planning Commission action based on the following findings:

The proposed use is allowed within the applicable zone and complies with all other applicable provisions of the Zoning Ordinance and the Municipal Code;

Evidence: The proposed addition complies with all applicable standards of development and provisions of the Zoning Ordinance and the Municipal Code. This Design Review Permit will allow the addition of a 922 square foot second story addition to the existing single family dwelling.

2. The proposed use is consistent with the General Plan and any applicable specific plan;

Evidence: The project site is designated as Medium Density Single-Family Residential (MLS) in the General Plan Land Use Element. This designation is applied to areas with

existing detached single-family dwellings with a maximum density of 12 dwelling units per acre.

The General Plan requires all new development to complement and enhance existing land uses, as set forth in the following Land Use Goal and Policy:

- Goal LU-4 – Ensure that new development compliments existing land uses and enhances the character of the community and its neighbors.
- Policy LU-4.1 – Require that all new development is compatible with surrounding uses, the site, and available infrastructure.

Evidence: The proposed addition will comply with all standards of development associated with the RS-12 zoning district.

Evidence: The applicant has incorporated design features and architectural rhythms of the existing structure to have a contextual relationship with the existing neighborhood.

4. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: The site is an existing residence in the RS-12 zoning district. Access would be provided from Yosemite Street by a two car driveway. Extension of public utilities is not required for the proposed project. The completion of a second-story addition will not alter the location of existing utilities or access from the public right-of-way.

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

Evidence: The City of Seaside's Fire Department, Building Department and Public Works Department have reviewed the conceptual project proposal. The Fire Department, Building Department and Public Works Department had general comments that are included as conditions of approval.

BE IT FURTHER RESOLVED, that the City Council hereby upholds the Planning Commission approval of Board of Architectural Review Application No. BAR-17-15 subject to the following conditions:

Project Specific:

Planning:

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the revised plans identified as “Nobida Residence” stamped as received on March 19, 2018, and as conditioned at the meeting that additional modifications shall be made to the front entry, introduction of a belly band, and possible extension into the front yard area subject to Planning staff approval.

Fire Department:

2. Fire sprinklers are required.

Standard:

1. Board of Architectural Review approval shall not be valid until the applicant has signed and accepted these conditions of approval. Failure to sign the conditions and return them to the Planning Division within fifteen (15) days from the date of approval will result in the Board of Architectural Review approval becoming null and void.
2. Board of Architectural Review approval shall be valid for a period of one (1) year from the date of approval of this project in accordance with S.M.C.S. 17.64.080. Project approval will become null and void if a building permit is not exercised within one (1) year from date of approval.
3. Proposed changes to the approved application(s) must receive approval from the Board of Architectural Review, unless approved by the Director as outlined in Seaside Zoning Code Section 17.64.090.C.
4. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney’s fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
5. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
6. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.

7. Any work within the public right-of-way must conform to current engineering standards and shall require an encroachment permit from the Public Works Department.
8. All storm water runoff shall be contained and disposed of on site and the storm water retention system shall be reviewed and approved by the Public Works Department.
9. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and landscape irrigation equipment.
10. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.
11. Water conservation fixtures shall be provided in the proposed project.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 21st day of June, 2018, by the following vote:

AYES:

NOES:

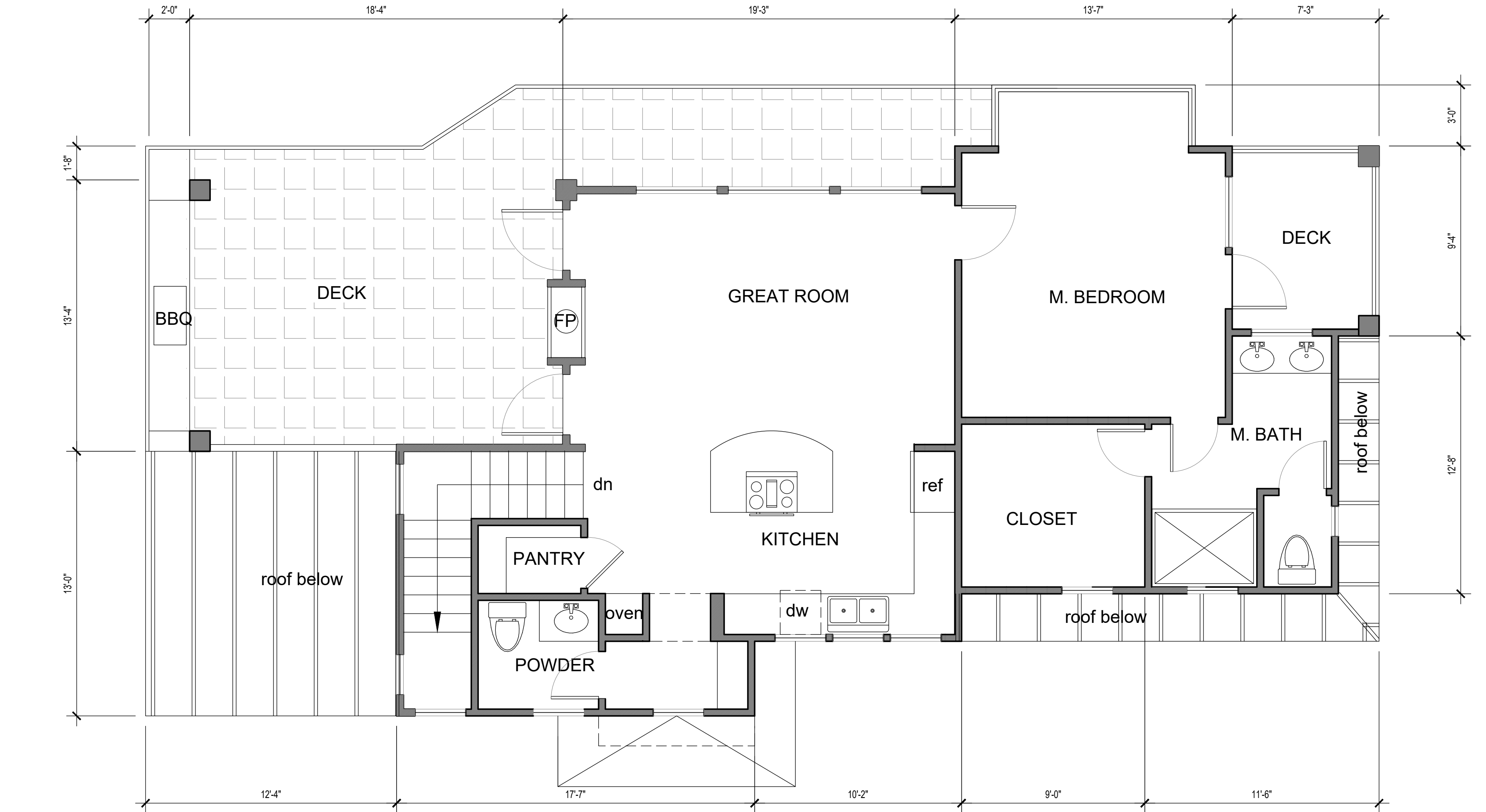
ABSENT:

ABSTAIN:

Ralph Rubio, Mayor

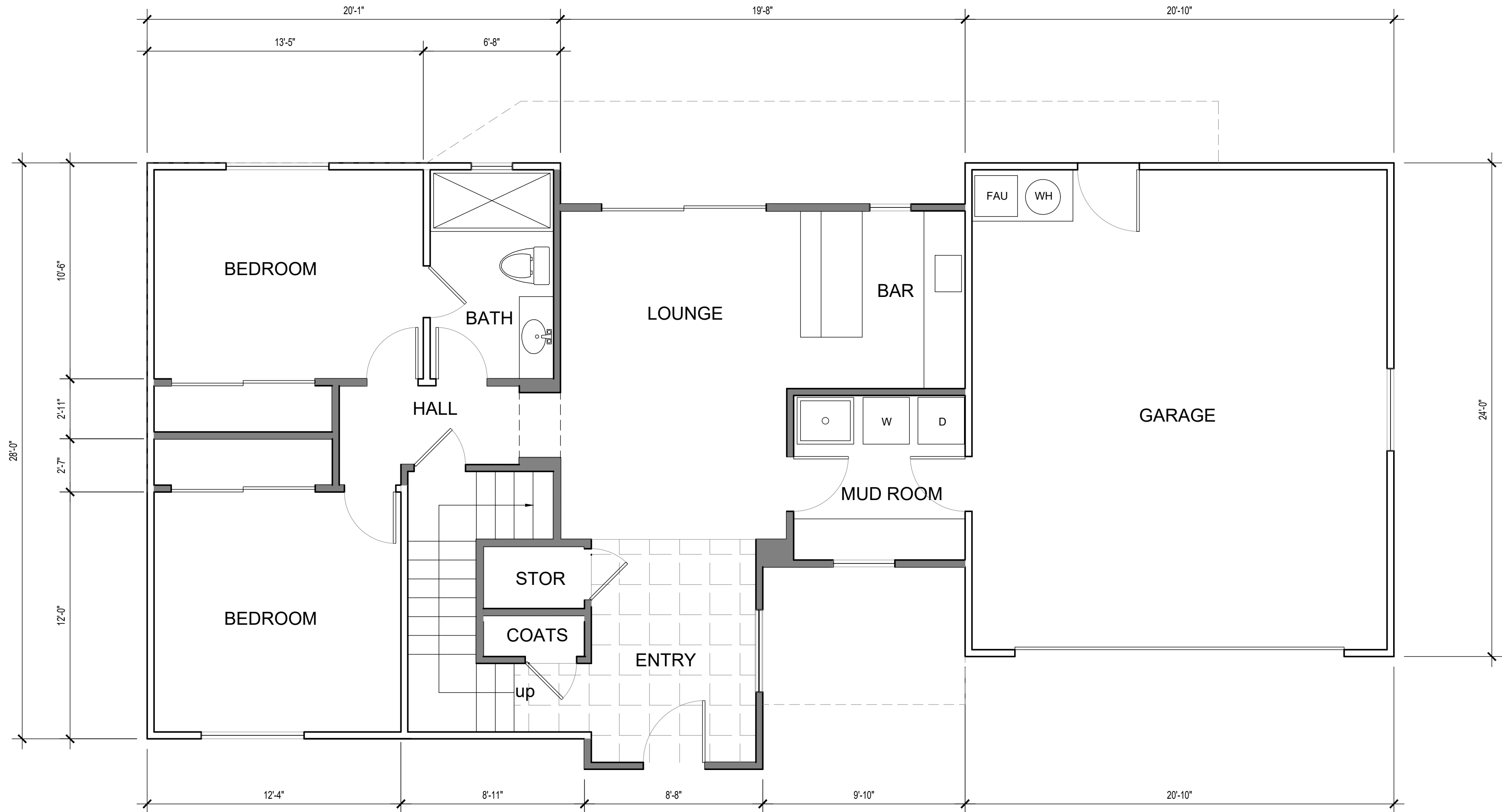
ATTEST:

Lesley Milton-Rerig, City Clerk



SECOND FLOOR PLAN

SCALE : 1/4" = 1'-0"

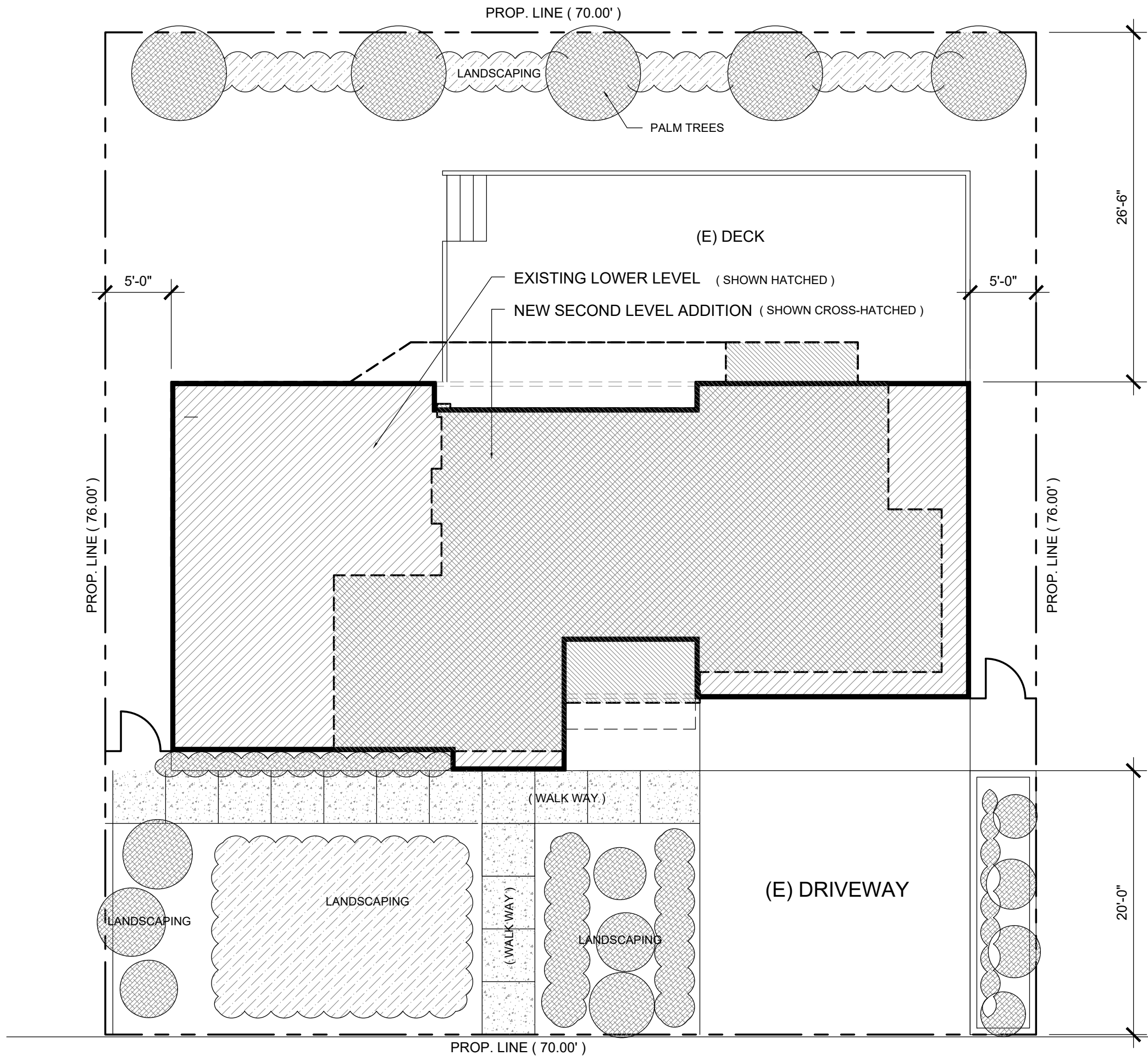


FIRST FLOOR PLAN

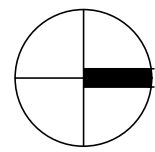
SCALE : 1/4" = 1'-0"

WALL LEGEND

- EXISTING WALL TO REMAIN
- NEW WALL, 2X4 @ 16" O.C. U.O.N.

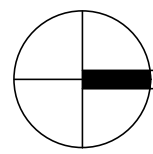
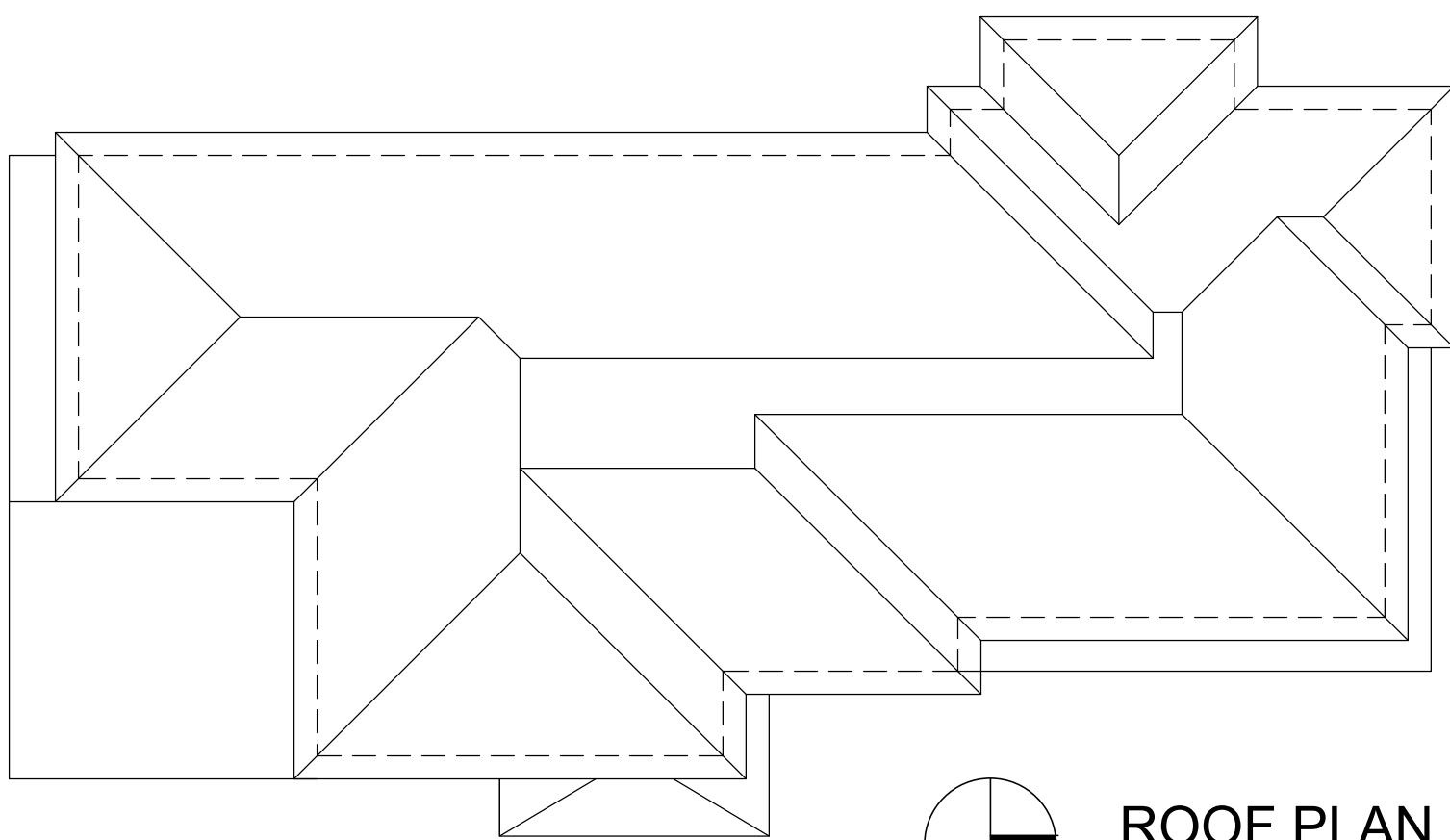


YOSEMITE STREET



SITE PLAN

SCALE : 1/8" = 1'-0"



ROOF PLAN

SCALE : 1/8" = 1'-0"

SCOPE OF WORK:
SECOND LEVEL ADDITION TO EXISTING ONE STORY
SINGLE FAMILY RESIDENCE,

PROJECT DATA:

PROPERTY LOCATION: 1739 YOSEMITE STREET,
SEASIDE CA 93955

PROPERTY OWNER: ARTHUR, NOBIDA
1655 YOSEMITE STREET
SEASIDE, CA 93955

PARCEL NUMBER: 012-101-065

LOT SIZE : 5,320 SQ. FT.

ZONING : R-2

CONSTRUCTION: TYPE V - B (U)

AREA TABULATION:

FLOOR AREA:

(E) LIVING SPACE: 1,004 SQ. FT.

(E) GARAGE: 500 SQ. FT.

(N) ADDITION: 922 SQ.FT

TOTAL: 2,426 SQ. FT..

LOT COVERAGE : 28.27 % (40% MAX ALLOWED)

ADDITION AND REMODEL TO :

NOBIDA RESIDENCE

1739 YOSEMITE STREET , SEASIDE CA

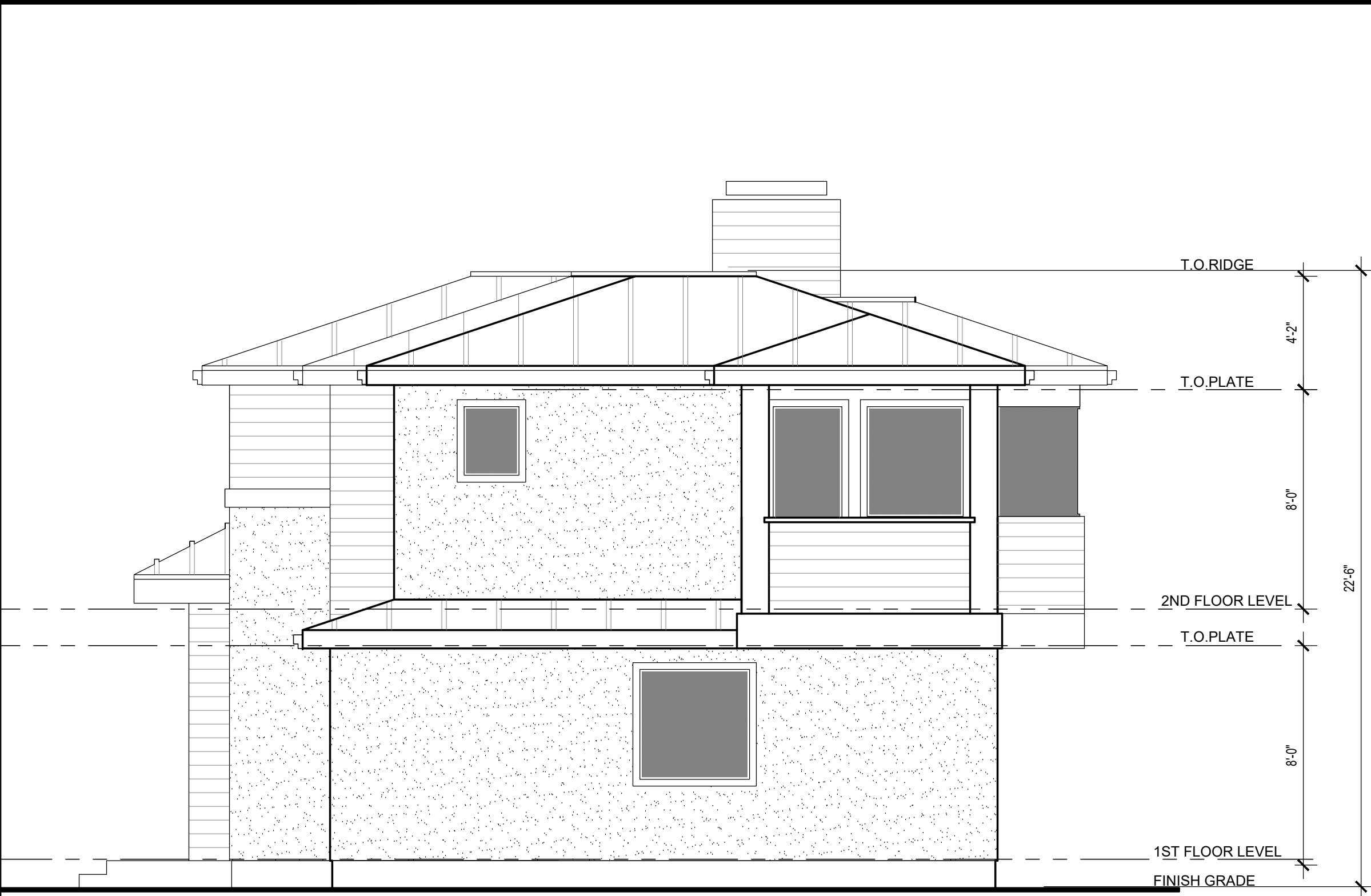
SITE PLAN
FLOOR PLAN

DATE: 03/13/18
SCALE:
DWG. BY: J. MONDALA
JOB No.
REV:

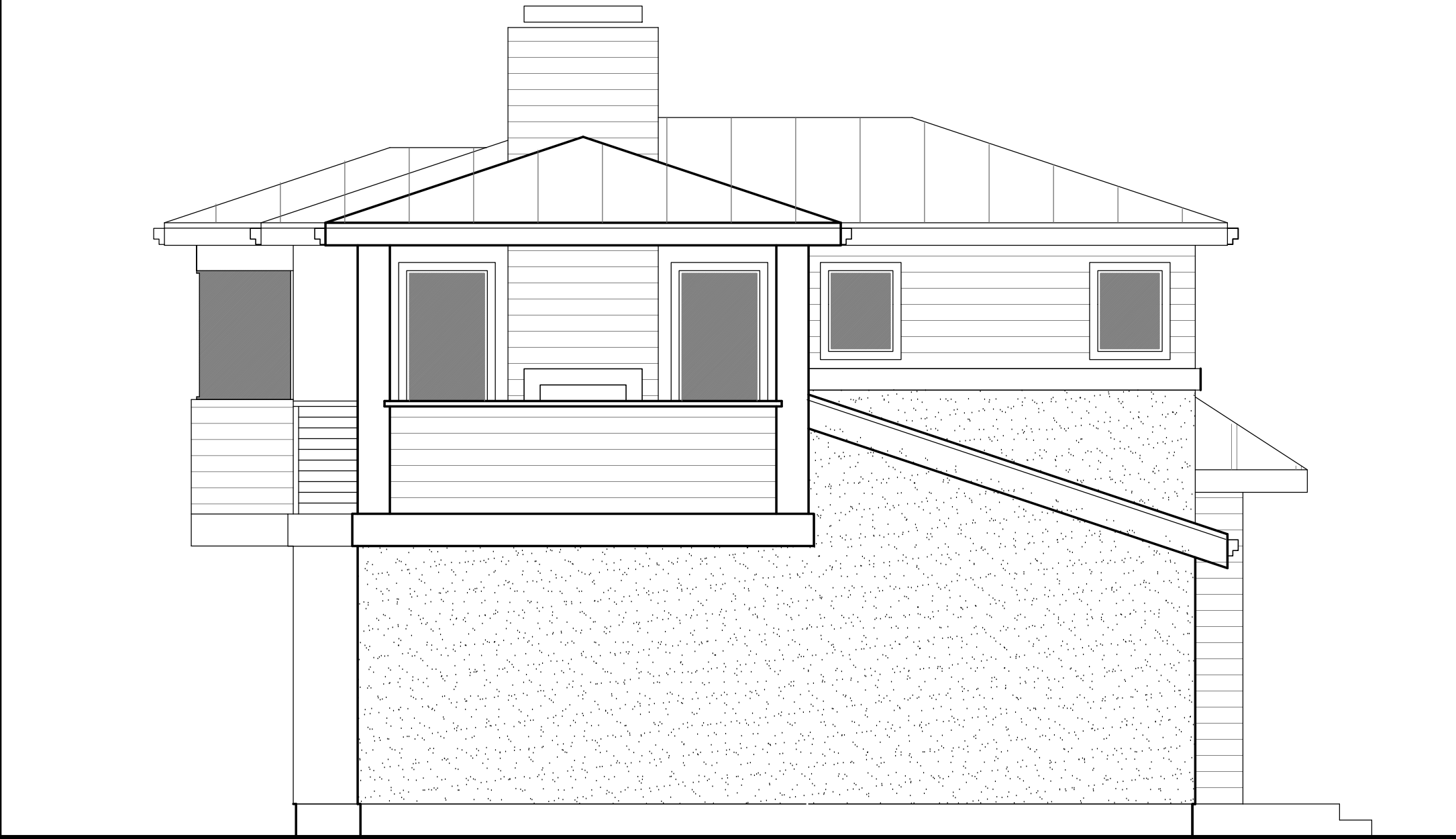
JIMMY MONDALA

3079 ZANETTA DRIVE , MARINA CA 93933
jimondala@yahoo.com (831) 521-7698

A1



NORTH ELEVATION
SCALE : 1/4" = 1'-0"



SOUTH ELEVATION
SCALE : 1/4" = 1'-0"



EAST (FRONT) ELEVATION
SCALE : 1/4" = 1'-0"



WEST (REAR) ELEVATION
SCALE : 1/4" = 1'-0"

JIMMY MONDALA
3079 ZANETTA DRIVE , MARINA CA 03033
jimondala@yahoo.com (831) 521-7658

ADDITION AND REMODEL TO :
NOBIDA RESIDENCE
1739 YOSEMITE STREET , SEASIDE CA

ELEVATIONS

DATE: 03/13/18
SCALE:
DWG. BY: J. MONDALA
JOB No.
REV:

A2

Modifications made for 1739 Yosemite St Seaside, CA per recommendations of the BAR:

- 1) Lowered ridge line of roof from 23'5" to 22'6"
- 2) Created flat sections of roof
- 3) Plate height Lowered from 9' to 8'
- 4) Downsized roof width 2' on north and 2' on south side for a total of 4'
- 5) Provided set back of north/east side of 2' over garage
- 6) Shortened height of master bedroom bay window and now frameless
- 7) Front door added hip to match house roof
- 8) Plant 5 Queen Palm trees across backyard property line for neighbors' privacy

Changes:

- 9) Downsized deck off master bedroom and all wood siding for railing
- 10) Downsized master bedroom and master bathroom shower
- 11) Added window in bathroom facing west
- 12) Added bbq area on south side of deck
- 13) Wood siding for south side of deck
- 14) Changed to vinyl casement windows
- 15) Added wood siding to west side center and larger window at bar



FINAL MINUTES

CITY OF SEASIDE

REGULAR MEETING

BOARD OF
ARCHITECTURAL
REVIEW

COUNCIL CHAMBER
Wednesday, March 21, 2018
5:30 PM

1. **CALL TO ORDER**

The meeting was called to order at 5:33 p.m.

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

Present: Keller, Ventimiglia, Khalsa, Mitchell

Absent: Mori

BOARD OF ARCHITECTURAL REVIEW

3. **REVIEW OF AGENDA**

No changes were requested.

4. **PUBLIC COMMENT**

Chair Keller opened public comment. Paul Wolf spoke on Yosemite item and invited Board to go and look at the proposed addition in Yosemite. There were no further comments from the public; public comment was closed.

5. **APPROVAL OF MINUTES**

None

6. **BUSINESS ITEMS**

- A. **BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-18-03. MR. MEUERS AND MRS. BOYER, PROPERTY OWNERS, AND AARON TOLLEFSON, APPLICANT, ARE REQUESTING DESIGN APPROVAL FOR A 216 SQUARE FOOT SECOND STORY ADDITION TO A TWO-STORY SINGLE-FAMILY RESIDENCE LOCATED AT 1536 NOCHE BUENA STREET IN THE SINGLE FAMILY RESIDENTIAL (RS-12) ZONING DISTRICT (APN: 012-201-012). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.E.1, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

Staff report presented by Associate Planner, Robert Larsen. Mr. Larsen went over presentation for the project requesting design approval for a 216 square foot second story addition to a two-story single-family residence located at 1536 Noche Buena Street in the single family residential (RS-12) Zoning District. Presentation included Location Map, Aerial View, Site Plan, Existing Floor Plan, Proposed Floor Plan, Proposed Elevations,

Colors, Site Photographs, Photo from 1540 Kenneth Street, Letter from neighbor at 1540 Kenneth Street; staff recommended approval. Board had questions that were answered by Mr. Larsen. Chair asked applicant to step forward. Aaron Tollefson stepped forward and went more into detail on the project. Mr. Tollefson answered questions from the Board. Chair Keller opened public comment; Vauncia Parker, spoke on behalf of her sister Marsheila DeVan, 1540 Kenneth Street, and reference letter that was sent by sister. Is concerned about losing current view and the effect on value of the home, invites Board to drive down Kenneth Street to see; encourages Board to read letter submitted by her sister and think about the people this project will be affecting. Julie Vogado, 1530 Kenneth Street, her concern is the view, the best asset of the house is to go outside on the balcony and enjoy the view. Martha Myszak, mother of resident on 1540 Kenneth Street, concern about her daughter losing her view, reduce value of her home. Gregory Meuers, 1536 Noche Buena, spoke on behalf of his project and sympathizes with the neighbors, but his project should be approved, spoke on property value and views. Steve Bradford, resident of Seaside, retired Real Estate Agent, spoke in regards to views particularly as a Real Estate Agent, and on behalf of 1540 Kenneth Street homeowner, taking away somebodies view is a big deal. Public comment was closed. Board members discussed among themselves and had questions for staff that were answered.

On motion by Board member Mitchell and seconded by Board member Ventimiglia and passed by the following vote the Board of Architectural Review continued item to the April 4th meeting to give the Board the opportunity for further review and site visit. Appeal may be submitted within 7 calendar days by the required fees.

RESULT:	Postponed
MOVER:	Board Member Keith Mitchell
SECONDER:	Board Member Kathleen Ventimiglia
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa, Keith Mitchel
NOES:	None
ABSENT:	Mitsugu Mori

7. REPORTS FROM BOARD MEMBERS

Board requested an explanation on change of street signs. Workshop on legal opinion on view sheds.

8. REPORTS FROM STAFF

Mr. Medina spoke on the Board's work plan as the Municipal Plan requires it. He also reminded Board about the Brown Act training scheduled on April 22nd, 3-5 p.m.

9. ADJOURNMENT

On motion, the meeting was adjourned at 6:27 p.m.

Respectfully submitted,

Rosa Salcedo, Board Clerk

Toby Keller, Chair



CITY OF SEASIDE

FINAL MINUTES

REGULAR MEETING

BOARD OF
ARCHITECTURAL
REVIEW

COUNCIL CHAMBER
Wednesday, April 4, 2018
5:30 PM

1. **CALL TO ORDER**

The meeting was called to order at 5:42 p.m.

BOARD OF ARCHITECTURAL REVIEW

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

Present: Keller, Ventimiglia, Khalsa, Mitchell

Absent: Mori

3. **REVIEW OF AGENDA**

No changes were requested.

4. **PUBLIC COMMENT**

There were no comments from the public.

5. **APPROVAL OF MINUTES**

A. **APPROVAL OF MINUTES FROM THE FEBRUARY 21, 2018 AND MARCH 21, 2018 REGULAR MEETINGS.**

On motion by Board member Khalsa and seconded by Board member Ventimiglia the Board of Architectural Review approved the minutes from the February 21, 2018 and March 21, 2018 regular meetings.

RESULT:	Approved
MOVER:	Board Member Bani Khalsa
SECONDER:	Board Member Kathleen Ventimiglia
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa, Keith Mitchell
NOES:	None
ABSENT:	Mitsugu Mori

6. **BUSINESS ITEMS**

A. **BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR -17-15.**

ARTHUR NOBIDA, PROPERTY OWNER AND APPLICANT, IS REQUESTING DESIGN REVIEW APPROVAL FOR A SECOND STORY ADDITION TO AN EXISTING ONE-STORY SINGLE FAMILY RESIDENCE LOCATED AT 1739 YOSEMITE STREET IN THE SINGLE FAMILY RESIDENCE LOCATED AT 1739 YOSEMITE STREET IN THE SINGLE FAMILY RESIDENTIAL (RS-8) ZONING DISTRICT (APN 012-101-065). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.EA, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THIS ITEM WAS CONTINUED FROM THE FEBRUARY 21, 2018 BOARD OF ARCHITECTURAL REVIEW MEETING.

Staff report presented by Associate Planner, Robert Larsen. Mr. Larsen stated that the item was a continuation from the February 21, 2018 meeting. Mr. Larsen provided overview of the second story addition to an existing one-story single-family residence located at 1739 Yosemite Street in the single family residence located at 1739 Yosemite Street in the single family residential (RS-8) Zoning District. Presentation included Location Map, Street View Showing Flagging, Rear Yard, Original Floor Plan, Original Elevations, Applicant's Statement, Revised Floor Plan, Revised Elevations, Color Board; staff recommended approval.

The project was continued from February 21, 2018 in order to allow the applicant to consider making revisions to the exterior façade and footprint of the second story to address the following concerns:

1. Amount of roof area being added,
2. Second story building offsets,
3. The lack of cohesive entry feature,
4. Provide a cohesive design to blend with the neighborhood.

There were concerns expressed by the neighbors about views towards Monterey Bay, inappropriate building mass and extension of the roof over the open deck. In response to the concerns, the applicant submitted a written statement and revised floor plan/elevations. Staff provided Board with the findings and conditions for approval and explained that staff could assist the Board with findings for denial if the Board elected to deny the project. Board had no questions for staff. Chair asked applicant to step forward. Arnold Nobida, property owner represented the application and informed the Board that he made the following changes that were requested by the Board

1. Lowered the height of the roof by reducing plate heights;
2. Added offset for the deck roof's offset, and
3. Changes to the front entry.

Chair Keller opened item for public comment; Felix Bachofner, Seaside resident, spoke on the item. Mr. Bachofner provided different photographs to illustrate what type of off-sets a second story should be from the first floor below to demonstrate the appropriate massing for a second story addition. Mr. Bachofner mentioned that he was pleased with the efforts made by the property owner to modify the second story addition; however, he felt the modifications did not go far enough. He reminded the Board that as was expressed at the previous meeting by the residents who were concerned with the view and also mentioned that this project has an impact on approximately 1,200 stakeholders at ISM and how they

were not provided with photo simulation showing the impact on those stakeholders. He stated that they recognize that you don't have the right to a perfect view but their concern is that this project does not meet the standards that the city has established for houses that are going through this sort of remodel; Mr. Bachofner went over and spoke on the photographs he provided to staff. He referenced that Page 33-34 of the staff report the design would violate the mass and scale guidelines that are set up by the city in the single family residence design guidelines. He continued through the pictures he provided. Mr. Bachofner referenced the design guidelines. He mentioned that there are significant findings for a denial but hoped the Board won't deny it and instead continue item again and ask applicant to make further improvements. Chair Keller closed public comment.

There was discussion by the Board. Board member Ventimiglia had question for staff in regards to front and rear setback questions. Mr. Larsen explained that there was room to the front and rear of the dwelling to expand the dwelling. There was further discussion by the Board. City Attorney Freeman reminded the Board that they are here to review the design not to design from the dais and it's up to the property owner to design the project and if they had concerns just express what the concerns are. If they have concerns that can't be addressed, he explained that the project can be denied and property owner can appeal this decision to the City Council or, with owner's permission, the item can be continued and request plans to be resubmitted no later than mid-May. Chair Keller asked the applicant to step forward. Chair Keller asked applicant if he would like the Board to give him a couple of additional suggestions on the changes and continue item or if applicant would like Board to deny his application so that he could appeal the decision to the Planning Commission. The property owner stated that he would prefer appealing to the Planning Commission since he feels he has already made enough modifications per the previous suggested changes. Board continued discussion amongst themselves. Chair Keller does not believe design is out of scale with the guidelines and does not believe it should be denied. There was further discussion amongst them. Chair Keller once again asked applicant to step forward and asked applicant if approved with minor suggestions if he is ok with making the small modifications rather than having the Board deny the project. The property owner agreed to make minor modifications as suggested by the Board. The modifications shall be brought before staff for approval seconded by Board member Mitchell. Appeal may be submitted in writing within seven calendar days accompanied by the required fees to the Planning Commission.

On motion by Chair Keller and seconded by Board member Mitchell and passed by the following vote the Board of Architectural Review approved project with the following modifications: 1. modify front entry to provide greater roof overhang and entry door feature; 2. add belly band on the north side elevation; and 3. incorporate a minor setback on the elevation with the three windows.

RESULT:	Approved
MOVER:	Chair Toby Keller
SECONDER:	Board Member Keith Mitchell
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa, Keith Mitchell
NOES:	None
ABSENT:	Mitsugu Mori

B. BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-18-03. MR.

MEUERS AND MRS. BOYER, PROPERTY OWNERS, AND AARON TOLLEFSON, APPLICANT, ARE REQUESTING DESIGN APPROVAL FOR A 216 SQUARE FOOT SECOND STORY ADDITION TO A TWO-STORY SINGLE-FAMILY RESIDENCE LOCATED AT 1536 NOCHE BUENA STREET IN THE SINGLE FAMILY RESIDENTIAL (RS-12) ZONING DISTRICT (APN: 012-201-012). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.E.1, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THIS ITEM WAS CONTINUED FROM THE MEETING OF MARCH 21, 2018.

Staff report presented by Associate Planner, Robert Larsen as a continuation from the March 21, 2018 meeting. Mr. Larsen went over presentation for the project requesting design approval for a 216 square foot second story addition to a two-story single family residence located at 1536 Noche Buena Street in the single family residential (RS-12) Zoning District. Presentation included Location Map, Street Aerial View, Site Plan, Existing Floor Plan, Proposed Floor Plan, Proposed Elevations, Colors, Site Photographs, Photo from 1540 Kenneth Street, Photo from 1530 Kenneth Street, Letter from 1540 Kenneth Street, Letter from 1530 Kenneth Street. City staff recommended approval based on findings and conditions. Mr. Larsen pointed out that the General Plan includes a policy statement in the Urban Design Element identifying the need to consider the protection of public and private views. The City Attorney explained that this consideration asks the Board to balance the impact of view blockage in relation to the size and location of the proposed addition. There were no questions for staff.

Chair Keller asked applicant to step forward to make any additional comments. Aaron Tollefson, applicant, spoke regarding the netting as some portions were requested to be blacked out from the previous meeting. He explained to the Board that there was no need for blackout the framing or netting since netting was installed correctly. There were no additional comments from the applicant. Board had no further questions for applicant. Chair Keller open public comment.

Marsheila DeVan, owner of 1540 Kenneth Street, asked Board if anyone had a chance to come by their street. The Board members responded that they did. She stated that she was disappointed because there was an understanding from the previous meeting that Board would go inside property owners home and see the view impacts from there. She mentioned that she drove by there today and from a car you cannot get the gravity of what they are going to lose with this project. She mentioned that she understands that there is no guarantee of a view. She questioned what the role of the Board is if they are not looking at what they want Seaside to look in the future and she referenced the cities handbook. She pointed out the issue of the mass of the project and the fact that this is not the first time this property has expanded. Her concern is losing their view to someone who has a substantial view and spoke on the fairness to share views of the Monterey Bay. She asked the Board not to allow project to move forward as it stands. Julie Vogado, also spoke on her dissatisfaction with the Board not doing their due diligence in contacting residents and schedule a visit to their home to view project from their homes. Spoke on the flagging not being blacked out as was requested at the previous meeting and mentioned that photos were submitted by residents, She asked the Board to schedule a time and visit the different properties to view project from there. Residents. Residents from 1560 spoke to the Board looking at project from the street and not from inside the neighbors' homes. Taking away views will affect the values of homes. Resident spoke on behalf of Marsheila DeVan, she

was surprised that the view from their home was going to be taken away. Doing that will only benefit the applicant and felt that this was an unfair practice by the City. She stated that Martha Myszak, has been here since 1949, has seen a lot of changes, stressed that it is not fair for one homeowner to increase his/her value by taking away the value of property owners behind him. Marsheila DeVan read letter on behalf of Dana Goforth, copy was provided to Board. Letter expresses concern with lack of privacy and it would block the sun. Resident requested an explanation of why Board did not reach out to them for a scheduled house visit to view project from their properties. Chair Keller closed public comment.

City Attorney Freeman spoke on his understanding that the Board drove by and took a look at the properties, but mentioned that he prefers that Board go as a group so that everyone has the same information and sees the same views. He suggested that meeting be continued so that Board can go as a group to the different houses and see project from their views. Board would go as a group and that would be scheduled as a meeting and be published as a regular meeting and public can also join the Board during the visits. This is done to have full information just in case there is an appeal and everyone has seen same thing at the same time and everyone has the same information. Board member Ventimiglia pointed out that she went the next day after the meeting to the home of the resident who said that they were going to be available to have the Board go into their home and see the project from there. She stated that she walked the street and rang the doorbell and no one answered the door. Board member Mitchell also said he walked the street to see the project from three different areas, but did not knock on any doors; apologizes for not visiting any of their homes. City Attorney Freeman again spoke on noticing an official meeting for the Board to go to the homes as a group so that everyone can see the same thing at the same time and so that everyone understands the project and know what everyone is talking about.

Board member Mitchell asked to recuse himself from this item due to a conflict of interest he felt he would have once he understood that he was familiar with some of the families who had made public comment from the 1500 block of Kenneth Street. City Attorney Freeman spoke on when a person recuses themselves from a particular project for potential conflict of interest that means they cannot participate at all, can't speak to the staff can't do anything they then have to get up and leave the room because they can give a thumbs up or thumbs down or a wink or a nod in body language. Once Mr. Mitchell left the room, a Motion was made. Chair Keller announces that an appeal of this decision may be submitted in writing within seven calendar days accompanied by the required fees to the Planning Commission. Chair Keller asked Board member Mitchell to come back in to continue with next item.

On motion by Board member Khalsa and seconded by Board member Ventimiglia and passed by the following vote the Board of Architectural Review approved project as presented.

RESULT:	Approved
MOVER:	Board Member Bani Khalsa
SECONDER:	Board Member Kathleen Ventimiglia
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa
NOES:	None
ABSENT:	Mitsugu Mori

C. ARCHITECTURAL REVIEW APPLICATION NO. BAR-17-10. FREDERICK M. BAKER, PROPERTY OWNER AND APPLICANT, IS REQUESTING APPROVAL OF A NEW EXTERIOR BRANDING UPGRADE AT 1175 FREMONT BOULEVARD (KFC), LOCATED IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Staff report presented by Associate Planner, Robert Larsen Mr. Larsen went over presentation for the project requesting approval of a new exterior branding upgrade at 1175 Fremont Boulevard (KFC), located in the community commercial (CC) Zoning District. Presentation included Location Map, Aerial View, 2009 Approval – Hilby Avenue, 2009 Approval, Current KFC Application, Revised Plans, Site Photos; staff recommended denial of corporate image and approval of applicant’s application. Board had questions for staff that were answered by Mr. Larsen. Applicant was asked to step forward, Mike Baker, answered questions that were asked by the Board. There was discussion by the Board. Board asked further questions to the applicant. Board continued to discuss amongst themselves. Chair Keller open public comment, seeing none, public comment was closed. Board discussed amongst themselves. An appeal may be submitted in writing within 7 calendar days accompanied by the required fees to the Planning Commission.

On motion by Chair Keller and seconded by Board member Ventimiglia and passed by the following vote the Board of Architectural Review approved the submitted application a stated with the red and white fascia band, the red tower, the red awnings on everything but the Long Johns Silver tower keeping the Long Johns Silver tower as is.

RESULT:	Approved
MOVER:	Chair Toby Keller
SECONDER:	Board Member Kathleen Ventimiglia
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa, Keith Mitchell
NOES:	None
ABSENT:	Mitsugu Mori

7. REPORTS FROM BOARD MEMBERS

None. Chair Keller asked staff if they have any information regards to street signs. Senior Planer, Rick Medina mentioned that he does not, but he did notice the new signs.

8. REPORTS FROM STAFF

None.

9. ADJOURNMENT

On motion, the meeting was adjourned at 7:08 p.m.

Respectfully submitted,

Rosa Salcedo, Board Clerk

Toby Keller, Chair



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, May 9, 2018
7:00 PM

1. **FIELD TRIP - 6:00 PM**

Chair Owens called the meeting to order at 6:00 PM and the Planning Commission adjourned to the Field Trip.

2. **CALL TO ORDER - 7:00 PM**

Chair Owens reconvened the meeting at 7:00 PM.

3. **ROLL CALL - ESTABLISHMENT OF QUORUM**

PLANNING COMMISSION

PRESENT: Dodson, Kisperskey, Oglesby, Owens, Ross, Spalletta

ABSENT: La Mica

4. **REVIEW OF AGENDA**

No changes were requested.

5. **PUBLIC COMMENT**

Chair Owens invited comments for items not on the agenda.

- Alex Miller, Chair of the NIPC announced the winner of the portal project and thanked the Commission and the public for participating.
- Rick Medina announced and welcomed the new appointment of Commissioner Kisperskey.

6. **APPROVAL OF MINUTES**

On motion by Vice Chair Michael Spalletta and seconded by Commissioner Ian Oglesby and passed by the following vote the Planning Commission approved the Minutes as presented.

RESULT: **Approved**

AYES: John Owens, Denise Ross, Keith Dodson, Michael Spalletta, Ian Oglesby

NOES: None

A. **APPROVE THE MINUTES FROM APRIL 25, 2018 REGULAR MEETING**

Action: approved

7. **BUSINESS ITEMS**

- A. **FENCE EXCEPTION APPLICATION FE-18-01: NATALIE GIBSON, PROPERTY OWNER AND APPLICANT, IS REQUESTING THE APPROVAL OF A FENCE EXCEPTION TO ALLOW FOR A 5.5 FOOT HIGH FENCE WITHIN THE REQUIRED 15-FOOT FRONT YARD OF A RESIDENTIAL PARCEL LOCATED AT 1662 LUZERN**

STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL ZONING DISTRICT (APN#012-723-016). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Associate Planner Larsen presented the report on the Item. He noted the structure is an as-built fence that exceeds the maximum height of four feet within the front setback with no record of a permit to construct. He described the design of the fence and explained the traffic safety visibility area as well as pedestrian visibility. He further explained the fence also operates as a retaining wall. Staff recommended denial of the appeal, per the regulations as the process mandates an exception only when a physical hardship exists but in this case but was not present, as defined by the code. Staff was not able to support the findings and recommended the Commission discuss and make a determination. Mr. Larsen answered questions of the Commission. On question, staff confirmed the fence existed when the owner purchased the house. The Commission expressed concern that when backing out of the driveway, they may have visual issues with pedestrians. The applicant explained that she has a small car, and spoke to the visibility to pulling out looking south, and also noted her neighbor's on both sides of her property have the same height. There were no questions for the applicant.

Chair Owens invited comments from the public.

- Victor Lorenzo, the real estate agent who sold the applicant the property indicated that according to the zoning code, it is not an intersection, and does not see how it is a general safety hazard and in terms of aesthetics, it's a positive looking fence, enhancing the neighborhood. He requested the commission grant the exception.

Commissioner Dodson said the scallops would seem to create site lines that are 4 feet so it is only a partial blockage of the 5 foot level. On question Mr. Larsen indicated this item was triggered by a real property report when the house was sold and it was part of due diligence. Commissioner Oglesby questioned the applicant to clarify that when the house was purchased, the fence was existing. and requested consideration of adding a mirror for increased visibility to which she agreed. The Commission agreed that a mirror would assist with the safety concerns, that the fence is consistent with surrounding fences and confirmed that the fence existed prior to purchasing the property.

On motion by Commissioner Dodson and seconded by Commissioner Kisperskey and passed by the following vote the Planning Commission approved the fence exception with the addition of a mirror on the south wall to protect pedestrians and requested staff to bring back a resolution for approval at the next meeting.

RESULT:	Approved
AYES:	Dodson, Kisperskey, Oglesby, Owens, Ross, Spalletta
NOES:	None

B.

USE PERMIT APPLICATION NO. UP-18-02. UNIVERSITY PLAZA (PROPERTY OWNER) AND FRANK PACHECO, (APPLICANT), ARE REQUESTING APPROVAL OF AN INDOOR COMMERCIAL BUSINESS (DBA JUMPIN-AROUND) LOCATED AT 1760 FREMONT BOULEVARD, STE: D-1 IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.

Senior Planner Medina spoke to the application to relocate a commercial use, Jump N Around at the new location on Fremont Blvd. The business is a commercial recreation facility that will occupy approximately 9,500 square feet within lease area D-2 of the shopping center. The space will be used for a jungle gym structure, three bounce houses, climbing walls, and a gaming room oriented to youth and toddler between ages of 3-8 years. Other use of space includes private rooms that can be

reserved for events, a parent's waiting room/work area, restrooms, office, and storage. 400 square feet is slated to accommodate a real sales area selling merchandise and pre-packaged snacks and refreshments. The hours of operation are proposed to be 10 am to 7 pm, seven days a week. Mr. Medina detailed the site plan, the existing use of the building and noted that little internal construction is needed. Water allocation would be need prior to opening however the revenue, occupancy and space requirements are in alignment with allocation priorities. There would be a requirement for BAR approval for exterior modifications including repainting.

He also noted that the applicant will be adding six ADA parking spaces and curb ramps for compliant access. Staff finds in the analysis that this project is a located in a community commercial zoning district and the use is consistent with allowable zoning uses and would help create pedestrian activity in the commercial zoning area, therefore staff recommended approval. Mr. Medina answered questions from the Commission.

The Commission discussed hours of operation and exterior lighting for safety purposes to which Mr. Medina indicated there would be additional, retrofit exterior lighting to the sidewalk and parking lot.

Chair Owens invited comments from the applicant. David How spoke as representative for the property owner, expressing enthusiasm for the tenant which should bring young families and additional foot traffic to the shopping center which will benefit all businesses co-located. He also stated they are attempting to change the address to Echo to alleviate confusion.

The Commission discussed the placement of the ADA parking spaces questioning if they could be more dispersed through the complex however on discussion of additional costs, the commission decided to allow the site plan as presented and spoke in support of the address change, as a condition of approval and requested the hours of operations be clarified in the final use permit.

Chair Owens opened public comment on the item and had no requests to speak.

On motion by Commissioner Keith Dodson and seconded by Commissioner Denise Ross and passed by the following vote the Planning Commission Approved Resolution number 18-07 approving Use permit application No UP 18-02 as presented.

RESULT: **Approved**

AYES: Dodson, Kisperskey, Oglesby, Owens, Ross, Spalletta

NOES: None

C. CONSIDER AN APPEAL REQUESTING TO OVERTURN THE BOARD OF ARCHITECTURAL REVIEW DECISION FOR A SECOND STORY ADDITION TO AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 1739 YOSEMITE STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN 012-101-065). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.E.2.A, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Commissioner Oglesby recused himself as he has relatives within the zone of influence.

Commissioner Dodson reported that both of his children attend the International school however he still can vote objectively.

Associate Planner Larsen provided a background on the two previous BAR hearings about this item regarding design review to ensure that it is compliant with the residential guidelines. Mr. Larsen provided a project overview including an aerial view and location features for the appellant property location. He explained the design review process that is required for all 2nd story additions, staking and flagging is required and was completed by the application. Mr. Larsen detailed the elevation changes and revised floor plan as submitted and outlined the modifications requested and the changes made by the applicant. He emphasized the applicant complied and made additional changes

from the BAR requests. Mr. Larsen outlined the color and materials pallets. Senior Planner Medina explained the appeal process can be filed by an aggrieved person and further explained the PC has the ability to affirm, affirm in part, or reverse the decision by providing findings and evidentiary facts to support the decision. Mr. Medina then spoke to the appellant's statement that the project violates portions of the general plan. He explained the zoning code allows for second story additions in the RS zone and staff believes the action of the BAR is consistent with the Zoning Code and General Plan. What was identified was a panoramic view from the school, and he encouraged the Commission to take into account the rights of a view from a property owner and the rights of a view from a person on a sidewalk. Mr. Larsen spoke to the Single Family Residential Guidelines and detailed the changes from the initial and the revised submissions. He noted that they were in compliance with all elements of the SFR Guidelines. He closed by informing the public that the Commission did conduct a site visit at the beginning of the meeting. Staff answered questions from the Commission.

Felix Bachofner, the co-appellant presented his rebuttal, indicating that it is not just the residential property owners that are impacted but the adjoining school would also be impacted and explained his rationale to the Commission. He made three main arguments, that the addition would impact the view of the public from the sidewalk, that there would be light impacts to the residents below the property, and if other houses follow suit, then there would be a more substantial view impact. He also argued that the design of the property is out of compliance with residential guidelines specifically with regard to the entry way, window volume and set back.

Chair Owens invited comments from the public.

- Sue Hawthorne expressed concern that not all neighbors received the notice of the meeting, but expressed more concern with the limiting of her view of the sky, the shade that it casts and that it is not keeping with the character of the neighborhood.
- Jimmy Welch spoke in support of the applicant improving their home. He thinks the traffic is more concerning and expressed frustration that the former Mayor is using the school as an excuse to prevent someone from updating their property. He spoke in support of approval.
- Dennis Volk spoke in support of the applicant who wants to improve his property and he is a positive contributor to the community.
- Kevin Brokhouser Trustee at International School and Teacher at York school and spoke about the learning impact. As an educator, space matters and if students are inspired by their surroundings, students learn better. Does not want the inspiring view to be minimized and thinks it will impact the learning environment.
- A resident spoke in support of approval.
- Lanny Olis requested that because they did everything the BAR asked, please let him build his home and improve the neighborhood.
- Neil Impetos spoke to the benefits that happen to neighborhoods when people start investing in their properties. He was in support of approval.

Chair Owens called a five minute recess at 8:33 PM. The meeting was reconvened at 8:39.

- A neighbor to the applicant expressed concern about the reduction in privacy to her residence.
- Paul Wolf expressed understanding that regulations are there for a reason and that the BAR was supposed to look at was not just immediate impacts, but long term policy impacts for the City. He felt they avoided the discussion of the size of the proposed property and if approved, it sets precedence for projects of this size throughout the community.
- Cristina Dias expressed frustration with the blast email to the parents at the school that she felt coerced to come to the meeting to oppose a remodel of a home. She does not appreciate that he was speaking for her daughter and the parents of the school. She felt that the photos from the appellant were misleading and had no issues with the project.

- Kimberley Delrosario spoke to wanting her students to pay attention to their school work and to drivers to pay attention to the traffic; she did not oppose the project because of impacts of view.
- A resident and current parent spoke to the photos represented by the appellant as misleading and expressed disappointment that personal information was used to solicit a personal opinion. Energies should be focusing on the bullying issues that are happening in the school classes.
- Lucy Gomez spoke in support of the applicant, doing what is best for their family home and improving the surrounding community.
- Lanny Olis spoke in support of the applicant and the improvements and the changes that were made at the request of the City. He spoke in support of the Applicant.
- Alex, a previous ISM student, spoke to never looking at the view while attending and from the classroom; you will be able to see the view perfectly fine even with the addition.
- Cookie Siandro spoke in support of the family and of the project.
- Jefferson, small business owner, spoke to the benefit to the kids. As houses improve kids will be looking at improved houses and successful people and be inspired to work harder knowing there are possibilities for them in life. They will feel safer being surrounded by people who love their community.
- The applicant thanked staff for their effort and spoke to his family proximity and all of the changes he has made at the request of the City. He spoke to his love of Seaside and desires to make the community better and requested the Commission to deny the appeal.

Chair Owens clarified that the entirety of the appellant's time was used up in the beginning, they cannot offer a rebuttal.

Commissioner Ross indicated that General Plan Policy UD 3.1.1 said that the view from the school is a public view, not a private view so it does not apply and did not think that the project would impact the applicant's access to light. Sunlight moves and is not an inherent property right. Commissioner Dodson stated that he is also a parent at the school and understands concern stated but disagrees that the project will impact the view from the property and he spoke in support of the applicant's modifications as requested by the BAR. And does not see any grounds for reversal of the decision. Commissioner Spalletta agreed. Commissioner Kisperskey agreed that the view is obstructed but only from the vehicle location and you should not be looking at the view when you should be driving in a school zone. She spoke to the importance of kids being surrounded by improved homes rather than dilapidated homes. Acknowledged the issue of shade to neighboring properties, but the issue is that our houses are so close to each other, and this will be an issue for all two story buildings. The Commission agreed that improving houses will improve neighborhoods and with the cost of living so high, building up is a more affordable option than purchasing a larger home. The Commission found no justification to reverse the decision of the BAR.

Chair Owens spoke to the traffic issue that this school causes. The impact will only be an 8' increase to the sight line. The view is not impacted and he personally went through the same process. He is in support of the project and he said that more consideration should be paid to traffic than the view.

Commissioner Dodson moved to deny the appeal. Seconded by Commissioner Ross. Approved unanimously.

8. **REPORTS FROM COMMISSIONERS**

Commissioner Ross reported that a problem with pedestrian crossing at Broadway and Fremont citing it as an unsafe situation.

9. **REPORTS FROM STAFF**

Staff reported that Broadway Avenue construction would be completed by June 7 and invited the Commission to the City sponsored Pedal Party from 5- 7 on May 10th at the Seaside Creates office

at 656 Broadway Avenue. Economic Development Manager Gloria Stearns reported on previous comments about road conditions, and the Planning Commission confirmed that they want an independent study session from the City Council.

