



AGENDA
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Thursday, September 5, 2019
7:00 PM

1. CALL TO ORDER

2. ROLL CALL – ESTABLISHMENT OF QUORUM

Ian N. Oglesby	Mayor
David R. Pacheco	Mayor Pro Tem
Jason Campbell	Council Member
Jon Wizard	Council Member
Alissa Kispersky	Council Member

3. INVOCATION AND PLEDGE OF ALLEGIANCE

4. REVIEW OF AGENDA

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

5. PUBLIC COMMENT

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

6. PUBLIC AGENCY COMMUNICATIONS

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

7. PRESENTATIONS

A. REPORT ON THE SEASIDE YOUTH RESOURCE CENTER'S SUMMER YOUTH EMPLOYMENT PROGRAM

B. RECEIVE PRESENTATION ON PG&E PUBLIC SAFETY POWER SHUTOFF

C. RECEIVE PRESENTATION ON NEW PROGRAM SEE CLICK FIX

8. CONSENT AGENDA

A. APPROVE MINUTES FROM AUGUST 15, 2019

RECOMMENDATION: That the minutes be approved as presented.

B. APPROVE AND FILE CITY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of August 3, 2019 through August 23, 2019 including the payroll and benefits checks, direct deposits and wired payments related to the pay period of August 16, 2019. Total Accounts Payable and Payroll for the above referenced period is \$2,004,764.07.

C. PROCLAMATION DECLARING SEPTEMBER AS CHILDHOOD CANCER AWARENESS MONTH IN THE CITY OF SEASIDE

RECOMMENDATION: To issue a proclamation to Jacob's Heart Children's Cancer Support Services Declaring September 2019 as Childhood Cancer Awareness Month in Seaside.

D. AUTHORIZATION FOR ANNUAL RECREATION DEPARTMENT EMPLOYEE AND VOLUNTEER RECOGNITION EVENT

RECOMMENDATION: Authorize staff to hold an annual recognition event for part-time employees and volunteers subject to budget authority.

E. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL FOOTBALL TEAM

RECOMMENDATION: Approve a request from Seaside High School Football Team for a donation of Three Thousand Dollars (\$3,000) from the Mayor's Youth Fund for the costs associated with new helmets and shoulder pads.

F. APPROVE A RESOLUTION EXECUTING MAINTENANCE AND RIGHT OF ENTRY AGREEMENT WITH HONDA AND ALFA ROMEO/MASERATI DEALERSHIPS

RECOMMENDATION: Consider approval of a resolution authorizing the City Manager to execute a Maintenance and Right of Entry Agreement with Seaside's Honda and Alfa Romeo/Maserati dealerships.

G. ESTABLISH THE CLASSIFICATIONS OF ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT (ESCA) SENIOR PROGRAM MANAGER AND ESCA COORDINATOR, ADOPT THE COMPENSATION PLAN FOR UNCLASSIFIED POSITIONS, AND MODIFY THE POSITION ALLOCATION LIST

RECOMMENDATION: Adopt a resolution establishing the Environmental Services Cooperative Agreement (ESCA) positions with the understanding these positions will not be filled unless and until the City takes formal action to assume the ESCA responsibilities.

H. ADOPT A RESOLUTION APPROVING A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HARRIS & ASSOCIATES TO INCREASE CONTRACT AMOUNT BY \$13,820 FOR REVIEW OF TOYOTA DEALERSHIP DEVELOPMENT TO BE REIMBURSED BY TOYOTA THROUGH FEES PAID

RECOMMENDATION: Approve a resolution authorizing the second amendment to a professional services agreement with Harris & Associates increasing the contract amount by \$13,820 for review of Toyota dealership development plans.

I. APPROVE A RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE A 2019 BMW R 1250 RT-P POLICE MODEL MOTORCYCLE

RECOMMENDATION: Approve a resolution allowing the Police Department to purchase a 2019 BMW R 1250 RT-P police model motorcycle.

J. APPOINTMENT OF BOARD, COMMISSION AND COMMITTEE MEMBERS TO FILL CURRENT VACANCIES

RECOMMENDATION: To make appointments to the Neighborhood Improvement Commission, the Homeless Committee, the Community Development Advisory Committee to fill vacancies created by the recent declaration of vacancies by the City Council.

9. PUBLIC HEARING

A. CONDUCT PROTEST HEARING OF THE PROPOSED RATE STRUCTURE FOR WATER SERVICES FOR THE CUSTOMERS OF THE SEASIDE MUNICIPAL WATER SYSTEM.

RECOMMENDATION: The purpose of this item is for Council to conduct a protest hearing on the proposed water rate structure for the customers of the Seaside Municipal Water System, as required by Proposition 218. Staff will count the number of protests received and provide City Council with the results.

B. ADOPTION OF AN ORDINANCE TO ESTABLISH A COMMISSION ON JOB OPPORTUNITIES AND BUSINESSES IN SEASIDE (CJOBS) (SECOND READING, ROLL CALL VOTE)

RECOMMENDATION: Adopt the second reading of the draft ordinance to modify the Seaside Municipal Code Section 2.14 Establishing a Commission on Jobs, Opportunities and Businesses in Seaside (CJOBS)

C. ADOPTION OF AN ORDINANCE TO PERMIT, BY LICENSE, SLEEPING IN VEHICLES UNDER SMC CHAPTER 8.23 SAFE PARKING (SECOND READING, ROLL CALL VOTE)

RECOMMENDATION: Adopt the second reading of the draft ordinance establishing licensing to operate a safe parking program.

D. INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 9.08 ESTABLISHING REGULATIONS FOR THE USE OF DESIGNATED SKATEBOARDING AREAS (FIRST READING - ROLL CALL VOTE)

RECOMMENDATION: Introduce the draft ordinance as presented, discuss, invite comments from the public, and pass to print the draft ordinance amending Municipal Code Chapter 9.08 to establish regulations for the use of designated skateboarding areas.

10. BUSINESS ITEMS

11. COUNCIL MEMBER REQUESTS

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:
Thursday, September 19, 2019
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, 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. Live streamed meeting videos as well as videos of past meetings are available on the City's website at: <http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.



CITY OF SEASIDE STAFF REPORT

Item No.: 7.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Ashley Collick, Youth Violence Prevention Coordinator
Kee Hyon Higgins

DATE: September 5, 2019

**SUBJECT: REPORT ON THE SEASIDE YOUTH RESOURCE CENTER'S
SUMMER YOUTH EMPLOYMENT PROGRAM**

PURPOSE & RECOMMENDATION

Receive a presentation from Seaside Youth Resource Center on their Summer Youth Employment Program.

BACKGROUND

Background

The Seaside Youth Employment Program was developed to provide youth in the City of Seaside with opportunities for first-time employment, valuable work experience and skills needed in the workplace. This program allows youth a structured environment with clear rewards and support which their school experiences and families may not be able to provide. With support from the City of Seaside Recreation Department, Blue Ribbon Panel for the Reduction of Youth Violence, MPUSD and local community partners, the Youth Employment Program began in April 2019.

Program Objective

Youth Participants between the ages of 15-18 received 4-weeks of pre-employment training, and 8-weeks of paid work experience and program mentorship.

1. Application Period

From March 1st – April 15th, 2019, 29 high school youth applied for the summer employment program from schools around the Monterey Peninsula. 14 applicants are clients of the Seaside Youth Resource Center.

2. Interviews

21 of the 29 applicants were brought in for meet and greet interviews with Seaside Youth Resource Center and Teen Center staff. Other applicants chose other employment opportunities or did not respond to staff.

3. Orientation and Pre-Employment Period

Youth were provided 16 hours of training addressing topics such as job readiness skills, career goals, interpersonal and communication skills, job applications, creating a cover letter and resume and interview skills. Youth were expected to attend each session and complete their pre-employment checklist which included such as an online job application, fingerprint background check, tuberculosis test, school work permit, bank account and providing proper identification.

Many youth had difficulty in attaining a work permit through their high school. It was particularly difficult at Seaside High School due to youth having to wait until the end of the school year and working through academic issues. Students from other schools had a much easier and faster process in receiving their work permit.

4. Employment Period

12 youth successfully completed orientation and their pre-employment checklist. Youth were assigned to Kids Camp, Play Land, Teen Center, Special Events, Older Adults and Aquatics.

5. Challenges and Successes

During the program youth struggled with tardiness, leaving work early, financial mismanagement, lack of communication and distractions such as family, friends and cell phones. With staff support and coaching, youth were able to make changes and grow from their challenges.

There are many accomplishments from this program: 29 applicants, 17 youth were accepted into the program, 12 completed pre-employment orientation and 100% retention at the end of the summer program.

6. Future Goals

Next year we hope to expand employment opportunities beyond the Seaside Recreation Department and collaborate with City Hall, Human Resources, Public Works and other departments. We also want to involve private businesses within the community of Seaside who are open to employing youth.

FISCAL IMPACT

ATTACHMENTS

1. SYEP Presentation
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



SUMMER YOUTH EMPLOYMENT PROGRAM

Overview

Youth between the ages of 15-18 receive:

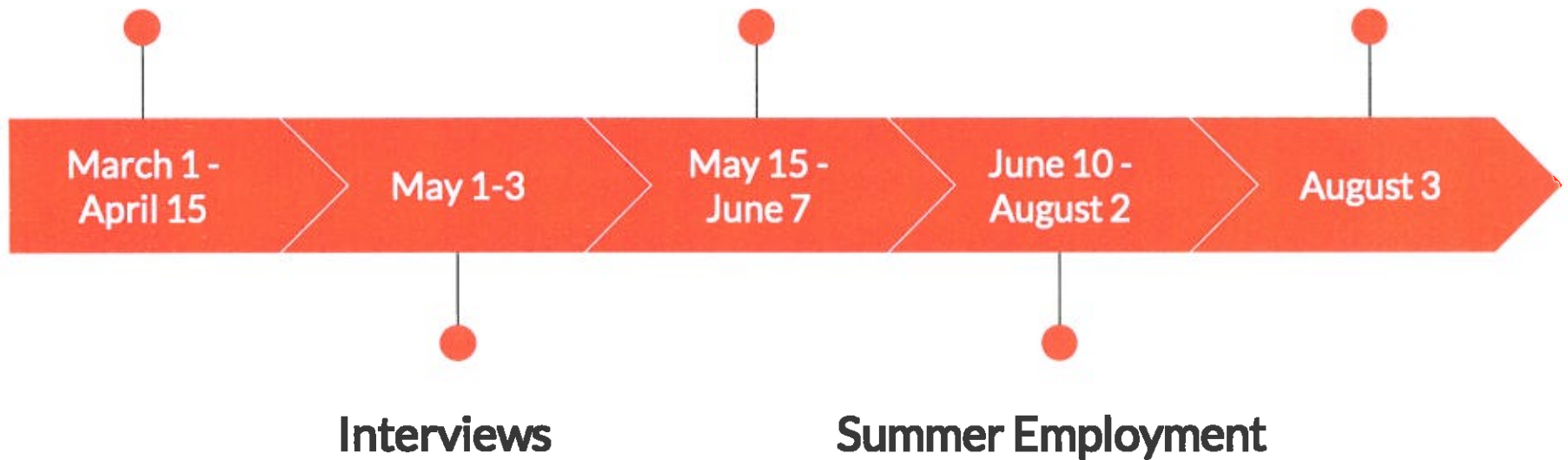
- 4-week pre-employment training
 - 8-week paid work experience
 - Job Coaching
-

Timeline

**Application
Period**

Orientation

**End of Program
Celebration**



Application Period

MARCH 1st - APRIL 15th

Application Period

- A total of 29 youth applied for summer job program
- 14 of 29 applicants are clients of the Seaside Youth Resource Center

Interview Period

MAY 1st - 3rd

Interview Period

- 21 of the 29 applicants were brought in for interviews with Seaside Youth Resource Center and Teen Center staff.
- Other applicants chose other employment, did not respond to interview requests or were too old.

Orientation Period

MAY 15th - JUNE 7th

Orientation Period

- Youth were provided 16 hours of job readiness training.
 - 10 laptops were purchased to assist with training and new hire paperwork.
 - Shopping trip for interview attire -- \$50 scholarship.
 - To secure employment each youth must complete orientation and pre-employment checklist.
-

Challenges during Orientation

- 5 youth were unable to complete orientation and their checklist due to dropping out of the program, grades and unable to receive work permit.
 - The most difficult task was attaining a school work permit. Many had to wait until the school year was over while others were able to receive theirs immediately.
-

Summer Employment Period

JUNE 10th - AUGUST 2nd

Summer Employment Period

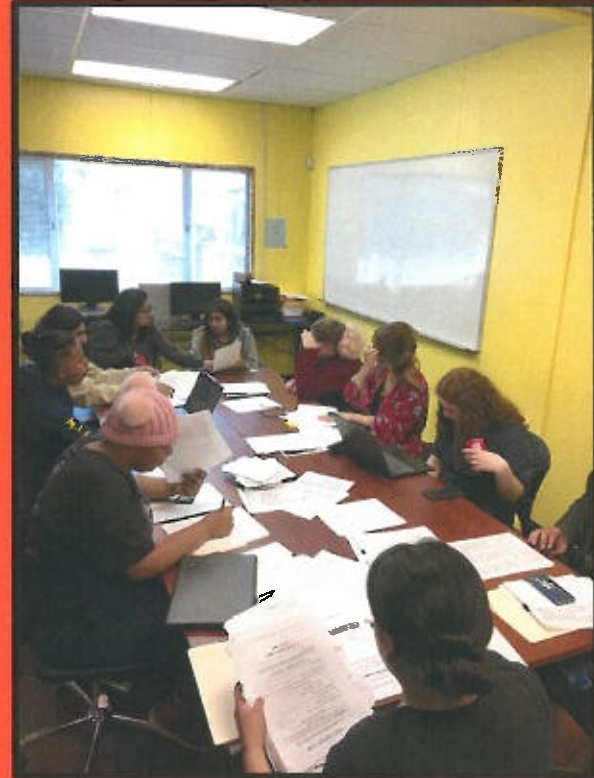
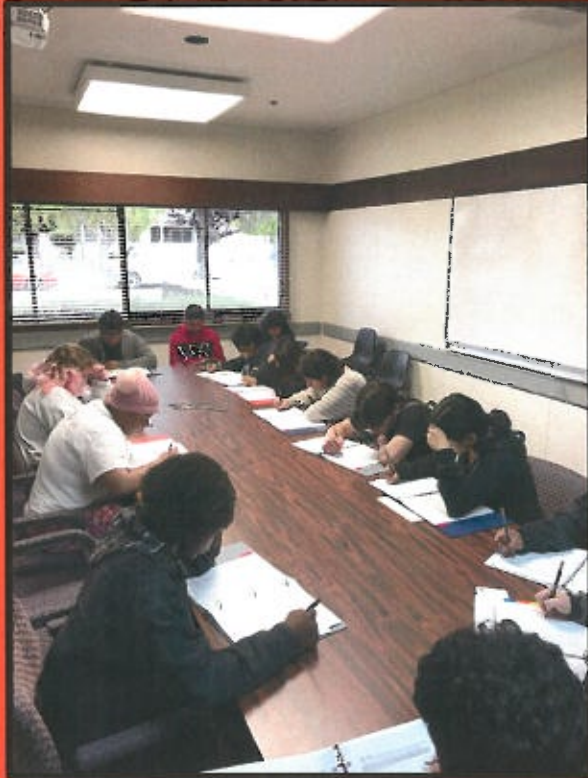
- 12 youth successfully completed orientation and their pre-employment checklist.
- Youth were assigned to Teen Center, Kids Camp, Seaside Aquatics, Special Events, Older Adults and Facilities.

Challenges during Summer Employment:

- Tardiness
 - Leaving work early
 - Distractions at work -- family, friends, phone
 - Lack of communication -- change of availability, transportation issues, calling in sick
 - Balance of work and social life
-

Accomplishments

- 29 applications
 - 17 youth accepted
 - Completion of 4-week orientation
 - 12 new employees
 - 100% retention
-



End of Program Goals

Job Coaching & Check-In's

- Bi-weekly check-in's with youth on employment progress and program feedback
- Increasing support for each youth participant

Job Skills Development

- Assist youth in communication
 - Balance work/personal life schedule
 - Plan for transportation
-

Future Goals

- **Expansion of Youth Employment within City of Seaside:**
 - City Hall
 - Human Resources
 - Public Works
- **Expansion of Youth Employment within Seaside community:**
 - Private businesses
 - Community partners



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Brian Dempsey, Fire Chief

DATE: September 5, 2019

SUBJECT: RECEIVE PRESENTATION ON PG&E PUBLIC SAFETY POWER SHUTOFF

PURPOSE & RECOMMENDATION

The purpose of this item is for City Council to receive a presentation on PG&E Public Safety Power Shutoff.

BACKGROUND

In order to keep communities safe, PG&E may need to turn off power during extreme weather or wildfire conditions. This is called a Public Safety Power Shutoff. Given the continued and growing threat of extreme weather and wildfires, and as an additional precautionary measure following the 2017 and 2018 wildfires, PG&E is expanding and enhancing their Community Wildfire Safety Program.

Criteria for Determining a Public Safety Power Shutoff:

- A Red Flag Warning
- Low Humidity Levels
- Forecasted Sustained Winds
- Condition of Dry Fuel
- On-the-Ground, Real Time Information from PG&E Wildfire Safety Operations Center

This presentation covers procedures, monitoring, criteria, impacted areas, notification, restoration and preparedness.

FISCAL IMPACT

None

ATTACHMENTS

1. PGE Public Safety Power Shutoff Policies and Procedures

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

PACIFIC GAS AND ELECTRIC COMPANY PUBLIC SAFETY POWER SHUTOFF POLICIES AND PROCEDURES

MAY 2019



**Together, Building
a Better California**

Following the wildfires in 2017 and 2018, some of the changes included in this document are contemplated as additional precautionary measures intended to further reduce future wildfire risk.

PACIFIC GAS AND ELECTRIC COMPANY

PUBLIC SAFETY POWER SHUTOFF

POLICIES AND PROCEDURES

The following is a description of Pacific Gas and Electric Company's (PG&E) policies and procedures related to proactively turning off power for safety – and later restoring power – when necessary due to extreme weather and wildfire danger. This is often called proactive de-energization and restoration in the industry; PG&E is calling this **Public Safety Power Shutoff**.

Given the continued and growing threat of extreme weather and wildfires, and as an additional precautionary measure following the 2017 and 2018 wildfires, we are expanding and enhancing our Community Wildfire Safety Program to further reduce wildfire risks and help keep our customers and the communities we serve safe. Our ongoing and expanded wildfire safety actions include:



REAL-TIME MONITORING AND INTELLIGENCE

- Coordinating prevention and response efforts by monitoring wildfire risks in real time from our Wildfire Safety Operations Center
- Expanding our network of PG&E weather stations to enhance weather forecasting and modeling
- Supporting the installation of new high-definition cameras in high fire-threat areas



NEW AND ENHANCED SAFETY MEASURES

- Further enhancing vegetation management efforts to increase focus on vegetation that poses a higher potential for wildfire risk
- Conducting accelerated safety inspections of electric infrastructure in high fire-threat areas
- Disabling automatic reclosing of circuit breakers and reclosers in high fire-risk areas during wildfire season
- Proactively turning off electric power for safety (Public Safety Power Shutoff) when extreme fire danger conditions are forecasted



SYSTEM HARDENING AND RESILIENCY

- Installing stronger and more resilient poles and covered power lines, along with targeted undergrounding
- Upgrading and replacing electric equipment and infrastructure to further reduce wildfire risks
- Working with communities to develop new resilience zones to provide electricity to central community resources during a Public Safety Power Shutoff event

Visit pge.com/wildfiresafety for more information

Public Safety Power Shutoff is one component of the Community Wildfire Safety Program. PG&E has created a set of procedures for:

- Monitoring **fire danger conditions**
- Determining what **combination of conditions** necessitates turning off lines for safety
- Identifying **potentially impacted areas**
- **Notifying customers**, municipalities, agencies and critical facilities
- **Restoring power as quickly as possible** once it is safe to do so

Following the wildfires in 2017 and 2018, some of the changes included in this document are contemplated as additional precautionary measures intended to further reduce future wildfire risk.

1 | MONITORING FOR EXTREME FIRE DANGER CONDITIONS

PG&E's Wildfire Safety Operations Center monitors potential fire threats across our service area in real time and coordinates prevention and response efforts.

■ 24-HOUR STAFFING

The Wildfire Safety Operations Center is staffed 24 hours a day, primarily during wildfire season, and operational other times of the year, depending on conditions.

■ HIGHLY-QUALIFIED TEAM

The onsite team is composed of highly-qualified individuals knowledgeable in electric operations, fire safety, meteorology and other areas.



■ REAL-TIME MONITORING

The center provides real-time monitoring of conditions from on-the-ground field teams, PG&E weather stations and live video feeds, as well as databases, emergency alert systems and social media from agencies such as CAL FIRE, National Weather Service, National Oceanic and Atmospheric Association (NOAA), California Highway Patrol (CHP) and local public safety authorities.

PG&E'S WEATHER STATION NETWORK

To further advance our weather forecasting capabilities, PG&E is expanding its network of weather stations to monitor and forecast weather conditions and better assess where extreme wildfire danger could occur so we can respond quickly and appropriately to keep our customers safe.

- Data collected by these stations is streamed in real time and is available to state and local agencies and the public through online sources such as the [National Weather Service](#) and [MesoWest](#).
- With these new weather stations, PG&E is able to capture localized data related to temperature, wind speeds and humidity levels to provide improved awareness of current fire danger conditions.
- PG&E's team of meteorologists feeds information to the Wildfire Safety Operations Center team to review data and determine any needed action to help reduce wildfire risks, such as a Public Safety Power Shutoff.

2 | CRITERIA FOR DETERMINING A PUBLIC SAFETY POWER SHUTOFF

A Public Safety Power Shutoff will only be done when the most extreme fire danger conditions are forecasted to help reduce the likelihood of an ignition and help keep our customers and communities safe.

No single factor drives a Public Safety Power Shutoff as each situation is unique. PG&E carefully reviews a combination of many criteria when determining if power should be turned off for safety. These factors generally include, but are not limited to:

- **A Red Flag Warning declared** by the National Weather Service
- **Low humidity levels**, generally 20 percent and below
- **Forecasted sustained winds** generally above 25 mph and wind gusts in excess of approximately 45 mph, depending on location and site-specific conditions such as temperature, terrain and local climate
- **Condition of dry fuel** on the ground and live vegetation (moisture content)
- **On-the-ground, real-time information** from PG&E's Wildfire Safety Operations Center and field observations from PG&E crews

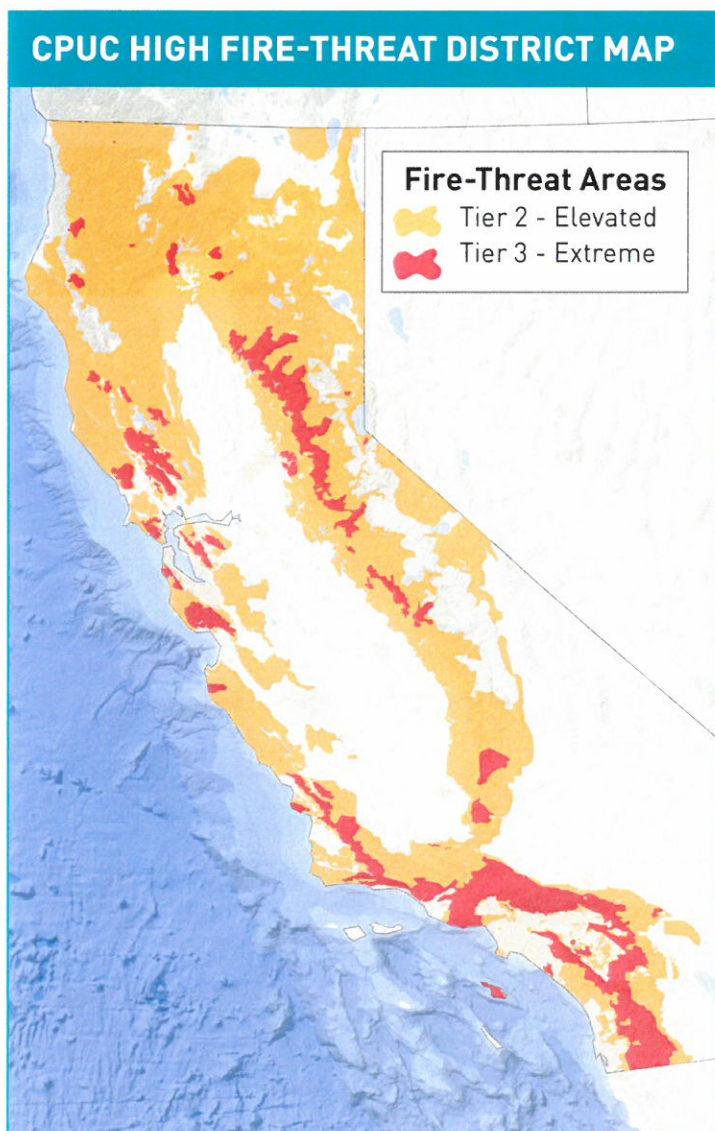
We anticipate that a Public Safety Power Shutoff could occur several times per year in PG&E's service area, although it is impossible to predict with complete certainty when, where and how often extreme weather conditions could occur given the rapidly changing environmental conditions.



3 | POTENTIALLY IMPACTED AREAS

Beginning with the 2019 wildfire season, as an additional precautionary measure to further reduce wildfire risks and keep our customers and communities safe, we are expanding our Public Safety Power Shutoff program to include all electric lines that pass through high fire-threat areas — both distribution and transmission.

While customers in high fire-threat areas are more likely to be affected, any of PG&E's more than 5 million electric customers could have their power shut off if their community relies upon a line that passes through a high fire-threat area.



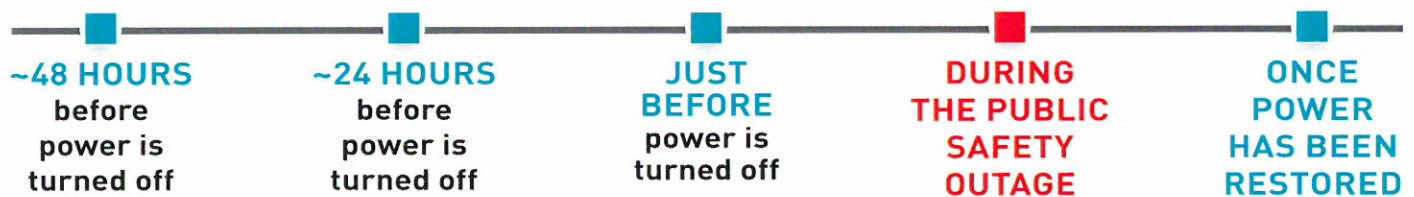
Source: California Public Utilities Commission (CPUC); cpuc.ca.gov/FireThreatMaps

- The most likely electric lines to be considered for shutting off for safety will be those that pass through areas that have been designated by the CPUC as at elevated (Tier 2) or extreme (Tier 3) risk for wildfire.
- Although a customer may not live or work in a high fire-threat area, their power may be shut off if their community relies upon a line that runs through an area experiencing extreme fire danger conditions.
- The specific area and number of affected customers will depend on forecasted weather conditions and which circuits PG&E needs to turn off for public safety.

4 | NOTIFICATION OF PUBLIC SAFETY POWER SHUTOFF

Extreme weather threats can change quickly. Our goal, dependent on weather, is to provide customers, communities, critical service providers and public safety authorities with advance notice prior to turning off power. We will also provide updates until power is restored.

TIMING OF CUSTOMER NOTIFICATIONS (when possible)



HOW WE'LL NOTIFY CUSTOMERS

We will attempt to reach customers through **calls, texts and emails** using the contact information we have on file. We will also use **pge.com** and **social media** channels, and we will keep **local news** and **radio outlets** informed and updated.

1 NOTICE TO CUSTOMERS

Our goal, dependent on forecasted weather and other factors, is to send customer alerts at 48 hours, again at 24 hours and again just prior to shutting off power, when possible.

- We are asking customers to go online to pge.com/mywildfirealerts to be sure we have their updated contact information. We will use this information to reach out to them by phone, text and email in advance of a Public Safety Power Shutoff, if forecasted weather conditions allow, and throughout the event until power is restored.
- In addition to notifying customers directly, we will provide outage updates and information through social media, local news, radio and the pge.com website.
- Public Safety Power Shutoff events may be cancelled if forecasted weather conditions improve. In that event, we would notify customers that forecasted weather conditions have improved in their area and we are not planning to turn off their electricity for safety.
- We are also encouraging customers to visit pge.com/wildfiresafety for tips to prepare an emergency preparedness plan for their home or business.
- Note, there is no advance notice when we need to turn off power at the request of a state or local agency due to an active wildfire or other emergency response situation.

2 NOTICE TO STATE, COUNTIES AND CITIES

We will make every attempt to advise public safety authorities, first responders, local municipalities and critical service providers in advance of notifying customers of a Public Safety Power Shutoff.

- We will reach out via phone or email to our primary contacts with notice that we are monitoring conditions and that extreme fire danger conditions could cause power outages or require us to shut off power for safety.
- We will also send alerts through automated calls, texts and emails.
- Upon request, we can provide the content of our customer alerts to share via the city or county website, Nixle, Nextdoor and Reverse 911.

3 NOTICE TO CRITICAL CUSTOMERS

PG&E has identified and is doing direct outreach to customers who provide critical services, such as hospitals, fire stations, water agencies and telecommunications providers.

- We want to be sure they know we may need to turn off power for safety when extreme weather conditions are forecasted so they can take steps to prepare, such as securing backup generation.
- We are also asking these customers to confirm that we have their correct contact information so we can provide early warning notification, when possible, depending on conditions.

4 NOTICE TO MEDICAL BASELINE CUSTOMERS

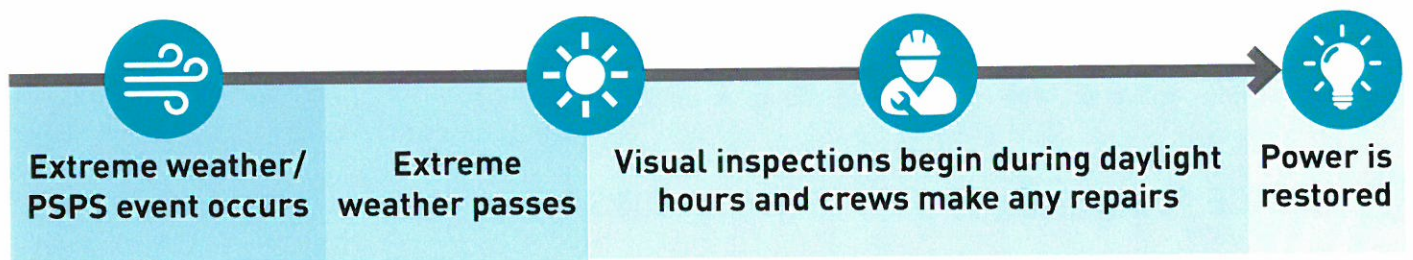
We are conducting additional outreach to customers who are enrolled in PG&E's Medical Baseline program, which provides additional energy at the lowest price for customers who are dependent on life-support equipment and/or require special heating or cooling needs for certain medical conditions.

- We are asking customers to please evaluate the safety of their situation and consider if there is a friend or family member they can stay with during an outage.
- If the customer has a backup generator, we encourage them to do a safety check and make sure they have enough fuel to last for a few days. More generator safety tips can be found at pge.com/generatorsafety.
- Customers should keep emergency numbers on hand and are encouraged to check with local authorities regarding resources that may be available.
- In the event that we need to turn off electricity for safety, we will make every effort to notify Medical Baseline customers of a shutoff before it occurs.
- Outreach will be done through automated calls, texts and emails. For customers we are unable to reach, we will knock on doors when possible, with a primary focus on those customers who rely on electricity for critical life-sustaining equipment.
- We are encouraging customers who receive one of these communications to please answer our call or respond to our text or email so we can be sure they received this important safety message.
- We advise all customers to call 911 immediately if any family member experiences a medical emergency.

5 | RESTORATION OF POWER

After the extreme weather has passed and it is safe to do so, our crews will work to visually inspect our power lines to ensure they are free from damage and safe to energize. Inspections will take place during daylight hours.

We expect to be able to visually inspect the system for damage and restore power to most of our customers within **24 to 48 hours after extreme weather has passed**. Because extreme weather can last several hours or days, for planning purposes, we suggest customers prepare for outages that could last longer than 48 hours.



Following the wildfires in 2017 and 2018, some of the changes included in this document are contemplated as additional precautionary measures intended to further reduce future wildfire risk.