10. ADJOURNMENT

On motion, the meeting was adjourned at 9:20 PM.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

John Owens, Chair

Lesley Milton - ISM

From: carissa ratliff <carissadanz@gmail.com>
To: <RMedina@ci.seaside.ca.us>
Date: 5/9/2018 10:04 AM
Subject: ISM
CC: <lmilton@ci.seaside.ca.us>, <felix@bachofner.com>

I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.
Carissa Ratliff

From: Lena Sager <lenajs88@yahoo.com>
To: <RMedina@ci.seaside.ca.us>
CC: <LMilton@ci.seaside.ca.us>, <felix@bachofner.com>
Date: 5/9/2018 12:45 AM
Subject: 1730 Yosemite Street, Seaside, CA

To whom it may concern,

I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of so many more reasons than the extreme impact on the ocean views at International School of Monterey. My daughter attends the school as I did back when it was Manzanita. The views that Seaside has to offer are beautiful. When I saw those orange nets on that roof, I said who would allow this? These views offer tranquility to our kids. I still enjoy them myself everyday. I find it quite selfish, and ignorant, to even think of doing something like this. It is bad enough, Seaside is nothing that it used to be. Please don't allow the greed of individuals to mess up one of the few things we have left. This could change the entire neighborhood. Why would we allow a wall to go up and take something so timeless away from these kids? If they wanted to "see" more, they should have moved to the hilltop. If you allow this, it's sending the message that we truly don't care about this town and people could do whatever they want. It's just not right.

Sincerely,

L.S.

Sent from my iPhone

From: Chris Ushy <cgushy456@gmail.com>
To: <RMedina@ci.seaside.ca.us>, <LMilton@ci.seaside.ca.us>, <felix@bachofner...
Date: 5/9/2018 11:01 AM
Subject: 1739 Yosemite expansion

To whom it may concern,

I am writing this email as a home owner, that I am not oppose to the expansion of the 2nd story. I think this is ridiculous, it doesn't obstruct the view for anyone. There is a big tree next door to the house that is taller than the expansion. People own property and pay their taxes, its their property. There our houses on the street that is also 2 story, why is this an issue baffles me. I am proud of my school ISM which I have 3 kids that attend there and also support the home owner 100 percent. Tonight at the meeting there will be alot of ISM parents there supporting the home owner and Im sure opposing it.

I also have more issues with the school letting families information out to Mr Bachofner which alot of us will bring up to the school, unexceptionable!!

Thank You

Chris U
ISM parent

From: Josh Deese <kawi585@hotmail.com>
To: Felix Bachofner <felix@bachofner.com>, "rmedina@ci.seaside.ca.us" <rmedi...
CC: Sean Madden <smadden@ismonterey.org>, Jessica Allen <jallen@ismonterey.o...
Date: 5/8/2018 11:22 PM
Subject: 1739 Yosemite st remodel! Fw: Your attendance will help ISM and the Yosemite Street neighborhood -- City of Seaside meeting, WEDNESDAY, May 9, 7 p.m.
Attachments: 9BBBD512-D367-4CE9-88C6-387AF2D224B8.jpeg

Dear Felix and to whom this may concern. I am writing to you in regards to 1739 Yosemite, the house across the street from ISM. First off I was born and raised in Seaside, lived here my whole life, raised on the 1800 block of Yosemite and went to school at Manzanita elementary before it was ISM. Both of my daughters have been going to school at ISM since kindergarten and now are in 1st and 3rd Mr.Carr and Mrs.Matthews. I am blown away by the amount of effort you and the school are putting into fighting a remodel across the street from the school. You are trying to rally community stakeholders and ISM parents to show up to the meetings and telling them what to write in a email. The only argument for the remodel is "it's going to block the view" I'm not sure about you, but our kids are there to learn and to get an awesome education! Not to worry about a view of the ocean which by the way as you already know if you are standing at the office of the school or anywhere on the school grounds which sits higher than what the roof line on the remodel would be , you would clearly see that it's not blocking any views. It looks right over the top of it because of the elevation difference.Why in your email does it say that there is a site visit at 6pm but then say that's not nearly as important? Do you not want people to see that it's really not going to block any views? The view was never a issue when there was a 60ft massive tree there in the neighbors yard a few months back. I didn't see emails going out to rally to cut it down. Mr.Bachofner thank you for serving previously as our Mayor and thank you for your concerns for the city but's let's try and focus our energy on other things in the community. We want to improve seaskies image right? Or just improve lower Broadway? Also, not sure if you are aware of who the property owners are but let me tell you they are a great LOCAL family known by many! They also lived in seaside forever and are also seaside business owners who when they are not working are volunteering their time coaching SEASIDE pony softball / baseball and has or have coached a number of ISM students including my daughters. They have worked hard for what they have and if they are lucky enough to own a house and want to remodel it into their dream house who are we to stop them?? Our kids are at the school for 8 hours of a 24hr day and I don't think they will be bothered by the remodel and most of the parents come there twice a day at pickup and drop off and many don't even live in seaside. So fighting the remodel because of a so called "blocked view" is ridiculous and I'm sorry to say that I'm really disappointed in Director Madden and ISM for allowing you to send out an email to all of us ISM parents wasting time with this! Thank you Also attached is a picture from the front office and you can clearly see the lower portion of seaside over the orange netting. I don't see the "extreme impact on ocean views".

From: Felix Bachofner <felix@bachofner.com>
Sent: Tuesday, May 8, 2018 10:34:01 PM
Subject: Your attendance will help ISM and the Yosemite Street neighborhood -- City of Seaside meeting, WEDNESDAY, May 9, 7 p.m.

Dear ISM Parent and Community Stakeholder:

My name is Felix, father of Kirsten (ISM 3-B / Ben James) and Lucian, (ISM K-A / Shelly Houseman). I am also the former Mayor of the City of Seaside and a former Planning Commissioner for the City.

Over the past few months you have probably noticed that a home across from ISM has proposed a massive expansion. Many of you have expressed your concern to me about the prospective negative impact on views for ISM and the neighborhood.

Unfortunately, even though:

1. the excessive mass of the expansion violates a number of rules and guidelines set forth by the City of Seaside
and
2. the proposed development almost certainly violates the CA Environmental Quality Act (CEQA)
and
3. (other than the applicant) not a single public comment supported the extreme scope of the proposed addition (there were about 12 public comments entered into the record)

The City of Seaside Board of Architectural Review approved the proposal with only the slightest of alterations (which would not help preserve ISM's fantastic view).

Because the Board misinterpreted the Seaside General Plan, Seaside Design Guidelines as well as CEQA . . . and thus almost certainly overstepped its legal authority to approve such a proposal, I have appealed the decision to the Seaside Planning Commission. My co-appellant is Sue Hawthorne, a resident on St. Helena Street (who, along with her neighbors would also be negatively impacted to a high degree).

The appeal meeting is tomorrow evening at 7 p.m. at Seaside City Hall (440 Harcourt Avenue).

Here is my simple request for your help:

1. please attend the meeting (approximately 1 hour) and hold up your hand when I ask: "By show of hands, who in the audience opposes the scale of this home expansion?" You do not need to make a public comment to help, but a large number of comments of concern would certainly also help with the appeal. [A site visit (at ISM) will precede the meeting at 6 p.m., but that is not nearly as important to attend.]

and / or

2. please send a short, simple e-mail (right now) to:
RMedina@ci.seaside.ca.us<mailto:RMedina@ci.seaside.ca.us>
Please express something like:

"I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey."

[please also send a courtesy copy to (City Clerk)
LMilton@ci.seaside.ca.us<mailto:LMilton@ci.seaside.ca.us> and to me,
felix@bachofner.com<mailto:felix@bachofner.com>]

It is important to note that no one has opposed the applicant's desire to improve and expand his property (people even support some type of second story addition). We all want to see Seaside improve. All we are asking is that this applicant be held to the same standards which all other property owners in Seaside have been expected to follow for many years.

The City rules and standards help preserve views, especially as neighborhoods start improving across multiple properties.

Please keep in mind that if this property is allowed this massive expansion, the remaining 8 homes on Yosemite in ISM's view could then follow the same negative example. Our children would be staring at a

WALL instead of enjoying views of the ocean!

I hope to see you at tomorrow's meeting and/or to receive a copy of your e-mail supporting the appeal.

Thank you in advance for your assistance.

Felix

Felix Bachofner
Former Mayor, City of Seaside, CA
831-393-1921

From: Holly Bishop <courtsmadre@yahoo.com>
To: "RMedina@ci.seaside.ca.us" <RMedina@ci.seaside.ca.us>
CC: "LMilton@ci.seaside.ca.us" <LMilton@ci.seaside.ca.us>, "felix@bachofner...."
Date: 5/9/2018 8:44 AM
Subject: 1739 Yosemite Street appeal

I would like to state for the record that our family opposes the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at the International School of Monterey and the impact on the neighborhood appeal as a whole.

Thanks, The Bishop Family

From: Jynae C <jynaenae@gmail.com>
To: <RMedina@ci.seaside.ca.us>
CC: <LMilton@ci.seaside.ca.us>, Felix Bachofner <felix@bachofner.com>
Date: 5/9/2018 2:26 PM
Subject: 1739 Yosemite Street Expansion

To Whom it May Concern:

I am writing to express my opposition of the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at the International School of Monterey.

The excessive mass of the expansion violates a number of rules and guidelines set forth by the City of Seaside and the proposed development almost certainly violated the CA Environmental Quality Act (CEQA).

While there are codes that speak to zoning and expansions that obscure the natural beauties of the peninsula, this too falls into that category. One of the awesome things about living in California on the Monterey Peninsula is the natural beauty we are surrounded by. While I support folks building onto their homes and doing home refurbishing, I do not support builds that are not meeting required rules and guidelines set forth to protect the natural beauty and the views therein.

Please consider the future of the International School of Monterey and the beauty all around as it supports the community and the education of our children; while also teaching them the responsibility and value of following rules and guidelines when going about projects in life. Allowing this massive expansion sends the wrong message to a group of eager children and families given there a numerous violations if it were to proceed.

Respectfully Submitted,
Jynae Clapper
ISM Parent Kindergarten Parent

From: Cristofer Cabanillas <ccabanillas@ismonterey.org>
To: <RMedina@ci.seaside.ca.us>
CC: <LMilton@ci.seaside.ca.us>, <felix@bachofner.com>
Date: 5/9/2018 5:48 AM
Subject: 1739 Yosemite Street ppty

Good morning,

The purpose of this email to communicate my strong opposition to the proposed home expansion at 1739 Yosemite Street. The proposed scale will have an extreme impact on the ocean views at International School of Monterey, which my family has been a part of for the last eight years, and will be for indefinite future. I speak for the entire school, when I state this strong opposition and the direct impact it will have on our property, but also for the adjacent and surrounding properties.

We all share the concern that this new scale could potentially set the tone for future construction on this scale that would diminish the view and visibility of the neighborhood.

Thank you,

Cris Cabanillas

Chair, ISM Board of Trustees

From: Kate Mitchell Mehle <katemitchell11@gmail.com>
To: <RMedina@ci.seaside.ca.us>
CC: <LMilton@ci.seaside.ca.us>, <felix@bachofner.com>
Date: 5/9/2018 6:18 AM
Subject: 1739 Yosemite Street

Dear Mr. Medina - I am writing to share my concern about the proposed project at 1739 Yosemite Street. I oppose the scale of the proposed home expansion because of the extreme impact on the ocean views at International School of Monterey.

There are several studies and articles focused on the health benefits of spending time in nature. It has been proven that just having a view of natural settings can improve mental and physical health. The article linked below discusses this idea for an office setting and states, "Among office workers, even the view of nature out a window is associated with lower stress and higher job satisfaction."

<http://www.businessinsider.com/scientific-benefits-of-nature-outdoors-2016-4#3-stress-relief-3>

Thank you for all you do for the city of Seaside and our community.
Wishing you all the best -
Kate

From: Amy Mayhew <amy.mayhew@yahoo.com>
To: <RMolina@ci.seaside.ca.us>
CC: <LMolina@ci.seaside.ca.us>, Felix Bachofner <felix@bachofner.com>
Date: 5/9/2018 8:53 AM
Subject: 1739 Yosemite Street

To whom it may concern:

I am writing this email as a parent of 2 children attending ISM and as a homeowner in Seaside Ca. One of the amazing things about the ISM campus is it's amazing view! It would be a shame to have this obstructed by 1 random, very large scale addition, which in my opinion, doesn't seem to flatter the neighborhood. I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Sincerely,

Amy Mayhew

Sent from my iPhone

From: Rene Dickerhoof <renemdickerhoof@gmail.com>
To: <RMedina@ci.seaside.ca.us>
CC: Felix Bachofner <felix@bachofner.com>, <LMilton@ci.seaside.ca.us>
Date: 5/8/2018 9:11 PM
Subject: Excessive Home Expansion at 1739 Yosemite Street

To Whom It May Concern:

I am writing to express my concern regarding the excessive home expansion requested by the owners of 1739 Yosemite Street. While I respect the owner's desire to make property improvements, the extensive 2nd floor addition to this property is clearly at the expense of surrounding neighbors as well as the public charter school directly across the street. I would certainly like to see Seaside housing continue to improve, but it should be improved for all residents *and* not to the detriment to other property owners or to school grounds.

Please help to ensure that all those who currently enjoy the beautiful view from this location can continue to do so by rejecting the current plans as they are slated. Certainly there is a more modest addition possible that would be more respectful to others living in this area.

Kind regards,

Rene Dickerhoof
Parent of ISM Student
(415)295-6630
Rene

From: Botros Youssef <botros.youssef@gmail.com>
To: <RMedina@ci.seaside.ca.us>
CC: <LMilton@ci.seaside.ca.us>, <felix@bachofner.com>
Date: 5/9/2018 8:40 AM
Subject: Expansion at 1739 Yosemite street

Dear Sir

I strongly oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme negative impact on the ocean views at International School of Monterey.

Botros Youssef
831-917-9556

From: Rick Medina
To: Lesley Milton
Date: 5/9/2018 3:15 PM
Subject: Fwd: Home expansion at 1739 Yosemite St.

FYI

Rick Medina
Senior Planner
(831) 899-6726
rmedina@ci.seaside.ca.us

>>> Dhing Peralta <ohdhing09@yahoo.com> 5/9/2018 2:43 PM >>>

Aesthetic views have great impact to human development, specially to the younger ones. To this note, I strongly oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact to the priceless ocean view at International School of Monterey where we have tremendous potential development for our younger talents. All of us have responsibility to preserve our environment for the welfare of our generation and future generations to come.

Sincerely,

Nardito Peralta

From: Rick Medina
To: Lesley Milton
Date: 5/9/2018 3:20 PM
Subject: Fwd: ISM parent

FYI

Rick Medina
Senior Planner
(831) 899-6726
rmedina@ci.seaside.ca.us

>>> Vanessa Guenechea <oovane800@yahoo.com> 5/9/2018 2:02 PM >>>

Hi, sending this email to confirm that I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Thanks,

Vanessa Guenechea
Sent from Yahoo Mail on Android

From: Rick Medina
To: Lesley Milton
Date: 5/9/2018 3:21 PM
Subject: Fwd: Opposed to expansion

FYI

Rick Medina
Senior Planner
(831) 899-6726
rmedina@ci.seaside.ca.us
>>> MJ Andallo <marijom@yahoo.com> 5/9/2018 1:33 PM >>>
Dear sir/mam

"I oppose the scale of the proposed home expansion at 1739 Yosemite Street (x-apple-data-detectors://7) because of the extreme impact on the ocean views at International School of Monterey."

Sincerely,
Maria Andallo-Angeles,RN
Mother of student at ISM
Sent from my iPhone

From: Rick Medina
To: Lesley Milton
Date: 5/9/2018 3:20 PM
Subject: Fwd: Opposition to the proposed home expansion at 1739 Yosemite Street

Lesley,
FYI

Rick Medina
Senior Planner
(831) 899-6726
rmedina@ci.seaside.ca.us
>>> Madel Cahill <msmcahill@yahoo.com> 5/9/2018 2:21 PM >>>
Dear Mr. Medina,

Please hear that I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Madel Cahill
(Mother of 4th grader in ISM)

From: Rick Medina
To: Lesley Milton
Date: 5/9/2018 3:19 PM
Subject: Fwd: Opposition to the proposed home expansion at 1739 Yosemite Street

FYI

Rick Medina
Senior Planner
(831) 899-6726
rmedina@ci.seaside.ca.us
>>> Madel Cahill <msmcahill@yahoo.com> 5/9/2018 2:21 PM >>>
Dear Mr. Medina,

Please hear that I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Madel Cahill
(Mother of 4th grader in ISM)

From: Rick Medina
To: Lesley Milton
Date: 5/9/2018 3:21 PM
Subject: Fwd: Proposed home expansion at 1739 Yosemite Street

FYI

Rick Medina
Senior Planner
(831) 899-6726
rmedina@ci.seaside.ca.us
>>> Chris Khan <ck@chriskhan.com> 5/9/2018 1:55 PM >>>
To Whom It May Concern,

I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Sincerely

,
Chris Khan

From: kdel1214 <kdel1214@gmail.com>
To: <LMilton@ci.seaside.ca.us>
Date: 5/8/2018 11:29 PM
Subject: Fwd: Reg: " The proposed expansion at 1739 Yosemite"

----- Forwarded message -----

From: kdel1214 <kdel1214@gmail.com>
Date: Tue, May 8, 2018, 10:54 PM
Subject: Reg: " The proposed expansion at 1739 Yosemite"
To: <RMedina@ci.seaside.ca.us>

I actually used to be very proud to tell people all about ISM. Unfortunately, lately I am quite embarrassed at the controversy going on. The fact that I have to explain to my children why their school is more worried about "preserving the fantastic view" then focusing more on their education is appalling. I can tell you that our middle school playground does not face the ocean and when they are out of class they don't even have a view. Also, none of the classrooms have windows that have an ocean view. In all the time I've spent helping out or visiting my daughter during recess and lunches on the lower playground the children are busy playing not staring out at the view. In all honesty the only person that has a direct view is the office manager. Not to mention explaining to my children why they are going against their own motto when they say, "Make the world a better place". Yet, they are making attempts at stopping a Seaside (born and raised) resident from trying to provide a better home and environment for his wife and children. I appose what Mr. Bachofner is proposing and am quite disappointed that he is using his history and title as he emails parents of students that attend ISM. Beyond that, he does not even live in the area.

Thank you for your time

From: Leticia Garcia <lety@montereycountybank.com>
To: "RMedina@ci.seaside.ca.us" <RMedina@ci.seaside.ca.us>
CC: "LMilton@ci.seaside.ca.us" <LMilton@ci.seaside.ca.us>, "felix@bachofner....
Date: 5/9/2018 9:08 AM
Subject: Home Expansion at 1739 Yosemite St

I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Leticia Garcia
V.P. Operations Officer
lety@montereycountybank.com<mailto:lety@montereycountybank.com>
Monterey County Bank
The Business Bank
601 Munras ave
Monterey CA 93940
Direct: (831) 649-4600 x117
Fax: (831) 649-8609

[MCB Business Bank Logo]

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From: Leticia Garcia <lgarcia9078@gmail.com>
To: <RMedina@ci.seaside.ca.us>
CC: <LMilton@ci.seaside.ca.us>, <felix@bachofner.com>
Date: 5/9/2018 9:18 AM
Subject: Home Expansion at 1739 Yosemite

I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey

Sincerely
Lety Garcia

From: Rachael Mahan <koneko_93@yahoo.com>
To: <rmedina@ci.seaside.ca.us>, "felix@bachofner.com" <felix@bachofner.com>, ...
Date: 5/9/2018 8:36 AM
Subject: Home Expansion on Yosemite.

I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Sincerely,

Rachael Mahan Aspirant Social Worker Parent to 3 ISM students koneko_93@yahoo.com

From: MJ Andalio <marijorn@yahoo.com>
To: <LMilton@ci.seaside.ca.us>
Date: 5/9/2018 1:35 PM
Subject: Opposed to expansion

Dear sir/mam

"I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey."

Sincerely,
Maria Andalio-Angeles,RN
Mother of student at ISM

Sent from my iPhone

From: Allison Barrientos <barrientos.alli@gmail.com>
To: <RMedina@ci.seaside.ca.us>
CC: <LMilton@ci.seaside.ca.us>, <felix@bachofner.com>
Date: 5/9/2018 3:42 PM
Subject: Opposed to home expansion at 1739 Yosemite Street

Good afternoon,

I oppose the scale of the proposed home expansion at 1739 Yosemite Street
<<https://maps.google.com/?q=1739+Yosemite+Street&entry=gmail&source=g>> because
of the extreme impact on the ocean views at International School of
Monterey.

Thank you,
Allison Barrientos

From: Terry Bare <tbare27@yahoo.com>
To: RMedina@ci.seaside.ca.us; tbare27@yahoo.com
CC: felix@bachofner.com; LMilton@ci.seaside.ca.us
Date: 5/8/2018 11:25 PM
Subject: Opposition to Expansion at 1739 Yosemite Street

- I am writing to express my strong opposition to the proposed building expansion of the home at 1739 Yosemite Street in Seaside directly across from the International School of Monterey.
- My family and I staunchly oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact to the pristine ocean views at International School of Monterey, and the negative impact to the overall aesthetic of the Del Monte Heights neighborhood, and therefore, of Seaside.
- As the parent of 2 daughters who have attended ISM over the last 8 years (and will continue to attend), I join many other voices to request the City of Seaside not set an unsatisfying and unsavory precedence by permitting undesirable and intrusive development into our city's beautiful landscape.

Sincerely,

William Terry Bare
Concerned Citizen, Parent, and Seaside Resident
225 Ardennes Circle
Seaside, CA 93955
831-402-7019

From: Terry Bare <tbare27@yahoo.com>
To: RMedina@ci.seaside.ca.us; tbare27@yahoo.com
CC: felix@bachofner.com; LMilton@ci.seaside.ca.us
Date: 5/8/2018 11:25 PM
Subject: Opposition to Expansion at 1739 Yosemite Street

- I am writing to express my strong opposition to the proposed building expansion of the home at 1739 Yosemite Street in Seaside directly across from the International School of Monterey.
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- As the parent of 2 daughters who have attended ISM over the last 8 years (and will continue to attend), I join many other voices to request the City of Seaside not set an unsatisfying and unsavory precedence by permitting undesirable and intrusive development into our city's beautiful landscape.

Sincerely,

William Terry Bare
Concerned Citizen, Parent, and Seaside Resident
225 Ardennes Circle
Seaside, CA 93955
831-402-7019

From: Sue Hawthorne <suehawthorne@gmail.com>
To: Rick Medina <RMedina@ci.seaside.ca.us>, <LMilton@ci.seaside.ca.us>
CC: <felix@bachofner.com>, Paul Wolf <mr.paulwolf@gmail.com>
Date: 5/9/2018 2:32 PM
Subject: Please Uphold BAR 17-15 Appeal

Dear Planning Comissioners,

Only you can guide the city to approving good projects. City staff says the Arthur Nobida project at 1739 Yosemite St. is permissible as approved by the BAR, but we ask you to uphold our appeal and lead the applicant to a better project. Here are my reasons for co-filing this appeal with Felix Bachofner:

Seismic concerns: Shaky design? The architect who designed our modest 340 sq ft addition on St. Helena St. employed a structural engineer to ensure our structure met seismic criteria in the building code. I'm told by city staff that Mr. Nobida is using a designer, not an architect. Has this commission asked for and been given structural floor plans on this project to assess for seismic stability? He's planning a top-heavy addition at the top of a sand dune, where there'll be people sleeping in back bedrooms in the houses directly below.

Noise concerns: How does the coast guard ensure fog horns are heard and lighthouse beacons are seen? They put them up high above any other obstructions. Adding general living quarters on the second floor means music and conversation will carry throughout our quiet neighborhood. This house already has a history of loud parties that went on too late, keeping the neighbors awake--and that was on the ground floor with fencing and shrubs as a buffer. I'm not excited by the prospect of merrymakers hanging over a balcony just feet from my back yard, or shouting through my upstairs windows when someone sacks the quarterback.

Visual concerns: Borrowing a phrase from a Bruce Cockburn song, this project will "frown out over St. Helena like Dracula's tower." Even with the story poles lowered, this addition blocks our only view of the southern sky year round and blocks the morning sun in winter when days are shortest, when we get some of our nicest weather. We often sit in our pjs on our patio for the morning sun, but we'd be basking in shadow. I know this to be true because the story poles were up when the sun was at its lowest point in the sky. Every morning when I look out my window I'm shocked again at how much this building changes my view, for the worse.

If It Doesn't Fit . . . As our testimony and the overwhelming majority of public comments show, the folks impacted by this project DON'T want it built as approved. We are trying to work within the system to get a better project built. But, we're not really getting due process if nothing we say makes any difference. Please uphold our appeal, and send the applicant back to the drawing board.

Sue Hawthorne
1752 St. Helena St.
831 394-7848

Sent from my iPad

From: Chris Khan <ck@chriskhan.com>
To: <RMolina@ci.seaside.ca.us>
CC: <LMolina@ci.seaside.ca.us>, <felix@bachofner.com>
Date: 5/9/2018 2:03 PM
Subject: Proposed home expansion at 1739 Yosemite Street

To Whom It May Concern,

I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Sincerely

,
Chris
Khan

From: Hedy Khan <hedykhan@gmail.com>
To: <RMedina@ci.seaside.ca.us>
CC: <LMilton@ci.seaside.ca.us>, <felix@bachofner.com>
Date: 5/9/2018 2:02 PM
Subject: Proposed home expansion at 1739 Yosemite Street

To Whom It May Concern,

I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Sincerely

,
Hedy
Khan

From: Patricia Miranda <norikomiranda@hotmail.com>
To: "RMedina@ci.seaside.ca.us" <RMedina@ci.seaside.ca.us>
CC: "LMilton@ci.seaside.ca.us" <LMilton@ci.seaside.ca.us>, "felix@bachofner...."
Date: 5/9/2018 12:18 AM
Subject: Public comment on appeal item

Dear Seaside Planning Commission,

I oppose the scale of the proposed home expansion at 1739 Yosemite Street in Seaside, CA because of the extreme impact on the ocean views at the International School of Monterey. I hope there is another solution that can be reached.

Thank you for your time and service to the community.

Best wishes,

Patricia Adura-Miranda

831-233-3498

From: Felix Bachofner <felix@FelixForSeaside.com>
To: <cgushy456@gmail.com>
CC: <RMedina@ci.seaside.ca.us>, <LMilton@ci.seaside.ca.us>
Date: 5/9/2018 11:45 AM
Subject: Re: 1739 Yosemite expansion

Hi Chris:

While we disagree on the conclusions, thanks for taking the time to write to the City about your viewpoint.

FYI, my e-mails to ISM parents and stakeholders were sent based on information available to all ISM families. I simply culled through the ISM Parent Directory.

The number of responses (on both sides) clearly indicates that this information is of interest to the ISM community.

Felix

Felix Bachofner
831-393-1921

On 5/9/2018 11:00 AM, Chris Ushy wrote:

> To whom it may concern,
>
> I am writing this email as a home owner, that I am not oppose to the
> expansion of the 2nd story. I think this is ridiculous, it doesn't
> obstruct the view for anyone. There is a big tree next door to the
> house that is taller than the expansion. People own property and pay
> their taxes, its their property. There our houses on the street that
> is also 2 story, why is this an issue baffles me. I am proud of my
> school ISM which I have 3 kids that attend there and also support the
> home owner 100 percent. Tonight at the meeting there will be alot of
> ISM parents there supporting the home owner and im sure opposing it.
> I also have more issues with the school letting families information
> out to Mr Bachofner which alot of us will bring up to the school,
> unexceptionable!!
>
> Thank You
>
> Chris U
> ISM parent

From: Felix Bachofner <felix@bachofner.com>
To: <kawi585@hotmail.com>
CC: <rmedina@ci.seaside.ca.us>, <lmlilton@ci.seaside.ca.us>, <smadden@ismonte...
Date: 5/9/2018 6:00 AM
Subject: Re: 1739 Yosemite st remodel! Fw: Your attendance will help ISM and the Yosemite Street neighborhood – City of Seaside meeting, WEDNESDAY, May 9, 7 p.m.

Hi Josh:

Thanks for taking the time to write back to me.

I would first like to make clear that Director Sean Madden and the administrative staff at ISM have nothing to do with my efforts to have the proposed expansion at 1739 Yosemite scaled down to a reasonable level. Indeed, with the exception of Sean attending a BAR meeting (where he presented very /balanced/ con- */and/* pro-remodel comments delivered on behalf of ISM students who had weighed in with both viewpoints) there has not, to my knowledge, been any effort by ISM administrative staff to challenge the expansion. [I am also copying Lisa Griffin Burns -- the ISM facilities director -- so she can weigh in if I have somehow misunderstood or misrepresented anything regarding ISM's official stance on this.]

Furthermore, ISM did not "allow" me to send the e-mail. I did it entirely on my own, using my own e-mail resources. Indeed, when I asked for a copy of the e-mail database to more easily communicate my concerns to ISM parents I was told that would not be permitted. I then had to figure out how to "cull" the PDF parent directory for the data -- at significant time expense, as you surmised!

I am actually working on behalf of and responding to the (now) more than 40 parents who have reached out to me in various ways expressing concern about the scope of the proposed addition. I have heard an even greater number negatively discussing the expansion when I rush to class with my kids each day. Additionally, once I attended the Seaside BAR meeting it started becoming clear that a great many resident neighbors (more than 20 in all) in the area (St. Helena street, Yosemite and adjacent courts) were very concerned with the impacts.

Because of those neighbors it is most definitely NOT just the view blockage which is a concern. Equally important to consider are the long shadows which would be cast into at least 4 adjacent properties. These shadows would deprive those residents of meaningful use of their yards and even homes for significant portions of the day. Many neighbors have also expressed concerns such as a feeling of being "loomed over" if the expansion is built as proposed.

But back to view impacts (since that is of interest to ISM). The view which is proposed to be impeded or taken is a /public/ view. CEQA holds such views in even higher esteem than private views. While students and parents may only be on campus for a "limited" time, there is a massive /multiplier effect/ because of the sheer number of people involved. To my knowledge, ISM currently has 415 enrolled students (418 are "allowed" but a few departed during the year). At /*least*/ 2x per day those students enjoy the view for a couple minutes during drop off and pick

up. The same holds true for the parents and other caregivers. There are also 42 staff members on campus each day. [This analysis does not include the various campus visitors nor other myriad times students are at the drive level of the ISM campus.]

As a result, the total person-hour view time impact /*per school _day_*/ is at /least/ 50.47 /*hours*/ during which the view is impacted by the expansion. [The time calculation table is included at the bottom of this e-mail for your reference. Your photograph, by the way, is taken from approximately 6 feet higher than the drop off area and more than 10 feet higher than the average height of the ISM driveway. This leads your photo to suggest a vista which is in reality *not* able to be taken advantage of by the vast majority of people traveling the scenic arc!]

[As an aside -- and to address your other question -- it is precisely because parents and students spend so much time in the driveway that tomorrow's site visit is "not nearly as important." *ISM stakeholders already know what view is at risk.* Meanwhile, the site visit is not the time the Planning Commission will be receiving public comment. In the interest of saving valuable parent time, it makes more sense for most to come to the 7p meeting!]

For Mr. Nobida and family (yes, I definitely know who the applicant is, some of the properties he owns and at least one business he runs) to have /equal/ benefit of the (presumably) improved view from their proposed addition, they would need to have 4 people looking out their new windows ALL DAY LONG (i.e. 12 hours -- the average amount of daylight -- obstructions are generally not as intrusive at night time since most people are looking at City lights, not dark water -- but nobody is at ISM at night time, so we can fairly calculate only against the daytime impact).

You mention you grew up on Yosemite just one block further up, and state you have known and positively interacted with the Nobidas for a long time; they are your friends. Good for you for making an effort to support their proposal; I think that's a good-friend thing to do.

However, please know that both California statutory law *and* significant case law on /exactly/ this topic (views, shadows, light, etc.) suggests that an applicant can not benefit from a proposal when the cost would be to /take/ a substantial corresponding benefit from other people.

The reasonable accommodation is to allow the Nobidas to build a 2nd story addition which adheres to the design guidelines which derive from the Seaside General Plan. /Other/ applicants are expected to (and indeed, /do/) deliver the same sensitivity to the community's environment.

With a scaled back 2nd floor, the Nobidas will /still/ have their spectacular view and the public view will not be grossly impacted. Meanwhile, there is /still/ ample area in both the back and front setbacks on the Nobida property to allow for a /*large*/ first floor addition if increased dwelling space is their primary concern.

I hope you receive this in the good community spirit in which it is intended.

Felix

Felix Bachofner
831-393-1921

view-time impact
students 415
parents
(about 25% of students seem have
a sibling at ISM, so there is some driver/trip sharing) 300
staff 42

daily impacted persons *757*
2 minutes, 2x per person per day
(at a /minimum/)
4

Totals:

Daily view-impact person-/minutes*/	*3028*
-------------------------------------	--------

Daily view-impact person-/hours*/	*50.46*66666666667
-----------------------------------	--------------------

On 5/8/2018 11:22 PM, Josh Deese wrote:

> Dear Felix and to whom this may concern. I am writing to you in
> regards to 1739 Yosemite, the house across the street from ISM. First
> off I was born and raised in Seaside, lived here my whole life, raised
> on the 1800 block of Yosemite and went to school at Manzanita
> elementary before it was ISM. Both of my daughters have been going to
> school at ISM since kindergarten and now are in 1st and 3rd Mr.Carr
> and Mrs.Matthews. I am blown away by the amount of effort you and the
> school are putting into fighting a remodel across the street from the
> school. You are trying to rally community stakeholders and ISM parents
> to show up to the meetings and telling them what to write in a email.
> The only argument for the remodel is "it's going to block the view"
> I'm not sure about you, but our kids are there to learn and to get an
> awesome education! Not to worry about a view of the ocean which by the
> way as you already know if you are standing at the office of the
> school or anywhere on the school grounds which sits higher than what
> the roof line on the remodel would be , you would clearly see that
> it's not blocking any views. It looks right over the top of it because
> of the elevation difference.Why in your email does it say that there
> is a site visit at 6pm but then say that's not nearly as important? Do
> you not want people to see that it's really not going to block any
> views? The view was never a issue when there was a 60ft massive tree
> there in the neighbors yard a few months back. I didn't see emails

> going out to rally to cut it down. Mr.Bachofner thank you for serving
> previously as our Mayor and thank you for your concerns for the city
> but's let's try and focus our energy on other things in the community.
> We want to improve seaskies image right? Or just improve lower
> Broadway? Also, not sure if you are aware of who the property owners
> are but let me tell you they are a great LOCAL family known by many!
> They also lived in seaside forever and are also seaside business
> owners who when they are not working are volunteering their time
> coaching SEASIDE pony softball / baseball and has or have coached a
> number of ISM students including my daughters. They have worked hard
> for what they have and if they are lucky enough to own a house and
> want to remodel it into their dream house who are we to stop them??
> Our kids are at the school for 8 hours of a 24hr day and I don't think
> they will be bothered by the remodel and most of the parents come
> there twice a day at pickup and drop off and many don't even live in
> seaside. So fighting the remodel because of a so called "blocked view"
> is ridiculous and I'm sorry to say that I'm really disappointed in
> Director Madden and ISM for allowing you to send out an email to all
> of us ISM parents wasting time with this! Thank you
> Also attached is a picture from the front office and you can clearly
> see the lower portion of seaside over the orange netting. I don't see
> the "extreme impact on ocean views".

From: Mark Feldman <markjmg420@gmail.com>
To: <felix@bachofner.com>
CC: <RMedina@ci.seaside.ca.us>, <LMilton@ci.seaside.ca.us>
Date: 5/9/2018 6:40 AM
Subject: Re: Your attendance will help ISM and the Yosemite Street neighborhood – City of Seaside meeting, WEDNESDAY, May 9, 7 p.m.

Felix

I am and have been a home owner in Seaside since 2003. My kids go to ISM school to learn not for the view. Your abuse of the parents decision to let the school publish our contact information is wrong and I did not see it coming.

I will be complaining and have my name removed from this list.

If you were the former mayor why did you not use my property tax repave Kimble ?

Really what is the down side? The house will asses at a higher value then it is now and the city gets more tax revenue. Other than the guys neighbors, this so-called massive expansion does not affect anyone. I believe this is the perfect place to increase the value of ones home. I am support of the expansion.

My kids could give a rip about a home owner making his house bigger for his family or whatever other reason he has.

On May 8, 2018, at 11:35 PM, Felix Bachofner <felix@bachofner.com> wrote:

Dear ISM Parent and Community Stakeholder:

My name is Felix, father of Kirsten (ISM 3-B / Ben James) and Lucian, (ISM K-A / Shelly Houseman). I am also the former Mayor of the City of Seaside and a former Planning Commissioner for the City.

Over the past few months you have probably noticed that a home across from ISM has proposed a massive expansion. Many of you have expressed your concern to me about the prospective negative impact on views for ISM and the neighborhood.

Unfortunately, even though:
the excessive mass of the expansion violates a number of rules and guidelines set forth by the City of Seaside
and
the proposed development almost certainly violates the CA Environmental Quality Act (CEQA)
and
(other than the applicant) not a single public comment supported the extreme scope of the proposed addition (there were about 12 public comments entered into the record)

The City of Seaside Board of Architectural Review approved the proposal with only the slightest of alterations (which would not help preserve ISM's fantastic view).

Because the Board misinterpreted the Seaside General Plan, Seaside Design Guidelines as well as CEQA . . . and thus almost certainly overstepped its legal authority to approve such a proposal, I have appealed the decision to the Seaside Planning Commission. My co-appellant is Sue Hawthorne, a resident on St. Helena Street (who, along with her neighbors would also be negatively impacted to a high degree).

The appeal meeting is tomorrow evening at 7 p.m. at Seaside City Hall (440 Harcourt Avenue).

Here is my simple request for your help:

please attend the meeting (approximately 1 hour) and hold up your hand when I ask: "By show of hands, who in the audience opposes the scale of this home expansion?" You do not need to make a public comment to help, but a large number of comments of concern would certainly also help with the appeal. [A site visit (at ISM) will precede the meeting at 6 p.m., but that is not nearly as important to attend.]

and / or

please send a short, simple e-mail (right now) to: RMedina@ci.seaside.ca.us
<mailto:RMedina@ci.seaside.ca.us>

Please express something like:

"I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey."

[please also send a courtesy copy to (City Clerk) LMilton@ci.seaside.ca.us
<mailto:LMilton@ci.seaside.ca.us> and to me, felix@bachofner.com <mailto:felix@bachofner.com>]

It is important to note that no one has opposed the applicant's desire to improve and expand his property (people even support some type of second story addition). We all want to see Seaside improve. All we are asking is that this applicant be held to the same standards which all other property owners in Seaside have been expected to follow for many years.

The City rules and standards help preserve views, especially as neighborhoods start improving across multiple properties.

Please keep in mind that if this property is allowed this massive expansion, the remaining 8 homes on Yosemite in ISM's view could then follow the same negative example. Our children would be staring at a WALL instead of enjoying views of the ocean!

I hope to see you at tomorrow's meeting and/or to receive a copy of your e-mail supporting the appeal.

Thank you in advance for your assistance.

Felix

Felix Bachofner
Former Mayor, City of Seaside, CA
831-393-1921

From: Rebecca Pieken <rebecca.pieken@outlook.com>
To: "RMedina@ci.seaside.ca.us" <RMedina@ci.seaside.ca.us>, "lmilton@ci.seasi...
Date: 5/9/2018 11:47 AM
Subject: Seaside views...

Dear Planning Commissioners,

I am not a neighbor to the proposed Arthur Nobida project at 1739 Yosemite Street, but I am living with the consequences of poor planning decisions. My house at 1278 Wanda once had a fantastic view. The view was lost forever years back when two houses across the street were allowed to add full second stories. The scale of these houses is totally out of character for my street. In fact, it was public reaction to "anything goes" planning approvals like these that led Seaside to adopt stricter zoning ordinances. The recent Board of Architectural Review Board approval of application BAR-17-15 is a step backward from enlightened zoning. If approved as currently proposed, this full second story addition will be another glaring mistake, too big, too visible, and out of place along one of Seaside's most scenic streets.

I am writing to ask that you accept the appeal before you tonight, asking that this project be scaled back to follow the zoning applied to other additions in the neighborhood.

Respectfully yours

Rebecca Pieken
1278 Wanda Avenue
831-238-2296

From: Isela Alegria <iselaalegria@hotmail.com>
To: "RMedina@ci.seaside.ca.us" <RMedina@ci.seaside.ca.us>
CC: "LMilton@ci.seaside.ca.us" <LMilton@ci.seaside.ca.us>, "felix@bachofner...."
Date: 5/9/2018 8:46 AM
Subject: Yosemite Expansion Issue

My name is Isela Rodriguez. I have been part of the International School of Monterey's (ISM) community since 2005, explicitly since ISM was moved to Seaside. At that time, my son Alexander Rodriguez Alegria was a kindergartener.

The ocean view from ISM was not only amazing but one of the pure assets the school would have (my first impression). Through out the years, my family and I have enjoyed that view. My daughter, Christina Rodriguez Alegria, began Kindergarten in 2010. She is currently a 7th grader.

For all of this reasons, I oppose the scale of the proposed home expansion at 1739 Yosemite Street<x-apple-data-detectors://7> because of the extreme impact on the ocean views at International School of Monterey.

Thank you for your consideration.

Isela Rodriguez
831-2410952

Sent from my iPhone

From: <mdavis3736@yahoo.com>
To: <RMedina@ci.seaside.ca.us>
CC: <lmilton@ci.seaside.ca.us>, Felix Bachofner <felix@bachofner.com>
Date: 5/8/2018 8:56 PM
Subject: Yosemite St. Home Expansion

To whom it may concern,

I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey. Where my child currently attends.

Melissa Topper

Sent from my iPhone

From: Marivel dela Victoria <mariveldr@hotmail.com>
To: "RMedina@ci.seaside.ca.us" <RMedina@ci.seaside.ca.us>, "LMilton@ci.seasi...
Date: 5/9/2018 11:43 AM
Subject: Yosemite Street Home Expansion

To whom it may concern:

I am writing this email to notify you that I oppose the scale of the proposed home expansion at 1739 Yosemite Street because of the extreme impact on the ocean views at International School of Monterey.

Thank you,

Marivel Oyama

Location Map

Project Site: 1739 Yosemite St



REVISED STAKING



SITE PHOTOGRAPHS – REAR YARD



City of Seaside Single Family Residential Design Guidelines



JULY 6, 2005



INTRODUCTION

Design guidelines serve a valuable role in the architectural review process by communicating a city's expectations through clear design statements, photographs, specific examples, and supportive graphics. In practice, design guidelines encourage improved design, create design consensus, and promote a consistent level of quality throughout the city. Design guidelines represent a minimum level of expected quality and design, and many proposals will far exceed these standards, as the range of design excellence is limitless.

PURPOSE

The purpose of this document is to assist staff, the public and decision-makers through the architectural review process by clearly defining the City of Seaside's expectations for design quality, use of materials, and architectural imagery. It is the goal of these design guidelines to continually refine the concept of "good design" and to improve the design of homes, neighborhoods, and the greater community of Seaside.

ACCEPTANCE

BOARD OF ARCHITECTURAL REVIEW MEMBERS

Ken Rudisill, Chairman
Kathleen Ventimiglia, Vice-Chair
Cynthia Spellacy
Mitsugu Mori
Paul Mugan

ACCEPTED JULY 6, 2005

APPLICABILITY

These design guidelines apply to all new single-family residences and to additions or exterior modifications to existing single-family residences in the City of Seaside.

BOARD OF ARCHITECTURAL REVIEW

In cases where a formal review before the Board of Architectural Review (BAR) is required, the BAR will utilize these design guidelines in their review of the project.

SEASIDE GENERAL PLAN

Single-Family Residential Design Guidelines are required by specific policies and implementation plans contained in the Seaside General Plan. These policies and plans are as follows:

Land Use Policy LU-3.2: Improve the physical appearance of residential neighborhoods.

Implementation Plan LU-3.2.5 *Design Guidelines for Residential Development.* Adopt and implement Design Guidelines for residential development.

Urban Design Policy UD-2.1: Protect the character of single-family neighborhoods by restricting out-of-scale buildings, incompatible uses and designs, blocked views and/or access to sunlight, and excessive through traffic.

Implementation Plan UD-2.1.1 *Design Standards in Zoning Ordinance.* Adopt design standards in the Seaside Zoning Ordinance to establish the scale of building, guidelines for quality design in new construction, building additions, and redevelopment, procedures to protect existing private views and access to sunlight as much as possible while at the same time allowing others the opportunity to enjoy the magnificent views from Seaside.

CONTENTS

SITE PLANNING_____1

MASS AND SCALE_____5

ARCHITECTURAL FEATURES_____7

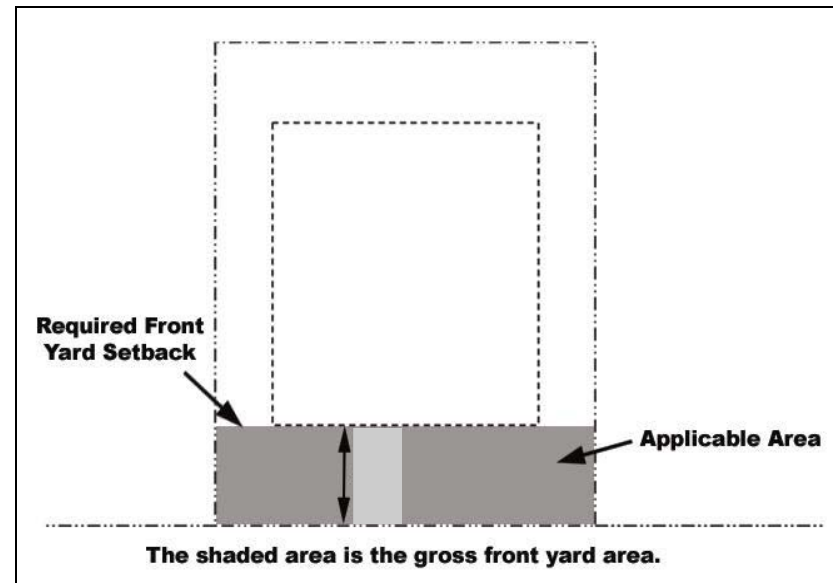
I. SITE PLANNING

A. Front Yard Coverage, Landscape and Hardscape

Neighborhood character can be enhanced by minimizing paved surfaces in front yards and maintaining landscaped areas. The front yard should serve as a buffer between the street and the home, providing a visual break and an improved streetscape. A neighborhood with well-maintained front yards will better preserve its value and will remain more appealing. Increased landscaping softens the appearance of a neighborhood, improves neighborhood aesthetics, provides habitat for birds, butterflies, and other wildlife, and creates a more desirable environment.

Front yard landscaping need not include turf, lawn or other water-intensive plants. Drought-tolerant and low water usage plants can be artfully installed to create an attractive appearance.

Limiting paved surfaces also provides environmental benefits by reducing water run-off, improving water percolation, facilitating on-site drainage and retention, and discouraging inappropriate vehicle parking and storage.



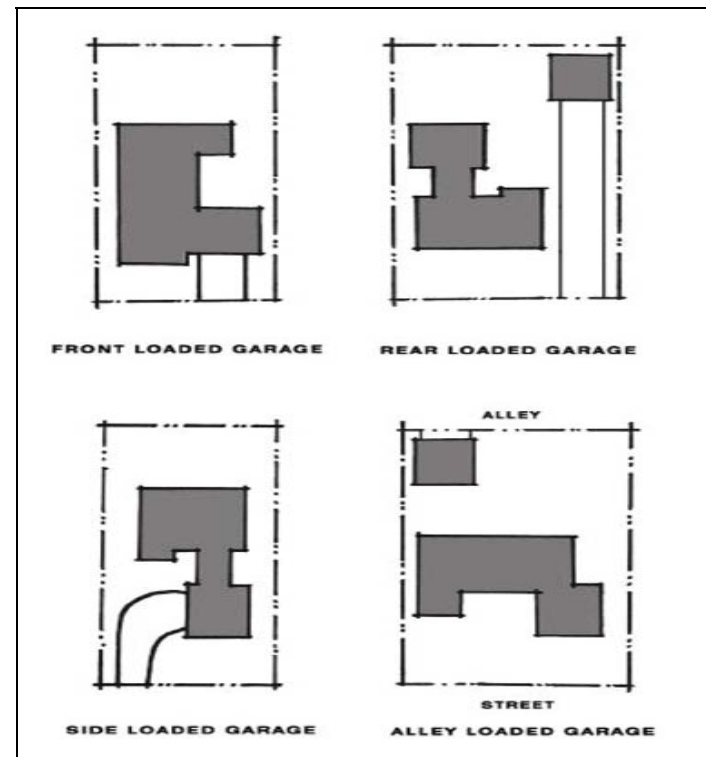
- i. Front yard lot coverage includes all paved surfaces: the driveway, parking areas, walkways, patios, and all other impervious surfaces. On lots narrower than 50 feet, the front yard lot coverage should not exceed 65% of the total front yard area. On wider lots, the front yard lot coverage should not exceed 50%.
- ii. Front yard patios should not be located closer than 5 feet from the sidewalk, adjacent properties or the house.
- iii. Entry walkways should extend to the sidewalk, rather than the driveway.

- iv. Landscaping should be used to frame, soften and embellish a home.
- v. Gravel, lava rock, and similar materials are discouraged when not used in conjunction with other landscaping.
- vi. Drought tolerant, salt and wind-resistant, and native plants should be used in landscaping. A list of drought tolerant plants recommended for Seaside is included as Appendix “A”.
- vii. Street trees should be installed in front yards to create a consistent and harmonious canopy.

B. Garage Placement

Street frontages dominated by front-loaded garages are detrimental to the sense of a people-friendly and pedestrian-oriented neighborhood. The following guidelines are intended to reduce the impacts of garages on the character of the neighborhood.

- i. Garage design and placement should diminish the visual impact of garage doors on street frontages. Garage doors should contain windows and/or additional architectural detailing.
- ii. Detached rear garages and alley-accessed garages are encouraged.



- iii. Side-accessed garages are encouraged to diminish the visual impact of the garage along street frontages.

- iv. Covered parking should be designed to minimize its visual impact by placing access to the side or rear wherever physically possible.



“Detached rear garages and alley-loaded garages are encouraged”

- v. Three-car front facing garages are discouraged where the lot width is less than 55 feet. Where three-car front facing garages are permitted, at least one garage door should be recessed a minimum of 5 feet beyond another garage door and permeable materials should be used at least on the portion of the driveway providing access to the recessed garage space.

- vi. On through-lots (lots having frontage on two parallel or approximately parallel streets), garage access should be provided from the street abutting the property line to the rear of the house.

C. Driveways

- i. Adequate space should be provided between two adjacent driveways to allow for landscaping. A minimum 18-inch wide planter should be provided where feasible between the side property line and the driveway.
- ii. New driveways should contain special design features to minimize their visual impact. The use of “wheel well”, “Bermuda” or “Hollywood” driveways, exposed aggregate, concrete pavers, soft materials such as turf blocks, or other special design features should be used to reduce the “hard” visual impact.
- iii. Driveways on corner lots should be located as far as possible from street intersections.
- iv. Where curb cuts are necessary, minimizing curb cut widths is encouraged. Driveway widths should be kept to a minimum to lessen the appearance of bulk and mass.

- v. No more than one curb cut per residential lot should be permitted along the same street frontage.
- vi. The use of alternative materials in place of asphalt or concrete to pave driveways is encouraged to reduce impervious surface

D. Walls, Fences, and Screening

- i. Walls and fences should be attractive and complement the style and character of the homes and the neighborhood.
- ii. Front yard fencing should be harmonious with the architectural style of the house. Solid walls over 36 inches in height are strongly discouraged in the front yard. Particular attention should be given to maintaining visibility for safety purposes on the portion of a corner lot abutting a street intersection.
- iii. Walls should be made of decorative masonry, wood, or a combination of both. Chain link or industrial fencing is strongly discouraged and should not be used in the front yard setback or on portions of a lot visible from a public right-of-way.



"Walls and fences should be designed in such a manner as to create an attractive appearance to the street and to compliment the style and character of the homes and the neighborhood"

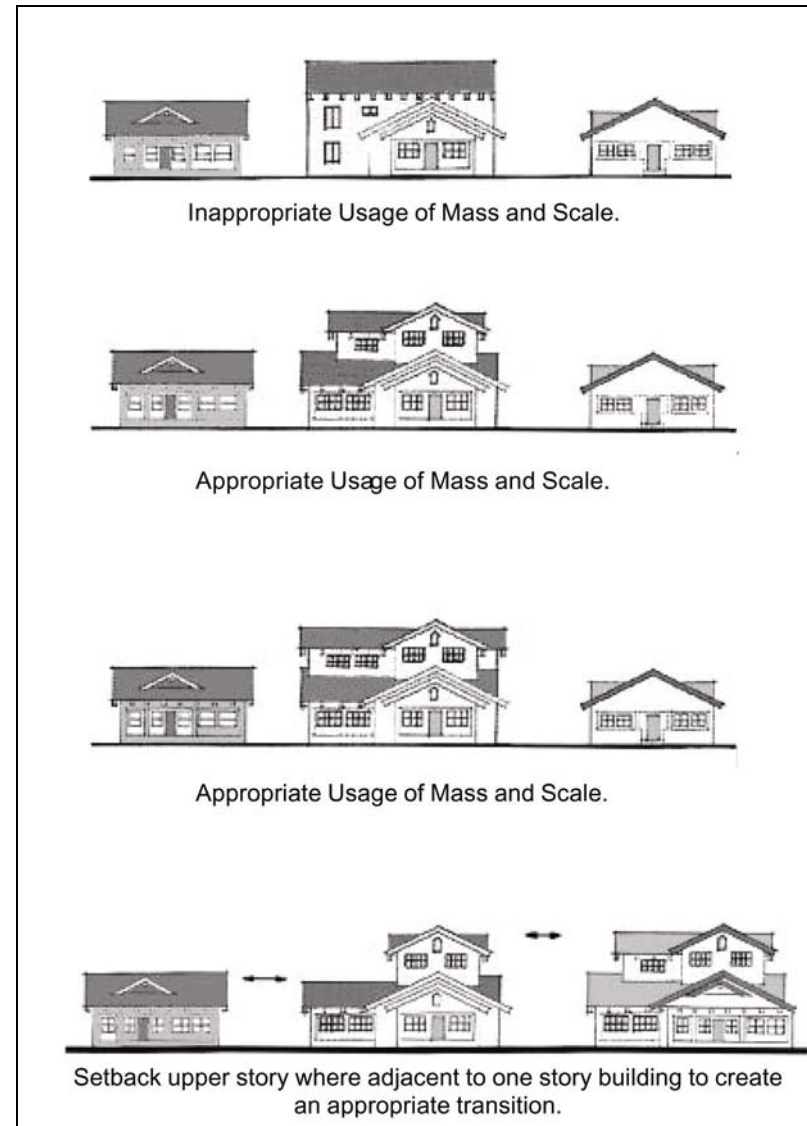
- iv. Side or rear walls that face a street or sidewalk should contain features that break up long continuous walls (greater than 50') and to soften their appearance through changes in height, setback and vegetation.
- iv. Gates should be provided in walls or fences located in the front yard setback to facilitate convenient access by residents and visitors.
- v. Garbage areas should be screened by fences, and/or walls, that are compatible with other landscape or architectural features.

II. MASS AND SCALE

A. General

The following guidelines will ensure that the mass and scale of new homes and additions to existing homes are compatible with the surrounding neighborhood.

- i. The physical size and mass of the project should be proportional to the lot size.
- ii. The overall design of buildings should be compatible with the scale and mass of surrounding properties.
- iii. Architectural elements should be designed to eliminate the appearance of box-like buildings.
- iv. The scale and mass of new infill buildings should be reduced by stepping down the building height toward the street and adjacent smaller structures.



B. Building Height and Second Story Decks

- i. Entries and massing of stories should be in proportion to the building façade as a whole. High-ceiling single-story areas may be permitted within the building if the building wall of the front elevation is not excessively tall.
- ii. Second Story or Roof Decks:
 - a. Should fit the existing architectural style;
 - b. Should be oriented away from neighbors' yards as much as possible;
 - c. Should use appropriate screening measures to reduce privacy invasion (i.e. solid railing walls, latticework and landscaping).
 - d. Spas, hot tubs and similar equipment are discouraged over the first floor, on balconies or second story or roof decks if visible from adjacent properties.

C. Second Story Setbacks

- i. The second story front setback should average 5 feet more than the first floor setback.
- ii. The second story side setback should average 3 feet more than the first floor setback.



“The second story front setback should average 5 feet more than the first floor setback.”

- iii. For some architectural styles (i.e. Colonial Revival) it may not be appropriate to step back the second floor or in some cases it may not be reasonably feasible for additions to existing homes. A significant second story setback may not be necessary where the home is significantly set back from the street.

III. Architectural Features

The following guidelines encourage high quality design to enhance the character of residential neighborhoods. It is not the intent of these guidelines to promote any particular architectural style or to preclude creative design solutions that produce quality design.

A. General

- i. There is no specific architectural style required for residential structures in Seaside. Architecture should consider compatibility, as appropriate, with surrounding homes, including building style, form, size, material, and roofline.
- ii. The design of a new home, or addition, should commit to a specific architectural “style”, rather than combine various architectural styles and elements or create non-descript structures. This “style” should be clearly communicated and reinforced consistently throughout the house and accessory structures, including detached garages, carports, etc.
- iii. The exterior siding, roof articulation, windows and doors, and overall design of new

construction should be harmonious within the proposed architectural style.

- iv. The exterior treatment and overall design of additions to existing homes should respect the features and materials of the original structure, as appropriate.
- v. To the extent feasible, the architectural character established for the street facing elevations should continue on all elevations.
- vi. Features such as windows, doors, cornice elements, etc. should create a rhythmic composition, taking into consideration compatibility of scale, style and proportion. These elements should be detailed to provide modulation, visual interest, and textured relief.
- vii. The boundary between each floor of the dwelling structure should be delineated through belt courses, cornice lines, balconies, or similar architectural detailing.
- viii. The patterns of windows and doors should reflect the scale and patterns in the neighborhood.

- ix. Building features should reinforce and enhance the architectural form and style of the house. Dormers, bay windows, porches, balconies, entrance projections, etc. add interest to the design of the home. However, features such as large bay windows should not project into side setbacks, except on the street-facing side of a corner lot.
- x. Long unarticulated exterior walls are discouraged on all structures. Massing offsets, varied textures, openings, recesses, and design accents are encouraged to enhance the walls.

B. Front Porches and Entries

- i. Front porches, back porches and/or decks, which permit casual observation of alleys and streets, are encouraged.
- ii. Front porches should create an attractive interface with semi-public front yard areas. Front porches should have a minimum depth of 6 feet and a minimum width of 10 feet.



“Front porches should create an attractive interface with semi-public front yard areas.”

- iii. The primary entry and windows should be the dominant elements of the front façade, should face the street to provide pedestrian scale and should be clearly articulated through architectural detailing.

C. Roof Articulation

The roof design plays an important role in the sense of mass and scale of the building and in the architectural integrity of the building as a whole. The roof pitch and orientation also impact the transition between neighboring buildings.

- i. New roof designs should be compatible with the existing neighborhood character, such as type, slope, size and materials, and color.



“The use of traditional roof forms such as gables, hips, and dormers are encouraged”

- ii. The use of traditional roof forms such as gables, hips, and dormers are encouraged. The use of “foreign” residential roof forms, such as geodesic domes, “A” frames and flat roofs are strongly discouraged.

- iii. Roof forms should be consistent on all sides of the house and garage. All roofs should have a similar pitch except for the limited use of flat roof.
- iv. Avoid box-like appearance through variation in the roofline and building elevations.



“Avoid box-like appearance through variation in the roofline and building elevations”

- v. Vary roof lines through changes in height and form to break up massing. Long, single-ridge rooflines (over 30 feet long) are discouraged.
- vi. The style and form of roof additions to existing buildings should be compatible, as appropriate, with the existing roof style and form, and the style, materials, and pitch

should be taken into consideration when designing a roof addition.

D. Materials

The overall pattern, texture, and color of materials have significant effect on the scale, style and character of the building. The following guidelines should be referred to when selecting materials.

- i. Consistent and harmonious use of high quality, durable materials is encouraged. Piecemeal embellishment and frequent changes in material is discouraged.
- ii. Architectural detail should be comparable on all elevations, rather than concentrated on the front elevation.
- iii. Materials should complement the surrounding properties.
- iv. Materials should be of good quality and durable. “T-1-11” and similar sheet siding is discouraged.
- v. Environmentally-sound, or “green” building materials are encouraged and additional design consideration may be offered to accommodate solar panels, recycled materials, or other green products.
- vi. Materials should be consistent with architectural style of the building. For example, “Spanish” detail is consistent with stucco buildings with mission tile roofs.

DROUGHT TOLERANT PLANTS

Trees

Botanical Name	Common Name
Adenostema sparsifolium	Red Shanks
Aesculus californica	California Buckeye
Agonis flexuosa	Peppermint Tree
Arbutus menziesii	Madrone
Casuarina stricta	Beefwood
Ceanothus arboreus	Felt-leaf Ceanothus
Ceanothus thrysiflorus	Blue Blossom
Cedrus deodara	Deodar Cedar
Cercis occidentalis	Western Redbud
Comarostaphylis diversifolia	Mountain Mahogany
Cypressus gowenia	Gowen's Cypress
Geijera parviflora	Australian Willow
Hakea laurina	Sea Urchin
Laurus nobilis	Grecian Laurel
Lithocarpus densiflora	Tanbark Oak
Olea europaea	Olive
Parkinsonia aculeata	Jerusalem Thorn
Pinus radiata	Monterey Pine
Pittosporum crassifolium	Karo Tree
Quercus agrifolia	Coast Live Oak
Robinia species	Locust
Schinus molle	California Pepper
Umbellularia californica	California Bay

Small Shrubs

Botanical Name	Common Name
Artemesia californica	California Sagebrush
Calocephalus brownii	Cushion Bush
Castilleja latifolia	Monterey Paintbrush

Ceratostigmata willmottianum	Chinese Plumbago
Cistus villosus 'prostratus'	Sageleaf Rockrose
Correa alba	Australian Fuchsia
Eriophyllum confertiflorum	Golden Yarrow
Eriophyllum staechadifolium	Lizard Tail
Eryops hybrid	Yellow Bush Daisy
Gautheria shallon	Salal
Juniperus conferta	Shore Juniper
Kniphofia uvaria	Red Hot Poker
Leonotis leonurus	Lion's Tale
Myrtus specia	Myrtle
Ribes viburniflorum	Catalina Currant
Rosmarinus officinalis	Rosemary
Salvia species	Sage
Santolina Chamaecyparissus	Lavender Cotton
Sollya heterophylla	Australian Bluebell Creeper
Symphoricarpos alba	Snowberry
Teucrium fruticans	Bush Germander
Trichostema lanatum	Woolly Blue Curly
Westringia rosmariniformis	Westringia
Zauschneria californica	Red California Fuchsia

Large Shrubs

Botanical Name	Common Name
Acacia species	Acacia
Adenostema fasciculatum	Chamise
Arctostaphylos densiflora	Vinehill Manzanita
Atriplex lentiformis 'breweri'	Brewer Saltbrush
Berberis darwinii	Darwin Barberry
Carissa grandiflora	Natal Plum
Catha edulis	Khat
Ceanothus 'Frosty Blue'	

APPENDIX "A"

Ceanothus impressus	Santa Barbara Ceanothus
Ceanothus thrysiflorus	Blue Blossom
Cercis occidentalis	Western Redbud
Cistus purpureus	Orchid Spot Rockrose
Comarostaphylis diversifolia	Mountain Mahogany
Cottoneaster lacteus	Red Clusterberry
Dendromecon harfordii	Island Bush Poppy
Dendromecon rigida	Bush Poppy
Dodonaea viscosa	Hopseed Bush
Echium fastuosum	Pride of Madeira
Eleagnus pungens	Silverberry
Fremontodendron californica	Flannel Bush
Hakea suaveolens	Sweet Hakea
Heteromeles arbutifolia	Toyon
Lavatera assurgentifolia	Tree Mallow
Leptospermum laevigatum	Australian Tea Tree
Leptospermum scoparium	New Zealand Tea Tree
Lupinus arboreus	Yellow Bush Lupine
Lupinus chamissonis	Purple Bush Lupine
Myrsine africana	African Boxwood
Nandina domestica	Heavenly Bamboo
Nerium oleander	Oleander
Ochna serrulata	Bird's Eye Bush
Phormium tenax	New Zealand Flax
Pittosporum tenuifolium	Pittosporum
Prunus illicifolia	Holly-Leaf Cherry
Prunus lyonii	Catalina Cherry
Psidium littorale	Lemon or Strawberry Guava
Rhamnus alaternus	Italian Buckthorn
Rhamnus californica	Coffeeberry

<i>Large Shrubs (continued)</i>	
Botanical Name	Common Name
Rhus integrifolia	Lemonade Berry
Rhus ovata	Sugar Bush
Rosa rugosa	Ramanas Rose
Vaccinium ovatum	Evergreen Huckleberry
Xylosma congestum	Xylosma

Groundcovers

Botanical Name	Common Name
Abronia latifolia	Yellow Sand Verbena
Abronia umbellatum	Pink Sand Verbena
Arctostaphylos edmundsii	Little Sur Manzanita
Arctostaphylos pumila	Dune Manzanita
Arctotheca calledula	Capeweed
Arctotis hybrids	African Daisy
Armeria maritima	Sea Pink/Thrift
Artemesia pycnocephala	Sandhill Sage
Asparagus sprengeri	Sprenger Asparagus
Atriplex semibaccata	Australian Saltbrush
Baccharis pilularis	Dwarf Coyote Brush
Camissonia cheiranthifolia	Beach Primrose
Ceanothus giseus	Ceanothus
Convolvus mauritanicus	Ground Morning Glory
Erysimum ammodendrum	Coast Wall Flower
Fragaria chiloensis	Beach Strawberry
Gazania species	Gazania
Helianthemum nummularium	Sunrose
Latana montevidensis	Lantana
Lotus scoparius	Deerweed
Mahonia repens	Creeping Mahonia

Oenothera berlandieri	Mexican Evening Primrose
Osteospermum fruticosum	Highway Daisy
Ribes viburnifolium	Red Flowering Currant
Rosmarinus officinalis 'prostratus'	Creeping Rosemary

Perennials

Botanical Name	Common Name
Achillea species	Yarrow
Aeonium species	Canary Island Rose
Aloe species	Aloe
Artemesia pycnocephala	Sandhill Sage
Centaurea cineraria	Dusty Miller
Centranthus ruber	Red Valerian
Cerastium tomentosum	Snow-in-Summer
Coreopsis species	Coreopsis
Dudleya caespitosa	Bluff Lettuce
Eschscholzia californica	California Poppy
Gaillardia grandiflora	Blanket Flower
Limonium perzizii	Sea Lavender
Perovskia 'Blue Spire'	Russian Sage
Phormium tenax	New Zealand Flax
Romneya coulteri	Matilija Poppy
Salvia species	Sage
Sisyrinchium bellum	Blue-eyed Grass
Trichostema lanatum	Woolly Blue Curls

Bulbs

Botanical Name	Common Name
Amarillis belladonna	Naked Lily
Crocasmia crocosmiflora	Montbretia
Hemerocallis	Daylily

APPENDIX "A"

Ipheion uniflorum	Spring Starflower
Iris douglasiana	Pacific Coast Iris
Narcissus	Daffodil
Tulipa clusina	Lady Tulip
Zantedeschia aethiopica	Calla Lily

Vines

Botanical Name	Common Name
Bougainvillea	Bougainvillea
Campsis radicans	Trumpet Creeper
Cissus antarctica	Kangaroo Treebine
Ipomoea acuminata	Blue Dawn Flower
Muehlenbeckia complexa	Matress Vine
Polygonum aberti	Silver Lace Vine
Rosa 'Cecile Brunner'	Sweetheart Rose
Rosa banksiae	Lady Bank's Rose
Solandra maxima	Cup of Gold Vine
Tecomaria capensis	Cape Honeysuckle
Wisteria species	Wisteria

Ornamental Grasses

Botanical Name	Common Name
Deschampsia caespitosa	Tufted Hairgrass
Deschampsia holciformis	Pacific Hairgrass
Elymus arenarius 'Glaucus'	Blue Lyme Grass
Festuca californica	California Fescue
Muhlenbergia dumosa	Bamboo Muhly
Muhlenbergia rigens	Deer Grass
Pennisetum species	Fountain Grass
Stipa gigantea	Giant Feather Grass
Stipa pulchra	Purple Needle Grass
Stipa tenuissima	Mexican Feather Grass

May 9, 2018

City of Seaside
Planning Commission
440 Harcourt Avenue
Seaside, CA 93955

Dear Commissioners and City of Seaside Staff:

This is a brief written overview of our presentation tonight so that our comments might be more easily incorporated into the public record.

Sue Hawthorne and I have appealed BAR-17-15 (Arthur Nobida, owner/applicant) decision to allow the significant expansion of the home at 1739 Yosemite Street.

As we mentioned in our appeal application, we feel that the approval of the proposal violates various provisions of the General Plan. The approval ignores significant elements of the Seaside's SFR design guidelines which flow from the General Plan. The BAR did not adequately consider impacts and the BAR did not perform a site visit nor visit homes of impacted stakeholders as requested and offered during the 1st public meeting.

Further review after filing our appeal indicates the approved project would violate various provisions of CEQA (the California Environmental Quality Act).

In tonight's staff report, staff correctly (but partially) identifies two of our concerns:

Issue #1: Project would be inconsistent with Land Use Policy 4.1.1 and Urban Design Policy UD-2.1 of the Seaside General Plan

The BAR determined that the project as amended would be consistent with the General Plan based on the following evidence:

Evidence: The BAR found that based the proposed project, as amended, would not create excessive bulk and mass that would be out of character with the surrounding neighborhood and/or adversely affect the privacy of the neighboring dwelling units. There is a balance of views of and from the subject property.

We respond: while various elements of the design are indeed appropriate for the neighborhood, the scale is not. Furthermore, the expansion would ***block significant morning and mid-day light*** and critical views. [We are not particularly concerned with evening shadows as they will be cast into the applicant's front yard and a portion of the street.]

While there may be a "balance of views of and from the subject property" **there is most definitely *not* an adequate view through or past the property from a number of key, public vantage points, most notably from International School of Monterey.**

We have ***bold, italic, underlined*** key concepts from Seaside's governing documents which would be violated if the expansion is allowed to go forward without significant modifications.

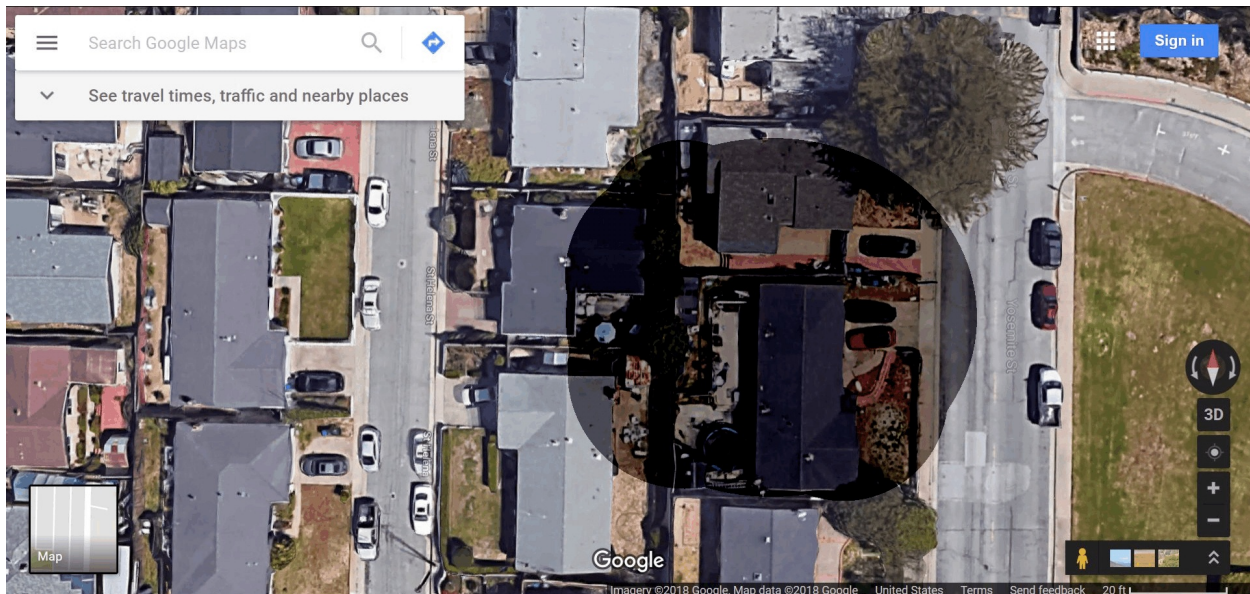
The **Urban Design Policy UD-2.1** commands:

Protect the character of single-family neighborhoods by restricting out-of-scale buildings, incompatible uses and designs, blocked views and/or access to sunlight, and excessive through traffic.

Implementation Plan UD-2.1.1 *Design Standards in Zoning Ordinance*. Adopt design standards in the Seaside Zoning Ordinance to establish the scale of building, guidelines for quality design in new construction, building additions, and redevelopment, procedures to protect existing private views and access to sunlight as much as possible while at the same time allowing others the opportunity to enjoy the magnificent views from Seaside.

The BAR-approved project violates these guidelines.

Here's a shadow cast map which shows the *approximate* impact of shadows generated during peak shadow generation times (morning and evening to the West and East, respectively – and mid-day to the North). The shadow cast to the West is larger (i.e. wider) due to the elevation difference between the subject house on Yosemite and the impacted houses on St. Helena.



Below is a panoramic view of the project area as seen from the East (at ISM from the driveway curb). The image is taken at a height of approximately 4.5 feet which is the approximate average height (between the smallest students and the adults) of the “eyeballs” taking in the vista.



Netting and posts are largely transparent and can lead to a false sense of “continued” or maintained views.

Since the City has not compelled the applicant to provide a photo montage (which gives a truer sense of the view-blocks which would ensue), here is a quick insertion of the front elevation into the panorama. This is in scale and in the closest possible perspective given the available tools and time. Please note, the proposed house expansion is actually a bit **taller**; we have left a sliver of orange netting (at the top) to show that we are not exaggerating the size.



One of the most significant concerns, of course, is that ***the remaining 8 neighbors could feel entitled to similar over-builds.***

Below shows the potential cumulative view loss of such disastrous, lax control of the standards our community has adopted over the past 13 years. The rectangles are colored to the existing house colors and sized (and set-back) similarly to what the BAR has suggested allowing with the current application.



Unless a person attempting to “view” the vista is ***closely*** aligned with one of the resulting “tunnels” (such as demonstrated in the middle of the photo) the view is just about completely obliterated!

Staff has further inferred:

Issue #2: Project would be inconsistent with the City’s adopted Single-Family Residential Design Guidelines

The BAR determined that the proposed project, as amended, would be consistent with the SFRDG based on the following evidence:

Evidence: The approved amended project design has increased the second story setbacks, lowered the overall height of the structure, and articulates the massing of the structure in accordance with the Mass and Scale requirements of the Single Family Residential Design Guidelines.

We respond: while the applicant has *slightly* increased 2nd floor setbacks, it does ***not*** meet the 5 foot (front) and 3 foot side ***minimum*** average specified for setbacks.

Furthermore, since the house is next to single floor dwellings, the demanded standard for an increased setback is even ***higher***.

The SFRDG image (on the left) demonstrates how it should ***not*** be done. We contend this is unfortunately similar to the proposed front elevation (on the right). Notice how the applicant’s drawing has the second floor north wall (on the right) *perfectly* aligned with the first floor at the back and almost perfectly aligned with the first floor at the front. Likewise, the roof overhang and supporting post is almost perfectly aligned with the first floor.



Inappropriate Usage of Mass and Scale.



EAST (FRONT) ELEVATION
SCALE: 1/8" = 1'-0"

Meanwhile, the guidelines suggest ***this*** (below) is how it *should* be done, especially when next to single story residences.



Setback upper story where adjacent to one story building to create an appropriate transition.

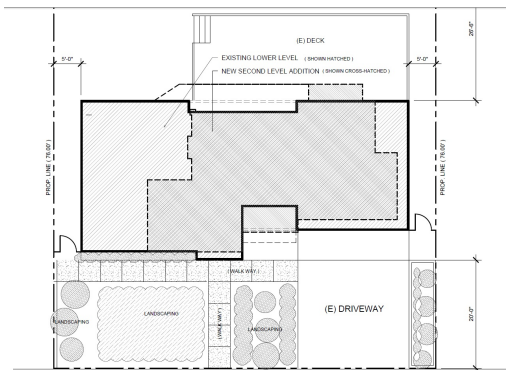


"The second story front setback should average 5 feet more than the first floor setback."

There are two very good examples of this type of sensitive massing done correctly. They are both in the immediate neighborhood (on Yosemite and on Mingo) and were compelled to follow the community-adopted guidelines.



The guidelines emphasize that a “boxlike appearance” should be avoided and that there should be variation not just in the roofline but also in the building elevations. The proposal’s site map demonstrates a box-like demeanor. Both the crosshatched area (roof) and building outline are near-perfect rectangles. Elimination of the roof over the second floor deck would go a little toward improving the situation. The site map also demonstrated the extremely small side yard setbacks and ample space in the front and rear yards to increase square footage on the first floor. The image on the right demonstrates one way to achieve the SFRDG’s demand for variation.



“Avoid box-like appearance through variation in the roofline and building elevations”

continued on next page

From SFRDG: III. Architecture, B iii. The primary entry and windows should be the dominant elements of the front façade, should face the street to provide pedestrian scale and should be clearly articulated through architectural detailing.

Once again, the full front elevation shows only about 1 foot of prominence in the entryway. Furthermore, it is undersized in apparent width and the windows of the front facade are certainly not “dominant.”



EAST (FRONT) ELEVATION

SCALE : 1/4" = 1'-0"

In addition to the various concerns detailed, we also believe the controversy this project has engendered may subject this project to more complete CEQA analysis. At the BAR meeting in February, *every* member of the public addressing the BAR made constructive comments critical of the application. While everyone supported the applicant’s desire to improve his property, the only positive comments about the application were from the applicant. The BAR’s acceptance of the applicant’s minor changes does not rise to the standard demanded by the community of stakeholders.

Again, in our view this contention alone may trigger the need for more complete CEQA analysis than listing the proposal “categorically exempt.” In addition to statutory law suggesting such need, there seems to be significant case law on point:

- Ocean View Estates Homeowners Association, Inc. v. Montecito Water District (2004) 116 Cal.App.4th 396
- Quail Botanical Gardens Foundation, Inc. v. City of Encinitas (1994) 29 Cal.App.4th 1597
- Mira Mar Mobile Community v. City of Oceanside (2004) 119 Cal.App.4th 477

These cases are closely aligned with the issues the City faces here, namely impact on public views. We are happy to discuss the details with City Staff and the applicant to achieve an equitable solution.

continued on next page

With all the evidence of an improperly approved application, we request *either* of the following:

1. The Planning Commission concur with our appeal and **reverse** the BAR approval. **We suggest this option because there are permit streamlining law issues at hand.** If the City does not act expeditiously the application might be approved by default.
 - a. In order to not “punish” the original applicant (which is *not* our intent), perhaps the reversal could be made (in effect) “without prejudice” so as to allow the applicant to quickly re-apply and possibly without additional cost.
- or***
2. Have the applicant bring back significant changes to reflect the demands of the City’s standards and with sensitivity towards the constructive comments made by immediate neighbors and all other stakeholders.
 - a. Because of project streamlining law issues, such project amendments would likely need to come to a PC meeting within just a few weeks.

We thank you for your service and look forward to a good project at 1739 Yosemite in the nearest possible future.

Felix Bachofner and Sue Hawthorne, appellants

From: Sue Hawthorne <suehawthorne@gmail.com>
To: Rick Medina <RMedina@ci.seaside.ca.us>, <LMilton@ci.seaside.ca.us>
CC: <felix@bachofner.com>, Paul Wolf <mr.paulwolf@gmail.com>
Date: 5/9/2018 2:31 PM
Subject: Please Uphold BAR 17-15 Appeal

Dear Planning Commissioners,

Only you can guide the city to approving good projects. City staff says the Arthur Nobida project at 1739 Yosemite St. is permissible as approved by the BAR, but we ask you to uphold our appeal and lead the applicant to a better project. Here are my reasons for co-filing this appeal with Felix Bachofner:

Seismic concerns: Shaky design? The architect who designed our modest 340 sq ft addition on St. Helena St. employed a structural engineer to ensure our structure met seismic criteria in the building code. I'm told by city staff that Mr. Nobida is using a designer, not an architect. Has this commission asked for and been given structural floor plans on this project to assess for seismic stability? He's planning a top-heavy addition at the top of a sand dune, where there'll be people sleeping in back bedrooms in the houses directly below.

Noise concerns: How does the coast guard ensure fog horns are heard and lighthouse beacons are seen? They put them up high above any other obstructions. Adding general living quarters on the second floor means music and conversation will carry throughout our quiet neighborhood. This house already has a history of loud parties that went on too late, keeping the neighbors awake--and that was on the ground floor with fencing and shrubs as a buffer. I'm not excited by the prospect of merrymakers hanging over a balcony just feet from my back yard, or shouting through my upstairs windows when someone sacks the quarterback.

Visual concerns: Borrowing a phrase from a Bruce Cockburn song, this project will "frown out over St. Helena like Dracula's tower." Even with the story poles lowered, this addition blocks our only view of the southern sky year round and blocks the morning sun in winter when days are shortest, when we get some of our nicest weather. We often sit in our pjs on our patio for the morning sun, but we'd be basking in shadow. I know this to be true because the story poles were up when the sun was at its lowest point in the sky. Every morning when I look out my window I'm shocked again at how much this building changes my view, for the worse.

If It Doesn't Fit . . . As our testimony and the overwhelming majority of public comments show, the folks impacted by this project DON'T want it built as approved. We are trying to work within the system to get a better project built. But, we're not really getting due process if nothing we say makes any difference. Please uphold our appeal, and send the applicant back to the drawing board.

Sue Hawthorne
1752 St. Helena St.
831 394-7848

Sent from my iPad

June 14, 2018

City of Seaside
Mayor Ralph Rubio and City Council
440 Harcourt Avenue
Seaside, CA 93955

Dear Mayor, Councilmembers, City of Seaside Staff and members of the Seaside Community:

As you know, I am appealing the Planning Commission's decision to uphold BAR-17-15 (Arthur Nobida, owner/applicant) decision to allow the significant expansion of the home at 1739 Yosemite Street.

This is intended a written ***addendum*** to the presentation made to the Planning Commission on May 9 so that comments might be more easily incorporated into the public record and provide you the opportunity to review additional newly identified concerns (arising from the PC meeting on May 9) prior to the upcoming Council meeting scheduled for June 21.

As previously mentioned – both by me and approximately 35 other persons submitting either (or both) written and oral comments – we feel that the approval of the proposed addition violates various provisions of the General Plan. The approval ignores significant elements of the Seaside's SFR design guidelines which flow from the General Plan.

The BAR did not adequately consider impacts and the BAR did not perform a site visit nor visit homes of impacted stakeholders as requested and offered during the 1st public meeting in February.

The Planning Commission *did* subsequently perform a site visit on May 9 during the first appeal hearing.

Unfortunately, the site visit at ISM (International School of Monterey) was conducted poorly.

Against my repeated protestation to the Planning Commission Chair and/or Vice-chair and staff, the PC conducted the tour along the driveway from North to South. This is the ***opposite direction*** of both “legal” flow of car traffic and customary pedestrian traffic on the ISM scenic arc driveway. Virtually 100% of traffic emanates from parent cars parked on the ISM lot or on Yosemite and/or Mingo to the South.

This “tour decision” caused members of the PC to have their backs to the view which would be impacted until they reached the single highest point of the front area of ISM. We have never claimed a particularly burdensome view impact at that high point on the campus. Furthermore, virtually no student, parent or other ISM stakeholder other than a small number of staff members

continued

frequent that high-elevation, front-deck location.

The most impacted views are those where students, parents, staff and visitors arrive and leave from the campus: predominantly the Northward drive and sidewalk and the lower front lawn where children gather during pick-up times.

Further significant errors crept into the conduct of the PC tour.

I attempted to show the lengths of shadows cast by a (smaller) two story house on the block but no commissioner acknowledged my comments nor the very clear shadow line cast even further then shown on our shadow-cast map. Cast shadows are a significant element of our concern giving rise to the appeal(s).

The Chair and other commissioners repeatedly referred to ISM as a “private school.” Some members of the public (presumably in support of the applicant, Mr. Nobida) characterized the school as one “for rich white kids” in comments from the public seating area.

We were not allowed to refute such incorrect “evidence.” We requested no further time other than to correct the false record.

Please refer to the webpages available at:

<http://www.ismonterey.org/history> and <http://www.ismonterey.org/studentprofile>

These pages clearly show that ISM is a ***publicly operated school*** on a ***publicly owned campus***.

Furthermore, the student population is incredibly diverse and more than 1/4 of the students enrolled qualify for “free or reduced price” lunch.

It is critical that the City recognize this high-performing *public* school. Virtually all metrics (testing, grades, parent involvement and more) show it is one of the brightest stars in the entire MPUSD system.

The views from the school are ***public views from publicly accessible property***. As previously mentioned, CEQA holds public views like these in particularly high esteem.

Commissioners seemed to think all student drop-offs and pick-ups are by car (this is yet another false claim we were not allowed to refute). The majority of children and parents walk onto the campus from Yosemite street or the parking lot at the Southwest corner of the campus.

Indeed, at least 80 parents and students ***must walk*** fully onto campus each day. 40 kindergarden students ***must*** be accompanied to the classroom door by their care giver. Many other parents walk with their children to the main gate or even fully onto the center of campus each day. Pick-ups follow the same pattern.

The total person-hour view time impact ***per school day*** is at ***least 50.47 hours*** during which the view would be impacted by the proposed home expansion. Here is a “view-time impact”

continued

calculation table. This evidence (previously submitted by both e-mail and oral comment) has from my vantage gone unacknowledged by the City so far.

view-time impact	
students	415
parents (about 25% of students seem have a sibling at ISM, so there is some driver/trip sharing)	300
staff	42
daily impacted persons	757
2 minutes, 2x per person per day (at a minimum)	4
Totals:	
Daily view-impact person- minutes	3028
Daily view-impact person- hours	50.47

One of Mr. Nobida's supporters claimed my photo with the inset elevation of the proposed addition was "unfair" as it obscured the parked car, fence and sidewalk.

Here is a better-edited photo which addresses those concerns. You will note, that the view impact is the same: same maximum width, height and penetration into the bay-view.



The Planning Commission did not acknowledge view impacts from the schools front lawn area.

continued

As previously discussed, this is where many stakeholders spend much time at ISM. The two photos show a fairly common pick up event and the view impacted by the proposed addition.



Perhaps the most important thing I would like to reiterate is that ALL persons who have participated in these hearings to date have supported and encouraged Mr. Nobida's desire and right to improve his property.

What I and at least 35 other individuals (to date) have requested is that the addition follow Seaside ordinances and design guidelines and CA law, just as all other homeowners have been expected since these regulations came into existence.

With all the evidence of an improperly approved application, we request *either* of the following:

1. The City Council concur with the appeal and **reverse** the BAR and Planning Commission approvals. **We suggest this option because there are permit streamlining law issues at hand.** If the City does not act expeditiously the application might be approved by default.
 - a. In order to not "punish" the original applicant (which is *not* the intent), perhaps the reversal could be made (in effect) "without prejudice" so as to allow the applicant to quickly re-apply and possibly without additional cost.

or

2. Have the applicant bring back significant changes to reflect the demands of the City's standards and with sensitivity towards the constructive comments made by immediate neighbors and numerous other stakeholders.

I thank you for your service and look forward to a good project at 1739 Yosemite in the nearest possible future.

Felix Bachofner
appellant

Student Profile

It is impossible to describe the average ISM student, because the student body is diverse in every imaginable way. We consider this one of our school's greatest strengths. We value differences among students as assets that enrich the learning exchange in every classroom, and we work to respect and teach every unique student as an individual.

Number of Students

Total: 418

By grade level: 40 kindergarten; 40 1st grade; 44 2nd grade; 44 3rd grade; 50 4th grade; 50 5th grade; 50 6th grade; 50 7th grade; 50 8th grade

By gender: 55% female; 45% male

By city of residence: 44% Seaside; 29% Marina; 15% Monterey; 3% Del Rey Oaks; 9% other

Parent/Guardian Education Level

34% have parents with advanced degrees; 36% have no parent with a college degree

Socioeconomics

About 27% qualify for free or reduced price lunch

Language

17 different primary languages spoken at home; many more secondary

Heritage

23% report two or more races

22% report Asian lineage including Asian Indian, Chinese, Japanese, Korean, Laotian, Vietnamese, and other Asian

13% report Filipino descent

5% report Pacific Islander heritage including Hawaiian, Guamanian, Samoan, and other Pacific Islander

31% identify as Hispanic including many descendants of the indigenous peoples of the Americas

13% report African American or black heritage

33% identify as not Hispanic, white only

Learning Style & Ability

Students display a full range of learning styles and abilities

Last updated February 8, 2018 by [director](#)

[ISM Life](#)

[ISM Life](#)

[Calendar](#)

[Student Safety](#)

[Student Profile](#)

[After-School International](#)

[Other After-School Programs](#)

[Middle Years Sports](#)

[Facilities](#)

[Family Connection](#)

[Fresh Lunch](#)

[Student Health Info](#)

[Dispute Resolution](#)

[Regional Opportunities](#)

History of ISM

The International School of Monterey opened in fall 2001 as California public charter school number 429. In its first year of operation, ISM comprised 54 students and five teachers, with a kindergarten class, a combined kindergarten and first grade class, and a combined second and third grade class housed in three classrooms at the David Avenue school site in Pacific Grove. The next year, ISM expanded to include fourth grade and relocated to the Monterey Peninsula Unified School District's Larkin School campus in downtown Monterey. The school then added a grade level each year after through the 2004-2005 school year.

ISM moved to its current MPUSD-owned Manzanita School site in Seaside midway through the 2004-2005 school year. The larger campus allowed ISM to expand for the 2005-2006 school year, adding its first eighth-grade class and doubling to two classes at each grade level from kindergarten to fourth grade. Grades 5 through 8 were then doubled to two classes one grade at a time over the next four years until ISM reached full buildout with two classes at each grade level from K through 8 for the 2009-2010 school year.

Over the course of its history, ISM has thrived and built an admirable reputation, evidenced by the following...

- Monterey County's first and only *IB World School*
- The first public charter international school in the world
- Dual accreditation by the Council of International Schools and the Western Association of Schools and Colleges
- Selection as a "model charter school" by the California State Superintendent of Public Instruction
- Awarding of a charter schools dissemination grant to share ISM's successful model with other public schools
- Tens of thousands of volunteer hours performed by families, students, staff, and board members
- A waiting list larger than actual number of students enrolled (currently over 750)
- California standardized test scores consistently among the highest in Monterey County



About ISM

[About ISM](#)

[From the Director](#)

[Mission & Vision](#)

[History of ISM](#)

[ISM in the Media](#)

[Board Governance](#)

[Trustees](#)

[Exploring Board Service](#)

[Board Meetings](#)

[Summary of Board](#)

[Decisions](#)

[Charter](#)

[Accreditation](#)

[Accountability](#)

[Strategic Plan](#)

[Official Documents](#)

[Funding](#)

[FAQ](#)

[IMPACT](#)

How ISM Was Founded

As related by founding board member Joanne Storkan in early 1999

In 1995 a Waldorf teacher, Mrs. Linda Dormody, decided to disassociate herself from the Waldorf Independent Studies Program. In an effort by some parents to retrain Mrs. Dormody as their children's teacher, a group was formed called the North Monterey County Arts-Integrated Independent Study Program in Carmel Valley. This was an extremely successful venture that sadly ended at the end of 1996 when Mrs. Dormody announced her pregnancy and retirement from teaching.

Though the group disbanded and went separate ways into different schools, two of the parents kept in contact. In an effort to recreate some of the incredible learning experiences the children in this program had, Lisa deMondesir and Joanne Storkan, two of the parents, decided to continue to look for a similar program.

Since 1994, Lisa deMondesir had continued to look abroad at schools as her husband is a French citizen and the family had lived in Europe for many years. Lisa felt that the best school she had visited was in Lausanne, Switzerland, where Robert Landau was the head master. She felt that his educational philosophies, combined with the International Baccalaureate curriculum, was the perfect atmosphere for all students and most closely resembled the ideals of Linda Dormody.

In 1998, Lisa learned that Robert Landau, who had since accepted the job of director of a school in Indonesia, was looking to relocate. Lisa asked Joanne and Dean Storkan if they would like to bring Robert to Monterey to see if he could start an international school on the Peninsula. Robert, in turn, understood that this would be an entrepreneurial decision for him as there was no school or board to pay him per se or offer him a contract.

Before Robert arrived, the Storkans set up a 501(c)(3) tax-exempt organization to begin soliciting funding. The nonprofit received some grant money and personal contributions from families and friends. Thus, we were able to pay Robert a consulting fee and cover his expenses.

We soon realized after our first public meeting in May 1998, that there was a keen interest in this type of education. The two main stumbling blocks were finding the donations necessary for starting a private, independent, international school, and a school site.

We next turned to the possibility of starting a charter school which would guarantee some money that would help in defraying the cost. Though no official board existed, Fred Miller, a local businessman, headed our committee. Soon to join our group were Gordon Freedman, Ingrid Tower, and Margaret Elwanger. As of March 1, 1999, a new group will be appointed as the

first official board of the International School of Monterey. Robert Landau has accepted a job in Prague for the 1999-2000 school year. However, this will not affect the status of the school nor its expected opening as a charter in the year 2000, after a private, independent, international preschool opens in September 1999.

Last updated October 10, 2015 by [director](#)

ANTHONY LOMBARDO & ASSOCIATES

A PROFESSIONAL CORPORATION

ANTHONY L. LOMBARDO
KELLY MCCARTHY SUTHERLAND
CODY J. PHILLIPS

144 W. GABILAN STREET
SALINAS, CA 93901
(831) 751-2330
FAX (831) 751-2331

June 15, 2018

File No. 5118.000

Mayor Ralph Rubio
Members of the Seaside City Council
440 Harcourt Avenue
Seaside, CA 93955

Re: 1739 Yosemite Street

Dear Mayor Rubio and Members of the City Council:

My office represents Arnold Nobida in his home addition project at 1739 Yosemite Street in Seaside, opposing the appeal submitted by Appellant Felix Bachofner. As you know, this project was approved unanimously by both the BAR on February 21, 2018, and the Planning Commission on May 9, 2018, and was appealed both times by the Appellant on a number of grounds that, as this letter will show, are all without merit.

1) The Project is Exempt From CEQA Review

First, the Appellant has stated in his appeal that "CEQA suggests further environmental analysis should be undertaken in spite of 'categorically exempt' claim." Appellant fails to point to a reason for CEQA review despite the project's eligibility for the CEQA exemption. Under section 15301(e)(2)(A) of the CEQA guidelines, additions to existing structures that are less than 10,000 square feet and not located in an environmentally sensitive area are exempted from CEQA review. In this case, Mr. Nobida is looking to build a 922 square foot second story addition to his home, 394 square feet of which is decking which is well within the 10,000 square foot limit set by Section 15301(e)(2)(A). Furthermore, the project is located in a neighborhood surrounded on all sides by development and cannot be considered an environmentally sensitive area.

This project is also covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (Section 15061(b)). The addition that is at issue here is less than 1,000 square feet and lies entirely within the existing footprint of the home thereby having no potential to have a significant effect on the environment.

While it is true that there are exceptions to CEQA exemptions, as laid out in the Guidelines, there are no unusual circumstances in the case at hand which would give rise to the application of the exception from exemption laid out in CEQA Guidelines Section 15300.2(c). The recent landmark case decided by the California Supreme Court in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, clarified the meaning and applicability of the “unusual circumstances” exception to projects otherwise eligible for a categorical exemption under CEQA. The *Berkeley Hills* case was brought about by a challenge to the City of Berkeley approving, with a Categorical Exemption, a permit for a 6,478-square-foot house with attached 3,394-square-foot 10-car garage, covering 16% of a steeply sloped (about 50%) lot in a heavily wooded area in Berkeley (The Nobida project is a 922 square foot addition to an existing house on existing hardscape on an essentially flat lot). The court in that case held that:

In listing a class of projects as exempt, the Secretary has determined that the environmental changes typically associated with projects in that class are not significant effects within the meaning of CEQA, even though an argument might be made that they are potentially significant. The plain language of Guidelines section 15300.2, subdivision (c), requires that a potentially significant effect must be “due to unusual circumstances” for the exception to apply. The requirement of unusual circumstances recognizes and gives effect to the Secretary’s general finding that projects in the exempt class typically do not have significant impacts. *Id.* at 104-105.

Again, in this case there is no colorable argument that the project is subject to this “unusual circumstances” exception. The project is an addition to an existing single-family dwelling in a residential area. The condition of this property is similar to most all other properties in the vicinity. There is no evidence in the record that this project will have any, much less a significant, impact on the environment.

The project is therefore properly exempted from CEQA review, as the City has determined, despite the Appellant’s protests.

2) The Project Appropriately Utilizes Mass and Scale

Appellant cites to the City’s Single Family Residence Design Guidelines in its argument that this project is an example of an inappropriate usage of mass and scale. The Appellant has specifically called out the physical scale and the appearance of the addition, however the physical size and mass of the project are proportional to the lot size, pursuant to the Design Guidelines, as both the lot coverage (41%) and floor area ratio (37%) are far below the City’s maximum allowed of 65% and 45%, respectively.

Furthermore, a “box-like appearance” of the addition has been avoided by designing the project so as to create variation along the exterior of the structure, including the roofline, and adding appropriate setbacks from the first floor, also in satisfaction of the Design Guidelines. The Appellant claims that the front setback should be 5 feet from the first floor, however the Design Guidelines state on Page 6, Section C (iii), that:

For some architectural styles...it may not be appropriate to step back the second floor or in some cases it may not be reasonably feasible for additions to existing homes. A significant second story setback may not be necessary where the home is significantly set back from the street.

Here, the architectural style of the addition is consistent with the style of the main house and does not lend itself to being setback beyond the 3.5 foot setback currently proposed. Furthermore, the house is set back 20 feet from the street, 5 feet beyond the setbacks required by Code Section 17.12.050.

Additionally, page 5 of the Design Guidelines provides several illustrations of what constitutes appropriate usage of mass and scale, and both illustrations are consistent with Mr. Nobida's project, as demonstrated by a simple comparison to the elevations on Page A2 of the plans.

3) The Project does Not Affect Private Views (General Plan Policy UD-3.1.1)

Finally, Appellant has argued that the project violates Seaside General Plan Policy UD-3.1.1, which states that it is a policy of the City to:

Protect private views of significant natural features, such as the Monterey Bay, Roberts Lake, the Pacific Ocean, the surrounding mountains, and other important viewsheds.

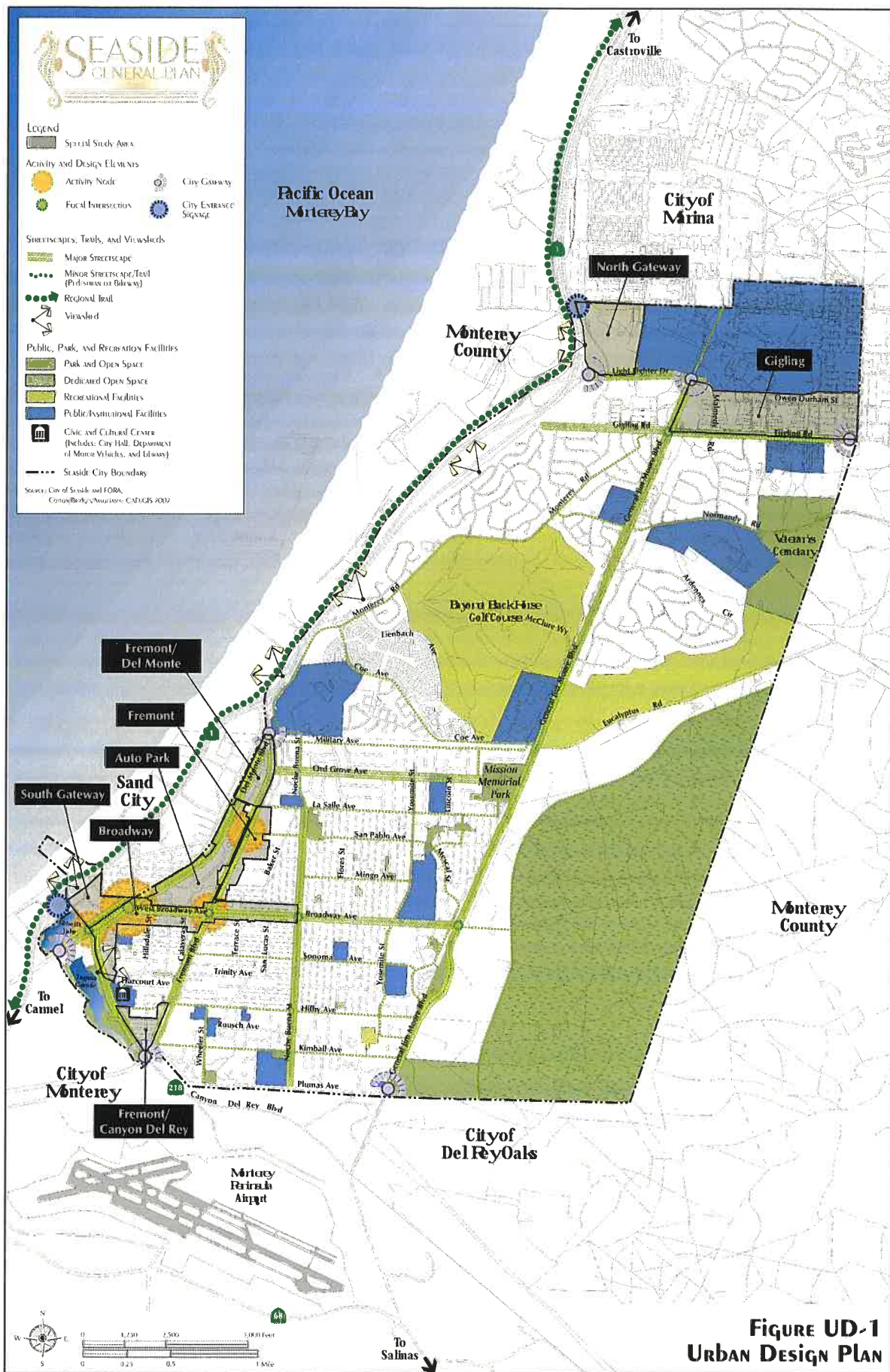
Appellant has argued at each hearing that the project should be reduced and denied as a result of its impact to the views from the drop-off area at the International School of Monterey ("ISM") across the street. To demonstrate the effect the project will have on these views, the Appellant presented a number of images showing the anticipated view from the school before and after the project. Notwithstanding the scale issues associated with Appellant's images distorting the impact of the project, the views that the Appellant is arguing to protect are in fact public and therefore do not fall under the Policy in question. This is demonstrated by the attached map from the City's General Plan which designates the ISM property as a "public institutional facility." Even if they did fall under Policy UD-3.11, the views of the bay from the dropoff area will remain substantially the same, and those views can be enjoyed from virtually anywhere on the ISM campus.

Based on the foregoing, it is clear that Mr. Nobida's project is fully compliant with the City's General Plan and zoning ordinance, and that the appeal is without merit. We would therefore respectfully request that the City Council deny the appeal and uphold the Planning Commission's unanimous approval of the project.

Sincerely,



Cody J. Phillips
CJP/al
Enclosure





**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Riedl, City Engineer
Leslie Llantero, Assistant Engineer

DATE: June 21, 2018

SUBJECT: ADOPTION OF MUNICIPAL CODE AMENDMENT TO CHAPTER 10.32 SECTION 10.32.070 AND CHAPTER 17.34 SECTION 17.34.030 OF THE SEASIDE MUNICIPAL CODE TO AMEND REGULATIONS FOR THE PARKING OR PLACEMENT OF VEHICLES ADVERTISED FOR SALE, HIRE, OR RENTAL CITYWIDE (SECOND READING - ROLL CALL VOTE).

PURPOSE & RECOMMENDATION

The purpose of this item is for the City Council to adopt the proposed text amendments to Section 10.32.070 and Section 17.34.030 of the Seaside Municipal Code regulating the parking or placement of vehicles advertised for sale, hire, or rental citywide. It is recommended that the City Council adopt the proposed ordinance.

BACKGROUND

On June 7, 2018 the City Council adopted a resolution certifying the Initial Study/Negative Declaration and approved the proposed amendments to Section 10.32.070 and 17.34.030 in the first reading of the Draft Ordinance.

The purpose of placing prohibitions on the parking of vehicles for hire, sale, or rental within the community is to address the following issues when vehicles are parked and/or stored within the public right-of-way and on private property:

1. The reduction in the amount of on-street parking for standard passenger vehicles in all zones;
2. The removal of visual blight;
3. The removal of safety hazards that the parking of vehicles has established with respect to the lack of visibility on vehicular traffic and pedestrian accessibility.

The proposed amendments would not allow parking of vehicles advertised for sale, or rental,

upon any street, alley, right-of-way or publicly owned lot adjacent to any property zoned commercial, mixed use, park & open space or public institutional and has restrictions for the number of vehicles parked on private property for the purpose of displaying the vehicle for hire, rental or sale.

The adoption of the proposed text amendments would serve to enhance the visual character and quality of life within the community and to provide a safe, livable environment for both the citizens of Seaside and its visitors alike.

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Draft.Ordinance
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE, STATE OF CALIFORNIA,

TO ADOPT TEXT AMENDMENTS TO THE SEASIDE MUNICIPAL CODE TO SECTION 10.32.070 AND SECTION 17.34.030 OF THE SEASIDE MUNICIPAL CODE IN ORDER TO AMEND REGULATIONS FOR THE PARKING OR PLACEMENT OF VEHICLES ADVERTISED FOR SALE, HIRE, OR RENTAL CITY WIDE.

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

Section 1. General Purpose and Findings. The purpose of this Ordinance is to consider the following text amendments to the Seaside Municipal Code (S.M.C.):

- A. A text amendment to S.M.C Chapter 10.32 amending Section 10.32.070 that would regulate the parking of vehicles advertised for sale, or rental upon any street, alley, right-of-way or publicly owned lot adjacent to any property zoned commercial, mixed us, park & open space or public institutional; and
- B. A text amendment to S.M.C Chapter 17.34 amending Section 17.34.030 that would regulate parking of vehicles advertised for sale, or rental upon private property.

Section 2. The Traffic Advisory Committee of the City of Seaside held a meeting on the parking conditions related to vehicles for sale being parked on City streets and determined that additional measures and regulations are necessary to prohibit the parking of vehicles for sale, hire, or rental within the community and citywide.

Section 3. The City Council directed City staff to prepare an Initial Study and proposed Ordinance for the City Council's consideration in order to amend regulations for the parking or placement of vehicles advertised for sale, hire, or rental citywide.

Section 4. Pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines Section 15070 through 15075, an Initial Study/Negative Declaration has been circulated for a 20-day public review beginning on Friday, April 20, 2018 and ending on Wednesday, May 9, 2018, and is made a part of the Ordinance by reference;

Section 5. The Seaside City Council may initiate an amendment to the Seaside Municipal Code in accordance with S.M.C. Section 2.02.380.

Section 6. On May 23, 2016, the Planning Commission of the City of Seaside held a duly noticed public hearing to consider the adoption of the text amendments described under Section 1. Following the closure of the public hearing, the Planning Commission adopted Resolution No. 18-11 recommending approval of this Ordinance to the City Council.

Section 7. It is the responsibility of the City Council to consider and weigh the merits of the Initial Study/Negative Declaration and text amendments in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code in making its determination on the proposed text amendments to the Seaside Municipal Code.

Section 8. At a duly noticed public hearing held on June 7, 2018, the City Council considered both oral comments and written information concerning the proposed Negative Declaration and text amendments.

Section 9. At a duly noticed public hearing held on June 7, 2018, the City Council adopted the following findings in support of its action to adopt the proposed Negative Declaration for the proposed text amendments:

1. The proposed text amendments to Chapter 10 and Chapter 17 of the Seaside Municipal Code are consistent with the goals and policies of all elements of the General Plan; and
2. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The proposed amendments are internally consistent with other applicable provisions of the Seaside Municipal Code.

Section 10. At a duly noticed Public Hearing on June 7, 2018, the City Council adopted the first reading of the following text amendments for the proposed text amendment:

Proposed Text Amendments

- (Text proposed to be deleted is listed with strikethrough (~~Strikethrough~~) and text proposed to be added is listed in **bold** with an underline (Underline)

1. Amend Title 10, Section 10.32.070 to read as follows:

SECTION 10.32.070 ADVERTISING VEHICLES FOR SALE PROHIBITED – IMPOUNDMENT OF VEHICLES.

A. ~~It shall be lawful~~ **No person shall park or place a vehicle advertised for sale, or rental upon any street, alley, right-of-way or publicly owned lot adjacent to any property zoned commercial, mixed use, park & open space or public institutional.** ~~to display one sign advertising a vehicle for sale on the vehicle offered upon any street subject to the following condition: no person may advertise any vehicle which they do not own and may advertise no more than one vehicle in this manner at any one time.~~

- B. When authorized signs are in place giving notice thereof, no person shall park any vehicle displaying a sign indicating the vehicle is for sale on any street, alley, public parking lot or other public property **in areas not explicitly identified in section A., above.**
- C. Violation of this section shall be an infraction.
- D. The chief of police may order the removal of any vehicle parked or left standing in violation of this section in accordance with Section [22651.9](#) of the California Vehicle Code. The chief of police shall cause all of the notices as provided in Section [22852](#) of the California Vehicle Code to be given. (Ord. [894](#) § 2, 2001; Ord. [891](#) § 2, 2001; Ord. [371](#), 1970; Ord. 17, 1955; prior code § 9-270(c))
- E. **Display of vehicles for hire, sale , or rental on private property is regulated in 17.34.030.C (Vehicles for sale).**

2. Amend Title 17, Section 17.34.030 to read as follows:

C. Vehicles for sale. ~~No vehicle, trailer, or other personal property shall~~ **A vehicle may** be parked or placed on private property for the purpose of displaying the vehicle, ~~trailer, or other personal property~~ for hire, rental, or sale, ~~unless the applicable zone allows the use, and the person or business at that location is licensed to sell vehicles, trailers, or other personal property, except as follows~~ **as follows:**

1. In residential zones (single-family and multi-family), up to two vehicles are permitted to be on the property provided the registered owner of the vehicle must occupy the dwelling unit as their principal residence; and

2. In nonresidential zones, a vendor may display vehicles for hire, sale, or rental on private property when said property is zoned and developed for such use and the vendor is licensed to transact such use at that location.

Section 11. Effective Date. This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed text amendments.

NOW, THEREFORE BE IT FURTHER RESOLVED, 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 21th day of June, 2018, by the following vote:

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

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Beth Rocha, Associate Planner

DATE: June 21, 2018

**SUBJECT: INTRODUCTION OF AN ORDINANCE AND RESOLUTION
ADOPTING MAP AMENDMENTS TO THE SEASIDE MUNICIPAL
CODE: SEASIDE ZONING MAP AND SEASIDE GENERAL PLAN:
FIGURE LU-2, LAND USE POLICY MAP FOR: 1624 DEL MONTE
BOULEVARD, 1632 DEL MONTE BOULEVARD, AND 590 OLYMPIA
AVENUE (FIRST READING- ROLL CALL VOTE).**

PURPOSE & RECOMMENDATION

The purpose of this item is to have the City Council consider map amendments to Seaside Municipal Code and General Plan updating parcels in the southwest portion of the CA zone adjacent to the Auto Center from Regional Commercial (RGC) to Mixed-Use (MX) and a map amendment to Title 17 (Zoning Code) from Automotive Regional Commercial (CA) to Commercial Mixed Zone (CMX). A Negative Declaration has been prepared for the proposed map amendments. It is recommended that the City Council take the following actions:

1. Adopt a Resolution certifying a Negative Declaration for the proposed map amendments in accordance with the California Environmental Quality Act Guidelines; and
2. Adopt a Resolution certifying the proposed General Plan map amendment, Figure LU-2, Land Use Policy Map for parcels 011-552-008, 011-552-009, 011-552-010, 011-552-011, and 011-552-012 is consistent with the City's General Plan Policies.
3. Accept the first reading of the Draft Ordinance.

BACKGROUND

On March 23, 2018 Frank and Laurel Conte filed an application for a map amendment to the Seaside General Plan, Figure LU-2 Land Use Policy Map: from Regional Commercial (RGC) to Mixed-Use (MX) and a map amendment to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC), Seaside Zoning Map: from Automotive Regional Commercial (CA) to Commercial Mixed Zone (CMX) for parcels 011-552-008, 011-552-009, 011-552-010, 011-552-011, and 011-552-012.

The subject parcels are currently located in the southwest portion of the CA zone adjacent to Seaside's Auto Center, which consists primarily of automotive auto repair and auto retail businesses. The subject parcels are bordered by Del Monte Boulevard, Olympia Avenue, Hillsdale Street, an alleyway to the south and an unimproved portion of Contra Costa Street. The area of the West Broadway Urban Village Specific Plan (WBUV) is located immediately to the south and east of the subject parcels and is the planned center of Seaside's downtown. The Conte's own three of the five subject parcels (Conte-owned APNs: 011-552-008, 011-552-009, 011-552-011; other APNs: 011-552-010 and 011-552-012).

The Conte-owned parcels are developed with parking, landscaping, and a structure of approximately 9,600 square feet. Since the purchase of the property on October of 2017, many interior and exterior improvements have been made to the site, which most recently operated as K&H Auto Repair and Calderone Tire. Landscaping improvements are planned for the near future. The two parcels to the east and west of the Conte parcels are developed with parking and one structure per parcel and currently operate as Jack Fox Auto Service and Service Center Auto Repair and Monterey Radiator Auto Service Center.

The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will contribute to compatibility with the uses permitted in the adjacent WBUV Specific Plan, both of which prohibit automotive-related uses and encourage mixed-use, retail, and service-related uses. The proposed map amendments could further serve to accelerate the transformation of nearby Broadway Avenue and the WBUV into a resource that contributes to the identity, character and economic stability of Seaside as well as having the potential to increase city revenues and be an extension of the nearby dynamic downtown district.

ENVIRONMENTAL REVIEW

The City of Seaside has prepared an Initial Study and Negative Declaration for the proposed map amendments to the Seaside Municipal Code and Seaside General Plan pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines Section 15070 through 15075. The Initial Study/Negative Declaration (IS/ND) was circulated for 20-day public review period between Thursday, May 1, 2018 through Monday, May 20, 2018. Based on the analysis of the environmental checklist contained within the Initial Study, it has been determined that the proposed map amendments would not result in a direct or indirect physical change in the environment since the map amendments would be solely changes to the SMC, Zoning Map and to the Seaside General Plan, Figure LU-2 Land Use Policy Map and will not result in any new development.

STAFF ANALYSIS

On May 23, 2018, the Planning Commission adopted a resolution recommending that the City Council adopt a Negative Declaration for the proposed map amendments and also adopted a resolution recommending that the City Council adopt a resolution for the proposed map amendment to the Seaside General Plan and adopt an ordinance for the proposed map amendment to Title 17, Zoning Code. The proposed map amendment to the Seaside General Plan includes: a map change from Regional Commercial (RGC) to Mixed-Use (MX); the map amendment to Title 17, Zoning Code of the SMC include: a map change from Automotive

Regional Commercial (CA) to Commercial Mixed Zone (CMX). The map amendments will apply to the following parcels: 011-552-008, 011-552-009, 011-552-010, 011-552-011, and 011-552-012.

FISCAL IMPACT

There is no fiscal impact associate with this item at this time.

ATTACHMENTS

1. Attachment 1 - Resolution Adopting Negative Declaration
 2. Exhibit A to Attachment 1
 3. Attachment 2 - Draft Resolution, General Plan
 4. Attachment 3 - Draft Ordinance, Zoning Code
-

Reviewed for Submission to the
City Council by:

A handwritten signature in blue ink, consisting of a large, stylized 'C' followed by several horizontal strokes.

Craig Malin, City Manager

RESOLUTION NO. 18-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE,
ADOPTING A NEGATIVE DECLARATION FOR PROPOSED MAP AMENDMENTS
TO TITLE 17, ZONING CODE OF THE SEASIDE MUNICIPAL CODE (SMC): FROM
AUTOMOTIVE REGIONAL COMMERCIAL (CA) TO COMMERCIAL MIXED ZONE
(CMX) AND TO THE GENERAL PLAN: FROM REGIONAL COMMERCIAL (RGC)
TO MIXED-USE (MX) FOR THE FOLLOWING FIVE PARCELS: 011-552-008, 011-552-
009, 011-552-010, 011-552-011, 011-552-012.**

WHEREAS, the City of Seaside has circulated a Notice of Intent to adopt a Negative Declaration for the adoption of proposed map amendments to Title 17, Zoning Code of the SMC and the Seaside General Plan.

Figure 1: Proposed Title 17 Map Amendment

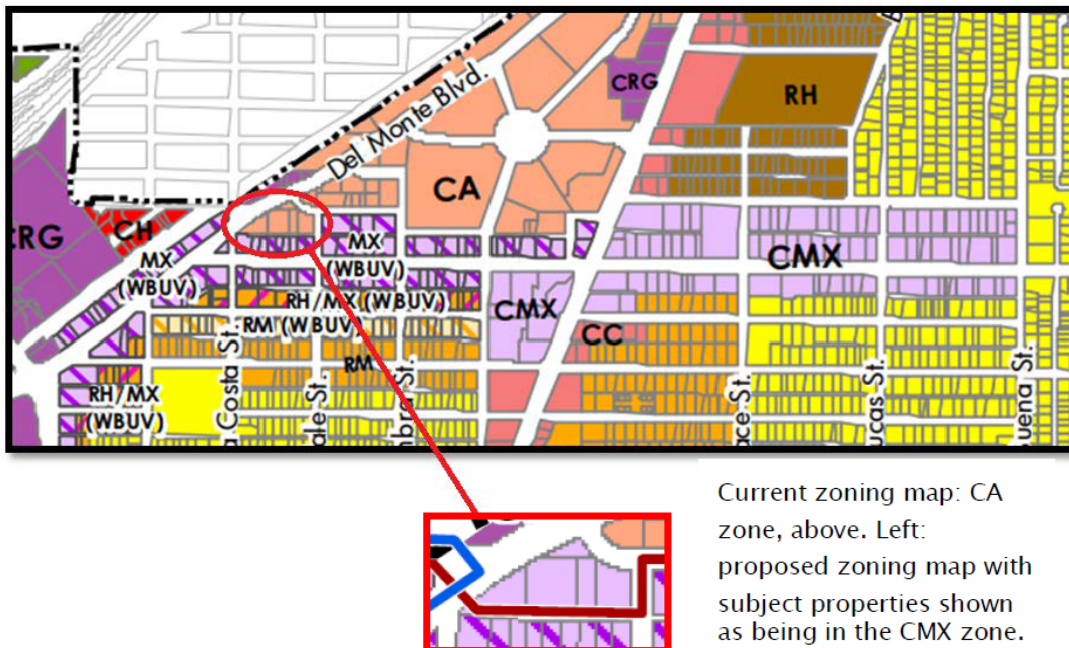
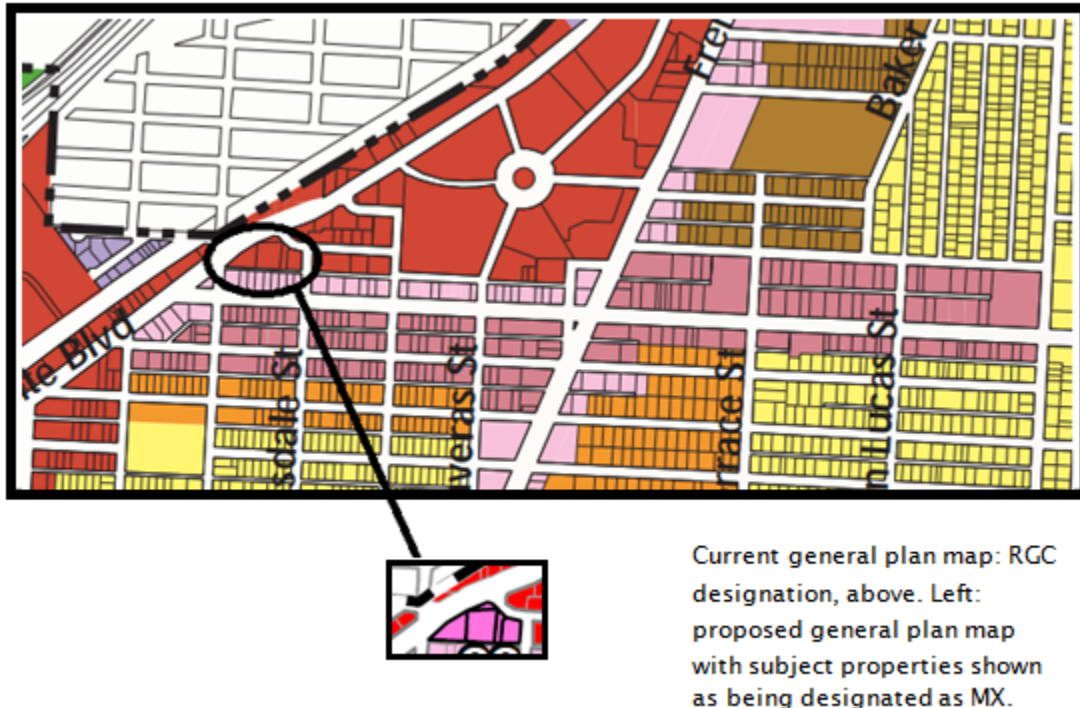


Figure 2: Proposed General Plan Map Amendment



WHEREAS, it is the responsibility of the Planning Commission to consider and weigh the merits of the Negative Declaration and map amendments in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code in making its determination and recommendations to the City Council on the proposed Negative Declaration; and

WHEREAS, the Negative Declaration based on the proposed map amendments was circulated for a 20-day public review period beginning Thursday, May 1, 2018 and ending on Monday, May 20, 2018; and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed Negative Declaration at a duly noticed public hearing held on May 23, 2018 and made a recommendation to the City Council to adopt the proposed Negative Declaration; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council adopts the following findings in support of its adoption of the proposed Negative Declaration:

1. The proposed map amendments will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

2. The proposed map amendments will not have any impacts that are individually limited but cumulatively considerable.
3. The proposed map amendments will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.