6 | WORKING WITH OUR CUSTOMERS TO PREPARE

Given the growing threat of extreme weather, we want all of our customers to be prepared for power outages. If extreme fire danger conditions threaten a portion of the electric system serving your community, it will be necessary for us to turn off electricity in the interest of public safety.

We know how much our customers rely on electric service and want to work together to help them prepare for power outages related to extreme weather and wildfire threats. Here are some important steps customers can take today.



Update your contact information

Visit pge.com/mywildfirealerts or call us at **1-866-743-6589**. Also contact your local government and Office of Emergency Services for additional resources.



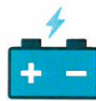
Build or restock your emergency supply kit

Stock supplies to last a week – include flashlights, fresh batteries, first aid supplies, food, water and cash.



Plan for any medical needs

Talk with your doctor and plan for medications that need refrigeration or medical devices that require power.



Ensure any backup generators are ready to safely operate

Generator safety tips can be found at pge.com/generatorsafety.



Keep a hard copy of emergency phone numbers on hand



Designate an emergency meeting location



Know how to manually open your garage door



Consider staying with a friend or relative, if necessary, during an outage.

MORE INFORMATION | For more information about PG&E's Community Wildfire Safety Program, please visit pge.com/wildfiresafety. Customers can update their contact information for wildfire safety alerts at pge.com/mywildfirealerts.

Customers can also visit prepareforpowerdown.com to learn more about how to prepare for a Public Safety Power Shutoff. See fact sheet in appendix.

APPENDIX | PUBLIC SAFETY POWER SHUTOFF SUMMARY

We are reaching out to our customers and communities to let them know that, if extreme fire danger conditions are forecasted, it may be necessary for us to turn off their power for safety.

1

MONITOR

PG&E continually monitors for extreme weather threats and high fire danger.

We will consider several factors before shutting off power.



Weather Forecast

Periods of increased risk are identified by wind speed, humidity and temperature.



Observations

On-the-ground, real-time observations are made.



Fuel Conditions

Conditions such as dry vegetation are factored in.



Notice

Inform CAL FIRE, Cal OES* and local agencies of conditions and potential Public Safety Power Shutoff.

**California Governor's Office of Emergency Services*

2

INFORM

If we need to turn off power, we will attempt to contact customers in advance to allow time to prepare.

We will use a multi-faceted effort to inform communities.



Automated Outreach

PG&E will provide automated outreach through calls, texts and emails.



Direct Outreach

We will take additional steps to reach customers who are enrolled in our Medical Baseline program, as needed.



Coordination

Coordination will take place with first responders and local officials.

3

SHUT OFF / RESTORE

We know how much people rely on electric service and we will work to restore power as soon as it is safe to do so.

We will take steps to keep you informed and get power restored as quickly as possible.



Inspections

PG&E crews will be in the field conducting safety inspections and determining when power can be safely restored.



Updates

Customers will receive updates until power is restored.



Safely Restore Power

Power will be restored as soon as extreme weather conditions have passed and safety inspections are complete and repairs made, if needed.

Visit pge.com/wildfiresafety to learn more about how to prepare your home or business for the growing threat of extreme weather and wildfire.

Following the wildfires in 2017 and 2018, some of the changes included in this document are contemplated as additional precautionary measures intended to further reduce future wildfire risk.

APPENDIX | PUBLIC SAFETY POWER SHUTOFF CRITERIA

We monitor conditions across our system and evaluate whether to proactively turn off electric lines for safety when extreme fire danger conditions are forecasted.

No single factor drives a Public Safety Power Shutoff. Some factors include:

A RED FLAG WARNING DECLARED BY THE NATIONAL WEATHER SERVICE



LOW HUMIDITY LEVELS GENERALLY 20% AND BELOW



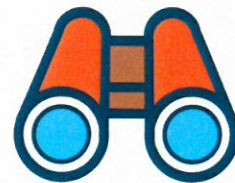
FORECASTED SUSTAINED WINDS GENERALLY ABOVE 25 MPH AND WIND GUSTS IN EXCESS OF APPROX. 45 MPH, DEPENDING ON LOCATION AND SITE-SPECIFIC CONDITIONS SUCH AS TEMPERATURE, TERRAIN AND LOCAL CLIMATE



CONDITION OF DRY FUEL ON THE GROUND AND LIVE VEGETATION (MOISTURE CONTENT)



ON-THE-GROUND, REAL-TIME OBSERVATIONS FROM PG&E CREWS



APPENDIX | WORKING TO RESTORE POWER

We know how much customers rely on electric service. If we need to turn off power for safety, we will work to restore service as soon as it is safe to do so. The outage, which includes the weather event plus restoration time, could last several days.



WEATHER ALL CLEAR

After the **extreme weather has passed** and it's safe to do so, our crews begin **patrols and inspections**.



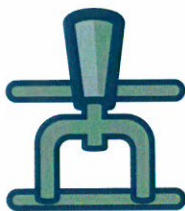
PATROL & INSPECT

Crews **visually inspect** our electric system to look for **potential weather-related damage to the lines, poles and towers**. This is done by vehicle, foot and air during daylight hours.



ISOLATE & REPAIR DAMAGE

Where damage is found, **crews work to isolate the area** so other parts of the system can be restored. Crews work **safely and as quickly as possible** to make repairs.



RESTORE POWER

Once it is safe to energize, **a call is made to the PG&E Control Center** to complete the energization process. **Power is then restored to customers**.



NOTIFY CUSTOMERS

Customers are **notified that power has been restored**.

APPENDIX | PUBLIC SAFETY POWER SHUTOFF

THE POWER OF BEING PREPARED

PUBLIC SAFETY POWER SHUTOFF

Visit [PREPAREFORPOWERDOWN.COM](https://www.pge.com/prepareforpowerdown) today to learn more about the power of being prepared.

THE THREATS OF WILDFIRE AND EXTREME WEATHER IN CALIFORNIA ARE REAL.

As a result, California's three largest energy companies, at the direction of the California Public Utilities Commission (CPUC), are coordinating to prepare all Californians for the threat of wildfires and power outages during times of extreme weather. To help protect customers and communities during extreme weather events, electric power may be shut off for public safety in an effort to prevent a wildfire. This is called a **Public Safety Power Shutoff**.

Shutting Off Power for Safety

As a safety precaution, San Diego Gas & Electric (SDG&E), Southern California Edison (SCE) and Pacific Gas and Electric (PG&E) monitor local fire danger and extreme weather conditions across California and evaluate whether to turn off electric power. The decision and action to turn off power is made by each individual energy company and is based on a combination of factors. **Factors include, but are not limited to:**



HIGH WINDS
(including Red
Flag warnings)



**LOW
HUMIDITY**



**DRY
VEGETATION**
that could serve
as fuel



**FIRE
THREAT**
to electric
infrastructure



**ON-THE-
GROUND
OBSERVATIONS**



**PUBLIC
SAFETY
RISK**

What You Can Expect

If a Public Safety Power Shutoff is needed due to extreme conditions, you can expect:

- **Early Warning Notification** – Your energy company will aim to send customer alerts before shutting off power.
- **Ongoing Updates** – Your energy company will provide ongoing updates through social media, local news outlets and their website.
- **Safety Inspections** – After extreme weather has passed, your energy company will inspect the lines in affected areas before power is safely restored.
- **Power Restoration** – Power outages could last multiple days depending on the severity of the weather and other factors. It is important that you and your family have an emergency preparedness plan in place.

SEE THE OTHER SIDE FOR SAFETY TIPS

PREPAREFORPOWERDOWN.COM provides a variety of resources, including tips for preparing for extreme weather, wildfires and Public Safety Power Shutoffs. An emergency preparedness checklist and additional resources are available on the reverse side of this fact sheet.

APPENDIX | PUBLIC SAFETY POWER SHUTOFF

WORKING WITH CALIFORNIANS TO PREPARE

While Public Safety Power Shutoff events are more likely to occur in high fire-risk areas, all Californians could be impacted by emergency events and need to be prepared with a plan. Customers should also update their contact information with their energy company so they can receive notifications. Below are specific steps you and your family can take to be ready, should there be an extended power outage that lasts multiple days.

STAY SAFE. TAKE ACTION.

CREATE YOUR EMERGENCY PLAN TODAY BY FOLLOWING THE TIPS LISTED BELOW:

- **Update your contact information** with your local energy company
- **Identify backup charging methods** for phones and keep hard copies of emergency numbers
- **Plan for any medical needs** like medications that need to be refrigerated or devices that require power
- **Plan for the needs of pets and livestock**
- **Build or restock your emergency kit** with flashlights, fresh batteries, first aid supplies and cash
- **Designate an emergency meeting location**
- **Know how to manually open your garage door**
- **Ensure any backup generators are ready to safely operate**
- **Identify the unique needs of your family and loved ones in the area for your emergency plan**

Additional information on creating an emergency plan is also available at prepareforpowerdown.com.

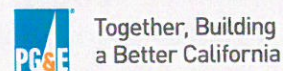
LEARN MORE FROM YOUR LOCAL ENERGY COMPANY



sdge.com/wildfire-safety



sce.com/PSPS



pge.com/wildfiresafety

Additional Preparedness Resources:

- ready.gov – Disaster preparedness information from the U.S. Department of Homeland Security
- readyforwildfire.org – CAL FIRE's wildfire preparedness website
- cpuc.ca.gov/wildfiresinfo – Information on the CPUC's wildfire safety efforts
- caloes.ca.gov – California Governor's Office of Emergency Services website
- firesafecouncil.org – California Fire Safe Council website
- noaa.gov – National Oceanic and Atmospheric Administration website



DRAFT MINUTES
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Thursday, August 15, 2019
7:00 PM

1. CALL TO ORDER

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

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: Campbell, Kispersky, Oglesby, Pacheco, Wizard

ABSENT: None

3. INVOCATION AND PLEDGE OF ALLEGIANCE

4. REVIEW OF AGENDA

No changes.

5. PUBLIC COMMENT

Public comments: Wanda Perry, Kathy Buaya, Neena Beaty, Ruthie Watts, Helen Rucker, Walt Ferguson, Rene Stuart

6. PUBLIC AGENCY COMMUNICATIONS

None

A. MONTEREY PENINSULA COLLEGE PRESENTATION ON APPOINTMENT PROCESS TO FILL VACANT DISTRICT 1 TRUSTEE POSITION

Monterey Peninsula College Interim Superintendent Walt Tribley announced the appointment process for filling a vacant District 1 Trustee position for Monterey Peninsula College. The deadline to submit letters of interest is Friday, August 23rd.

7. PRESENTATIONS

A. UPDATE ON STREET MAINTENANCE AND REPAIR PHASE 2 SCHEDULE

Public Works Director/City Engineer Rick Riedl presented an update on the street fixtures of potholes. He presented a map of the streets that are complete and those scheduled for repair for the year 2020.

B. REPORT ON SKATE PARK FOCUS GROUPS AND PROPOSED RULES

Recreation Director Daniel Meewis spoke and presented the outcomes of the two focus groups which solicited the community input on the rules for the park. In addition to the focus groups an online survey was also utilized. He spoke on the outcomes and discussions of those meetings and the proposed rules for the skate park.

8. CONSENT AGENDA

Items D, F G H and I were pulled from Consent.

On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council Approved Items A, B, C, E, & G.
Action: Approved 5-0

- A. APPROVE MINUTES FROM JUNE 18, 2019, JUNE 20, 2019, JUNE 27, 2019, JULY 11, 2019, JULY 18, 2019 AND AUGUST 1, 2019**

Action: Approved

- B. APPROVE AND FILE CITY CHECKS**

Action: Approved

- C. APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF HARCOURT AVENUE TO THROUGH TRAFFIC AT CANYON DEL REY, ALLSTON AND HILLSDALE FOR THE CITY OF SEASIDE'S BIRTHDAY CELEBRATION ON OCTOBER 13, 2019 AND FOR THE TREE LIGHTING CEREMONY ON DECEMBER 13, 2019**

Action: Approved

- D. APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF BROADWAY AVENUE FROM HILLSDALE TO ALHAMBRA STREETS FOR THE MONTEREY BAY SUMMER WAVES EVENT ON SATURDAY, AUGUST 31, 2019**

Action: Approved

Public Comment: Daryl Choates

On motion by Mayor Pro Tem Dave Pacheco and seconded by Council member Jason Campbell and passed by the following vote the City Council Approved the item as presented.

RESULT: Approved 5-0

- E. APPROVE A RESOLUTION EXECUTING MAINTENANCE AND RIGHT OF ENTRY AGREEMENT WITH BMW DEALERSHIP**

Action: Approved

- F. APPROVE A RESOLUTION AWARDED A CONSTRUCTION CONTRACT TO GRANITE CONSTRUCTION COMPANY FOR THE PAVEMENT REHABILITATION PROJECT PHASE 2 FOR AN AMOUNT NOT TO EXCEED \$821,776.00 AND TOTAL PROJECT COST WITH 15% CONTINGENCY OF \$945,042.00.**

Action: Approved

Public Comment: Felix Bachofner, Daryl Choates

On motion by Council Member Jon Wizard and seconded by Mayor Oglesby and passed by the following vote the City Council Approved the Item as presented.

RESULT: Approved 5-0

- G. APPROVE A RESOLUTION AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH HARRIS & ASSOCIATES FOR PAVEMENT DESIGN SERVICES TO INCLUDE DESIGN SERVICES DURING CONSTRUCTION, CONSTRUCTION MANAGEMENT, AND INSPECTION SERVICES FOR AN AMOUNT OF \$157,914 AND A TOTAL NOT TO EXCEED AMOUNT WITH A 15% CONTINGENCY OF**

\$181,601.10.

Action: Approved

Public Comment: None

On motion by Council Member Jason Campbell and seconded by Council Member Jon Wizard and passed by the following vote the City Council Approved the Item as presented.

RESULT: **Approved 5-0**

H. ADOPT A RESOLUTION FOR DESIGNATION OF VOTING DELEGATES AND ALTERNATES AT THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE OCTOBER 16-18, 2019, IN LONG BEACH, CALIFORNIA

Action: Approved

I. DECLARE VACANCIES ON BOARDS, COMMISSIONS AND COMMITTEES

Action: Approved

Public Comment: None

On motion by Council Member Jon Wizard and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council Approved the Item as presented.

RESULT: **Approved 5-0**

9. PUBLIC HEARING

A. CONDUCT A PUBLIC HEARING UNDER THE TAX AND EQUITY FISCAL RESPONSIBILITY ACT ("TEFRA") IN CONNECTION WITH THE PROPOSED ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY ("CMFA"), A JOINT EXERCISE OF POWERS AUTHORITY AND PUBLIC ENTITY OF THE STATE OF CALIFORNIA, IN AN AMOUNT NOT TO EXCEED \$55,000,000 TO FINANCE OR REFINANCE THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF A 192-UNIT MULTIFAMILY RENTAL HOUSING PROJECT LOCATED AT 1466 YOSEMITE STREET, SEASIDE, CALIFORNIA.

Economic Development Director Kurt Overmeyer introduced Travis Cooper to present the item for Council to adopt the resolution approving the issuance of the Bonds by the CMFA for the benefit of Seaside Housing L.P., (the "Borrower") a partnership of which Terrex Development Corporation (the "Developer") for the purposes of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500.

Public Comments: Daryl Choates, President of Del Monte Manor.

On motion by Council Member Jon Wizard and seconded by Mayor Oglesby and passed by the following vote the City Council Approved the Item as presented.

RESULT: **Approved 5-0**

B. INTRODUCTION OF AN ORDINANCE TO ESTABLISH A COMMISSION ON JOB OPPORTUNITIES AND BUSINESSES IN SEASIDE (CJOBS) (ROLL CALL VOTE, REQUIRES 4/5 APPROVAL)

City Manager Craig Malin spoke to the purpose of Commission on Jobs, Opportunities and businesses in Seaside (CJOBS). Assistant City Manager Lesley Milton-Rerig provided answers to the Council to explain and clarify "the waive" is a common use of terminology and not literally waived.

Mayor Oglesby opened the public hearing. Speaker: Felix Bachofner.

On motion by Mayor Pro Tem Dave Pacheco and seconded by Council Member Kispersky and passed unanimously, the City Council passed to print the draft ordinance and modify the Seaside Municipal Code Section 2.14 Establishing a Commission on Jobs, Opportunities and Businesses in Seaside.

RESULT: **Approved 5-0**

C. EXTENSION OF URGENCY ORDINANCE #1060 AMENDING CHAPTER 9.08 OF THE SEASIDE MUNICIPAL CODE ESTABLISHING REGULATIONS FOR THE USE OF DESIGNATED SKATEBOARDING AREAS (ROLL CALL VOTE, REQUIRES 4/5 APPROVAL)

Recreation Director Dan Meewis spoke about the urgency of the proposed revision to Chapter 9.08 of the Seaside Municipal Code to ensure an ordinance that complies with Health and Safety Code section 115800 is in place prior to the opening of the skate park. This change requires local public agencies to post signs at the facility and provide reasonable notice of the requirement of persons riding a skateboard or other wheeled recreational device at the facility to wear a helmet, elbow pads, and knee pads. Any person failing to do so will be subject to citation pursuant to the ordinance.

Mayor Oglesby opened the public hearing. Speaker: None

On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed unanimously, the City Council passed to extend the urgency ordinance approved on July 18, 2019, modifying Chapter 9.08 of the Seaside Municipal Code establishing regulations for the use of designated skateboarding areas. This ordinance will expire on upon the effective date of a permanent ordinance.

RESULT: **Approved 5-0**

D. INTRODUCTION OF AN ORDINANCE TO PERMIT, BY LICENSE, SLEEPING IN VEHICLES UNDER SMC CHAPTER 8.23 SAFE PARKING (FIRST READING)

Assistant City Manager Lesley Milton-Rerig and Assistant City Attorney Sheri Damon spoke to the purpose of the ordinance regarding the Safe Parking Program and establishing regulations in compliance with requirements. Assistant City Manager Lesley explained that the housing shortage for low-income individuals and families can result in homelessness due to an inability to obtain affordable housing. She presented the key elements of the program and the draft Ordinance provisions.

Mayor Oglesby opened the public hearing: Speakers: Ruthie Watts, Peter Kaiser, Walter Georis, Tom Matropolis, Felix Bachofner., Kenneth Murray, Pastor Lusk, Dori Manuel, Trisha Leibert.

On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed unanimously, the City Council passed to print the first reading draft

ordinance as presented establishing licensing to operate a safe parking program on private property.

RESULT: **Approved 5-0**

10. BUSINESS ITEMS

A. RECEIVE 2019 JULY 4TH HOLIDAY AND FIREWORKS AFTER ACTION REPORT AND PROVIDE DIRECTION TO STAFF

Police Chief Pridgen and Fire Chief Dempsey presented the After Action Report regarding 2019 fireworks activity. Fire Chief Dempsey stated that the Safe and Sane fireworks sales began July 28th and concluded July 5th. All fireworks booths were inspected by the Fire Department and no violations were issued. During the period Safe and Sane fireworks were on sale, the fire department responded on 62 calls for service. The department responded on 11 calls for service on July 4th with 3 fire calls related to fireworks activity, two were dumpster/trash fires and the other a vegetation fire; there were no structure fires. The Police Chief reported that all police department staff were required to work on July 4th from 4:00 p.m. to midnight. The Police Department issued 8 Administrative Citations, collected 3 fireworks as evidence, and responded to 224 calls for service. It is recommended that if the City decides to hold another event that the following areas of concern be addressed: planning to begin earlier to obtain the proper permits; identification of more offsite parking locations; consider charging for onsite parking to help offset the cost of the event; consider shuttle services; improve ride-sharing and taxi drop off/pick up locations; and solicit more sponsors to help with the overall cost of the event.

B. A RESOLUTION DIRECTING THE TRANSFER OF FUNDS OF \$5,000 FROM THE CITY COUNCIL BUDGET FOR HOMELESS SERVICES TO THE HOMELESS COMMITTEE BUDGET FOR FY19/20

Fire Chief Dempsey spoke to the importance of the transfer which will allow the Committee to respond to the immediate needs of the community. Those funds are available and if approved, the projects identified by the Homeless Committee will be used to further the mission of the City to address issues related to homelessness.

Mayor Oglesby opened the public hearing: Speakers: None

On motion by Council Member Jason Campbell and seconded by Council Member Kispersky and passed unanimously, the City Council passed to approve the resolution authorizing the transfer of \$5000.00 from FY19/20 City budgeted funds from the City Council budget to the Homeless Committee budget.

Result: APPROVED 5-0

C. DEL MONTE MANOR BRIDGE LOAN REQUEST TO SUBSTITUTE AND (SUBORDINATE) AFFORDABILITY RESTRICTIONS

Assistant City Attorney Sheri Damon spoke to the purpose of the loan request.

Mayor Oglesby opened the public hearing: Speakers: None

On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed unanimously, the City Council passed to consider the Del Monte Manor

request to replace the City's Regulatory Deed Restriction of rents with the California Debt Limit Allocation Committee (CDLAC) Regulatory Deed Restriction to satisfy the affordability deed restriction.

Result: APPROVED 5-0

On motion by Mayor Pro Tem Dave Pacheco and seconded by Council Member Kispersky and passed unanimously, the City Council passed to extend the time of the meeting until finished with the remainder of the items.

Result: APPROVED 5-0

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

12. ADJOURNMENT

On motion the meeting was adjourned at 10:41 PM

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ian N. Oglesby, Mayor



CITY OF SEASIDE STAFF REPORT

Item No.: 8.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Jessica Riley, Accounting Assistant
Kimberly Drabner, Finance Director

DATE: September 5, 2019

SUBJECT: APPROVE AND FILE CITY CHECKS

PURPOSE & RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of August 3, 2019 through August 23, 2019 including the payroll and benefits checks, direct deposits and wired payments related to the pay period of August 16, 2019. Total Accounts Payable and Payroll for the above referenced period is \$2,004,764.07.

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:

- \$884,833.94 for Payroll and benefits.
- \$29,427.08 to California-American Water for Water consumption for multiple City of Seaside service addresses. Billing period of 6/25/2019 - 6/30/2019 and 7/1/2019 - 7/24/2019.
- \$594,564.00 to County of Monterey - Dept of Emergency Communications for

Payment for FY2018/19 911 dispatch services.

- \$23,699.61 to Monterey County Convention & Visitor's Bureau for City of Seaside Tourism Improvement District (TID) remittance for the reporting period of June, 2019 for the 13 Seaside motels/hotels.
- \$15,750.00 to City of Monterey for PRVNT reimbursement for IT support for FY 2019/20 (beginning 7/1/2019).
- \$28,858.09 to Fort Ord Reuse Authority. \$28,000 for FY 2019/20 membership dues. \$858.09 for FY 2018/19 to Department of Toxic Substance Control.
- \$18,956.11 to PNC Equipment Finance for 3-month lease for City Clerk copier, Police investigation vehicles, Police admin vehicles, fire truck, and 2 Chevy Tahoes.
- \$16,416.44 to Ellis Makus LLP. \$6,768.50 for services in connection with investigation 00007 from 1/10/2019-5/6/2019. \$9,647.940 for services in connection with investigation 00006 from 1/10/2019-5/1/2019. Invoice detail was redacted.
- \$12,937.05 to National Recreation Systems, Inc. for City of Seaside Cutino Park bleachers. Installation and off loading no included.

The remaining checks, totaling \$379,321.75 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

There are no additional fiscal impacts.

ATTACHMENTS

None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rosa Salcedo, Senior Administrative Assistant

DATE: September 5, 2019

**SUBJECT: PROCLAMATION DECLARING SEPTEMBER AS CHILDHOOD
CANCER AWARENESS MONTH IN THE CITY OF SEASIDE**

PURPOSE & RECOMMENDATION

To issue a proclamation to Jacob's Heart Children's Cancer Support Services Declaring September 2019 as Childhood Cancer Awareness Month in Seaside.

BACKGROUND

There is no staff report for this item. It is recommended that the City Council issue the proclamation.

FISCAL IMPACT

None.

ATTACHMENTS

1. Honoring Jacob's Heart Children's Cancer Support Services
-

Reviewed for Submission to the
City Council by:

A handwritten signature in blue ink, consisting of a stylized 'C' followed by several horizontal strokes.

Craig Malin, City Manager

City of Seaside PROCLAMATION



Honoring Jacob's Heart Children's Cancer Support Services and Declaring September as Childhood Cancer Awareness Month

***WHEREAS,** the character of our community is revealed in how we treat our most vulnerable;
and*

***WHEREAS,** each year, 1 in 285 children in our community will be diagnosed with cancer; and*

***WHEREAS,** cancer remains the leading cause of death by disease in children, killing more children than asthma, diabetes, cystic fibrosis, congenital anomalies, and AIDS combined; and*

***WHEREAS,** families of children with cancer in the City of Seaside receive essential services from Jacob's Heart Children's Cancer Support Services, a local organization that has gained national awards and recognition for improving the quality of life for hundreds of local children with cancer and thousands of family members; and*

***WHEREAS,** Jacob's Heart holds the memories and honors the legacies of hundreds of children from our local community who have been lost to cancer, ensuring that their precious memories will never be forgotten; and*

***WHEREAS,** the oncology department at Lucile Packard Children's Hospital at Stanford has worked closely with Jacob's Heart for the past 21 years as a trusted community partner in providing family-centered care that addresses the emotional, practical and financial struggles of families of children with cancer in Seaside; and*

***WHEREAS,** it is important for all Seaside residents to recognize the impact of childhood cancer on families within our community and honor the lives of children in our community whose lives have been cut short by cancer.*

***NOW THEREFORE, BE IT PROCLAIMED,** that I, The Honorable Ian N. Oglesby, Mayor of the City of Seaside, California, on behalf of the City Council do hereby declare September as Childhood Cancer Awareness Month in the City of Seaside and do hereby honor Jacob's Heart Children's Cancer Support Services for 21 years of outstanding support to our community and acknowledge the organization's contributions to Childhood Cancer Awareness Month, honoring children with cancer in our community.*

Ian N. Oglesby, Mayor

September 5, 2019



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director
Roberta Greathouse, Human Resources Director/Risk Manager

DATE: September 5, 2019

**SUBJECT: AUTHORIZATION FOR ANNUAL RECREATION DEPARTMENT
EMPLOYEE AND VOLUNTEER RECOGNITION EVENT**

PURPOSE & RECOMMENDATION

Authorize staff to hold an annual recognition event for part-time employees and volunteers subject to budget authority.

BACKGROUND

The Recreation Department holds an annual employee and volunteer appreciation event to recognize the large number of part-time employees and volunteers that support the Department's programs and services. Although this annual event has been held for many years, the City's current purchasing policies do not provide authorization for this type of expenditure of public funds and therefore staff requests Council authorization. Staff requests authority to hold this event annually, subject to budget authority.

FISCAL IMPACT

The expenditure of funds for this event, including recognition awards and food, will not exceed \$2,500 annually.

ATTACHMENTS

None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



CITY OF SEASIDE STAFF REPORT

Item No.: 8.E.

TO: City Council

BY: Dan Meewis, Recreation Director

DATE: September 5, 2019

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

PURPOSE & RECOMMENDATION

Approve a request from Seaside High School Football Team for a donation of Three Thousand Dollars (\$3,000) from the Mayor's Youth Fund for the costs associated with new helmets and shoulder pads.

BACKGROUND

Seaside High School Football Team is requesting a Three Thousand Dollar (\$3,000.00) donation from the Mayor's Youth Fund to cover the cost for new helmets and shoulder pads for their football players. Through their football program, players are taught character development, life skills and the importance of achieving excellence in and out of the classroom. The number one goal is that their young men will be better students and grow up to be exceptional young men in the community.

In reference to the city's goals of recycling and maintaining a healthy environment, recyclables such as equipment, are either traded in for new equipment or taken to the MRWMD for reuse or recycling purposes. In addition, plastic bottles, glass bottles and cans are collected after each football game and daily throughout the year around campus.

Based on the information provided, staff has determined that the application meets the requirements of the Mayor's Youth Fund Policy. Seaside High School Football Team received their last donation at the August 16, 2018 City Council meeting. They submitted their 2018 Mayor's Youth Fund Closing Report within the 60 day time frame.

ATTACHMENTS

1. MYF request from SHS Football Team 2019
 2. Seaside High School W-9 Form 2019
 3. MYF Closing Report - Seaside High School Football 2018
-

- 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 Recreation Services, City of Seaside, 440 Harcourt Avenue, Seaside, CA 93955.

Name of Organization: SEASIDE HIGH SCHOOL FOOTBALL

Address: 2200 NOCHE BUENA CT. SEASIDE, CA 93955

Email: AAVILA@MPUSD.K12.CA-US

Phone Number: Home _____ Work (831) 392-3530 Cell (831) 982-8904

Name of Individual: ALFRED AVILA

% Residents or Students of Seaside: 100 %

of Participants: 80-90

Ages: 14-18

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

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

Is funding a reward for one of these activities?
No

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

The Seaside High football team strives to teach young men how to be men of character. Through football, the players are taught character development, life skills and the importance of ~~winning~~ achieving excellence in and out of the classroom.

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.

We are requesting funds to assist in obtaining new helmets and shoulder pads. Our equipment is outdated so we constantly try to replace them. We recycle all of our old equipment and salvage any parts we can. We also recycle all cans and bottles at all our games and events.

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 are planning a barbeque ~~at~~ where we will sell plates to the community. Also, each football player will be selling a box of chocolate. We also have an online fundraiser that will pay for player's game day suits.

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

SEASIDE HIGH FOOTBALL PROPOSED PROGRAM BUDGET

Organization Name: Seaside High School Football

Program Date: January 1, 2019-December 31, 2019

Request to: Mayors Youth Fund

Income:					
	<u>MYF GRANT</u>	<u>Proposals</u>	<u>Committed Funds</u>	<u>Program Revenue</u>	<u>TOTAL</u>
Mayor's Youth Fund	\$ 3000				\$ 3000
Yellow Brick Road Grant		\$ 3000			\$ 3000
USA football equip. grant		\$ 3000			\$ 3000
Candy Fundraiser				\$ 2500	\$ 2500
Krispy Kreme Fundraiser				\$ 4000	\$ 4000
Online Crowd Fundraiser				\$ 10000	\$10000
Chicken Dinner Fundraiser				\$ 2500	\$ 2500
Lanyard Fundraiser				\$ 3000	\$ 3000
Coaching Stipends- MPUSD			\$ 5000	\$ 2000	\$ 2000
	\$ 3000	\$ 6000	\$ 5000	\$24000	\$38000

Expenses:					
	<u>MYF GRANT</u>	<u>Other Proposals</u>	<u>Committed Funds</u>	<u>Program Revenue</u>	<u>TOTAL</u>
<i>Uniforms:</i>					
Varsity Game Pants		\$ 4000			\$ 4000
Junior Varsity Game Pants				\$ 3500	\$ 3500
<i>Spirit Packs:</i>					
Shirt, shorts				\$ 2000	\$ 2000
Game day suits (jackets, pants)				\$ 8000	\$ 8000
Practice Jerseys X 60				\$ 800	\$ 800
<i>Equipment:</i>					
Mouthpieces				\$ 100	\$ 100
Field Paint				\$ 200	\$ 200
Helmets	\$ 2000				\$ 2000
Shoulder Pads	\$ 1000				\$ 1000
Footballs				\$ 700	\$ 700
Kneepads				\$ 300	\$ 300
Girdles				\$ 400	\$ 400
<i>Other:</i>					
Character Retreat fees		\$ 2000		\$ 4000	\$ 6000
&transportation				\$ 1500	\$ 1500
Coaching Stipends			\$5000		\$ 5000
HUDL subscription				\$2500	\$ 2500
	\$3000	\$ 6000	\$5000	\$24000	\$38000

**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. MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT		
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) > K-12 SCHOOL DISTRICT	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.) PO BOX 1031 or 700 PACIFIC STREET	Requester's name and address (optional)	
6 City, state, and ZIP code MONTEREY, CA 93942-1031 or 93940		
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								
7	7		-	0	3	2	0	7 1 2

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- 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 > <i>[Signature]</i> CSU	Date > 8/12/19
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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:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- 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.

MAYOR'S YOUTH FUND CLOSING REPORT *

Date Mayor's Youth Fund was approved by council: AUGUST 16 2018

Name of Organization: SEASIDE HIGH SCHOOL FOOTBALL

Contact: ALFRED AVILA, HEAD COACH

Address: 2200 NOCHE BUENA ST. SEASIDE CA 93955

Email/Phone: AAVILA@MPUSD.K12.CA.US

Amount of Donation Received: \$3,000.00

What Items were purchased with Mayor's Youth Fund Donation:
WE purchased new football helmets with the 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.

we recycled all old helmets, and old football equipment. We also recycled all cans and bottles at our home games this year

Signature: Alfred Avila

Date: October 10, 2018

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



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.F.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Riedl, City Engineer
Scott Ottmar, Senior Engineer

DATE: September 5, 2019

**SUBJECT: APPROVE A RESOLUTION EXECUTING MAINTENANCE AND
RIGHT OF ENTRY AGREEMENT WITH HONDA AND ALFA
ROMEO/MASERATI DEALERSHIPS**

PURPOSE & RECOMMENDATION

Consider approval of a resolution authorizing the City Manager to execute a Maintenance and Right of Entry Agreement with Seaside's Honda and Alfa Romeo/Maserati dealerships.

BACKGROUND

The Honda and Maserati dealerships have recently completed renovations to their respective businesses. To satisfy the requirements of the City's storm water permit, the projects were required to develop and implement a Storm Water Control Plans (SWCP) and enter into Maintenance and Right of Entry Agreements (MROE) with the City.

The Honda and Maserati SWCPs for Honda and Maserati were reviewed and approved June 30, 2018 and December 3, 2018 respectively. As certified by the project engineer and verified by city's engineering staff, each project has constructed structural storm water control measures (SCMs) consistent with their SWCP.

To insure ongoing maintenance of SCMs, each dealership is required to enter into a Maintenance and Right of Entry Agreement (MROE) to be recorded at the Monterey County Records Office. The MROE includes a site specific operation and maintenance plans and requires the dealership to submit an inspection certificate conducted by a qualified professional by September 30th of each year.

FISCAL IMPACT

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

ATTACHMENTS

1. Resolution_Honda
 2. Agreement_Honda
 3. Reso_Maserati
 4. Agreement_Maserati
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 2019-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE AND
RIGHT OF ENTRY AGREEMENT WITH HEITZINGER ASSOCIATES L.P. FOR
DEVELOPMENT OF HONDA DEALERSHIP SHOWROOM**

WHEREAS, Heitzinger Associates, L.P. owns parcels with APN 011-535-010 and 011-535-023, more commonly known as 1 Heitzinger Plaza; and

WHEREAS, On December 7, 2016 the Board of Architectural Review approved application number BAR-16-13 for the construction of a Honda Auto dealership and associated site improvements located at 1 Heitzinger Plaza; and

WHEREAS, BAR-16-13 required Heitzinger Associates, L.P. to develop a Storm Water Control Plan (SWCP), construct storm water control measures and enter into a Maintenance and Right of Entry Agreement with the City; and

WHEREAS, Heitzinger Associates, L.P. has developed a SWCP dated June 27, 2017 that was reviewed and approved June 30, 2017; and

WHEREAS, Heitzinger Associates, L.P. has constructed the storm water control measures and executed a Maintenance and Right of Entry Agreement.

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

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 5th day of September, 2019, by the following vote:

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

APPROVED:

ATTEST:

Ian Oglesby, Mayor

Lesley Milton-Rerig, City Clerk

WHEN RECORDED MAIL TO:

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

THIS SPACE FOR RECORDERS USE ONLY

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT FOR STORMWATER CONTROL
FOR VAL STROUGH HONDA, APN 011-535-010 & 011-535-026**

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR VAL STROUGH HONDA, APN 011-535-010 & 011-535-026**

THIS MAINTENANCE AND RIGHT OF ENTRY AGREEMENT FOR STORMWATER CONTROL ("Agreement") is made and entered into in the City of Seaside, California, this ____ day of _____, 2019 by and between Heitzinger Associates LTD, hereinafter referred to as "Owner" and the City of Seaside ("City"), a municipal corporation. This Agreement applies to that certain real property commonly known and designated as 1 Heitzinger Plaza in the City of Seaside, situated in the County of Monterey, State of California, currently identified as County of Monterey Assessor's Parcel Numbers 011-535-010 & 011-535-026 (Property). The Agreement is subject to the following recitals:

RECITALS

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

WHEREAS, the Board of Architectural Review of the City of Seaside approved Architectural Review Application No BAR 16-03, hereinafter referred to as "Permit", for the subject property attached hereto as Exhibit B;

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

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

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

WHEREAS, the Owner has chosen to install and/or implement SCMs as shown on Exhibit C attached hereto and incorporated herein by this reference;

WHEREAS, the SCMs shown on Exhibit C are further described within the Stormwater Control Plan, dated June 27, 2017, hereinafter referred to as "SWCP", to comply with CCRWQCB Resolution R3-2013-0032 and Seaside Municipal Code Chapter 8.46;

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

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

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR VAL STROUGH HONDA, APN 011-535-010 & 011-535-026**

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

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

1. **Responsibility for Operation and Maintenance of SCMs:** Owner shall diligently maintain all SCMs in a manner that maintains the original flow and treatment requirements at all times. An Operation and Maintenance Plan is included as Exhibit "D". All reasonable precautions shall be exercised by Owner and Owner's representative or contractor in the removal and extraction of any material(s) from the SCMs and the ultimate disposal of the material(s) in a manner consistent with all relevant laws and regulations in effect at the time. As may be requested from time to time by the City, the Owner shall provide the City with documentation identifying the material(s) removed, the quantity, and disposal destination.
2. **Owner consents and agrees** to inspect and maintain the SCMs based on the schedule and procedures identified in the Operation and Maintenance Plan (Exhibit "D"). Each year during a period beginning on September 1 and ending no later than September 30, and at the time of any sale or other transfer of title to the Property, Owner shall provide the City with a Maintenance Certificate in the form attached hereto marked Exhibit "E" and by this reference incorporated herein certifying that the SCMs have been recently inspected and are functioning in compliance with the Operation and Maintenance Plan or, if such SCMs were not in compliance with the Operation and Maintenance Plan, what measures have been taken to bring the SCMs and the maintenance thereof into compliance with the Operation and Maintenance Plan. Proof of maintenance, such as copies of maintenance records and/or receipts shall be included with the Maintenance Certificate. Certificate shall be completed and stamped by a licensed engineer or other qualified professional approved by the City prior to inspection.
3. **Right of Access:** Owner hereby provides the City or City's agent complete access, of any duration, to the SCMs and their immediate vicinity, excluding any buildings, at any time, upon reasonable notice, or in the event of emergency, as determined by the City Engineer, with no advance notice, for the purpose of inspection, sampling, testing of the SCMs, and in case of emergency, to undertake, in the City's sole discretion, necessary repairs or other preventative measures at Owner's expense as provided in paragraph 4 below. City shall make every effort at all times to minimize or avoid interference with Owner's use of the Property.
4. **Penalty:** In the event Owner, or its successors or assigns, fails to accomplish the necessary maintenance contemplated by this Agreement or if the BMP's and/or SCM's do not perform in a manner that maintains the original treatment requirements at all times, then the Owner shall be subject to monetary fines per day or per occurrence in accordance with Chapter 8.46, "Urban Storm Water Quality Management and Discharge Control" of the Seaside Municipal Code.
5. **Recording:** This Agreement shall be recorded in the Office of the Recorder of Monterey County, California, at the expense of the Owner and shall constitute notice to all successors and assigns of the title to said Property of the obligation herein set forth.

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR VAL STROUGH HONDA, APN 011-535-010 & 011-535-026**

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

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR VAL STROUGH HONDA, APN 011-535-010 & 011-535-026**

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

By: _____
Signature

Name: Craig Malin

Title: City Manager

*Heitzinger Associates, L.P.
By Cocraig, Ltd., general Partner*

By: _____
Signature

Name: W. Bruce Bercovich

Title: Vice President of Cocraig, Ltd

List of Exhibits

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

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

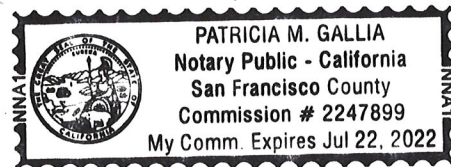
STATE OF CALIFORNIA }
COUNTY OF SAN FRANCISCO }

On July 1, 2019, before me, Patricia M. Gallia, Notary Public, personally appeared W. Bruce Bercovich, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature *Patricia M. Gallia*



(Seal)

EXHIBIT A

LEGAL DESCRIPTION Val Strough Honda Site

That certain real property situate in the City of Seaside, County of Monterey, State of California being more particularly described as follows:

Lot numbered 5 in Block "C", as shown and delineated on that map entitled, "Official Map of the Seaside Auto Center ..." filed for record August 31, 2009 in Volume 24 of Cities and Towns at Page 21, records of Monterey County, California.

Lot numbered 7 in Block "104", as shown and delineated on that map entitled, "Tract No. 622, "Amended Official Map Gateway Redevelopment Project ..." filed for record February 22, 1971 in Volume 10 of Cities and Towns at Page 52, records of Monterey County, California.

A portion of the Fremont Boulevard right-of-way, as said city street is shown and delineated on that map entitled, "Official Map of the Seaside Auto Center ..." filed for record August 31, 2009 in Volume 24 of Cities and Towns at Page 21, records of Monterey County, California, being more particularly described as follows:

Beginning at the most easterly corner of Lot 5 in Block C, as shown and delineated on that map entitled, "Official Map of the Seaside Auto Center ..." filed for record August 31, 2009 in Volume 24 of Cities and Towns at Page 21, records of Monterey County, California; thence from said point of beginning,

- 1) along the southerly line of Lot 7, as shown and delineated on that map entitled, "Amended Official Map Gateway Redevelopment Project ..." filed for record February 22, 1971 in Volume 10 of Cities and Towns at Page 52, records of Monterey County, California, South $86^{\circ} 56' 07''$ East, 16.16 feet to the southeasterly corner of said Lot 7; thence,
- 2) South $23^{\circ} 59' 48''$ West, 75.42 feet; thence,
- 3) 30.32 feet along a curve to the right, described from a radius point bearing North $66^{\circ} 11' 12''$ West, 27.50 feet distant, through a central angle of $63^{\circ} 10' 21''$, to a point on the easterly line of said Lot 5 of said Block C; thence,
- 4) along the easterly line of said Lot 5 of said Block C, North $23^{\circ} 59' 48''$ East, 94.19 feet to the point of beginning.



8/21/2018



COMMENT SHEET

PUBLIC WORKS-ENGINEERING DIVISION

Project Address:	1 Heitzinger Plaza	Date Applied: October 18, 2016
Project Number:	BAR-16-13	APN: 011-535-026
Applicant:	Val Strough Honda	
Description:	Renovation of existing Honda dealership. Complete site renovation.	

APPROVED - with CONDITIONS

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

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

REQUIRED ACTION

1. Applicant to obtain encroachment permit for construction of proposed sidewalks and driveway approaches that provide a path of travel compliant with the American's with Disability Act (ADA).
 - a. Applicant to prepare legal description and execute a deed to the City any portions of the ADA path of travel that extend into the applicant's property.
 - b. Sidewalks shall have a minimum width of 5 feet and be constructed of concrete in conformance with City standards.
2. Public improvement plans shall extend sidewalk curb and gutter north along Fremont Boulevard and provide a new driveway approach across the public utility easement (PUE) formerly known as Alpine St.
 - a. Construction shall provide an ADA compliant path of travel, with width of five feet and constructed of concrete, across PUE and including a return adjacent to Assessor's Parcel Number 011-535-008.
 - b. Applicant to prepare legal description and deed to the City of Seaside for any portions of the ADA path of travel which extend into the PUE.
3. Public improvement plans shall identify portion(s) of sidewalk adjacent to the property along Fremont Boulevard that have displacements exceeding $\frac{1}{4}$ " and replace in accordance engineering standards.
4. Applicant shall reconstruct portions of ADA ramp at the northwest corner of Heitzinger Plaza (Clementina Ave) that do not conform to ADA standards.
5. Improvement plans shall relocate fire hydrant fronting Fremont Boulevard further north in conformance with fire department standards.

Prepared by: Scott Ottmar, P.E.	■ Original Signed: 10/27/16
Project Address: 1 Heitzinger Plaza	Staff Time (hrs): 1
If you have any questions, please contact Scott Ottmar, Associate Civil Engineer, at the Public Works Department, Engineering Division, at (831) 899-6825 or fax at (831) 899-6311, or email sottmar@ci.seaside.ca.us .	

Exhibit B



6. Applicant to execute a deed(s) of easement to the Seaside County Sanitation District for additional sanitary sewer easement such that all sanitary sewer infrastructure located on applicant's property has a minimum of 7.5 feet of easement from all directions.
 - a. Applicant to have a legal description, plat and deed of easement prepared by a licensed land surveyor.
7. Applicant to enter into agreement to purchase portions of City owned right of way north of Heitzinger Plaza (Clementina Ave.) fronting Fremont Boulevard included as part of applicants development.
8. Proposed project must implement stormwater best management practices (BMPs) during construction.(SMC 8.46)
 - a. Complete and submit the Stormwater Compliance Tracking Form, with signature with building permit application.
 - b. A project specific Erosion and Sediment Control Plan (ESCP) is required of the applicant as part of building permit application.
9. Post-development peak storm water runoff rates shall not exceed predevelopment rate. A pro rata share of the cost of offsite erosion sediment, and flood control improvements and/or for maintenance to the principal drainage way may be required by the city engineer to handle the increase peak runoff and/or sediment generated by the project.(SMC 15.32.170)
 - a. As part of building permit application, develop civil grading and drainage plans to clearly show direction of stormwater drainage from new or redeveloped impervious surfaces.
 - b. Drainage shall not be directed to adjacent properties. See item 4 for further requirements.
10. As required by Attachment 1 to Resolution No. R3-2013-0032 of the Central Coast Regional Water Quality Control Board, the applicant shall develop a Stormwater Control Plan demonstrating compliance with performance requirements #1, #2, #3, and #4.(SMC 8.46.130)
 - a. Applicant to complete the Stormwater Requirements Applicability Checklist.
 - b. Applicant shall submit a Stormwater Control Plan prior to finalizing site plan or civil grading and drainage plans. Stormwater Control Plan shall be approved by the City prior to finalizing project civil grading and drainage plans.
 - c. Applicant shall submit architectural and civil grading and drainage plans with building permit application in substantial conformance to the approved Stormwater Control Plan.
 - d. Prior to issuance of occupancy, applicant shall execute and record as a deed restriction a Right of Entry and Maintenance Agreement. The Right of Entry and Maintenance Agreement shall:
 - i. Include indemnity, insurance and security requirements in conformance with the template provided by the City, and
 - ii. include an operation and maintenance (O&M) plan approved by the City stating that the property owner will conduct, and accepts responsibility for, maintenance of all stormwater control measures (SCMs), and
 - iii. include a legal description of the property, and

Prepared by: Scott Ottmar, P.E.

Project Address: 1 Heitzinger Plaza

■ Original Signed: 10/27/16

Staff Time (hrs): 1

If you have any questions, please contact Scott Ottmar, Associate Civil Engineer, at the Public Works Department, Engineering Division, at (831) 899-6825 or fax at (831) 899-6311, or email sottmar@ci.seaside.ca.us.

Exhibit B



- iv. describe the methods and procedures for conducting periodic inspections and maintenances of all SCMs, and
 - v. require applicant to provide to the City each year during a period beginning on September 1 and ending no later than September 30 a statement certified by a licensed Civil Engineer or Qualified Stormwater Developer (QSD) registered in the State of California stating that the SCM maintenance is in accordance with the O&M plan, and
 - vi. include a statement that transfers responsibility for maintenance of SCMs to future owners of the property.
11. Project shall remove sanitary sewer and water system laterals that are no longer connected to a building. Building permit plan shall identify method of removal and to be approved by the City.
12. Prior to final inspection, any curb, gutter and sidewalk damaged during construction shall be replaced by a licensed concrete contractor in conformance with the most current applicable engineering standards, and upon the prior issuance of an Encroachment Permit from the Public Work Department.

Prepared by: Scott Ottmar, P.E.

Project Address: 1 Heitzinger Plaza

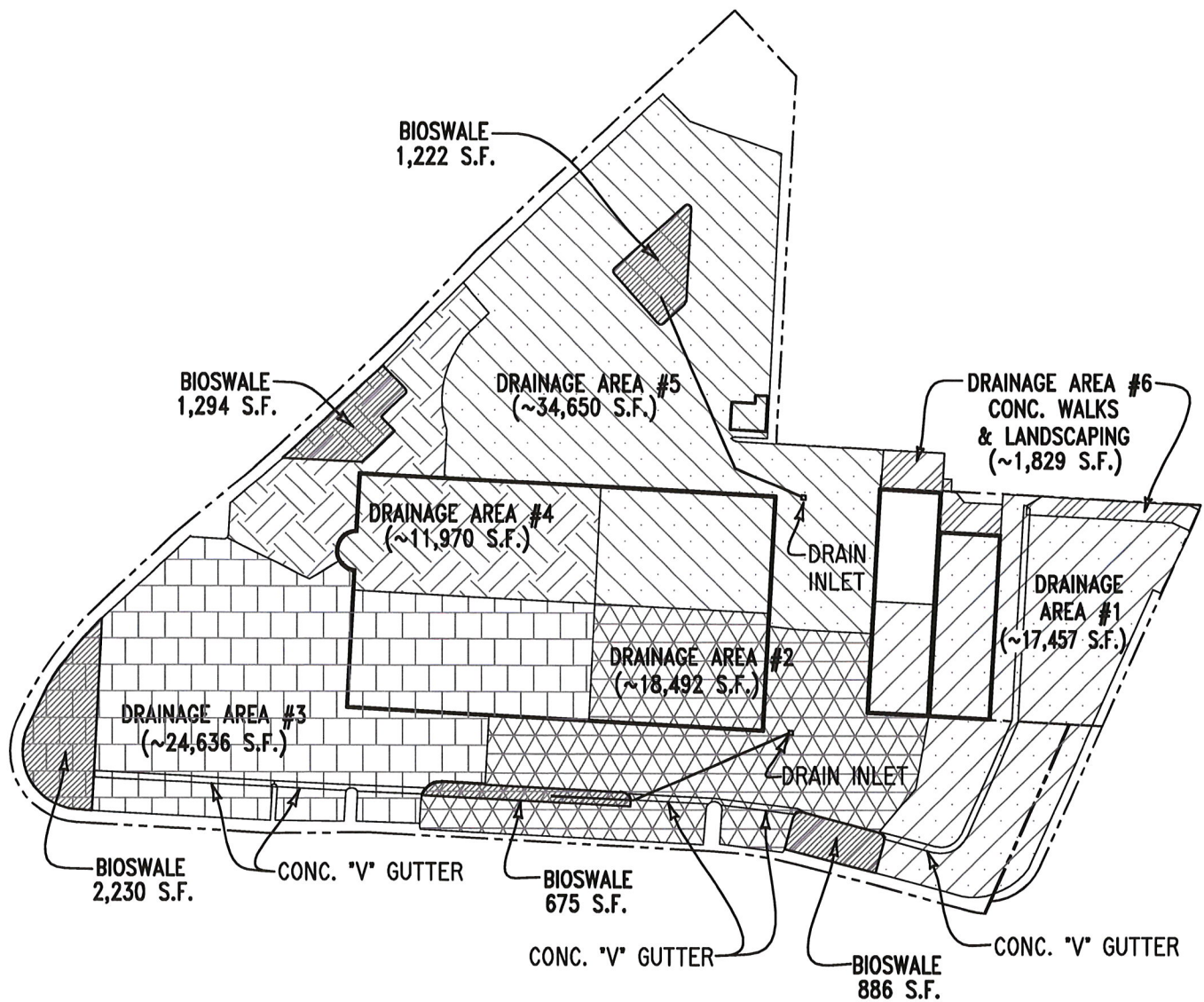
■ Original Signed: 10/27/16

Staff Time (hrs): 1

If you have any questions, please contact Scott Ottmar, Associate Civil Engineer, at the Public Works Department, Engineering Division, at (831) 899-6825 or fax at (831) 899-6311, or email sottmar@ci.seaside.ca.us.

EXHIBIT C – DRAINAGE AREAS

1 Heitzinger Plaza
SEASIDE, CA 93955
MONTEREY COUNTY



Operations and Maintenance Plan for
Stormwater Control Measures

Val Strough Honda

1 Heitzinger Plaza
Seaside, California

APN 011-535-010 & 011-535-026

August 22, 2018

Owner:
Heitzinger Associates LTD
100 The Embarcadero
San Francisco, CA 94105

Prepared by:



Monterey Bay Engineers, Inc.

Civil Engineering • Land Surveying

607 Charles Ave, Suite B
Seaside, CA 93955

Exhibit D

General

This Operation and Maintenance Plan (OMP) outlines the minimum operation and maintenance activities required for the stormwater control measures (SCMs) constructed as part of the Val Strough Honda Project, located at 1 Heitzinger Plaza, Seaside, CA 93955, APN's 011-535-010 & 011-535-026.

In addition to being kept by the Owner as part of the Project Manual, the OMP is an attachment to a Maintenance Agreement which will be recorded at the County Recorder office.

This OMP was prepared pursuant to the "Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region", Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032 and the "Technical Guide for Low Impact Development" by Monterey Regional Stormwater Management Program dated March 25, 2015.

Responsibilities

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

Owner agrees to inspect and maintain the SCMs based on the schedule and procedures identified within this Operation and Maintenance Plan. Each year during a period beginning on September 1 and ending no later than September 30, and at the time of any sale or other transfer of title to the Property, Owner shall provide the City with a Maintenance Certificate (Appendix A) certifying that the SCMs have been recently inspected and are functioning in compliance with the Operation and Maintenance Plan or, if such SCMs were not in compliance with the Operation and Maintenance Plan, what measures have been taken to bring the SCMs and the maintenance thereof into compliance with the Operation and Maintenance Plan. Proof of maintenance, such as copies of maintenance records and/or receipts shall be included with the Maintenance Certificate. The certificate must be completed and stamped by a licensed civil engineer: or by another qualified person approved in advance by the City.

Updated information, including contact information (**Appendix B**), must be provided to the Municipality if and when the property is sold, or whenever there is a change to on of the listed responsible parties.

Exhibit D

Operation and Maintenance Plan (OPM) for Stormwater Control Measures (SCMs) at Val Strough Honda

Facilities to be Maintained

The facilities which are constructed as part of the Project, and which must be operated, inspected, and maintained, are listed in **Table 1**, below. SCM locations and their tributary areas are shown graphically in **Attachment 1**. For more detailed construction information see the Grading, Drainage, and Erosion Control Plans prepared for this project by Monterey Bay Engineers, dated January, 2017, revised July 5, 2017. For facility sizing information see the Storm Water Control Plan (**Appendix C**).

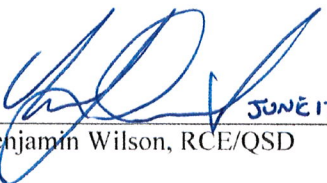
Table 1. Facilities to be Maintained

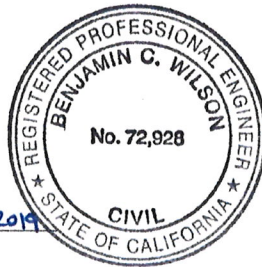
1. General Site Features, including asphalt and concrete pavements, landscaped areas, soil slopes, gutters and swales, drain inlets, and storm drain pipes.
2. Storm drain inlets and associated piping
3. Five (5) Bioretention Planters

These facilities must be operated, inspected and maintained in accordance with the Fact Sheets provided in **Attachment 2**.

Prepared by:

Monterey Bay Engineers, Inc
607 Charles Avenue, Suite B
Seaside, CA 93955
(831) 899-7899


Benjamin Wilson, RCE/QSD



Attachments:

1. Map of SCMs to be maintained
2. O&M Fact Sheets

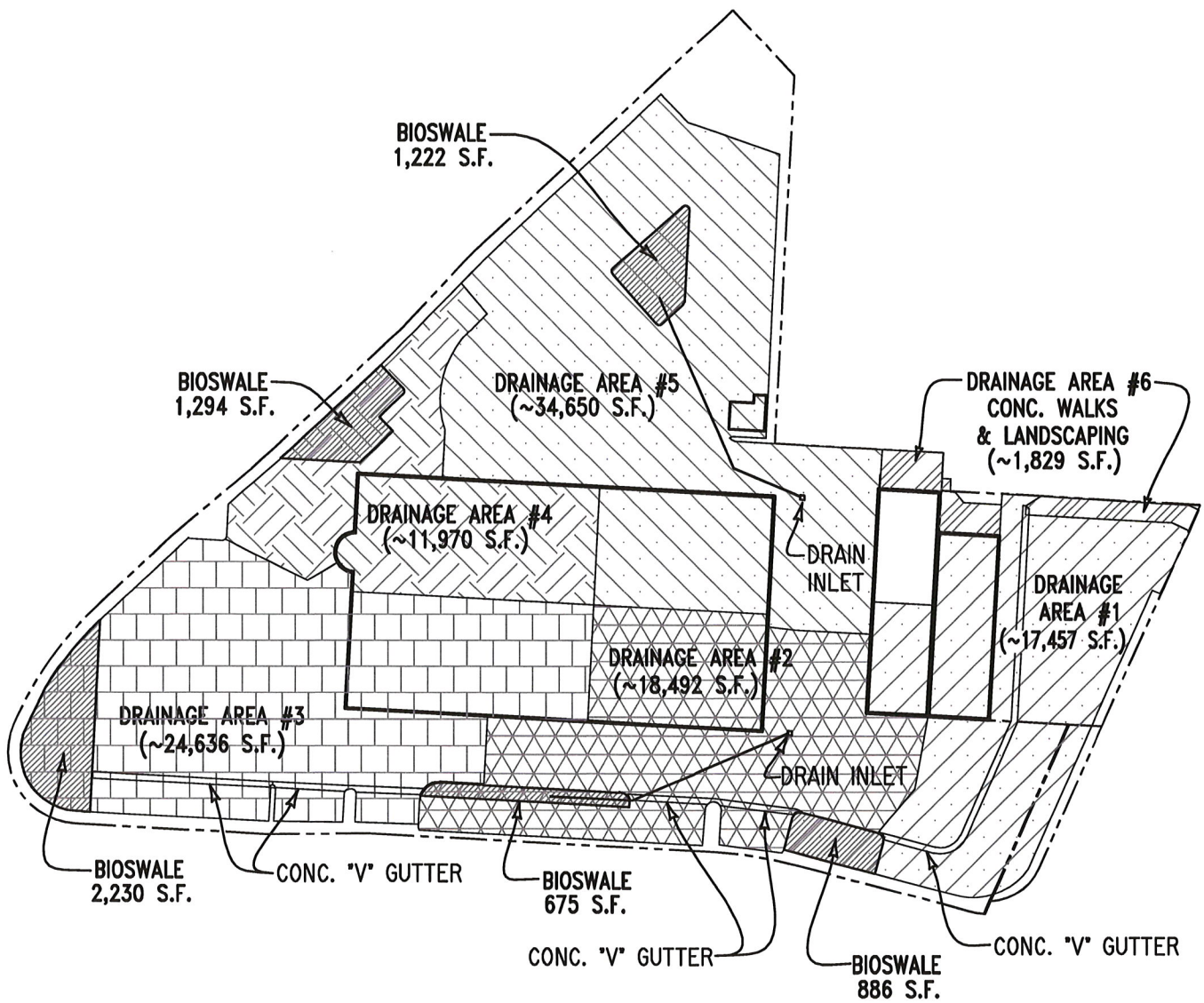
Appendices:

(Note: Due to the limitations associated with title records, the Appendices are not included in the recorded Maintenance Agreement. Appendices are included in the OMP submitted to the Owner and the City, and must be made available to the Owner to the Municipality upon request, for the life of the Project.)

- A. Sample Annual Certification
- B. Maintenance Checklists
- C. Responsible Parties
- D. Storm Water Control Plan

ATTACHMENT 1 – STORM WATER CONTROL MEASURES

1 Heitzinger Plaza
SEASIDE, CA 93955
MONTEREY COUNTY



Attachment 2

GENERAL SITE AND STORM DRAINAGE FACILITY MAINTENANCE

Pavements:

1. Collect trash and sweep pavements regularly to prevent accumulation of soil, debris, and trash.

Landscaping:

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

Storm Drain Inlets and Pipes:

1. Maintain and periodically repaint or replace "No Dumping – Flows to Bay" drain inlet markings
2. Clean storm drain inlets and other conveyance structures before the wet season to remove sediments, trash and debris accumulated during the summer.
3. Conduct inspections and clean and maintain storm drain inlets and storm drain pipes during the rainy season on a frequency necessary to maintain the system in proper working order.
4. Look for evidence of illegal discharges or illicit connections during routine maintenance of drainage structures:
 - a. Is there evidence of spills such as paints, discoloring, etc?
 - b. Are there any odors associated with the drainage system?
 - c. Record locations of apparent illegal discharges/illicit connections.
 - d. Track flows back to the potential dischargers and conduct above ground inspections. This can be done through visual inspection of upgradient structures or alternate techniques including zinc chloride smoke testing, fluorometric dye testing, physical inspection, or television camera inspection.
 - e. Eliminate the discharge once the origin of flow is established.

Exhibit D

Annually, prior to the beginning of the rainy season:

1. Remove trash, debris, dead vegetation, and accumulated sediment.
2. Visually inspect all facilities to determine if any maintenance activities are required in order to be prepared for the upcoming season.
3. If necessary, replenish rock splash pads, gravel linings, mulch, or other material used to control drainage.
4. Inspect drainage outlets for signs of erosion or plugging.
5. Inspect soil slopes for evidence of instability or erosion.

Annually, at the end of the rainy season:

1. Remove trash, debris, vegetation, and accumulated sediment.
2. Determine if any maintenance, repair, or rehabilitation activities should be scheduled, since many of these activities need to be performed during the dry season.
3. Manually flush all valves serving subsurface drip zones.

BIORETENTION / BIOSWALES

Bioretention areas are intended to:

1. Reduce pollutant loads by filtering stormwater runoff through a layer of specially formulated soil and then infiltrating stormwater into the ground.
2. Pond water up to a depth of 6 inches (minimum) before overflowing to a drain inlet.
3. Infiltrate completely following each rain event.

Bioretention areas are not intended to:

1. Have standing water for periods longer than 48 hours after a storm.
2. Serve as a wetland or riparian habitat.
3. Be accessed by anyone other than authorized personnel

The recommended routine maintenance activities for biofiltration planters are:

On an as-needed basis:

1. Remove any soil build-up, fallen leaves, debris, and trash.
2. Irrigate plants as needed during prolonged dry periods. In general, plants should be selected to be drought-tolerant and not require irrigation after establishment (two or three years).
3. Prune or cut back plants for health and to ensure stormwater is able to flow into inlets and across the surface of the facility. Remove and replant as necessary. When replanting, maintain the design surface elevation and minimize the introduction of soil.
4. Control weeds by manual methods. If problem areas occur, corn gluten, white vinegar, vinegar-based products such as Burnout, or non-selective natural herbicides such as Safer's Sharpshooter may be used.
5. Examine the vegetation to ensure that it is healthy and dense enough to provide filtering and to protect soils from erosion. Remove and replace all dead and diseased vegetation.
6. Fertilizers and pesticides use should be limited, and conducted by appropriate professionals. Synthetic pesticides shall not be used.
7. Replenish mulch as necessary. Do not mulch areas below the ponding elevation; mulch only bare areas above the ponding elevation and until vegetation has established.
8. Confirm that irrigation is operational. Inspect filters at valves and remove debris. For point source drip irrigation, inspect emitters and drip line for proper water flow and check that emitters are not clogged.

Annually, prior to the beginning of the rainy season:

1. Remove trash, debris, weeds, dead vegetation, and accumulated sediment.
2. Replenish mulch as needed. Mulch may be added from time to time to maintain a mulch layer thickness of 3 inches.
3. Visually inspect the facility to determine if any maintenance activities are required in order to be prepared for the upcoming season..
4. If necessary, replenish rock or other material used as a splash pad.

Exhibit D

5. Inspect drainage outlets for signs of erosion or plugging.
6. Inspect soil slopes for evidence of instability or erosion.

During the rainy season:

1. Abate potential vectors (mosquito larvae) by filling holes in the ground in and around the facility so that there are no areas where water stands longer than 96 hours following a storm. If mosquito larvae are present and persistent, contact Monterey County Mosquito Abatement District. Mosquito larvicides should be applied only when absolutely necessary and then only by a licensed individual or contractor.

Annually, at the end of the rainy season:

1. Remove trash, debris, weeds, dead vegetation, and accumulated sediment.
2. Determine if any maintenance activities should be scheduled, since many maintenance activities need to be performed during the dry season.
3. Manually flush all valves serving subsurface drip zones.