Evidence: The proposed map amendments are limited to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) AND map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). No new construction would be authorized by the amendment. Therefore, the proposed map amendments will not have any impacts that would cause substantial adverse effects on human beings, either directly or indirectly.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Initial Study and Negative Declaration prepared to evaluate the potential environmental effects associated with the revised maps for the proposed map amendments is provided as Exhibit A to this resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 21st of June, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

Exhibit A: Initial Study/Negative Declaration



CITY OF SEASIDE Notice of Availability and Intent to Adopt a Negative Declaration

FILED

MAY 01 2018

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title: Seaside Municipal Code Amendment No. SMC 18-02
Lead Agency: City of Seaside
Project Location: City of Seaside, County of Monterey, California. Regional Location Map is provided as Figure 1. General Plan Land Use Map for the City is provided as Figure 2.
APN#: 011-552-008, 011-552-009, 011-552-010, 011-552-011, 011-552-012
Permit Type: Map Amendments
Project Description: Frank Conte, applicant and property owner of three of the five subject parcels (011-552-008, 011-552-009, 011-552-011), is proposing map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) AND map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX).

Public Review Period: Tuesday, May 1, 2018 through Monday, May 20, 2018.

Written Comments or questions should be sent to:

Beth Rocha, Associate Planner
City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Any person wishing to comment on this matter must submit such comments, in writing, to the City prior to the closing date on May 20, 2018. Public comments may also be entered into the public record on the amendments at the duly noticed public hearing dates when considered by the Planning Commission and City Council.

Negative Declaration

Notice is hereby given that the project described above has been reviewed in accordance with State of California Public Resources Code, the California Environmental Quality Act, the City of Seaside General Plan, and Title 17 of City of Seaside Municipal Code. Based on this review, a Proposed Negative Declaration is hereby made on this project. The reason for this determination is that the project will not result in significant adverse impacts to the environment. The Proposed Negative Declaration and Initial Study are on file at the Seaside Community Development Department, 440 Harcourt Avenue, Seaside, CA, 93955 (831) 899-6726 and on the City's website at <https://www.ci.seaside.ca.us/DocumentCenter/View/5511/NOA-to-Adopt-a-Negative-Declaration-General-Plan-Zoning-Changes>

Public Hearing

The first public hearing on the proposed amendments and Negative Declaration will be held by Planning Commission on Wednesday, May 23, 2018 at 7:00 PM in the Seaside City Hall Council Chambers located at 440 Harcourt Avenue, Seaside, CA 93955. Subsequent review by the City Council has not yet been determined.



Beth Rocha
Associate Planner

5.1.2018

Date

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Initial Study/Environmental Checklist

A. Project Data

1.	Project title:	Seaside General Plan Map Amendment and Seaside Municipal Code Map Amendment
2.	Lead agency name and address:	City of Seaside 440 Harcourt Avenue Seaside, CA 93950
3.	Contact person and phone number:	Beth Rocha, Associate Planner (831) 899-6728
4.	Date Prepared	May 1, 2018
5.	Project location:	City of Seaside County of Monterey, California. Regional Location Map is provided as Figure 1. General Plan Land Use Map for the City is provided as Figure 2. Zoning Map is provided as Figure 3.
6.	Project sponsor's name and address:	City of Seaside 440 Harcourt Avenue Seaside, CA 93955 (831) 899-6825
7.	General plan designation:	Current: Regional Commercial (RGC) Proposed: Mixed-Use (MX)
8.	Zoning:	Current Zoning: CA (Automotive Regional Commercial) Proposed Zoning: CMX (Commercial Mixed Use)
9.	Description of project:	Frank Conte, applicant and property owner of three of the five subject parcels (011-552-008, 011-552-009, 011-552-011), is proposing map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) AND map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV).
10.	Surrounding land uses and setting:	The subject parcels are currently located in the southwest portion of the CA zone within Seaside's Auto Center, which consists primarily of automotive auto repair and auto retail businesses. The subject parcels are bordered by Del Monte Boulevard, Olympia Avenue, Hillsdale Street, an alleyway to the south and an

		unimproved portion of Contra Costa Street to the east. The area of the West Broadway Urban Village Specific Plan (WBUV) is located immediately to the south and east of the subject parcels and is the planned center of Seaside's downtown.
11.	Other public agencies whose approval is required	None.

B. Project Description

This document has been prepared to present project information and to evaluate the potential environmental effects of map amendments to the Seaside General Plan and the Seaside Municipal Code (SMC) to five developed parcels in order to allow for more commercially viable and commercially inclusive uses. The proposed map amendments are provided as Exhibit “A” of the Initial Study. The adoption of the proposed map amendments will allow for the highest best use of the property as mixed-use. Furthermore, the property adjoins the WBUV and the map change will contribute to a continuity of activating mixed-use character and pedestrian activity.

C. Lead Agency

The Lead agency is the public agency with primary authority over a proposed project. The lead agency for the proposed map amendment is the City of Seaside. The contact person for the lead agency is:

Beth Rocha, Associate Planner
440 Harcourt Avenue
Seaside, CA 93955
Phone: (831) 899-6728
E-Mail: brocha@ci.seaside.ca.us

D. Project Location and Environmental Setting

As shown on the Regional Location Map on Figure 1, the City of Seaside is situated on the Monterey Bay in western Monterey County in the northern portion of the Monterey Peninsula. The City’s incorporated City Limit boundaries are surrounded by the cities of Monterey and Del Rey Oaks to the south, Sand City to the west, Marina to the north, and Monterey County to the east. Figure 2 depicts the City limit and General Plan Land Use Map of the community that would be applicable to by the proposed map amendments. The community contains approximately 8 square miles of land. The incorporated lands are primarily developed with urban land uses (Residential, Commercial, Government/Quasi Public Uses) with no areas designated for agricultural uses. The proposed amendments to the Seaside General Plan and the Seaside Municipal Code will consist solely of map amendments to developed parcels. There is no development associated with the proposed map amendments.

Figure 1 – Regional Location Map

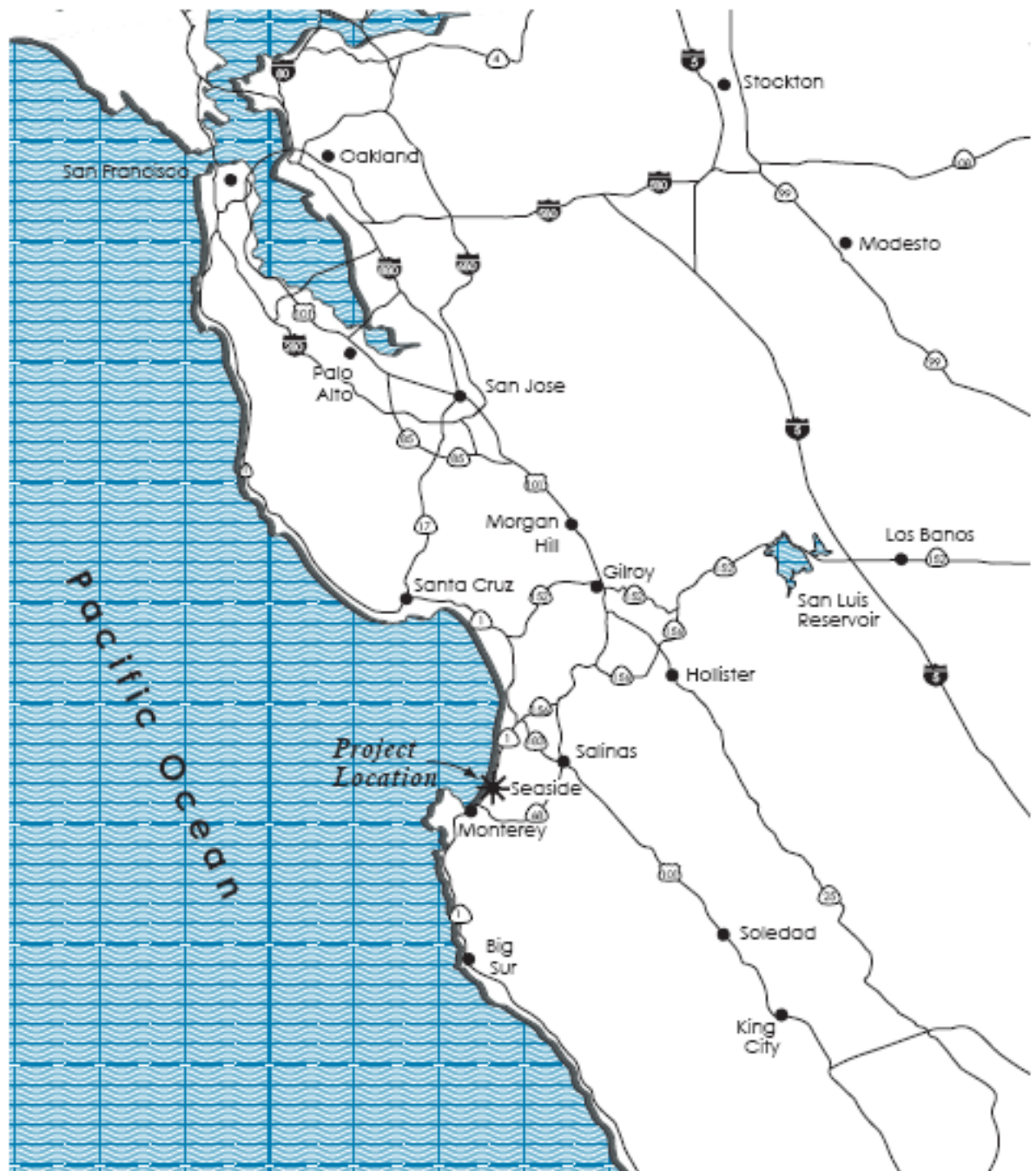
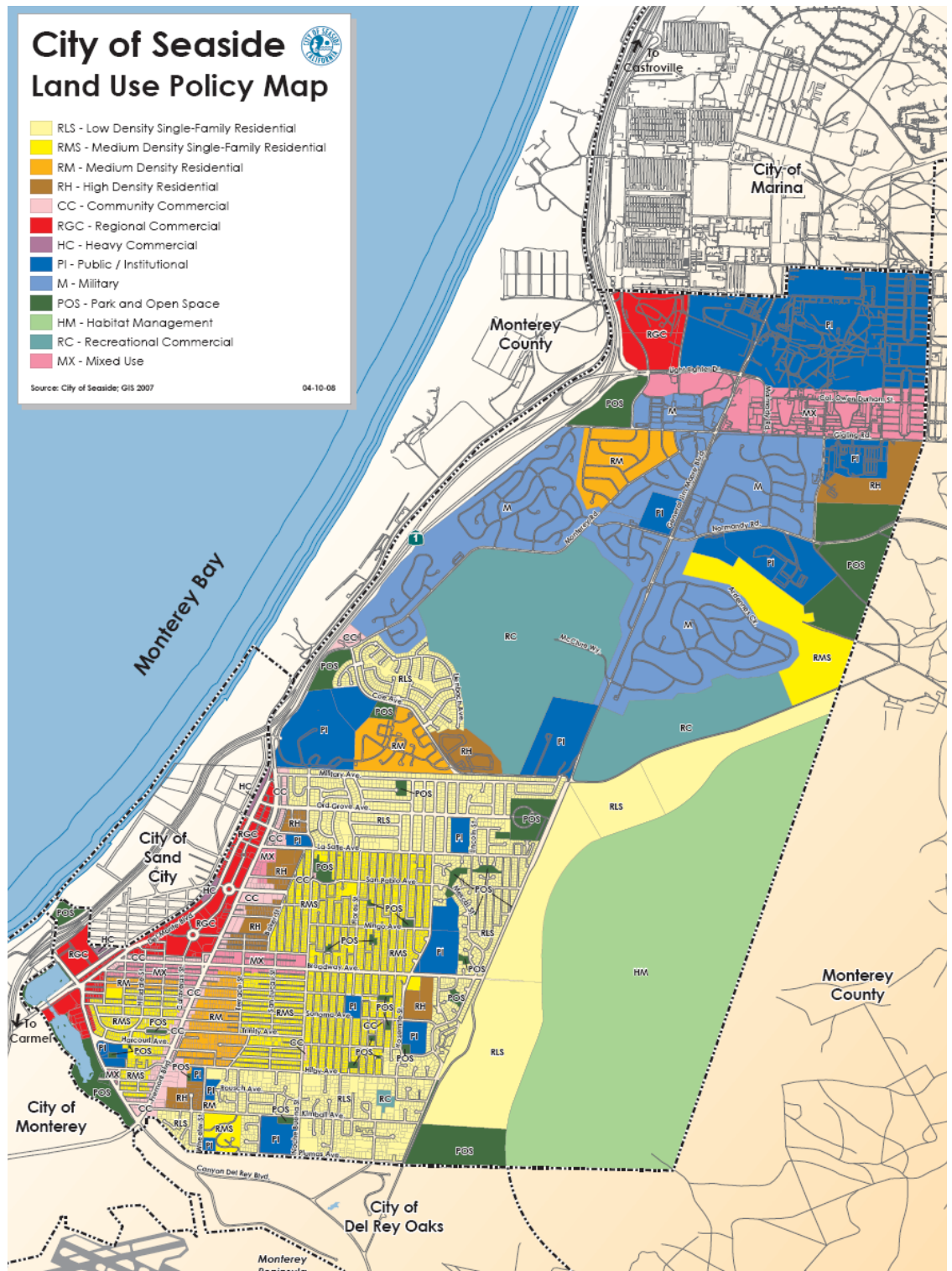


Figure 2 – General Plan Land Use Map



E. Environmental Factors Potentially Affected

E. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages:

- | | |
|--|--|
| ☐ Aesthetics | ☐ Land Use and Planning |
| ☐ Agricultural Resources | ☐ Mineral Resources |
| ☐ Air Quality | ☐ Noise |
| ☐ Biological Resources | ☐ Population and Housing |
| ☐ Cultural Resources | ☐ Public Services |
| ☐ Geology and Soils | ☐ Recreation |
| ☐ Greenhouse Gas Emissions | ☐ Transportation/Traffic |
| ☐ Hazards and Hazardous Materials | ☐ Utilities and Service Systems |
| ☐ Hydrology and Water Quality | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

5.1.2018

Date

City of Seaside
May 2018

General Plan and Zoning Map Amendment
Initial Study/Proposed Negative Declaration

6

F. Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

G. Environmental Checklist

1. Aesthetics

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (1,2)	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (1,2)	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings? (1,2)	☐	☐	☐	☒
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1,2)	☐	☐	☐	☒

Visual resource impacts are considered significant if a project has a “substantial demonstrable negative aesthetic effect.” Based on professional standards and practices, a project would normally be considered to have a significant impact if it would:

- Adversely affect a scenic vista;
- Damage scenic resources; or
- Degrade existing visual character; or
- Create a new source of light or glare.

Discussion – All Items 1(a-d)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX).

The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. The permitted structure height in the current CA zone is 50 feet and the permitted structure height in the proposed CMX zone is less, at 4 stories or 48 feet. Therefore, the implementation of the proposed map amendments will not directly or indirectly have a substantial adverse effect on a scenic vista or damage scenic resource, will not degrade the existing visual character or quality of the community and its surroundings, and will not create new substantial light and glare. No mitigation is required. (Seaside General Plan 2004, Land Use Element, Final Environmental Impact Report, Chapter 5.8)

2. Agricultural and Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Projects; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (1,2)	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?(1)	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in public resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (3)	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use? (1)	☐	☐	☐	☒
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (1)	☐	☐	☐	☒

Discussion – All Items 2(a-e)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. Therefore, the implementation of the proposed map amendments will not directly or indirectly convert prime farmland, unique farmland, or farmland of statewide importance to non-agricultural use nor will it directly or indirectly convert forest land to non-forest use. Additionally, there are no lands within the City of Seaside zoned for agricultural

uses. No mitigation is required. (Seaside General Plan 2004, Land Use Element, Final Environmental Impact Report, Chapter 5.8, Land Use; Seaside Municipal Code, Title 17)

3. Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (1,2)	☐	☐	☐	■
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (1,2)	☐	☐	☐	■
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (1,2)	☐	☐	☐	■
d) Expose sensitive receptors to substantial pollutant concentrations? (Source: MBUAPCD 2008a, 2008b; Ambient 2010) (1,2)	☐	☐	☐	■
e) Create objectionable odors affecting a substantial number of people? (1,2)	☐	☐	☐	■

The State CEQA Guidelines state that a project will result in a significant impact if it would:

- Conflict with or obstruct implementation of an air quality plan;
- Violate air quality standards;
- Contribute a cumulatively considerable net increase of a criteria pollutant in a non-attainment area;
- Expose sensitive receptors to substantial pollutant concentrations;
- or Create odors affecting a substantial number of people.

Discussion – All items 3(a-e)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX).

The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. Additionally, the commercial use of the property would not result in an increase of vehicle trips or use of the property to impact air quality standards in that the commercial use of the property will be less intensive than its previous automotive repair business.

Therefore, the implementation of the proposed map amendments will not directly or indirectly affect or impact air quality. No mitigation is required. (Seaside General Plan 2004, Conservation Element, Final Environmental Impact Report, Chapter 5.2 Air Quality)

4. Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (1,2)	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (1,2)	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (1,2)	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1,2)	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1,2)	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1,2)	☐	☐	☐	☒

The criteria used to evaluate the proposed project's impacts on wildlife resources were based on federal, state, and local requirements, regulations, and policies (including the federal Endangered Species Act, California Endangered Species Act, CEQA, and the California Fish and Game Code) along with records of resource scarcity and sensitivity. An impact is considered significant if it would:

- Adversely affect endangered, threatened, or rare species;

- Adversely affect the habitat of such species;
- Adversely affect wetlands under the jurisdiction of Section 404 of the Clean Water Act;
- Interfere with the movement of native resident or migratory species;
- Conflict with policies or ordinances protecting biological resources; or biological habitat management plan.

Discussion – All items 4 (a-f)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX).

The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. The map amendments will not have a substantial adverse effect on riparian habitats, native resident, migratory fish, wildlife species or federally protected wetlands. The map amendments will not conflict with any local policies or ordinance protecting biological resource or provisions of an adopted Habitat Conservation Plan. Therefore, the proposed map amendments will not have any direct or indirect substantial adverse effect on any species identified as a candidate, sensitive or special status species identified by the California Department of Fish and Wildlife Service. No mitigation is required. (Seaside General Plan 2004, Conservation/Open Space Element, Final Environmental Impact Report, Chapter 5.3 Biological Resources)

5. Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (1,2)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (1,2)	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1,2)	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries? (1,2)	☐	☐	☐	☒

A project is considered to result in a significant impact on cultural resources if it would:

- Adversely affect the significance of a historic resource;
- Adversely affect the significance of an archaeological resource;
- Destroy an unique paleontological resource or geological feature;
- Disturb any human remains.

Discussion – All items 5 (a-d)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. Therefore, the proposed map amendments will not cause substantial direct or indirect adverse change in the significance of a historical resource or archaeological resource. The text amendment will not directly or indirectly destroy unique paleontological resource or disturb any human remains. No mitigation is required. (Seaside General Plan 2004, Land Use Element)

6. Geology And Soils.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: (1,2)				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source:) Refer to Division of Mines and Geology Special Publication 42. (1,2)	☐	☐	☐	☒
ii) Strong seismic ground shaking? (1,2)	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction? (1,2)	☐	☐	☐	☒
iv) Landslides? (1,2)	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil? (1,2)	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (1,2)	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1,2)	☐	☐	☐	☒

The proposed project would have a significant impact to the environment if it would:

- Expose people or structures to risk of loss, injury, or death from (1) earthquake, (2) strong seismic ground shaking, (3) seismic-related ground failure including liquefaction or (4) landslides;
- Result in substantial soil erosion or loss of topsoil;
- Be located on unstable soil; or
- Have soils incapable of supporting septic system use.

Discussion – All items 6(a-e)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. Therefore, the proposed text amendment will not expose people to or structures to potential substantial adverse effects, including the risk of injury or death. The amendment will not result in substantial soil erosion, loss of top soil, landslide, and liquefaction or destroy unique paleontological resource. No mitigation is required. (Seaside General Plan 2004, Safety Element, Final Environmental Impact Report, Chapter 5.5 Geology and Soils)

7. Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (1,2)	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (1,2)	☐	☐	☐	☒

The proposed project would have a significant impact to the environment if it would:

Discussion – All items 7(a-b)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no

development associated with the proposed map amendments. Therefore, the proposed text amendment will not generate any greenhouse gases and will not conflict with an applicable plan policy or regulation adopted to reduce greenhouse gases. No mitigation is required. (Seaside General Plan 2004, Conservation Element, Final Environmental Impact Report, Chapter 5.2 Air Quality)

8. Hazards And Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1,2)	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1,2)	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school? (1,2)	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (1,2)	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (1,2)	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (1,2)	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1,2)	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (1,2)	☐	☐	☐	☒

A project is considered to result in a significant impact if it would:

- Create a public health hazard through the transport, use or disposal of hazardous materials;
- Create a public hazard through upset or accident involving release of hazardous materials;
- Emit hazardous emissions or involve handling hazardous materials within on-quarter mile of an existing or proposed school;
- Be located on a site that is listed as hazardous by CAL-EPA;
- Result in safety hazards near a public or public-use airport or private airstrip;
- Impair implementation of an adopted emergency response or evacuation plan;
- Expose people or structures to risk, loss, injury, or death involving wildland fires.

Discussion – All items 8(a-h)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. Therefore, the proposed text amendment to the Municipal Code will not create any direct or indirect hazard to the public or environment from hazardous materials, emit hazardous emissions, interfere with an adopted emergency response plan or expose people or structures to wildland fires. The amendment will not result in a safety hazard for people residing or working in a public airport or private airstrip. No mitigation is required. (Seaside General Plan 2004, Safety Element, Final Environmental Impact Report, Chapter 5.6 Hazards)

9. Hydrology And Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (1,2)	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (1,2)	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? (1,2)	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (1,2)	☐	☐	☐	☒
f) Otherwise substantially degrade water quality? (1,2)	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (1,2)	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? (1,2)	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (1,2)	☐	☐	☐	☒
j) Inundation from seiche, tsunami, or mudflow? (1,2)	☐	☐	☐	☒

The project would significantly impact the environment if it would:

- Violate any water quality standards or water discharge requirements;
- Substantially deplete groundwater supplies or interfere groundwater recharge;
- Substantially alter the existing drainage patterns resulting in a substantial increase in erosion or surface runoff and causing flooding;
- Create or contribute to runoff that exceeds drainage system capacity;
- Otherwise substantially degrade water quality;
- Place housing within a 100-year flood hazard area;
- Impede or redirect food flows within a 100-year flood hazard area;
- Expose people or structures to a significant risk of loss, injury or death from flooding;
- Result in inundation by seiche, tsunami, or mudflow;

Discussion – All Items 9(a-j)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the

uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. Therefore, the text amendment will not violate any water quality standards, substantially deplete groundwater supplies, alter any existing drainage pattern, create or contribute runoff water, or degrade water quality, place housing within a 100-year flood zone or expose people or structures to significant risk or injury or death involving flood. No mitigation is required. (Seaside General Plan 2004, and Use Element, Final Environmental Impact Report, Chapter 5.5 Geology Soils.

10. Land Use and Planning

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (1,2,3)	☐	☐	☐	■
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1,2,3)	☐	☐	☐	■
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (1,2)	☐	☐	☐	■

Land use impacts are considered significant if the project would:

- Physically divided an established community or be incompatible with existing land uses;
- Conflict with land use plans, policies, or regulations;
- Conflict with Habitat Conservation Plans or other types of approved biological habitat management plans.

Discussion – All items 10 (a-c)

Seaside Municipal Code

The proposed map amendments will consist of amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX land use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. The map amendments would not result in significant physical impacts on the environment as discussed elsewhere in the Initial Study. No mitigation is required.

The Seaside General Plan provides a framework for future growth and development within the City and guidelines to ensure compatibility with adjacent properties and surrounding neighborhoods, General Plan land use policies relevant to the proposed project include the following:

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

The proposed amendments would not result in a substantial physical change in land use or authorize new development that is not already permitted by existing regulations. The amendments would not conflict with the goals and policies of the City's General Plan. The map amendments will not directly or indirectly divide an established community or conflict with any applicable land use plan or policy. No mitigation is required. (Seaside General Plan 2004, Land Use Element, Final Environmental Impact Report, Chapter 5.8 Land Use).

11. Mineral Resources

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1,2)	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (1,2)	☐	☐	☐	☒

A project will normally have a significant effect on the environment if it will:

- Result in the loss of a known mineral resource;
- Result in the loss of availability of a locally important mineral resource identified in an approved land use plan.

Discussion – All items 11(a-b)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. Therefore, no mineral resources would be removed as part of this project nor would any activities related to the project come in conflict with a known renewable or other resources conservation plan. No mitigation is required. (Seaside 2004 General Plan, Land Use Element)

12. Noise

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (1,2)	☐	☐	☐	☒

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (1,2)	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (1,2)	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (1,2)	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (1,2)	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (1,2)	☐	☐	☐	☒

A project is considered to result in a significant impact if it would:

- Expose persons to noise levels exceeding established standards;
- Expose persons to excessive ground borne vibration;
- Substantially increase ambient noise (temporary, periodic, or permanent);
- Expose people to excessive noise near a public-use airport or private airstrip.

Discussion – All items 12(a-f)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. The proposed amendment would not authorize new development or change existing regulations regarding construction or mechanical equipment noise. No mitigation is required.

(e-f) No Impact. There are no private airstrips within vicinity of the City. Therefore, no noise impacts would occur and no mitigation is required,

13. Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (1,2)	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1,2)	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1,2)	☐	☐	☐	☒

Population and housing impacts are considered significant if the project:

- Induces substantial growth; or
- Expose persons to excessive ground borne vibration;
- Displaces a substantial number of existing housing units or people, necessitating construction of replacement housing.

Discussion – 13(a-c)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. Therefore, no changes to any existing housing or population centers will occur upon implementation of the proposed map amendments, nor will the map amendments induce substantial population growth or displace existing housing or people. No mitigation is required. (Seaside General Plan 2004, Land Use and Housing Element; Final Environmental Impact Report, Chapter 5.2 Air Quality). Public Services)

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (1,2)	☐	☐	☐	☒
b) Police protection? (1,2)	☐	☐	☐	☒
c) Schools? (1,2)	☐	☐	☐	☒

Would the project result in:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d)	Parks? (1,2)	☐	☐	☐	■
e)	Other public facilities? (1,2)	☐	☐	☐	■

A project will normally have a significant impact on the environment if it will:

- Result in substantial adverse physical effects from the construction of new or altered governmental facilities needed to maintain acceptable service ratios, response times or other performance objectives for: (1) fire protection, (2) police protection, (3) schools, (4) parks, or (5) other public services.

Discussion – All items 14(a-e)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. The proposed regulations would not substantially reduce potential impacts on fire protection, police protection, parks and other public facilities to a level that is less than significant. No mitigation is required. Therefore, the proposed map amendments will not result in any direct or indirect adverse physical impacts associated with the need to provide any new or physically altered government facilities or services. No mitigation is required. (Final Environmental Impact Report, Chapter 5.11 Public Services and Utilities).

14. Recreation

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1,2)	☐	☐	☐	■
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1,2)	☐	☐	☐	■

Recreation impacts are considered significant if a project:

- Creates a “conflict with established recreational, educational, religious, or scientific uses of the area;”
- Increases the use of existing local and regional parks, resulting in physical deterioration;
- Results in substantial adverse physical effects from construction of new or altered recreational facilities.

Discussion – All items 15(a-b)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. Therefore, the proposed map amendments would not result in a direct or indirect need to expand or physically alter its recreational facilities and parks in the community. No mitigation is required (Seaside 2004 General Plan, Conservation/Open Space Element).

15. Transportation/Traffic

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (1,2)	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads of highways? (1,2)	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1,2)	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1,2)	☐	☐	☐	☒
e) Result in inadequate emergency access? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (1,2)	☐	☐	☐	☒

A project results in a significant impact if it would:

- Substantially increase traffic relative to existing load capacity;
- Exceed an established level-of-service standard;
- Result in a change of air traffic patterns;
- Substantially increase hazards due to design or incompatible uses;
- Result in inadequate emergency access;
- Result in inadequate parking capacity;
- Conflict with adopted alternative transportation policies, plans or programs.

Discussion – All items, 16(a-f)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). The proposed amendment would not authorize new development. Therefore, the proposed map amendments would not result in a net increase in traffic or parking demand in the community, nor would it reduce the number of existing parking spaces within the study area. No mitigation is required. (Seaside 2004 General Plan, Circulation Element; Final Environmental Impact Report, Chapter 5.12 Transportation).

17. Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1,2)	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1,2)	☐	☐	☐	☒
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1,2)	☐	☐	☐	■
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1,2)	☐	☐	☐	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (1,2)	☐	☐	☐	■
g) Comply with federal, state, and local statutes and regulations related to solid waste? (1,2)	☐	☐	☐	■

A project will normally have a significant effect on the environment if it will:

- Fail to comply with wastewater treatment requirements of a Regional Water Quality Control Board;
- Require or result in the construction of new or expanded water or wastewater treatment facilities;
- Require or result in the construction of new or expanded storm water drainage facilities;
- Exceed existing water supplies;
- Exceed existing wastewater capacity;
- Exceed existing landfill capacity;
- Conflict with federal, state, and local statutes and regulations related to solid waste.

Discussion – 17(a-g)

The proposed map amendments will consist of map amendments to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) and map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). The applicant is seeking a broader range of permitted use options beyond those of the current CA zone through the map change to CMX. CMX use options will further contribute to compatibility with the uses permitted in the adjacent West Broadway Urban Village Specific Plan (WBUV). There is no development associated with the proposed map amendments. No new development or increase in land use intensity would be authorized by the proposed amendment, therefore impacts to utilities and service systems would be less than significant. No mitigation is required (Seaside 2004 General Plan, Conservation Element; Final Environmental Impact Report, Chapter 511 Public Services and Utilities)

18. Mandatory Findings of Significance

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Impacts are considered significant if a project has the potential to:

- Degrade the quality of the environment;
- Substantially reduce, restrict or threaten to eliminate wildlife habitat;
- Eliminate important examples of major California history or prehistory;
- Introduce "Cumulatively Considerable" impacts; or
- Cause environmental effects that cause substantial adverse effects on human beings, directly or indirectly.

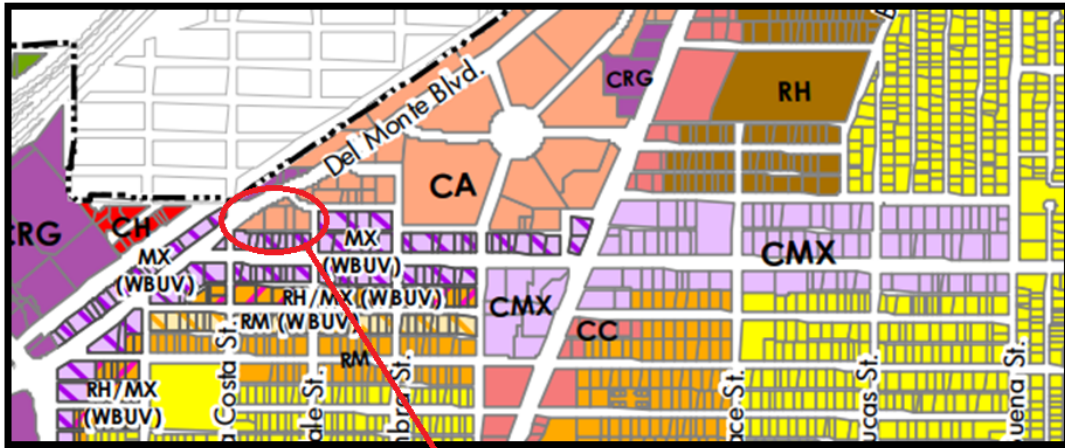
Discussion – All items

- (a) **No Impact**, The proposed map amendments are limited to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) AND map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). No new construction would be authorized by the amendment, no impacts to fish and/or wildlife species or historical resources would occur.
- (b) **Less Than Significant Impact** The proposed map amendments are limited to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) AND map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). No new construction would be authorized by the amendment. Therefore, these impacts would be less than significant.
- (c) **Less than Significant Impact**. The proposed map amendments are limited to the Seaside General Plan: from Regional Commercial (RGC) to Mixed-Use (MX) AND map amendments to Title 17 (Zoning Code) of the Seaside Municipal Code (SMC): from Automotive Regional Commercial (CA) to Commercial Mixed zone (CMX). No new construction would be authorized by the amendment. Therefore, potential impacts on human beings, either direct or indirect would be less than significant.

H. Sources

1. City of Seaside 2004 General Plan
<http://www.ci.seaside.ca.us/index.aspx?page=191#GeneralPlan>
2. City of Seaside Final Environmental Impact Report
<http://www.ci.seaside.ca.us/Modules/ShowDocument.aspx?documentid=592>
3. City of Seaside, 2012 Municipal Code
<http://www.municode.com/library/CA/Seaside>

EXHIBIT A – ZONING MAP AND GENERAL PLAN MAP



Current zoning map: CA zone, above. Left: proposed zoning map with subject properties shown as being in the CMX zone.



Current general plan map: RGC designation, above. Left: proposed general plan map with subject properties shown as being designated as MX.



RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**ADOPTING A MAP AMENDMENT TO THE SEASIDE GENERAL PLAN FIGURE
LU-2, LAND USE POLICY MAP.**

WHEREAS, the purpose of this Resolution is to consider a map amendment to the Seaside General Plan, Figure LU-2: Land Use Policy Map that would change the map designation from Regional Commercial (RGC) to Mixed Use (MX) for parcels 011-552-008, 011-552-009, 011-552-010, 011-552-011, and 011-552-012.

WHEREAS, pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines Section 15070 through 15075, an Initial Study/Negative Declaration has been circulated for a 20-day public review beginning on Thursday, May 1, 2018 and ending on Monday, May 20, 2018, and is made a part of the Resolution by reference;

WHEREAS, the Seaside City Council may initiate an amendment to the Seaside General Plan in accordance with S.M.C. Section 2.02.390.

WHEREAS, on May 23, 2018, the Planning Commission of the City of Seaside held a duly noticed public hearing to consider the adoption of the General Plan map amendment. Following the closure of the public hearing, the Planning Commission adopted a Resolution recommending approval of this Resolution to the City Council.

WHEREAS, it is the responsibility of the City Council to consider and weigh the merits of the Initial Study/Negative Declaration and map amendments in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code in making its determination on the proposed map amendment to the Seaside General Plan.

WHEREAS, at a duly noticed public hearing held on June 21, 2018, the City Council considered both oral comments and written information concerning the proposed Negative Declaration and introduced the first reading of the map amendment.

WHEREAS, at a duly noticed public hearing held on June 21, 2018, the City Council hereby adopts the following findings in support of its action to adopt the proposed Negative Declaration for the proposed map amendment:

1. The proposed map amendment is consistent with the goals and policies of all elements of the General Plan; and
2. The proposed map amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The proposed map amendment is internally consistent with other applicable provisions of the Seaside Municipal Code.

WHEREAS, At a duly noticed Public Hearing on June 21, 2018, the City Council adopts the first reading of the following map amendment for the proposed General Plan map amendment of parcels 011-552-008, 011-552-009, 011-552-010, 011-552-011, and 011-552-012:

Proposed Map Amendment

1. Amend Seaside General Plan: Figure LU-2, Land Use Policy Map to change the map designation from Regional Commercial (RGC) to Mixed Use (MX):



Current general plan map: RGC designation, above. Left: proposed general plan map with subject properties shown as being designated as MX.

WHEREAS, Effective Date. This Resolution shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed map amendments.

NOW, THEREFORE BE IT FURTHER RESOLVED, the City Clerk shall certify to the adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 21th day of June, 2018, by the following vote:

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

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

ORDINANCE NO. ####

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, TO ADOPT A MAP AMENDMENT TO THE SEASIDE MUNICIPAL CODE, ZONING MAP.

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

Section 1. General Purpose and Findings. The purpose of this Ordinance is to consider the following map amendment to the Seaside Municipal Code for parcels 011-552-008, 011-552-009, 011-552-010, 011-552-011, and 011-552-012:

- A. A map amendment to the Seaside Municipal Code (SMC), Zoning Map that would change the map designation from Automotive Regional Commercial (CA) Zone to Commercial Mixed Use (CMX) Zone.

Section 2. Pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines Section 15070 through 15075, an Initial Study/Negative Declaration has been circulated for a 20-day public review beginning on Thursday, May 1, 2018 and ending on Monday, May 20, 2018, and is made a part of the Ordinance by reference.

Section 3. The Seaside City Council may initiate an amendment to the Seaside Municipal Code in accordance with SMC Section 2.02.380.

Section 4. On May 23, 2018, the Planning Commission of the City of Seaside held a duly noticed public hearing to consider the adoption of the map amendments described under Section 1. Following the closure of the public hearing, the Planning Commission adopted a Resolution recommending approval of this Ordinance to the City Council.

Section 5. It is the responsibility of the City Council to consider and weigh the merits of the Initial Study/Negative Declaration and map amendments in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code in making its determination on the proposed map amendments to the Seaside Municipal Code.

Section 6. At a duly noticed public hearing held on June 21, 2018, the City Council considered both oral comments and written information concerning the proposed Negative Declaration and introduced the first reading of the map amendments.

Section 7. At a duly noticed public hearing held on June 21, 2018, the City Council hereby adopts the following findings in support of its action to adopt the proposed Negative Declaration for the proposed map amendments:

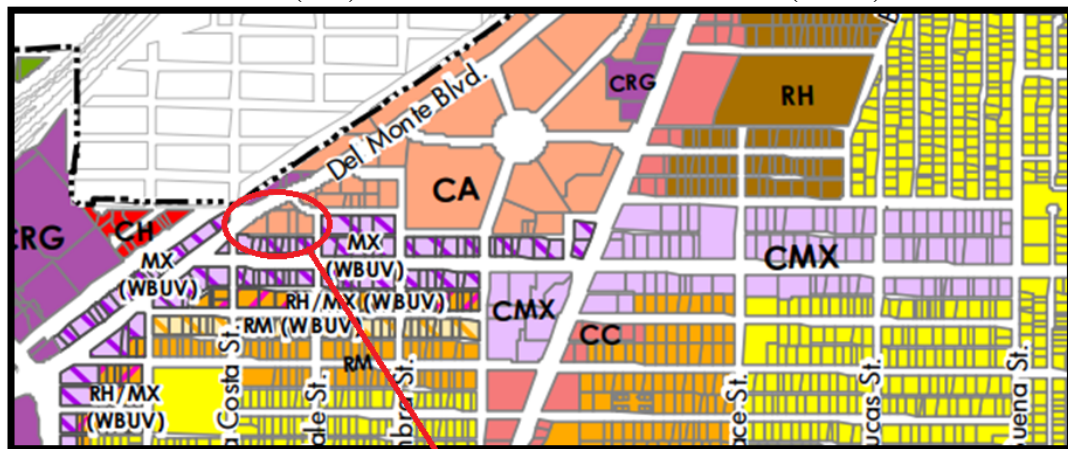
1. The proposed map amendment is consistent with the goals and policies of all elements of the General Plan; and

2. The proposed map amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The proposed map amendment is internally consistent with other applicable provisions of the Seaside Municipal Code.

Section 8. At a duly noticed Public Hearing on June 21, 2018, the City Council adopts the first reading of the proposed map amendment of parcels 011-552-008, 011-552-009, 011-552-010, 011-552-011, and 011-552-012:

Proposed Map Amendment

1. Amend Seaside Municipal Code, Seaside Zoning Map from Automotive Regional Commercial (CA) Zone to Commercial Mixed Use (CMX) Zone:



Current zoning map: CA zone, above. Left: proposed zoning map with subject properties shown as being in the CMX zone.

Section 9. Effective Date. This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed map amendments.

NOW, THEREFORE BE IT FURTHER RESOLVED, 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 21st day of June, 2018, by the following vote:

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

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Daphne Hodgson, Deputy City Manager Administrative Services

DATE: June 21, 2018

SUBJECT: CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF A RESOLUTION APPROVING THE 2018-2019 GENERAL AND OTHER FUNDS OPERATING BUDGET, CAPITAL OUTLAY BUDGET, CAPITAL IMPROVEMENT BUDGET, POSITION CONTROL LIST AND SALARY SCHEDULE, THE APPROPRIATIONS LIMIT, THE CAPITAL IMPROVEMENT PLAN, AND SET THE RESERVE AMOUNTS AND AUTHORIZE STAFF TO TAKE ACTIONS AS NECESSARY FOR BUDGET IMPLEMENTATION

PURPOSE & RECOMMENDATION

The purpose of this item is to give the City Council and the Successor Agency Board the opportunity to conduct a public hearing and review, discuss and consider the adoption of a resolution approving the 2018-2019 General and other funds operating budgets, capital outlay budget, capital improvement budget, position control list and salary schedule, the appropriations limit, the capital improvement plan, and set the reserve amounts and authorize staff to take actions as necessary for budget implementation. Modifications approved with this action will be incorporated into the 2018-2019 Budget prior to implementation and publication.

BACKGROUND

On June 7th the City Council received a presentation on the 2018-2019 Proposed General Fund Budget; they conducted a public hearing and heard public comment. Several changes were considered. The following items have been incorporated into the Proposed Budget:

- City Council Consultant budget was reduced by \$5,000 to \$5,000
- City Council State Lobbyist budget was reduced by \$12,000 to \$12,000
- \$5,000 was added to the Art & History Commission budget for Historical Markers
- \$10,000 was also added to the Art & History Commission budget for Art Installation/Murals

As the City Council is expected to review a number of projects and land use matters in the coming

fiscal year and, as these projects and land use matters are expected to include between 400 - 500 new affordable dwelling units, it is recommended the *Legal Services - Special* line item in the City Attorney budget be increased by \$50,000, to fund any legal action the Council may find necessary to achieve the public good of increasing the supply of affordable housing.

With the above changes, the 2018-2019 Proposed General Fund Budget for the City of Seaside is balanced with an operating surplus of \$42,075.

2018-2019 Proposed General Fund Budget:

Estimated Revenues	\$32,140,044
Projected Expenditures	<u>\$32,097,969</u>
Operating Surplus	\$ <u>42,075</u>

The Proposed 2018-2019 Budget captures the strategic goals of improving fiscal strength for the City, and also improves the quality of life for the community.

General Fund Reserves:

The estimated reserve funds as of the March 31, 2018 fiscal analysis were as follows:

	Minimums	Actuals
• Capital Reserve	\$1,472,132	\$ 2,138,513 *
• Special Reserve	\$2,944,265	\$ 2,920,936
• Emergency Reserve	<u>\$4,416,397</u>	<u>\$ 4,381,404</u>
Total estimated reserves	<u>\$8,832,794</u>	<u>\$ 9,440,853</u>

*(It is anticipated that the Solar Project will need an additional \$250,000 in order to complete the project; this funding would come from the Capital Reserve leaving the balance at \$1,888,513 and the March 31, 2018 Estimated Total Reserve balance at \$9,190,853, 105% of the Municipal Code minimums.)

The addition of \$42,075 to the reserves brings the estimated total reserves as of July 1, 2018, to \$9,482,928, or 98% of the Municipal Code requirement (30% of estimated 2018-2019 expenditures). With an expected additional \$250,000 needed for the Solar Project, the Estimated Reserve would be \$9,232,928, or 96%.

The proposed increase in the City's reserves is necessary to plan for unforeseen and on-going expenditures and to provide a cushion for potential delays in tax-generating projects coming on-line in 2019-2021.

Appropriations Limit Calculation:

In accordance with Proposition 13, each year the City is required to make a calculation to determine that it is not expending funds on certain items in excess of the taxes that are collected, adjusted for population changes and cost of living changes. Each prior year's Appropriations

Limit is carried forward and adjusted for the adjustment factors. The adjustment factors used for the 2018-2019 Appropriations Limit are: per capita personal income increase of 3.67%; county population increase of .35%.

OTHER FUNDS:

In addition to the General Fund, the budget includes funds from a range of restricted sources that are used to provide specific services, including funds from the Federal Community Development Act (CDBG); Gas Tax; Storm Water Maintenance Fund; and the Seaside Municipal Water System (Water Fund).

Community Development Block Grant (CDBG) Fund:

The revenues in this fund come from grants from the Federal Community Development Act. CDGB funds are restricted to the revitalization of low and moderate-income areas of the City. In addition, the City of Seaside CDBG Fund receives income from the Embassy Suites rental and principal and interest income from several loan programs. Estimated revenues for 2018-2019 are \$516,882.

CDBG expenditures for 2018-2019 are budgeted to be \$516,882. The funds are budgeted for public service programs, debt repayment and other community service related expenditures.

Gas Tax Funds:

Gas tax funds are collected by the State from gas sales. They are then distributed by the State to cities and counties based on population. Gas Tax revenues are estimated to be \$2,402,158 during the 2018-2019 budget year. Gas tax fund expenditures are projected to be \$2,485,455 for the 2018-2019 year. The cost of street maintenance requires the General Fund to transfer approximately \$470,000 in 2018-2019 to cover the City's maintenance of effort requirement and the difference between funding received from the State and the costs of street maintenance.

In addition, a \$10 million financing plan has been budgeted. This funding will be used for capital projects to improve streets throughout the City.

Storm Water Maintenance Fund:

This fund was established to account for revenues and expenditures related to the operation and maintenance of the City's storm drain and storm water management system. Approximately \$660,000 has been budgeted from the General Fund to cover Storm Water costs in 2018-2019.

Staff plans to apply for grant funding of \$1,700,000 to fund major storm water capital projects.

Water Fund:

The Water Fund receives revenues from user charges based on water usage. All expenditures for the operation of the water system including maintenance, capital outlay, debt service, and depreciation are charged to this fund. The Water Fund budgeted expenditures are \$994,599. The water receipts are estimated to be \$753,500 for the 2018-2019 budget year. The deficit in the Water Fund will be absorbed by the existing fund balance. However, the City Council will need to consider an adjustment to water rates in the future and will need to review the status of the Water Fund at each quarterly budget update.

The complete Proposed 2018-2019 Budget is available online at <http://www.ci.seaside.ca.us/Archive.aspx?ADID=445> under the Administrative Services Department.

FISCAL IMPACT

ATTACHMENTS

1. 2018-2019 Budget Adoption Resolution
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 18-XX and 18- XX SA

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE
AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE
CITY OF SEASIDE**

**ADOPTING THE ANNUAL OPERATING BUDGET, OTHER FUNDS BUDGETS, THE
CAPITAL OUTLAY BUDGET, THE CAPITAL IMPROVEMENT BUDGET AND FIVE
YEAR PLAN, THE POSITION CONTROL LIST AND SALARY SCHEDULE, THE
ANNUAL APPROPRIATIONS LIMIT, AND THE RESERVE BALANCES OF THE CITY
OF SEASIDE FOR THE FISCAL YEAR 2018-2019 AND AUTHORIZING ACTIONS AS
NECESSARY FOR BUDGET IMPLEMENTATION**

WHEREAS, the City Council of the City of Seaside and the Agency Board of the Successor Agency to the Redevelopment Agency of the City of Seaside has considered the Proposed 2018-2019 Annual Operating Budget, Other Funds Budgets, Capital Outlay Budget, Capital Improvement Budget and Plan, the Position Control List and Salary Schedule, the Annual Appropriations Limit, and the Reserve Balances; and

WHEREAS, the City Council and the Agency Board has reviewed the aforementioned documents and made desired modifications; and

WHEREAS, the City Council and the Agency Board is required to adopt a balanced budget in which total appropriations do not exceed estimated revenues and/or other available funds; and

WHEREAS, the City Council is required to adopt an Annual Appropriations Limit and Reserve Balances.

NOW, THEREFORE BE IT RESOLVED, that the City Council and the Agency Board of the City of Seaside adopts the following:

1. The 2018-2019 General Fund Operating Budget, as may be modified;
2. The 2018-2019 Other Funds Budgets, as may be modified;
3. The 2018-2019 Capital Outlay Budget, as may be modified;
4. The 2018-2019 Capital Improvement Budget, as may be modified and the 2018-2019 through 2022-2023 Capital Improvement Plan;
5. The 2018-2019 Position Control List and Salary Schedule;
6. Personnel costs are appropriated with the following restrictions: a) Authorized positions are limited to the positions approved and the funds appropriated for the approved positions; b) The City Manager may authorize filling vacant, approved positions, as necessary, restricted to the funds available.
7. The City Manager may approve appropriation transfers of \$10,000 or less. Transfers in excess of \$10,000 must be authorized by the City Council. Transfers may not exceed the amount

appropriated to each Department.

8. Authorize other actions as necessary to implement the 2018-2019 Budget.
9. The Deputy City Manager - Administrative Services shall make any modifications authorized by the City Council to the 2018-2019 Budget prior to publication. The 2018-2019 Adopted Budget will be published as required by the Municipal Code and City Ordinance.
10. The appropriations limit for the Fiscal Year 2018-2019, in accordance with Article XIII B of the California State Constitution, calculated as follows:

2018-2019 Appropriations Limit Adjustment Factors:

Increase in Per Capita Personal Income Factor	1.0367
Population Change Factor (Monterey County Factor)	<u>1.0035</u>
Combined Factor	<u>1.0403</u>

2018-2019 Appropriations Limit	\$ 32,821,627
2018-2019 Appropriations Subject to the Limit	<u>\$ 25,730,979</u>
2018-2019 Limit in Excess of Appropriations	<u>\$ 7,090,648</u>

13. In accordance with Section 3.12 of the City of Seaside Municipal Code and Government Accounting Standard #54, the City Council is required to set Reserve amounts each fiscal year. The Proposed 2018-2019 Budget establishes Reserves at 99% of the Municipal Code minimums. The following is the proposed distribution of Reserves:

Capital Reserve-Committed	\$ 2,138,513
Special Reserve-Committed	\$ 2,920,936
Emergency Reserve-Committed	<u>\$ 4,381,404</u>
Total committed reserves at year end	<u>\$ 9,440,853</u>

PASSED AND ADOPTED at a meeting of the City Council of the City of Seaside and the Agency Board of the Successor Agency to the Redevelopment Agency of the City of Seaside duly held on the 21st day of June, 2018 by the following vote:

AYES: COUNCIL/BOARD MEMBERS:
NOES: COUNCIL/BOARD MEMBERS:
ABSENT: COUNCIL/BOARD MEMBERS:
ABSTAIN: COUNCIL/BOARD MEMBERS:

Ralph Rubio, Mayor/Chair
City of Seaside and Successor Agency to the
Redevelopment Agency of the City of Seaside

ATTEST:

Lesley Milton-Rerig, City Clerk and
Agency Secretary - Successor Agency to the Redevelopment Agency of the City of Seaside



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.E.

TO: City Council

FROM: Craig Malin, City Manager

BY: Daphne Hodgson, Deputy City Manager Administrative Services

DATE: June 21, 2018

**SUBJECT: REVIEW, DISCUSS, CONDUCT A PUBLIC HEARING,
AND CONSIDER ADOPTION OF A RESOLUTION TO APPROVE
THE PROPOSED 2018-2019 FEE SCHEDULE**

PURPOSE & RECOMMENDATION

The purpose of this item is to give the City Council the opportunity to review and adopt the attached resolution approving the 2018-2019 Proposed Fee Schedule for the City of Seaside.

BACKGROUND

On February 20, 2014 the City Council adopted ordinance 1013, establishing guidelines for the future increases in charges for the cost of services. Annually, fees will be adjusted by the San Francisco-Oakland-San Jose (Bay Area) Urban Wage Earners and Clerical Workers Consumer Price Index (CPI-W) and may be passed with resolution.

The CPI increase from April 2017 to April 2018 is 3.4%. The attached fee schedule includes this increase.

The departments have reviewed the proposed schedule. There are several recreation fees that were not increased by the CPI and several planning and building fees that have been adjusted based on the department review. In addition, the Proposed Fee Schedule includes a waiver of all City of Seaside planning and building fees in the West Broadway Urban Village Specific Plan Area for the 2018-2019 fiscal year.

FISCAL IMPACT

Anticipated revenues from fee collections have been included the 2016-2017 Proposed Budget.