The design long-term infiltration rate of the system is:

5 inches/hour minimum (7 inches/hour minimum immediately after maintenance)

At least once every 5 years:

1. After performing the standard annual maintenance, perform an infiltration test to demonstrate that the system is functioning as designed. The proposed method should be discussed with the municipality prior to performing the test.
 - a. One test is the Single Ring Infiltrometer, as described in ASTM D 5126, "Standard Guide for Comparison of Field Methods for Determining Hydraulic Conductivity in Vadose Zone".
 - b. Another test is the Double Ring Infiltrometer, as described in ASTM D3385, "Standard Test Method for Infiltration Rate of Soils in Field Using Double-Ring Infiltrometer". (The Double Ring Infiltrometer test is relatively expensive and requires specialized equipment.)
 - c. The test should be performed as either a falling head test beginning at the design pond depth; or a constant head of approximately $\frac{1}{2}$ of the design pond depth. A lateral flow correction factor should be applied.

Infiltration testing typically demonstrates a surface infiltration rate significantly higher than the minimum required infiltration rate. If a surface infiltration rate near or lower than the design rate is calculated, further testing or system rehabilitation is needed.

Do Not:

1. Do not add fertilizer to bioretention facilities. Compost tea, available from various nurseries and garden supply retailers, may be applied at a maximum recommended rate of 5 gallons, mixed with 15 gallons of water, per acre, up to two weeks prior to planting and once per year between March and June. Do not apply when temperatures are below 50°F or above 90°F, or when rain is forecast in the next 48 hours.
2. Do not use synthetic pesticides or herbicides on bioretention facilities. Beneficial nematodes and non-toxic controls may be used. Acceptable natural pesticides include Safer products and Neem Oil.

Stormwater Facility Operation and Maintenance Fact Sheet

3. Do not add “normal” soil into the bioretention facility. Bioretention soil is specially formulated to provide a high infiltration rate; adding other “normal” soils can significantly reduce the ability of the facility to function as designed.
4. Do not re-grade or re-contour the bioretention facility. It is important that the ground surface be maintained in the design configuration.
5. Do not make additional openings in the side of the drain inlet in order to address surface water ponding issues. Water should pond to a depth of 6 inches (minimum) before overflowing into the drain inlet.

Major Facility Changes or Renovations:

Contact the project civil engineer (Monterey Bay Engineers, Inc.) or other qualified engineer or landscape architect, in the event that major work is contemplated in or adjacent to the facility. Major work includes:

- Significant changes to the facility’s planting palette or irrigation system.
- Re-grading the facility.
- Any activity which involves adding or removing soil from the facility.
- Modifying the “engineered” elements of the facility, including drain inlets, pipes, subsurface drains, check dams, water barriers, and structural elements.
- Improvements in areas which drain to the facility; especially improvements which would increase the area of impervious surface which drains to the facility.



City of Seaside

Stormwater Management Facilities

Annual Maintenance Certificate

For Calendar Year _____

I, _____ certify that the stormwater control measures (SCM) at

Print Name

1 Heitzinger Plaza (Address), with

011-535-010 & 011-535-026 (APN),

identified in the Storm Water Control Plan (SWCP) dated June 27, 2017 developed for the property have been properly operated and maintained during the preceding year, and have been recently inspected during a period beginning on September 1 and ending no later than September 30 and repaired as necessary to ensure continued proper operation.

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

Signature _____

Date _____

Title

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete.

This Certificate shall be certified by a licensed engineer, or other qualified professional approved by the City, and submitted no later than October 1 annually.

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE AND
RIGHT OF ENTRY AGREEMENT WITH MASERATI FOR DEVELOPMENT OF A
MASERATI DEALERSHIP**

WHEREAS, The Maserati of Monterey Pebble Beach/Alfa Romeo of Monterey, hereinafter referred to as Applicant, owns parcel with APN 011-535-007, more commonly known as 1725 Autocenter Plaza; and

WHEREAS, On February 21, 2018 the Board of Architectural Review approved application number BAR 18-02 for the construction of a Maserati showroom and associated site improvements located at 1725 Autocenter Plaza; and

WHEREAS, BAR 18-02 required Applicant to develop a Storm Water Control Plan (SWCP) to construct storm water control measures and enter into a Maintenance and Right of Entry Agreement with the City; and

WHEREAS, Applicant has developed a SWCP dated November 23, 2018 that was reviewed and approved December 3, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside does hereby authorize the City Manager to execute the Maintenance and Right of Entry Agreement with Maserati of Monterey Pebble Beach/Alfa Romeo of Monterey attached hereto.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside, State of California, on the 5th day of September, 2019, by the following vote:

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

APPROVED:

ATTEST:

Ian Oglesby, Mayor

Lesley Milton-Rerig, City Clerk

WHEN RECORDED MAIL TO:

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

THIS SPACE FOR RECORDERS USE ONLY

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT FOR STORMWATER CONTROL
FOR MASERATI OF OF MONTEREY, APN 011-535-007**

**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR MASERATI OF MONTEREY, APN 011-535-007**

THIS MAINTENANCE AND RIGHT OF ENTRY AGREEMENT FOR STORMWATER CONTROL ("Agreement") is made and entered into in the City of Seaside, California, this ____ day of _____, 2019 by and between Maserati of Monterey Pebble Beach/Alfa Romeo of Monterey, hereinafter referred to as "Owner" and the City of Seaside ("City"), a municipal corporation. This Agreement applies to that certain real property commonly known and designated as 1725 Auto Center Plaza in the City of Seaside, situated in the County of Monterey, State of California, currently identified as County of Monterey Assessor's Parcel Numbers 011-535-007 (Property). The Agreement is subject to the following recitals:

RECITALS

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

WHEREAS, the Board of Architectural Review of the City of Seaside approved Architectural Review Application No BAR 18-02, hereinafter referred to as "Permit", for the subject property attached hereto as Exhibit B;

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

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

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

WHEREAS, the Owner has chosen to install and/or implement SCMs as shown on Exhibit C attached hereto and incorporated herein by this reference;

WHEREAS, the SCMs shown on Exhibit C are further described within the Stormwater Control Plan, dated November 23, 2018, hereinafter referred to as "SWCP", to comply with CCRWQCB Resolution R3-2013-0032 and Seaside Municipal Code Chapter 8.46;

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

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



**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR MASERATI OF MONTEREY, APN 011-535-007**

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

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

1. **Responsibility for Operation and Maintenance of SCMs:** Owner shall diligently maintain all SCMs in a manner that maintains the original flow and treatment requirements at all times. An Operation and Maintenance Plan is included as Exhibit "D". All reasonable precautions shall be exercised by Owner and Owner's representative or contractor in the removal and extraction of any material(s) from the SCMs and the ultimate disposal of the material(s) in a manner consistent with all relevant laws and regulations in effect at the time. As may be requested from time to time by the City, the Owner shall provide the City with documentation identifying the material(s) removed, the quantity, and disposal destination.
2. **Owner consents and agrees** to inspect and maintain the SCMs based on the schedule and procedures identified in the Operation and Maintenance Plan (Exhibit "D"). Each year during a period beginning on September 1 and ending no later than September 30, and at the time of any sale or other transfer of title to the Property, Owner shall provide the City with a Maintenance Certificate in the form attached hereto marked Exhibit "E" and by this reference incorporated herein certifying that the SCMs have been recently inspected and are functioning in compliance with the Operation and Maintenance Plan or, if such SCMs were not in compliance with the Operation and Maintenance Plan, what measures have been taken to bring the SCMs and the maintenance thereof into compliance with the Operation and Maintenance Plan. Proof of maintenance, such as copies of maintenance records and/or receipts shall be included with the Maintenance Certificate. Certificate shall be completed and stamped by a licensed engineer or other qualified professional approved by the City prior to inspection.
3. **Right of Access:** Owner hereby provides the City or City's agent complete access, of any duration, to the SCMs and their immediate vicinity, excluding any buildings, at any time, upon reasonable notice, or in the event of emergency, as determined by the City Engineer, with no advance notice, for the purpose of inspection, sampling, testing of the SCMs, and in case of emergency, to undertake, in the City's sole discretion, necessary repairs or other preventative measures at Owner's expense as provided in paragraph 4 below. City shall make every effort at all times to minimize or avoid interference with Owner's use of the Property.
4. **Penalty:** In the event Owner, or its successors or assigns, fails to accomplish the necessary maintenance contemplated by this Agreement or if the BMP's and/or SCM's do not perform in a manner that maintains the original treatment requirements at all times, then the Owner shall be subject to monetary fines per day or per occurrence in accordance with Chapter 8.46, "Urban Storm Water Quality Management and Discharge Control" of the Seaside Municipal Code.
5. **Recording:** This Agreement shall be recorded in the Office of the Recorder of Monterey County, California, at the expense of the Owner and shall constitute notice to all successors and assigns of the title to said Property of the obligation herein set forth.

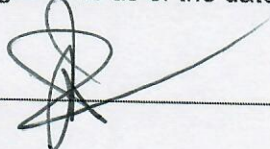
**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR MASERATI OF MONTEREY, APN 011-535-007**

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



**MAINTENANCE AND RIGHT OF ENTRY AGREEMENT
FOR STORMWATER CONTROL
FOR MASERATI OF MONTEREY, APN 011-535-007**

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

By: _____ Signature	By: _____ Signature 
Name: <u>Craig Malin</u>	Name: <u>Inder Dosanjh</u>
Title: <u>City Manager</u>	Title: <u>President</u>

List of Exhibits

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

ACKNOWLEDGMENT

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

State of California
County of Alameda)

On July 30, 2019 before me, Lori Franklin, Notary
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature

(Seal)

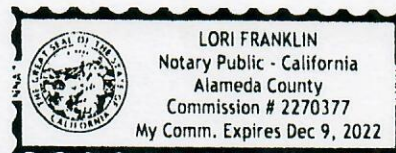


EXHIBIT "A"

LEGAL DESCRIPTION Maserati of Monterey

That certain real property situate in the City of Seaside, County of Monterey, State of California, being more particularly described as follows:

Lot numbered 2 in Block lettered "B", as shown and delineated on that certain Map entitled "Official Map of the Seaside Auto Center" filed for record August 31, 2009, in Volume 24 of Cities & Towns at Page 21, Records of Monterey County, California.





COMMENT SHEET

PUBLIC WORKS-ENGINEERING DIVISION

Project Address: 1725 Auto Center Plaza Date Applied: January 16, 2018
 Project Number: BAR-18-02 APN: 011-534-007
 Applicant: Jack Pacquin
 Description: Construct a new dual Maserati/Alfa Romeo showroom and service facility and associated site improvements through partial demolition and modification of an existing single story building.

CONDITIONS

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

The Public Works Department, Engineering Division, has completed a review of plans dated 1/16/2018 for the above referenced project. The following Required Action shall be completed prior to issuance of a building permit as applicable.

REQUIRED ACTION

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

Prepared by: Scott Ottmar, P.E.	■ Original Signed: 1/29/2018
Project Address: 1725 AutoCenter Plaza	Staff Time (hrs): 1
If you have any questions, please contact Scott Ottmar, Associate Civil Engineer, at the Public Works Department, Engineering Division, at (831) 899-6825 or fax at (831) 899-6311, or email sottmar@ci.seaside.ca.us .	



Exhibit B

- a. Applicant shall submit a Storm Water Control Plan prior to finalizing site plan or civil grading and drainage plans. Storm Water Control Plan shall be approved by the City prior to finalizing project civil grading and drainage plans and shall include hydrology and hydraulic calculations validating the design of conveyance, treatment and/or infiltration features.
 - i. Provide a soils engineering report describing the soil type and soil hydrologic soil group substantiating design of structural storm water control measures described within the Storm Water Control Plan.
 - ii. Plans shall clearly denote, in table format, the pre-project impervious surface area, new impervious surface area (formerly pervious), replaced/redeveloped impervious surface area, new pervious area, and post-project impervious surface area. Show calculation of Net Impervious Area if applicable. (refer to Att#1 to R3-2013-0032 for definitions)
- b. Applicant shall submit architectural and civil grading and drainage plans with building permit application in substantial conformance to the approved Storm Water Control Plan.
 - i. Applicant may be required to receive additional Board of Architectural Review approval depending upon the structural storm water control measures proposed within the Storm Water Control Plan.
- c. Prior to issuance of occupancy, applicant shall execute and record as a deed restriction a Right of Entry and Maintenance Agreement. The Right of Entry and Maintenance Agreement shall:
 - i. Include indemnity, insurance and security requirements in conformance with the template provided by the City, and
 - ii. include an operation and maintenance (O&M) plan approved by the City stating that the property owner will conduct, and accepts responsibility for, maintenance of all storm water control measures (SCMs), and
 - iii. include a legal description of the property, and
 - iv. describe the methods and procedures for conducting periodic inspections and maintenances of all SCMs, and
 - v. require applicant to provide to the City each year during a period beginning on September 1 and ending no later than September 30 a statement certified by a licensed Civil Engineer registered in the State of California or other qualified professional approved by the City stating that the SCM maintenance is in accordance with the O&M plan, and
 - vi. include a statement that transfers responsibility for maintenance of SCMs to future owners of the property.
4. Prior to final inspection, any curb, gutter and sidewalk damaged during construction shall be replaced by a licensed concrete contractor in conformance with the most current applicable engineering standards, and upon the prior issuance of an Encroachment Permit from the Public Work Department.

Prepared by: Scott Ottmar, P.E.

Project Address: 1725 AutoCenter Plaza

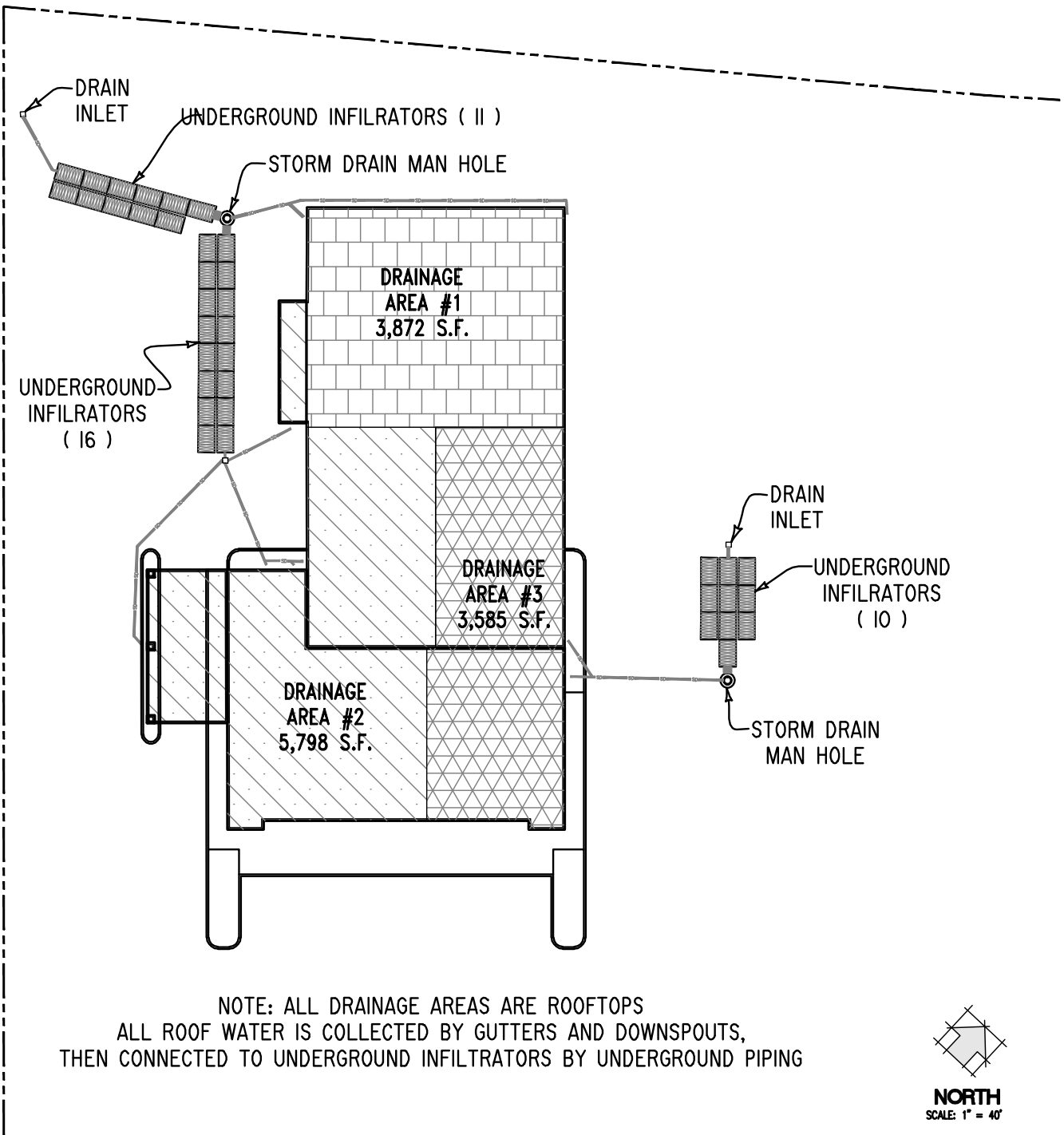
■ Original Signed: 1/29/2018

Staff Time (hrs): 1

If you have any questions, please contact Scott Ottmar, Associate Civil Engineer, at the Public Works Department, Engineering Division, at (831) 899-6825 or fax at (831) 899-6311, or email sottmar@ci.seaside.ca.us.

EXHIBIT C – DRAINAGE AREAS

Maserati of Monterey
1735 Auto Center Plaza
SEASIDE, CA 93955
MONTEREY COUNTY



Operations and Maintenance Plan for Stormwater Control Measures

Maserati of Monterey

1725 Auto Center
Plaza Seaside,
California
APN 011-534-007

July 2, 2019

Owner:
Peninsula Real Estate Investment, LLC
509 E. Vineyard Avnue
Livermore, CA 94550

Prepared by:



Monterey Bay Engineers, Inc.

Civil Engineering • Land Surveying

607 Charles Ave, Suite B
Seaside, CA 93955

Exhibit D

Operation and Maintenance Plan (OPM) for Stormwater Control Measures (SCMs) at Maserati of Monterey

General

This Operation and Maintenance Plan (OMP) outlines the minimum operation and maintenance activities required for the stormwater control measures (SCMs) constructed as part of the Maserati of Monterey Project, located at 1735 Auto Center Plaza, Seaside, CA 93955, APN 011-534-007.

In addition to being kept by the Owner as part of the Project Manual, the OMP is attachment to a Maintenance Agreement which will be recorded at the County Recorder office.

This OMP was prepared pursuant to the “Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region”, Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032 and the “Technical Guide for Low Impact Development” by Monterey Regional Stormwater Management Program dated March 25, 2015.

Responsibilities

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

Owner agrees to inspect and maintain the SCMs based on the schedule and procedures identified within this Operation and Maintenance Plan. Each year during a period beginning on September 1 and ending no later than September 30, and at the time of any sale or other transfer of title to the Property, Owner shall provide the City with a Maintenance Certificate (Appendix A) certifying that the SCMs have been recently inspected and are functioning in compliance with the Operation and Maintenance Plan or, if such SCMs were not in compliance with the Operation and Maintenance Plan, what measures have been taken to bring the SCMs and the maintenance thereof into compliance with the Operation and Maintenance Plan. Proof of maintenance, such as copies of maintenance records and/or receipts shall be included with the Maintenance Certificate. The certificate must be completed and stamped by a licensed civil engineer: or by another qualified person approved in advance by the City.

Updated information, including contact information (**Appendix B**), must be provided to the Municipality if and when the property is sold, or whenever there is a change to on of the listed responsible parties.

Exhibit D

Operation and Maintenance Plan (OPM) for Stormwater Control Measures (SCMs) at Maserati of Monterey

Facilities to be Maintained

The facilities which are constructed as part of the Project, and which must be operated, inspected, and maintained, are listed in **Table 1**, below. SCM locations and their tributary areas are shown graphically in **Attachment 1**. For more detailed construction information see the Grading, Drainage, and Erosion Control Plans prepared for this project by Monterey Bay Engineers, dated August, 2018, revised March 18, 2019. For facility sizing information see the Storm Water Control Plan (**Appendix C**).

Table 1. Facilities to be Maintained

1. General Site Features, including asphalt and concrete pavements, landscaped areas, soil slopes, gutters and swales, drain inlets, and storm drain pipes.
2. Storm drain inlets and associated piping
3. Three (3) underground StormTech Infiltrator systems, consisting of 37 total SC-740 infiltrators.
4. Two (2) storm drain manhole for inspection and access to the StormTech Isolation Rows

These facilities must be operated, inspected and maintained in accordance with the Fact Sheets provided in **Attachment 2**.

Prepared by:

Monterey Bay Engineers, Inc
607 Charles Avenue, Suite B
Seaside, CA 93955
(831) 899-7899


JULY 3, 2019
Benjamin Wilson, RCE/QSD



Attachments:

1. Map of SCMs to be maintained
2. O&M Fact Sheets

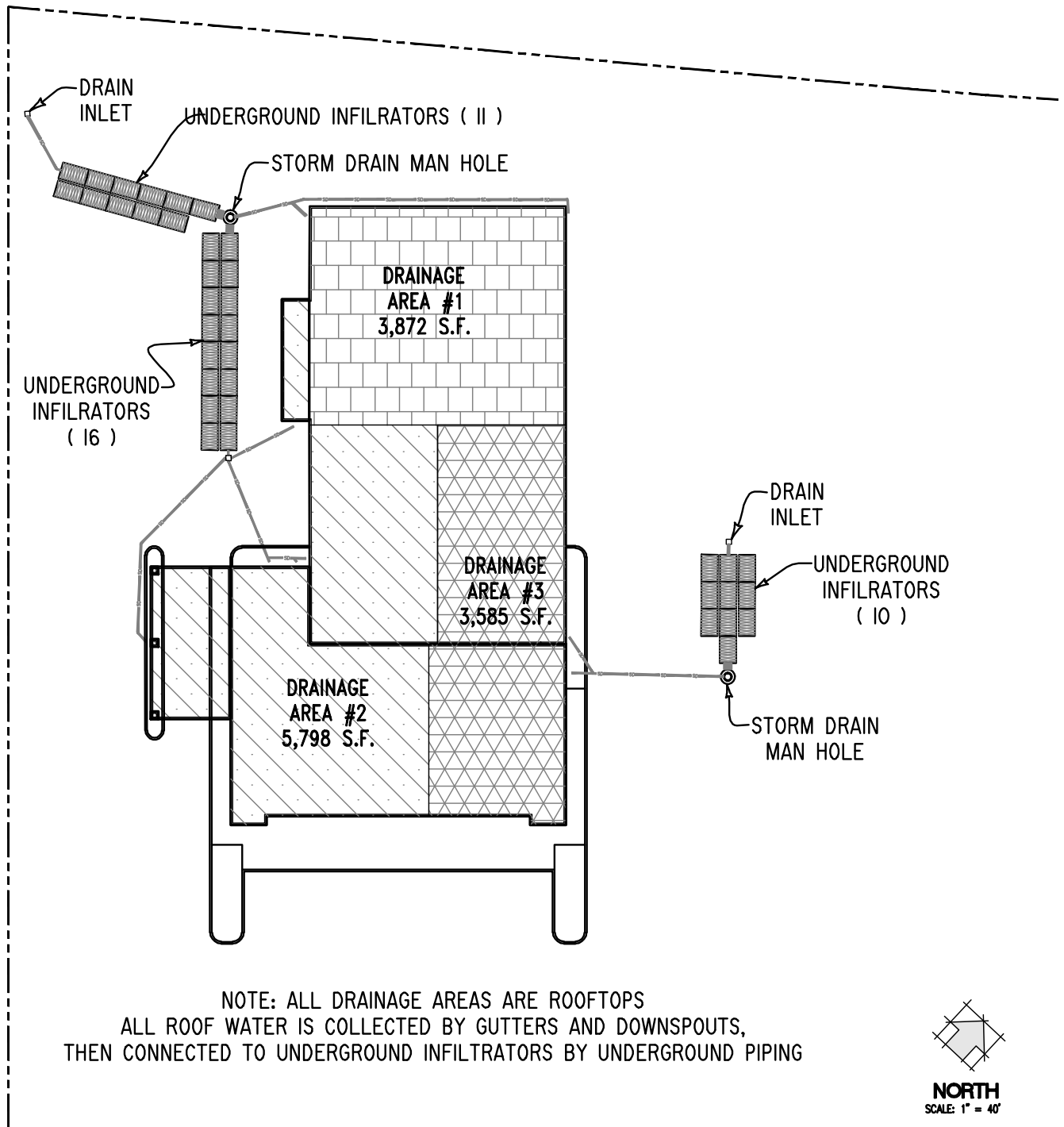
Appendices:

(Note: Due to the limitations associated with title records, the Appendices are not included in the recorded Maintenance Agreement. Appendices are included in the OMP submitted to the Owner and the City, and must be made available to the Owner and the Municipality upon request, for the life of the Project.)

- A. Sample Annual Certification
- B. Maintenance Checklists
- C. Responsible Parties
- D. Storm Water Control Plan

ATTACHMENT 1 – STORM WATER CONTROL MEASURES

Maserati of Monterey
1735 Auto Center Plaza
SEASIDE, CA 93955
MONTEREY COUNTY



Stormwater Facility Operation and Maintenance Fact Sheet

Attachment 2

GENERAL SITE AND STORM DRAINAGE FACILITY MAINTENANCE

Pavements:

1. Collect trash and sweep pavements regularly to prevent accumulation of soil, debris, and trash.

Landscaping:

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

Storm Drain Inlets and Pipes:

1. Maintain and periodically repaint or replace "No Dumping – Flows to Bay" drain inlet markings
2. Clean storm drain inlets and other conveyance structures before the wet season to remove sediments, trash and debris accumulated during the summer.
3. Conduct inspections and clean and maintain storm drain inlets and storm drain pipes during the rainy season on a frequency necessary to maintain the system in proper working order.
4. Look for evidence of illegal discharges or illicit connections during routine maintenance of drainage structures:
 - a. Is there evidence of spills such as paints, discoloring, etc?
 - b. Are there any odors associated with the drainage system?
 - c. Record locations of apparent illegal discharges/illicit connections.
 - d. Track flows back to the potential dischargers and conduct above ground inspections. This can be done through visual inspection of upgradient structures or alternate techniques including zinc chloride smoke testing, fluorometric dye testing, physical inspection, or television camera inspection.
 - e. Eliminate the discharge once the origin of flow is established.

Stormwater Facility Operation and Maintenance Fact Sheet

Annually, prior to the beginning of the rainy season:

1. Remove trash, debris, dead vegetation, and accumulated sediment.
2. Visually inspect all facilities to determine if any maintenance activities are required in order to be prepared for the upcoming season.
3. If necessary, replenish rock splash pads, gravel linings, mulch, or other material used to control drainage.
4. Inspect drainage outlets for signs of erosion or plugging.
5. Inspect soil slopes for evidence of instability or erosion.

Annually, at the end of the rainy season:

1. Remove trash, debris, vegetation, and accumulated sediment.
2. Determine if any maintenance, repair, or rehabilitation activities should be scheduled, since many of these activities need to be performed during the dry season.
3. Manually flush all valves serving subsurface drip zones.

Stormwater Facility Operation and Maintenance Fact Sheet

STORMTECH INFILTRATION SYSTEM

StormTech Infiltrators are intended to:

1. Completely infiltrate storm water during and following a rain event.
2. Provide a reservoir for storing storm water runoff if/when the rate of storm water runoff exceeds the rate of infiltration.

StormTech Infiltrators are not intended to:

1. Pass or infiltrate storm water contaminants, such as oil or silt.

The recommended routine maintenance activities for StormTech Infiltrators are:

On an as-needed basis:

1. Remove any accumulated sediment, fallen leaves, debris, and trash from storm drain inlets.
2. Maintain storm drain piping in good working order.
3. Maintain site cleanliness to prevent flushing contaminants to the StormTech infiltrators.

Annually, prior to the beginning of the rainy season:

1. Inspect the Isolator Row for sediment accumulation or signs of contamination.
 - a. Inspection shall occur by opening the storm drain manhole associated with the Isolator Row. (Follow local and OSHA rules for confined space entry.)
 - b. Inspect the manhole for accumulation of silt, oil, or contaminant.
 - 1) Vacuum or remove observed contaminants.
 - 2) Remove silt from manhole if over four (4) inches of build up.
 - c. Inspect the woven fabric base of the Isolator Row for accumulation of silt.
 - 1) If sediment depth exceed three (3) inches, the Isolator Row shall be cleaned by JetVac/vacuum combination.
2. If sediment build up in the Isolator row exceeds one (1) inch, inspect other infiltrator rows through the inspection ports by use of flashlight and stadia rod. Accumulation of silt in non-Isolator Row may require complete system replacement based on Civil Engineer evaluation.

During the rainy season:

1. Inspect storm drain inlets and piping for proper function and movement of storm water.

Annually, at the end of the rainy season:

1. Remove trash, debris, dead vegetation, and accumulated sediment.
2. Determine if any maintenance activities should be scheduled, since many maintenance activities need to be performed during the dry season.

Stormwater Facility Operation and Maintenance Fact Sheet

Major Facility Changes or Renovations:

Contact the project civil engineer (Monterey Bay Engineers, Inc.) or other qualified engineer or landscape architect, in the event that major work is contemplated in or adjacent to the facility. Major work includes:

- Re-grading the facility.
- Modifying the “engineered” elements of the facility, including drain inlets, pipes, subsurface drains, check dams, water barriers, and structural elements.
- Improvements in areas which drain to the facility; especially improvements which would increase the area of impervious surface which drains to the facility.



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

I, _____ certify that the stormwater control measures (SCM) at
Print Name

_____ (Address), with

_____ (APN),

identified in the Storm Water Control Plan (SWCP) dated _____ developed for the property have been properly operated and maintained during the preceding year, and have been recently inspected during a period beginning on September 1 and ending no later than September 30 and repaired as necessary to ensure continued proper operation.

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

Signature

Date

Title

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete.

This Certificate shall be certified by a licensed engineer, or other qualified professional approved by the City, and submitted no later than October 1 annually.



CITY OF SEASIDE STAFF REPORT

Item No.: 8.G.

TO: City Council

FROM: Craig Malin, City Manager

BY: Roberta Greathouse, Human Resources Director/Risk Manager

DATE: September 5, 2019

SUBJECT: ESTABLISH THE CLASSIFICATIONS OF ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT (ESCA) SENIOR PROGRAM MANAGER AND ESCA COORDINATOR, ADOPT THE COMPENSATION PLAN FOR UNCLASSIFIED POSITIONS, AND MODIFY THE POSITION ALLOCATION LIST

PURPOSE & RECOMMENDATION

Adopt a resolution establishing the Environmental Services Cooperative Agreement (ESCA) positions with the understanding these positions will not be filled unless and until the City takes formal action to assume the ESCA responsibilities.

BACKGROUND

The City and FORA staff are discussing the potential transition of the ESCA program to the City per the FORA Transition Plan. The guiding principles of the City taking on ESCA responsibilities are that the City would be advantaged by doing so and the Army would pay for all the costs. City staff is in process of negotiating transition agreements to be certain these guiding principles are secured, in advance of presented the agreements to the Council for review.

These positions will be at will, unclassified, and exempt. The proposed annual salary for the ESCA Senior Program Manager is \$165,866 and the proposed annual salary for the ESCA Program Coordinator is \$104,948.

It is recommended these positions be established at this time in order to quickly and efficiently hire qualified staff in the event the City assumes the ESCA program. These positions will not be filled if the City Council does not agree to assume ESCA.

FISCAL IMPACT

There is no cost associated with establishing these positions.