ATTACHMENTS

1. 2018-2019 Proposed Fee Schedule
 2. 2018-2019 Fee Resolution
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

CITY OF SEASIDE
MASTER FEE SCHEDULE AS OF 7/1/2018

CREDIT CARDS NOT ACCEPTEED FOR DEVELOPER DEPOSITS OR TRANSIENT OCCUPANCY TAX

FEE SCHEDULE	Page #
Schedule of Finance/City Clerk Division Fees	2
Schedule of Building Division Fees	3-13
Schedule of Planning Division Fees	14-18
Schedule of Engineering Division Fees	19-21
Schedule of Water Division Rates & Fees	22-24
Schedule of Recreation Division Fees	25-27
Schedule of Fire Department Fees	28-33
Schedule of Police Department Fees	34-37
Schedule of Police Department - Animal Control Fees	38

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF FINANCE & CITY CLERK FEES

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
FINANCE			
	Business License Application Fee	\$ 13	\$ 14
	Business License Schedule of License Fees	Municipal Code 5.04.20 - 5.04.10	Municipal Code 5.04.20 - 5.04.10
	Mailing List (per page)	.10 + cost of labels	.10 + cost of labels
	City Budget-Paper	\$ 55	\$ 57
	Bingo Permit	\$ 55	\$ 57
	Delinquent Invoice-1st Notice	\$ 5	\$ 6
	Delinquent Invoice-2nd Notice	\$ 10	\$ 11
	Returned Check-1st	\$ 29	\$ 30
	Returned Check-2nd	\$ 34	\$ 35
CITY CLERK			
	Public Record Copies - standard 8.5" x 11", black and white	\$ 0.10	\$ 0.10
	Public Record Copies - Color or non-standard sizes	cost of duplication	cost of duplication
	Mailing copy of requested document or CD	Cost of duplication plus postage	Cost of duplication plus postage
	City Council Agenda mailing subscription (annual)	\$ 28	\$ 29
	City Council Agenda Packet (per packet)	\$ 17	\$ 18
	Records on CD	\$ 5	\$ 6
	Notary Fee (State Code)	\$ 10	\$ 11

CITY OF SEASIDE				
BUILDING PLAN REVIEW AND INSPECTION				
All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019		Fee	17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
BUILDING DIVISION FEES				
ADMINISTRATIVE CITATIONS				
	First Offense		\$ 279	\$ 288
	Repeated Violations		\$ 558	\$ 577
Work with out a Permit-Investigative Fee			Equal to Permit Fee not to exceed \$500	Equal to Permit Fee not to exceed \$500
Notice of Violation Recordation Fee			\$ 267	\$ 276
Notice of Violation Expungement Fee			\$ 267	\$ 276
			\$ -	\$ -
New Address/Address Change			\$ 121	\$ 125
AB717 Training Fee			Cost	Cost
Certified Access Specialist (CASP) Plan Review Fee			Cost	Cost
MINOR COMMERCIAL AND RESIDENTIAL IMPROVEMENT PROJECTS				
	Application for Unreasonable Hardship Exceptions to Disabled Access Requirements (2 hour minimum)	per hour	\$ 1,063	\$ 1,099
	Application Request for Substitution of Alternate Materials or Method (2 hour Minimum)	per hour	\$ 1,063	\$ 1,099
	Board of Appeal Hearing Fee	each	Based on type of use, type of construction and square footage	Based on type of use, type of construction and square footage
	Building-like Structures - Misc. Structures (ie, tanks, towers, silos, storage racks, etc.)	each	Based on type of use, type of construction and square footage	Based on type of use, type of construction and square footage
	Canopy / Awning	per project	\$ 1,063	\$ 1,099
	Cellular Tower / Antenna		\$ -	\$ -
	Attached	each	\$ 3,188	\$ 3,296
	Detached	each	\$ 3,188	\$ 3,296
	Equipment Shelter	each	\$ 1,594	\$ 1,648
	Certification of Record	each	\$ 1,063	\$ 1,099
	Commercial Accessibility Upgrade	each	\$ 1,063	\$ 1,099
	Commercial Coach Installation	each	\$ 1,063	\$ 1,099
	Deck or Patio (Covered) - Install/Replace/Repair		Based on type of use, type of construction and square footage	Based on type of use, type of construction and square footage
	Engineered, first 300 s.f.	per project		
	each additional 300 s.f.	per project		
	Non-engineered, first 300 s.f.	per project		
	each additional 300 s.f.	per project		
	Deck or Patio (Uncovered) - Install/Replace/Repair			
	Engineered, first 300 s.f.	per project		
	each additional 300 s.f.	per project		
	Non-engineered, first 300 s.f.	per project		
	each additional 300 s.f.	per project		
	Deferred Submittal	per project		
	Demolition	per project	\$ 251	\$ 260
	Dry rot/Termite Repair	per project	\$ 251	\$ 260
	Fence or Non-Engineered Wall	per project	\$ 251	\$ 260
	Fireplace Retrofit / Chimney Repair	per project	\$ -	\$ -
	Flag, Light, or Sign Pole - Install / Replace	per project	\$ 1,063	\$ 1,099
	Foundation Repair / Replace (includes piles, piers, or foundation-only systems under existing or partial construction)	per project	\$ 2,125	\$ 2,197
	Greenhouse or Solarium		\$ -	\$ -
	< 200 sq ft	per project	\$ 1,063	\$ 1,099
	200 - 1,000 sq ft	per project	\$ 2,125	\$ 2,197
	> 1,000 sq ft	per project	\$ 2,657	\$ 2,747
	Minor Repairs (for items otherwise not listed, for the purpose of reconstruction, renewal, or maintenance of any part of an existing structure - requiring not more than two inspections) (Includes Mechanical equipment with structural modifications)	per project	\$ 251	\$ 260

CITY OF SEASIDE				
BUILDING PLAN REVIEW AND INSPECTION				
All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019		Fee	17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
	Outsourced Plan Review Processing Fee	per hour	\$ 531	\$ 549
	Partition	per project	\$ 251	\$ 260
	Pools and Spas - Commercial		\$ -	\$ -
	Pool & Spa Combo	per project	\$ 2,125	\$ 2,197
	Pool - New Install	per project	\$ 2,125	\$ 2,197
	Pool - Remodel	per project	\$ 1,063	\$ 1,099
	Spa - New Install	per project	\$ 1,063	\$ 1,099
	Pools and Spas - Residential - Above Ground		\$ 167	\$ 173
	Registration of Abandoned Property		\$ 55	\$ 57
	Re-Plastering, or Wet Sand Blasting		\$ -	\$ -
	< 20 sq ft	per project	\$ 796	\$ 823
	20 - 200 sq ft	per project	\$ 796	\$ 823
	> 200 sq ft	per project	\$ 796	\$ 823
	Re-Roof: \$157 for 1st 10 Squares. Add \$75 for each additional Squares		\$ 167	\$ 173
	Retaining Wall		\$ -	\$ -
	Engineered	per project	\$ 335	\$ 346
	Non-Engineered	per project	\$ 251	\$ 260
	Seismic Retrofit		\$ -	\$ -
	< 5,000 Sq Ft	per project	\$ 2,390	\$ 2,471
	> 5,000 Sq Ft.	per project	\$ 3,453	\$ 3,570
	Stair Repair / Replace	per project	\$ 251	\$ 260
	Siding / Stucco	per project	\$ 251	\$ 260
	Sign		\$ -	\$ -
	Non-Illuminated	per project	\$ 167	\$ 173
	Illuminated	per project	\$ 167	\$ 173
	Monument	per project	\$ 1,063	\$ 1,099
	Solar / PV System -		\$ -	\$ -
	Residential Permit and Inspection-\$500 plus \$15 per kilowatt for each above 15kw	per project	Variable	Variable
	Non-Residential and commercial-\$1,000 plus \$7 per kilowatt for each kilowatt between 51kw and 250 kw, plus \$5 for every kilowatt above 250 kw	per project	Variable	Variable
	Substandard Structure Inspection (includes code enforcement report)	per project	\$ 1,063	\$ 1,099
	Certificate of Occupancy		\$ 183	\$ 189
	Temporary Certificate of Occupancy	per project	183 + deposit	189 + deposit
	Trailer Coach Tiedown Inspection	per project	\$ 1,063	\$ 1,099

CITY OF SEASIDE				
BUILDING PLAN REVIEW AND INSPECTION				
All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019		Fee	17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
	Garage Door Replacement		\$ 167	\$ 173
	Window / Door - Non-Structural		\$ -	\$ -
	First 10 windows / doors	per project	\$ 251	\$ 260
	each add'l 10 windows/doors	per project	\$ 84	\$ 87
	Window / Door - Structural		\$ -	\$ -
	First 10 windows / doors	per project	\$ 335	\$ 346
	each add'l 10 windows/doors	per project	\$ 112	\$ 116
	Additional Plan Check required in excess of standard	per hour	\$ 252/Hour Minimum	\$ 261/Hour Minimum
	Additional Inspection required in excess of standard / Reinspection	per hour	\$ 252/Hour Minimum	\$ 261/Hour Minimum
	Plan Check outside of normal business hours or applicant requested fast-tracking (3 hour minimum)	per hour	\$ 1,594	\$ 1,648
	Plan Check outside of normal business hours or applicant requested fast-tracking (4 hour minimum)	per hour	\$ 2,125	\$ 2,197
			\$ -	\$ -
MECHANICAL, PLUMBING, AND ELECTRICAL PERMITS (Not associated with an existing building permit)			\$ -	\$ -
			\$ -	\$ -
	Plan Review	per hour	\$ 531	\$ 549
	Other Mechanical, Plumbing, or Electrical Inspections not otherwise listed below	per hour	\$ 251	\$ 260
			\$ -	\$ -
	Mechanical Permit Fees		\$ -	\$ -
	Install/Relocate each forced air or gravity-type furnace or burner (including attached ducts and vents)		\$ 335	\$ 346
	Repair/alteration/addition to each heating appliance, refrigeration unit, cooling unit, absorption unit or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by code.		\$29/each w/ \$252 Minimum	\$30/each w/ \$261 Minimum
	Install, relocate each boiler or compressor, up to and including 3 HP, or each absorption system up to and including 100,000 Btu/hr		\$ 446	\$ 461
	Each air-handling unit, including attached ducts. (Note: this fee shall not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler, or absorption unit for which a permit is required elsewhere)		\$ 446	\$ 461
	Each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit.		\$ 1,327	\$ 1,372
	Residential - installation of each hood which is served by mechanical exhaust, including the ducts for such hood		\$ 251	\$ 260
	Commercial - installation of each hood which is served by mechanical exhaust, including the ducts for such hood		\$ 2,921	\$ 3,020
	Each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in the code		\$ 251	\$ 260
			\$ -	\$ -

CITY OF SEASIDE				
BUILDING PLAN REVIEW AND INSPECTION				
All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019		Fee	17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
Plumbing and Gas Permit Fees				
Each plumbing fixture or trap or set of fixtures on one trap (including water, drainage, piping, and backflow protection therefore)			\$29/each w/ \$252 Minimum	\$30/each w/ \$261 Minimum
Each building sewer			\$ 251	\$ 260
Each water heater and/or vent			\$ 167	\$ 173
Installation, alteration, or repair of wall heater			\$ 167	\$ 173
Each industrial waste pretreatment interceptor including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps			\$ 1,594	\$ 1,648
Installation, alteration, or repair of water piping and/or water treating equipment			\$ 252 - For single line	\$ 261 - For single line
Installation, alteration, or repair of gas piping and/or gas treating equipment			\$ 252 - For single line	\$ 261 - For single line
Repair or alteration of drainage or vent piping			\$ 252 - For single line	\$ 261 - For single line
			\$ 335 - For multiple lines	\$ 346 - For multiple lines
Each lawn sprinkler system on any one meter, including backflow protection devices			\$ 251	\$ 260
Backflow devices not included in other fee services (e.g., building sewer) each unit			\$ 251	\$ 260
Gas test			\$ 167	\$ 173
Sewer lateral test			\$ 251	\$ 260
Electrical Permit Fees				
Temporary Power Service				
Temporary service power pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances			\$252 - If not incl. w/ new permit	\$261 - If not incl. w/ new permit
Temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lighting, Christmas tree sales lots, etc.			\$ 251	\$ 260
15 or 20 amp - each 10 circuits			\$ 251	\$ 260
25 to 40 amp circuits			\$ 796	\$ 823
50 to 175 amp circuits			\$ 796	\$ 823
			\$ -	\$ -
Receptacle, Switch and Lighting Outlets			\$ -	\$ -
Receptacle, switch and lighting outlets at which current is used or controlled, except services, feeders and meters			\$ -	\$ -
Each 10 (or portion thereof)			\$ 251	\$ 260
Residential Appliances				
Fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens, counter mounted cooking tops, electric ranges, self-contained room console or through-wall air conditioners, space heaters, food waste grinders, dishwashers, washing machines, water heaters, clothes dryers, or other motor-operated appliances not exceeding one horsepower (HP) in rating.			\$10.68 each w/ \$157 Minimum	\$11.04 each w/ \$162 Minimum
Non-residential Appliances				
Residential appliances and self-contained factory-wired nonresidential appliances, including medical and dental devices, food, beverage, and ice cream cabinets; illuminated show cases, drinking fountains, vending machines, laundry machines, or other			\$22.40 each w/ \$243 Minimum	\$23.16 each w/ \$251 Minimum
Power Apparatus				
Motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment, and other apparatus, as follows: Note: these fees include all switches, circuit break			\$ 251	\$ 260

CITY OF SEASIDE				
BUILDING PLAN REVIEW AND INSPECTION				
All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019		Fee	17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
	Busways			
	Trolley and plug-in-type busways - each 100 l.f. or fraction thereof (An additional fee will be required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in type busways. No fee is required for portable tools.		\$252 for each 100 feet	\$261 for each 100 feet
	New Services or Additional Panels			
	Services Note: An additional fee may apply (underground) or (overhead) to Power Company for reconnection or upgrade of any service		\$ 251	\$ 260
	600 volts or less and not over 200 amperes in rating		\$ 251	\$ 260
	600 volts or less and over 200 amperes in rating		\$ 335	\$ 346
	600 volts or over 1,000 amperes in rating		\$ 251	\$ 260
			\$ -	\$ -
	Miscellaneous Apparatus, Conduits, and Conductors		\$ -	\$ -
	Electrical apparatus, conduits, and conductors for which a permit is required, but for which no fee is set forth. (This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs)		\$ 251	\$ 260
			\$ -	\$ -
	Plan review		\$ -	\$ -
	Hourly Rate		\$ 251	\$ 260
	90 Day Plan Review Extension		25% Original Fee	25% Original Fee

CITY OF SEASIDE
BUILDING DEPARTMENT
2018-19 Fees for New Construction, Additions and Major Remodels - Plan Check

Occupancy Type and Class	Fee Unit	Fire Rating Type I, II		Fire Rating Type IIA, III, IVA		Fire Rating Type IIB, IIB, IV, VB	
		Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds
	2						
LEVEL OF EFFORT		1.5		1.25		1	
Commercial Uses - Structural (All newly constructed, added, or structurally remodeled space for non-residential occupancies classified as CBC Group A, B, E, F, H, I, M, S or other commercial occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
500	per project	\$ 4,429.10	\$ 0.98	\$ 2,952.73	\$ 0.66	\$ 2,362.18	\$ 0.52
2,000	per project	\$ 5,904.79	\$ 1.64	\$ 3,936.53	\$ 1.09	\$ 3,149.22	\$ 0.87
5,000	per project	\$ 10,824.44	\$ 1.38	\$ 7,216.30	\$ 0.92	\$ 5,773.04	\$ 0.74
10,000	per project	\$ 17,716.42	\$ 0.79	\$ 11,810.95	\$ 0.52	\$ 9,448.76	\$ 0.42
25,000	per project	\$ 29,525.98	\$ 1.18	\$ 19,683.99	\$ 0.79	\$ 15,747.19	\$ 0.63
Commercial Residential and Multifamily Residential Uses - (All newly constructed, added, or structurally remodeled space for residential occupancies classified as CBC Group R (except R-3), or other residential occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
1,000	per project	\$ 5,904.79	\$ 0.74	\$ 3,936.53	\$ 0.49	\$ 3,149.22	\$ 0.39
5,000	per project	\$ 8,858.21	\$ 0.89	\$ 5,905.47	\$ 0.59	\$ 4,724.38	\$ 0.47
10,000	per project	\$ 13,287.49	\$ 0.46	\$ 8,858.33	\$ 0.30	\$ 7,086.66	\$ 0.24
50,000	per project	\$ 31,493.54	\$ 0.31	\$ 20,995.70	\$ 0.21	\$ 16,796.56	\$ 0.17
100,000	per project	\$ 47,240.34	\$ 0.47	\$ 31,493.56	\$ 0.31	\$ 25,194.85	\$ 0.25
Attached and Detached Accessory and Utility Uses - (All newly constructed, added, or structurally remodeled space for utility and accessory occupancies classified as CBC Group U, or other utility and accessory occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
100	per project	\$ 245.94	\$ 2.46	\$ 163.96	\$ 1.64	\$ 131.17	\$ 1.31
200	per project	\$ 491.88	\$ 1.23	\$ 327.92	\$ 0.82	\$ 262.34	\$ 0.66
600	per project	\$ 983.79	\$ 1.23	\$ 655.86	\$ 0.82	\$ 524.69	\$ 0.66
1,000	per project	\$ 1,475.67	\$ 0.49	\$ 983.78	\$ 0.33	\$ 787.03	\$ 0.26
1,500	per project	\$ 1,721.62	\$ 0.49	\$ 1,147.74	\$ 0.33	\$ 918.20	\$ 0.26
2,000	per project	\$ 1,967.56	\$ 0.98	\$ 1,311.71	\$ 0.66	\$ 1,049.37	\$ 0.52

CITY OF SEASIDE
BUILDING DEPARTMENT
2018-19 Fees for New Construction, Additions and Major Remodels - Plan Check

Occupancy Type and Class	Fee Unit	Fire Rating Type I, II		Fire Rating Type IIA, III, IVA		Fire Rating Type IIB, IIB, IV, VB	
		Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds
	2						
LEVEL OF EFFORT		1.5		1.25		1	
Shell Buildings for all Commercial Uses - (The enclosure for all newly constructed, added, or structurally remodeled space for non-residential occupancies classified as CBC Group A, B, E, F, H, I, M, S or other commercial occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
500	per project	\$ 4,982.59	\$ 1.42	\$ 3,321.73	\$ 0.95	\$ 2,657.38	\$ 0.76
2,000	per project	\$ 7,117.13	\$ 1.19	\$ 4,744.75	\$ 0.79	\$ 3,795.80	\$ 0.63
5,000	per project	\$ 10,676.70	\$ 0.85	\$ 7,117.80	\$ 0.57	\$ 5,694.24	\$ 0.46
10,000	per project	\$ 14,947.76	\$ 0.78	\$ 9,965.18	\$ 0.52	\$ 7,972.14	\$ 0.41
25,000	per project	\$ 26,573.13	\$ 1.06	\$ 17,715.42	\$ 0.71	\$ 14,172.33	\$ 0.57
Commercial Tenant Improvement - Non Structural - (Non-structurally remodeled space for non-residential occupancies classified as CBC Group A, B, E, F, H, I, M, S or other commercial occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
500	per project	\$ 2,953.42	\$ 0.98	\$ 1,968.95	\$ 0.66	\$ 1,575.16	\$ 0.52
2,000	per project	\$ 4,429.10	\$ 0.74	\$ 2,952.73	\$ 0.49	\$ 2,362.18	\$ 0.39
5,000	per project	\$ 6,642.62	\$ 0.44	\$ 4,428.41	\$ 0.30	\$ 3,542.73	\$ 0.24
10,000	per project	\$ 8,858.21	\$ 0.39	\$ 5,905.47	\$ 0.26	\$ 4,724.38	\$ 0.21
25,000	per project	\$ 14,762.98	\$ 0.59	\$ 9,841.99	\$ 0.39	\$ 7,873.59	\$ 0.31
One and Two Family Dwellings - Model Home or Custom Plan Review - (All newly constructed space for residential occupancies classified as CBC Group R-3, or other similar residential occupancies not specifically addressed elsewhere)							
Square Footage:							
1,000	per project	\$ 8,120.36	\$ 1.48	\$ 5,413.58	\$ 0.98	\$ 4,330.86	\$ 0.79
2,500	per project	\$ 10,333.89	\$ 2.46	\$ 6,889.26	\$ 1.64	\$ 5,511.41	\$ 1.31
4,000	per project	\$ 14,025.15	\$ 3.81	\$ 9,350.10	\$ 2.54	\$ 7,480.08	\$ 2.03
6,000	per project	\$ 21,651.56	\$ 2.46	\$ 14,434.38	\$ 1.64	\$ 11,547.50	\$ 1.31
8,000	per project	\$ 26,572.56	\$ 3.32	\$ 17,715.04	\$ 2.21	\$ 14,172.03	\$ 1.77

CITY OF SEASIDE
BUILDING DEPARTMENT
2018-19 Fees for New Construction, Additions and Major Remodels - Plan Check

Occupancy Type and Class	Fee Unit	Fire Rating Type I, II		Fire Rating Type IIA, III, IVA		Fire Rating Type IIB, IIB, IV, VB	
		Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds
	2						
LEVEL OF EFFORT		1.5		1.25		1	

Residential Repeat / Subsequent Lot Plan Check	per project	\$ 393.52	N/A	\$ 393.52	N/A	\$ 393.52	N/A
One and Two Family Dwellings - Inspection - (All newly constructed space for residential occupancies classified as CBC Group R-3, or other similar residential occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
1,000	per project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2,500	per project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4,000	per project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6,000	per project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
8,000	per project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Structural Residential Remodels and Additions - (All newly constructed additions to, or structurally remodeled areas of, residential occupancies classified as CBC Group R-3, or other similar residential occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
200	per project	\$ 1,229.73	\$ 1.23	\$ 819.82	\$ 0.82	\$ 655.86	\$ 0.66
600	per project	\$ 1,721.62	\$ 1.25	\$ 1,147.74	\$ 0.83	\$ 918.20	\$ 0.66
1,000	per project	\$ 2,219.71	\$ 0.98	\$ 1,479.81	\$ 0.65	\$ 1,183.85	\$ 0.52
1,500	per project	\$ 2,707.48	\$ 0.98	\$ 1,804.99	\$ 0.66	\$ 1,443.99	\$ 0.52
2,000	per project	\$ 3,199.36	\$ 1.60	\$ 2,132.91	\$ 1.07	\$ 1,706.33	\$ 0.85
Non-Structural Residential Remodels and Additions - (All newly constructed additions to, or non-structurally remodeled areas of, residential occupancies classified as CBC Group R-3, or other similar residential occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
200	per project	\$ 983.79	\$ 1.23	\$ 655.86	\$ 0.82	\$ 524.69	\$ 0.66
600	per project	\$ 1,475.67	\$ 1.23	\$ 983.78	\$ 0.82	\$ 787.03	\$ 0.66
1,000	per project	\$ 1,967.58	\$ 0.98	\$ 1,311.72	\$ 0.66	\$ 1,049.38	\$ 0.52
1,500	per project	\$ 2,459.46	\$ 0.99	\$ 1,639.64	\$ 0.66	\$ 1,311.71	\$ 0.53
2,000	per project	\$ 2,953.42	\$ 1.48	\$ 1,968.95	\$ 0.98	\$ 1,575.16	\$ 0.79

CITY OF SEASIDE
BUILDING DEPARTMENT
2018-19 Fees for New Construction, Additions and Major Remodels - Inspection

Occupancy Type and Class	Fee Unit	Fire Rating Type I, II		Fire Rating Type IIA, III, IVA		Fire Rating Type IIB, IIB, IV, VB	
		Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds
	2						
LEVEL OF EFFORT		1.5		1.25		1	
Commercial Uses - Structural (All newly constructed, added, or structurally remodeled space for non-residential occupancies classified as CBC Group A, B, E, F, H, I, M, S or other commercial occupancies not specifically addressed elsewhere in this Fee Schedule)							
Square Footage:							
500	per project	\$ 4,723.83	\$ 0.74	\$ 3,936.53	\$ 2.24	\$ 3,149.22	\$ 0.50
2,000	per project	\$ 5,838.24	\$ 1.73	\$ 7,297.79	\$ 2.16	\$ 3,892.16	\$ 1.15
5,000	per project	\$ 11,023.37	\$ 2.52	\$ 13,779.21	\$ 3.15	\$ 7,348.91	\$ 1.68
10,000	per project	\$ 23,620.79	\$ 0.73	\$ 29,525.98	\$ 0.92	\$ 15,747.19	\$ 0.49
25,000	per project	\$ 34,644.14	\$ 1.39	\$ 43,305.18	\$ 1.73	\$ 23,096.09	\$ 0.92
Commercial Residential and Multifamily Residential Uses - (All newly constructed, added, or structurally remodeled space for residential occupancies classified as CBC Group R (except R-3), or other residential occupancies not specifically addressed elsewhere in this Fee Schedule)							
Square Footage:							
1,000	per project	\$ 5,904.37	\$ 0.89	\$ 4,920.31	\$ 1.72	\$ 3,936.25	\$ 0.59
5,000	per project	\$ 9,447.65	\$ 1.42	\$ 11,809.56	\$ 1.77	\$ 6,298.43	\$ 0.94
10,000	per project	\$ 16,534.22	\$ 0.57	\$ 20,667.77	\$ 0.71	\$ 11,022.81	\$ 0.38
50,000	per project	\$ 39,367.97	\$ 0.44	\$ 49,209.97	\$ 0.55	\$ 26,245.32	\$ 0.29
100,000	per project	\$ 61,413.04	\$ 0.61	\$ 76,766.30	\$ 0.77	\$ 40,942.03	\$ 0.41
Attached and Detached Accessory and Utility Uses - (All newly constructed, added, or structurally remodeled space for utility and accessory occupancies classified as CBC Group U, or other utility and accessory occupancies not specifically addressed elsewhere in this Fee Schedule)							
Square Footage:							
100	per project	\$ 393.52	\$ 3.94	\$ 327.94	\$ 3.28	\$ 262.35	\$ 2.62
200	per project	\$ 787.03	\$ 0.49	\$ 655.86	\$ 1.43	\$ 524.69	\$ 0.33
600	per project	\$ 983.79	\$ 0.49	\$ 1,229.73	\$ 0.61	\$ 655.86	\$ 0.33
1,000	per project	\$ 1,180.54	\$ 0.79	\$ 1,475.67	\$ 0.98	\$ 787.03	\$ 0.52
1,500	per project	\$ 1,574.06	\$ 0.79	\$ 1,967.58	\$ 0.98	\$ 1,049.38	\$ 0.52
2,000	per project	\$ 1,967.57	\$ 0.98	\$ 2,459.46	\$ 1.23	\$ 1,311.71	\$ 0.66

CITY OF SEASIDE
BUILDING DEPARTMENT
2018-19 Fees for New Construction, Additions and Major Remodels - Inspection

Occupancy Type and Class	Fee Unit	Fire Rating Type I, II		Fire Rating Type IIA, III, IVA		Fire Rating Type IIB, IIB, IV, VB	
		Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds
	2						
LEVEL OF EFFORT		1.5		1.25		1	
Shell Buildings for all Commercial Uses - (The enclosure for all newly constructed, added, or structurally remodeled space for non-residential occupancies classified as CBC Group A, B, E, F, H, I, M, S or other commercial occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
500	per project	\$ 7,086.57	\$ 2.36	\$ 5,905.47	\$ 4.92	\$ 4,724.38	\$ 1.57
2,000	per project	\$ 10,629.85	\$ 1.18	\$ 13,287.31	\$ 1.48	\$ 7,086.56	\$ 0.79
5,000	per project	\$ 14,173.14	\$ 0.71	\$ 17,716.42	\$ 0.89	\$ 9,448.76	\$ 0.47
10,000	per project	\$ 17,714.76	\$ 0.60	\$ 22,143.45	\$ 0.75	\$ 11,809.84	\$ 0.40
25,000	per project	\$ 26,770.56	\$ 1.07	\$ 33,463.20	\$ 1.34	\$ 17,847.04	\$ 0.71
Commercial Tenant Improvement - Non Structural - (Non-structurally remodeled space for non-residential occupancies classified as CBC Group A, B, E, F, H, I, M, S or other commercial occupancies not specifically addressed elsewhere in this Fee Schedule							
Square Footage:							
500	per project	\$ 1,770.82	\$ 1.18	\$ 1,475.68	\$ 1.97	\$ 1,180.55	\$ 0.79
2,000	per project	\$ 3,543.28	\$ 0.79	\$ 4,429.10	\$ 0.98	\$ 2,362.18	\$ 0.52
5,000	per project	\$ 5,904.37	\$ 0.95	\$ 7,380.47	\$ 1.18	\$ 3,936.25	\$ 0.63
10,000	per project	\$ 10,629.85	\$ 0.39	\$ 13,287.31	\$ 0.49	\$ 7,086.56	\$ 0.26
25,000	per project	\$ 16,534.22	\$ 0.66	\$ 20,667.77	\$ 0.83	\$ 11,022.81	\$ 0.44

CITY OF SEASIDE
BUILDING DEPARTMENT
2018-19 Fees for New Construction, Additions and Major Remodels - Inspection

Occupancy Type and Class	Fee Unit	Fire Rating Type I, II		Fire Rating Type IIA, III, IVA		Fire Rating Type IIB, IIB, IV, VB	
		Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds	Base Cost	Cost Per S.F. Between Thresholds
	2						
LEVEL OF EFFORT		1.5		1.25		1	
One and Two Family Dwellings - Inspection - (All newly constructed space for residential occupancies classified as CBC Group R-3, or other similar residential occupancies not specifically addressed elsewhere in this Fee Schedule.							
Square Footage:							
1,000	per project	\$ 9,447.65	\$ 2.36	\$ 7,873.04	\$ 5.58	\$ 6,298.43	\$ 1.57
2,500	per project	\$ 12,990.94	\$ 3.15	\$ 16,238.68	\$ 3.94	\$ 8,660.63	\$ 2.10
4,000	per project	\$ 17,714.76	\$ 1.48	\$ 22,143.45	\$ 1.85	\$ 11,809.84	\$ 0.98
6,000	per project	\$ 20,667.77	\$ 1.48	\$ 25,834.72	\$ 1.85	\$ 13,778.52	\$ 0.98
8,000	per project	\$ 23,620.79	\$ 2.95	\$ 29,525.98	\$ 3.69	\$ 15,747.19	\$ 1.97
Structural Residential Remodels and Additions - (All newly constructed additions to, or structurally remodeled areas of, residential occupancies classified as CBC Group R-3, or other similar residential occupancies not specifically addressed elsewhere in this Fee Schedule.							
Square Footage:							
200	per project	\$ 1,180.54	\$ 0.98	\$ 983.78	\$ 2.46	\$ 787.03	\$ 0.66
600	per project	\$ 1,574.06	\$ 0.98	\$ 1,967.58	\$ 1.23	\$ 1,049.38	\$ 0.66
1,000	per project	\$ 1,967.57	\$ 0.79	\$ 2,459.46	\$ 0.99	\$ 1,311.71	\$ 0.53
1,500	per project	\$ 2,362.74	\$ 1.57	\$ 2,953.42	\$ 1.97	\$ 1,575.16	\$ 1.05
2,000	per project	\$ 3,149.77	\$ 1.57	\$ 3,937.21	\$ 1.97	\$ 2,099.85	\$ 1.05
Non-Structural Residential Remodels and Additions - (All newly constructed additions to, or non-structurally remodeled areas of, residential occupancies classified as CBC Group R-3, or other similar residential occupancies not specifically addressed elsewhere in this Fee Schedule.							
Square Footage:							
200	per project	\$ 1,180.54	\$ 0.98	\$ 983.78	\$ 2.46	\$ 787.03	\$ 0.66
600	per project	\$ 1,574.06	\$ 0.98	\$ 1,967.58	\$ 1.23	\$ 1,049.38	\$ 0.66
1,000	per project	\$ 1,967.57	\$ 0.79	\$ 2,459.46	\$ 0.99	\$ 1,311.71	\$ 0.53
1,500	per project	\$ 2,362.74	\$ 1.57	\$ 2,953.42	\$ 1.97	\$ 1,575.16	\$ 1.05
2,000	per project	\$ 3,149.77	\$ 1.57	\$ 3,937.21	\$ 1.97	\$ 2,099.85	\$ 1.05

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF PLANNING DEPARTMENT FEES
All City of Seaside planning, engineering and building fees for parcels in the West Broadway
Urban Village Specific Plan Area will be waived for 2018/2019

Note Fees lowered in prior year were not increased by CPI (Review for increase)		17/18 Adopted	18/19 Proposed
PLANNING DEPARTMENT FEES			
AMENDMENTS			
	General Plan Amendment	\$ 7,256	\$ 7,503
	Planned Unit Development Amendment (\$2,060 + \$103 per unit/lot ; used 40 unit lot for comparison)	\$ 7,409	\$ 7,661
	Planning		
	PW/Eng		
	Zoning Map Amendment	\$ 7,256	\$ 7,503
	Zoning Ordinance (text) Amendment	\$ 7,256	\$ 7,503
	Local Coastal Plan Amendment	\$ 7,256	\$ 7,503
	Use Permit Amendment	\$ 807	\$ 834
	Minor Use Permit Amendment	\$ 605	\$ 626
	Variance Amendment	\$ 807	\$ 834
	Minor Variance Amendment	\$ 605	\$ 626
	Design Review Amendment	\$ 605	\$ 626
	Tentative Parcel Map Amendment	\$ 605	\$ 626
	Tentative Subdivision (Tract) Map Amendment	\$ 3,288	\$ 3,400
	Sphere of Influence Amendment	\$ 1,613	\$ 1,668
	Master Sign Program Amendment	\$ 605	\$ 626
	Development Agreement Amendment	\$ 10,078	\$ 10,421
	Specific Plan Amendment- \$2,000 deposit	Cost	Cost
ANNEXATION			
	Application	\$ 10,078	\$ 10,421
APPEALS			
	Planning Commission (from ZA,BAR & Staff interpretation)	\$ 807	\$ 834
	PW/Eng - only if appeal involved Eng. condition, add fee	\$ 153	\$ 158
	City Council (from Planning Commission)	\$ 588	\$ 608
	PW/Eng - only if appeal involved Eng. condition, add fee	\$ 153	\$ 158
DESIGN/ARCHITECTURAL REVIEW			
Residential			
	One and Two Family - New Construction	\$ 1,200	\$ 1,200
	Planning		
	PW/Eng		
	Fire		
	One and Two Family - Addition that adds less than 50% of the structure	\$ 500	\$ 500
	Planning		
	PW/Eng		
	Fire		
	Multi-family - New Construction	\$ 1,200	\$ 1,200
	Planning		
	PW/Eng		
	Fire		
	Multi-family - Addition that adds less than 50% of the structure	\$ 606	\$ 627
	Planning		
	PW/Eng		
	Fire		

**CITY OF SEASIDE
MASTER FEE SCHEDULE**

SCHEDULE OF PLANNING DEPARTMENT FEES

All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019

Note Fees lowered in prior year were not increased by CPI (Review for increase)		17/18 Adopted	18/19 Proposed
PLANNING DEPARTMENT FEES			
Commercial			
New Construction (includes shell only)			
Planning		\$ 1,500	\$ 1,500
PW/Eng			
Fire			
Addition/Remodel that adds less than 50% of the structure			
Planning		\$ 2,293	\$ 2,371
PW/Eng			
Fire			
Exterior Façade (ex. Window, awning, exterior color change)			
Planning		\$ 500	\$ 500
Fire			
DEVELOPMENT AGREEMENTS			
Application (includes modifications) - Deposit \$25,000		Actual Cost	Actual Cost
Annual Review/Monitoring		\$ 807	\$ 834
ECONOMIC OPPORTUNITY PLAN			
Unsolicited Proposal Review- Deposit \$500		Actual Cost	Actual Cost
ENVIRONMENTAL REVIEW			
Environmental Impact Report		\$ 14,109	\$ 14,589
Initial Study and Negative Declaration/Mitigated Negative Declaration		\$ 4,232	\$ 4,376
Mitigated Monitoring		\$ 2,419	\$ 2,501
Environmental Addendum		\$ 4,232	\$ 4,376
FENCING			
Fence Exceptions		\$ 500	\$ 500
HISTORIC AND CULTURAL RESOURCE PRESERVATION			
Historic Landmark Designation		\$ 3,024	\$ 3,127
Certificate of Appropriateness review		\$ 1,613	\$ 1,668
Certificate of Appropriateness review - demolition		\$ 1,613	\$ 1,668
Certificate of Appropriateness review - disaster damage			
LIMITED TERM PERMITS			
Commercial		\$ 250	\$ 250
Planning			
Fire			
Non-Profit		\$ 100	\$ 100
Planning			
Fire			
Filming Permits - Actual cost currently (no deposit)		\$ 767	\$ 793
Planning			
Fire			
Christmas Tree/Pumpkin Lots (Profit)		\$ 767	\$ 793
Special Events Application		\$ 101	\$ 104
Neighborhood Block Party		\$ 25	\$ 25

**CITY OF SEASIDE
MASTER FEE SCHEDULE**

SCHEDULE OF PLANNING DEPARTMENT FEES

All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019

Note Fees lowered in prior year were not increased by CPI (Review for increase)		17/18 Adopted	18/19 Proposed
PLANNING DEPARTMENT FEES			
MISCELLANEOUS			
	Home Occupation Permit	\$ 66	\$ 68
	Garage Sale Permit	\$ 17	\$ 18
	Planning - Building Plan Review (incl. plan review and inspection)	\$ 202	\$ 209
	Planning - Re-inspection	\$ 202	\$ 209
PLANNED UNIT DEVELOPMENT			
	Planned Unit Development	\$ 7,256	\$ 7,503
PRE-APPLICATION REVIEW			
	One and Two Family Residential projects	\$ 581	\$ 601
	Planning		
	PW/Eng		
	Commercial and Multi-family projects (50,000 sq ft or less)	\$ 910	\$ 941
	Planning		
	PW/Eng		
	Commercial and Multi-family projects (> 50,000 sq ft)	\$ 1,063	\$ 1,099
	Planning		
	PW/Eng		
PRECISE PLAN (SPECIFIC PLAN)			
	Application	\$ 10,078	\$ 10,421
SIGN PERMITS			
	Sign Permit (BAR approval)-fixed signs	\$ 350	\$ 350
	Sign Permit (administrative approval; sign face change)	\$ 99	\$ 102
	Temporary Signs	\$ 99	\$ 102
	Master Sign Program	\$ 750	\$ 750
	Nonconforming Sign - exception request	\$ 1,009	\$ 1,043
SUBDIVISIONS			
	Tentative Parcel Map (up to 4 lots)	\$ 4,843	\$ 5,008
	Planning		
	PW/Eng		
	Tentative Subdivision (Tract) Map (4 or more lots)	\$ 7,165	\$ 7,409
	Planning		
	PW/Eng		
	Lot Line Adjustment	\$ 1,418	\$ 1,466
	Planning		
	PW/Eng		
	Lot Merger	\$ 1,014	\$ 1,048
	Planning		
	PW/Eng		
TIME EXTENSION REVIEW			
	Administrative	\$ 807	\$ 834
	Planning Commission	\$ 807	\$ 834
	Board of Architectural Review (BAR)	\$ 807	\$ 834

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF PLANNING DEPARTMENT FEES
All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019

Note Fees lowered in prior year were not increased by CPI (Review for increase)		17/18 Adopted	18/19 Proposed
PLANNING DEPARTMENT FEES			
USE PERMIT			
Residential			
One and Two Family Residential		\$ 800	\$ 800
Planning			
PW/Eng			
Multi-family Residential		\$ 1,000	\$ 1,000
Planning			
PW/Eng			
Commercial			
Commercial (< 5K sq ft)		\$ 1,000	\$ 1,000
Planning			
PW/Eng			
Fire			
Commercial (5K sq ft or greater)		\$ 1,500	\$ 1,500
Planning			
PW/Eng			
Fire			
Other			
Minor Use		\$ 700	\$ 700
Planning			
PW/Eng			
Day Care (Large Family child or adult day care home 7-14 capacity, as defined in the CA Code of Regulations); (* includes 2 inspections)		\$ 513	\$ 513
Planning			
Fire			
VARIANCE			
<i>Definition of a Minor Variance: a maximum reduction of up to 10% of: a. Distance between structures, b. Parcel dimension (not area), c. Setbacks, d. Structure height, e. On-site parking, loading and landscaping</i>			
Residential			
One and Two Family Residential		\$ 2,495	\$ 2,580
Planning			
PW/Eng			
Minor One and Two Family Residential (<i>see above for definition of minor & examples</i>)		\$ 2,495	\$ 2,580
Planning			
PW/Eng			
Multi-family Residential		\$ 3,704	\$ 3,830
Planning			
PW/Eng			
Minor Multi-family Residential (<i>see above for definition of minor & examples</i>)		\$ 2,495	\$ 2,580
Planning			
PW/Eng			
Commercial			
Commercial		\$ 2,590	\$ 2,678
Planning			
PW/Eng			
Minor Commercial (<i>see above for definition of minor & examples</i>)		\$ 2,198	\$ 2,273
Planning			
PW/Eng			

**CITY OF SEASIDE
MASTER FEE SCHEDULE**

SCHEDULE OF PLANNING DEPARTMENT FEES

All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019

Note Fees lowered in prior year were not increased by CPI (Review for increase)		17/18 Adopted	18/19 Proposed
PLANNING DEPARTMENT FEES			
OTHER FEES			
Affordable Housing Agreement		\$ 1,613	\$ 1,668
Mobilhome Park Conversions, Closures, and Cessation of Use Fee		\$ 1,613	\$ 1,668
Deferred Completion Agreement		\$ 807	\$ 834
Floodplain Development Permit		\$ 807	\$ 834
Tentative Parcel Map Waiver		\$ 1,613	\$ 1,668
Planning Commission Interpretation		\$ 1,613	\$ 1,668
Real Property Disclosure Report		\$ 140	\$ 145
LAND USE APPEALS			
Non-Applicant		\$ 3,024	\$ 3,127
Applicant		\$ 3,225	\$ 3,335
Administrative Review for Radio, Satellite and Dish Antennas		\$ 807	\$ 834
Grand Opening and Promotional Banner / Temporary Sign		\$ 101	\$ 104
Sign Permit (Over-the-counter)		\$ 202	\$ 209
ZONING COMPLIANCE PLAN CHECK:			
Over the Counter (Replacement In Kind)		\$ 101	\$ 104
Over the Counter (Minor)		\$ 101	\$ 104
Zoning Confirmation Letter		\$ 807	\$ 834
Advanced Planning Surcharge:			
(Charged on all new construction for building plans (e.g. additions, new buildings), pw/eng, fire permits, and development applications)		0.3% of building valuation	0.3% of building valuation
HOURLY RATES			
Planning Services		\$ 202	\$ 209
For services requested of City staff which have no fee listed in this fee schedule, the City Manager of the City Manager's designee shall determine the appropriate fee based on the established hourly rates for this department/division. Additionally, the City will pass-through to the applicant any discrete costs incurred from the use of external service providers (e.g. Consultants) if required to process the specific application.			

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF ENGINEERING DIVISION FEES

All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019		17/18 Adopted	18/19 Proposed	Notes
ENGINEERING DIVISION FEES				
1.0	BUILDING PERMIT PROCESSING - see 4.1c, 9 & 10 for possible add'l fees			
1.1	Plan Review (includes grading, infrastructure, public improvements)			
a	One and Two Family Residential	\$ 77	\$ 80	
b	Commercial and Multi-family Residential up to 1 acre- (Minimum Non-Refundable Deposit of \$281)	Actual Cost	Actual Cost	d
c	Commercial and Multi-family Residential > 1 acre-Minimum Non-Refundable Deposit of 5% of Estimated Site Improvement Costs (Costs associated with site work, grading, drainage & sewer utility)	Actual Cost	Actual Cost	d
1.2	Inspection (includes grading, infrastructure, public improvements)			
a	One and Two Family Residential-Minimum Non-Refundable Deposit of 5% of Estimated Site Improvement Cost	Actual cost	Actual cost	d
b	Commercial and Multi-family Residential up to 1 acre-Minimum Non-Refundable Deposit of 5% of Estimated Site Improvement Cost	Actual cost	Actual cost	d
c	Commercial and Multi-family Residential > 1 acre-Minimum Non-Refundable Deposit of 5% of Estimated Site Improvement Cost	Actual cost	Actual cost	d
2.0	ENCROACHMENT PERMIT			
	Plan Check - Standard	\$ 157	\$ 162	
	Sewer Connection (each) (incl 2 visits)	\$ 312	\$ 323	
	Utility Line Installations (ex. Water,power) - Up to 200 LF (incl 2 visits)	\$ 312	\$ 323	
	Utility Line Installations - > 200 LF (each 200 LF)	\$ 233	\$ 241	
	Pavement Restoration (0-100 sf) \$30/sf with a minimum non-refundable deposit of \$750		Actual Cost	a
	Pavement Restoration (>100 sf) \$20/sf with a minimum non-refundable deposit of \$2,020		Actual Cost	b
	Curb/Gutter (per 200 LF)	\$ 233	\$ 241	
	Sidewalk (repair and replace) (per 200 LF)	\$ 233	\$ 241	
	Driveway (repair and replace) (per opening)	\$ 233	\$ 241	
	Right-of-Way Access/Entry (ex. Roofers, scaffolding, temporary construction barrier)	\$ 233	\$ 241	
	Right-of-Way Construction/ Portable Unit (per every 2 weeks) - (ex. dumpster, storage bin)	\$ 45	\$ 45	
	Traffic Control/ Lane Closure (per set-up and per day of implementation; each set-up requires a separate inspection) - Actual Cost; Minimum \$45 + \$45 per day (except residential street)	Actual cost	Actual cost	d
	Traffic Control - Traffic Signal operation call-out		\$300/visit	
	Encroachment Permit Depositor Bond- (improvements <\$25,000)	\$ 1,000	\$ 1,000	
	Public Improvements > \$25,000, 100% cost of public improvements	100%	100%	
2.1	Transportation Permit (maximum set by state law)			
	Single Trip	\$ 16	\$ 16	
3.0	MAPS			
	(see also Planning Subdivisions for add'l fees; see also 4.2 and 4.3)			
	Lot Line Adjustment (includes 2 reviews)- Minimum Non-Refundable Deposit of \$1200	Actual cost	Actual cost	d
	Lot Merger (includes 2 reviews)-Minimum Non-Refundable Deposit of \$1200	Actual cost	Actual cost	d
	Tentative Parcel Map (up to 4 lots)-Minimum Non-Refundable Deposit of \$1200	Actual cost	Actual cost	d
	Tentative Subdivision (Tract) Map-Minimum Non-Refundable Deposit of \$1200	Actual cost	Actual cost	d
	Final Parcel Map (1-4 lots) -Minimum Non-Refundable Deposit of \$1200	Actual cost	Actual cost	d
	Final Subdivision (Tract) Map-Minimum Non-Refundable Deposit of \$1200	Actual cost	Actual cost	d
	Map Additional Review- Minimum Non-Refundable Deposit of \$225	Actual cost	Actual cost	d

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF ENGINEERING DIVISION FEES

All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019		17/18 Adopted	18/19 Proposed	Notes
ENGINEERING DIVISION FEES				
4.0	DEVELOPMENT PLAN REVIEW AND INSPECTION			
4.1	Improvement Plan Review			
a	Improvement Plan Check (1/2 hr max)	No cost	No cost	
b	Improvement Plan Check (each additional 1/2 hr, minimum non-refundable deposit of \$151)	Hourly Rate	Hourly Rate	c
c	Improvement Inspection (Minimum Non-Refundable Deposit of \$151)	Hourly Rate	Hourly Rate	c
4.2	Hydrology/ Hydolic Studies Review			
a	Hydrology/Hydraulic Studies (0-20 acres) - Minimum Non-Refundable Deposit of \$800	Actual Cost	Actual Cost	d
b	Hydrology/Hydolic Studies (>20 acres)- Minimum Deposit of \$1600	Actual Cost	Actual Cost	d
4.3	Sewer Studies Review			
a	Sewer Studies (0-5 units)- Minimum Non-Refundable Deposit of \$1200	Actual Cost	Actual Cost	d
b	Sewer Studies (>5 units) - Minimum Non-Refundable Deposit of \$1500	Actual Cost	Actual Cost	d
4.4	Boarch of Architectual Review - see 9 & 10 for possible add'l fees			
a	Residential			
	One and Two Family - New Construction	\$ 77	\$ 80	
	One and Two Family - Addition that adds less than 50% of the structure	\$ 77	\$ 80	
	Multi-family - New Construction	\$ 157	\$ 162	
	Multi-family - Addition that adds less than 50% of the structure	\$ 157	\$ 162	
b	Commercial			
	New Construction (includes shell only)	\$ 157	\$ 162	
	Addition/Remodel that adds less than 50% of the structure	\$ 157	\$ 162	
5.0	OTHER FEES			
	Encroachment Agreements - Minimum Non-Refundable Deposit of \$600	Actual Cost	Actual Cost	d
	Abandonment/Vacation (Modifications/Processing) - \$3000 Non-Refundable Deposit	Actual Cost	Actual Cost	d
	Board Up Houses	Actual Cost	Actual Cost	d
	Commemorative Sign Application	\$ 54	\$ 54	
	Monument Placement-Minimum Non-Refundable Deposit of \$1,500	Actual Cost	Actual Cost	d
6.0	TRAFFIC ADVISORY			
	Traffic Advisory Committee Request	\$ 56	\$ 58	
7.0	SEWER SERVICES			
	Sewer Line Overflow Response - (Regular Business Hours) Rate plus Materials- 1Hr Minimum	\$208.72/hr	\$208.72/hr	
	(Outside Regular Business Hours) Rate plus Materials	\$449.58/hr	\$449.58/hr	
8.0	STREET MAINTENANCE			
	Marking Curb - per curb (20 ft maximum length)	\$ 398	\$ 412	
	Installation of one sign	\$ 398	\$ 412	
9.0	STORM WATER			
9.1	STORMWATER CONTROL PLAN- New or Replaced Impervious Surface			
a	Pre-review Meeting	\$ 157	\$ 162	
b	Small Project (includes 2 reviews) - 2,500 - 5,000 Sq Ft. (TIER 1)	\$ 312	\$ 323	
c	Small Project (each additional review) - 2,500 - 5,000 Sq Ft	\$ 77	\$ 80	
d	Medium Project (includes 2 reviews) - 5,000 - 15,000 Sq Ft- Minimum Non-Refundable Deposit \$3600 (TIER 2)	Actual Cost	Actual Cost	d
e	Medium Project (each additional review) - 5,000 - 15,000 Sq Ft-	Actual Cost	Actual Cost	d
f	\$4800 (TIER 3 &4)	Actual Cost	Actual Cost	
g	Large Project (each additional review) - > 15,000 Sq Ft	Actual Cost	Actual Cost	d
h	Inspection of privately maintained post-construction treatment devices	\$ 157	\$ 162	

**CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF ENGINEERING DIVISION FEES**

All City of Seaside planning, engineering and building fees for parcels in the West Broadway Urban Village Specific Plan Area will be waived for 2018/2019		17/18 Adopted	18/19 Proposed	Notes
ENGINEERING DIVISION FEES				
10.0	STORMWATER POLLUTION PREVENTION PLAN(SWPPP) REVIEW AND INSPECTION			
	Storm Water Pollution Prevention (SWPPP)-applies to soil disturbance greater than 1 acre - Minimum Non-Refundable Deposit \$450	Actual Cost	Actual Cost	d
	SWPPP Inspections - Minimum Non-Refundable Deposit \$281	Actual Cost	Actual Cost	d
11.0	TREE PERMITS (Required on private property for trimming or removal) 1-5 trees	\$ 101	\$ 104	
12.0	PLANNING COMMISSION REVIEW-DEVELOPMENT APPLICATIONS			
12.1	AMENDMENTS			
	General Plan Amendment	\$ 157	\$ 162	
	Planned Unit Development Amendment	\$ 157	\$ 162	
	Zoning Map Amendment	\$ 157	\$ 162	
	Zoning Ordinance (text) Amendment	\$ 157	\$ 162	
	Local Coastal Plan Amendment	\$ 157	\$ 162	
	Use Permit Amendment	\$ 77	\$ 80	
	Minor Use Permit Amendment	\$ 77	\$ 80	
	Design Review Amendment	\$ 157	\$ 162	
	Tentative Parcel Map Amendment-Minimum Non-Refundable Deposit \$800	Actual Cost	Actual Cost	d
	Tentative Subdivision (Tract) Map Amendment-Minimum Non-Refundable Deposit \$1000	Actual Cost	Actual Cost	d
12.2	APPEALS			
	Planning Commission (from ZA,BAR & Staff interpretation)	\$ 157	\$ 162	
	City Council (from Planning Commission)	\$ 157	\$ 162	
12.3	VARIANCE			
a	Residential			
	One and Two Family Residential	\$ 77	\$ 80	
	Multi-family Residential	\$ 77	\$ 80	
b	Commercial			
	Commercial (> 5,000 square feet)	\$ 312	\$ 324	
	Minor Commercial (, 5,000 square feet)	\$ 157	\$ 163	
13.0	HOURLY RATES			
	Engineering Services	\$ 312	\$ 324	
	Engineering Services - after business hours (OT, 2 hour minimum)	\$ 302	\$ 302	
	For services requested of City staff which have no fee listed in this fee schedule, the City Manager of the City Manager's designee shall determine the appropriate fee based on the established hourly rates for this department/division. Additionally, the City will pass-through to the applicant any discrete costs incurred from the use of external service providers if required to process the specific application.			

a	Estimated cost for City to perform paving is \$30/sf. Fee is calculated by multiplying excavation area in square feet by \$30. If
b	Estimated cost for City to perform paving is \$20/sf. Fee is calculated by multiplying excavation area in square feet by \$20.
c	See section 13 for Engineering Services hourly rates.
d	The minimum non-refundable deposit is charge for City to perform initial work. If cost for staff time exceeds minimum deposit, additional charges will accrue at actual cost. See Section 13 for staff costs.

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF WATER RATES & FEES

2018-19 Monthly Meter Charges			
Meter Size	Base Charges	Watermaster Fixed Expenses	Total
5/8"	\$15.32	\$10.00	\$25.32
2"	\$119.20	\$10.00	\$129.20
3"	\$215.21	\$10.00	\$225.21

Monthly Consumption Charges (ccf)	
Residential	
Water Consumed (ccf)	Gravity Zone (per unit)
First 4 Units	\$3.87
> 4-10 units	\$8.37
> 10-20 units	\$13.56
> 20-30 units	\$19.35
> 30-40 units	\$26.53
> 40 units	\$34.65

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF WATER RATES & FEES

Monthly Consumption Charges (ccf)					
Multifamily (per dwelling)		Schools (on a per student basis)		Parks (on a per acre basis)	
Water Consumed (ccf)	Charge per unit	Water Consumed (ccf)	Charge per unit	Water Consumed (ccf)	Charge per unit
First 4 Units	\$3.87	1 Unit	\$5.69	First 4 Units	\$5.69
> 4-10 units	\$8.37	> 1 - 3 Units	\$8.37	> 4-10 units	\$8.37
> 10-20 units	\$13.56	> 3 - 4 Units	\$13.56	> 10-20 units	\$13.56
> 20-30 units	\$19.35	> 4 - 5 Units	\$19.35	> 20-30 units	\$19.35
> 30-40 units	\$26.53	> 5 - 6 Units	\$26.53	> 30-40 units	\$26.53
> 40 units	\$34.65	> 6 Units	\$34.62	> 40 units	\$34.62

Monthly Consumption Charges (ccf)			
Great Victory Temple Church		Seventh Day Adventist Church	
Water Consumed (ccf)	Charge per unit	Water Consumed (ccf)	Charge per unit
First 60 Units	\$5.69	First 14 Units	\$5.69
> 60 - 70 Units	\$8.37	> 14 - 35 Units	\$8.37
> 70 - 80 Units	\$13.56	> 24 - 34 Units	\$13.56
> 80 - 90 Units	\$19.35	> 34 - 44 Units	\$19.35
> 90 - 100 Units	\$26.53	> 44 - 54 Units	\$26.53
> 100 Units	\$34.62	> 54 Units	\$34.62

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF WATER RATES & FEES

Water Fees		
Service		18/19 Proposed
Reconnection Fees:		
During Business Hours		\$123.00
After Business Hours		\$240.00
Late Fee		\$16.00
Deconstruction of Water Meter	Actual Cost (minimum \$245.52)	
Removal of Lock (cutting off)		\$101.00
Deconstruction of Curb Stop	Actual Cost (Minimum \$905.40)	
Water Meter Testing Charge		\$629.00

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF RECREATION DIVISION FEES

	17/18 Adopted (3.7%)	17/18 Adopted (3.7%)		18/19 Proposed (3.4%)	18/19 Proposed (3.4%)
Fee Service	Resident Fees	Non Resident		Resident Fees	Non Resident
Preschool Programs					
Fees per class- <i>No increase for 18/19</i>	\$8.25	\$10.00		\$8.25	\$10.00
Family - per month					
After School Program					
Individual - per month	\$27.25	\$33.50		\$28.25	\$34.75
Family - per month	20% discount to siblings residing in same household	20% discount to siblings residing in same household		20% discount to siblings residing in same household	20% discount to siblings residing in same household
Intercession Day Camp Program					
Full Day - Sports/Day Camp- <i>No increase for 18/19</i>	\$97.00	\$120.75		\$97.00	\$120.75
3 hours Sports/Day Camp- <i>No increase for 18/19</i>	\$21.00	\$26.25		\$21.00	\$26.25
1/2 day camp (Playland)- <i>No increase for 18/19</i>	\$41.75	\$52.25		\$41.75	\$52.25
Youth Sports					
Tennis per class- <i>No increase for 18/19</i>	\$5.75	\$7.00		\$5.75	\$7.00
Contract Classes Programs					
Classes - subjects, schedules and cost vary depending on community interests, availability of instructors, facilities and materials					
Special Events Programs					
Vendor (Flea Market/Craft)	\$50.00	\$62.50		\$51.75	\$64.75
Commercial- <i>No increase for 18/19</i>	\$71.00	\$89.00		\$71.00	\$89.00
Facility Rentals - Oldemeyer					
Oldemeyer Auditorium Per hour charge	\$102.25	\$127.25		\$105.75	\$131.50
BBQ Facility- <i>No increase for 18/19</i>	\$52.25	\$65.50		\$52.25	\$65.50
Deposit due day of center rental- <i>No increase for 18/19</i>	\$591.25	\$738.75		\$591.25	\$738.75
Alcohol Deposit - 25% non refundable- <i>No increase for 18/19</i>	\$575.50	\$719.50		\$575.50	\$719.50
VFW - Friday 5-11 pm- <i>No increase for 18/19</i>	\$374.25	\$467.25		\$374.25	\$467.25
Avenue of Flags - Sunday 5-11 pm- <i>No increase for 18/19</i>	\$325.50	\$406.50		\$325.50	\$406.50
Facility Rental- Soper					
Soper Field Community Center					
Large Meeting Room (3 hour minimum)	\$54.25	\$68.00		\$56.00	\$70.25
Room Deposit - total- <i>No increase for 18/19</i>	\$314.00	\$392.50		\$314.00	\$392.50
Non-refundable portion (25%)- <i>No increase for 18/19</i>	\$78.50	\$98.25		\$78.50	\$98.25
Refundable portion (75%)- <i>No increase for 18/19</i>	\$235.50	\$294.50		\$235.50	\$294.50
Alcohol Deposit - 25% non refundable- <i>No increase for 18/19</i>	\$575.50	\$719.50		\$575.50	\$719.50
Private Rental Fees- Oldemeyer					
0-3 hrs. (per hour)- <i>No increase for 18/19</i>	\$68.00	\$84.75		\$68.00	\$84.75
Every hour over 3 (per hour)- <i>No increase for 18/19</i>	\$31.25	\$39.25		\$31.25	\$39.25
Seahorse Room Rental					
0-3 hrs. (per hour)- <i>No increase for 18/19</i>	\$43.75	\$55.00		\$43.75	\$55.00
Every hour over 3 (per hour)- <i>No increase for 18/19</i>	\$20.00	\$24.50		\$20.00	\$24.50
Seaside Room					
0-3 hrs. (per hour)- <i>No increase for 18/19</i>	\$43.75	\$55.00		\$43.75	\$55.00
Every hour over 3 (per hour)- <i>No increase for 18/19</i>	\$20.00	\$24.50		\$20.00	\$24.50
Blackhorse Room/Senior					
0-3 hrs. (per hour)- <i>No increase for 18/19</i>	\$54.50	\$68.00		\$54.50	\$68.00
Every hour over 3 (per hour)- <i>No increase for 18/19</i>	\$24.00	\$29.75		\$24.00	\$29.75
Bayonet Room Rental					
0-3 hrs. (per hour)- <i>No increase for 18/19</i>	\$43.75	\$55.00		\$43.75	\$55.00
Every hour over 3 (per hour)- <i>No increase for 18/19</i>	\$20.00	\$24.50		\$20.00	\$24.50
Non-profit Organization - applies to all rooms except Laguna	\$30.75	\$38.75		\$31.75	\$40.00

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF RECREATION DIVISION FEES

	17/18 Adopted (3.7%)	17/18 Adopted (3.7%)		18/19 Proposed (3.4%)	18/19 Proposed (3.4%)
Fee Service	Resident Fees	Non Resident		Resident Fees	Non Resident
Aquatics Private Rentals-Pattullo Swim Center					
2 hours - up to 50 people- <i>No increase for 18/19</i>	\$180.00	\$225.00		\$180.00	\$225.00
2 hours - up to 100 people- <i>No increase for 18/19</i>	\$197.25	\$246.50		\$197.25	\$246.50
2 hours - up to 125 people- <i>No increase for 18/19</i>	\$233.50	\$291.50		\$233.50	\$291.50
Use of Slide- <i>No increase for 18/19</i>	\$26.25	\$32.25		\$26.25	\$32.25
Additional 1/2 hour- <i>No increase for 18/19</i>	\$39.00	\$48.75		\$39.00	\$48.75
Deposit- <i>No increase for 18/19</i>	\$87.00	\$108.25		\$87.00	\$108.25
NP-Seaside Dolphins Swim Team- <i>No increase for 18/19</i>	\$21.00	\$26.25		\$21.00	\$26.25
NP-CSUMB- <i>No increase for 18/19</i>	\$21.00	\$26.25		\$21.00	\$26.25
NP-MPUSD Special Ed. Student- <i>No increase for 18/19</i>	\$21.00	\$26.25		\$21.00	\$26.25
NP-MCOE Special Ed Student- <i>No increase for 18/19</i>	\$21.00	\$26.25		\$21.00	\$26.25
Cypress Synchronized Club- <i>No increase for 18/19</i>	\$32.25	\$40.25		\$32.25	\$40.25
Senior Programs					
Senior Theme Lunches (AOA)- <i>same for non-resident-No increase for 18/19</i>	\$4.00	\$4.00		\$4.00	\$4.00
Senior Trips					
Aquatics Programs					
Swim Lessons	\$44.75	\$55.75		\$46.25	\$57.75
Water Exercise / 2 days wk	\$22.50	\$55.75		\$22.50	\$57.75
Water Exercise / 5 days wk	\$34.00	\$88.75		\$34.00	\$91.75
Adult Water Exercise Class Drop-in Rate- <i>No increase for 18/19</i>	\$8.50	\$10.50		\$8.50	\$10.50
Lap Swim					
Adult Drop In- <i>No increase for 18/19</i>	\$5.75	\$7.00		\$5.75	\$7.00
Senior / Military / College Drop-In- <i>No increase for 18/19</i>	\$3.50	\$4.00		\$3.50	\$4.00
Recreation Swim					
Adult Drop In- <i>No increase for 18/19</i>	\$5.75	\$7.00		\$5.75	\$7.00
Senior / College Student / Youth / Military Drop In- <i>No increase for 18/19</i>	\$3.50	\$4.00		\$3.50	\$4.00
Commercial Rental (per hr)- <i>No increase for 18/19</i>	\$104.75	\$130.75		\$104.75	\$130.75
Recreation Swim Card					
Youth Recreation Card (per mo.)- <i>No increase for 18/19</i>	\$15.25	\$18.75		\$15.25	\$18.75
Youth Recreation Card (per Yr.)- <i>No increase for 18/19</i>	\$103.75	\$129.25		\$103.75	\$129.25
Senior/College/Military Card (per mo.)- <i>No increase for 18/19</i>	\$22.50	\$27.75		\$22.50	\$27.75
Senior/College/Military Card (per yr.)- <i>No increase for 18/19</i>	\$134.50	\$168.00		\$134.50	\$168.00
Senior Gold Card (per mo.) for Senior Swim Only- <i>No increase</i>	\$16.75	\$21.00		\$16.75	\$21.00
Senior Gold Card (per yr.) for Senior Swim Only- <i>No increase</i>	\$109.75	\$137.00		\$109.75	\$137.00
Adult Lap Card (per mo.)- <i>No increase for 18/19</i>	\$34.00	\$42.25		\$34.00	\$42.25
Adult Lap Card (per yr.)- <i>No increase for 18/19</i>	\$276.25	\$345.25		\$276.25	\$345.25
Adult Couple / Corporate (per mo.)- <i>No increase for 18/19</i>	\$52.25	\$65.50		\$52.25	\$65.50
Adult Couple / Corporate (per yr.)- <i>No increase for 18/19</i>	\$361.75	\$451.75		\$361.75	\$451.75
Family - up to 4 people / (per mo.)- <i>No increase for 18/19</i>	\$70.00	\$87.50		\$70.00	\$87.50
Family - up to 4 people / (per yr.)- <i>No increase for 18/19</i>	\$471.00	\$588.75		\$471.00	\$588.75
Family - up to 8 people / (per mo.)- <i>No increase for 18/19</i>	\$86.50	\$107.75		\$86.50	\$107.75
Family - up to 8 people / (per yr.)- <i>No increase for 18/19</i>	\$623.25	\$778.75		\$623.25	\$778.75
All military personnel and their families regardless of residency	20% discount	20% discount		20% discount	20% discount
Family discount - siblings residing in same household & enrolling in same activity	20% discount	20% discount		20% discount	20% discount

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF RECREATION DIVISION FEES

	17/18 Adopted (3.7%)	17/18 Adopted (3.7%)		18/19 Proposed (3.4%)	18/19 Proposed (3.4%)
Fee Service	Resident Fees	Non Resident		Resident Fees	Non Resident
Park Reservation					
Laguna Grande					
Up to 49 People - BBQ	\$41.25	\$48.00		\$42.75	\$49.75
Cleaning Deposit - 25% is Non Refundable	\$54.25	\$54.25		\$56.00	\$56.00
50-100 People - BBQ	\$67.50	\$73.75		\$69.75	\$76.25
Cleaning Deposit - 25% is Non Refundable	\$92.25	\$92.25		\$95.50	\$95.50
101-150 People - BBQ	\$99.75	\$107.50		\$103.25	\$111.25
Cleaning Deposit - 25% is Non Refundable	\$162.75	\$162.75		\$168.25	\$168.25
Soper Park					
Up to 49 People - Small BBQ	\$41.25	\$48.00		\$42.75	\$49.75
Cleaning Deposit - 25% is Non Refundable	\$54.25	\$54.25		\$56.00	\$56.00
50-100 People - Large BBQ	\$67.50	\$73.75		\$69.75	\$76.25
Cleaning Deposit - 25% is Non Refundable	\$92.25	\$92.25		\$95.50	\$95.50
101-150 People - Entire BBQ Area	\$99.75	\$107.50		\$103.25	\$111.25
Cleaning Deposit - 25% is Non Refundable	\$162.75	\$162.75		\$168.25	\$168.25
Bounce House (each)	\$28.25	\$28.25		\$29.25	\$29.25
Cancellation Fee	\$11.00	\$11.00		\$11.25	\$11.25
Ellis Park-Oldemeyer					
Up to 49 People - BBQ	\$41.25	\$48.00		\$42.75	\$49.75
Cleaning Deposit - 25% is Non Refundable	\$54.25	\$54.25		\$56.00	\$56.00
Bounce House (each)	\$28.25	\$28.25		\$29.25	\$29.25
Metz Park					
Up to 49 People - BBQ	\$41.25	\$48.00		\$42.75	\$49.75
Cleaning Deposit - 25% is Non Refundable	\$54.25	\$54.25		\$56.00	\$56.00
50-100 People - BBQ	\$67.50	\$73.75		\$69.75	\$76.25
Cleaning Deposit - 25% is Non Refundable	\$92.25	\$92.25		\$95.50	\$95.50
Bounce House (each) No Electricity	\$28.25	\$28.25		\$29.25	\$29.25
Metz Basketball Court					
1-4 Hours (per hour)	\$10.00	\$15.00		\$10.00	\$15.00
All-Day Reservation	\$50.00	\$75.00		\$50.00	\$75.00
Cleaning Deposit - 25% is Non Refundable	\$60.00	\$60.00		\$60.00	\$60.00
Ballfield Field Group Usage*					
Facility Use Fee	\$195.50/per day or 1-4 hours \$26.44/hr	\$195.50/per day or 1-4 hours \$26.44/hr		\$195.50/per day or 1-4 hours \$26.44/hr	\$195.50/per day or 1-4 hours \$26.44/hr
Cleaning Deposit- nonrefundable 25%	\$162.75	\$162.75		\$168.25	\$168.25
Lighting Fee	\$30.00 per hr	\$30.00 per hr		\$30.00 per hr	\$30.00 per hr
*Facility Use Agreements are needed for Ballfield Field Group Usage with a term no more than 2 years.					

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF FIRE DEPARTMENT FEES

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
FIRE DEPARTMENT FEES			
Annual Hazardous Materials Inspection Permit Fees			
	California Fire Code: Annual; Operational Permits	\$ 326	\$ 337
	Amusement Buildings		
	Aviation Facilities		
	Carnivals and Fairs		
	Cellulose Nitrate Film		
	Combustible dust-producing operations		
	Combustible Fibers		
	Covered Mall Buildings		
	Cryogenic Fluids		
	Cutting and Welding		
	Dry Cleaning Plants		
	Exhibits and Trade Shows		
	Explosives		
	Fire Hydrants and Valves		
	Flammable and Combustible Liquids		
	Floor Finishing		
	Fruit and Crop Ripening		
	Fumigation and Thermal Insecticide Fogging		
	Hazardous Materials		
	HPM Facilities (Hazardous Production Materials)		
	High Piled Storage		
	Hot Work Operations		
	Industrial Ovens		
	Lumber Yards and Wood Working Plants		
	Liquid- or gas-fueled vehicles or equipment in assembly buildings		
	LP GAS		
	Magnesium		
	Misc. Combustible Storage		
	Open Burning		
	Open Flames and Torches		
	Open Flames and Candles		
	Organic Coatings		
	Places of Assembly		
	Private Fire Hydrants		
	Pyrotechnic special effects material		
	Pyroxylin plastics		
	Refrigeration equipment		
	Repair garages and motor fuel-dispensing facilities		
	Rooftop heliports		
	Spraying or dipping		
	Storage of scrap tires and tire byproducts		
	Temporary membrane Structures		
	Tire-rebuilding plants		
	Waste handling		
	Wood Products		

**CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF FIRE DEPARTMENT FEES**

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
FIRE DEPARTMENT FEES			
Annual Short Term Rental Safety Inspections			
	Short Term Rental (includes 2 inspections)	N/A	\$ 261
	Re-Inspection (after initial and first reinspection)	N/A	\$ 173
Annual Business Fire Safety Inspections (business incl 2 inspections, excluding apartments)			
A	A Occupancies (Per Hour) (ie assembly places)	\$ 252	\$ 261
B	B Occupancies (Per Hour) - (ie bank, professional office)	\$ 252	\$ 261
E	E Occupancies (Per Hour) - (ie educational)	\$ 252	\$ 261
		\$ -	\$ -
F	F Occupancies (Per Hour) - (ie Factory)	\$ 502	\$ 519
H	H Occupancies (Per Hour) - (ie High Hazard)	\$ 502	\$ 519
I	I Occupancies (Per Hour) - (ie Institutional)	\$ 502	\$ 519
M	M Occupancies (Per Hour) - (ie market, department or drug store)	\$ 252	\$ 261
R-2	R-2 Occupancy (Per Hour) (ie Res Permanent 2+) 4 or less units	\$ 252	\$ 261
	5-20 units	\$ 252	\$ 261
	21-50 units	\$ 502	\$ 519
	> 50 units; each additional 50 units	\$ 669	\$ 692
S	S Occupancies (Per Hour) - (ie Storage)	\$ 502	\$ 519
U	U Occupancies (Per Hour) - (ie Accessory; Private Garage, Agriculture building, etc)	\$ 252	\$ 261
	Re-Inspection (after initial and first reinspection)	\$ 167	\$ 173
Licensed Care Facilities			
	Pre-Inspection	\$ 84	\$ 87
	Licensed Care Facility (7-49) (State and County License Mandated)	\$ 252	\$ 261
	Licensed Care Facility (50+) (State and County License Mandated)	\$ 502	\$ 519

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF FIRE DEPARTMENT FEES

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
FIRE DEPARTMENT FEES			
NEW CONSTRUCTION, ADDITIONS, AND MAJOR REMODELS			
	Contract fire plan check		
	Commercial Uses - Structural (All newly constructed, added, or <u>structurally remodeled</u> space for non-residential occupancies classified as CBC Group A, B, E, F, H, I, M, S or other commercial occupancies not specifically addressed elsewhere in this Fee Schedule)		
	Square Footage:		
	500	\$ 167	\$ 173
	2,000	\$ 335	\$ 346
	5,000	\$ 502	\$ 519
	10,000	\$ 669	\$ 692
	25,000	\$ 837	\$ 865
	Residential and Multifamily Residential Uses - (All newly constructed, added, or structurally remodeled space for residential occupancies classified as CBC Group R (except R-3), or other residential occupancies not specifically addressed elsewhere in this Fee Schedule) (ie mixed use, hotel, motel, condo, apartment)		
	Square Footage:		
	1,000	\$ 252	\$ 261
	5,000	\$ 335	\$ 346
	10,000	\$ 502	\$ 519
	50,000	\$ 837	\$ 865
	100,000	\$ 1,174	\$ 1,214
	Attached and Detached Accessory and Utility Uses - (All newly constructed, added, or structurally remodeled space for utility and accessory occupancies classified as CBC Group U, or other utility and accessory occupancies not specifically addressed elsewhere in this Fee Schedule)		
	Square Footage:		
	200	\$ 167	\$ 173
	600	\$ 167	\$ 173
	1,000	\$ 252	\$ 261
	1,500	\$ 252	\$ 261
	2,000	\$ 335	\$ 346
	Shell Buildings for all Commercial Uses - (The enclosure for all newly constructed, space for non-residential occupancies classified as CBC Group A, B, E, F, H, I, M, S or other commercial occupancies not specifically addressed elsewhere in this Fee Schedule where the interior is not completed or occupiable)		
	Square Footage:		
	500	\$ 167	\$ 173
	2,000	\$ 335	\$ 346
	5,000	\$ 502	\$ 519
	10,000	\$ 669	\$ 692
	25,000	\$ 837	\$ 865

**CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF FIRE DEPARTMENT FEES**

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
FIRE DEPARTMENT FEES			
	Commercial Tenant Improvement - Non Structural - (Non-structurally remodeled space for non-residential occupancies classified as CBC Group A, B, E, F, H, I, M, S or other commercial occupancies not specifically addressed elsewhere in this Fee Schedule where the structure is not altered)		
	Square Footage:		
	500	\$ 167	\$ 173
	2,000	\$ 335	\$ 346
	5,000	\$ 502	\$ 519
	10,000	\$ 669	\$ 692
	25,000	\$ 837	\$ 865
	One and Two Family Dwellings - Model Home or Custom Plan Review - (All newly constructed space for residential occupancies classified as CBC Group R-3, or other similar residential occupancies not specifically addressed elsewhere in this Fee Schedule. This category includes the model home or a custom home project)		
	Square Footage:		
	1,000	\$ 167	\$ 173
	2,500	\$ 167	\$ 173
	4,000	\$ 335	\$ 346
	6,000	\$ 335	\$ 346
	8,000	\$ 419	\$ 433
	Structural Residential Remodels and Additions - (All newly constructed additions to, or structurally remodeled areas of, residential occupancies classified as CBC Group R-3, or other similar residential occupancies not specifically addressed elsewhere in this Fee Schedule)		
	Square Footage:		
	200	\$ 167	\$ 173
	600	\$ 167	\$ 173
	1,000	\$ 167	\$ 173
	1,500	\$ 167	\$ 173
	2,000	\$ 167	\$ 173
	Fire Plan Review (Per Hour)	\$ 167	\$ 173
FIRE INSPECTIONS			
	Fire Hydrant Underground System/Per Fire Hydrant (incl 2 hydrants)	\$ 167	\$ 173
	Each Additional Hydrant	\$ 84	\$ 87
	Fire Hydrant - Use Permit	\$ 167	\$ 173
	Fire Sprinkler Commercial Aboveground	\$ 502	\$ 519
	Fire Sprinkler Commercial Underground	\$ 502	\$ 519
	Standpipes	\$ 502	\$ 519
	Standpipes - Each additional outlet	\$ 43	\$ 44
	Supression System - Hood	\$ 335	\$ 346
	Supression System - Agents	\$ 335	\$ 346
	Fire Extinguishing System Installation (incl hood,duct,agents)	\$ 502	\$ 519
	Fire Pump Installations	\$ 837	\$ 865

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF FIRE DEPARTMENT FEES

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
FIRE DEPARTMENT FEES			
	Certificate of Occupancy		
	Development < 2K sq ft	\$ 252	\$ 261
	Development 2K - 10K sq ft	\$ 502	\$ 519
	Development > 10K sq ft	\$ 669	\$ 692
Special Permits			
	Fireworks Stand Inspection	\$ 167	\$ 173
	Fireworks Booth Application Fee	\$ 167	\$ 173
	Christmas Tree Lot/ Pumpkin Patch	\$ 167	\$ 173
Tent Permits			
	201 to 400 square feet	\$ 167	\$ 173
	401 to 1500 square feet	\$ 167	\$ 173
	1501 - 15,000 square feet	\$ 167	\$ 173
	15,001 - 30,000 square feet	\$ 167	\$ 173
	> 30,000 square feet	\$ 167	\$ 173
Automatic Fire Sprinkler:			
	Inspections/New Systems/Repair		
	0-5,000 s.f.	\$ 502	\$ 519
	5,001-15,000 s.f.	\$ 837	\$ 865
	15,001-30,000 s.f.	\$ 1,174	\$ 1,214
	> 30,001 s.f. (each additional 10k s.f.)	\$ 837	\$ 865
Fire Alarm Systems:			
	Inspections/New Systems/Repair/Alterations		
	0 - 5,000 s.f.	\$ 502	\$ 519
	5,001 - 15,000 s.f.	\$ 837	\$ 865
	15,001 - 30,000 s.f.	\$ 1,174	\$ 1,214
	> 30,0001 s.f. (each additional 10K s.f.)	\$ 837	\$ 865
Fire False Alarm Response			
	Fire False Alarm Response	\$ 252	\$ 261
	(Eng, truck, Bat Chief)		
	Drug/DUI/Hazmat Incident Response		
	Fire Department Equipment Costs: <i>(placeholder for MFS - not analyzed as part of this scope)</i>		
	Administration Vehicle - per hour		

**CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF FIRE DEPARTMENT FEES**

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
FIRE DEPARTMENT FEES			
HOURLY RATES			
	Fire Hourly Rate	\$ 167	\$ 173
	Engineer Company - hourly rate	\$ 502	\$ 519
	Copy Service - per page	\$ 0.10	\$ 0.10
	For services requested of City staff which have no fee listed in this fee schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the established hourly rates for this department/division. Additionally, the City will pass-through to the applicant any discrete costs incurred from the use of external service providers if required to process the specific application.		

**CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF POLICE DEPARTMENT FEES**

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
POLICE DEPARTMENT FEES			
RECORDS, DOCUMENTS AND SPECIAL SERVICES			
	Accident reports (online service)	\$ 17	\$ 18
	Accident reports	\$ 41	\$ 42
	Police Report - per PRA		
	DVD/CD Copy	\$ 33	\$ 34
		\$ -	\$ -
	U-Visa Request	\$ 110	\$ 114
	Sworn		
	Non-sworn		
	Outside Agency CLETS Entry (statewide database)	\$ 49	\$ 51
	Outside Agency background request	\$ 17	\$ 18
	Outside Agency background request - other City jurisdiction	\$ 17	\$ 18
	Firearms Storage Fee	\$ 297	\$ 307
	Adult Arrest Sealing Request	\$ 148	\$ 153
		\$ -	\$ -
	Building Security Services (secure building after a burglary)	\$ 356	\$ 368
	Sworn		
	Non-Sworn		
ALARMS / DISTURBANCE			
Alarm Use Permit			
	Residential new application	\$ 101	\$ 104
	Sworn		
	Non-Sworn		
	Residential annual renewal fee		
	Non-Sworn	\$ 33	\$ 34
		\$ -	\$ -
	Commercial new application	\$ 101	\$ 104
	Sworn		
	Non-Sworn		
	Commercial annual renewal fee		
	Non-Sworn	\$ 33	\$ 34
False Alarm Assessment			
	First Alarm Response	\$ 170	\$ 176
	Sworn (2 units)		
	Non-sworn		
	Second Response	\$ 170	\$ 176
	Sworn		
	Non-sworn		
	Each Additional Response	\$ 170	\$ 176
	Sworn		
	Non-sworn		

**CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF POLICE DEPARTMENT FEES**

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
POLICE DEPARTMENT FEES			
	Response to Peace Disturbance		
	First Response	\$ 170	\$ 176
	Sworn		
	Non-sworn		
	Second Response	\$ 170	\$ 176
	Sworn		
	Non-sworn		
	Each Additional Response	\$ 170	\$ 176
	Sworn		
	Non-sworn		
VEHICULAR			
	Equipment Violation, re-inspection (written by SPD)	\$ 12	\$ 12
	Equipment Violation, re-inspection (written by non SPD)	\$ 12	\$ 12
	Parking Citation Admin Review		
	Sworn	\$ 26	\$ 27
	Parking Citation Hearing (appeal)		
	Sworn	\$ 77	\$ 80
	Vehicle Abatement		
	Per vehicle	\$ 202	\$ 209
	Sworn		
	Non-sworn		
	Vehicle Abatement Appeal	\$ 99	\$ 102
	Impound Vehicle Release Fee (30 day hold) - no license	\$ 202	\$ 209
	Sworn		
	Non-sworn		
	Impound Vehicle Release Fee	\$ 177	\$ 183
	Sworn		
	Non-sworn		
	Impound Release - repo fee Regulated by State. Do Not Increase	\$ 16	\$ 17
EMERGENCY RESPONSE			
	DUI Incident Recovery	\$ 306	\$ 316
	DUI Accident/Hazmat Incident/Emergency Response Recovery		
	Hourly Rates (Full Cost Recovery)	\$ 153	\$ 158

**CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF POLICE DEPARTMENT FEES**

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
POLICE DEPARTMENT FEES			
REGULATORY PERMITS			
	Tow Service Provider Application (annual) sworn non-sworn	\$ 432	\$ 447
	Vending Vehicles-new sworn non-sworn	\$ 55	\$ 57
	Vending Vehicles-renewal sworn non-sworn	\$ 55	\$ 57
	Massage Establishment/Technician-new sworn non-sworn	\$ 93	\$ 96
	Massage Establishment/Technician-renewal sworn non-sworn	\$ 93	\$ 96
	Solicitor-new sworn non-sworn	\$ 63	\$ 65
	Solicitor-renewal sworn non-sworn	\$ 63	\$ 65
	Pawn/Secondhand/Junk-new sworn non-sworn	\$ 484	\$ 500
	Pawn/Secondhand/Junk-renewal sworn non-sworn	\$ 484	\$ 500
	Live Entertainment/Dance (special event) sworn non-sworn	\$ 63	\$ 65

**CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF POLICE DEPARTMENT FEES**

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
POLICE DEPARTMENT FEES			
	Firearms-new sworn non-sworn	\$ 484	\$ 500
	Firearms-renewal sworn non-sworn	\$ 484	\$ 500
	ABC Permit Review sworn non-sworn	\$ 101	\$ 104
	Taxi Driver Permit (annual)	\$ 25	\$ 26
	For services requested of City staff which have no fee listed in this fee schedule, the City Manager of the City Manager's designee shall determine the appropriate fee based on the established hourly rates for this department/division. Additionally, the City will pass-through to the applicant any discrete costs incurred from the use of external service providers if required to process the specific application.		

CITY OF SEASIDE
MASTER FEE SCHEDULE
SCHEDULE OF POLICE DEPARTMENT - ANIMAL SERVICES FEES

		17/18 Adopted (3.7%)	18/19 Proposed (3.4%)
	POLICE DEPARTMENT - ANIMAL SERVICES		
	ANIMAL CONTROL SERVICES		
	Dog License Fee		
	Unaltered - Resident:		
	7 months	\$ 50	\$ 52
	13 months	\$ 50	\$ 52
	25 months or more	\$ 50	\$ 52
	Altered- Resident:		
	7 months	\$ 25	\$ 26
	13 months	\$ 25	\$ 26
	25 months or more	\$ 25	\$ 26
	Unaltered - Senior Citizen (65 years and older)		
	7 months	\$ 50	\$ 52
	13 months	\$ 50	\$ 52
	25 months or more	\$ 50	\$ 52
	Altered - Senior Citizen (65 years and older)		
	7 months	\$ 11	\$ 11
	13 months	\$ 11	\$ 11
	25 months or more	\$ 11	\$ 11
	Late Filing Fee	\$ 7	\$ 7
	Replacement of Lost Dog Tag	\$ 7	\$ 7
	License Transfer Fee	\$ 7	\$ 7
	Animal Impound Fines		
	Licensed	\$ 55	\$ 57
	Unlicensed	\$ 84	\$ 87
	2nd Offense (all)	\$ 112	\$ 116
	3rd or more offense (all)	\$ 223	\$ 231

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPTING THE 2018-2019 FEE SCHEDULE OF THE CITY OF SEASIDE

WHEREAS, the City Council of the City of Seaside has considered the Proposed 2018-2019 Fee Schedule; and

WHEREAS, the City Council of the City of Seaside has determined that a continuation of the waiver of planning and building fees for the West Broadway Urban Village for the fiscal year 2018-2019 is appropriate; and

WHEREAS, the City Council has made any desired modifications to the Proposed 2018-2019 Fee Schedule.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside adopts the 2018-2019 Fee Schedule. Fee increases will be effective July 21, 2018.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 21st day of June, 2018 by the following vote:

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

Ralph Rubio, Mayor
City of Seaside

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.F.

TO: City Council

FROM: Craig Malin, City Manager

BY: Gloria Stearns, Economic Development Manager
Rick Medina, Senior Planner

DATE: June 21, 2018

SUBJECT: INTRODUCTION OF TWO ORDINANCES AMENDING CHAPTER 17 (ZONING CODE) AND CHAPTER 3 (TRANSIENT OCCUPANCY TAX) OF THE SEASIDE MUNICIPAL CODE TO ADOPT SHORT-TERM RENTAL REGULATIONS WITHIN RESIDENTIAL DWELLINGS. (FIRST READING, ROLL CALL VOTE)

PURPOSE & RECOMMENDATION

The purpose of this ordinance is to establish regulations for the use of privately owned residential dwellings as short-term rentals to minimize any negative impacts on surrounding properties and to ensure the collection and payment of transient occupancy taxes for said short-term rentals. It is recommended that the City Council:

- Adopt the Initial; Study and Negative Declaration of proposed text amendments related to short term rentals within a residential use.
- Introduce and hold first reading of an Ordinance to add Section 17.52.251 to the Seaside Municipal Code entitled "Short Term Rentals" and;
- Introduce and hold first reading of an Ordinance to amend Chapter 3.24 of the Seaside Municipal Code to include "Short-Term Rental" as use that would be subject to the collection of Transient Occupancy Tax (TOT) the same as a hotel and add new Section 3.24.121.A that would establish fund accounts whereby TOT collection from short-term rentals would set aside to assist with affordable housing activities/projects and community and neighborhood park improvements

BACKGROUND

Short term rental of housing is an issue which has come to the fore given technological innovation and market forces that are largely beyond the capacity of local governments to reverse.

On September 21, 2017 and October 19, 2017, the City Council received an overview regarding

the use of residential dwellings as a short-term rental and deliberated whether to pursue an Ordinance regulating this type of land use. The City's current regulations are silent with respect to use of a dwelling as a short-term transient use. A transient use subject to the collection of a transient occupancy tax (TOT) would be from one day to no longer than thirty days. At the October 19, 2017 City Council Study Session, the Council directed staff to return with a draft ordinance that would best mitigate the impact of short term rentals within residential neighborhoods while balancing the rights of property owners on the use their property.

The Planning Commission conducted its review in making a recommendation to the City Council on the proposed Ordinance on February 14, 2018 and April 11, 2018. The primary issues included:

Positive Benefits

Short Term Rentals will provide job opportunities for plumbers, electricians, landscapers, housekeepers, pest control, painters, appliance repairs and other type of general building maintenance tasks.

Short Term Rentals will attract visitors who will eat at local restaurants, shop in retail, and purchase gas.

Short Term Rentals would enable a financial benefit to private property owners and also provide added revenue to the City through the collection of Transient Occupancy Tax.

Short Term Rentals will serve as a positive attraction of regional visitors

Negative Impacts

Code enforcement actions to address off-street parking and noise disruptions within single family neighborhoods.

Removal of dwelling units from the housing stock.

Impacts on hotels/motels.

After receiving public testimony on the Ordinance and completing its deliberation on the Draft Ordinance and Initial Study, the Planning Commission acted to recommend that the City Council adopt an Ordinance with the following changes:

Removal of the numerical cap on hosted permits and a cap on non-hosted permits to stay at 75;

Allow grandfather permits for non-hosted permits to those who can prove they have been facilitating short term rentals, hosted and non-hosted for the past 12 months starting from April 11, 2018;

That the 50% block face percentage provision be removed from the document.

The financial regulation regarding the TOT be removed from the ordinance and be adopted separately under the Finance Section of the Seaside Municipal Code.

The City Council opened its review of the Short-Rental Ordinance on May 3, 2018. In evaluation of the public comments received, the Council debated how to address the

grandfathering of the existing host and non-host short-term rentals and cap limits on future short-term rental requests.

The City Council continued its review of the first reading with the following direction:

1. Remove cap limits on host and non-host; and
2. Allow all existing short-term rentals that have been in operation between April 10, 2017 and April 10, 2018 where it can shown with certain evidence (e.g. online rental advertisement, receipts) that said short-term rental was occurring.
3. Amend Chapter 3.24 (Transient Occupancy Tax) to include definition of a short-term rental as a hotel use subject to the collection of Transient Occupancy Tax (TOT) and a section which would establish separate fund accounts whereby the TOT from short-term rentals would have 50% allocated for affordable housing activities/projects and 50% for neighborhood improvement and park projects.

DISCUSSION

Based on the feedback received from the general public and Seaside residents at the City Council Study Sessions and Planning Commission Public Hearings, the public inquiries received at both the public hearings and public notices on short-term rentals, and research of other cities/counties adopted development standards for short-term rentals, the following discussion points have been evaluated in the development of the proposed ordinance:

Economic Impacts

Property owners will receive rental income, which helps with mortgage payments. The City of Seaside will collect transient occupancy tax, which is 12%. The City of Seaside also benefits from additional sales tax generated by the occupants spending money in Seaside. The City of Seaside will collect fees for short-term rental applications, however these are to cover the costs of processing applications and additional management of short-term rentals within Seaside.

Neighborhood Compatibility

Parking availability is a concern for neighboring residents. The intent is the short-term rental unit will maximize the use of their driveway, and information will be posted inside, as well as a Good Neighbor brochure outlining the available on-site parking.

Noise

The City of Seaside Municipal Chapter 9.12 Regulating Noise includes quiet hours from 10 pm to 7 am. The short-term rental owner is required to have a local contact person who will respond within 60 minutes to address complaints. Neighbors will be notified how to reach the local contact person.

Safety

Short-term rentals must be inspected for fire and building safety.

Cultural Enrichment

Short-term rentals, especially hosted, tend to facilitate a sharing of cultures between the visitors and the host.

Affordable Housing

More affordable housing in Seaside is needed, and the 50% of the transient occupancy tax collected will be directed to the City of Seaside Housing Fund.

Water Allocation

The Monterey Peninsula Water Management District does not require any additional water use from a jurisdiction for the use of a dwelling unit being used as a short term rental. The renting of a dwelling or rooms within a dwelling is considered as a standard residential use and would not require a hotel water factor to be applied.

Density and Number of Licenses

The Planning Commission recommended removing the cap for hosted permits and consideration of including a grandfathering clause which would enable residents who can prove to the city that they have been operating a STR at their residence during the last twelve months would automatically qualify for a permit. The Planning Commission stated that by adding these changes the City would then have a better understanding of how many STR's actually exist versus using a numerical cap without any empirical data. Until the actual number of how many STR's exist, the Planning Commission also recommended removing the provision for 50% of a block face. The Planning Commission stated that creating numerical caps without empirical data could create more problems that do not already exist.

SUMMARY

From the discussion at the City Council study sessions and information obtained from other cities, City staff has drafted two proposed ordinances attached to this staff report as Attachment 1 for regulations on Short-Term Rentals and Attachment 2 for proposed amendments to the City's Transient Occupancy Tax Collection as it relates to short-term rentals. These Ordinances seek to provide a balance between private property owner interests and the protection of the general health, safety, and welfare of the community. With the removal of the cap limits, under the current fiscal year the City of Seaside will only be accepting those grandfathered permits as outlined in the Ordinance in fiscal year 2018/2019. The City Council will be able to evaluate the total number of short-term rental licenses that can operate in the City at its second meeting in July of 2019 and in subsequent years at the second meeting of July annually.

A short-term rental ordinance provides the regulatory framework to legalize and regulate both hosted and non-hosted short-term rentals. It clarifies the transient occupancy tax obligations of short-term rentals. It outlines requirements essential to maintain the character of Seaside neighborhoods and provides for enforcement. The short-term rental ordinance strives to balance the interests of the short-term rentals while maintaining the context of the current Seaside neighborhoods.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA), an Initial Study (IS) and an accompanying Negative Declaration (ND) have been prepared for the proposed ordinance. The document was circulated for 20-day public review period between Thursday, January 11, 2018 through Tuesday, January 31, 2018. The IS/ND is provided as Attachment 3. Provided as Attachment 4 are four written comments which were received in response to the City's intent to issue a Negative Declaration on the proposed Ordinance prior to the close of the public review period on January 31, 2018. The written comments speak directly to the land use and public policy impacts of the Ordinance and do not have any comment related to whether the adoption of Short Term Rental regulations would have a direct impact on the environment.

FISCAL IMPACT

The Transient Occupancy Tax from short-term rentals is budgeted at \$50,000 for 2017-18, although the actual amount may be lower, as the fiscal year is ending soon. The fee income will also impact the General Fund positively. Fee is not set at this time, to be determined by Council.

ATTACHMENTS

1. Attachment 1 - Draft Short-Term Ordinance
2. Attachment 2 - Draft Ordinance Amending Chapter 3.24 SMC
3. Attachment 3 - Initial Study-Negative Declaration
4. Attachment 3 - Exhibit A
5. Attachment 4 - Public Comments

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE No. 18-XX

AN ORDINANCE OF THE CITY OF SEASIDE ADDING SECTION 17.52.251 ENTITLED, "SHORT-TERM RENTAL" TO THE SEASIDE MUNICIPAL CODE

FINDINGS

1. There has been an increase in privately-owned residential dwellings being used as short-term rentals in the City of Seaside. Online host sites such as Vacation Rentals by Owner (VRBO), Airbnb and others have become an increasingly popular means to market homes available for transient use,
2. Short-term rentals provide a benefit to the City by expanding the number and type of lodging facilities and will provide increased transient occupancy tax (TOT) revenue to the City.
3. Unregulated short-term rentals introduce the possibility for adverse consequences including a reduction in affordable housing and the commercialization of residential neighborhoods.
4. This Ordinance can ensure neighborhood compatibility, facilitate economic growth within the City and protect the health, safety, and welfare of the City's residents.
5. On September 21, 2017 and October 19, 2017, the City Council held special study sessions to discuss concerns regarding the use of residential dwellings as a short-term rental, and whether to pursue an Ordinance regulating this type of land use. A transient use subject to the collection of a transient occupancy tax (TOT) would be rental from one day to no longer than thirty days. Other discussion points were economic impacts, neighborhood compatibility, noise, safety, cultural enrichment and affordable housing.
6. The Planning Commission reviewed this Ordinance on February 14, 2018 and recommends the Council adopt it.
7. The City prepared an Initial Study and Mitigated Negative Declaration to review the Ordinance pursuant to the California Environmental Quality Act (CEQA), and this Ordinance has been mitigated to a point where the proposed project will not have the potential to significantly degrade the environment; will have no significant impact on the long-term environmental goals; will have no significant cumulative effect upon the environment; and will not cause substantial adverse effects on human beings, either directly or indirectly.
8. The proposed Ordinance is consistent with the City's General Plan and the practice of short-term rentals does not constitute a change in the residential land use element as described in the Seaside General Plan.

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

SECTION 1. The foregoing factual recitals are adopted as findings of the City Council.

SECTION 2. A new Municipal Code Section 17.52.251 entitled, "Short-Term Rental" is added by the addition of all text shown as follows:

17.52.251.A Definitions. For the purpose of this Section certain terms used herein have the meanings set forth in this chapter, and such meaning shall prevail in case of conflict with the definitions set forth in SMC.

(1) "Person" means an individual or a group of individuals, association, firm, partnership, entity, public or corporation or other private.

(2) "Owner" means the person who possesses fee title to a transient use site.

(3) "Owner representative" means any person authorized by the owner to fully manage the transient use site.

- (4) "Local Contact Person" shall be the person designated by the owner or the owner's authorized representative who shall be available twenty-four hours per day, seven days per week for the purpose of responding within sixty minutes to complaints related to the short-term rental and taking remedial action to resolve such complaints.
- (5) "Remuneration" means compensation, money, rent or other bargained for consideration given in return for occupancy, possession or use of real property.
- (6) "Residential property" means any dwelling unit, except those dwelling units lawfully established as second units established pursuant to Chapter 17.12 of the SMC or as part of a bed and breakfast inn, motel, hotel, timeshare development, or other transient use.
- (7) "Hosted short-term rental" means a dwelling unit where the owner with the majority interest in the residential property, or an owner holding an equal shared interest if no other owner owns a greater interest, occupies a dwelling unit as his or her principal residence and offers the dwelling or a habitable portion thereof for transient occupancy by others, and is present during the occupancy of the "Hosted short-term rental".
- (8) "Non-hosted short-term rental" means a dwelling unit that is offered for transient occupancy where the owner or shared ownership interest does not occupy the dwelling offered for transient occupancy as his or her principal residence.
- (9) "Guest" means the overnight occupant(s) renting the short-term rental for a specified period of one day and no longer than thirty days and the visitors of the overnight occupants.
- (10) "Good Neighbor Brochure" means a brochure, available from the City, to be given to guests, which includes a summary of the City's regulations relating to short-term rentals.
- (11) "Transient" means a period of not less than one (1) day and one (1) night nor more than thirty (30) consecutive calendar days.
- (12) "Responsible tenant/guest" means a person aged 18 or older who has received notice of occupancy, parking and other limits and regulations that apply to the transient use site, and who has agreed to be responsible to ensure that impermissible or inappropriate behavior does not occur at the transient use site, including, but not limited to, all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term rental.
- (13) "Transient use of residential property" means the commercial use by any person of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than thirty (30) consecutive calendar days.
- (14) "Transient use site" and "transient use" mean property occupied and used for transient or short-term rental purposes.
- (15) "Use" means the purpose for which land or premises of a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

Transient use of residential property for remuneration is prohibited except (1) as otherwise expressly licensed by this title, or (2) when such use is licensed by a transient use License issued in accord with SMC Section 17.52.252.

(b) Liability and Enforcement.

(1) Any owner, owner representative, responsible tenant, person acting as agent, real estate broker, real estate sales agent, property manager or otherwise who uses, arranges, or negotiates for the use of, or allows the use of residential property in violation of the provisions of this chapter is guilty of an infraction subject to an administrative citation for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(2) Violations of this Ordinance shall be treated as a public nuisance and strict liability offense regardless of intent.

(3) A violation of any provision of this Ordinance by any of the guests, owners or operators shall constitute grounds to suspend or revoke a short-term rental license.

SECTION 3. A new SMC Section 17.52.252 entitled, "Short-Term Rental License", is added as follows:

17.52.252.A Statement of Purpose.

The purpose of this chapter is to establish a licensing process, together with appropriate standards that regulate short-term rental of single-family and multi-family dwellings in residential districts, to minimize negative secondary effects of short-term rental use on surrounding neighborhoods; and to preserve the character of neighborhoods in which any such use occurs. This chapter addresses traffic, noise and density; ensures health, safety and welfare of neighborhoods as well as of renters and guests patronizing short-term rentals; and imposes limits on the number of licenses issued to ensure long-term availability of the affordable housing stock. This chapter also sets regulations to ensure enforcement of these standards, and collection and payment of fees and transient occupancy taxes.

This chapter shall not provide any property owner with the right or privilege to violate any private conditions, covenants or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this chapter.

The City Council finds adoption of a comprehensive code to regulate issuance of, and conditions attached to, short-term rental is necessary to protect the public health, safety and welfare. The purposes of this chapter are to provide a licensing system and to impose operational requirements in order to minimize the potential adverse impacts of transient uses on residential neighborhoods.

The City Council finds the regulation of short-term rental uses, including its non-transferability provisions, to be a valid exercise of the City's police power in furtherance of the legitimate governmental interests documented in this chapter.

17.52.252.B Definitions.

(a) The terms "personal", "owner", "owner representative", "local contact person", "remuneration", "residential property", "hosted short-term rental", "non-hosted short-term rental", "guest", "Good Neighbor Brochure", "transient", "responsible tenant/guest", "transient use of residential property", "transient use site", "transient use", "use", as used in this chapter are given the same definition as those definitions set forth in SMC Section 17.52.251.

(a) Transient use of residential property for remuneration is allowed pursuant to SMC Section 17.52.251 or this chapter; provided that a separate Short-Term Rental License has first been granted and validly maintained for each transient usesite.

(b) Each transient use must meet all the requirements of this Section. Short-Term Rental Licenses are issued for a one (1) year term. No guarantee is given or implied that Short-Term Rental License will be extended or renewed for a term subsequent to its expiration.

(c) For the purposes of this Section the City recognizes and sets discrete requirements for each of two different classes of Short-Term Rental Licenses. These are Hosted Short-Term Rental and Non-Hosted Short-Term Rental.

(d) Each contract or tenancy that allows transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed of, and has agreed to abide by, occupancy, parking and other limits that apply to that transient use.

(e) For each initial Short-Term Rental License, and each license renewal, the applicant and each property owner shall submit an inspection report that provides and verifies information, in the form and manner required by the City and the Chief Building Official, to ensure the property is safe and habitable for its intended use, including verification of adequate egress from sleeping quarters and common area, installation of accessible fire extinguishers, and a carbon monoxide alarm on each level, and that the property exists in accord with appropriate land use and buildingLicenses.

(f) The owner or owner representative shall cause notice of the application or any license renewal, and of any hearing on the application or renewal, to be posted and mailed to notify neighbors within 100 feet of the short-term rental licensed site. The notice shall include a statement of the maximum number of guests licensed to stay inthe short-term rental.

17.52.252.D

Short-Term Rental License Caps

All short term rentals found to be in existence prior to April 10, 2018 are hereby approved for the period of one (1) year from the effective date of this ordinance.

In years 2019 and beyond the City Council my establish the maximum allowable number of hosted and non-hosted short-term rental licensees annually by Resolution at the second regularly scheduled City Council meeting in July, and in doing so, will project forward the maximum allowable number of non-hosted short-term rental licenses for a period not to exceed three (3) years.

17.52.252.E

Limits on Transient Use.

Transient use of residential property for remuneration allowed by SMC Section 17.52.251 or this Section shall besubject to each and every limitation in thisSection:

(a) Each contract or tenancy that enables transient use shall be in writing, and identify thereon the name, address, phone number and e-mail contact informationof:

(1) the owner;

(2) the owner representative; and

(3) at least one responsible tenant occupying the transient site who shall be responsible for all limits required by this section.

(b) Each non-hosted contract or tenancy shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed by the owner or owner representative of the occupancy, parking and other limits that apply to transient use by this Section and shall be informed of residential parking and noise limits, including but not limited to SMC Section 9.12, the City codes that regulate unlawful noises.

(c) Trash and refuse shall not be left stored within public view, except in proper containers for purpose of collection by the City's authorized wastehauler.

(d) A short-term rental shall not change the residential character of the outside appearance of the residence including color, material, lighting or any advertising mechanism, including **"vacation rental" signs**.

(e) Guests of the short-term rental shall comply with City of Seaside Municipal Code Chapter 9.12 regulating noise, including quiet hours between the hours of 10:00 p.m. and 7:00 **a.m.**

(f) The owner or owner representative for all non-hosted short-term rentals shall post the in a prominent location within the short-term rental

(a) owner or owner representative name and telephone number

(b) local contact person name and telephonenumber;

(c) telephone number for Department and Seaside Code Enforcement; the Seaside Police

(d) the maximum number of parking spaces available onsite;

(e) trash pick-up day and applicable rules and regulations;

(f) a copy of City of Seaside Noise Regulations;

(g) a copy of the Good Neighbor Brochure; and

(h) Notification that a guest, local contact person, responsible person or owner may be cited and/or fined by the City in accordance with this Ordinance.

(g) The transient use site:

(1) shall be used and maintained in a manner consistent with the character of the neighborhood;

(2) shall not impair the desirability of investment or occupation of the surrounding neighborhood; and

(3) shall not have displayed thereon any sign that indicates the property is used or available for transient or short-term rental purposes.

(h) Owner and Owner representative shall each use their best efforts, and respond in a reasonable and timely manner, to ensure that every occupant of the transient use site does not create or contribute to unreasonable use of the property, cause unreasonable

noise or disturbance, engage in disorderly or unlawful conduct, or overcrowd the site.

(i) Local contact person shall be on-call full-time (24 hours per day, 7 days per week) to manage the property and shall be able to be physically present at the transient use site within sixty (60) minutes of request during any time the property is occupied for transient use. Within 24 hours of the time an initial call is attempted the owner, owner representative or local contact person shall use his or her best efforts to prevent the recurrence of such conduct by the occupants and take corrective action to address any violation. Failure to respond timely to two (2) or more complaints regarding guest violations is grounds for penalties as set forth in this chapter. The owner, owner representative or local contact person shall be subject to all administrative, legal and equitable remedies available to the City for failing to respond within sixty (60) minutes of request.

(j) The maximum number of occupants aged 18 or older authorized to stay overnight at any transient use site shall be determined by the City Building Official.

(k) Each designated on-site parking space at a non-hosted transient use site shall be made available for use by overnight occupants of that site and any on-site driveway must be available for the use of the guests of the site.

(l) Amplified sound that is audible beyond the property boundaries of the transient use site is prohibited.

(m) Commercial functions, and other similar events are prohibited at the transient use site.

17.52.252.F Short-Term Rental License.

It is unlawful for any person to transact and carry on any business relating to or supporting the transient use of residential property in the City without first having procured a Short-Term Rental License from the City, and paying the license fee and any other fees associated with approval of an application for a license, hereinafter prescribed, and also without complying with any and all applicable provisions of this Section. A short-term rental license, however, shall not be required for any lawfully established bed and breakfast inn, motel, hotel, or timeshare development.

17.52.252.G Display of Short-Term Rental License.

The owner or owner representative shall cause a copy of the transient use license to be displayed in a prominent location within the interior of the transient use site, and shall provide a copy to each responsible tenant. Each internet or online advertisement, sign, circular, card, telephone book, or newspaper advertisement that indicates or represents a transient use site is available for transient or short-term rental purposes shall prominently display thereon the transient use License number assigned to that site by the City of Seaside.

17.52.252.H Separate Properties.

A separate short-term rental License shall be obtained for each separate transient use site. A single short-term rental License may be issued for multiple residential dwelling units under identical ownership at a single site. In all other circumstances, a separate License shall be required for each transient use site. A transient use License shall authorize the licensed owner to transact and carry on transient use of residential property only at the location and in the manner and subject to the limits designated in such License.

17.52.252.I Contents of License.

Every person required to have a License under the provisions of this Section shall make application to the City and tender payment of the prescribed application and License fee. Thereafter in accord with the provisions of this Section the City shall issue to such person a License which shall contain the following information:

(a) the name and contact information of the owner to whom the license is issued, and the name and contact information for the owner representative, if any;

(b) the transient use site to be licensed, and whether the license is for a hosted short-term rental or a non-hosted short-term rental;

(c) the date of expiration of such license;

(d) the maximum number of occupants aged 18 or older who are authorized to stay overnight at that transient use site determined by the City Building Official;

(e) the maximum number of motor vehicles allowed for use by overnight guests at that non-hosted transient use site based upon the available on-site parking as shown on the application site plan; and

(f) such other administrative information as may be necessary for the enforcement of the provisions of this Section.

17.52.252.J

Application - First License.

Each short-term rental License shall be in the name of the owner of the real property upon which the short-term rental use is to be licensed and shall be valid until June 30, 2019. When a person first makes an application for a license pursuant to this section, such person shall furnish to the City a sworn Affidavit upon a form provided by the City setting forth the following information:

(a) the address of the transient use site to which the license shall apply, and all places of residence of the owner(s) of the transient use site;

(1) In the event an application is made for issuance of a license to a person doing business under a fictitious name, the application shall set forth the names and places of residence of those owning the business;

(2) In the event an application is made for the issuance of a license to a corporation or a partnership, the application shall set forth the names and places of residence of the principal officers and all partners thereof.

(b) Each application shall set forth such information as may be therein required by the City and deemed necessary to estimate the annual transient occupancy tax to be charged for that property;

(c) the owner and applicant shall maintain a City business license at all times, and shall agree to collect and remit transient occupancy taxes on all gross receipts pertaining to the transient use site;

(d) each application shall identify the name, address, phone number and e-mail contact information of the owner and the owner representative;

(e) each application for a non-hosted license shall include a site plan and floor plan which labels each room and the structures of the property, including the number of square footage of bedrooms and the number of off-street parking spaces;

(f) the owner shall affirm that smoke detectors are installed on all levels in all sleeping quarters and common areas, and that fire extinguishers are accessible to protect the health and safety of the guests of the transient use site, and the applicant shall provide access and information to the fire inspector as needed to ensure health and safety for occupants of the transient use site; and

(g) such further information which the City may require to enable proper administration of the license.

The applicant shall remit all required annual fees in accord with the master fee schedule set by City Council Resolution. The applicant shall agree to renew and/or amend the license in accord with the requirements of this Section, and if there is a change in any material fact stated in the application.

17.52.252.K Renewal of License.

(a) In all cases, the applicant for the renewal of a license shall submit to the City on or before July 1, 2018 an application for renewal containing a sworn Affidavit upon a form to be provided by the City setting forth such information concerning the applicant's transient occupancy activity during the preceding calendar year as may be required by the City to enable the City to verify the amount of the transient occupancy tax paid by said applicant pursuant to the provisions of this Section.

(b) The applicant shall remit the annual license fee as set by Resolution at the same time as the renewal application. The applicant shall submit an annual sworn Affidavit affirming that smoke detectors are installed and maintained on all levels in all sleeping quarters and common areas and that fire extinguishers are accessible, and a carbon monoxide alarm is installed on each level. The applicant shall provide access and information to the inspector as may be needed to ensure health and safety for guests of the transient use site, in order to verify adequate egress from sleeping quarters and common area, and installation of accessible fire extinguishers, and a carbon monoxide alarm on each level.

17.52.252.L Change to license information.

(a) A request to amend any information provided on the license issued pursuant to this Section shall be made within fourteen (14) days of any change of owner, a change of the owner representative, a change in any material fact upon which the License was issued, or if any other person acquires an ownership interest in the transient use site.

(b) In the event that the transient use site ownership transfers to an immediate family member by means of a gift or testamentary transfer the new owner of the property shall also acquire ownership of the existing short-term rental license until its expiration without paying additional fees. The new property title owner shall, within fourteen (14) days of transfer of ownership of the transient rental site, update the information provided on the license issued.

17.52.252.M Evidence of transient occupancy of residential property.

When any owner, owner representative or other person makes use of internet services, signs, circulars, cards, telephone books, or newspapers and/or advertises, holds out, or represents that he or she allows transient occupancy of residential property in the City, and such person fails to provide a sworn Affidavit to the City

that he or she does not allow transient occupancy of residential property in the City after being requested to do so, by the City, then such information shall be considered *prima facie* evidence that he or she is conducting a business in the City by allowing transient occupancy of residential property. Until proper evidence to the contrary is presented to the City, the City shall be entitled to presume that residential property is subject to the license required by this Section, and/or that the transient use of residential property has occurred at the subject property.

17.52.252.N Statement and records.

No statement shall be conclusive as to the matters set forth therein, nor shall the filing of such statement keep the City from collecting by appropriate action taxes and/or fees that are due and payable hereunder. In the event that the City deems it necessary, the City may require that an already licensed owner, or applicant for a License, submit verification of financial information necessary to calculate the transient occupancy tax due, or at the option of the already licensed owner or applicant, may authorize the City to examine records or business transactions to compute the transient occupancy tax that is owed. In addition an owner or applicant is required to furnish proof an affidavit that the subject property was used as a short term rental 12 months prior to April 10, 2018.

17.52.252.O Failure to file statement or corrected statement.

If any person fails to file any required statement within the time prescribed, or if after demand therefor made by the City the licensed owner or applicant fails to file a corrected statement, or if any person subject to the tax imposed by this Section fails to apply for a license, the City may determine the amount of tax due from such person by means of such information as City may be able to obtain and shall give written notice thereof to such person. Delinquent payment shall be subject to penalties calculated in the same manner as set forth in SMC Section 3.24.

17.52.252.P Transient Occupancy Tax

The owner or owner representative shall comply with all the requirements of SMC Chapter 3.24 "Transient Occupancy Tax". For the purposes of SMC Chapter 3.24.010, a short-term rental shall qualify as a "hotel". The City Manager or designee shall be responsible for the enforcement of the provisions of Chapter 3.24.

Transient Occupancy Tax collected for short-term rentals shall be set aside in a separate fund account.

17.52.252.Q Appeal of Tax

Any person aggrieved by any decision of the City with respect to the amount of the transient occupancy tax or fees associated thereto may appeal to the administrative enforcement hearing office panel by filing a notice of appeal with the City Clerk within fifteen (15) calendar days after receipt of written notice from the City. The hearing officer assigned by the panel shall thereupon fix a time and place for hearing such appeal. The City Clerk shall give notice to such person of the time and place of hearing by serving it personally or by depositing in the United States Post Office at Seaside, California, postage prepaid, addressed to such person at his or her last known address. The hearing office shall have authority to determine all questions raised by such appeal, provided, however, that no such determination shall conflict with any substantive provision of this Chapter.

17.52.252.S Additional Power of City.

In addition to all other power conferred upon the City, the property owner/applicant shall have the power, for good cause shown:

- (a) to extend the time for filing any required sworn Affidavit or application for a permit.

exceeding thirty (30) days, and in such case to waive any penalty that would otherwise have accrued; and

- (b) Whenever any fee, tax or penalty pursuant to this Section is due and payable but has not been satisfied in full within ninety (90) days and/or has not been successfully by a timely writ of mandate, such amounts shall constitute a lien against the real property, and be subject to the processes set forth in the SMC.

17.52.252.T License Non-transferrable - ChangedLocation.

No license issued pursuant to this Section shall be transferable to any other person or location, except as notes in section 17.52.252.2 (B).

17.52.252.U License Denial or Revocation.

Any application for a license may be denied, and any License issued pursuant to this Section may be revoked. Substantial evidence shall be presented as to why the application should be denied, or the license should be revoked for any reasons, including but not limited to:

(a) a false material statement or misrepresentation has been made in, or in support of, the application;

(b) a change occurs in any material fact upon which the License was issued that has not been reported to the City as a change to the required license content within fourteen (14) days;

(c) the transient use site, or any other location owned by the owner or applicant, has been the site of a violation of any provision of law, or otherwise fails to meet sanitation or health standards of the neighborhood, within the twelve (12) months immediately preceding;

(d) the owner, owner representative or applicant has been convicted of any crime involving moral turpitude;

(e) the owner, owner representative or applicant has failed to **timely** respond to two (2) or more complaints within the twelve (12) months immediately preceding; and

(f) the owner, applicant, guest or any occupant of a transient use site regularly engages in disorderly conduct, violates provisions of this code or any state law pertaining to noise, disorderly conduct, or uses illegal drugs.

17.52.252.V Appeal of Revocation or Suspension.

Any person who has been denied a License or to whom notice of revocation or suspension of a License has been mailed may appeal to the administrative enforcement hearing panel under SMC Section 2.58, pursuant to a request for hearing under SMC Section 2.58. Notice of the proceeding shall conform to SMC Section 2.58.080, and the hearing shall conform to the process set in SMC Section 2.58.090. The hearing officer shall *have* authority to determine all questions raised by such appeal; provided, however, that no such determination shall conflict with any substantive provision of this Section. Any applicant or License holder whose License shall have been denied or revoked shall be ineligible for a two (2) year period from applying for a new License. No person whose License has been revoked shall continue to engage in, or carry on, the activity for which the License was granted unless and until such License has been reinstated or reissued. The decision of the hearing officer shall be final. Notice of the decision, and the opportunity for judicial review, shall conform to SMC Section 2.58.180.

17.52.252.W Penalties.

Penalties as set forth in SMC Section 17.80.050 may be imposed for failure to comply with the provisions of SMC Section or this Section, with respect to:

{a) Any owner, owner representative, or person who transacts or carries on any activity relating to or supporting the transient use of residential property in the City without first having procured and complied with a transient use License from the City to do so, and paying all applicable license fees shall be subject to administrative penalties as set forth in SMC Section 17.80.050.A, including administrative penalties imposed by a hearing officer for violation of any provisions of this Code in an amount not to exceed a maximum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) per day for each continuing violation, exclusive of administrative costs, interest and restitution for compliance re-inspections, for any related series of violations, and/or forfeiture of all rents received during the period transient use was allowed without a transient use License, whichever amount is greater.

(b) Any owner, owner representative, or person who carries on any activity that advertises to the surrounding neighborhood that the site has been licensed to allow, or is used for, transient occupancy, and who has failed to timely remedy this violation in response to two (2) or more complaints, shall be subject to administrative penalties;

(c) Any owner, owner representative, responsible tenant or person who allows a transient use site to be used or maintained in a manner detrimental to the peace, public health, safety or general welfare of persons or property of the neighborhood or the public, and fails to timely remedy this violation in response to two or more complaints;

(d) Any owner, owner representative, responsible tenant or person who allows impermissible or inappropriate behavior at the transient use site or action that exceed the limits on transient use following two (2) or more complaints;

(e) Limits upon administrative penalties in the SMC Section shall not apply to any violation of this Section.

17.52.252.V Liens.

Whenever the amount of any penalty, forfeiture, and/or administrative cost imposed by a hearing officer pursuant to this Section or to SMC Section has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this obligation shall constitute a lien against the real property on which the violation occurred, and be subject to the processes set forth in SMC.

ORDINANCE NO. 18-XX

AN ORDINANCE OF THE CITY OF SEASIDE APPROVING TEXT AMENDMENTS TO CHAPTER 3.24 OF THE SEASIDE MUNICIPAL CODE

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

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

Section 2. On September 21, 2017 and October 19, 2017, the City Council held special study sessions to discuss concerns regarding the transient use of residential dwellings as a short-term rental, and whether to pursue an Ordinance regulating this type of land use. A transient use is subject to the collection of a transient occupancy tax (TOT) for a rental from one day to no longer than thirty days. Other discussion points were economic impacts, neighborhood compatibility, noise, safety, cultural enrichment and affordable housing.

Section 3. On February 14, 2018 and, April 11, 2018, the Seaside Planning Commission held a public hearings to provide the City Council with a recommendation on the proposed text amendments and considered all oral comments and written information concerning the proposed Ordinance in making its recommendation to the City Council; and

Section 4. On May 3, 2018, the Seaside City Council introduced the first reading of the draft Ordinance and considered oral comments and written information concerning this Ordinance at a duly noticed public hearing and acted to continue the first reading to address comments and issues that the City Council discussed should be included in the proposed Ordinance; and

Section 5. On June 21, 2018, the Seaside City Council re-introduced the first reading of the draft Ordinance and considered oral comments and written information concerning this Ordinance at a duly noticed public hearing; and on the basis of the record thereof finds the following facts to be true;

Findings:

1. The proposed text amendments to Chapter 3.24 of the Seaside Municipal Code are consistent with the goals and policies of all elements of the General Plan.

Evidence: The proposed text amendments will preserve and enhance the residential character of the community.

2. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Evidence: This Ordinance will include regulations and the collection of TOT to ensure neighborhood compatibility and the protection of the health, safety, and welfare of the City's residents.

3. The exemption from the California Environmental Quality Act (CEQA) has been CEQA Guidelines

Evidence: The City prepared an Initial Study and Mitigated Negative Declaration to review the Ordinance pursuant to the California Environmental Quality Act (CEQA), and this Ordinance has been mitigated to a point where the proposed project will not have the potential to significantly degrade the environment; will have no significant impact on the long-term environmental goals; will have no significant cumulative effect upon the environment; and will not cause substantial adverse effects on human beings, either directly or indirectly.

Section 6. The proposed amendments to Chapter 3.24 the Seaside Municipal Code consist of the text amendments to Section 3.24.010 – Definitions - of the Seaside Municipal Code to add new language to include a Short-Term Rental of a dwelling as a hotel use subject to the collection of TOT and add new Section 3.24.121 directing that the collection of TOT from a short-term rental shall be placed in separate fund account by the Finance Director whereby 50% would be reserved for affordable housing projects authorized by the City Council and 50% would be reserved for neighborhood improvement projects authorized by the Neighborhood Improvement Commission. The text amendments are listed below:

*** Proposed added text is shown with bold underline (Underline)**

Section 3.24.010:

Short-Term Rental means a dwelling unit where the owner with the majority interest in the residential property, or an owner holding an equal shared interest if no other owner owns a greater interest, allows for a habitable portion thereof in part or as a whole for the transient use occupancy by visitors the same as for a “hotel”.

Section 3.24.121 Affordable Housing and Neighborhood Improvement

- A. **50% of the Transient Occupancy Tax collected from short-term rentals shall be set-aside in the City of Seaside Housing Fund to be used to assist with affordable housing projects/activates in accordance with the direction of the City Council and 50% of the Transient Occupancy Tax shall be directed toward community and neighborhood park improvements, with recommendations to the City Council by the Neighborhood Improvement Commission.**

Section 5. Severability.

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

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

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

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

Section 8. The City Clerk shall certify to the adoption of this Ordinance and shall, within fifteen (15) days after passage, publish a summary of this Ordinance in accordance with Section 36933 of the Government Code of State of California with the names of City Council members voting for and against it.

INTRODUCED at a regular meeting of the City Council of the City of Seaside on the 21st day of June, 2018, and

PASSED AND ADOPTED by the City Council of the City of Seaside on the 5th day of July, 2018, by the following roll call vote:

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

APPROVED:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton, City Clerk

Attachment 2



CITY OF SEASIDE
**Notice of Availability and Intent to
Adopt a Negative Declaration**

Project Title: Seaside Municipal Code Amendment No SMC 17-03
Lead Agency: City of Seaside
Project Location: Citywide
APN#: Citywide
Permit Type: Municipal Code Amendments

Project Description: The City of Seaside is proposing text amendments to the Seaside Municipal Code (SMC) by amending Chapter 17 of the Seaside Municipal Code (SMC) in order to establish regulations for the use of privately owned residential dwellings as short-term rentals and to ensure the collection and payment of transient occupancy taxes for the use of dwellings as short-term rentals.

Public Review Period: Thursday, January 11, 2018 through Tuesday, January 30, 2018.

Written Comments or questions should be sent to:

Rick Medina, Senior Planner
City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Any person wishing to comment on this matter must submit such comments, in writing, to the City prior to the closing date on January 30, 2018. Public comments may also be entered into the public record on the amendments at the duly noticed public hearing dates when considered by the Planning Commission and City Council.

Negative Declaration

Notice is hereby given that the project described above has been reviewed in accordance with State of California Public Resources Code, the California Environmental Quality Act, the City of Seaside General Plan, and Title 17 of City of Seaside Municipal Code. Based on this review, a Proposed Negative Declaration is hereby made on this project. The reason for this determination is that the project will not result in significant adverse impacts to the environment. The Proposed Negative Declaration and Initial Study are on file at the Seaside Community Development Department, 440 Harcourt Avenue, Seaside, CA, 93955 (831) 899-6726 and on the City's website at <https://www.ci.seaside.ca.us/CivicAlerts.aspx?AID=171>

Public Hearing

The first public hearing on the proposed amendments and Negative Declaration will be held by Planning Commission on Wednesday, February 14, 2018 at 7:00 PM in the Seaside City Hall Council Chambers located at 440 Harcourt Avenue, Seaside, CA 93955. Subsequent review by the City Council has not yet been determined.

A handwritten signature in blue ink that reads "Rick Medina".

Rick Medina
Senior Planner

A handwritten date in blue ink that reads "1-11-18".

Date

*City of Seaside
January 2018*

*Text Amendment for Short Term Rentals
Initial Study/Proposed Negative Declaration*

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CITY OF SEASIDE
Initial Study/Environmental Checklist

A. PROJECT DATA

1.	Project title:	Municipal Code Amendment
2.	Lead agency name and address:	City of Seaside 440 Harcourt Avenue Seaside, CA 93950
3.	Contact person and phone number:	Rick Medina, Senior Planner (831) 899-6832
4.	Date Prepared	December 21, 2017
5.	Project location:	City of Seaside County of Monterey, California. Regional Location Map is provided as Figure 1. General Plan Land Use Map for the City is provided as Figure 2.
6.	Project sponsor's name and address:	City of Seaside 440 Harcourt Avenue Seaside, CA 93955 (831) 899-6825
7.	General plan designation:	Citywide
8.	Zoning:	Citywide
9.	Description of project:	The purpose of this ordinance is to establish regulations for the use of privately owned residential dwellings as short-term rentals to minimize any negative impacts on surrounding properties and to ensure the collection and payment of transient occupancy taxes. Proposed text amendments are provided in the Draft Ordinance provided as Exhibit "A".
10.	Surrounding land uses and setting:	Citywide.
11.	Other public agencies whose approval is required	None.

B. PROJECT DESCRIPTION

This document has been prepared to present project information and to evaluate the potential environmental effects of text amendments to the Seaside Municipal Code (SMC) amending Chapter 3 and Chapter 17 of the Seaside Municipal Code (SMC) in order to establish regulations for the use of privately owned residential dwellings as short-term rentals. Through the adoption of short-term rental standards it is intended to minimize any negative impacts on surrounding properties and to ensure the collection and payment of transient occupancy taxes. The proposed text amendments are listed in the Draft Ordinance provided as Exhibit “A” of the Initial Study. The adoption of the proposed text amendments would also serve to enhance the visual character and quality of life within the community and to provide a safe, livable environment for both the citizens of Seaside and its visitors alike.