ATTACHMENTS

1. Resolution
 2. Unclassified Employee Compensation Plan
 3. Draft ESCA Coordinator job description
 4. Draft ESCA Senior Program Manager job description
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 19-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE APPROVING THE MODIFICATION OF THE CITY'S POSITION ALLOCATION LIST TO ADD ONE ESCA SENIOR PROGRAM MANAGER AND ONE ESCA PROGRAM COORDINATOR AND TO ESTABLISH THE SALARY AND BENEFITS FOR THE POSITIONS

WHEREAS, the City's Position Allocation List may be amended on recommendation of the City Manager and approval by the City Council; and

WHEREAS, should the City Council at a later date decide to assume management of the ESCA agreement, there will be the need to add one ESCA Senior Program Manager and one ESCA Program Coordinator; and

WHEREAS, these positions are being established at this time in order to quickly and efficiently hire qualified staff in the event the City assumes ESCA, however they will not be filled unless Council enters into an agreement to assume ESCA; and

WHEREAS, the ESCA Senior Program Manager and ESCA Program Coordinator will be unclassified, exempt, and at-will employees; and

WHEREAS, the ESCA Senior Program Manager annual salary will be set at \$165,866 and the ESCA Program Coordinator salary will be set at \$104,948; and

WHEREAS, the Compensation Plan for Unclassified Positions describes the benefits for both positions; and

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

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside hereby approves the Compensation Plan for Unclassified Positions and the modifications to the Position Allocation List and the Salary Schedule.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 5th day of September by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

City of Seaside
Compensation Plan for Unclassified Positions
Effective September 6, 2019

- A. APPLICATION:** This Compensation Plan applies to the positions of ESCA Senior Program Manager and ESCA Coordinator. Due to the unique nature of these positions, when established by the City Council, they were determined to be exempt from the classified service.
- B. EMPLOYMENT STATUS:** In accordance with Municipal Code Section 2.44.030, employees not included in the classified service shall serve at the pleasure of the City Manager and they may be terminated or disciplined at will by the City Manager at any time, without any right of appeal.
- C. ANNUAL SALARY:** These positions are exempt from the overtime provisions of the FLSA.
- | | |
|----------------------------------|-----------|
| a. ESCA Senior Program Director: | \$165,866 |
| b. ESCA Coordinator: | \$104,948 |
- D. SALARY ADJUSTMENTS:**
- a. Performance Pay: The City Manager is authorized to grant up to a 7.5% increase to employees who exceed expectations in the achievement of established performance goals and objectives. This gives the City Manager flexibility in setting salaries consistent with performance. (Special Compensation CCR 571(a) Incentive Pay.)
- E. RETIREMENT:**
- a. Miscellaneous Classifications:
- i. Tier 1 - CalPERS 2% @ 55
 - 1. Eligibility: Employees determined by CalPERS to be "classic members."
 - 2. Employee Contribution: Employees will pay the 7.0% employee contribution to PERS.
 - ii. Tier 2 - CalPERS 2% @ 62 Plan
 - 1. Eligibility: Employees determined by CalPERS to be "new members."
 - 2. Employee Contribution: Employees will pay 50% of the normal cost as determined annually by CalPERS.
- b. The City provides the PERS 1959 Survivors Benefit Level Four. The employee cost is \$2 per month.
- c. Deferred Compensation: The City will pay up to \$166.67 per month (\$2,000 annually) to the ICMA deferred compensation program for each employee who makes a matching contribution.

City of Seaside
Compensation Plan for Unclassified Positions
Effective September 6, 2019

F. MEDICAL, DENTAL, VISION INSURANCE

a. Medical Contributions:

i. MCSIG PPO \$40 (70/30 Plan).

The City will pay 100% of the employee only premium and 90% of the dependent premium. This will be the base contribution amount for all plans except the Grandfathered PACE Plan.

ii. MCISG PPO \$25 (80/20 Plan).

Employees electing to participate in the MCSIG PPO \$25 (80/20 Plan) will pay the difference between the City's contribution for the PPO \$40 Plan and the PPO \$25 Plan premium.

iii. PACE Plan (90/10 Plan) – Employees hired after October 15, 2015.

New employees enrolling in the PACE 90/10 Plan will pay the difference between the City's contribution for the PPO \$40 plan and the PACE Plan premium.

iv. PACE Plan (90/10 Plan) – Grandfathered Tier – open to employees hired before October 15, 2015.

The City will pay 81% of the employee only premium; 70% of the employee + 1 premium; and 73% of the family premium.

b. Dental and Vision Contributions: The City will contribute towards the cost of the employee's dental and vision insurance as follows:

Dental

Employee Only:	\$44.80
Employee + Spouse:	\$92.90
Employee + Children:	\$102.74
Employee + Family:	\$150.85

Vision

Employee Only:	\$5.35
Employee + 1:	\$5.78
Employee + Family:	\$13.12

i. Annual Premium Adjustments: The City and the employee will split the cost of any increase or decrease to the premium on a 50/50 basis.

c. Life Insurance: The City will provide term life insurance for all Employees in the amount of two times the employee's annual salary.

City of Seaside
Compensation Plan for Unclassified Positions
Effective September 6, 2019

- d. Long-Term Disability: The City shall pay the cost of a long-term disability program.
- e. IRS Section 125 Plan: The City shall make available an Internal Revenue Service Code Section 125 Plan for unreimbursed medical and dependent care expenses. The annual maximum is set by the IRS.
- f. Wellness Program:
 - i. Health Club Membership: The City will pay up to \$45 per month towards an employee membership at a health club upon submission of receipt of contract to the Finance Division. The City will process dues by payroll deduction if administratively feasible.
 - ii. City Recreation Facilities: Employees and their families will have use of City Recreation facilities at no cost.

G. LEAVE BENEFITS:

- a. Vacation: the City Manager has the authority to start a new employee covered under this compensation plan anywhere within the accrual schedule and provide them with a starting leave bank of vacation.

- i. Accrual Rates: The regular accrual rate shall be:

Years of City Service	Accrual Rate per year
Up to 4	10 days
5 – 9	15 days
10 – 14	17 days
15 – 19	20 days
20 – 24	21 days
25 +	25 days

- ii. Vacation Upon Termination: Any employee, upon termination of City employment for any reason, who is entitled to vacation time and who has not had the same, shall be paid at his/her current salary rate for such vacation time on the effective date of such termination. If such person works over one-half (1/2) of the month, they shall be entitled to accumulate vacation for that month.
 - iii. Maximum Accumulation: Employees will be allowed to have no more than two years earned vacation accumulated as of the end of the 2nd pay period of January of any year. Payout for leave in excess of

City of Seaside
Compensation Plan for Unclassified Positions
Effective September 6, 2019

maximum will occur on the 1st pay period of March.

- iv. The City will allow employees to cash out 40 hours of accumulated vacation time as set forth in this section. On or before the pay period which includes December 15 of each calendar year, an employee may make an irrevocable election to cash out up to forty (40) hours of accrued vacation (in whole hour increments) which will be earned in the following calendar year at the employee's base rate of pay. On the pay day of the first pay period in November of the calendar year following election of the cash out, the employee will receive cash for the amount of vacation the employee irrevocably elected to cash out in the prior year. However, if the employee's vacation leave balance is less than the amount the employee elected to cash out (in the prior calendar year) the employee will receive cash for the amount of leave the employee has accrued at the time of the cash out. This cash out provision is voluntary on the part of each bargaining employee, and does not change the practice of maintaining a maximum of two years of vacation accumulation at the end of any calendar year.
- v. Accumulation during OJI Leave: An employee being paid because of an injury on-the-job will accumulate vacation time and sick leave.
- vi. No Interruption of Accumulation: No interruption in the accumulation of vacation time shall result when an employee takes sick leave, vacation, temporary military leave, or paid leave because of an on-the-job incurred illness or injury.

b. Sick Leave with Pay for Non-Job Related Illness, Injury or Disability

- i. Accrual: Each employee shall earn eight (8) hours sick leave with pay for each calendar month or major fraction thereof served. At his / her discretion, the City Manager may provide a new employee with a starting leave bank.
- ii. Sick Leave Use: Sick leave may be used for the illness/injury of family members and all other permissible uses under state law.
- iii. Bereavement Leave: Bereavement leave, to a maximum of three (3) working days, will be permitted, without charging such leave against sick leave, upon the death of a member of the employee's immediate family. Immediate family is defined as a parent, child, spouse or domestic partner, brother, sister, grandparents, father-in-law, and mother-in-law of the employee. Employee may use an additional 16

City of Seaside
Compensation Plan for Unclassified Positions
Effective September 6, 2019

hours of sick leave to extend said leave.

c. Management Leave

- i. Annual Accrual: Employees shall earn 40 hours of management leave per calendar year.
- ii. Initial Accrual: For newly hired employees, the initial management leave bank shall be prorated according to the following schedule:

Hired January 1 – March 31:	40 Hours
Hired April 1 – June 30:	30 Hours
Hired July 1 – September 30	20 Hours
Hired October 1 – November 30	10 Hours
Hired December 1 – December 31	0 Hours
- iii. Additional Leave: The City Manager shall have the authority to grant sixteen (16) hours of management time leave to Employees at his/her discretion.
- iv. Management Leave Payoff: Employees shall be permitted to sell back their unused annual management leave (up to five days) as of December 1st of each year.

d. Administrative Leave

- i. Employees shall earn forty (40) hours, non-cumulative, non-reimbursable administrative leave per calendar year.
- ii. Initial Accrual: For newly hired employees, the initial management leave bank shall be prorated according to the following schedule:

Hired January 1 – March 31:	40 Hours
Hired April 1 – June 30:	30 Hours
Hired July 1 – September 30	20 Hours
Hired October 1 – November 30	10 Hours
Hired December 1 – December 31	0 Hours

e. Holidays: All employees in a pay status for the majority of a pay period shall be entitled to the following holidays:

- First day of January (New Year's Day)
- Third Monday in January (Martin Luther King Observance)
- Third Monday in February (President's Day)
- Thirty-first day of March (Cesar Chavez Day)
- Last Monday in May (Memorial Day)
- Fourth day of July (Independence Day)
- First Monday in September (Labor Day)

City of Seaside
Compensation Plan for Unclassified Positions
Effective September 6, 2019

- Eleventh day of November (Veteran's Day)
- Fourth Thursday of November (Thanksgiving Day)
- Day following Thanksgiving Day
- Working day immediately preceding Christmas Day (Christmas Eve)
- Twenty-fifth day of December (Christmas Day)

f. Jury Duty:

- i. Jury Duty: The City will grant an employee leave with pay for jury duty. Any checks received from the courts must be submitted to Finance. Travel pay which is included in the check, will be returned to the employee. This rule also applicable to those employees serving on the Grand Jury.

DRAFT
Environmental Services Cooperative Agreement (ESCA)
Program Coordinator

DEFINITION

Under the general supervision of the Senior Program Manager, the Environmental Services Cooperative Agreement (ESCA) Program Coordinator assists the Senior Program Manager with deed processing for ESCA properties, organizes Rights of Entry (ROE) to ESCA properties and organizes/maintains ESCA document repository and file archives. This position is responsible for coordinating, participating and providing support in community involvement and public outreach activities including public events, tours, speaking engagements, public presentations and social networking outreach. Also performs other duties as may be assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives direct and general supervision from the ESCA Senior Program Manager. Exercises no supervision of staff. May exercise technical and functional direction over and provide training to lower-level staff.

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.

- Serve as liaison to government agencies, community organizations, public, and contractors.
- Research regulatory compliance issues relating to U.S. Army, U.S. Environmental Protection Agency, and California Department of Toxic Substances Control.
- Organize and manage electronic and hard copy files and archives.
- Process applications, invoices, and bids.
- Prepare, coordinate, and record information relating to ESCA related meetings.
- Collaborate with internal and external stakeholders regarding public outreach.
- Photograph/Video-graph ESCA Remediation Program events.
- Compile monthly ESCA AOC reports and quarterly ESCA Grant reports.
- Provide property transfer documentation support such as filing and recording documents.
- Document preparation and quality control for ESCA documents.
- Coordinate and support ESCA-related travel activities.
- Use public outreach activities and social networking to expand public awareness and community involvement and maintain ESCA social media.
- Prepare materials for public outreach activities.
- Provide updates and photographic documentation on a regular basis.
- Coordinate Access, Right of Entry and Public Record Request responses with the Senior Project Manager appropriate City staff.
- May be required to attend evening meetings.
- Represent City at organizational meetings, such as Board meetings, Administrative Committee, and other public events such as Sea Otter Classic, CSUMB Earth Day and/or public activities as assigned.

- Serve as backup administrative support to the organization as needed.
- Interpret and apply complex rules and regulations including:
California Environmental Quality Act (CEQA); Department of Defense Explosives Safety Board (DDESB); California Ralph M. Brown Act; Local Jurisdictional Ordinances; FORA Reuse Plan mandated requirements; Contracts and Sub-Contracts; Memorandum of Understanding (MOU) and Memorandum of Agreement (MOA); Resolutions; Administrative Order on Consent (AOC) between Environmental Protection Agency (EPA) and FORA; Comprehensive Environmental Response, Compensation, and Liability Cleanup (CERCLA or Superfund).
- Performs other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Social networking such as: Facebook, Twitter, Google Groups.
- Project scheduling and management.
- Proficient knowledge of Microsoft Word, Excel, and PowerPoint.
- Basic website management and design.
- Applicable Federal, State, and local laws, codes, and regulations.
- 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 providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

Ability to:

- Apply a broad understanding of ESCA.
- Work independently and solve complex problems using judgment and discretion.
- Conduct basic research using a variety of media (i.e.: Internet, scholarly databases).
- Prepare concise and comprehensive planning reports.
- Identify new services and processes for improvement.
- Work on multiple tasks often under pressure and with frequent interruptions.
- Interpret, apply, and ensure compliance with Federal, State, and local policies, procedures, laws, and regulations.
- 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, telephone techniques and etiquette, 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 Community Studies, Social Sciences, Public Policy or Urban Planning and a minimum of 2 years' experience working in public agency office environment.

Bilingual English/Spanish highly 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 work 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.

DRAFT
Senior Program Manager
Environmental Services Cooperative Agreement (ESCA)

DEFINITION

Under administrative direction, the ESCA Senior Program Manager provides high level professional services in the management of the ESCA including program contract management, education, reporting, outreach and interface with other agencies and the community. This position is responsible for Army ESCA property Land Use Control (LUC) implementation enforcement, operation and maintenance management including, access, monitoring, tenant and owner relations and land transfers. Serves as the City's facility management advisor including: regulatory requirements hazardous material and waste requirements on the former Fort Ord. May perform other duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives administrative direction from the Public Works Director / City Engineer. 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 division head classification that oversees, directs, and participates in all activities of the ESCA Division. Successful performance of the work requires knowledge of public policy, municipal functions and activities, including the ability to develop, oversee, and implement projects and programs.

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.

- Liaison with and provide guidance to Board and Committees, agencies, jurisdictions, community organizations, and contractors
- Manage contract obligations and insure compliance with: U.S. Army agreements, the ESCA Remediation contract and ESCA Third Party Quality Assurance contract, agreements with other Jurisdiction and any relevant FORA documents. Initiate solution-oriented discussion and processes to proactively address risk management
- Coordinate with and advise other land-use jurisdictions on requirements, documents, restrictions, and controls
- Provide, manage and facilitate ESCA Land Use Control public outreach, meetings, hearings, and events

- Report ESCA program progress to: Department of the U.S. Army (Army), U.S. Environmental Protection Agency (EPA), California Department of Toxic Substance Control (DTSC), the City Council, and other land-use jurisdictions.
- Manage land transfer paperwork, process and archives
- Represent City at public events and speaking engagements, to include Council/Supervisor meetings, Army Base Realignment and Closure (BRAC) Munitions Response Base Cleanup Team (MR BCT) meetings and Habitat meetings, ESCA outreach and Regulatory meetings and other related meetings
- Develop and provide tours for elected officials, dignitaries, the public and agencies on program specific and general Base Reuse history and progress
- Manage budgets for the ESCA program, building removal, real property including monitoring fiscal activity/legal activity and forecasting expenditures
- Provide PLL Insurance Claims Management. Collect, compile jurisdiction/owner/utility providers Unexploded Ordnance (UXO) Construction Support Plans (CSP) and submit/manage their review and approval
- Manage production, review and approve ESCA documents for release to regulators and the public
- Manage development, review and approve responses to public enquiries and public comments to documents
- Facilitate and provide updates at public meetings like community workshops and stakeholder meetings
- Make presentations at City Council and other formal and informal meetings
- Coordinate review and approve community outreach content
- Manage ESCA property Land Use Control Implementation Plan/Operation and Maintenance Plan (LUCIP/OMP) and jurisdiction/public education, reporting, enforcement and compliance.
- Oversee and represent ESCA and Building Removal Program/Project planning, organization, preparation, operation and maintenance for:
 - Public safety/signage/access/hazard and waste
 - Program/project hazard management, safety and security
 - Community/risk assessment, local government outreach and involvement
 - Agency, jurisdiction and other meetings
 - Contractor documentation, presentation and submittal
 - Property access and signage and maintenance programs
 - Biological/habitat and storm water management oversight
- Supervise the ESCA Program Coordinator and other staff as assigned
- Prepare contracts and process invoices within City, State, and Federal funding requirements
- Prepare, assemble and manage Rights of Entry, property access documents and use permits for certain Fort Ord properties
- Manage project waste characterization, diversion, manifesting and hazardous waste disposal.
- Performs other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Public agency budgetary, contract administration, City-wide administrative practices, and general principles of risk management related to the functions of the assigned area.

- Experience with: federal/state/local funding, budgeting processes, timing, amending and approving federal/state/local LUCs including operations and maintenance
- Personnel motivation, management, supervision, direction and training
- Public Agency Boards, committees, operations, staffing, regulations and restrictions
- Deeds, deed restrictions, LUCs, deed recordation, and land transfers
- Biology/habitat monitoring, management, standards, techniques, testing and procedures
- Unexploded Ordinance remediation concepts, standards, techniques, testing and procedures
- Project management systems; budgeting, estimating and cost allocation procedures
- Material reuse, recycling, and demolition standards, regulations and laws (including HAZMAT)
- California Environmental Quality Act (CEQA) process, restrictions, reviews and timing
- California real estate development process; leasing and land management
- Applied structural, geotechnical and civil engineering concepts
- Ordinances, laws, rules and regulations
- Property transfer under Army/Reuse Authority/Jurisdictional/Regulatory agreements
- Safety, Risk Management, Prevailing Wage and Workers' Compensation Programs
- Historical knowledge of the Fort Ord closure and base reuse munitions remediation, ground water cleanup, soil cleanup and associated LUCs, restrictions and requirements
- Proficient use of Microsoft Word, Excel, and PowerPoint
- Basic Geographic Information Systems use
- Applicable Federal, State, and local laws, codes, and regulations.
- English usage, grammar, spelling, vocabulary, and punctuation.
- 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.
- Prepare and administer division budget and 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.
- Interpret and apply complex agreements, rules and regulations including:
 - California Environmental Quality Act
 - California Storm Water Pollution Prevention Program
 - California Hazardous Materials and Waste Regulations
 - Basics of California Real Estate and Subdivision Map Act
 - Federal and California contracting and sub-contracting
 - California Ralph M. Brown Act
 - Local jurisdictional ordinances
 - FORA Base Reuse Plan
 - Board Resolutions
 - Agreements between the City and other government agencies
 - Comprehensive Environmental Response, Compensation, and Liability Act
- Understand Federal/State Base Realignment and Closure and Civilian Reuse efforts

- Develop long-range strategic plans and implement them
- Work with emotional and dissatisfied individuals
- Plan, organize and supervise subordinates and contractors in their work
- Prepare concise and comprehensive program reports including grants, annual reports, assessments, budgets, funding requests, submittals and financials
- Communicate clearly and concisely both orally and in writing
- Select, supervise, train and discipline employees
- Establish and maintain cooperative working relationships across federal, state, political, contracting and community organization
- Effectively administer special projects with contractual agreements and ensure compliance with stipulations; effectively administer a variety of administrative services programs and administrative activities.
- 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 Community Studies; Contracting, Civil Engineering, Risk Management or Real Estate Management and a minimum of six years of management experience in the construction industry and six years in public sector.

And

- Hazardous Waste Operations and Emergency Response Training
- Hazardous Material/Waste Manifesting and Transportation regulations Training
- Two semesters each of college level biology and chemistry - highly desired

Bilingual English/Spanish highly 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.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.H.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Riedl, City Engineer
Scott Ottmar, Senior Engineer

DATE: September 5, 2019

**SUBJECT: ADOPT A RESOLUTION APPROVING A SECOND AMENDMENT
TO THE PROFESSIONAL SERVICES AGREEMENT WITH HARRIS
& ASSOCIATES TO INCREASE CONTRACT AMOUNT BY \$13,820
FOR REVIEW OF TOYOTA DEALERSHIP DEVELOPMENT TO BE
REIMBURSED BY TOYOTA THROUGH FEES PAID**

PURPOSE & RECOMMENDATION

Approve a resolution authorizing the second amendment to a professional services agreement with Harris & Associates increasing the contract amount by \$13,820 for review of Toyota dealership development plans.

BACKGROUND

In September of 2017, the Toyota dealership submitted engineering plans and documents for construction of a service center located at 5 Heitzinger Plaza. To expedite the approval of the project, the City entered into a contract with Harris & Associates (Consultant) on September 5, 2017 to perform review of the construction documents. The scope of work included two reviews of the Storm Water Control Plan and civil grading, drainage and utility plans. On August 30, 2018, the contract was amended to include an additional review necessitated by design changes requested by Toyota. Contract change order #1 was issued to the Consultant increasing the contract value by \$4,500 for a total contract amount of \$14,420. On October 9th, 2018, Harris & Associates approved relevant plans and documents for the construction of the Toyota service center.

SECOND AMENDMENT TO HARRIS & ASSOCIATES CONTRACT

On July 1, 2019, the consultant representing Toyota communicated to the City that additional modifications to the design were in progress and would be submitted to the City. In preparation for review of these additional design changes, Harris & Associates submitted a proposal dated August 21, 2019 to review the revised plans and documents for construction of the service center. To insure the review proceeds in a timely manner, the scope of work and budget provides for two (2) rounds of review and meetings with the consultant. Per the terms of the contract, the Consultant will only be compensated for the actual time and effort necessary to evaluate and approve the plans and documents.

FISCAL IMPACT

The engineering consultant expenditure budget (100-8910-1030) for fiscal year ending 2020 is \$25,000, sufficient to fund the proposed contract amendment. The applicant submitted engineering fees to the City totaling \$24,338 on October 11, 2017. In accordance with the adopted fee schedule, the applicant shall reimburse the City for the actual cost to perform the review and any outstanding amount owed will be collected prior to issuance of a building permit. Approving the resolution will authorize the Finance Director to increase the engineering consultant expenditure and engineering plan check revenue (100-3666) fund budgets for fiscal year ending 2020 by the amount of outstanding fees collected from Toyota.

ATTACHMENTS

1. Resolution
 2. Exhibit A Contract Amendment 2
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HARRIS & ASSOCIATES, INC. FOR PEER REVIEW SERVICES FOR THE TOYOTA DEALERSHIP IMPROVEMENT AND AUTHORIZING THE INCREASE OF THE CONTRACT AMOUNT BY \$13,820 TO BE REIMBURSED THROUGH FEES PAID

WHEREAS, on September 5, 2017, the City entered into a Professional Services Agreement (Contract) with Harris & Associates, Inc. (Consultant) in an amount not to exceed Nine Thousand Nine Hundred Twenty Dollars (\$9,920) to provide peer review services of plans and documents for the proposed construction of a new service center (the Project) at the Toyota dealership; and

WHEREAS, on August 30, 2018 the City authorized an amendment #1 to the Contract in the amount of Four Thousand Five Hundred Dollars (\$4,500) for additional review of changes to the Project requested by Toyota; and

WHEREAS, on July 1, 2019, representatives of Toyota communicated additional modifications to design documents are necessary for construction of the Project; and

WHEREAS, on August 21, 2019, Consultant submitted a proposal for additional peer review of design and construction documents for the Project in the amount of Thirteen Thousand Eight Hundred Twenty Dollars (\$13,820) for a total contract value of Twenty Eight Thousand Two Hundred Forty Dollars (\$28,240) ; and

WHEREAS, on October 11, 2017, Toyota paid engineering fees totaling \$24,338; and

WHEREAS, per the 2019/2020 adopted fee schedule, Toyota shall reimburse the City for actual cost of engineering review of plans and documents; and

WHEREAS, the engineering consultant fund (100-8910-1030) has an available balance of \$25,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby authorizes the City Manager to execute a Second Amendment to the Professional Services Agreement with Consultant attached hereto as Exhibit 'A' to increase the contract amount by Thirteen Thousand Eight Hundred Twenty Dollars (\$13,820) for a total contract value of Twenty Eight Thousand Two Hundred Forty Dollars (\$28,240).

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Seaside authorize the Finance Director to increase the 2019/2020 Fiscal Year Engineering Consultant expenditure budget (100-8910-1030) funded by an increase to the Engineering Plan Check revenue budget (100-3666) by the amount of fees paid to Consultant and reimbursed by Toyota.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside
duly held on the 5th day of September, 2019, by the following vote:

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

Ian Oglesby, Mayor

ATTEST:

Lesley E. Milton, City Clerk

CONTRACT AMENDMENT #2

Toyota Expansion Plan Review Services

Date: August 22, 2019

Change Requested by: X City Consultant

Contract Date

Project Name

September 5, 2017

Toyota Redevelopment Plan Review Services

To (Consultant): Harris & Associates, 2 Salinas Street, Suite B, Salinas CA 93901

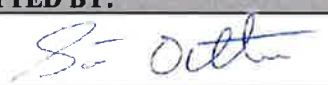
You are directed to make the following changes to the Contract Documents or amend the following described work not included in the contract documents for this project.

The purpose of this addendum is to provide additional professional services related to the project named above. The contract terms and conditions shall not be modified except for as stated herein.

MODIFY the following text in Section 5, "PAYMENT." (Changes in BOLD)

(a) The City agrees to pay Consultant monthly, in accordance with the payment as set forth in Exhibit B, B-1, B-2 attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. This amount shall not exceed **Twenty Eight Thousand Two Hundred Forty Dollars (\$28,240.00)** which sum shall include all costs, if any, for the total term of the Agreement unless additional payment is approved as provided in this Agreement.

Original Contract Amount	Previous CCO Total (Not including this CCO)	This CCO Total	Revised Contract Amount
\$9,920.00	\$4,500.00	\$13,820	\$28,240
Original Contract Time	Original Completion Date	CCO Months To Add (Including This CCO)	Revised Completion Date
12 Months	September 4, 2018	24 months	September 4, 2020

SUBMITTED BY:		
	Scott Ottmar Senior Engineer	August 22, 2019
Signature	Name and Title	Date
CITY APPROVAL BY:		
	Craig Malin City Manager	
Signature	Name and Title	Date

CONSULTANT ACCEPTANCE:		
	Frank Lopez Director, Engineering Services	8/22/2019
Signature	Name and Title	Date



August 21, 2019

Scott Ottmer
Senior Civil Engineer
City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Scope and Fee to Perform Engineering Plan Review for the Victory Toyota Dealership Expansion Project – Amendment #2

Dear Mr. Ottmer:

Thank you for the opportunity to provide consulting services to the City of Seaside regarding development review services for the Victory Toyota Dealership Expansion. It is our understanding the City is requesting the following services.

SCOPE OF SERVICES

The developer has resubmitted a revised site plan from the previously approved plan set for the Victory Toyota Dealership Expansion Project. Therefore, the Harris Team will provide additional engineering review support for the redesign of the project. This includes review of the improvement plans and the Stormwater Control Plan. Our review of the documents will include:

Task 001 – Project Management & Coordination

Harris staff will coordinate with the City and applicant as budget permits. This includes phone calls and meetings with the development engineering team and City staff. This task also include contract and resource management.

Task 002 – Development Engineering Review

Harris staff will review the Site Plan Redevelopment, Stormwater Control Plan (SCP), and corresponding design calculations. We will prepare review comments for two (2) design submittals from the design engineer. Harris staff will review the plans for conformance to City standards.

We are specifically excluding the review of the re-alignment of the sanitary sewer system on the property. It is our understanding that the City has consulted with another engineering firm.

Assumptions and Exclusions

For purposes of clarity, please see the following assumptions and/or exclusions related to this Proposal:

- 1) Sanitary Sewer System Review
- 2) Environmental Review of any kind.
- 3) Traffic Control Plan Review.
- 4) SWPPP Review.
- 5) Geotechnical and Landscape Plan Review.
- 6) Demolition Plan Review.
- 7) Any other review not specifically stated in the Scope of Work section.

The excluded services can be provided under an amended proposal if necessary.

PROPOSED FEES

Our level of effort will be provided on an “hourly not-to-exceed” basis as shown on the attached Exhibit A. Please note that the estimated budget is approximate and will be based on the applicants ability to address the comments in an appropriate and timely manner.

We thank you for your consideration and contact me with any questions regarding this scope or fee.

Sincerely,
Harris & Associates, Inc.



Frank Lopez, PE, CFM, QSD
Sr. Director of Engineering Services
(831) 233-9242 ■ Frank.Lopez@WeAreHarris.com

Accepted:

By: City of Seaside

Date

CITY OF SEASIDE
VICTORY TOYOTA DEALERSHIP EXPANSION ENGINEERING PLAN REVIEW

TASK, PHASE, DESCRIPTION	STAFF	Senior Director Frank Lopez HOURS	Project Manager David Pezzini HOURS	Design Engineer Hilary Whelan HOURS	TOTALS
1.0 PROJECT MANAGEMENT					
1.1 Project Management & Coordination		2	16		
SUBTOTAL HOURS		2	16	0	18
SUBTOTAL DOLLARS		\$500	\$3,040	\$0	\$3,540
2.0 DEVELOPMENT ENGINEERING REVIEW					
2.1 Improvement Plan Review		4	10	24	\$6,020
2.2 SCP Review		4	12	32	\$7,440
SUBTOTAL HOURS		8	22	56	86
SUBTOTAL DOLLARS		\$2,000	\$4,180	\$7,280	\$13,460
HARRIS DESIGN HOURS AND COST					
HOURS PER POSITION		10	38	56	
HOURLY RATE (TYPICAL)		\$250	\$190	\$130	
TOTAL COST (NOT TO EXCEED):				Total:	\$17,000

ASSUMPTIONS:

- Hours and fee may be renegotiated if the project is delayed by factors beyond Harris' control.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.I.

TO: City Council

FROM: Craig Malin, City Manager

BY: Abdul Pridgen, Police Chief

DATE: September 5, 2019

**SUBJECT: APPROVE A RESOLUTION AUTHORIZING THE POLICE
DEPARTMENT TO PURCHASE A 2019 BMW R 1250 RT-P
POLICE MODEL MOTORCYCLE**

PURPOSE & RECOMMENDATION

Approve a resolution allowing the Police Department to purchase a 2019 BMW R 1250 RT-P police model motorcycle.

BACKGROUND

The Police Department reinstated a Traffic/Motor Officer Position in 2018. The police model motorcycle currently being used for this position is a twelve year old 2007 R 1200 RT-P BMW. It has been heavily used since 2007; shows considerable wear, and has met its life span as a front-line emergency vehicle. It would be better designated as back up auxiliary vehicle.

The police department has been satisfied with the performance, proven reliability, fuel economy, and cost of operation of the police model BMW Motorcycle. Staff determined that along with its proven reliability, superior performance, lower maintenance costs and fuel efficiency, the BMW is more cost effective than the Honda, Kawasaki, and Harley Davidson police model motorcycles. These facts were corroborated by the 43rd Annual Law Enforcement Motorcycle Test and Evaluation program by the Los Angeles County Sheriff's Department.

The Police Department has had success with using BMW motorcycles and is recommending the purchase of the police model BMW R 1250 RT-P. This motorcycle comes equipped with law enforcement emergency equipment and black and white paint pattern.

The Police Department received three bids for the 2019 BMW R 1250 RT-P:

- San Francisco BMW: \$29,234.71
- Concord BMW: \$28,513.21
- San Jose BMW: \$28,320.40

The Police Department is seeking authorization to purchase a 2019 BMW R 1250 RT-P from the dealer who offered the lowest bid, San Jose BMW, at a total purchase price of \$28,320.40.

Existing California law establishes in each county treasury a Supplemental Law Enforcement Services Fund (SLESF) and requires that moneys from this fund be allocated to counties and cities located within a county in accordance with specified requirements for, among other things, front line law enforcement services. The Seaside Police Department received an SLESF award of \$125,000.00 for the 2019/2020 fiscal year. The cost for the 2019 BMW R 1250 RT-P motorcycle has been budgeted for using the 2019/2020 California Supplemental Law Enforcement Services Fund.

FISCAL IMPACT

The 2019 BMW R 1250 RT-P Police Model Motorcycle will be purchased from San Jose BMW for a price not to exceed \$28,320.40 and has been budgeted for in the 2019/2020 California Supplemental Law Enforcement Services Fund Account.