C. LEAD AGENCY

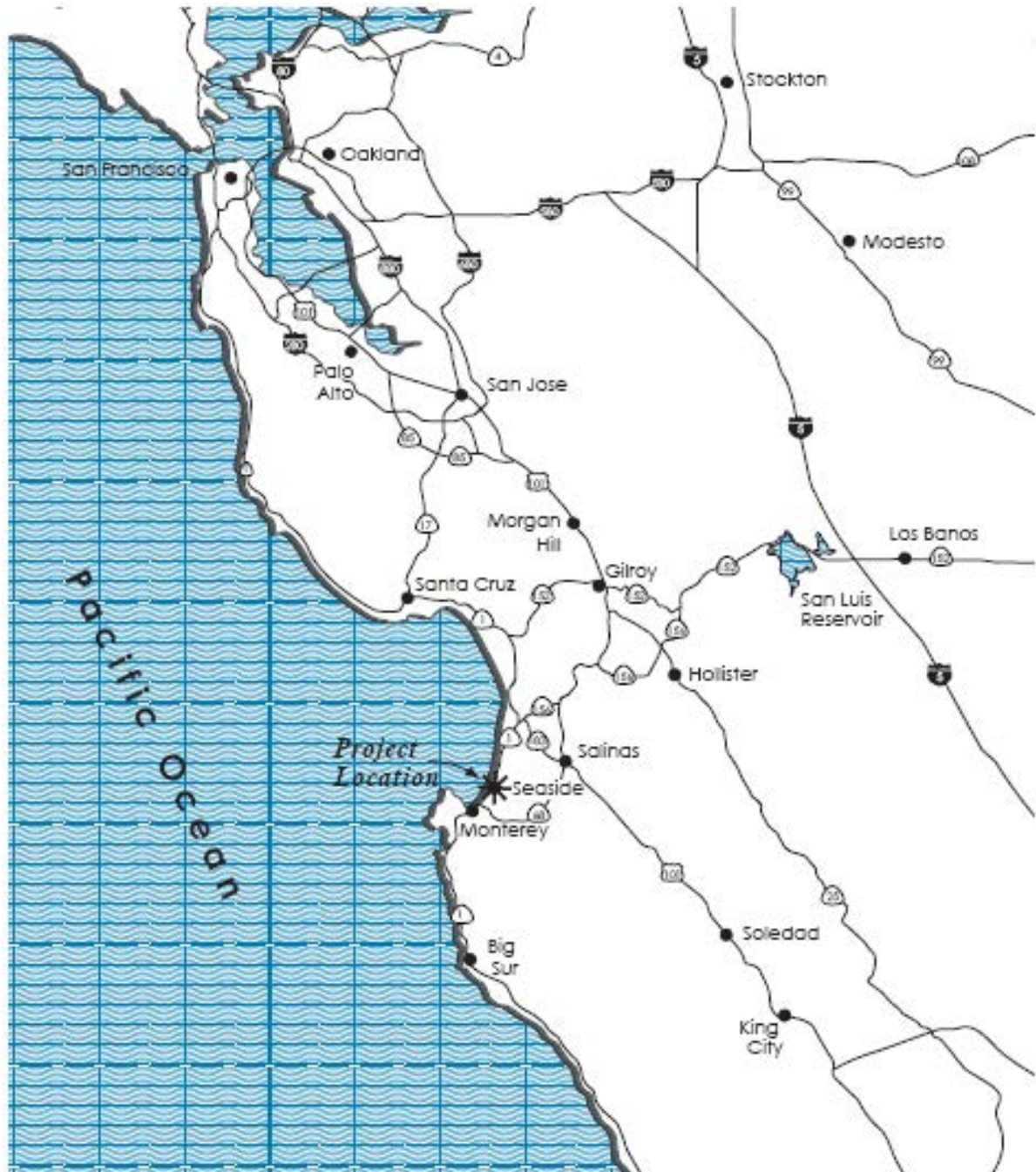
The Lead agency is the public agency with primary authority over a proposed project. The lead agency for the proposed text amendment is the City of Seaside. The contact person for the lead agency is:

Rick Medina, Senior Planner
440 Harcourt Avenue
Seaside, CA 93955
Phone: (831) 899-6736
E-Mail: rmedina@ci.seaside.ca.us

D. PROJECT LOCATION AND ENVIRONMENTAL SETTING

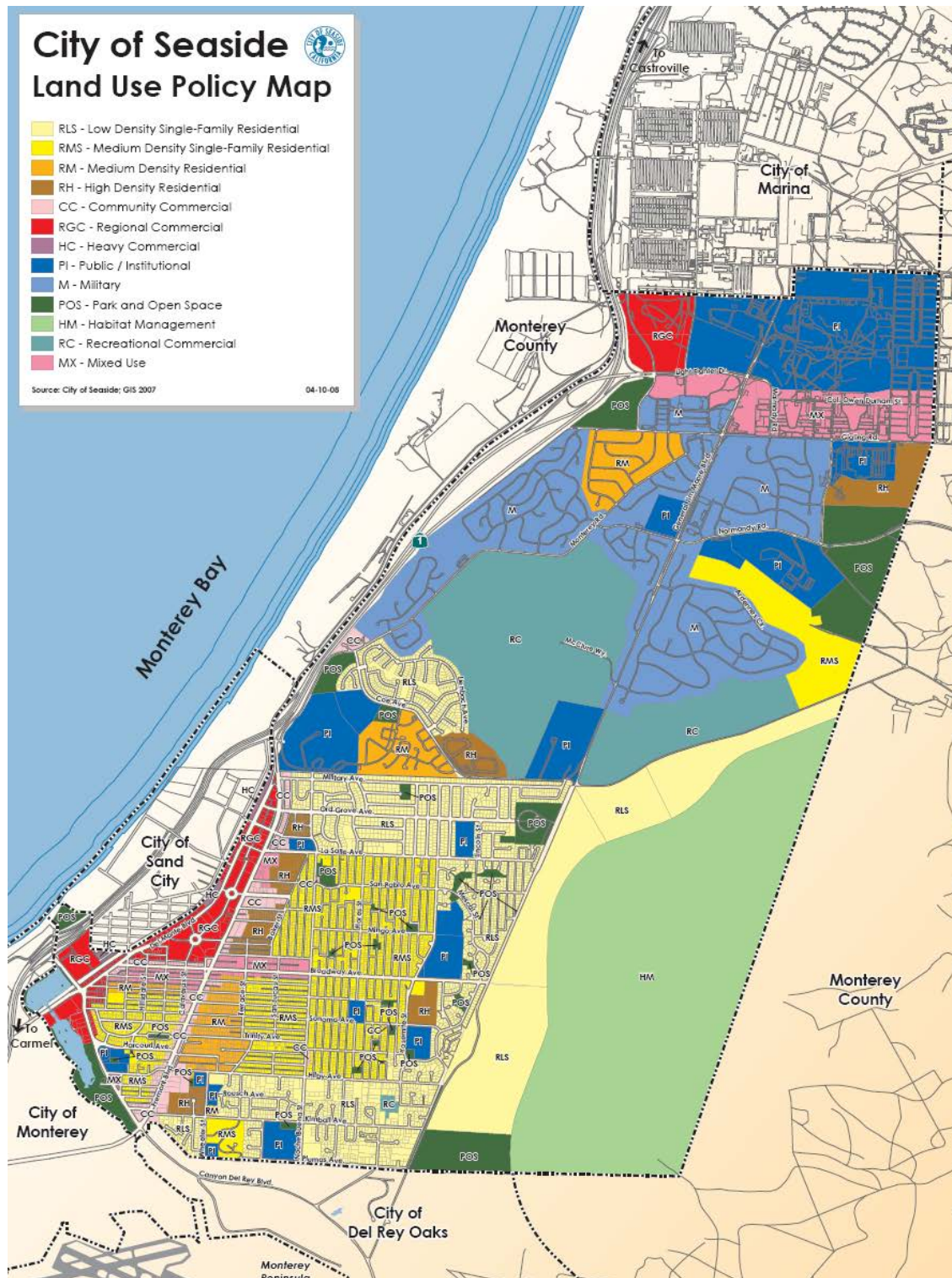
As shown on the Regional Location Map on Figure 1, the City of Seaside is situated on the Monterey Bay in western Monterey County in the northern portion of the Monterey Peninsula. The City’s incorporated City Limit boundaries are surrounded by the cities of Monterey and Del Rey Oaks to the south, Sand City to the west, Marina to the north, and Monterey County to the east. Figure 2 depicts the City limit and General Plan Land Use Map of the community that would be applicable to by the proposed Text amendments. The community contains approximately 8 square miles of land. The incorporated lands are primarily developed with urban land uses (Residential, Commercial, Government/Quasi Public Uses) with no areas designated for agricultural uses. The proposed amendments to the Seaside Municipal Code will consist solely of text amendments and would not have any development proposed which would alter or modify the existing land use map or environmental setting of the City’s municipal boundaries or that of a neighboring jurisdiction.

Figure 1 – Regional Location Map



Regional Location Map

Figure 2 – General Plan Land Use Map



E. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages:

- | | |
|--|--|
| ☐ Aesthetics | ☐ Land Use and Planning |
| ☐ Agricultural Resources | ☐ Mineral Resources |
| ☐ Air Quality | ☐ Noise |
| ☐ Biological Resources | ☐ Population and Housing |
| ☐ Cultural Resources | ☐ Public Services |
| ☐ Geology and Soils | ☐ Recreation |
| ☐ Greenhouse Gas Emissions | ☐ Transportation/Traffic |
| ☐ Hazards and Hazardous Materials | ☐ Utilities and Service Systems |
| ☐ Hydrology and Water Quality | |

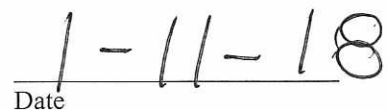
DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature



Date

F. EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

G. ENVIRONMENTAL CHECKLIST**1. AESTHETICS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (1,2)	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (1,2)	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings? (1,2)	☐	☐	☐	☒
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1,2)	☐	☐	☐	☒

Visual resource impacts are considered significant if a project has a “substantial demonstrable negative aesthetic effect.” Based on professional standards and practices, a project would normally be considered to have a significant impact if it would:

- Adversely affect a scenic vista;
- Damage scenic resources; or
- Degrade existing visual character; or
- Create a new source of light or glare.

Discussion – All Items 1(a-d)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendments. The City’s existing development regulations codified in the Seaside Municipal Code and Local Coastal Program adequately address potential effects of new structures and remodeling of existing structures on these resources. The proposed amendment would not change these requirements, nor would a change in the term of residential occupancy result in a substantial change to scenic vistas or substantially degrade the visual character or quality of the community. Therefore, the implementation of the proposed text amendments will not directly or indirectly have a substantial adverse effect on a scenic vista or damage scenic resource, degrade the existing visual character or quality of the community and its surroundings, or create new substantial light and glare. No mitigation is required. (Seaside General Plan 2004, Land Use Element, Final Environmental Impact Report, Chapter 5.8)

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Projects; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (1,2)	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?(1)	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in public resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (3)	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use? (1)	☐	☐	☐	☒
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (1)	☐	☐	☐	☒

Discussion – All Items 2(a-e)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the implementation of the proposed text amendments will not directly or indirectly convert prime farmland, unique farmland, or farmland of statewide importance to non-agricultural use. Additionally, there are no lands within the City of Seaside zoned for agricultural uses. No mitigation is required. (Seaside General Plan 2004, Land Use Element, Final Environmental Impact Report, Chapter 5.8, Land Use; Seaside Municipal Code, Title 17)

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (1,2)	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (1,2)	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (1,2)	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations? (Source: MBUAPCD 2008a, 2008b; Ambient 2010) (1,2)	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people? (1,2)	☐	☐	☐	☒

The State CEQA Guidelines state that a project will result in a significant impact if it would:

- Conflict with or obstruct implementation of an air quality plan;
- Violate air quality standards;
- Contribute a cumulatively considerable net increase of a criteria pollutant in a non-attainment area;
- Expose sensitive receptors to substantial pollutant concentrations;
- or Create odors affecting a substantial number of people.

Discussion – All items 3(a-e)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Additionally, the use of the dwelling as a short term rental would not result in an increase of vehicle trips or use of the dwelling to impact air quality standards in that the occupancy of the dwelling would not change. Therefore, the implementation of the proposed text amendments will not directly or indirectly affect or impact air quality. No mitigation is required. (Seaside General Plan 2004, Conservation Element, Final Environmental Impact Report, Chapter 5.2 Air Quality)

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (1,2)	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (1,2)	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (1,2)	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (1,2)	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1,2)	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1,2)	☐	☐	☐	☒

The criteria used to evaluate the proposed project's impacts on wildlife resources were based on federal, state, and local requirements, regulations, and policies (including the federal Endangered Species Act, California Endangered Species Act, CEQA, and the California Fish and Game Code) along with records of resource scarcity and sensitivity. An impact is considered significant if it would:

- Adversely affect endangered, threatened, or rare species;
- Adversely affect the habitat of such species;
- Adversely affect wetlands under the jurisdiction of Section 404 of the Clean Water Act;
- Interfere with the movement of native resident or migratory species;
- Conflict with policies or ordinances protecting biological resources; or biological habitat management plan.

Discussion – All items 4 (a-f)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. The text amendments will not have a substantial adverse effect on riparian habitats, native resident, migratory fish, wildlife species or federally protected wetlands. The text amendments will not conflict with any local policies or ordinance protecting biological resource or provisions of an adopted Habitat Conservation Plan. Therefore, the proposed text amendments will not have any direct or indirect substantial adverse effect on any species identified as a candidate, sensitive or special status species identified by the California Department of Fish and Wildlife Service. No mitigation is required. (Seaside General Plan 2004, Conservation/Open Space Element, Final Environmental Impact Report, Chapter 5.3 Biological Resources)

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (1,2)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (1,2)	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1,2)	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries? (1,2)	☐	☐	☐	☒

A project is considered to result in a significant impact on cultural resources if it would:

- Adversely affect the significance of a historic resource;
- Adversely affect the significance of an archaeological resource;
- Destroy an unique paleontological resource or geological feature;
- Disturb any human remains.

Discussion – All items 5 (a-d)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the proposed text amendments will not cause substantial direct or indirect adverse change in the significance of a historical resource or archaeological resource. The text amendment will not directly or indirectly destroy unique paleontological resource or disturb any human remains. No mitigation is required. (Seaside General Plan 2004, Land Use Element)

6. GEOLOGY AND SOILS.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: (1,2)				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source:) Refer to Division of Mines and Geology Special Publication 42. (1,2)	☐	☐	☐	☒
ii) Strong seismic ground shaking? (1,2)	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction? (1,2)	☐	☐	☐	☒
iv) Landslides? (1,2)	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil? (1,2)	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (1,2)	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (1,2)	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1,2)	☐	☐	☐	☒

The proposed project would have a significant impact to the environment if it would:

- Expose people or structures to risk of loss, injury, or death from (1) earthquake, (2) strong seismic ground shaking, (3) seismic-related ground failure including liquefaction or (4) landslides;
- Result in substantial soil erosion or loss of topsoil;
- Be located on unstable soil; or
- Have soils incapable of supporting septic system use.

Discussion – All items 6(a-e)

The proposed text amendments will consist of amending Chapter 3 and Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the proposed text amendment will not expose people to or structures to potential substantial adverse effects, including the risk of injury or death. The amendment will not result in substantial soil erosion, loss of top soil, landslide, and liquefaction or destroy unique paleontological resource. No mitigation is required. (Seaside General Plan 2004, Safety Element, Final Environmental Impact Report, Chapter 5.5 Geology and Soils)

7. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (1,2)	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (1,2)	☐	☐	☐	☒

The proposed project would have a significant impact to the environment if it would:

Discussion – All items 7(a-b)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the City. There is no development associated with the proposed text amendment. Therefore, the proposed text amendment will not generate any greenhouse gases and will not conflict with an applicable plan policy or regulation adopted to reduce greenhouse gases. No mitigation is required. (Seaside General Plan 2004, Conservation Element, Final Environmental Impact Report, Chapter 5.2 Air Quality)

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1,2)	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school? (1,2)	☐	☐	☐	■
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (1,2)	☐	☐	☐	■
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (1,2)	☐	☐	☐	■
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (1,2)	☐	☐	☐	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1,2)	☐	☐	☐	■
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (1,2)	☐	☐	☐	■

A project is considered to result in a significant impact if it would:

- Create a public health hazard through the transport, use or disposal of hazardous materials;
- Create a public hazard through upset or accident involving release of hazardous materials;
- Emit hazardous emissions or involve handling hazardous materials within on-quarter mile of an existing or proposed school;
- Be located on a site that is listed as hazardous by CAL-EPA;
- Result in safety hazards near a public or public-use airport or private airstrip;
- Impair implementation of an adopted emergency response or evacuation plan;
- Expose people or structures to risk, loss, injury, or death involving wildland fires.

Discussion – All items 8(a-h)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the proposed text amendment to the Municipal Code will not create any direct or indirect hazard to the public or environment from hazardous materials, emit hazardous emissions, interfere with

an adopted emergency response plan or expose people or structures to wildland fires. The amendment will not result in a safety hazard for people residing or working in a public airport or private airstrip. No mitigation is required. (Seaside General Plan 2004, Safety Element, Final Environmental Impact Report, Chapter 5.6 Hazards)

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (1,2)	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (1,2)	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? (1,2)	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? (1,2)	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (1,2)	☐	☐	☐	☒
f) Otherwise substantially degrade water quality? (1,2)	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (1,2)	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (1,2)	☐	☐	☐	☒
j) Inundation from seiche, tsunami, or mudflow? (1,2)	☐	☐	☐	☒

The project would significantly impact the environment if it would:

- Violate any water quality standards or water discharge requirements;
- Substantially deplete groundwater supplies or interfere groundwater recharge;
- Substantially alter the existing drainage patterns resulting in a substantial increase in erosion or surface runoff and causing flooding;
- Create or contribute to runoff that exceeds drainage system capacity;
- Otherwise substantially degrade water quality;
- Place housing within a 100-year flood hazard area;
- Impede or redirect food flows within a 100-year flood hazard area;
- Expose people or structures to a significant risk of loss, injury or death from flooding;
- Result in inundation by seiche, tsunami, or mudflow;

Discussion – All Items 9(a-j)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, the text amendment will not violate any water quality standards, substantially deplete groundwater supplies, alter any existing drainage pattern, create or contribute runoff water, or degrade water quality, place housing within a 100-year flood zone or expose people or structures to significant risk or injury or death involving flood. No mitigation is required. (Seaside General Plan 2004, and Use Element, Final Environmental Impact Report, Chapter 5.5 Geology Soils.

10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (1,2,3)	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1,2,3)	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (1,2)	☐	☐	☐	☒

Land use impacts are considered significant if the project would:

- Physically divided an established community or be incompatible with existing land uses;
- Conflict with land use plans, policies, or regulations;
- Conflict with Habitat Conservation Plans or other types of approved biological habitat management plans.

Discussion – All items 10 (a-c)

Seaside Municipal Code

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. The text amendments would not result in significant physical impacts on the environment as discussed elsewhere in the Initial Study,

Seaside General Plan

The Seaside General Plan provides a framework for future growth and development within the City and guidelines to ensure compatibility with adjacent properties and surrounding neighborhoods, General Plan land use policies relevant to the proposed project include the following:

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

Because the proposed amendments would not result in a substantial physical change in land use or authorize new development that is not already permitted by existing regulations for a dwelling unit located within a commercial or residential zone, the amendments would not conflict with the goals and policies of the City's General Plan. In addition, the proposed regulations will include the following provisions to ensure compatibility of short-term rentals with adjacent properties and maintain neighborhood character:

- The owner or operator shall ensure that the short-term rental is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of a short-term rental.
- The number of short-term renters/guests per property is limited to four persons per legal bedroom; for example a three bedroom house would be limited to twelve guests.
- Private commercial events shall be prohibited.
- The owner, operator or local contact person shall respond within sixty (60) minutes of being notified that the responsible person or guest of the short-term rental created unreasonable noise, engaged in disorderly conduct or committed violations of any applicable law, rule or regulation and halt or prevent the recurrence of such conduct. The owner, operator or local contact person shall be subject to all administrative, legal and equitable remedies available to the City for failing to respond within 60 minutes.
- The short-term rental shall be occupied for not less than one (1) day and one (1) night.
- Trash and refuse shall not be left stored within public view, except in proper containers for purposes of collection by the City's authorized waste hauler.
- A short-term rental shall not change the residential character of the outside appearance of the residence including color, material, lighting or any advertising mechanism, including "vacation rental" signs.

- Guests of the short-term rental shall comply with City of Seaside Municipal Chapter 9.12 Regulating Noise, including quiet hours between the hours of 10 PM and 7 AM.
- The operator shall post the following information in a prominent location within the short-term rental:
 1. Operator name and number;
 2. Local contact person name and number;
 3. The telephone number for the Police Department and Code Enforcement;
 4. The maximum number of parking spaces available onsite;
 5. Trash pick-up day and applicable rules and regulations;
 6. A copy of City of Seaside Noise Regulations;
 7. A copy of the good neighbor brochure; and
 8. Notification that a guest, local contact person, responsible person or owner may be cited or fined by the City in accordance with this ordinance.

Therefore, based on the standards listed above that will be incorporated into the zoning code, the text amendments will not directly or indirectly divide an established community or conflict with any applicable land use plan or policy. No mitigation is required. (Seaside General Plan 2004, Land Use Element, Final Environmental Impact Report, Chapter 5.8 Land Use)

11. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1,2)	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (1,2)	☐	☐	☐	☒

A project will normally have a significant effect on the environment if it will:

- Result in the loss of a known mineral resource;
- Result in the loss of availability of a locally important mineral resource identified in an approved land use plan.

Discussion – All items 11(a-b)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, no mineral resources would be removed as part of this project nor would any activities related to the project come in conflict with a known renewable or other resources conservation plan. No mitigation is required. (Seaside 2004 General Plan, Land Use Element)

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (1,2)	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (1,2)	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (1,2)	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (1,2)	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (1,2)	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (1,2)	☐	☐	☐	☒

A project is considered to result in a significant impact if it would:

- Expose persons to noise levels exceeding established standards;
- Expose persons to excessive ground borne vibration;
- Substantially increase ambient noise (temporary, periodic, or permanent);
- Expose people to excessive noise near a public-use airport or private airstrip.

Discussion – All items 12(a-f)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located in already developed areas of the community. There is no development associated with the proposed text amendment. The proposed amendment would not authorize new development or change existing regulations regarding construction or mechanical equipment noise. However, potential noise impacts could occur if occupants were to engage in activities or behavior that is disruptive to adjacent residents, such as shouting and playing loud music outdoors. It is not possible to currently predict with any certainty the differences between long-term residents and short-term tenants with regard to human-generated noise. However, in order to address this concern, the proposed regulations include the following provisions intended to minimize such noise impacts:

- Limit on size of gatherings. The proposed amendments would limit the maximum size of a party, event, or group gathering at short-term rental site to no more than four persons per bedroom.

- **Limit on amplified sound:** The proposed revisions would prohibit amplified sound that is audible beyond the property boundaries of short-term rental units and would require that tenants be informed of noise limits.
- **Owner responsibilities:** The proposed regulations require that owners use best efforts, and respond in a reasonable and timely manner to ensure that every occupant of the short-term rental site does not create or contribute to unreasonable use of the property, cause unreasonable noise or disturbance, engage in disorderly or unlawful conduct, or overcrowd the site. Furthermore, the proposed regulations require the owner or owner representative shall be available to respond to complaints within 60 minutes of request during any time the property is occupied for transient use. Within 24 hours of the time an initial call is attempted, the owner or owner representative shall use his or her best efforts to prevent the recurrence of such conduct by the occupants and take corrective action to address any violation. Failure to respond to two or more complaints regarding tenant violations is grounds to revoke the short-term rental license as set forth in Chapter 17 of the SMC.

These provisions would substantially reduce potential noise impacts to a level that is less than significant and no mitigation is required.

(e-f) No Impact. There are no private airstrips within vicinity of the City. Therefore, no noise impacts would occur and no mitigation is required,

13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (1,2)	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (1,2)	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (1,2)	☐	☐	☐	☒

Population and housing impacts are considered significant if the project:

- Induces substantial growth; or
- Expose persons to excessive ground borne vibration;
- Displaces a substantial number of existing housing units or people, necessitating construction of replacement housing.

Discussion – 13(a-c)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment. Therefore, no changes to any existing housing or population centers will occur upon implementation of the proposed text amendments, nor will the text amendments induce substantial population

growth or displace existing housing or people. No mitigation is required. (Seaside General Plan 2004, Land Use and Housing Element; Final Environmental Impact Report, Chapter 5.2 Air Quality). Public Services)

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (1,2)	☐	☐	☐	☒
b) Police protection? (1,2)	☐	☐	☐	☒
c) Schools? (1,2)	☐	☐	☐	☒
d) Parks? (1,2)	☐	☐	☐	☒
e) Other public facilities? (1,2)	☐	☐	☐	☒

A project will normally have a significant impact on the environment if it will:

- Result in substantial adverse physical effects from the construction of new or altered governmental facilities needed to maintain acceptable service ratios, response times or other performance objectives for: (1) fire protection, (2) police protection, (3) schools, (4) parks, or (5) other public services.

Discussion – All items 14(a-e)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. There is no development associated with the proposed text amendment.

The proposed amendment would impose more restrictive regulations on the short-term rental of residential units such as limits on the maximum number of short-term rental licenses, the maximum number of occupants, requiring an owner or owner representative to respond to complaints associated with short-term rental tenants within 60-minuters, and noise. The proposed regulations would substantially reduce potential impacts on fire protection, police protection, parks and other public facilities to a level that is less than significant. Because short-term tenants do not attend local schools, no impact on schools would occur. No mitigation is required. Therefore, the proposed text amendments will not result in any direct or indirect adverse physical impacts associated with the need to provide any new or physically altered government facilities or services. No mitigation is required. (Final Environmental Impact Report, Chapter 5.11 Public Services and Utilities)

14. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1,2)	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1,2)	☐	☐	☐	☒

Recreation impacts are considered significant if a project:

- Creates a “conflict with established recreational, educational, religious, or scientific uses of the area;”
- Increases the use of existing local and regional parks, resulting in physical deterioration;
- Results in substantial adverse physical effects from construction of new or altered recreational facilities.

Discussion – All items 15(a-b)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings and already developed. There is no development associated with the proposed text amendment. Therefore, the proposed text amendments would not result in a direct or indirect need to expand or physically alter its recreational facilities and parks in the community. No mitigation is required (Seaside 2004 General Plan, Conservation/Open Space Element)

15. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (1,2)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads of highways? (1,2)	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (1,2)	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1,2)	☐	☐	☐	☒
e) Result in inadequate emergency access? (1,2)	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (1,2)	☐	☐	☐	☒

A project results in a significant impact if it would:

- Substantially increase traffic relative to existing load capacity;
- Exceed an established level-of-service standard;
- Result in a change of air traffic patterns;
- Substantially increase hazards due to design or incompatible uses;
- Result in inadequate emergency access;
- Result in inadequate parking capacity;
- Conflict with adopted alternative transportation policies, plans or programs.

Discussion – 16(a-f) Less than Significant impact.

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community.

The proposed amendment would not authorize new development or alter the use of an existing dwelling above its current use. The new regulations would impose more restrictive regulations on the short-term rental of residential units such as limits on the maximum number of short-term rental licenses, the maximum number of occupants, requiring an owner or owner representative to respond to complaints associated with short-term rental tenants within 60-minuters, and noise. Therefore, the proposed text amendments would not result in a net increase in traffic or parking demand in the community, nor would it reduce the number of existing parking spaces within the study area. No mitigation is required. (Seaside 2004 General Plan, Circulation Element; Final Environmental Impact Report, Chapter 5.12 Transportation) No mitigation is required.

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1,2)	☐	☐	☐	■
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1,2)	☐	☐	☐	■
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1,2)	☐	☐	☐	■
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1,2)	☐	☐	☐	■
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1,2)	☐	☐	☐	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (1,2)	☐	☐	☐	■
g) Comply with federal, state, and local statutes and regulations related to solid waste? (1,2)	☐	☐	☐	■

A project will normally have a significant effect on the environment if it will:

- Fail to comply with wastewater treatment requirements of a Regional Water Quality Control Board;
- Require or result in the construction of new or expanded water or wastewater treatment facilities;
- Require or result in the construction of new or expanded storm water drainage facilities;
- Exceed existing water supplies;
- Exceed existing wastewater capacity;
- Exceed existing landfill capacity;
- Conflict with federal, state, and local statutes and regulations related to solid waste.

Discussion – 17(a-g)

The proposed text amendments will consist of amending Chapter 17 of the Seaside Municipal Code (SMC) to establish regulations for the use of privately owned residential dwellings as short-term rentals within existing dwellings located within already developed areas of the community. No new development or increase in land use intensity would be authorized by the proposed amendment, therefore impacts to utilities and service systems would

be less than significant. No mitigation is required (Seaside 2004 General Plan, Conservation Element; Final Environmental Impact Report, Chapter 511 Public Services and Utilities)

18. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Impacts are considered significant if a project has the potential to:

- Degrade the quality of the environment;
- Substantially reduce, restrict or threaten to eliminate wildlife habitat;
- Eliminate important examples of major California history or prehistory;
- Introduce "Cumulatively Considerable" impacts; or
- Cause environmental effects that cause substantial adverse effects on human beings, directly or indirectly.

Discussion – All items

- (a) **No Impact.** The proposed amendment would modify current regulations for the short-term rental of existing residential units located in developed areas. Because no new construction would be authorized by the amendment, no impacts to fish and/or wildlife species or historical resources would occur.
- (b) **Less Than Significant Impact.** The proposed amendment would modify current regulations for the short-term rental of existing residential units located in developed areas. No new construction would be authorized by the amendment. The proposed regulations would establish maximum limits with respect to the number and occupancy of short-term rentals, which would reduce the aspect of any cumulative impacts that may occur if short-term rental of residential units cannot be regulated in the future. Therefore, these impacts would be less than significant.
- (c) **Less than Significant Impact.** The proposed amendment would establish new regulations for the short-term rental of existing residential units located in developed areas of the community. No new construction would be authorized by the amendment, and the proposed regulations would impose more restrictive standards than which currently do not exist with respect to the number and occupancy of short-term rentals

citywide. Therefore, potential impacts on human beings, either direct or indirect would be less than significant.

H. SOURCES

1. City of Seaside 2004 General Plan
<http://www.ci.seaside.ca.us/index.aspx?page=191#GeneralPlan>
2. City of Seaside Final Environmental Impact Report
<http://www.ci.seaside.ca.us/Modules/ShowDocument.aspx?documentid=592>
3. City of Seaside, 2012 Municipal Code
<http://www.municode.com/library/CA/Seaside>

Exhibit "A"
Proposed Short-Term Rental Regulations

SECTION 1. The foregoing factual recitals are adopted as findings of the City Council.

SECTION 2. A new Municipal Code Section 17.52.251 entitled, "Short-Term Rental" shall be added by the addition of all text shown as follows:

17.52.251.E Definitions. For the purpose of this Section certain terms used herein shall have the meanings set forth in this chapter, and such meaning shall prevail in case of conflict with the definitions set forth in SMC.

- (1) "Person" means an individual, a group of individuals, or an association, firm partnership, corporation or other entity, public or private.
- (2) "Owner" means the person who possesses title to a transient use site.
- (3) "Owner representative" means any person authorized by the owner to fully manage the transient use site.
- (4) "Local Contact Person" shall be the person designated by the owner or the owner's authorized representative who shall be available twenty-four hours per day, seven days per week for the purpose of responding within sixty minutes to complaints related to the short-term rental and taking remedial action to resolve such complaints.
- (5) **"Remuneration" means compensation, money, rent, or other** bargained for consideration given in return for occupancy, possession or use of real property.
- (6) "Residential property" means any dwelling unit, except those dwelling units lawfully established as second units established pursuant to SMC Section or as part of a bed and breakfast inn, motel, hotel, timeshare development, or other transient use.
- (7) "Hosted short-term rental" means a dwelling unit where the owner with the majority interest in the residential property, or an owner holding an equal share interest if no other owner owns a greater interest, occupies a dwelling unit as his or her principal residence and offers the dwelling or a habitable portion thereof for transient occupancy by others.

(8) "Non-hosted short-term rental" means a dwelling unit that is offered for transient occupancy where the owner is does not occupy the dwelling unit that offered for transient occupancy as his or her principal residence.

(9) "Guest" means the overnight occupant (s) renting the short-term rental for a specified period and the visitors of the overnight occupants.

(10) "Good Neighbor Brochure" means a brochure, available from the City, to be given to guests, which includes a summary of the City's regulations relating to short-term rentals.

(11) "Transient" means a period of not less than one (1) day and one (1) night, nor more than thirty (30) consecutive calendar days.

(12) "Responsible tenant/guest" means a person aged 18 or older who has received notice of occupancy, parking and other limits and regulations that apply to the transient use site, and who has agreed to be responsible to ensure that impermissible or inappropriate behavior does not occur at the transient use site, including but not limited to, all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term rental.

(13) "Transient use of residential property" means the commercial use by any person of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than thirty (30) consecutive calendar days.

(14) **"Transient use site" and "transient use" mean property** occupied and used for transient or short-term rental purposes.

(15) "Use" means the purpose for which land or premises of a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

(16) "Blockface" means the aggregate of all the building facades on one side of a block.

(b) Transient use of residential property for remuneration is prohibited except (1) as otherwise expressly permitted by this title, or (2) when such use is permitted by a transient use permit issued in accord with SMC Section 17.52.252.

(c) Liability and Enforcement.

(1) Any owner, owner representative, responsible tenant, person acting as agent, real estate broker, real estate sales agent, property manager, reservation service or otherwise who uses, arranges, or negotiates for the use of residential property in violation of the provisions of this chapter is guilty of an infraction. for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(2) Any owner, owner representative, responsible tenant, or other person who uses, or allows the use of, residential property in violation of the provisions of this chapter is guilty of an infraction for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(3) Violations of this Ordinance shall be treated as a public nuisance and strict liability offense regardless of intent.

(4) A violation of any provision of this Ordinance by any of the guests, owners or operators shall constitute grounds to suspend or revoke a short-term rental permit.

SECTION 3. A new SMC Section 17.52.252 entitled, "Short-Term Rental Permit", shall be added as follows:

17.52.252.A Statement of Purpose.

The purpose of this chapter is to establish a permitting process, together with appropriate standards that regulate short-term rental of single-family and multi-family dwellings in residential districts, to minimize negative secondary effects of short-term rental use on surrounding neighborhoods; and to preserve the character of neighborhoods in which any such use occurs. This chapter addresses traffic, noise and density; ensures health, safety and welfare of neighborhoods as well as of renters and guests patronizing short-term rentals; and imposes limits on the number of permits issued to ensure long-term availability of the affordable housing stock. This chapter also sets regulations to ensure enforcement of these standards, and collection and payment of fees and transient occupancy taxes.

This chapter shall not provide any property owner with the right or privilege to violate any private conditions, covenants or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this chapter.

The City Council finds adoption of a comprehensive code to regulate issuance of, and conditions attached to, short-term rental is necessary to protect the public health, safety and welfare. The purposes of this chapter are to provide a permitting system and to impose operational requirements in order to minimize the potential adverse impacts of transient uses on residential neighborhoods.

The City Council finds the regulation of short-term rental uses, including its non-transferability provisions, to be a valid exercise of the City's police power in furtherance of the legitimate governmental interests documented in this chapter.

17.52.252.B Definitions.

(a) The terms "personal", "owner", "owner representative", "local contact person", "remuneration", "residential property", "hosted short-term rental", "non-hosted short-term rental", "guest", "Good Neighbor Brochure 11", "transient", "responsible tenant/guest", "transient use of residential property", "transient use site¹¹", "transient use", "use" and "blockface" as used in this chapter shall be given the same definition as those definitions set forth in SMC Section 17.52.251.

17.52.252.C Allowed Use.

(a) Transient use of residential property for remuneration is allowed pursuant to SMC Section 17.52.251 or this chapter; provided that a separate Short-Term Rental Permit has first been granted and validly maintained for each transient use site.

(b) Each transient use must meet all the requirements of this Section. Short-Term Rental Permits are issued for a term. No guarantee is given or implied that Short-Term Rental Permit will be extended or renewed for a term subsequent to its expiration.

(c) For the purposes of this Section the City recognizes and sets discrete requirements for each of two different classes of Short-Term Rental Permits. These are Hosted Short-Term Rental and Non-Hosted Short-Term Rental.

(d) Each contract or tenancy that allows transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed of, and has agreed to abide by, occupancy, parking and other limits that apply to that transient use. The owner or owner representative shall make a record of the motor vehicle license number of each motor vehicle used by an occupant of the transient use site, and shall upon request provide that information to the City Manager or his/her delegated agent.

(e) For each initial Short-Term Rental Permit, and each permit renewal, the applicant and each property owner shall submit an inspection report to the City that provides and verifies information, in the form and manner required by the Chief Building Official, to ensure the property is safe and habitable for its intended use, including verification of adequate egress from sleeping quarters and common area, installation of accessible fire extinguishers, and a carbon monoxide alarm on each level, and that the property exists in accord with appropriate land use and building permits.

(f) The owner or owner representative shall cause notice of the application or any permit renewal, and of any hearing on the application or renewal, to be posted and mailed to notify neighbors within 100 feet of the short-term rental permitted site. The notice shall include a statement of the maximum number of guests permitted to stay in the short-term rental.

17.52.252.D Rental Permit Caps and Density Limits.

(a) Rental Permit Caps. The number of permits to be issued by the City of Seaside in 2018 and 2019 will not exceed 200, with not less than 75 permits reserved for hosted short-term rentals and not less than 75 permits reserved for non-hosted short-term rentals, assigned on a first-applied, first permitted basis. If applications exceeding this number are received the City Manager shall place the excess number on a short-term rental permit waiting list and process those in order of receipt as permits become available.

In years 2020 and beyond the City Council will establish the maximum allowable number of hosted and non-hosted short-term rental permits annually by Resolution at the second regularly scheduled City Council meeting in January, and in doing so, will project forward the maximum allowable number of hosted and non-hosted short-term rental permits and not less than three (3) years into the future.

(b) Density Limit. Non-hosted short-term rental permits shall not be issued if granting that short-term rental permit would cause the non-hosted short-term density limit to fifty percent (50%) per blockface on which it is located.

17.52.252.E Limits on Transient Use.

Transient use of residential property for remuneration allowed by SMC Section 17.52.251 or this Section shall be subject to each and every limitation in this Section:

(a) Each contract or tenancy that enables transient use shall be in writing, and identify thereon the name, address, phone number and e-mail contact information of:

(1) the owner;

(2) the owner representative; and

(3) at least one responsible tenant occupying the transient site who shall be responsible for all limits required by this section.

(b) Each contract or tenancy that all transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed by the owner or owner representative of the occupancy, parking and other limits that apply to transient use by this Section and shall be informed of residential parking and noise limits, including but not limited to SMC Section 9.12, the City codes that regulate unlawful noises.

(c) Trash and refuse shall not be left stored within public view, except in proper containers for purpose of collection by the City's authorized waste hauler.

(d) A short-term rental shall not change the residential character of the outside appearance of the residence including color, material, lighting or any advertising mechanism, including **"vacation rental" signs.**

(e) Guests of the short-term rental shall comply with City of Seaside Municipal Code Chapter 9.12 regulating noise, including quiet hours between the hours of 10:00 p.m. and 7:00 a.m.

(f) The owner or owner representative shall post the following information in a prominent location within the short-term rental:

(a) owner or owner representative name and telephone number

(b) local contact person name and telephone number;

(c) telephone number for the Seaside Police Department and Seaside Code Enforcement;

(d) the maximum number of parking spaces available onsite;

(e) trash pick-up day and applicable rules and regulations;

(f) a copy of City of Seaside Noise Regulations;

(g) a copy of the Good Neighbor Brochure; and

(h) Notification that a guest, local contact person, responsible person or owner may be cited and/or fined by the City in accordance with this Ordinance.

(g) The transient use site:

(1) shall be used and maintained in a manner consistent with the character of the neighborhood;

(2) shall not impair the desirability of investment or occupation of the surrounding neighborhood; and

(3) shall not have displayed thereon any sign that indicates the property is used or available for transient or short-term rental purposes.

(h) Owner and Owner representative shall each use their best efforts, and respond in a reasonable and timely manner, to ensure that every occupant of the transient use site does not create or contribute to unreasonable use of the property, cause unreasonable noise or disturbance, engage in disorderly or unlawful conduct, or overcrowd the site.

(i) Local contact person shall be on-call full-time (24 hours per day, 7 days per week) to manage the property and shall be able to be physically present at the transient use site within sixty (60) minutes of request during any time the property is occupied for transient use. Within 24 hours of the time an initial call is attempted the owner, owner representative or local contact person shall use his or her best efforts to prevent the recurrence of such conduct by the occupants and take corrective action to address any violation. Failure to respond timely to two (2) or more complaints regarding guest violations is grounds for penalties as set forth in this chapter. The owner, owner representative or local contact person shall be subject to all administrative, legal and equitable remedies available to the City for failing to respond within sixty (60) minutes of request.

(j) The maximum number of occupants aged 18 or older authorized to stay overnight at any transient use site shall be limited two 2 (two) persons per bedroom, plus one additional person

(k) Each designated on-site parking space at a transient use site shall be made available for use by overnight occupants of that site and any on-site driveway must be available for the use of the guests of the site.

(1) Amplified sound that is audible beyond the property boundaries of the transient use site is prohibited.

(m) Commercial functions, and other similar events are prohibited at the transient use site.

17.52.252.F Short-Term Rental Permit.

It is unlawful for any person to transact and carry on any business relating to or supporting the transient use of residential property in the City without first having procured a Short-Term Rental Permit from the City, and paying the permit fee and any other fees associated with approval of an application for a permit, hereinafter prescribed, and also without complying with any and all applicable provisions of this Section. A short-term rental permit, however, shall not be required for any lawfully established bed and breakfast inn, motel, hotel, or timeshare development.

17.52.252.G Display of Short-Term Rental Permit.

The owner or owner representative shall cause a copy of the transient use license to be displayed in a prominent location within the interior of the transient use site, and shall provide a copy to each responsible tenant. Each internet or online advertisement, sign, circular, card, telephone book, or newspaper advertisement that indicates or represents a transient use site is available for transient or short-term rental purposes shall prominently display thereon the transient use permit number assigned to that site by the City of Seaside.

17.52.252.H Separate Properties.

A separate short-term rental permit shall be obtained for each separate transient use site. A single short-term rental permit may be issued for multiple residential dwelling units under identical ownership at a single site. In all other circumstances, a separate permit shall be required for each transient use site. A transient use permit shall authorize the permitted owner to transact and carry on transient use of residential property only at the location and in the manner and subject to the limits designated in such permit.

17.52.252.I Contents of Permit.

Every person required to have a permit under the provisions of this Section shall make application to the City and tender payment of the prescribed application and permit fee. Thereafter in accord with the provisions of this Section the City shall issue to such person a permit which shall contain the following information:

(a) the name and contact information of the owner to whom the permit is issued, and the name and contact information for the owner representative, if any;

(b) the transient use site to be permitted, and whether the permit is for a hosted short-term rental or a non-hosted short-term rental;

(c) the date of expiration of such permit;

(d) the maximum number of occupants aged 18 or older who are authorized to stay overnight at that transient use site in accordance with the number of bedrooms on site;

(e) the maximum number of motor vehicles allowed for use by overnight guests at that transient use site based upon the available on-site parking as shown on the application site plan; and

(f) such other administrative information as may be necessary for the enforcement of the provisions of this Section.

17.52.252.J

Application - First Permit.

Each short-term rental permit shall be in the name of the owner of the real property upon which the short-term rental use is to be permitted, and shall be valid for a period of one (1) year from the date of issuance. When a person first makes an application for a permit pursuant to this Section such person shall furnish to the City a sworn Affidavit upon a form provided by the City, setting forth the following information:

(a) the address of the transient use site to which the permit shall apply, and all places of residence of the owner(s) of the transient use site;

(1) In the event an application is made for issuance of a permit to a person doing business under a fictitious name, the application shall set forth the names and places of residence of those owning the business;

(2) In the event an application is made for the issuance of a permit to a corporation or a partnership, the application shall set forth the names and places of residence of the principal officers and all partners thereof.

(b) each application shall set forth such information as may be therein required by the City and deemed necessary to estimate the annual transient occupancy tax to be charged for that property;

(c) the owner and applicant shall maintain a City business license at all times, and shall agree to collect and remit transient occupancy taxes on all gross receipts pertaining to the transient use site;

(d) each application shall identify the name, address, phone number and e-mail contact information of the owner and the owner representative;

(e) each application shall include a site plan which labels each room and the structure of the property, including the number of bedrooms and the number of off-street parking spaces;

(f) the owner shall affirm that smoke detectors are installed on all levels in all sleeping quarters and common areas, and that fire extinguishers are accessible to protect the health and safety of the guests of the transient use site, and the applicant shall provide access and information to the fire inspector as needed to ensure health and safety for occupants of the transient use site; and

(g) such further information which the City may require to enable proper administration of the permit.

The applicant shall remit all required annual fees in accord with the master fee schedule set by City Council Resolution. The applicant shall agree to renew and/or amend the permit in accord with the requirements of this Section, and if there is a change in any material fact stated in the application.

17.52.252.K Renewal of Permit.

(a) In all cases, the applicant for the renewal of a permit shall submit to the City on or before July 1, 2018 an application for renewal containing a sworn Affidavit upon a form to be provided by the City setting forth such information concerning the applicant's transient occupancy activity during the preceding calendar year as may be required by the City to enable the City to verify the amount of the transient occupancy tax paid by said applicant pursuant to the provisions of this Section. Evidence that a site has not been used for at least ninety (90) days for transient use during the preceding twelve (12) months shall cause non-renewal of a non-hosted short-term rental permit, and the applicant may request a hosted short-term rental permit.

(b) The applicant shall remit the annual permit fee as set by Resolution at the same time as the renewal application. The applicant shall submit an annual sworn Affidavit affirming that smoke detectors are installed and maintained on all levels in all sleeping quarters and common areas and that fire extinguishers are accessible, and a carbon monoxide alarm is installed on each level. The applicant shall provide access and information to the

inspector as may be needed to ensure health and safety for guests of the transient use site, in order to verify adequate egress from sleeping quarters and common area, and installation of accessible fire extinguishers, and a carbon monoxide alarm on each level.

17.52.252.L Change to permit information.

(a) A request to amend any information provided on the permit issued pursuant to this Section shall be made within fourteen (14) days of any change of owner, a change of the owner representative, a change in any material fact upon which the permit was issued, or if any other person acquires an ownership interest in the transient use site.

(b) In the event that the transient use site ownership transfers to an immediate family member by means of a gift or testamentary transfer the new owner of the property shall also acquire ownership of the existing short-term rental permit until its expiration without paying additional fees. The new property owner shall, within fourteen (14) days of transfer of ownership of the transient rental site, update the information provided on the permit issued.

17.52.252.N Evidence of transient occupancy of residential property.

When any owner, owner representative or other person makes **use of internet services, signs, circulars, cards, telephone books, or newspapers and/or advertises**, holds out, or represents that he or she allows transient occupancy of residential property in the City, and such person fails to provide a sworn Affidavit to the City that he or she does not allow transient occupancy of residential property in the City after being requested to do so, by the City, then such information shall be considered *prima facie* evidence that he or she is conducting a business in the City by allowing transient occupancy of residential property. Until proper evidence to the contrary is presented to the City, the City shall be entitled to presume that residential property is subject to the permit required by this Section, and/or that the transient use of residential property has occurred at the subject property.

17.52.252.O Statement and records.

No statement shall be conclusive as to the matters set forth therein, nor shall the filing of such statement keep the City from collecting by appropriate action taxes and/or fees that are due and payable hereunder. In the event that the City deems it necessary, the City may require that an already permitted owner, or applicant for a permit, submit verification of financial information necessary to calculate the transient

occupancy tax due, or at the option of the already permitted owner or applicant, may authorize the City to examine records or business transactions to compute the transient occupancy tax that is owed.

17.52.252.P Failure to file statement or corrected statement.

If any person fails to file any required statement within the time prescribed, or if after demand therefor made by the City the permitted owner or applicant fails to file a corrected statement, or if any person subject to the tax imposed by this Section fails to apply for a permit, the City may determine the amount of tax due from such person by means of such information as City may be able to obtain and shall give written notice thereof to such person. Delinquent payment shall be subject to penalties calculated in the same manner as set forth in SMC Section 3.24.

17.52.252.Q Transient Occupancy Tax.

The owner or owner representative shall comply with all the requirements of SMC Chapter 3.24 "Transient Occupancy Tax". For the purposes of SMC Chapter 3.24, a short-term rental shall qualify as a "hotel". The City Manager or designee shall be responsible for the enforcement of the provisions of Chapter 3.24.

Fifty percent (50%) of the Transient Occupancy Tax collected from short-term rentals shall be set aside in the City of Seaside Housing Fund to be used to assist with affordable housing in accordance with the direction of the City Council; and fifty percent (50%) of the Transient Occupancy Tax collected from short-term rentals shall be directed to community and neighborhood improvements, with recommendations to the City Council by the Neighborhood Improvement Commission.

17.52.252.R Appeal of Tax.

Any person aggrieved by any decision of the City with respect to the amount of the transient occupancy tax or fees associated thereto may appeal to the administrative enforcement hearing office panel by filing a notice of appeal with the City Clerk within fifteen (15) calendar days after receipt of written notice from the City. The hearing officer assigned by the panel shall thereupon fix a time and place for hearing such appeal. The City Clerk shall give notice to such person of the time and place of hearing by serving it personally or by depositing in the United States Post Office at Seaside, California, postage prepaid, addressed to such person at his or her last known address. The hearing officer shall have authority to determine all questions raised by such appeal; provided, however, that no such determination shall conflict with any substantive provisions of this section.

17.52.252.S Additional Power of City.

In addition to all other power conferred upon the City, the property owner/applicant shall have the power, for good cause shown:

(a) to extend the time for filing any required sworn Affidavit or application for a period not exceeding thirty (30) days, and in such case to waive any penalty that would otherwise have accrued; and

(b) whenever any fee, tax or penalty pursuant to this Section is due and payable but has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, such amounts shall constitute a lien against the real property, and be subject to the processes set forth in the SMC

17.52.252.T Permit Non-transferrable - Changed Location.

No permit issued pursuant to this Section shall be transferable to any other person or location.

17.52.252.U Permit Denial or Revocation.

Any application for a permit may be denied, and any permit issued pursuant to this Section may be revoked. Substantial evidence shall be presented as to why the application should be denied, or the license should be revoked for any reasons, including but not limited to:

(a) a false material statement or misrepresentation has been made in, or in support of, the application;

(b) a change occurs in any material fact upon which the permit was issued that has not been reported to the City as a change to the required license content within fourteen (14) days;

(c) the transient use site, or any other location owned by the owner or applicant, has been the site of a violation of any provision of law, or otherwise fails to meet sanitation or health standards of the neighborhood, within the twelve (12) months immediately preceding;

(d) the owner, owner representative or applicant has been convicted of any crime involving moral turpitude;

{e) the owner, owner representative or applicant has failed to **timely** respond to two (2) or more complaints within the twelve (12) months immediately preceding; and

(f) the owner, applicant, guest or any occupant of a transient use site regularly engages in disorderly conduct, violates provisions of this code or any state law pertaining to noise, disorderly conduct, or uses illegal drugs.

17.52.252.V Appeal of Revocation of Suspension.

Any person who has been denied a permit or to whom notice of revocation of suspension of a permit has been mailed may appeal to the administrative enforcement hearing panel under SMC Section 2.58, pursuant to a request for hearing under SMC Section 2.58. Notice of the proceeding shall conform to SMC Section 2.58.080, and the hearing shall conform to the process set in SMC Section 2.58.090. The hearing officer shall have authority to determine all questions raised by such appeal; provided, however, that no such determination shall conflict with any substantive provision of this Section. Any applicant or permit holder whose permit shall have been denied or revoked shall be ineligible for a two (2) year period from applying for a new permit. No person whose permit has been revoked shall continue to engage in, or carry on, the activity for which the permit was granted unless and until such permit has been reinstated or reissued. The decision of the hearing officer shall be final. Notice of the decision, and the opportunity for judicial review, shall conform to SMC Section 2.58.180.

17.52.252.W Penalties.

Penalties as set forth in SMC Section 17.80.050 may be imposed for failure to comply with the provisions of SMC Section or this Section, with respect to:

{a) Any owner, owner representative, or person who transacts or carries on any activity relating to or supporting the transient use of residential property in the City without first having procured and complied with a transient use permit from the City to do so, and paying all applicable permit fees shall be subject to administrative penalties as set forth in SMC Section 17.80.050.A, including administrative penalties imposed by a hearing officer for violation of any provisions of this Code in an amount not to exceed a maximum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) per day for each continuing violation, exclusive of administrative costs, interest and restitution for compliance reinspections, for any related series of violations, and/or forfeiture of all rents received during the period transient use was allowed without a transient use permit, whichever amount is greater;

(b) Any owner, owner representative, or person who carries on any activity that advertises to the surrounding neighborhood that the site has been permitted to allow, or is used for, transient occupancy, and who has failed to timely remedy this violation in response to two (2) or more complaints, shall be subject to administrative penalties;

(c) Any owner, owner representative, responsible tenant or person who allows a transient use site to be used or maintained in a manner detrimental to the peace, public health, safety or general welfare of persons or property of the neighborhood or the public, and fails to timely remedy this violation in response to two or more complaints;

(d) Any owner, owner representative, responsible tenant or person who allows impermissible or inappropriate behavior at the transient use site or action that exceed the limits on transient use following two (2) or more complaints;

(e) Limits upon administrative penalties in SMC Section shall not apply to any violation of this Section.

17.52.252.X **Liens.**

Whenever the amount of any penalty, forfeiture, and/or administrative cost imposed by a hearing officer pursuant to this Section or to SMC Section has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this obligation shall constitute a lien against the real property on which the violation occurred, and be subject to the processes set forth in SMC.

Exhibit "A"

A new Municipal Code Section 17.52.251 entitled, "Short-Term Rental" is added by the addition of all text shown as follows:

17.52.251.A Definitions. For the purpose of this Section certain terms used herein have the meanings set forth in this chapter, and such meaning shall prevail in case of conflict with the definitions set forth in SMC.

(1) "Person" means an individual or a group of individuals, association, firm, partnership, entity, public or corporation or other private.

(2) "Owner" means the person who possesses fee title to a transient use site.

(3) "Owner representative" means any person authorized by the owner to fully manage the transient use site.

(4) "Local Contact Person" shall be the person designated by the owner or the owner's authorized representative who shall be available twenty-four hours per day, seven days per week for the purpose of responding within sixty minutes to complaints related to the short-term rental and taking remedial action to resolve such complaints.

(5) "Remuneration" means compensation, money, rent or other bargained for consideration given in return for occupancy, possession or use of real property.

(6) "Residential property" means any dwelling unit, except those dwelling units lawfully established as second units established pursuant to Chapter 17.12 of the SMC or as part of a bed and breakfast inn, motel, hotel, timeshare development, or other transient use.

(7) "Hosted short-term rental" means a dwelling unit where the owner with the majority interest in the residential property, or an owner holding an equal shared interest if no other owner owns a greater interest, occupies a dwelling unit as his or her principal residence and offers the dwelling or a habitable portion thereof for transient occupancy by others, and is present during the occupancy of the "Hosted short-term rental".

(8) "Non-hosted short-term rental" means a dwelling unit that is offered for transient occupancy where the owner or shared ownership interest does not occupy the dwelling offered for transient occupancy as his or her principal residence.

(9) "Guest" means the overnight occupant(s) renting the short-term rental for a specified period of one day and no longer than thirty days and the visitors of the overnight occupants.

(10) "Good Neighbor Brochure" means a brochure, available from the City, to be given to guests, which includes a summary of the City's regulations relating to short-term rentals.

(11) "Transient" means a period of not less than one (1) day and one (1) night nor more than thirty (30) consecutive calendar days.

(12) "Responsible tenant/guest" means a person aged 18 or older who has received notice of occupancy, parking and other limits and regulations that apply to the transient use site, and who has agreed to be responsible to ensure that impermissible or inappropriate behavior does not occur at the transient use site.

including , but not limited to, all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term rental.

(13) "Transient use of residential property" means the commercial use by any person of residential property for transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is less than thirty (30) consecutive calendar days.

(14) "Transient use site" and "transient use" mean property occupied and used for transient or short-term rental purposes.

(15) "Use" means the purpose for which land or premises of a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

(16) Transient use of residential property for remuneration is prohibited except (1) as otherwise expressly licensed by this title, or (2) when such use is licensed by a transient use License issued in accord with SMC Section 17.52.252.

(b) Liability and Enforcement.

(1) Any owner, owner representative, responsible tenant, person acting as agent, real estate broker, real estate sales agent, property manager or otherwise who uses, arranges, or negotiates for the use of, or allows the use of residential property in violation of the provisions of this chapter is guilty of an infraction subject to an administrative citation for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

(2) Violations of this Ordinance shall be treated as a public nuisance and strict liability offense regardless of intent.

(3) A violation of any provision of this Ordinance by any of the guests, owners or operators shall constitute grounds to suspend or revoke a short-term rental license.

New SMC Section 17.52.252 entitled, "Short-Term Rental License", is added as follows:

17.52.252.A Statement of Purpose.

The purpose of this chapter is to establish a licensing process, together with appropriate standards that regulate short-term rental of single-family and multi-family dwellings in residential districts, to minimize negative secondary effects of short-term rental use on surrounding neighborhoods; and to preserve the character of neighborhoods in which any such use occurs. This chapter addresses traffic, noise and density; ensures health, safety and welfare of neighborhoods as well as of renters and guests patronizing short-term rentals; and imposes limits on the number of licenses issued to ensure long-term availability of the affordable housing stock. This chapter also sets regulations to ensure enforcement of these standards, and collection and payment of fees and transient occupancy taxes.

This chapter shall not provide any property owner with the right or privilege to violate any private conditions, covenants or restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this chapter.

The City Council finds adoption of a comprehensive code to regulate issuance of, and conditions attached to, short-term rental is necessary to protect the public health, safety and welfare. The purposes of this chapter are to provide a licensing system and to impose operational requirements in order to minimize the potential adverse impacts of transient uses on residential neighborhoods.

The City Council finds the regulation of short-term rental uses, including its non-transferability provisions, to be a valid exercise of the City's police power in furtherance of the legitimate governmental interests documented in this chapter.

17.52.252.B Definitions.

(a) The terms “personal”, “owner”, “owner representative”, “local contact person”, “remuneration”, “residential property”, “hosted short-term rental”, “non-hosted short-term rental”, “guest”, “Good Neighbor Brochure”, “transient”, “responsible tenant/guest”, “transient use of residential property”, “transient use site”, “transient use”, “use”, as used in this chapter are given the same definition as those definitions set forth in SMC Section 17.52.251.

17.52.252.C Allowed Use.

(a) Transient use of residential property for remuneration is allowed pursuant to SMC Section 17.52.251 or this chapter; provided that a separate Short-Term Rental License has first been granted and validly maintained for each transient usesite.

(b) Each transient use must meet all the requirements of this Section. Short-Term Rental Licenses are issued for a one (1) year term. No guarantee is given or implied that Short-Term Rental License will be extended or renewed for a term subsequent to its expiration.

(c) For the purposes of this Section the City recognizes and sets discrete requirements for each of two different classes of Short-Term Rental Licenses. These are Hosted Short-Term Rental and Non-Hosted Short-Term Rental.

(d) Each contract or tenancy that allows transient use shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed of, and has agreed to abide by, occupancy, parking and other limits that apply to that transient use.

(e) For each initial Short-Term Rental License, and each license renewal, the applicant and each property owner shall submit an inspection report that provides and verifies information, in the form and manner required by the City and the Chief Building Official, to ensure the property is safe and habitable for its intended use, including verification of adequate egress from sleeping quarters and common area, installation of accessible fire extinguishers, and a carbon monoxide alarm on each level, and that the property exists in accord with appropriate land use and buildingLicenses.

(f) The owner or owner representative shall cause notice of the application or any license renewal, and of any hearing on the application or renewal, to be posted and mailed to notify neighbors within 100 feet of the short-term rental licensed site. The notice shall include a statement of the maximum number of guests licensed to stay inthe short-term rental.

17.52.252.D Short-Term Rental License Caps

All short term rentals found to be in existence prior to April 10, 2018 are hereby approved for the period of one (1) year from the effective date of this ordinance.

In years 2019 and beyond the City Council may establish the maximum allowable number of hosted and non-hosted short-term rental licensees annually by Resolution at the second regularly scheduled City Council meeting in July, and in doing so, will project forward the maximum allowable number of non-hosted short-term rental licenses for a period not to exceed three (3) years.