ATTACHMENTS

1. Draft Resolution
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 19- XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AUTHORIZE THE PURCHASE OF A NEW POLICE MOTORCYCLE FOR THE SEASIDE
POLICE DEPARTMENT**

WHEREAS, the Police Department reinstated a Traffic Officer/Motor position in 2018;
and

WHEREAS, the police model motorcycle currently being used for the Traffic
Officer/Motor position is a twelve year old 2007 R 1200 RT-P BMW that has been heavily used
since 2007; shows considerable wear, and has met its life span as a front-line emergency
vehicle; and

WHEREAS, the Police Department has been satisfied with the performance, reliability,
fuel economy, and cost of operation of the police model BMW Motorcycle; and

WHEREAS, along with its proven reliability, superior performance, lower maintenance
costs and fuel efficiency, the BMW is more cost effective than the Honda, Kawasaki, and Harley
Davidson police model motorcycles; and

WHEREAS, the Police Department has had success with using BMW motorcycles and is
recommending the purchase of the police model BMW R 1250 RT-P; and

WHEREAS, the Police Department received three quotes and the lowest was from San
Jose BMW for a 2019 BMW R 1250 RT-P for a total purchase price of \$28,320.40; and

WHEREAS, the Police Department received \$125,000.00 from the Supplemental Law
Enforcement Services Fund for the 2019/2020 fiscal year; and

WHEREAS, the 2019/2020 California Supplemental Law Enforcement Services Fund will
be used to purchase the 2019 BMW R1250 RT-P Motorcycle for an amount not to exceed
\$28,320.40

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Seaside
authorizes the Police Department to purchase one 2019 BMW R1250 RT-P Motorcycle from San
Jose BMW for a price not to exceed \$28,320.40 has been budgeted for in the 2019/2020
Supplemental Law Enforcement Services Fund Account.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of
Seaside duly held on the 5th day of September 2019 by the following vote:

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

Ian N. Oglesby, Mayor

Lesley Milton-Rerig, City Clerk



CITY OF SEASIDE STAFF REPORT

Item No.: 8.J.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: September 5, 2019

**SUBJECT: APPOINTMENT OF BOARD, COMMISSION AND COMMITTEE
MEMBERS TO FILL CURRENT VACANCIES**

PURPOSE & RECOMMENDATION

To make appointments to the Neighborhood Improvement Commission, the Homeless Committee, the Community Development Advisory Committee to fill vacancies created by the recent declaration of vacancies by the City Council.

BACKGROUND

The Commissions, Committees and Boards are City Council appointed advisory bodies that serve as an important link between the City Council and Community by providing direct involvement in policy-making and communication of vital information.

According to Seaside Municipal Code 2.14.040, the Mayor with advice and consent of the City Council, shall make appointments to Commissions, Committees and Boards. The City Manager designates Department Heads or other staff members to act as staff liaison to committees including to regularly attend meetings of advisory bodies to provide technical support.

City staff has submitted multiple advertisements inviting applications for positions on all City of Seaside Boards and Commissions and has listed the Board and Commission openings on the City website and posted vacancies on all of the Public Notice boards. Vacancies have also been posted on City social media accounts.

The Mayor and Council Member Wizard invited all new applicants to meet and discuss their applications on August 28, 2019. They reviewed all applications and considered all applicants that are on file and still interested for the last two years. As a result, the

following appointments are recommended for the following commissions and terms:

MEMBER NAME	COMMISSION	TERM EXPIRATION
Dennis Alexander	Neighborhood Improvement Commission	3 September Years 2022
Veronica Velasco	Neighborhood Improvement Commission	3 September Years 2022
Veshawndus M. M. LeBoeuf	Neighborhood Improvement Commission	3 September Years 2022
Ava Chante De L'Espirit (Scofield)	Homeless Committee	3 September Years 2022
Gwendolyn Nash	Homeless Committee	3 September Years 2022
Illona D. Cooper	Community Development Advisory Committee	2 September Years 2021
Hamish Tyler	Community Development Advisory Committee	2 September Years 2021

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENTS

None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



CITY OF SEASIDE STAFF REPORT

Item No.: 9.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Riedl, City Engineer
Misty Bradshaw, Associate Engineer

DATE: September 5, 2019

**SUBJECT: CONDUCT PROTEST HEARING OF THE PROPOSED RATE
STRUCTURE FOR WATER SERVICES FOR THE CUSTOMERS OF
THE SEASIDE MUNICIPAL WATER SYSTEM.**

PURPOSE & RECOMMENDATION

The purpose of this item is for Council to conduct a protest hearing on the proposed water rate structure for the customers of the Seaside Municipal Water System, as required by Proposition 218. Staff will count the number of protests received and provide City Council with the results.

BACKGROUND

The Seaside Municipal Water System (SMWS) is comprised of 778 active metered service connections serving approximately 3,000 customers. The water system consists of one water well, two water tanks (500,000 gallons each), and seven miles of distribution piping. The water system serves the northeast portion of the City of Seaside and is bounded by La Salle Avenue to the north, Hilby Avenue to the south, Soto Street to the west and General Jim Moore Boulevard to the east. The City operates the water system as an Enterprise Fund. Upgrading of the system is funded through revenues in excess of maintenance and operation expenses. The majority of revenue comes from billings for consumption and meter charges. A very small portion of revenue comes from service installations, interest income, and other miscellaneous income sources. California America Water Company (Cal Am) and Marina Coast Water District (MCWD) are the water utility purveyors that serve the remaining Seaside residents.

On April 20, 2015, the Fourth District Court of Appeal, Division Three, ruled that the

City of Capistrano's inclining, tiered block rate structure violated Proposition 218's proportionality requirements (California Constitution, article XIII D, section 6). Although the opinion in Capistrano Taxpayers Association v. City of San Juan Capistrano held that tiered rates, or inclining block rates that go up progressively in relation to usage, are compatible with Proposition 218, in this instance, the court concluded that the City failed to demonstrate that the tiers correspond to the actual cost of providing service at a given level of usage. The City of Seaside currently employs a six tiered rate structure that may need to be modified to be in accordance with this court's ruling.

The City of Seaside Municipal Water System last completed a water rate study in 2008 which resulted in increases to the billing rates which took effect in 2009. Since then, the needs of the water system have increased, including operational costs of the water utility, and funding of necessary Capital Improvement Projects in order to repair and improve the facilities so as to continue to provide customers with available and safe potable drinking water.

In February of 2019, The City entered into an agreement with Bartle Wells Associates (Bartle Wells) to prepare a water rate study for the Seaside Municipal Water System, and to make proposed recommendations in order to fund operational expenses and capital projects for the water system. Bartle Wells prepared two alternative rate scenarios, both of which include establishing a two tier rate structure in order to ensure compliance with the Capistrano Decision. Both scenarios propose that the City apply for a loan with a 20 year term to fund the proposed Capital Improvements.

On June 6, 2019, City Council reviewed the proposed draft water study tables. City Council selected the preferred proposed rate schedule outlined in Attachment 1, the Water Rate Study Report. Council further directed staff to distribute the public notification titled "Notice to owners of the Proposed Rate Increase and Public Hearing Proceedings", included as Attachment 2. Notifications were mailed by July 15, 2019 to all property owners within the Seaside Municipal Water System. The notifications included reasons for the proposed changes, information about the proposed rates, and information on the customer's right to protest.

NOTICING AND PROTEST VOTE REQUIREMENTS

Raising utility rates in California requires the City follow what is known as the Proposition 218 laws. This requires the City to give notice to affected property owners and/or customers of the proposed rate increase and hold a subsequent public hearing to set the new rates. The hearing must be at least 45 days from the date when notice was given. In the event a majority of customers do not submit protest votes, the new rates can be implemented after the public hearing. In the event more than half of the affected property owners/customers submit a protest vote to the proposed rate increase, then the proposed rates could not be implemented and alternatives would have to be considered to recoup costs and serve the water utility customers.

Considering that there are 772 non-City owned water service accounts, a majority protest would be 387 protest votes.

In the event 380 protest votes are not received, it is recommended that the City Council approve a resolution at the next regular City Council meeting of September 19th to adopt the proposed water rate structure as outlined in Attachment 1.

ENVIRONMENTAL COMPLIANCE

Per Title 14 of the California Code of Regulations, Chapter 3, "Guidelines for Implementation of California Environmental Quality Act (CEQA)," Section 15378.b, a project does not include government funding mechanisms or fiscal activities. The proposed project is Categorically Exempt.

FISCAL IMPACT

Following approval and implementation of a selected rate schedule, an increase in revenues will contribute to the Water Fund (#401), and will be used to fund the proposed operational and capital improvements.

ATTACHMENTS

1. Water Rate Study Report
 2. Public Notice
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

City of Seaside

2019 Water Rate Study



Bartle Wells Associates
August 23, 2019



BARTLE WELLS ASSOCIATES
INDEPENDENT PUBLIC FINANCE ADVISORS

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double-sided printing.



BARTLE WELLS ASSOCIATES
INDEPENDENT PUBLIC FINANCE ADVISORS

1889 Alcatraz Avenue
Berkeley, CA 94703
T: 510-653-3399
www.bartlewells.com

August 23, 2019

Rick Reidl
Public Works Director
City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Re: Water Rate Study

Bartle Wells Associates (BWA) is pleased to submit to the City of Seaside (City) the attached Water Rate Study Report.

This study presents BWA's analysis of the operating and non-operating expenses of the City of Seaside's Municipal Water System (SMWS) and provides five-year cash flow projections and rates. The primary purpose of this study was to analyze the SMWS and make recommendations that would achieve financial sustainability. Another important purpose of this study was to review rates to ensure that they adhere to the State's legal requirements.

The enclosed report recommends updating rates and charges to more accurately recover the costs of providing service to SMWS customers. Recommendations were developed with substantial input from City staff. BWA finds that the rates and charges proposed in our report are based on the cost of service for each customer, follow generally accepted rate design criteria, and adhere to the substantive requirements of Proposition 218. BWA believes that the proposed rates are fair and reasonable to water service customers.

We have enjoyed working with the City on this rate study. Please contact us with any future questions about this study and the recommended water rates.

Sincerely,

Doug Dove, CIPFA
Principal

Abigail Seaman
Consultant

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double-sided printing.

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1 EXECUTIVE SUMMARY

1.1 Background

The City of Seaside's Municipal Water System (SMWS) provides water service to approximately 800 accounts within a portion of Seaside, California. The SMWS is one of three water providers to Seaside residents including California American Water Company and Marina Coast Water District.

The SMWS is a self-sustaining enterprise, meaning revenues (mostly sourced from water rates) aim to recover the cost to operate and maintain the water system. The water enterprise has an operating deficit of \$150,000 as of fiscal year (FY) 2018/19. Rates were last increased in 2015. Primary cost factors impacting water rates include the increasing cost of operations and maintenance as well as over \$5 million of capital improvement projects needed to repair aging infrastructure.



The City of Seaside has contracted with Bartle Wells Associates (BWA) to conduct a water rate study of the SMWS which examines current and projected costs and the existing water rate structure as it pertains to California legislation. Basic objectives of the rate study include:

- Identify rate setting principles.
- Develop long-term financial projections to determine future annual water enterprise revenue requirements.
- Evaluate rate alternatives and recommend water rates designed to equitably recover the costs of providing service.

Key guiding principles included developing rates that:

- Are fair and equitable to all customer classes.
- Recover the costs of providing service and generate adequate funding for capital needs.
- Are easy to understand and implement.
- Comply with the legal requirements of Proposition 218 and other California laws.

1.2 Proposition 218

Utility rates are subject to the procedural and substantive requirements as set forth in Proposition 218. Proposition 218 was adopted by California voters in 1996 and added Articles 13C and 13D to the California Constitution. Article 13D, Section 6 governs property-related charges, which the California Supreme Court subsequently ruled includes ongoing utility service charges such as water and wastewater. Article 13D, Section 6 establishes a) procedural requirements for imposing or increasing property-related charges, and b) substantive requirements for those charges. Article 13D also requires voter approval for new or increased property-related charges but exempts from this voting requirement rates for water and wastewater service. The substantive requirements of Article 13D, Section 6 requires SMWS utility rates to meet the following conditions:

- Revenues derived from the fee or charge shall not exceed the funds required to provide the property related service.
- Revenues derived from the fee or charge shall not be used for any purpose other than that for which the fee or charge was imposed.
- The amount of a fee or charge imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel.
- No fee or charge may be imposed for a service unless that service is used by, or immediately available to, the owner of the property in question.
- No fee or charge may be imposed for general governmental services, such as police or fire services, where the service is available to the public at large in substantially the same manner as it is to property owners.

The procedural requirements of Proposition 218 for all utility rate increases are as follows:

- **Noticing Requirement:** The City must mail a notice of proposed water rate increases to all affected property owners. The notice must specify the basis of the fee, the reason for the fee, and the date/time/location of a public rate hearing at which the proposed rates will be considered/adopted.
- **Public Hearing:** The City must hold a public hearing prior to adopting the proposed water rate increases. The public hearing must be held not less than 45 days after the required notices are mailed. (The Proposition 218 notice for the proposed rates is provided in the Appendix)
- **Rate Increases Subject to Majority Protest:** At the public hearing, the proposed water rate increases are subject to majority protest. If 50% plus one of affected property owners submit written protests the proposed rate increases, the increases cannot be adopted.

1.3 Use of Generally Accepted Rate-Making Principles

The rates developed in this study use a straightforward methodology to establish an equitable system of fixed and variable charges that recover the cost of providing service and fairly apportion costs to each rate component. The rates were developed using generally accepted cost-based principles and methodologies for establishing water rates, charges, and fees contained and discussed in the American Water Works Association (AWWA) M1 Manual.

In developing water rates, it is important to note that there is no “one-size-fits-all” approach for establishing cost-based water rates. “The (M1 Manual) is aimed at outlining the basic elements involved in water rates and suggesting alternative rules of procedure for formulating rates, thus permitting the exercise of judgment and preference to meet local conditions and requirements.”¹ BWA used the following criteria when developing our recommendations for SMWS water rates and finances:

Rates Should Generate Adequate Revenues to Fund SMWS Costs, Maintain Prudent Reserve Fund Levels, and Comply with Debt Covenants: Rates should be set to fully fund costs to operate and maintain the water system, fund needed capital improvements, maintain prudent cash reserves, and comply with outstanding debt covenants. Conversely, the SMWS should not generate more revenue than the overall cost to provide water.

Rates Should be Simple, Fair, Justifiable, and Cost-Based: The SMWS should establish simple, fair, and cost-based rates to the extent possible. No customer or customer class should be burdened with more than their fair share of costs. Rate revenue requirements and calculation methodologies should be documented.

Rates Should Consider Conservation Requirements: Water is a scarce commodity in California and wasteful use should be discouraged. However, rates need to be cognitive of possible revenue loss and potential inequitable distributions of the true cost of service.

¹ AWWA Manual M1 Manual, Principles of Water Rates, Fees, and Charges, Sixth Edition, 2012, page 5.

1.4 Water System Overview

The SMWS produces and distributes potable water. The water system has significant capital rehabilitation and replacement needs, including tank and well improvements.

The SMWS pumps groundwater from the Seaside Groundwater Basin under a Natural Safe Yield (NSY) allowance of its water use determined by the Seaside Water Master. The NSY assessment is projected to decrease according to a schedule provided by the Water Master through FY 2021 and any overdraft amount will be subject to a replenishment assessment charge.

The SMWS's main source of water revenue is monthly water rates which were last increased on January 1, 2015. Rates are not currently sufficient to fund necessary expenses and the current rate structure should be modified to better reflect the cost of water service.

BWA recommends (1) increasing overall water rate revenue cover the cost of service; (2) aligning monthly meter charges with American Water Works Association (AWWA) meter capacity ratios; and (3) modifying the volumetric rate structure from a six-tier structure to a two-tier structure that aligns with the cost of the NSY replenishment assessment for each customer class.

1.4.1 Factors Driving Rate Increases

The primary factors impacting the water rates are the significant cost of replenishment water and needed capital improvements to repair aging infrastructure. SMWS revenues are not sufficient to cover current and projected costs, and this deficit may preclude access to grants and low interest loans.

1.4.2 Current Water Rates

Currently monthly water rates as of January 1, 2015 are listed in Table ES1 below. Volumetric rates are provided in both \$/tcf and \$/ccf. Units tcf and ccf are defined at the bottom of Table ES1.

Table ES1. Current Monthly Water Rates

2015 Monthly Meter Charges			
Meter Size	Base Charges	Watermaster Fixed Expenses	Total
5/8"	\$15.32	\$10.00	\$25.32
1"	\$15.32	\$10.00	\$25.32
1.5"	\$72.20	\$10.00	\$82.20
2"	\$119.20	\$10.00	\$129.20
3"	\$215.21	\$10.00	\$225.21

Monthly Consumption Charges (charged based on \$/ccf)					
Residential			Parks (on a per acre basis)		
Consumption (ccf)	\$/tcf	\$/ccf	Consumption (ccf)	\$/tcf	\$/ccf
0 - 4	\$0.39	\$3.87	0 - 4	\$0.57	\$5.69
4 - 10	\$0.84	\$8.37	4 - 10	\$0.84	\$8.37
10 - 20	\$1.36	\$13.56	10 - 20	\$1.36	\$13.56
20 - 30	\$1.94	\$19.35	20 - 30	\$1.94	\$19.35
30 - 40	\$2.65	\$26.53	30 - 40	\$2.65	\$26.53
40 +	\$3.46	\$34.62	40 +	\$3.46	\$34.62
Multifamily (per dwelling)			Schools (on a per student basis)		
Consumption (ccf)	\$/tcf	\$/ccf	Consumption (ccf)	\$/tcf	\$/ccf
0 - 4	\$0.39	\$3.87	1	\$0.57	\$5.69
4 - 10	\$0.84	\$8.37	1 - 3	\$0.84	\$8.37
10 - 20	\$1.36	\$13.56	3 - 4	\$1.36	\$13.56
20 - 30	\$1.94	\$19.35	4 - 5	\$1.94	\$19.35
30 - 40	\$2.65	\$26.53	5 - 6	\$2.65	\$26.53
40 +	\$3.46	\$34.62	6 +	\$3.46	\$34.62
Church #1			Church #2		
Consumption (ccf)	\$/tcf	\$/ccf	Consumption (ccf)	\$/tcf	\$/ccf
0 - 60	\$0.57	\$5.69	0 - 14	\$0.57	\$5.69
60 - 70	\$0.84	\$8.37	14 - 24	\$0.84	\$8.37
70 - 80	\$1.36	\$13.56	24 - 34	\$1.36	\$13.56
80 - 90	\$1.94	\$19.35	34 - 44	\$1.94	\$19.35
90 - 100	\$2.65	\$26.53	44 - 54	\$2.65	\$26.53
100 +	\$3.46	\$34.62	54 +	\$3.46	\$34.62

ccf = 100 cubic feet or 748 gallons

tcf = 74.8 gallons

Current water rates include a monthly fixed charge which is determined by meter size, and a variable charge which varies by customer class. Water use is charged according to a six-tier volumetric rate structure. Volumetric rates are currently charged on a \$/ccf basis.

1.4.3 Proposed Water Rates

Proposed monthly water rates are shown on Table ES2 below.

Table ES2. Proposed Monthly Water Rates

Fixed Rates

WATER	Current	Proposed Fixed Rates (\$/Month)				
		10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Meter Size						
3/4" or less	\$25.32	\$26.30	\$31.55	\$37.87	\$43.55	\$43.55
1 Inch Meter	\$25.32	\$43.83	\$52.59	\$63.11	\$72.58	\$72.58
1.5 Inch Meter	\$82.20	\$87.65	\$105.18	\$126.22	\$145.15	\$145.15
2 Inch Meter	\$129.20	\$140.24	\$168.29	\$201.95	\$232.24	\$232.24
3 Inch Meter	\$225.21	\$262.96	\$315.55	\$378.66	\$435.46	\$435.46
4 Inch Meter		\$438.26	\$525.91	\$631.10	\$725.76	\$725.76
6 Inch Meter		\$876.52	\$1,051.83	\$1,262.19	\$1,451.52	\$1,451.52

Volumetric Rates

		10/29/2019		1/1/2020		1/1/2021		1/1/2022		1/1/2023	
Proposed Volumetric Rates	(\$/tcf)	Tier 1 \$0.71	Tier 2 \$1.36	Tier 1 \$0.85	Tier 2 \$1.51	Tier 1 \$1.02	Tier 2 \$1.69	Tier 1 \$1.17	Tier 2 \$1.87	Tier 1 \$1.17	Tier 2 \$1.89
Proposed Allocations per Month		Tier 1	Tier 2	Tier 1	Tier 2	Tier 1	Tier 2	Tier 1	Tier 2	Tier 1	Tier 2
Single Family Residential (per dwelling)	(tcf)	0 to 57	57 +	0 to 49	49 +	0 to 49	49 +	0 to 49	49 +	0 to 37	37 +
Multifamily #1 (per meter)	(tcf)	0 to 9,547	9,547 +	0 to 8,165	8,165 +	0 to 8,165	8,165 +	0 to 8,165	8,165 +	0 to 6,182	6,182 +
Multifamily #2 (per meter)	(tcf)	0 to 2,417	2,417 +	0 to 2,067	2,067 +	0 to 2,067	2,067 +	0 to 2,067	2,067 +	0 to 1,565	1,565 +
School #1 (per student)	(tcf)	0 to 6.682	6.682 +	0 to 5.714	5.714 +	0 to 5.714	5.714 +	0 to 5.714	5.714 +	0 to 4.327	4.327 +
School #2 (per student)	(tcf)	0 to 6.857	6.857 +	0 to 5.864	5.864 +	0 to 5.864	5.864 +	0 to 5.864	5.864 +	0 to 4.440	4.440 +
School #3 (per student)	(tcf)	0 to 6.264	6.264 +	0 to 5.357	5.357 +	0 to 5.357	5.357 +	0 to 5.357	5.357 +	0 to 4.056	4.056 +
Church #1 (per meter)	(tcf)	0 to 306	306 +	0 to 262	262 +	0 to 262	262 +	0 to 262	262 +	0 to 198	198 +
Church #2 (per meter)	(tcf)	0 to 58	58 +	0 to 49	49 +	0 to 49	49 +	0 to 49	49 +	0 to 37	37 +
Fire Department	(tcf)	0 to 57	57 +	0 to 49	49 +	0 to 49	49 +	0 to 49	49 +	0 to 37	37 +
Proposed Temporary Account Rates	(\$/tcf)	\$1.36		\$1.51		\$1.69		\$1.87		\$1.89	

Proposed meter charges align with AWWA meter ratios and volumetric rates are proposed to align with the Natural Safe Yield replenishment assessment for each customer class. NSY replenishment assessments were provided by City of Seaside Staff. The NSY replenishment assessments by customer class are determined in terms of ten cubic feet (tcf), and volumetric rates are proposed to be charged accordingly.

2 WATER FINANCIAL PROJECTIONS

2.1 Water System Financial Overview

Bartle Wells Associates conducted an independent evaluation of the SMWS finances. Key observations include:

- Water rates have not been increased since January 1, 2015.
- The water enterprise has no current debt service but faces an internal pension liability of \$17,500 per year.
- Capital expenses for the water enterprise are estimated to be \$4.7 million from FY 2019 to FY 2024. BWA proposes that the SMWS fund these expenses with cash and proposed debt issuances, assumed to be paid through two 20-year loans.
- Projected water expenses were determined by developing projections based on historical audits, budgets, and up to date information provided by the City of Seaside. Projected expenses and minimum reserve fund targets were used to develop annual revenue requirements.

2.2 Current Water Rates

Water rates are charged according to several components, including customer category, bill frequency, and rate type (fixed vs. variable) as described below:

- **Fixed Rate:** Customers receiving water service pay a fixed fee (calculated monthly) per meter. Meter service charges increase as meter size increases.
- **Variable Rate:** In addition to the fixed rate, water accounts are charged volumetric rates (or “consumption charges”) according to a 6-tier inclining rate structure. The usage amount allotted in each tier varies by customer class. Quantity Charges are billed per centum (100) cubic feet (ccf), with 1 ccf equal to 748 gallons of water.

In general, rates do not currently cover the cost of water service. Meter charges should be aligned with AWWA meter capacity factors. The existing volumetric tier structure needs to be cost-justified, is complex from a billing perspective and may be difficult to explain to customers.

Table 1. Current Water Rates

2015 Monthly Meter Charges					
Meter Size	Base Charges		Watermaster Fixed Expenses		Total
5/8"	\$15.32		\$10.00		\$25.32
1"	\$15.32		\$10.00		\$25.32
1.5"	\$72.20		\$10.00		\$82.20
2"	\$119.20		\$10.00		\$129.20
3"	\$215.21		\$10.00		\$225.21
2015 Monthly Consumption Charges (charged based on \$/ccf)					
Residential			Parks (on a per acre basis)		
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4 - 10	\$0.84	\$8.37	4 - 10	\$0.84	\$8.37
10 - 20	\$1.36	\$13.56	10 - 20	\$1.36	\$13.56
20 - 30	\$1.94	\$19.35	20 - 30	\$1.94	\$19.35
30 - 40	\$2.65	\$26.53	30 - 40	\$2.65	\$26.53
40 +	\$3.46	\$34.62	40 +	\$3.46	\$34.62
Multifamily (per dwelling)			Schools (on a per student basis)		
Consumption (ccf)	\$/tcf	\$/ccf	Consumption (ccf)	\$/tcf	\$/ccf
0 - 4	\$0.39	\$3.87	1	\$0.57	\$5.69
4 - 10	\$0.84	\$8.37	1 - 3	\$0.84	\$8.37
10 - 20	\$1.36	\$13.56	3 - 4	\$1.36	\$13.56
20 - 30	\$1.94	\$19.35	4 - 5	\$1.94	\$19.35
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Church #1			Church #2		
Consumption (ccf)	\$/tcf	\$/ccf	Consumption (ccf)	\$/tcf	\$/ccf
0 - 60	\$0.57	\$5.69	0 - 14	\$0.57	\$5.69
60 - 70	\$0.84	\$8.37	14 - 24	\$0.84	\$8.37
70 - 80	\$1.36	\$13.56	24 - 34	\$1.36	\$13.56
80 - 90	\$1.94	\$19.35	34 - 44	\$1.94	\$19.35
90 - 100	\$2.65	\$26.53	44 - 54	\$2.65	\$26.53
100 +	\$3.46	\$34.62	54 +	\$3.46	\$34.62

ccf = 100 cubic feet or 748 gallons

tcf = 74.8 gallons

2.3 Customer Information

The SMWS provides water service to 786 water meters as of FY 2019, of which 96% of water meters are residential. The SMWS has recently installed a number of 4" and 6" meters, requiring an update to the current fixed meter charges which stop at 3". Fixed rate revenue currently represents 35% of all rate revenue. A total listing of water meters is provided in Table 2.

Table 2. Meter Listing

	Residential	Fire Department	School	Apartment	Parks	Church	Total
3/4" or less	729	0	0	0	7	1	737
1"	23	0	0	0	3	0	26
1.5"	0	1	0	0	0	0	1
2"	0	0	0	0	0	1	1
3"	0	0	0	1	0	0	1
4"	0	0	0	0	0	0	0
6"	0	0	3	1	2	0	6
	752	1	3	2	12	2	772

Seaside is a relatively slow-growth community and can expect minimal growth over the next five years. Therefore, the SMWS should conservatively project no growth in new connections or increased water consumption for the purposes of this rate study.

2.4 FY 2015 Water Consumption

The City conducted a detailed analysis of water consumption in FY 2015 as shown in Table 3. The water rate study conservatively assumes consumption has remained static since FY 2015. Total water consumption is anticipated to be approximately 80,000 ccf or 800,000 tcf for the duration of the water rate study. Volumetric revenue represents 65% of all water rate revenue.

Table 3. Water Consumption

Class	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 6	Total By Class
Residential	30,689	16,404	2,958	146	32	37	50,266
Apartment	12,362	3,830	0	0	0	0	16,192
Church	688	84	20	20	14	8	834
Fire Department	48	72	101	11	0	0	232
School	7,402	2,480	6	0	0	0	9,888
Parks	18	0	0	0	0	0	18
Total (ccf)	51,207	22,870	3,085	177	46	45	77,430
<i>Total (tcf)</i>	<i>512,070</i>	<i>228,700</i>	<i>30,850</i>	<i>1,770</i>	<i>460</i>	<i>450</i>	<i>774,300</i>

2.5 Key Assumptions

BWA developed long-term cash flow projections to determine the water enterprise's annual revenue requirements and project required water rate revenue increases. The financial projections incorporate the latest information available as well as a number of reasonable and slightly conservative assumptions typical for a rate study. Key information and assumptions include:

Revenue Assumptions

- Miscellaneous fees and interest income are based on the FY 2019 budget. Future projections are estimated based on conservative inflation and an interest earning rate of 1.5%. Actual amounts will vary based on actual miscellaneous fees and future interest earning rates.
- Growth in the SMWS's customer base and water consumption was conservatively assumed to be 0% per year over the next 5 years. The City is a relatively small, slow-growth community and should not rely on growth for additional rate revenue.

Expense Assumptions

- Operating and maintenance costs are based on the FY 2019 budget and escalated at the annual rate of 3.0% to account for future cost inflation. This assumption is based on the 1990 through 2019 Engineering News-Record's average annual cost increase.

Reserve Targets

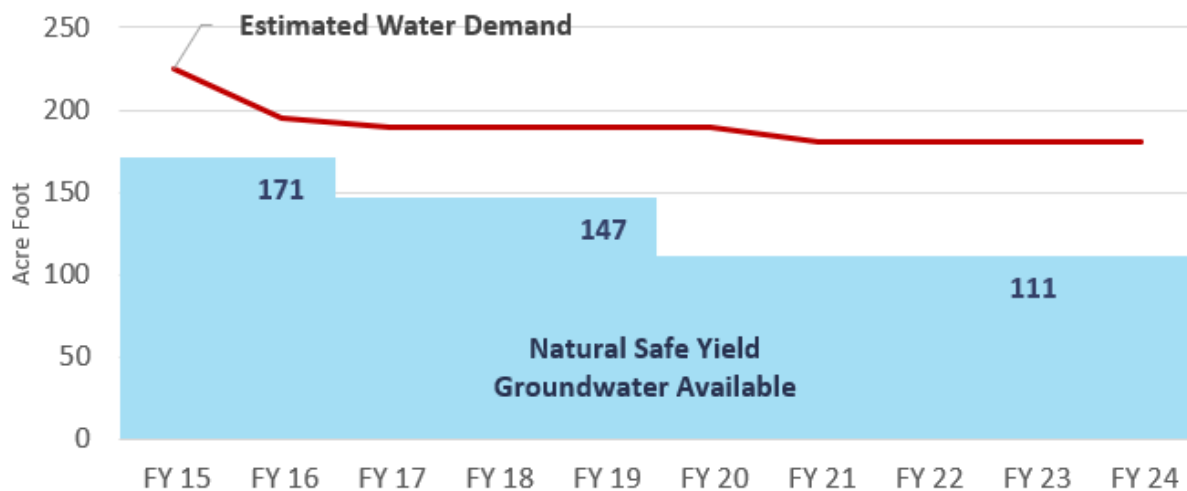
- The SMWS's current cash fund balance is approximately \$700,000 as of the beginning of FY 2019. Without a rate increase, the SMWS is projected to run out of reserves in FY 2023. However, if the proposed rate increases are adopted the water enterprise will have at least \$700,000 in reserves at the end of FY 2024 (after the 5-year rate schedule). Reserves are projected to slowly increase as rate revenue slightly exceeds expenses. This will ensure that the proposed rates establish sufficient reserves.
- BWA designed the 5-year Water Cash Flow based on a reserve policy of 33% of water operating expenses plus debt service obligations. As of FY 2024, the target reserve balance is approximately \$700,000.

2.6 Water Supply – Natural Safe Yield Assessment

The SMWS purchases water from the Seaside Groundwater Basin Watermaster, which has determined a Natural Safe Yield (NSY) assessment for the SMWS. The NSY assessment is projected to decrease according to a schedule provided by the Watermaster through FY 2021. Water demand currently exceeds the NSY assessment and will soon face a replenishment

assessment per Acre Foot (AF) for all usage over the NSY. The replenishment assessment would be \$2,782/AF in 2019 and is projected to increase 3% per year according to City estimates. An illustration of water demand above the NSY replenishment assessment is shown in Figure 2. A detailed breakdown of water supply and demand is provided in the Appendix.

Figure 2: Water Demand and NSY Assessment



2.7 Water Budgets

The City of Seaside conducted a water budget analysis in FY 2015 which allocated the NSY replenishment assessment cost to each customer class based on a monthly water budget. Domestic water use was adjusted to 45gal/day/person based on a water system residential population of 2,732. Other customer classes' water budgets were determined using membership counts (e.g. churches, schools) and actual water use. Any usage above the water budget will be using water above the NSY and therefore will be subject to additional charges per the replenishment assessment determined by the Watermaster. A detailed list of water budget allocations is located in the Appendix.

2.8 Operations & Maintenance Expenses

The SMWS's operations budget totals approximately \$900,000 for FY 2019. All operations expenses are projected to increase 3% per year. A detailed projection of operations & maintenance expenses is provided in the Appendix.

2.9 Capital Improvement Plan

The SMWS \$4.7m capital improvement plan is shown on Table 4 and consists of several rehabilitation, improvement, and replacement projects necessary for the sustainable management of the water enterprise.