17.52.252.E Limits on Transient Use.

Transient use of residential property for remuneration allowed by SMC Section 17.52.251 or this Section shall be subject to each and every limitation in this Section:

(a) Each contract or tenancy that enables transient use shall be in writing, and identify thereon the name, address, phone number and e-mail contact information of:

- (1) the owner;
- (2) the owner representative; and
- (3) at least one responsible tenant occupying the transient site who shall be responsible for all limits required by this section.

(b) Each non-hosted contract or tenancy shall identify the name, address, phone number and e-mail contact information of at least one responsible tenant who has been informed by the owner or owner representative of the occupancy, parking and other limits that apply to transient use by this Section and shall be informed of residential parking and noise limits, including but not limited to SMC Section 9.12, the City codes that regulate unlawful noises.

(c) Trash and refuse shall not be left stored within public view, except in proper containers for purpose of collection by the City's authorized waste hauler.

(d) A short-term rental shall not change the residential character of the outside appearance of the residence including color, material, lighting or any advertising mechanism, including **"vacation rental" signs.**

(e) Guests of the short-term rental shall comply with City of Seaside Municipal Code Chapter 9.12 regulating noise, including quiet hours between the hours of 10:00 p.m. and 7:00 **a.m.**

(f) The owner or owner representative for all non-hosted short-term rentals shall post the in a prominent location within the short-term rental

- (a) owner or owner representative name and telephone number
- (b) local contact person name and telephone number;
- (c) telephone number for Department and Seaside Code Enforcement; the Seaside Police
- (d) the maximum number of parking spaces available onsite;
- (e) trash pick-up day and applicable rules and regulations;
- (f) a copy of City of Seaside Noise Regulations;
- (g) a copy of the Good Neighbor Brochure; and

(h) Notification that a guest, local contact person, responsible person or owner may be cited and/or fined by the City in accordance with this Ordinance.

(g) The transient use site:

(1) shall be used and maintained in a manner consistent with the character of the neighborhood;

(2) shall not impair the desirability of investment or occupation of the surrounding neighborhood; and

(3) shall not have displayed thereon any sign that indicates the property is used or available for transient or short-term rental purposes.

(h) Owner and Owner representative shall each use their best efforts, and respond in a reasonable and timely manner, to ensure that every occupant of the transient use site does not create or contribute to unreasonable use of the property, cause unreasonable noise or disturbance, engage in disorderly or unlawful conduct, or overcrowd the site.

(i) Local contact person shall be on-call full-time (24 hours per day, 7 days per week) to manage the property and shall be able to be physically present at the transient use site within sixty (60) minutes of request during any time the property is occupied for transient use. Within 24 hours of the time an initial call is attempted the owner, owner representative or local contact person shall use his or her best efforts to prevent the recurrence of such conduct by the occupants and take corrective action to address any violation. Failure to respond timely to two (2) or more complaints regarding guest violations is grounds for penalties as set forth in this chapter. The owner, owner representative or local contact person shall be subject to all administrative, legal and equitable remedies available to the City for failing to respond within sixty (60) minutes of request.

(j) The maximum number of occupants aged 18 or older authorized to stay overnight at any transient use site shall be determined by the City Building Official.

(k) Each designated on-site parking space at a non-hosted transient use site shall be made available for use by overnight occupants of that site and any on-site driveway must be available for the use of the guests of the site.

(1) Amplified sound that is audible beyond the property boundaries of the transient use site is prohibited.

(m) Commercial functions, and other similar events are prohibited at the transient use site.

17.52.252.F Short-Term Rental License.

It is unlawful for any person to transact and carry on any business relating to or supporting the transient use of residential property in the City without first having procured a Short-Term Rental License from the City, and paying the license fee and any other fees associated with approval of an application for a license, hereinafter prescribed, and also without complying with any and all applicable provisions of this Section. A short-term rental license, however, shall not be required for any lawfully established bed and breakfast inn, motel, hotel, or timeshare development.

The owner or owner representative shall cause a copy of the transient use license to be displayed in a prominent location within the interior of the transient use site, and shall provide a copy to each responsible tenant. Each internet or online advertisement, sign, circular, card, telephone book, or newspaper advertisement that indicates or represents a transient use site is available for transient or short-term rental purposes shall prominently display thereon the transient use License number assigned to that site by the City of Seaside.

A separate short-term rental License shall be obtained for each separate transient use site. A single short-term rental License may be issued for multiple residential dwelling units under identical ownership at a single site. In all other circumstances, a separate License shall be required for each transient use site. A transient use License shall authorize the licensed owner to transact and carry on transient use of residential property only at the location and in the manner and subject to the limits designated in such License.

Every person required to have a License under the provisions of this Section shall make application to the City and tender payment of the prescribed application and License fee. Thereafter in accord with the provisions of this Section the City shall issue to such person a License which shall contain the following information:

- (a) the name and contact information of the owner to whom the license is issued, and the name and contact information for the owner representative, if any;
- (b) the transient use site to be licensed, and whether the license is for a hosted short-term rental or a non-hosted short-term rental;
- (c) the date of expiration of such license;
- (d) the maximum number of occupants aged 18 or older who are authorized to stay overnight at that transient use site determined by the City Building Official;
- (e) the maximum number of motor vehicles allowed for use by overnight guests at that non-hosted transient use site based upon the available on-site parking as shown on the application site plan; and
- (f) such other administrative information as may be necessary for the enforcement of the provisions of this Section.

Each short-term rental License shall be in the name of the owner of the real property upon which the short-term rental use is to be licensed and shall be valid until June 30, 2019. When a person first makes an application for a license pursuant to this section, such person shall furnish to the City a sworn Affidavit upon a form provided by the City setting forth the following information:

(a) the address of the transient use site to which the license shall apply, and all places of residence of the owner(s) of the transient use site;

(1) In the event an application is made for issuance of a license to a person doing business under a fictitious name, the application shall set forth the names and places of residence of those owning the business;

(2) In the event an application is made for the issuance of a license to a corporation or a partnership, the application shall set forth the names and places of residence of the principal officers and all partners thereof.

(b) Each application shall set forth such information as may be therein required by the City and deemed necessary to estimate the annual transient occupancy tax to be charged for that property;

(c) the owner and applicant shall maintain a City business license at all times, and shall agree to collect and remit transient occupancy taxes on all gross receipts pertaining to the transient use site;

(d) each application shall identify the name, address, phone number and e-mail contact information of the owner and the owner representative;

(e) each application for a non-hosted license shall include a site plan and floor plan which labels each room and the structures of the property, including the number of square footage of bedrooms and the number of off-street parking spaces;

(f) the owner shall affirm that smoke detectors are installed on all levels in all sleeping quarters and common areas, and that fire extinguishers are accessible to protect the health and safety of the guests of the transient use site, and the applicant shall provide access and information to the fire inspector as needed to ensure health and safety for occupants of the transient use site; and

(g) such further information which the City may require to enable proper administration of the license.

The applicant shall remit all required annual fees in accord with the master fee schedule set by City Council Resolution. The applicant shall agree to renew and/or amend the license in accord with the requirements of this Section, and if there is a change in any material fact stated in the application.

17.52.252.K Renewal of License.

(a) In all cases, the applicant for the renewal of a license shall submit to the City on or before July 1, 2018 an application for renewal containing a sworn Affidavit upon a form to be provided by the City setting forth such information concerning the applicant's transient occupancy activity during the preceding calendar year as may be required by the City to enable the City to verify the amount of the transient occupancy tax paid by said applicant pursuant to the provisions of this Section.

(b) The applicant shall remit the annual license fee as set by Resolution at the same time as the renewal application. The applicant shall submit an annual sworn Affidavit affirming that smoke detectors are installed and maintained on all levels in all sleeping quarters and common areas and that fire extinguishers are accessible, and a carbon monoxide alarm is installed on each level. The applicant shall provide access and

information to the inspector as may be needed to ensure health and safety for guests of the transient use site, in order to verify adequate egress from sleeping quarters and common area, and installation of accessible fire extinguishers, and a carbon monoxide alarm on each level.

17.52.252.L Change to license information.

(a) A request to amend any information provided on the license issued pursuant to this Section shall be made within fourteen (14) days of any change of owner, a change of the owner representative, a change in any material fact upon which the License was issued, or if any other person acquires an ownership interest in the transient use site.

(b) In the event that the transient use site ownership transfers to an immediate family member by means of a gift or testamentary transfer the new owner of the property shall also acquire ownership of the existing short-term rental license until its expiration without paying additional fees. The new property title owner shall, within fourteen (14) days of transfer of ownership of the transient rental site, update the information provided on the license issued.

17.52.252.M Evidence of transient occupancy of residential property.

When any owner, owner representative or other person makes use of internet services, signs, circulars, cards, telephone books, or newspapers and/or advertises, holds out, or represents that he or she allows transient occupancy of residential property in the City, and such person fails to provide a sworn Affidavit to the City that he or she does not allow transient occupancy of residential property in the City after being requested to do so, by the City, then such information shall be considered *prima facie* evidence that he or she is conducting a business in the City by allowing transient occupancy of residential property. Until proper evidence to the contrary is presented to the City, the City shall be entitled to presume that residential property is subject to the license required by this Section, and/or that the transient use of residential property has occurred at the subject property.

17.52.252.N Statement and records.

No statement shall be conclusive as to the matters set forth therein, nor shall the filing of such statement keep the City from collecting by appropriate action taxes and/or fees that are due and payable hereunder. In the event that the City deems it necessary, the City may require that an already licensed owner, or applicant for a License, submit verification of financial information necessary to calculate the transient occupancy tax due, or at the option of the already licensed owner or applicant, may authorize the City to examine records or business transactions to compute the transient occupancy tax that is owed. In addition an owner or applicant is required to furnish proof an affidavit that the subject property was used as a short term rental 12 months prior to April 10, 2018.

17.52.252.O Failure to file statement or corrected statement.

If any person fails to file any required statement within the time prescribed, or if after demand therefor made by the City the licensed owner or applicant fails to file a corrected statement, or if any person subject to the tax imposed by this Section fails to apply for a license, the City may determine the amount of tax due from such person by means of such information as City may be able to obtain and shall give written notice thereof to such person. Delinquent payment shall be subject to penalties calculated in the same manner as set forth in SMC Section 3.24.

17.52.252.P Transient Occupancy Tax

The owner or owner representative shall comply with all the requirements of SMC Chapter 3.24 "Transient Occupancy Tax". For the purposes of SMC Chapter 3.24.010, a short-term rental shall qualify as a "hotel". The City Manager or designee shall be responsible for the enforcement of the provisions of Chapter 3.24.

Transient Occupancy Tax collected for short-term rentals shall be set aside in a separate fund account.

17.52.252.Q Appeal of Tax

Any person aggrieved by any decision of the City with respect to the amount of the transient occupancy tax or fees associated thereto may appeal to the administrative enforcement hearing office panel by filing a notice of appeal with the City Clerk within fifteen (15) calendar days after receipt of written notice from the City. The hearing officer assigned by the panel shall thereupon fix a time and place for hearing such appeal. The City Clerk shall give notice to such person of the time and place of hearing by serving it personally or by depositing in the United States Post Office at Seaside, California, postage prepaid, addressed to such person at his or her last known address. The hearing office shall have authority to determine all questions raised by such appeal, provided, however, that no such determination shall conflict with any substantive provision of this Chapter.

17.52.252.S Additional Power of City.

In addition to all other power conferred upon the City, the property owner/applicant shall have the power, for good cause shown:

- (a) to extend the time for filing any required sworn Affidavit or application for a period not exceeding thirty (30) days, and in such case to waive any penalty that would otherwise have accrued; and
- (b) Whenever any fee, tax or penalty pursuant to this Section is due and payable but has not been satisfied in full within ninety (90) days and/or has not been successfully by a timely writ of mandate, such amounts shall constitute a lien against the real property, and be subject to the processes set forth in the SMC.

17.52.252.T License Non-transferrable - Changed Location.

No license issued pursuant to this Section shall be transferable to any other person or location, except as notes in section 17.52.252.2 (B).

17.52.252.U License Denial or Revocation.

Any application for a license may be denied, and any License issued pursuant to this Section may be revoked. Substantial evidence shall be presented as to why the application should be denied, or the license should be revoked for any reasons, including but not limited to:

(a) a false material statement or misrepresentation has been made in, or in support of, the application;

(b) a change occurs in any material fact upon which the License was issued that has not been reported to the City as a change to the required license content within fourteen (14) days;

(c) the transient use site, or any other location owned by the owner or applicant, has been the site of a violation of any provision of law, or otherwise fails to meet sanitation or health standards of the neighborhood, within the twelve (12) months immediately preceding;

(d) the owner, owner representative or applicant has been convicted of any crime involving moral turpitude;

(e) the owner, owner representative or applicant has failed to **timely** respond to two (2) or more complaints within the twelve (12) months immediately preceding; and

(f) the owner, applicant, guest or any occupant of a transient use site regularly engages in disorderly conduct, violates provisions of this code or any state law pertaining to noise, disorderly conduct, or uses illegal drugs.

17.52.252.V Appeal of Revocation or Suspension.

Any person who has been denied a License or to whom notice of revocation or suspension of a License has been mailed may appeal to the administrative enforcement hearing panel under SMC Section 2.58, pursuant to a request for hearing under SMC Section 2.58. Notice of the proceeding shall conform to SMC Section 2.58.080, and the hearing shall conform to the process set in SMC Section 2.58.090. The hearing officer shall *have* authority to determine all questions raised by such appeal; provided, however, that no such determination shall conflict with any substantive provision of this Section. Any applicant or License holder whose License shall have been denied or revoked shall be ineligible for a two (2) year period from applying for a new License. No person whose License has been revoked shall continue to engage in, or carry on, the activity for which the License was granted unless and until such License has been reinstated or reissued. The decision of the hearing officer shall be final. Notice of the decision, and the opportunity for judicial review, shall conform to SMC Section 2.58.180.

17.52.252.W Penalties.

Penalties as set forth in SMC Section 17.80.050 may be imposed for failure to comply with the provisions of SMC Section or this Section, with respect to:

{a) Any owner, owner representative, or person who transacts or carries on any activity relating to or supporting the transient use of residential property in the City without first having procured and complied with a transient use License from the City to do so, and paying all applicable license fees shall be subject to administrative penalties as set forth in SMC Section 17.80.050.A, including administrative penalties imposed by a hearing officer for violation of any provisions of this Code in an amount not to exceed a maximum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) per day for each continuing violation, exclusive of administrative costs, interest and restitution for compliance re-inspections, for any related series of violations, and/or forfeiture of all rents received during the period transient use was allowed without a transient use License, whichever amount is greater.

(b) Any owner, owner representative, or person who carries on any activity that advertises to the surrounding neighborhood that the site has been licensed to allow, or is used for, transient occupancy, and who has failed to timely remedy this violation in response to two (2) or more complaints, shall be subject to administrative penalties;

(c) Any owner, owner representative, responsible tenant or person who allows a transient use site to be used or maintained in a manner detrimental to the peace, public health, safety or general welfare of persons or property of the neighborhood or the public, and fails to timely remedy this violation in response to two or more complaints;

(d) Any owner, owner representative, responsible tenant or person who allows impermissible or inappropriate behavior at the transient use site or action that exceeds the limits on transient use following two (2) or more complaints;

(e) Limits upon administrative penalties in the SMC Section shall not apply to any violation of this Section.

Whenever the amount of any penalty, forfeiture, and/or administrative cost imposed by a hearing officer pursuant to this Section or to SMC Section has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this obligation shall constitute a lien against the real property on which the violation occurred, and be subject to the processes set forth in SMC.

Attachment 3

Public Comment Letters

Public Comment from Jonathan Wizard

Rick Medina - Draft STR Ordinance

From: Jonathan Wizard <jonathanwizard@gmail.com>
To: Rick Medina <rmedina@ci.seaside.ca.us>
Date: 1/17/2018 1:27 PM
Subject: Draft STR Ordinance

Hi Rick,

The draft STR ordinance directs members of the public to submit their comments and questions to Senior Planner Rick Medina. Please find below my comments and questions about this ordinance.

1. There is no requirement for non-hosted STRs to be owned by Seaside residents, or even Peninsula residents. Without such a requirement, whatever money those who offer STRs receive will not be spent locally but instead extracted to be spent in other communities. Non-hosted STRs should be owned by locals, preferably Seaside residents.
2. What mechanism do we have to prevent a private person or business entity from buying homes en masse and converting them all to STRs, up to the "no less than 75..." threshold? One person should not be permitted to offer more than one non-hosted STR and one hosted STR.
3. Our ordinance should reflect the new housing law package to ensure no accessory dwelling units are used as STRs.
4. All STR permits should be conditional upon verification of commercial insurance. If you don't have commercial insurance for your commercial use of a residence, a fire, broken pipe, etc., could damage other people's homes, which wouldn't be covered by noncommercial renter's or homeowner's insurance.
5. What mechanism exists to prevent people from applying for and receiving an STR permit – with no intent to ever use it – so as to block their neighbors from getting one?
6. Apartments, mobile homes, multi-family dwellings, and other housing options that are commonly sought for their affordability should be restricted to hosted STRs only, since converting the most affordable housing into STRs disadvantages people with less money by removing the already low quantity of affordable housing in the housing stock. The use of *affordable housing* in the previous sentence should be read as "housing that is affordable," not the technical definition of Affordable Housing.
7. Subsection 17.52.251.C.D. "*An application may be denied if the applicant has had a prior short-term rental permit revoked for the same dwelling within the past twelve calendar months.*" If we're actually trying to hold people accountable, this should be a minimum of three years. Also, if I have two permitted STRs and manage one well and one poorly, why should I get to keep either? Ideally, that subsection would read, "*An application **shall** be denied if the applicant has had a prior short-term rental permit revoked for any dwelling, in any jurisdiction, any time within the past three years.*"
8. Section 17.52.251.D - *SHORT-TERM RENTAL OPERATIONAL REQUIREMENTS*. needs to include an enforcement mechanism by which our local compliance official can verify the local contact person has responded within 60 minutes. Either calling a phone number or signing into a website – something to verify the local contact person acknowledged the neighbor complaint.

9. Subsection 17.52.251.D.C. What are the "administrative, legal and equitable remedies available to the City?" If they're not specified, there's an argument for calling them arbitrary and capricious, which diminishes enforceability and future compliance. This also exposes the city to legal liability for a claim of unfairly enforcing rules and targeting individuals.

10. Who will verify the information on the Good Neighbor Brochure is accurate? ...and current? At what interval will that information be verified? What is the penalty for having expired or stale information?

11. What is the definition of "local" for a *Local Contact Person*? Is it a five-mile radius from the STR? Ten-mile? Is it a ten-minute response time? Thirty? Is it someone who lives in Seaside or just the Peninsula? What about South Salinas? What about Carmel Valley? Watsonville? San Juan Bautista?

12. Subsection 17.52.251.H.B. describes conditions for suspension or revocation of an STR permit. How long does this period of suspension or revocation last? Is the suspension or revocation of the STR permit the entirety of the penalty, or is there also a fine?

13. For noncompliant operators, whatever the reason, what amount of monetary penalty will be assessed, and how? Is the violation a factor of the advertised price, such as five times the listed rate of the last booking, excluding taxes and cleaning fees? Is the violation a flat fee, such as \$1,000 per offense? \$2,000? \$5,000? Is it a bill received in the mail addressed to the homeowner? Addressed to the renter or lessee? Both the homeowner and the renter/lessee? Is the fee assessed on a subsequent STR permit application? Is it a lien on their property?

Thank you for taking the time to review my concerns. Please verify whether submission via email is acceptable, or if you would prefer – or require – submission via personal delivery or US Post.

Sincerely,
Jon Wizard

Public Comment from
Janet Redding

Rick Medina - Short Term Rental Comments

From: Janet Redding <janetredding8316@hotmail.com>
To: "rmedina@ci.seaside.ca.us" <rmedina@ci.seaside.ca.us>
Date: 1/15/2018 4:48 PM
Subject: Short Term Rental Comments

I think that all property owners in a two block radius should be notified that a property is being used as a short term rental. Property owners should be notified if an owner submits an application for their property to become a short term rental.

Some might think that the neighborhood would see little impact but that is far from the truth. When someone goes to sell their home they have to disclose that a “Motel 6” type of property is the neighborhood. That could result in a decrease in property value.

We already have parking wars in the city. Where would the extra cars park? They should be required to park on the short term rental's property. I encourage you to drive down the 1600 block of Waring after 7pm. You will see what I mean about parking issues.

We have an AirBnB rental in our neighborhood. (1625 Waring Street) The owner of the property doesn't live in the home. It's used for a full time rental. Why doesn't the city charge more taxes for these types of rentals? The problem with the rental is that we are on a one way street. Guests who stay at the rental drive the wrong way down our one way street. We have complained but no one is listening. If two cars were to hit each other the cars will end up in someone's front yard and or in someone's house. Making sure that guests follow the traffic laws are very important.

Thank you for letting me share my concern.

Sincerely,

Janet McPherson

Sent from Outlook

Public Comment from Edwin Baptista

To:
Rick Medina, Senior Planner
City of Seaside,
440 Harcourt Ave.
Seaside, CA 93955

01/23/2018

RECEIVED BY
CITY OF SEASIDE
JAN 23 2018
COMMUNITY
DEVELOPMENT

Ref: residential dwellings used as short-term rentals – (AGAINST)

I bought my house in Seaside in a residential neighborhood and enjoyed it for some time very much.

But lately the neighborhood has changed to a very busy short-term-motel-atmosphere!

Noisy people are coming and going day and night, trying to park in a narrow driveway, slamming doors, radios playing, motors running, loading and unloading luggage, kids, dogs, parties and more.

Occasionally they are in the middle of the street trying to park the second, third and fourth car! I wonder how many people will stay in those 2 units?

Sometimes this noise starts at 4:30 am, and now, everyone in my home is awake!

Those short-term-renters are taking up all the parking spaces on the street, and just when we think it's getting quiet some more people are showing up, trying to park and enter the same 2 units right next to my home, late at night!

We have lost our privacy and we surely hope the city of Seaside takes actions and establishes regulations for the use of privately owned residential dwellings for a minimum of 30-days and a limited amount of occupancy per unit!

Also when permits are issued there should be a fire and safety inspection, as well as proof of liability insurance and I think permits should be issued by a "lottery system" only!

I understand that Seaside is a beautiful, upcoming community with a lot of potential for growth which needs to be addressed and regulated, however I think there should be a minimum of 30-day rental and a maximum of headcount per unit (no sleeping bags on floors etc.)

Thank you!



Sincerely
Edwin Baptista
1238 Wanda Ave.
Seaside, CA 93955

Public Comment from
Pamela Hampton

REQUEST TO REJECT SEASIDE MUNICIPAL CODE AMEND. SMC 17-03

January 17, 2018

Rick Medina, Senior Planner

City of Seaside

440 Harcourt Avenue

Seaside, CA 93955

RECEIVED BY
CITY OF SEASIDE
JAN 22 2018
COMMUNITY
DEVELOPMENT

RE: ADVERSE IMPACT TO SURROUNDING PROPERTIES TO ALLOW SHORT TERM RENTALS

Dear Mr. Medina:

I am a home owner at 1693 Luzern St., Seaside. My immediate neighbors and owners, and I have suffered the negative effects of the lack of enforcement on rental property Boarding Houses in our neighborhood. The Land Use here is Single Family, however, there are at least 10 people renting at 1688 Luzern. There are other addresses on this street with multiple rental occupants. This has created excessive noise from parties, car radios blasting, and visitors coming and going all hours of the night. Off street parking and traffic flow have been a problem since there are 10 plus vehicles (some are oversized), double parking, encroaching into our driveways, creating blind entering into a one way street. Some of these SUV/campers are left in front of our houses for weeks obstructing natural light to our properties. Public Services have been stretched, street sweeper can't reach the curb, emergency vehicles can't get through, trash cans are overflowing, renters are trespassing on properties to throw garbage into our cans. There is also excessive dog barking, dogs running loose, pooping in our yards, etc. High occupancy creates a heavy impact on the utilities and service systems especially when there are heavy rains creating overflowing drains and gutters. Police services are also impacted when complaints are called in to solve these disputes. Aesthetics are impacted when there are multiple occupants hanging out in the front yard or lack of property maintenance due to slum landlords.

Short Term Rentals would only ADD to the already NEGATIVELY impacted factors of the illegal boarding houses including Land Use, Noise, Population, Public Services, Traffic, and Utilities.

All of these issues are currently affecting our peaceful enjoyment and quality of life. Approving Short Term Rentals would only amplify this ongoing public nuisance.

Please reconsider the approval of this Amendment to the Municipal Code. Your consideration would be appreciated.

Sincerely,

Pamela Hampton
Pamela Hampton
Blanche M. Smith
1680 Luzern St
Seaside, CA 93955
Ronald L. Smith

Kristine Perez
Bryan Perez } 1681 Luzern St.
Seaside Ca 93955

Carmen Jones 1699 LUZERN
John O'Connell SEASIDE CA.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.G.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton-Rerig, City Clerk

DATE: June 21, 2018

**SUBJECT: INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE
MUNICIPAL CODE CHAPTER 2 ADDING 2.15 CITY COUNCIL
LIAISONS AND AMENDING 2.24 UPDATING THE NAME OF THE
NEIGHBORHOOD IMPROVEMENT PROGRAM COMMISSION
(FIRST READING-ROLL CALL VOTE)**

PURPOSE & RECOMMENDATION

To introduce and pass to print a draft ordinance amending Seaside Municipal Code adding Chapter 2.15 City Council Liaisons and removing the word "Program" from the Neighborhood Improvement Program Commission from Chapter 2.24

BACKGROUND

Boards and Commissions are established in order to provide independent recommendations to Council and in some instances, to make independent decisions and take administrative actions. The Boards and Commissions play an important role by being visible in the community and bringing a broad representation of community input into the City process. Many cities have assigned Council Liaisons as a way to have direct communication with advisory bodies or with community organizations to answer questions pertaining to Council priorities and policy guidance.

During the June 7, 2018 City Council meeting the Council discussed assigning Council liaisons to Boards and Commissions and approved the structure it wished to codify into the Code. As directed, the draft ordinance attached is amending Seaside Municipal Code adding Chapter 2.15 City Council Liaisons with the outlining structure to define purpose, appointment process, role of the liaison, communication and attendance.

Additionally, the Neighborhood Improvement Program Commission voted to change their name at their March 6, 2018 regular meeting. This has actually been a topic for quite some time with the Commission. The reasoning for them considering the name change was because they believe

that Neighborhood Improvement Program Commission sounds redundant, therefore they voted to just call themselves the Neighborhood Improvement Commission.

Staff is recommending the City Council approve the draft ordinance adding Chapter 2.15 City Council Liaisons to the municipal code and updating chapter 2.24 to remove the word Program from the Neighborhood Improvement Program Committee.

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Draft Ordinance
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AMENDING SEASIDE MUNICIPAL CODE CHAPTER 2 CREATING THE POSITION OF
CITY COUNCIL LIAISONS AND UPDATING THE NAME OF THE NEIGHBORHOOD
IMPROVEMENT PROGRAM COMMISSION TO NEIGHBORHOOD IMPROVEMENT
COMMISSION**

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

Section 1. FINDINGS AND PURPOSES.

- A. The City Council of the City of Seaside finds it necessary and desirable to amend the Council Rules in the Seaside Municipal Code to provide for the creation and appointment of Council liaison positions.
- B. The City Council desires to provide duties to Council liaisons but maintain the City's current Council form of government, which limits the Council to acting as a body
- C. The City Council further desires to honor advisory body deliberations, views and positions on issues, and enhance communications between the City Council and advisory bodies
- D. Amending Chapter 2.24 to modify the name of the Neighborhood Improvement Program Commission to eliminate the word "Program"

Section 2. AMENDING SEASIDE MUNICIPAL CODE ADDING CHAPTER 2.15
ESTABLISHING CITY COUNCIL LIAISONS

Subsection 2.15 is hereby added to the Seaside Municipal Code as follows:

**Chapter 2.15
City Council Liaisons**

Sections:

- 2.15.010 Purpose
- 2.15.020 Appointment
- 2.15.030 Role
- 2.15.040 Communication
- 2.15.050 - -Attendance

2.15.010 PURPOSE. The purpose of this section is to honor advisory body deliberations, views and positions on issues, and enhance communications between the City Council and advisory bodies

2.15.010 APPOINTMENT. Appointment as a Council Liaison is made on a volunteer basis with City Council consensus. Council Members shall make requests known to serve as a Liaison to their fellow City Council members at the City Council Meeting which precedes the City Council

Meeting in which the appointment is agendized for City Council consensus.

2.15.020 ROLE. Council Liaisons do not serve as ex-officio members of the advisory bodies, and shall neither sit with the membership at meetings nor engage in prolonged debate or discussion at meetings. Council liaisons shall serve to gain a better understanding of the issues considered by the advisory body and communicate Council goals, as they may apply.

2.15.30 COMMUNICATION. A Council Liaison shall not take part in the deliberations of the commission. The purpose of the Liaison assignment is to facilitate communication and goodwill between the Council and advisory body. The Council Liaison must remain vigilant to the need to maintain their position as an impartial decision maker consistent with due process expectations, such that any official decision which may originate in an advisory body may having a fair and impartial hearing if it comes before the City Council.

2.15.040 ATTENDANCE. Attendance is not mandatory but is encouraged to the extent the Liaison is generally aware of advisory body practices and issues which come before it.

Section 3. AMENDING SEASIDE MUNICIPAL CODE CHAPTER 2.24 NEIGHBORHOOD IMPROVEMENT PROGRAM COMMISSION

The City of Seaside Municipal Code Sections 2.24 is hereby amended to read as follows:

Chapter 2.24

NEIGHBORHOOD IMPROVEMENT ~~PROGRAM~~ COMMISSION

Sections:

- 2.24.010 Created.
- 2.24.020 Composition and terms of office.
- 2.24.030 Duties.
- 2.24.040 Objectives.

2.24.010 Created. There is created a neighborhood improvement ~~program~~ commission. (Ord. 773 § 1 (Exh. A), 1990)

2.24.020 Composition and terms of office. The commission shall consist of seven members. The appointed members shall hold office for three years. (Ord. 773 § 1 (Exh. A), 1990)

2.24.030 Duties. The commission shall be entrusted with, and it shall be the duty of the commission, to make recommendations to the city council and to advise the council in matters pertaining to general improvement of the neighborhoods within the city. (Ord. 773 § 1 (Exh. A), 1990)

2.24.040 Objectives. The objectives of the commission shall be as follows:

- A. Beautification. To encourage citizens to beautify and upgrade their property and landscaping, and to remove items that adversely influence property values;
- B. Code Enforcement. To encourage citizens to voluntarily comply with the various city codes

- relating to the general appearance of the city;
- C. Recommendations. To make recommendations to the city council on ways to improve the appearance of the city and to elicit voluntary cooperation to beautify and minimize vandalism in the city;
- D. Community Organizations. To work with service clubs and civic organizations, as appropriate, to help clean up the city and to promote and implement programs which help achieve this goal. Also, to work towards the establishment of neighborhood block organizations to help encourage beautification and reduce vandalism in the neighborhoods;
- E. Holiday Decorations. To encourage citizens and merchants to decorate their homes and businesses with Christmas decorations during the holiday season and to appropriately display the United States flag on national holidays;
- F. Conduct Hearings. To conduct administrative hearings pursuant to Chapter 8.30 SMC relating to property maintenance. (Ord. 773 § 1 (Exh. A), 1990)

Section 4. SEVERABILITY.

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

Section 5. EFFECTIVE DATE.

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

INTRODUCED by the City Council of the City of Seaside on the 21st day of June 2018.

PASSED AND ADOPTED at a regular City Council meeting duly held on the _____ day of _____, 2018 by the following vote:

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

APPROVED:

ATTEST:

Ralph Rubio, Mayor

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 11.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Daphne Hodgson, Deputy City Manager Administrative Services

DATE: June 21, 2018

**SUBJECT: APPROVE A RESOLUTION ADOPTING THE CITY OF
SEASIDE DEBT POLICY**

PURPOSE & RECOMMENDATION

It is recommended that the City Council review and consider the proposed City of Seaside Debt Policy. It is further recommended that the City Council approve the attached resolution adopting the Proposed Debt Policy.

BACKGROUND

SB 1029, that became effective January 1, 2017, amended the California Government Code to increase the information that municipal issuers of debt must provide to the California Debt and Investment Advisory Commission (CDIAC). SB 1029 amended the requirements for the Report of Proposed Debt Issuance. The Report must now include a certification by the City issuing debt that it has adopted a local debt policy. The Report must discuss the use of debt and that a proposed debt issuance is consistent with the local debt policy.

The law requires that a local debt policy include five elements:

- (1) the purposes for which debt proceeds may be used;
- (2) the types of debt that may be issued;
- (3) the relationship of the debt to, and integration with, the issuer's capital improvement program or budget, if applicable;
- (4) policy goals related to the issuer's planning goals and objectives; and
- (5) the internal control procedures that the issuer has implemented, or will implement, to ensure that the proceeds of a proposed debt issuance will be directed to the intended use.

The City is currently considering issuing debt for the Street Projects and the Cutino Park Project. A Report of Proposed Debt Issuance will be required for both of these issuances, therefore the City will need to have a debt policy in place that includes these five elements prior to issuance.

SB 1029 also amended the Government Code to add a new, annual report requirement for municipal issuers, to provide data to CDIAC regarding any issue of debt for which the issuer has filed a Report of Final Sale. Each annual report will cover a reporting period of July 1 through June 30, and must be submitted by January 31.

The annual report will require certain data to be provided to CDIAC concerning three main categories of information: (1) debt authorized during the applicable reporting period (whether issued or not), (2) debt outstanding during the reporting period, and (3) the use during the reporting period of proceeds of issued debt.

FISCAL IMPACT

There is no direct fiscal impact from the adoption of this policy.

ATTACHMENTS

1. adopting resolution.Local Debt Policy.6-21-18
 2. Local Debt Policy.6-21-18
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPTING A LOCAL DEBT POLICY

RECITALS:

WHEREAS, the City of Seaside (the “City”) or its related entities (such as the City of Seaside Joint Powers Financing Authority, the Parking Authority of the City of Seaside, or the Successor Agency to the Redevelopment Agency of the City of Seaside) has issued bonds or other financing obligations (collectively, “Local Debt”) subject to the filing of reports with the California Debt and Investment Advisory Commission (“CDIAC”) pursuant to Section 8855 of the California Government Code (“Section 8855”); and

WHEREAS, Senate Bill No. 1029 (“SB 1029”), effective January 1, 2017, amended Section 8855 to augment the information that must be provided by municipal issuers of Local Debt to CDIAC; and

WHEREAS, prior to SB 1029, Section 8855 has required municipal issuers of Local Debt to file a Report of Proposed Debt Issuance at least 30 days prior to the sale of any Local Debt issue; and

WHEREAS, SB 1029 amends the requirements of the Report of Proposed Debt Issuance to require that this report include a certification by the municipal issuer that it has adopted local debt policies concerning the use of Local Debt and that the contemplated Local Debt issuance is consistent with those local debt policies; and

WHEREAS, the City or its related entities (such as the City of Seaside Joint Powers Financing Authority, the Parking Authority of the City of Seaside, or the Successor Agency to the Redevelopment Agency of the City of Seaside) may also, in the future, issue Local Debt for which a Report of Proposed Debt Issuance, including the aforementioned certification, will need to be filed with CDIAC; and

WHEREAS, to facilitate issuance of Local Debt in the future and the ability of the City and its related entities to make the requisite local debt policies certification required in connection therewith by subdivision (i) of Section 8855, as amended by SB 1029, the City desires to adopt the Local Debt Policy (the “Policy”), as set forth in Exhibit A hereto;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEASIDE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The above recitals, and each of them, are true and correct.

Section 2. The Policy, as set forth in Exhibit A, is hereby approved and adopted and shall be made applicable to all Local Debt issued by or on behalf of the City and its related entities for which the governing body consists of the same individuals as the City Council of the City (including, but not limited to, the City of Seaside Joint Powers Financing Authority, the

Parking Authority of the City of Seaside, and the Successor Agency to the Redevelopment Agency of the City of Seaside).

Section 3. The City Manager, the Finance Director, and all other officers of the City are hereby authorized and directed, jointly and severally, to do any and all things to effectuate the purposes of this Resolution and to implement the Policy, and any such actions previously taken by such officers are hereby ratified and confirmed.

Section 4. This Resolution shall take effect immediately upon adoption.

APPROVED and ADOPTED at a regular meeting of the City Council of the City of Seaside at this 21st day of June, 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

By: _____
Ralph Rubio, Mayor

ATTEST:

By: _____
Lesley Milton-Rerig, City Clerk

**CITY OF SEASIDE
LOCAL DEBT POLICY**

As of _____, 20____
Resolution No. _____

A. PURPOSE

The purpose of this Local Debt Policy (this “Policy”) is to establish guidelines and parameters for the effective governance, management and administration of debt and other financing obligations issued by the City and its related entities for which the governing body consists of the same individuals as the City Council of the City (such as the City of Seaside Joint Powers Financing Authority, the Parking Authority of the City of Seaside, or the Successor Agency to the Redevelopment Agency of the City of Seaside).

As used in this Policy, “City” shall mean the City and/or the City and its related entities, as the context may require. As used in this Policy, “debt” shall be interpreted broadly to mean bonds, notes, certificates of participation, financing leases, or other financing obligations, but the use of such term in this Policy shall be solely for convenience and shall not be interpreted to characterize any such obligation as an indebtedness or debt within the meaning of any constitutional debt limitation where the substance and terms of the obligation comport with exceptions thereto.

B. BACKGROUND

The City and its related entities are committed to fiscal sustainability by employing long-term financial planning efforts, maintaining appropriate reserves levels and employing prudent practices in governance, management, budget administration and financial reporting.

Debt levels and their related annual costs are important long-term obligations that must be managed within available resources. A disciplined thoughtful approach to debt management includes policies that provide guidelines for the City and its related entities to manage their collective debt program in line with those resources. Therefore, the objective of this policy is to provide written guidelines and restrictions concerning the amount and type of debt and other financing obligations issued by the City and its related entities and the ongoing management of the debt portfolio.

This Policy is intended to improve the quality of decisions, assist with the determination of the structure of debt issuance, identify policy goals, and demonstrate a commitment to long-term financial planning, including a multi-year capital plan. Adherence to a local debt policy signals to rating agencies and the capital markets that a government is well managed and should meet its obligations in a timely manner.

C. CONDITIONS AND PURPOSES OF DEBT ISSUANCE

1. Acceptable Conditions for the Use of Debt

The City believes that prudent amounts of debt can be an equitable and cost-effective means of financing major infrastructure and capital project needs of the City. Debt will be considered to finance such projects if:

- a)** The capital project has been, or will be, included in the City's capital improvement plan or has otherwise been coordinated with the City's planning goals and objectives.
- b)** The capital project can be financed with debt not exceeding the term specified in Section E.1. of this Policy, to assure that long-term debt is not issued to finance projects with a short useful life.
- c)** It is the most cost-effective funding means available to the City, taking into account cash flow needs and other funding alternatives.
- d)** It is fiscally prudent and meets the guidelines of this Policy. Any consideration of debt financing shall consider financial alternatives, including pay-as-you-go funding, proceeds derived from development or redevelopment of existing land and capital assets owned by the City, and use of existing or future cash reserves, or combinations thereof.

2. Acceptable Uses of Debt and Proceeds of Debt

The primary purpose of debt is to finance one of the following:

- a)** The City will consider financing for the acquisition, substantial refurbishment, replacement, or expansion of physical assets, including land improvements, for the following purposes:
 - i.** Acquisition and or improvement of land, right-of-way or long-term easements.
 - ii.** Acquisition of a capital asset with a useful life of 3 or more years.
 - iii.** Construction or reconstruction of a facility.
 - iv.** Although not the primary purpose of the financing effort, project reimbursables that include project planning design, engineering and other preconstruction efforts; project-associated furniture fixtures and equipment; capitalized interest, original issue discount, underwriter's discount, and other costs of issuance.

- b) Refunding, refinancing, or restructuring debt (including without limitation the refinancing or advance funding of City pension obligations), subject to refunding objectives and parameters discussed in Section G.
- c) In the event of temporary shortfalls in cash flow for City operation costs due to timing of receipt of revenues and the lack of cash on hand to cover the temporary deficit, the City may consider interim or cash flow financing, such as anticipation notes. In compliance with applicable state law, any such notes shall be payable either (i) not later than the last day of the fiscal year in which it is issued, or (ii) during the fiscal year succeeding the fiscal year in which issued, but in no event later than 15 months after the date of issue, and only if such note is payable only from revenue received or accrued during the fiscal year in which it was issued.

3. Prohibited Uses of Debt and Proceeds of Debt

Prohibited uses of debt include the following:

- a) Financing of operating costs, except for anticipation notes satisfying the criteria set forth in Section C.2.c.
- b) Debt issuance used to address budgetary deficits.
- c) Debt issued for which the term of the debt exceeds the term specified in Section E.1. of this Policy.

4. Internal Control Procedures Concerning Use of Proceeds of Debt

One of the City's priorities in the management of debt is to assure that the proceeds of the debt will be directed to the intended use for which the debt has been issued. In furtherance of this priority, the following procedures shall apply:

- a) The Finance Director shall retain, for the applicable period specified in Section H.4. of this Policy, a copy of each annual report filed with the California Debt and Investment Advisory Commission (CDIAC) pursuant to Section 8855(k) of the California Government Code concerning (1) debt authorized during the applicable reporting period (whether issued or not), (2) debt outstanding during the reporting period, and (3) the use during the reporting period of proceeds of issued debt.
- b) In connection with the preparation of each annual report to be filed with CDIAC pursuant to Section 8855(k) of the California Government Code, the Finance Director or the designee of the Finance Director shall keep a record of the original intended use for which the debt has been issued, and indicate whether the proceeds spent during the applicable one-year reporting period for such annual report comport with the intended use (at the time of original issuance or as modified pursuant to the following sentence). If a change in intended use has been authorized subsequent to

the original issuance of the debt, the Finance Director or the designee of the Finance Director shall indicate in the record when the change in use was authorized and whether the City Council, City Manager, or another City official has authorized the change in intended use. The Finance Director shall report apparent deviations from the intended use in debt proceeds to the City Manager for further discussion, and if the City Manager determines appropriate in consultation with legal counsel (which may be bond counsel, if applicable, or the City Attorney), to the City Council.

- c) If the debt has been issued to finance a capital project and the project timeline or scope of project has changed in a way that all or a portion of the debt proceeds cannot be expended on the original project, the Finance Director shall consult with the City Manager and legal counsel (which may be bond counsel, if applicable, or the City Attorney) as to available alternatives for the expenditure of the remaining debt proceeds (including prepayment of the debt).

D. TYPE OF FINANCING INSTRUMENTS; AFFORDABILITY AND PLANNING POLICIES

The City recognizes that there are numerous types of financing structures and funding sources available, each with specific benefits, risks, and costs. All potential funding sources are reviewed by management within the context of this Policy and the overall portfolio to ensure that any financial product or structure is consistent with the City's objectives. Regardless of what financing structure(s) is utilized, due diligence review must be performed for each transaction, including the quantification of potential risks and benefits, and analysis of the impact on City creditworthiness and debt affordability and capacity.

Prior to the issuance of debt or other financing obligations to finance a project, the City will carefully consider the overall long-term affordability of the proposed debt issuance. The City shall not assume more debt or other financing obligations without conducting an objective analysis of the City's ability to assume and support additional debt service payments. The City will consider its long-term revenue and expenditure trends, the impact on operational flexibility and the overall debt burden on the taxpayers. The evaluation process shall include a review of generally accepted measures of affordability and will strive to achieve and or maintain debt levels consistent with its current operating and capital needs.

1. **General Fund-Supported Debt** – General Fund Supported Debt generally include Certificates of Participation (COPs) and Lease Revenue Bonds (LRBs) which are lease obligations that are secured by an installment sale or by a lease-back arrangement between the City and another public entity. Typically, the City appropriates available General Fund moneys to pay the lease payments to the other public entity and, in turn, the public entity uses such lease payments received to pay debt service on the bonds or Certificates of Participation.

General Fund Supported Debt may also include bonds issued to refund obligations imposed by law, such as judgments (judgment obligation bonds (JOBs)) or unfunded accrued actuarial liabilities for pension plans (pension obligation bonds (POBs)).

These obligations do not constitute indebtedness under the state constitutional debt limitation and, therefore, are not subject to voter approval.

Payments to be made under valid leases are payable only in the year in which use and occupancy of the leased property is available, and lease payments may not be accelerated. Lease financing requires the fair market rental value of the leased property to be equal to or greater than the required debt service or lease payment schedule. The lessee (City) is obligated to include in its Annual Budget and appropriate the rental payments that are due and payable during each fiscal year the lessee has use of the leased property.

The City should strive to maintain its net General Fund-backed annual debt service at or less than 10% of available annually budgeted revenue. This ratio is defined as the City's annual debt service requirements on General Fund Supported Debt (including, but not limited to, COPs, LRBs, JOBs, and POBs) compared to total annual General Fund Revenues net of interfund transfers.

For purposes of calculating the ratio described in the preceding paragraph, any portion of annual debt service on General Fund Supported Debt that is paid from a dedicated stream of restricted revenues that has been directed toward the payment of annual debt service through a bond covenant or other similar legal obligation shall be excluded from the amount of "net General Fund-backed annual debt service" stated in the numerator of the ratio. Examples of such restricted revenues include, but are not limited to, a voter-approved sales tax restricted for transportation infrastructure or a voter-approved parcel tax for specific purposes.

2. **Revenue Bonds** – Long-term obligations payable solely from specific special fund sources, in general, are not subject to a debt limitation. Examples of such long-term obligations include those which are payable from a special fund consisting of restricted revenues or user fees (Enterprise Revenues) and revenues derived from the system of which the project being funded is a part.

In determining the affordability of proposed revenue bonds, the City will perform an analysis comparing projected annual net revenues (exclusive of depreciation which is a non-cash related expense) to estimated annual debt service. The City should strive to maintain a coverage ratio of 110% (or such higher coverage ratio included in the City's existing financing documents), using historical and/or projected net revenues to cover annual debt service for bonds. To the extent necessary, the City shall undertake proceedings for a rate increase to cover both operations and debt service costs, and create debt service reserve funds to maintain the required coverage ratio.

3. **Special Districts Financing** – The City’s special districts primarily consist of Community Facilities Districts (CFDs) and 1913/1915 Act Assessment Districts (Assessment Districts). The City will consider requests for special district formation and debt issuance when such requests address a public need or provide a public benefit. Each application will be considered on a case by case basis, and the Finance Department may not recommend a financing if it is determined that the financing could be detrimental to the debt position or the best interests of the City.
4. **General Obligation Bonds** – Notwithstanding their name, General Obligation Bonds are not general obligations of the City, but instead they are payable from and secured by a dedicated, voter-approved property tax override rate (*i.e.*, a property tax in excess of the 1% basic *ad valorem* property tax rate which has received the approving two-thirds vote of the City’s electorate). While the dedicated revenue stream to repay the debt makes General Obligation Bonds an attractive option, additional considerations for this financing mechanism include the time and expense of an election, the possibility that the electorate will not approve the ballot measure, and the legal bonding capacity limit (for general law cities, 3.75% of the assessed value of all taxable property within the City as of the adoption date of this Policy).
5. **Tax Increment Financing** – Tax increment financing is a financing method whereby a portion of *ad valorem* property taxes (commonly called the “tax increment”) that are allocated to an entity, such as a successor agency to redevelopment agency (Successor Agency), an enhanced infrastructure financing district (EIFD), or a community revitalization and investment authority (CRIA), and the entity is permitted to incur debt payable from the and secured by the tax increment revenues. While tax increment debt for redevelopment agencies and Successor Agencies is entitled to the benefits of Article XVI, Section 16, of the California Constitution, no similar provision exists for EIFDs and CRIsAs at the time of adoption of this Policy. Therefore, when considering EIFD or CRIA financing, or other types of tax increment financing which may be permitted by law in the future, debt limit concerns should be analyzed with respect to the proposed structure and taken into account in determining the practical viability of the proposed financing.
6. **Conduit Debt** – Conduit financing provides for the issuance of securities by a government agency to finance a project of a third party, such as a non-profit organization or other private entity. The City may sponsor conduit financings for those activities that have a general public purpose and are consistent with the City’s overall service and policy objectives. Unless a compelling public policy rationale exists, such conduit financings will not in any way pledge the City’s faith and credit.

E. STRUCTURE OF DEBT

- 1. Term of Debt** – In keeping with Internal Revenue Service regulations for tax-exempt financing obligations, the weighted average maturity of the debt should not exceed 120 percent of the weighted average economic life of the facilities or projects to be financed, unless specific circumstances exist that would mitigate the extension of time to repay the debt and it would not cause the City to violate any covenants to maintain the tax-exempt status of such debt, if applicable.
- 2. Rapidity of Debt Payment; Level Payment** – To the extent practical, bonds will be amortized on a level repayment basis, and revenue bonds will be amortized on a level repayment basis considering the forecasted available pledged revenues to achieve the lowest rates possible. Bond repayments should not increase on an annual basis in excess of 2% without a dedicated and supporting revenue funding stream.

Accelerated repayment schedules reduce debt burden faster and reduce total borrowing costs. The Finance Department will amortize debt through the most financially advantageous debt structure and to the extent possible, match the City's projected cash flow to the anticipated debt service payments. "Backloading" of debt service will be considered only when one or more of the following occur:

- a) Natural disasters or extraordinary or unanticipated external factors make payments on the debt in early years prohibitive.
 - b) The benefits derived from the debt issuance can clearly be demonstrated to be greater in the future than in the present.
 - c) Such structuring is beneficial to the City's aggregate overall debt payment schedule or achieves measurable interest savings.
 - d) Such structuring will allow debt service to more closely match projected revenues, whether due to lower project revenues during the early years of the project's operation, inflation escalators in the enterprise user rates, or other quantifiable reasons.
- 3. Serial Bonds, Term Bonds, and Capital Appreciation Bonds** – For each issuance, the City will select serial bonds or term bonds, or both. On the occasions where circumstances warrant, Capital Appreciation Bonds (CABs) may be used. The decision to use term, serial, or CAB bonds is driven based on market conditions.
 - 4. Reserve Funds** – To the extent a reserve fund provides an economic benefit that offsets the cost of funding the reserve fund, as determined by the Finance Director in consultation with the City's municipal advisor and, if applicable, the underwriter for the bonds, the City may fund a reserve fund for the proposed bonds, up to the maximum amount permitted by applicable law or regulation.

Typically, this amount is equal to the least of (i) maximum annual debt service on the bonds, (ii) 10% of the principal amount of the bonds (or 10% of the sale proceeds of the bonds, within the meaning of Section 148 of the federal Internal Revenue Code), or (iii) 125% of average annual debt service on the bonds.

F. USE OF ALTERNATIVE DEBT INSTRUMENTS

To maintain a predictable debt service burden, the City will give preference to debt that carries a fixed interest rate. An alternative to the use of fixed rate debt is variable rate debt.

Alternative debt instruments and financing structures sometimes can provide a lower cost of borrowing in the short run, but may involve greater medium-term or long-term risk. Due diligence review must be performed for each transaction, including the quantification of potential risks and benefits, analysis of the impact on City creditworthiness and debt affordability and capacity, and an evaluation of the ability of the City to withstand the medium-term or long-term risk attendant to alternative debt instruments, including the feasibility of exit strategies.

1. Variable Rate Debt

Variable rate debt affords the City the potential to achieve a lower cost debt depending on market conditions. However, the City will seek to limit the use of variable-rate debt due to the potential risks of such instruments.

a) Purpose

The City may consider the use of variable rate debt for the purposes of:

- i. Reducing the costs of debt issues.
- ii. Increasing flexibility for accelerating principal repayment and amortization.
- iii. Enhancing the management of assets and liabilities (matching short-term “priced debt” with the City’s short-term investments).

b) Considerations and Limitations on Variable-Rate Debt

The City may consider the use of all alternative structures and modes of variable rate debt to the extent permissible under State law and will make determinations among different types of modes of variable rate debt based on cost, benefit, and risk factors. The Finance Director shall consider the following factors in considering whether to utilize variable rate debt:

- i. The maximum amount of variable-rate debt should be limited to no more than 20% of the total debt portfolio.

- ii. Any variable rate debt should be fully hedged by expected future capital fund reserves or unrestricted General Fund reserve levels, as applicable.
- iii. Whether interest cost and market conditions (including the shape of the yield curves and relative value considerations) are unfavorable for issuing fixed rate debt.
- iv. The likelihood of projected debt service savings when comparing the cost of fixed rate bonds.
- v. Costs, implementation and administration are quantified and considered.
- vi. Cost and availability of liquidity facilities (lines of credit necessary for variable rate debt obligations and commercial paper in the event that the bonds are not successfully remarketed) are quantified and considered.
- vii. Whether the ability to convert debt to another mode (daily, monthly, fixed) or redeem at par at any time is permitted.
- viii. Cost and availability of derivative products to hedge interest rate risk.
- ix. The findings of a thorough risk management assessment.

c) Risk Management

Any issuance of variable rate debt shall require a rigorous risk assessment, including, but not limited to factors discussed in this section. Variable rate debt subjects the City to additional financial risks (relative to fixed rate bonds), including interest rate risk, tax risk, and certain risks related to providing liquidity for certain types of variable rate debt.

The City will properly manage the risks as follows:

- i. ***Interest Rate Risk and Tax Risk*** – The risk that market interest rates increase on variable-rate debt because of market conditions, changes in taxation of municipal bond interest, or reductions in tax rates. Mitigation – Limit total variable rate exposure per the defined limits, match the variable rate liabilities with short term assets, and/or purchase appropriate derivative products to hedge against the risk (see also Section F.2 below).
- ii. ***Liquidity/Remarketing Risk*** – The risk that holders of variable rate bonds exercise their “put” option, tender their bonds, and the bonds cannot be remarketed requiring the bond liquidity facility provider

to repurchase the bonds. This will result in the City paying a higher rate of interest to the facility provider and the potential rapid amortization of the repurchased bonds. Mitigation - Limit total direct variable-rate exposure. Seek liquidity facilities which allow for longer (5-10 years) amortization of any draws on the facility. Endeavor to secure credit support facilities that result in bond ratings of the highest short-term ratings and long-term ratings not less than AA. If the City's bonds are downgraded below these levels (or such other rating levels as provided in the applicable financing documents) as a result of the facility provider's ratings, a replacement provider shall be sought.

- iii. ***Liquidity/Rollover Risk*** – The risk that arises due to the shorter term of most liquidity provider agreements (1-5 years) relative to the longer-term amortization schedule of the City's variable-rate bonds. Liquidity and rollover risk includes the following risks: (1) the City may incur higher renewal fees when renewal agreements are negotiated, and (2) the liquidity bank market may constrict such that it is difficult to secure third party liquidity at any interest rate. Mitigation – Negotiate longer terms on provider contracts to minimize the number of rollovers.

2. Derivatives

The use of certain derivative products to hedge variable rate debt, such as interest rate swaps, may be considered to the extent the City has such debt outstanding or under consideration. The City will exercise extreme caution in the use of derivative instruments for hedging purposes, and will consider their utilization only when sufficient understanding of the products and sufficient expertise for their appropriate use has been developed. Only those derivatives governed by an ISDA Master Agreement provided by the International Swaps and Derivatives Association, Inc. will be considered. A comprehensive derivative policy will be adopted by the City prior to any utilization of such instruments.

G. REFUNDING GUIDELINES

The Finance Director shall monitor all outstanding City debt obligations for potential refinancing opportunities. The City will consider refinancing of outstanding debt to achieve annual savings or to refinance a bullet payment or spike in debt service. Except for instances in which a bullet payment or spike in debt service is being refinanced, absent a compelling reason or financial benefit to the City, any refinancing should not result in an increase to the weighted average life of the refinanced debt.

Except for instances in which a bullet payment or spike in debt service is being refinanced, the City will generally seek to achieve debt service savings which, on a net present value basis, are at least 3% of the debt being refinanced. The net present value assessment shall factor in all costs, including issuance, escrow, and foregone interest earnings of any contributed funds on

hand. Any potential refinancing shall additionally consider whether an alternative refinancing opportunity with higher savings is reasonably expected in the future. Refundings which produce a net present value savings of less than 3% will be considered on a case-by-case basis. Notwithstanding the foregoing, a refunding of Successor Agency bonds shall be determined based on the requirements of Health and Safety Code Section 34177.5.

H. MARKET COMMUNICATION, ADMINISTRATION, AND REPORTING

- 1. Rating Agency Relations and Annual or Ongoing Surveillance** – The Finance Director shall be responsible for maintaining the City’s relationships with S&P Global Ratings, Fitch Ratings and Moody’s Investor’s Service. These agencies’ rating criteria often change and the City cannot control the decisions made by any rating agency. However, for each debt issue that the City will seek a rating assignment, the City will strive to obtain and maintain the highest possible underlying, uninsured rating. In addition to general communication, the Finance Director shall:
 - a)** Ensure the rating agencies are provided updated financial statements of the City as they become publically available.
 - b)** Communicate with credit analysts at each agency at least once each year, or as may be requested by the agencies.
 - c)** Prior to each proposed new debt issuance, schedule meetings or conference calls with agency analysts and provide a thorough update on the City’s financial position, including the impacts of the proposed debt issuance.
- 2. Council Communication** – The Finance Director should report feedback from rating agencies, when and if available, regarding the City’s financial strengths and weaknesses and areas of concern relating to weaknesses as they pertain to maintaining the City’s existing credit ratings.
- 3. Continuing Disclosure Compliance** – The City shall remain in compliance with Rule 15c2-12, promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, by filing (to the extent required by the applicable continuing disclosure undertaking) its annual financial statements and other financial and operating data for the benefit of its bondholders within 270 days of the close of the fiscal year, or by such other annual deadline required in any continuing disclosure agreement or certificate for any debt issue. The City shall maintain a log or file evidencing that all continuing disclosure filings have been made promptly.
- 4. Debt Issue Record-Keeping** – A copy of all debt-related records shall be retained at the City’s offices. At minimum, these records shall include all official statements, bond legal documents/transcripts, resolutions, trustee statements, leases, and title reports for each City financing (to the extent available).

Such records shall be retained while any bonds of an issue are outstanding and during the three-year period following the final maturity or redemption of the bond issue or, if later, while any bonds that refund bonds of that original issue are outstanding and for the three year period following the final maturity or redemption date of the latest refunding bond issue.

5. **Arbitrage Rebate** – The use of bond proceeds and their investments must be monitored to ensure compliance with all arbitrage rebate requirements of the Internal Revenue Code and related Internal Revenue Service regulations, in keeping with the covenants of the City and/or related entity in the tax certificate for any federally tax-exempt financing. The Finance Director shall ensure that all bond proceeds and investments are tracked in a manner which facilitates accurate calculation; and, if a rebate payment is due, such payment is made in a timely manner.

I. CREDIT RATINGS

The City will consider published ratings agency guidelines regarding best financial practices and guidelines for structuring its capital funding and debt strategies to maintain the highest possible credit ratings consistent with its current operating and capital needs.

J. SB 1029 COMPLIANCE

Senate Bill 1029, signed by Governor Brown on September 12, 2016 and enacted as Chapter 307, Statutes of 2016, requires issuers to adopt debt policies addressing each of the five items below:

1. *The purposes for which the debt proceeds may be used.*

Section C.2 (Acceptable Uses of Debt and Proceeds of Debt) and Section C.3 (Prohibited Use of Debt and Proceeds of Debt) address the purposes for which debt proceeds may be used.

2. *The types of debt that may be issued.*

Section D (Types of Financing Instruments; Affordable and Planning Policies), Section E (Structure of Debt) and Section F (Use of Alternative Debt Instruments) provide information regarding the types of debt that may be issued.

3. *The relationship of the debt to, and integration with, the issuer's capital improvement program or budget, if applicable.*

Section C.1 (Acceptable Conditions for the Use of Debt) provides information regarding the relationship between the City's debt and Capital Improvement Program.

4. *Policy goals related to the issuer's planning goals and objectives.*

As described in Section B (Background), Section D (Types of Financing Instruments; Affordable and Planning Policies), and other sections, this Policy has been adopted to assist with the City's goal of maintaining fiscal sustainability and financial prudence.

5. *The internal control procedures that the issuer has implemented, or will implement, to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.*

Section 4 (Internal Control Procedures Concerning Use of Proceeds of Debt) provides information regarding the City's internal control procedures designed to ensure that the proceeds of its debt issues are spent as intended.