Table 4. Water Capital Improvement Plan

Water Capital Improvement Plan	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Water Security Upgrades	\$0	\$90,000	\$300,000	\$0	\$0	\$0
Well Replacement	\$0	\$350,000	\$1,000,000	\$600,000	\$0	\$0
Master Plan / Rate Study	\$0	\$170,000	\$150,000	\$50,000	\$20,000	\$0
Tank Improvements Project	\$0	\$440,000	\$0	\$20,000	\$0	\$740,000
Alternative Water Source	\$0	\$80,000	\$10,000	\$30,000	\$90,000	\$100,000
Arc Flash Hazard Mitigation	\$0	\$30,000	\$90,000	\$0	\$0	\$0
<u>Capital Improvements</u>	<u>\$130,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$50,000</u>	<u>\$100,000</u>	<u>\$50,000</u>
Total CIP Improvements	\$130,000	\$1,160,000	\$1,550,000	\$750,000	\$210,000	\$890,000

Current water rates cannot cover the current Capital Improvement Plan obligations. Additionally, the SMWS's current operating deficit precludes access to many grants and low-interest loans. BWA recommends a funding plan including cash and debt funding capital improvement costs as detailed in later sections.

2.10 Debt Obligations

The SMWS does not currently have any debt service obligations but faces an annual Internal pension funding obligation of \$17,500 per year. BWA recommends that the SMWS consider two debt issuances, \$3.4 million in FY 2020 and \$1.3 million in FY 2023, to fund capital expenses and smooth out any required rate increases over time. After evaluating several debt service options, BWA conservatively projected the annual debt obligation required to meet the capital improvement needs based on two 20-year debt issuances at 4% interest. Detailed assumptions regarding issuance costs are located in the Appendix. A summary of debt service obligations is shown on Table 5.

Table 5. Projected Debt Service Obligations

	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024
Total Debt Service						
Current Debt Service [1]	17,500	17,500	17,500	17,500	17,500	17,500
Proposed Debt Payments [2]	0	0	<u>136,000</u>	<u>250,175</u>	<u>250,175</u>	<u>302,175</u>
Total Long Term Debt	17,500	17,500	153,500	267,675	267,675	319,675
[1] Net Pension Liability, \$263,774, 15 year payoff						
[2] Two 20 Year Bonds - Placeholder Assumption						
Receive proceeds for construction in FY2020 and FY 2023, debt service begins following year. Interest only payment in first year						

2.11 Projected Rate Increases

Table 6 below shows the projected overall recommended rate increases needed to fund current operating, capital and debt service obligations as well as achieve cash reserve balance and debt service coverage targets over the next 5 years. If there are any updates to these items, The SMWS should re-evaluate its future rate and revenue requirements based on the latest information available. The City always has the flexibility to implement rates that are lower than those adopted.

Table 6. Projected Rate Increases

Effective Date	10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Rate Revenue Increase	25%	20%	20%	15%	0%

2.12 Projected Cashflow with Rate Increases

Table 7 on the next page shows the 5-year cash flow projection for the SMWS. The cash flow incorporates all assumptions and data described in the above sections. Revenue is increasing according to the rate projections shown on and is shown to be sufficient to fund the cost of providing service while maintaining a balanced annual budget and appropriate cash reserve funds.

Table 7. Water Cash Flow Projection

	FY 2019	FY 2020		FY 2021	FY 2022	FY 2023	FY 2024	
Overall Rate Increase		25%	+	20%	20%	15%	0%	0%
Effective Date		10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023	1/1/2024	
Beginning Balance [2]		\$700,424		\$2,741,424	\$1,312,924	\$747,249	\$1,911,074	
Operating Revenues		add'l revenue						
Base Charge	\$244,841	\$133,000	+	\$184,000	\$416,000	\$488,000	\$522,000	\$522,000
Variable Charge	\$453,463	\$246,000	+	\$340,000	\$771,000	\$904,000	\$967,000	\$967,000
All other operating revenue [3]	\$25,000	\$25,000		\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Total Operating Revenue	\$723,304	\$404,000	\$524,000	\$1,212,000	\$1,417,000	\$1,514,000	\$1,514,000	
		\$928,000						
Non-operating Revenue								
Proposed Debt - Proceeds for Construction	\$0	\$3,200,500		\$0	\$0	\$1,121,500		\$0
Total Non-operating Revenue	\$0	\$3,200,500		\$0	\$0	\$1,121,500		\$0
Total Operating Expenses	\$883,000	\$910,000		\$937,000	\$965,000	\$994,000	\$1,024,000	
Long Term Debt & Pensions								
Internal Pension Liability	\$17,500	\$17,500		\$17,500	\$17,500	\$17,500	\$17,500	\$17,500
Proposed Loan	\$0	\$0		\$136,000	\$250,175	\$250,175	\$302,175	
Total Long Term Debt	\$17,500	\$17,500		\$153,500	\$267,675	\$267,675	\$319,675	
Capital Projects	\$130,000	\$1,160,000		\$1,550,000	\$750,000	\$210,000	\$890,000	
Ending Balance		\$2,741,424		\$1,312,924	\$747,249	\$1,911,074	\$1,191,399	
Minimum Fund Balance Target [4]		\$317,800		\$462,710	\$586,125	\$595,695	\$657,595	
Reserve Target Met?		yes		yes	yes	yes	yes	
Debt Service Coverage - Proposed Debt				2.02	1.81	2.08	1.62	

[1] Current Variable Rate Varies due to tiered rate structure
[2] Estimated fund balance as of June 30, 2019 from City of Seaside
[3] Includes interest income, late fees, and penalties
[4] 33% of operating expenses plus debt service

3 WATER COST OF SERVICE & RATE CALCULATIONS

3.1 Water Rate Structure Recommendations

In addition to the proposed rate revenue increases, Bartle Wells Associates also recommends a rate structure change to align with the current cost of water service.

3.2 Cost Allocation

BWA conducted a cost of service analysis which confirms that the current cost allocation to fixed and variable charges are appropriate. BWA recommends rates that continue to collect 35% of revenue from fixed charges, and 65% from variable charges. A detailed cost allocation of operations and maintenance expenses is provided in the Appendix.

3.3 Fixed Service Charge Recommendations

Per the cost of service allocation, 35% of revenue will come from fixed charges. This represents no change from the current cost allocation.

3.3.1 AWWA Meter Factor Ratios

BWA recommends that the proposed meter charges align with AWWA meter flow ratios as outlined in Table 8 below.

Table 8. AWWA Meter Flow Ratios

Meter Size	# Meters	Max Flow Rate (GPM)	Flow Ratio	3/4" or less Meter Equivalents
3/4" or less	737	30	1	737
1" or less	26	50	1.7	43
1.5"	1	100	3.3	3
2"	1	160	5.3	5
3"	1	300	10.0	10
4"	0	500	16.7	0
6"	6	1000	33.3	200
Total				999

[1] American Water Works Association Standards, Manual M22, 2nd edition, 2004, page 62.

[2] Flow Ratio equal to 1" or less equivalent

The proposed fixed charges include monthly fixed charge which increase by meter size according to the flow ratios shown above. Larger meters will now face a higher charge compared to the current rate. BWA has also proposed new charges for 4-inch and 6-inch meters per AWWA meter flow ratios for those customers. Proposed fixed charges are shown in Table 9 on the next page. In the years following the rate restructure in 2019/20, the proposed rates will increase according to the proposed annual rate revenue increases shown in Table 6. A detailed calculation of fixed rates is provided in the Appendix.

3.4 Water Variable Charge Recommendations

The proposed variable charge aims to recover 65% of rate revenue.

Two-Tier Volumetric Rate Structure:

The 5-year schedule of proposed volumetric rates are summarized on Table 9 along with the proposed tier allotments. BWA recommends that the SMWS replace the current six-tiered water rate structure and adopt a two-tiered rate structure that aligns with the cost of providing water service. A detailed calculation of volumetric rates is provided in the Appendix.

Tier 1 water use allotments were determined by the Water Budget Analysis performed by the City of Seaside in FY 2015. Tier 1 water rates recover all variable expenses determined by the cost of service analysis. Tier 2 water use consists of all use above the NSY assessment. The Tier 2 rate will recover the cost of the replenishment assessment imposed by the Watermaster. Rates are calculated using \$/tcf to align with the SMWS's water budget assessment.

3.5 Proposed Rates

Table 9 below shows a 5-year schedule of proposed rates incorporating the overall level of required rate increases to fund the cost of providing water service.

Table 9. Proposed Monthly Water Rates

Fixed Rates

	Current	Proposed				
		10/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
WATER	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Meter Size						
3/4" or less	\$25.32	\$26.30	\$31.55	\$37.87	\$43.55	\$43.55
1 Inch Meter	\$25.32	\$43.83	\$52.59	\$63.11	\$72.58	\$72.58
1.5 Inch Meter	\$82.20	\$87.65	\$105.18	\$126.22	\$145.15	\$145.15
2 Inch Meter	\$129.20	\$140.24	\$168.29	\$201.95	\$232.24	\$232.24
3 Inch Meter	\$225.21	\$262.96	\$315.55	\$378.66	\$435.46	\$435.46
4 Inch Meter		\$438.26	\$525.91	\$631.10	\$725.76	\$725.76
6 Inch Meter		\$876.52	\$1,051.83	\$1,262.19	\$1,451.52	\$1,451.52

Volumetric Rates

		Proposed FYE 2020		Proposed FYE 2021		Proposed FYE 2022		Proposed FYE 2023		Proposed FYE 2024	
Proposed Volumetric Rates	(\$/tcf)	Tier 1 \$0.71	Tier 2 \$1.36	Tier 1 \$0.85	Tier 2 \$1.51	Tier 1 \$1.02	Tier 2 \$1.69	Tier 1 \$1.17	Tier 2 \$1.87	Tier 1 \$1.17	Tier 2 \$1.89
Proposed Allocations per Month		Tier 1	Tier 2	Tier 1	Tier 2	Tier 1	Tier 2	Tier 1	Tier 2	Tier 1	Tier 2
Single Family Residential (per dwelling)	(tcf)	0 to 57	57 +	0 to 49	49 +	0 to 49	49 +	0 to 49	49 +	0 to 37	37 +
Multifamily #1 (per meter)	(tcf)	0 to 9,547	9,547 +	0 to 8,165	8,165 +	0 to 8,165	8,165 +	0 to 8,165	8,165 +	0 to 6,182	6,182 +
Multifamily #2 (per meter)	(tcf)	0 to 2,417	2,417 +	0 to 2,067	2,067 +	0 to 2,067	2,067 +	0 to 2,067	2,067 +	0 to 1,565	1,565 +
School #1 (per student)	(tcf)	0 to 6.682	6.682 +	0 to 5.714	5.714 +	0 to 5.714	5.714 +	0 to 5.714	5.714 +	0 to 4.327	4.327 +
School #2 (per student)	(tcf)	0 to 6.857	6.857 +	0 to 5.864	5.864 +	0 to 5.864	5.864 +	0 to 5.864	5.864 +	0 to 4.440	4.440 +
School #3 (per student)	(tcf)	0 to 6.264	6.264 +	0 to 5.357	5.357 +	0 to 5.357	5.357 +	0 to 5.357	5.357 +	0 to 4.056	4.056 +
Church #1 (per meter)	(tcf)	0 to 306	306 +	0 to 262	262 +	0 to 262	262 +	0 to 262	262 +	0 to 198	198 +
Church #2 (per meter)	(tcf)	0 to 58	58 +	0 to 49	49 +	0 to 49	49 +	0 to 49	49 +	0 to 37	37 +
Fire Department	(tcf)	0 to 57	57 +	0 to 49	49 +	0 to 49	49 +	0 to 49	49 +	0 to 37	37 +
Proposed Temporary Account Rates	(\$/tcf)	\$1.36		\$1.51		\$1.69		\$1.87		\$1.89	

3.6 Estimated Residential Bill Impact

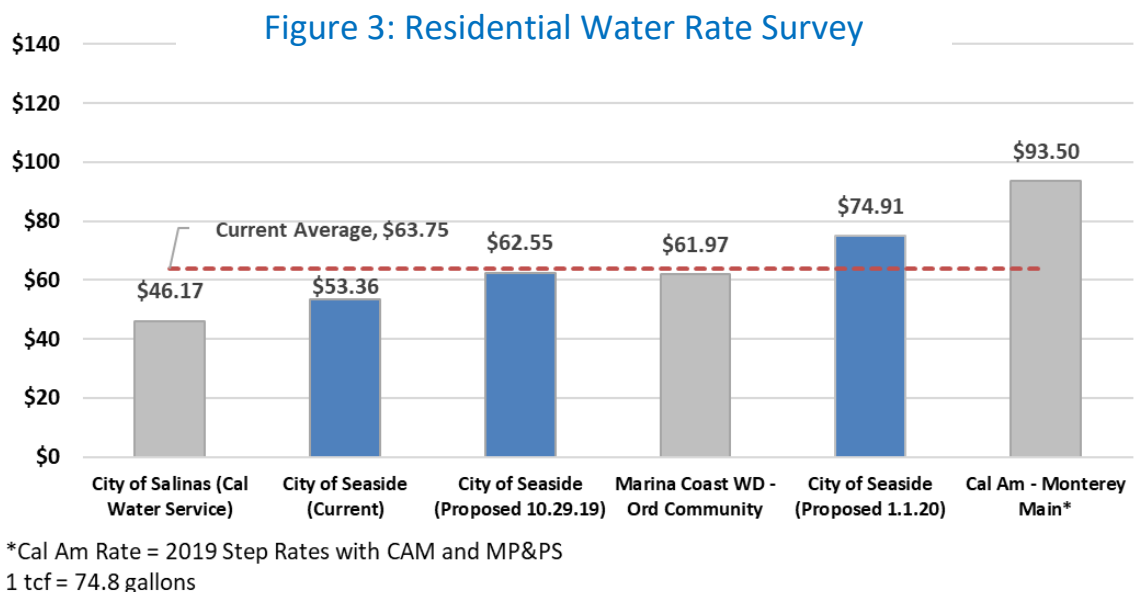
Estimated bill impacts for a typical single-family resident are provided in Table 10 below and are provided for a wide variety of customers in the Appendix. As the water rate revenue requirement increases and the Tier 1 water use allotment decreases, bills are projected to increase. There is no recommended rate increase in the 5th year of the rate study, so bills will remain the same assuming water use is constant.

Table 10. Single Family Bill Impact

	Water Use tcf	Current	10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Single Family - 3/4" Meter [1]	50.3						
Tier 1 Consumption			49	49	37	37	37
Tier 2 Consumption			1.2	1.2	13.1	13.1	13.1
Estimated Bill		\$53.36	\$62.55	\$74.91	\$97.86	\$111.47	\$111.74
% Bill Increase			17%	20%	31%	14%	0%

3.7 Residential Water Rate Survey

BWA conducted a survey of residential water rates in surrounding water communities and similar agencies. Average monthly usage for a single-family resident was used to calculate typical monthly bills for these agencies as shown in Figure 3. The City of Seaside's Municipal Water System is currently below the average monthly water bill in the area.



4 CONCLUSION & RECOMMENDATIONS

This water rate study report presents a comprehensive review of the SMWS's revenue requirements, cost of service allocation, and rate structure. Projected operations & capital expenses are expected to exceed rate revenues in the next few years. Capital is recommended to be funded with some cash and a proposed debt issuance of \$4.5 million. These factors were considered in the rate study to fairly develop rates for customers.

4.1 Conclusion

The practices sound financial planning that has provided for the financial health of the City of Seaside's Municipal Water System. Unfortunately, the SMWS is facing a revenue deficit while operations and capital costs continue to increase. These recent developments have been factored into a comprehensive water rate study and are reflected in the above proposed rates. Adoption of these rates reflect the City's commitment to stewarding financially sound utilities and providing reliable, high quality water service that will benefit the community many years into the future.

4.2 Recommendations

BWA recommends that the City adopt the water rates contained in this report. At minimum, the City should review and update its Water Rate Study every five years and/or concurrent with Master Plan Updates. Rates are typically adopted according to a five-year planning period. Any further rate increases should be supported by a comprehensive rate study.

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APPENDIX A

Water Rate Study Supplementary Tables

Seaside Municipal Water System Water Rate Study 2019



Appendix Tables 8/23/2019

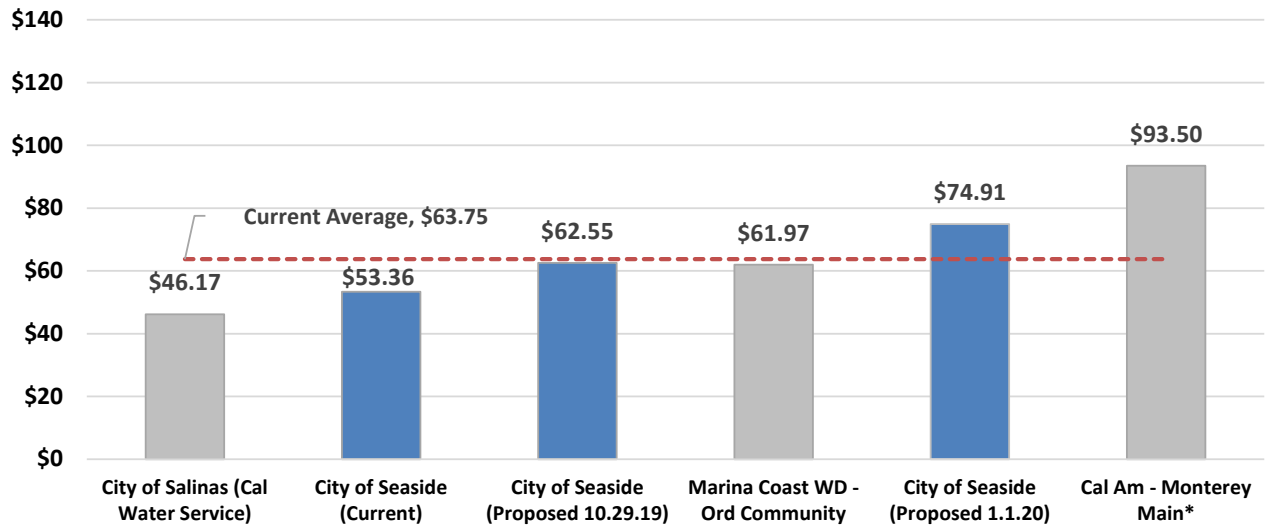


BARTLE WELLS ASSOCIATES
INDEPENDENT PUBLIC FINANCE ADVISORS

Figure 1: Water Rate Survey

Seaside Municipal Water System

Water Rate Study



*Cal Am Rate = 2019 Step Rates with CAM and MP&PS

Table ES-1**Executive Summary - Proposed Fixed Meter Rates**

		Current	Proposed Rates (\$/Month)				
WATER			10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Meter Size							
3/4" or less	\$25.32	\$26.30	\$31.55	\$37.87	\$43.55	\$43.55	
1 Inch Meter	\$25.32	\$43.83	\$52.59	\$63.11	\$72.58	\$72.58	
1.5 Inch Meter	\$82.20	\$87.65	\$105.18	\$126.22	\$145.15	\$145.15	
2 Inch Meter	\$129.20	\$140.24	\$168.29	\$201.95	\$232.24	\$232.24	
3 Inch Meter	\$225.21	\$262.96	\$315.55	\$378.66	\$435.46	\$435.46	
4 Inch Meter		\$438.26	\$525.91	\$631.10	\$725.76	\$725.76	
6 Inch Meter		\$876.52	\$1,051.83	\$1,262.19	\$1,451.52	\$1,451.52	

Table ES-2
Executive Summary - Proposed Volumetric Water Rates

WATER	Current Monthly Rates	
Current Residential Allocations per Month		(\$/tcf)
Tier 1	0 - 40	\$0.387
Tier 2	40 - 100	\$0.837
Tier 3	100 - 200	\$1.356
Tier 4	200 - 300	\$1.935
Tier 5	300 - 400	\$2.653
Tier 6	400 +	\$3.462

		10/29/2019		1/1/2020		1/1/2021		1/1/2022		1/1/2023	
Proposed Volumetric Rates	(\$/tcf)	Tier 1 \$0.71	Tier 2 \$1.36	Tier 1 \$0.85	Tier 2 \$1.51	Tier 1 \$1.02	Tier 2 \$1.69	Tier 1 \$1.17	Tier 2 \$1.87	Tier 1 \$1.17	Tier 2 \$1.89
Proposed Allocations per Month		Tier 1	Tier 2	Tier 1	Tier 2	Tier 1	Tier 2	Tier 1	Tier 2	Tier 1	Tier 2
Single Family Residential (per dwelling)	(tcf)	0 to 57	57 +	0 to 49	49 +	0 to 49	49 +	0 to 49	49 +	0 to 37	37 +
Multifamily #1 (per meter)	(tcf)	0 to 9,547	9,547 +	0 to 8,165	8,165 +	0 to 8,165	8,165 +	0 to 8,165	8,165 +	0 to 6,182	6,182 +
Multifamily #2 (per meter)	(tcf)	0 to 2,417	2,417 +	0 to 2,067	2,067 +	0 to 2,067	2,067 +	0 to 2,067	2,067 +	0 to 1,565	1,565 +
School #1 (per student)	(tcf)	0 to 6.682	6.682 +	0 to 5.714	5.714 +	0 to 5.714	5.714 +	0 to 5.714	5.714 +	0 to 4.327	4.327 +
School #2 (per student)	(tcf)	0 to 6.857	6.857 +	0 to 5.864	5.864 +	0 to 5.864	5.864 +	0 to 5.864	5.864 +	0 to 4.440	4.440 +
School #3 (per student)	(tcf)	0 to 6.264	6.264 +	0 to 5.357	5.357 +	0 to 5.357	5.357 +	0 to 5.357	5.357 +	0 to 4.056	4.056 +
Church #1 (per meter)	(tcf)	0 to 306	306 +	0 to 262	262 +	0 to 262	262 +	0 to 262	262 +	0 to 198	198 +
Church #2 (per meter)	(tcf)	0 to 58	58 +	0 to 49	49 +	0 to 49	49 +	0 to 49	49 +	0 to 37	37 +
Fire Department	(tcf)	0 to 57	57 +	0 to 49	49 +	0 to 49	49 +	0 to 49	49 +	0 to 37	37 +
Proposed Temporary Account Rates	(\$/tcf)	\$1.36		\$1.51		\$1.69		\$1.87		\$1.89	

tcf = 10 cubic feet or 74.8 gallons

1 - Source: City of Seaside

Table ES-3**Water Volume Conversion Factors**

1 ccf = 10 tcf = 100 cubic feet = 748 gallons = 7.5 cgl

1 tcf = 10 cubic feet = 74.8 gallons = 0.75 cgl

1 cgl = 100 gallons = 1.34 tcf

Table 1: Current Rates as of January 1, 2015

Seaside Municipal Water System

Water Rate Study

2015 Monthly Meter Charges			
Meter Size	Base Charges	Watermaster Fixed Expenses	Total
5/8"	\$15.32	\$10.00	\$25.32
1"	\$15.32	\$10.00	\$25.32
1.5"	\$72.20	\$10.00	\$82.20
2"	\$119.20	\$10.00	\$129.20
3"	\$215.21	\$10.00	\$225.21

Monthly Consumption Charges (\$/ccf)					
Residential			Parks (on a per acre basis)		
Consumption (ccf)	\$/tcf	\$/ccf	Consumption (ccf)	\$/tcf	\$/ccf
0 - 4	\$0.39	\$3.87	0 - 4	\$0.57	\$5.69
4 - 10	\$0.84	\$8.37	4 - 10	\$0.84	\$8.37
10 - 20	\$1.36	\$13.56	10 - 20	\$1.36	\$13.56
20 - 30	\$1.94	\$19.35	20 - 30	\$1.94	\$19.35
30 - 40	\$2.65	\$26.53	30 - 40	\$2.65	\$26.53
40 +	\$3.46	\$34.62	40 +	\$3.46	\$34.62
Multifamily (per dwelling)			Schools (on a per student basis)		
Consumption (ccf)	\$/tcf	\$/ccf	Consumption (ccf)	\$/tcf	\$/ccf
0 - 4	\$0.39	\$3.87	1	\$0.57	\$5.69
4 - 10	\$0.84	\$8.37	1 - 3	\$0.84	\$8.37
10 - 20	\$1.36	\$13.56	3 - 4	\$1.36	\$13.56
20 - 30	\$1.94	\$19.35	4 - 5	\$1.94	\$19.35
30 - 40	\$2.65	\$26.53	5 - 6	\$2.65	\$26.53
40 +	\$3.46	\$34.62	6 +	\$3.46	\$34.62
Church #1			Church #2		
Consumption (ccf)	\$/tcf	\$/ccf	Consumption (ccf)	\$/tcf	\$/ccf
0 - 60	\$0.57	\$5.69	0 - 14	\$0.57	\$5.69
60 - 70	\$0.84	\$8.37	14 - 24	\$0.84	\$8.37
70 - 80	\$1.36	\$13.56	24 - 34	\$1.36	\$13.56
80 - 90	\$1.94	\$19.35	34 - 44	\$1.94	\$19.35
90 - 100	\$2.65	\$26.53	44 - 54	\$2.65	\$26.53
100 +	\$3.46	\$34.62	54 +	\$3.46	\$34.62

ccf = 100 cubic feet or 748 gallons

tcf = 74.8 gallons

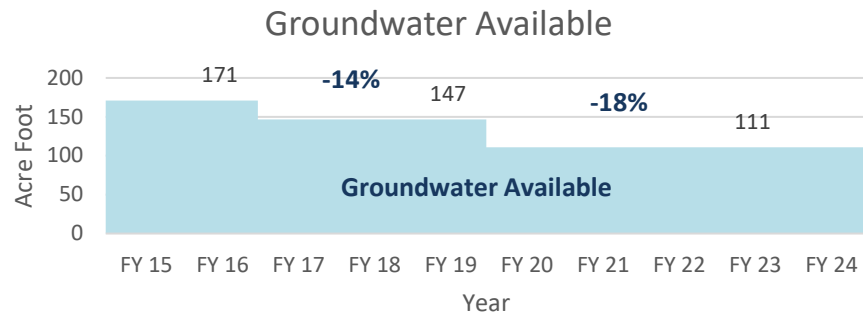
Table 2: Watermaster Natural Safe Yield Analysis

Seaside Municipal Water System
Water Rate Study

	Projected FYE 2018	Projected FYE 2019	Projected FYE 2020	Projected FYE 2021	Projected FYE 2022	Projected FYE 2023	Projected FYE 2024
Estimated Usage (Acre Feet)							
Natural Safe Yield (NSY)	147	147	147	111	111	111	111
Exceeding Natural Safe Yield	0	0	0	0	0	0	0
Over Draft	<u>43</u>	<u>43</u>	<u>43</u>	<u>70</u>	<u>70</u>	<u>70</u>	<u>70</u>
Total Production	190	190	190	181	181	181	181

Estimated Costs

Natural Safe Yield (NSY) - Acre Feet	147	147	147	111	111	111	111
Unit cost	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Exceeding NSY - Acre Feet	43	43	43	70	70	70	70
Unit Cost [1]	\$2,872	\$2,958	\$3,047	\$3,138	\$3,232	\$3,329	\$3,429
Total Replenishment Assessment	\$123,496	\$127,201	\$131,017	\$219,682	\$226,272	\$233,060	\$240,052



All water production units in Acre-Feet
NSY = Natural Safe Yield

1 - FY 2018 actual provided by Watermaster, 3% estimated cost escalation thereafter

Table 3: Water BudgetsSeaside Municipal Water System
Water Rate Study

			FYE 2017	FYE 2018	FYE 2019	FYE 2020	FYE 2021	FYE 2022	FYE 2023	FYE 2024
			Tier 1	Tier 1	Tier 1	Tier 1	Tier 1	Tier 1	Tier 1	Tier 1
Annual Tier Allocation (AF)			171	147	147	147	111	111	111	111
Per Month Allocation (tcf)			62,226	53,216	53,216	53,216	40,296	40,296	40,296	40,296
				(tcf/mo)	(tcf/mo)	(tcf/mo)	(tcf/mo)	(tcf/mo)	(tcf/mo)	(tcf/mo)
<u>Residential</u>	<u>Units</u>	<u>Monthly Water Budget</u>								
Single-Family Residential	752	Per Dwelling	57	49	49	49	37	37	37	37
Multi-Family #1	1	Per Meter	9,547	8,165	8,165	8,165	6,182	6,182	6,182	6,182
Multi-Family #2	1	Per Meter	2,417	2,067	2,067	2,067	1,565	1,565	1,565	1,565
<u>Schools</u>										
School #1	571	Per Student	6.682	5.714	5.714	5.714	4.327	4.327	4.327	4.327
School #2	208	Per Student	6.857	5.864	5.864	5.864	4.440	4.440	4.440	4.440
School #3	225	Per Student	6.264	5.357	5.357	5.357	4.056	4.056	4.056	4.056
<u>Churches</u>										
Church - #1	1	Per Meter	306	262	262	262	198	198	198	198
Church #2	1	Per Meter	58	49	49	49	37	37	37	37
<u>Other</u>										
Fire Department	1	Per Station	57	49	49	49	37	37	37	37

tcf = ten cubic feet = 74.8 gallons

Table 4: Consumption - FYE 2015

Seaside Municipal Water System
Water Rate Study

Meter Size	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 6	Total by Meter	
							Size	
3/4" or below	29,894	15,731	2,788	143	32	37	48,625	
1"	981	730	170	3	0	0	1,884	
1.5"	48	72	101	11	0	0	232	
2"	520	27	20	20	14	8	609	
3"	19,764	6,310	6	0	0	0	26,080	
Total (ccf)	51,207	22,870	3,085	177	46	45	77,430	
<i>Total (tcf)</i>	<i>512,070</i>	<i>228,700</i>	<i>30,850</i>	<i>1,770</i>	<i>460</i>	<i>450</i>	<i>774,300</i>	

Class	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 6	Total By Class	Variable Revenue
Residential	30,689	16,404	2,958	146	32	37	50,266	\$301,133
Apartment	12,362	3,830	0	0	0	0	16,192	\$79,898
Church	688	84	20	20	14	8	834	\$7,104
Fire Department	48	72	101	11	0	0	232	\$2,458
School	7,402	2,480	6	0	0	0	9,888	\$62,956
Parks	18	0	0	0	0	0	18	\$102
Total (ccf)	51,207	22,870	3,085	177	46	45	77,430	\$453,653
<i>Total (tcf)</i>	<i>512,070</i>	<i>228,700</i>	<i>30,850</i>	<i>1,770</i>	<i>460</i>	<i>450</i>	<i>774,300</i>	

Source: City of Seaside Consumption Data FY2014/2015

Table 5: Meters by Class and Size - FY 2019

Seaside Municipal Water System
Water Rate Study

	Residential	Fire Department	School	Apartment	Parks	Church	Total
3/4" or less	729	0	0	0	7	1	737
1"	23	0	0	0	3	0	26
1.5"	0	1	0	0	0	0	1
2"	0	0	0	0	0	1	1
3"	0	0	0	1	0	0	1
4"	0	0	0	0	0	0	0
6"	<u>0</u>	<u>0</u>	<u>3</u>	<u>1</u>	<u>2</u>	<u>0</u>	<u>6</u>
	752	1	3	2	12	2	772

Source: City of Seaside, by email March 2019

Table 6: Estimated RevenueSeaside Municipal Water System
Water Rate Study

Class / Meter Size	No. of Meters	Fixed Monthly Rate [1]	Fixed	Variable	Total
Residential					
3/4" or less	729	\$25.32	\$221,499	\$291,923	\$513,423
1"	23	\$25.32	\$6,988	\$9,210	\$16,199
Fire Department					
1.5"	1	\$82.20	\$986	\$2,371	\$3,357
School					
6" [2]	3	\$225.21	\$8,108	\$62,956	\$71,064
Church					
3/4" or less	1	\$25.32	\$304	\$1,433	\$1,737
2"	1	\$129.20	\$1,550	\$5,671	\$7,222
Apartment					
3"	1	\$225.21	\$2,703	\$39,949	\$42,652
6" [2]	1	\$225.21	\$2,703	\$39,949	\$42,652
	760				
Total estimated FY2019 Service Revenue [3]			\$244,841	\$453,463	\$698,304
			35%	65%	

[1] Fixed Monthly Rate includes Watermaster Fixed Expenses charge (from Table 3)

[2] No current rate for 6" meter

[2] Does not include MPWMD surcharge or utility tax revenue

Table 7: Budgeted and Projected O&M ExpensesSeaside Municipal Water System
Water Rate Study

	% Fixed	% Variable	Current FY 2019	Escalation %	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Salaries	50%	50%	\$75,853	3%	\$78,129	\$80,472	\$82,887	\$85,373	\$87,934
Overtime	50%	50%	\$200	3%	\$206	\$212	\$219	\$225	\$232
Workers Compensation	40%	60%	\$306	3%	\$315	\$325	\$334	\$344	\$355
Managment Leave Payoff	40%	60%	\$200	3%	\$206	\$212	\$219	\$225	\$232
Vacation/Comp Time Payoff	40%	60%	\$1,000	3%	\$1,030	\$1,061	\$1,093	\$1,126	\$1,159
Deferred Compensation	40%	60%	\$240	3%	\$247	\$255	\$262	\$270	\$278
Pers Pension Ob Bond	40%	60%	\$399	3%	\$411	\$423	\$436	\$449	\$463
Pers Pension	40%	60%	\$19,177	3%	\$19,752	\$20,345	\$20,955	\$21,584	\$22,231
Pars Pension	40%	60%	\$993	3%	\$1,023	\$1,053	\$1,085	\$1,118	\$1,151
Medical Insurance	40%	60%	\$16,233	3%	\$16,720	\$17,222	\$17,738	\$18,270	\$18,818
Dental Insurance-Guardian	40%	60%	\$1,232	3%	\$1,269	\$1,307	\$1,346	\$1,387	\$1,428
Vision Insurance	40%	60%	\$125	3%	\$129	\$133	\$137	\$141	\$145
LTD	40%	60%	\$329	3%	\$339	\$349	\$360	\$370	\$381
Life Insurance	40%	60%	\$393	3%	\$405	\$417	\$429	\$442	\$456
Medicare Tax	40%	60%	\$1,100	3%	\$1,133	\$1,167	\$1,202	\$1,238	\$1,275
Legal Costs	40%	60%	\$20,000	3%	\$20,600	\$21,218	\$21,855	\$22,510	\$23,185
Training & Education	40%	60%	\$1,500	3%	\$1,545	\$1,591	\$1,639	\$1,688	\$1,739
Fitness Program	40%	60%	\$54	3%	\$56	\$57	\$59	\$61	\$63
State And Agency Fees	40%	60%	\$5,000	3%	\$5,150	\$5,305	\$5,464	\$5,628	\$5,796
Outside Printing Service	40%	60%	\$7,000	3%	\$7,210	\$7,426	\$7,649	\$7,879	\$8,115
Lockbox Service	40%	60%	\$10,000	3%	\$10,300	\$10,609	\$10,927	\$11,255	\$11,593
Contract Services	40%	60%	\$8,000	3%	\$8,240	\$8,487	\$8,742	\$9,004	\$9,274
Stationary Supplies	40%	60%	\$2,000	3%	\$2,060	\$2,122	\$2,185	\$2,251	\$2,319
Department Consumables	40%	60%	\$1,000	3%	\$1,030	\$1,061	\$1,093	\$1,126	\$1,159
Safety Equipment	10%	90%	\$2,000	3%	\$2,060	\$2,122	\$2,185	\$2,251	\$2,319
Meetings & Travel	40%	60%	\$1,000	3%	\$1,030	\$1,061	\$1,093	\$1,126	\$1,159
Dues & Membership	40%	60%	\$0	3%	\$0	\$0	\$0	\$0	\$0
Books & Periodicals	40%	60%	\$200	3%	\$206	\$212	\$219	\$225	\$232
Postage	40%	60%	\$0	3%	\$0	\$0	\$0	\$0	\$0
Water Rebates	0%	100%	\$5,000	3%	\$5,150	\$5,305	\$5,464	\$5,628	\$5,796
Vehicle Maintenance	40%	60%	\$9,500	3%	\$9,785	\$10,079	\$10,381	\$10,692	\$11,013
Liability Insurance	40%	60%	\$6,000	3%	\$6,180	\$6,365	\$6,556	\$6,753	\$6,956
Computer System	40%	60%	\$19,400	3%	\$19,982	\$20,581	\$21,199	\$21,835	\$22,490
Central Service Charges	30%	70%	\$180,455	3%	\$185,869	\$191,445	\$197,188	\$203,104	\$209,197
Bad Debt - Write Off	40%	60%	\$0	3%	\$0	\$0	\$0	\$0	\$0
Salaries	50%	50%	\$140,045	3%	\$144,246	\$148,574	\$153,031	\$157,622	\$162,351
Overtime	50%	50%	\$13,000	3%	\$13,390	\$13,792	\$14,205	\$14,632	\$15,071
Workers Compensation	40%	60%	\$10,096	3%	\$10,399	\$10,711	\$11,032	\$11,363	\$11,704
Managment Leave Payoff	40%	60%	\$500	3%	\$515	\$530	\$546	\$563	\$580
Vacation/Comp Time Payoff	40%	60%	\$2,000	3%	\$2,060	\$2,122	\$2,185	\$2,251	\$2,319
Deferred Compensation	40%	60%	\$1,200	3%	\$1,236	\$1,273	\$1,311	\$1,351	\$1,391
Pers Pension Ob Bond	40%	60%	\$1,309	3%	\$1,348	\$1,389	\$1,430	\$1,473	\$1,517
Pers Pension	40%	60%	\$35,437	3%	\$36,500	\$37,595	\$38,723	\$39,885	\$41,081
Pars Pension	40%	60%	\$0	3%	\$0	\$0	\$0	\$0	\$0
Liuna Pension	40%	60%	\$0	3%	\$0	\$0	\$0	\$0	\$0
Medical Insurance	40%	60%	\$29,845	3%	\$30,740	\$31,663	\$32,612	\$33,591	\$34,599
Dental Insurance	40%	60%	\$2,112	3%	\$2,175	\$2,241	\$2,308	\$2,377	\$2,448
Vision Insurance	40%	60%	\$218	3%	\$225	\$231	\$238	\$245	\$253
LTD	40%	60%	\$284	3%	\$293	\$301	\$310	\$320	\$329
Life Insurance	40%	60%	\$210	3%	\$216	\$223	\$229	\$236	\$243
Medicare Tax	40%	60%	\$2,031	3%	\$2,092	\$2,155	\$2,219	\$2,286	\$2,354
Consultant	40%	60%	\$3,000	3%	\$3,090	\$3,183	\$3,278	\$3,377	\$3,478
Fitness Program	40%	60%	\$0	3%	\$0	\$0	\$0	\$0	\$0
Uniform Service/Laundry	40%	60%	\$2,000	3%	\$2,060	\$2,122	\$2,185	\$2,251	\$2,319
Water Sampling	10%	90%	\$10,000	3%	\$10,300	\$10,609	\$10,927	\$11,255	\$11,593
Subcontracted Work	50%	50%	\$20,000	3%	\$20,600	\$21,218	\$21,855	\$22,510	\$23,185
Department Consumables	40%	60%	\$15,000	3%	\$15,450	\$15,914	\$16,391	\$16,883	\$17,389
Tools	10%	90%	\$1,000	3%	\$1,030	\$1,061	\$1,093	\$1,126	\$1,159
Gas & Electric	10%	90%	\$60,000	3%	\$61,800	\$63,654	\$65,564	\$67,531	\$69,556
Department Equipment	10%	90%	\$114,000	3%	\$117,420	\$120,943	\$124,571	\$128,308	\$132,157
Payment On Principal	40%	60%	\$4,944	3%	\$5,092	\$5,245	\$5,402	\$5,565	\$5,731
Interest Expense	40%	60%	\$480	3%	\$494	\$509	\$525	\$540	\$556
Watermaster Fixed Expenses [1]	100%	0%	\$18,572	3%	\$19,130	\$19,704	\$20,295	\$20,903	\$21,531
Total All Expenses			\$883,172		\$909,668	\$936,958	\$965,066	\$994,018	\$1,023,839
Total Fixed Costs [2]	35%		\$313,177		\$322,572	\$332,249	\$342,217	\$352,483	\$363,058
Total Variable Costs [2]	65%		\$569,996		\$587,096	\$604,708	\$622,850	\$641,535	\$660,781

1 - Source: supplementary documents provided by City of Seaside

Table 8: Capital Improvement Projects - Funding Scenarios as of May 2019

Seaside Municipal Water System

Water Rate Study

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Out Years [1]	Project Total
Water Security Upgrades	\$0	\$90,000	\$300,000	\$0	\$0	\$0	\$0	\$390,000
Well Replacement	\$0	\$350,000	\$1,000,000	\$600,000	\$0	\$0	\$0	\$1,950,000
Master Plan / Rate Study	\$0	\$170,000	\$150,000	\$50,000	\$20,000	\$0	\$0	\$390,000
Tank Improvements Project	\$0	\$440,000	\$0	\$20,000	\$0	\$740,000	\$0	\$1,200,000
Alternative Water Source	\$0	\$80,000	\$10,000	\$30,000	\$90,000	\$100,000	\$800,000	\$1,110,000
Arc Flash Hazard Mitigation	\$0	\$30,000	\$90,000	\$0	\$0	\$0	\$0	\$120,000
<u>Capital Improvements</u>	<u>\$130,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$50,000</u>	<u>\$100,000</u>	<u>\$50,000</u>	<u>\$100,000</u>	<u>\$430,000</u>
Total CIP Improvements	\$130,000	\$1,160,000	\$1,550,000	\$750,000	\$210,000	\$890,000	\$900,000	\$5,590,000

Source: Water CIP 2019, revised by Rick Reidl via email 5/6/2019

[1] Assumed to be spread out over three years, FY 2025 - FY 2027

Table 9: Long Term Debt

Seaside Municipal Water System
Water Rate Study

	FYE 2019	FYE 2020	FYE 2021	FYE 2022	FYE 2023	FYE 2024
Current Debt						
Internal Pension Liability [1]	17,500	17,500	17,500	17,500	17,500	17,500
Total Current Debt	17,500	17,500	17,500	17,500	17,500	17,500

Proposed Debt for Capital Funding FY 2020 and FY 2023

	#1 FY 2020	#2 FY 2023
	20-yr Bond	20-yr Bond
Total Debt Issue Size	\$3,400,000	\$1,300,000
Proceeds For Construction	\$3,200,500	\$1,121,500
Financial Advisor	\$50,000	\$50,000
Bond Counsel	50,000	50,000
Placement Agent Fee	0	0
Disclosure Counsel	25,000	25,000
Printing	2,000	2,000
Escrow Agent		
Trustee	3,500	3,500
Ratings	25,000	25,000
Misc/computer/legal review	10,000	10,000
Total Costs of Issuance	165,500	165,500
Underwriter's Discount (%)	1.00%	1.00%
Underwriter's Discount/Bank Fee (\$)	34,000	13,000
Total All Costs	199,500	178,500
Principal Maturities	20	20
Assumed Avg Interest Rate	4.0%	4.0%
Average Interest Payment	136,000	52,000
Average Annual Principal Payment	114,178	43,656
Total Average Annual Payment	\$250,175	\$95,656
Total of All Payments	5,003,499	1,913,126
Present Value of Payments ¹	3,400,000	1,300,000
[1] Discounted at assumed borrowing rate.		
Total Costs as % of Issue	5.9%	13.7%
Total Payments	5,003,499	1,913,066
Debt Service Factor (\$/\$1M proceeds)	\$78,167	\$85,293

	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024
Total Debt Service						
Current Debt Service [1]	17,500	17,500	17,500	17,500	17,500	17,500
Proposed Debt Payments [2]	0	0	136,000	250,175	250,175	302,175
Total Long Term Debt	17,500	17,500	153,500	267,675	267,675	319,675

[1] Net Pension Liability, \$263,774, 15 year payoff

[2] Two 20 Year Bonds - Placeholder Assumption

Receive proceeds for construction in FY2020 and FY 2023, debt service begins following year. Interest only payment in first year

Table 10: Operating Cash Flow

Seaside Municipal Water System
Water Rate Study

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Overall Rate Increase Effective Date		25% + 20% 10/29/2019 1/1/2020	20% 1/1/2021	15% 1/1/2022	0% 1/1/2023	0% 1/1/2024
Beginning Balance [2]		\$700,424	\$2,741,424	\$1,312,924	\$747,249	\$1,911,074
Operating Revenues		add'l revenue				
Base Charge	\$244,841	\$133,000 + \$184,000	\$416,000	\$488,000	\$522,000	\$522,000
Variable Charge	\$453,463	\$246,000 + \$340,000	\$771,000	\$904,000	\$967,000	\$967,000
All other operating revenue [3]	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Total Operating Revenue	\$723,304	\$404,000 \$524,000	\$1,212,000	\$1,417,000	\$1,514,000	\$1,514,000
		\$928,000				
Non-operating Revenue						
Proposed Debt - Proceeds for Construction	\$0	\$3,200,500	\$0	\$0	\$1,121,500	\$0
Total Non-operating Revenue	\$0	\$3,200,500	\$0	\$0	\$1,121,500	\$0
Total Operating Expenses	\$883,000	\$910,000	\$937,000	\$965,000	\$994,000	\$1,024,000
Long Term Debt & Pensions						
Internal Pension Liability	\$17,500	\$17,500	\$17,500	\$17,500	\$17,500	\$17,500
Proposed Loan	\$0	\$0	\$136,000	\$250,175	\$250,175	\$302,175
Total Long Term Debt	\$17,500	\$17,500	\$153,500	\$267,675	\$267,675	\$319,675
Capital Projects	\$130,000	\$1,160,000	\$1,550,000	\$750,000	\$210,000	\$890,000
Ending Balance		\$2,741,424	\$1,312,924	\$747,249	\$1,911,074	\$1,191,399
Minimum Fund Balance Target [4]		\$317,800	\$462,710	\$586,125	\$595,695	\$657,595
Reserve Target Met?		yes	yes	yes	yes	yes
Debt Service Coverage - Proposed Debt			2.02	1.81	2.08	1.62

[1] Current Variable Rate Varies due to tiered rate structure

[2] Estimated fund balance as of June 30, 2019 from City of Seaside

[3] Includes interest income, late fees, and penalties

[4] 33% of operating expenses plus debt service

Table 11: Meter Equivalents

Seaside Municipal Water System
Water Rate Study

Meter Size	# Meters	Max Flow Rate (GPM)	Flow Ratio	3/4" or less Meter Equivalents
3/4" or less	737	30	1	737
1" or less	26	50	1.7	43
1.5"	1	100	3.3	3
2"	1	160	5.3	5
3"	1	300	10.0	10
4"	0	500	16.7	0
6"	6	1000	33.3	200
Total				999

[1] American Water Works Association Standards, Manual M22, 2nd edition, 2004, page 62.

[2] Flow Ratio equal to 1" or less equivalent

Table 12: Fixed Meter Rate Calculation

Seaside Municipal Water System
Water Rate Study

Fixed Revenue Current Rates*	\$252,186
Meter Equivalent Units	999
Current \$/Meter Equivalent Unit	\$21.04

Fixed Rate Revenue

Effective Date	10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Rate Revenue Increase - Table 10a	25%	20%	20%	15%	0%
Fixed Revenue Requirement [1]	\$315,233	\$378,279	\$453,935	\$522,025	\$522,025
Meter Equivalent Units (3/4" or less) [2]	999	999	999	999	999

Fixed Rate Calculation

Annually	\$315.55	\$378.66	\$454.39	\$522.55	\$522.55
Monthly	\$26.30	\$31.55	\$37.87	\$43.55	\$43.55

* Includes 3% delinquency factor

[1] Full year of fixed rate revenue with proposed increase

[2] From table 11

Table 13: Proposed Volumetric Rate Structure Calculation

Seaside Municipal Water System
Water Rate Study

Volumetric Revenue Current Rates*	\$467,067
Water Consumption (tcf)	827,696
Current \$/tcf consumption	\$0.56

Volumetric Rate Revenue

Effective Date	10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Rate Revenue Increase - Table 10a	25%	20%	20%	15%	0%
Variable Revenue Requirement [1]	\$583,833	\$700,600	\$840,720	\$966,828	\$966,828

Tier 1 Rate Calculation

Tier 1 Variable Rate (\$/tcf)	\$0.71	\$0.85	\$1.02	\$1.17	\$1.17
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Tier 2 Rate Calculation

Exceeding NSY Assessment (\$/AF)	\$2,872	\$2,872	\$2,958	\$3,047	\$3,138
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Exceeding NSY Assessment (\$/tcf)	\$0.66	\$0.66	\$0.68	\$0.70	\$0.72
Tier 1 Variable Rate (\$/tcf)	\$0.71	\$0.85	\$1.02	\$1.17	\$1.17
Total Tier 2 Variable Rate (\$/tcf)	\$1.36	\$1.51	\$1.69	\$1.87	\$1.89

Total Annual Allocation (tcf)	827,696	827,696	827,696	827,696	827,696
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* Includes 3% revenue buffer

AF = Acre feet

tcf = 10 cubic feet or 74.8 gallons

[1] Full year of variable rate revenue with proposed increase

Table 14: Sample Monthly Bills

Seaside Municipal Water System
Water Rate Study

	Water Use tcf		Current	10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Single Family - 3/4" Meter [1]	50.3	3/4" or less meter						
Tier 1 Consumption				49	49	37	37	37
Tier 2 Consumption				1.2	1.2	13.1	13.1	13.1
Estimated Bill			\$53.36	\$62.55	\$74.91	\$97.86	\$111.47	\$111.74
% Bill Increase				17%	20%	31%	14%	0%
Example School	4,000	571 students, 3" meter						
Tier 1 Consumption				3,263	3,263	2,471	2,471	2,471
Tier 2 Consumption				737	737	1,529	1,529	1,529
Estimated Bill			\$2,919.71	\$3,570.51	\$4,187.40	\$5,480.16	\$6,177.55	\$6,209.65
% Bill Increase				22%	17%	31%	13%	1%
Example Apartments	2,200	80 dwelling units, 3" meter						
Tier 1 Consumption				2,067	2,067	1,565	1,565	1,565
Tier 2 Consumption				133	133	635	635	635
Estimated Bill			\$1,386.21	\$1,902.72	\$2,265.67	\$3,044.57	\$3,449.50	\$3,462.82
% Bill Increase				37%	19%	34%	13%	0%
Example Church	400	2" meter						
Tier 1 Consumption				262	262	198	198	198
Tier 2 Consumption				138	138	202	202	202
Estimated Bill			\$413.70	\$513.41	\$597.89	\$745.18	\$840.53	\$844.76
% Bill Increase				24%	16%	25%	13%	1%

[1] Single Family Consumption based on Cal Am average single family usage 37.7 cgl converted to 50.3 tcf

APPENDIX B

Proposition 218 Notice



City of Seaside/Seaside Municipal Water System
440 Harcourt Avenue
Seaside, California 93955

Proposition 218 Notification NOTICE TO PROPERTY OWNERS OF PROPOSED WATER RATE INCREASES AND PUBLIC HEARING PROCEEDINGS

NOTICE IS HEREBY GIVEN, pursuant to Article XIII(D) of the California Constitution that the City of Seaside (City) / Seaside Municipal Water System (SMWS) is proposing to increase its rates for water services. The City Council will conduct a public hearing on this matter, which will be held on:

Date: September 5, 2019
Time: 7:00 P.M.
Place: Seaside City Hall
440 Harcourt Ave. Seaside, California 93955

The public hearing will review the proposed changes to fees for water service, and other related fees and charges. At the time of the public hearing, the Council will hear and consider all protests and objections concerning these matters. This notice has been sent to all utility customers as of the last address available. If there is no majority protest, the Council will consider and may adopt the increased rates by resolution. The proposed rate changes will become effective no sooner than 30 days after adoption of the approved rate change.

This Notice of Public Hearing provides information on the proposed water rate changes as required by State law. The ordinance for the proposed rate change is anticipated to be presented to the City Council for adoption in September or as soon as practical thereafter. This notice also provides information on how the rates are calculated, the reasons for the required rate changes, how customers can receive more information on the effect of the rate changes, and how to file a protest the proposed rate change.

For more information and questions please contact Misty Bradshaw at (831) 899-6825 or visit City Hall at 440 Harcourt Ave. Seaside, California 93955

Why Am I Receiving This Notice?

You are receiving this notice in accordance with Proposition 218, a state law which requires providers of public utility services (including water service) to notify rate payers of increases in proposed rates. Your property receives water service from the City of Seaside/SMWS.

This notice is intended to provide you with information on the service provided by the City, the reasons for the proposed rates, and the methods by which you can protest the proposed rates if you desire.

What Services Do Rates Fund?

The Seaside Municipal Water System provides continuous, year-round, potable water service to approximately 780 accounts in the City of Seaside.

Why is a Rate Increase Needed?

Rate increases are needed to keep City revenues in line with the cost of providing service. The water system faces expenses such as labor, water supply, energy, capital projects, and the cost of regular maintenance of the system.

The City currently receives water from the Seaside Groundwater Basin. The amount of groundwater available is limited and the City's water use is currently above the Natural Safe Yield (NSY) requirement determined by the Watermaster. The City will soon face a replenishment cost for the water use that exceeds the NSY.

Proposed Water Rates

The City's proposed water rates are composed of two parts, a fixed rate determined by water meter size and a variable rate determined by water use. Fixed rates are increased according to capacity ratios determined by the American Water Works Association. The proposed fixed rates are shown below.

Fixed Rates						
Water – Fixed Rates \$/meter	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
	Current	10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Meter Size						
3/4" or less	\$25.32	\$26.30	\$31.55	\$37.87	\$43.55	\$43.55
1 Inch Meter	\$25.32	\$43.83	\$52.59	\$63.11	\$72.58	\$72.58
1.5 Inch Meter	\$82.20	\$87.65	\$105.18	\$126.22	\$145.15	\$145.15
2 Inch Meter	\$129.20	\$140.24	\$168.29	\$201.95	\$232.24	\$232.24
3 Inch Meter	\$225.21	\$262.96	\$315.55	\$378.66	\$435.46	\$435.46
4 Inch Meter		\$438.26	\$525.91	\$631.10	\$725.76	\$725.76
6 Inch Meter		\$876.52	\$1,051.83	\$1,262.19	\$1,451.52	\$1,451.52

Variable rates are levied according to two tiers. The first tier collects variable expenses from each customer class according to their NSY allowance as allocated by the Seaside Basin Watermaster. The second tier of water rates recovers the cost of exceeding the NSY assessment. The proposed variable rates are shown below.

Volumetric Rates

Water – Variable Rates \$/tcf	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
	Current	10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Tier 1 Water Use (\$/tcf)	Varies	\$0.71	\$0.85	\$1.02	\$1.17	\$1.17
Tier 2 Water Use (\$/tcf)	Varies	\$1.36	\$1.51	\$1.69	\$1.87	\$1.89

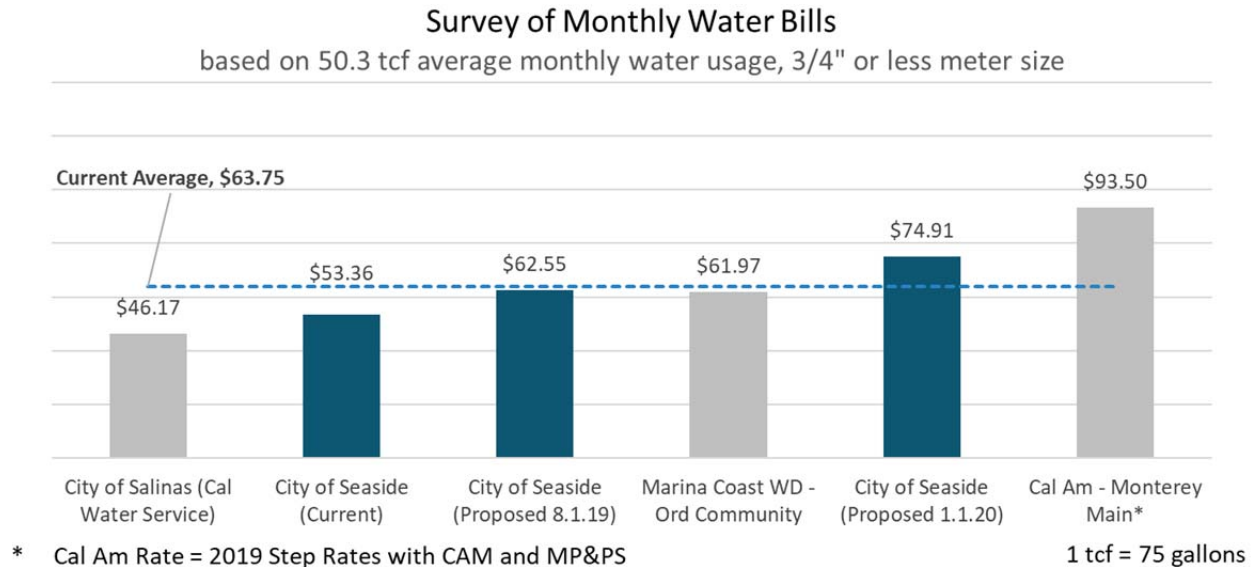
Each customer class is allocated Tier 1 water use according to an equitable distribution of the NSY of groundwater for the City of Seaside/SMWS. Water allocations for Tier 1 are shown below. All use above the Tier 1 allocation will be billed at the Tier 2 water rate.

Tier Allowances

Water – Tier 1 Water Allocation (tcf)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
	Current	10/29/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Single Family Residential (Per dwelling)	Varies	57	49	49	49	37
Multifamily No. 1 (Per meter)	Varies	9,547	8,165	8,165	8,165	6,182
Multifamily No. 2 (Per meter)	Varies	2,417	2,067	2,067	2,067	1,565
School No. 1 (Per student)	Varies	6,682	5,714	5,714	5,714	4,327
School No. 2 (Per student)	Varies	6,857	5,864	5,864	5,864	4,440
School No. 3 (Per student)	Varies	6,264	5,357	5,357	5,357	4,056
Church No. 1 (Per meter)	Varies	306	262	262	262	198
Church No. 2 (Per meter)	Varies	58	49	49	49	37
Fire Department	Varies	57	49	49	49	37

Residential Bill Impact

A survey of residential water bills in surrounding agencies is provided below. The City of Seaside is currently below the average monthly water bill for the area.



Public Notice and Majority Protest Process

The City of Seaside City Council will hold a public hearing as a part of the City Council meeting to be held on September 5, 2019 at 7:00 pm at City Hall, 440 Harcourt Avenue Seaside, California 93955.

Proposition 218 requires that public utility providers follow a strictly defined process for increasing fees such as water service rates. Customers directly responsible for the payment of the rates and/or property owners, if different, may submit a written protest against the rate changes. If the City receives written protests from a majority of the affected customers and/or property owners of the identified parcels, then the proposed rate changes cannot be adopted by the City Council. It is important to follow these instructions in order for your protest to be valid:

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City of Seaside/Seaside Municipal Water System
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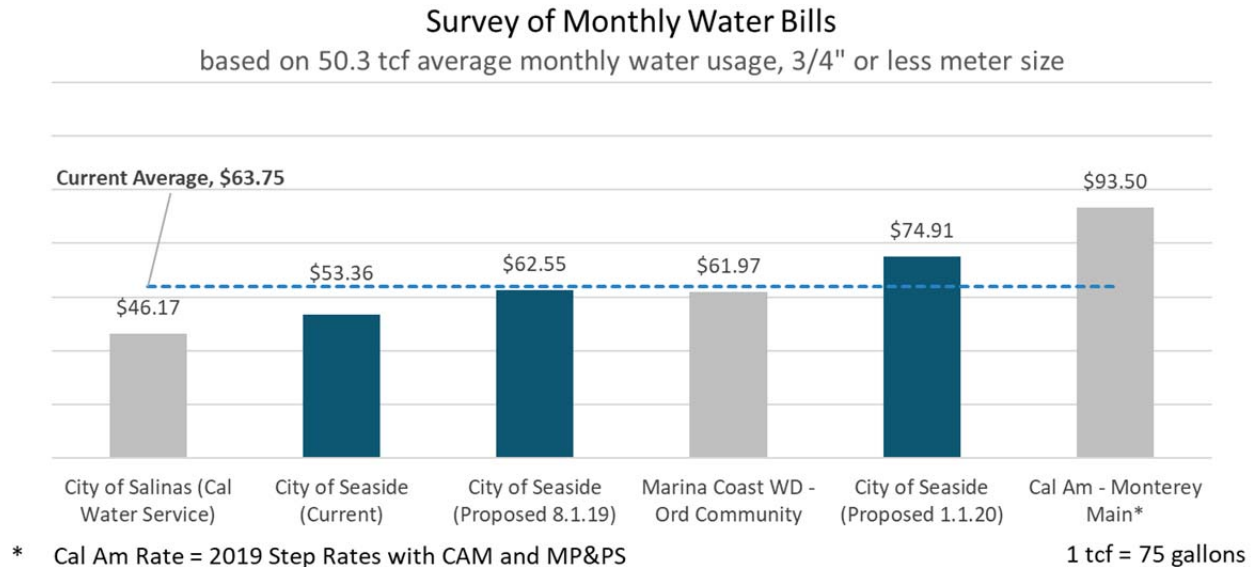
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CITY OF SEASIDE STAFF REPORT

Item No.: 9.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: September 5, 2019

**SUBJECT: ADOPTION OF AN ORDINANCE TO ESTABLISH A COMMISSION
ON JOB OPPORTUNITIES AND BUSINESSES IN SEASIDE
(CJOBS) (SECOND READING, ROLL CALL VOTE)**

PURPOSE & RECOMMENDATION

Adopt the second reading of the draft ordinance to modify the Seaside Municipal Code Section 2.14 Establishing a Commission on Jobs, Opportunities and Businesses in Seaside (CJOBS)

BACKGROUND

In 2016 the City had adopted an ordinance creating an Economic Development Commission. Due to staffing challenges and other concerns, the Commission was never fully functional and was discontinued. As Seaside has begun offering more citizen involvement in areas of policy development and implementation and we would like more input into the development our strong regional economy. It seems appropriate to establish a commission that focuses on job creation, economic viability and the health and success of our local businesses.

The proposed ordinance would modify Municipal Code Chapter 2, creating section 2.18 establishing the composition, term of office, duties, staff support and frequency of meetings.

The first reading of the draft ordinance was passed unanimously at the August 15, 2019 City Council Meeting.

FISCAL IMPACT

There is no cost to the adoption of the ordinance other than legal noticing. There will be organizational costs of staff time to recruit and maintain volunteer commission members and to staff this commission with a staff liaison, which is being designated as the City Manager.

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

**AMENDING SEASIDE MUNICIPAL CODE CHAPTER 2.18 TO COMMISSION ON
JOB OPPORTUNITIES, AND BUNESSES IN SEASIDE (C-JOBS)**

WHEREAS, the City of Seaside's ability to deliver improved services and enhanced quality of life for its citizens rests upon a foundation of investment and business growth within the city; and

WHEREAS, Seaside's best future is best achieved by involving citizens in City policy development and implementation; and

WHEREAS, tapping the wealth of business acumen and enthusiasm for civic progress that abounds in Seaside through expanding volunteer opportunities is an economic development best practice; and

WHEREAS, a diverse, thriving community with healthy neighborhoods, a vibrant down town, a strong regional economy, career pathways and "housing affordability" for all incomes, makes a sustainable city.

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SEASIDE
ORDAINED AS FOLLOWS:**

SECTION 1. FINDINGS

The above findings are true and correct and by this reference are incorporated as an integral part of this ordinance.

SECTION 2: REVISIONS TO CHAPTER 2

2.18.010 Created

Economic Development Commission is hereby renamed the Commission on Jobs, Opportunities, and Business in Seaside (C-JOBS).

2.18.020 Composition and Terms of Office

C-JOBS shall consist of 9 (nine) voting members appointed by the Mayor and approved by the City Council. In addition, the Mayor and Mayor Pro Tem shall serve as ex-official, non-voting members.

Composition of membership should include representatives from businesses and labor, commercial or industrial property owners, government or government-affiliated official, or

owner, officer or managing executive of a business or an industry located in the city, and/or residents at-large.

Voting members of the commission shall be persons selected for their business knowledge and interest in economic development issues. Five members shall be owners or managers of businesses or commercial property located in a commercial district in Seaside. Any vacancy on the commission is filled the same manner as the original appointments.

2.18.030 Term of Office

All appointments shall serve for two-year terms. Terms are renewable at the discretion of the Mayor with the approval of the City Council. Chairperson and Vice Chair are appointed on an annual basis by the Mayor with approval from the City Council. Five of the commission members shall be appointed for terms ending on January 31st in even-numbers years and four members for terms ending on January 31st in odd-numbers years.

2.18.040 Duties

C-JOBS shall provide recommendations to the City Council on policies, programs, and projects, which may encourage investment, increase job creation, improve workforce training and other opportunities, or otherwise expand business opportunities in Seaside.

The primary advisory functions are generally divided into four advisory services categories: economic and business development, business communication, business attraction, and business retention and expansion.

While C-JOBS shall not have purview over land use, zoning or architectural matters under the responsibility of the Planning Commission, Board of Architectural Review or Zoning Administrator, it may advocate for and recommend economic development projects to the City Council as it shall determine.

2.18.050 Staff Support

The City Manager shall serve as staff liaison to the Commission.

2.18.060 Meetings

Commission on Jobs, Opportunities, and Business in Seaside shall meet on an as-needed basis, but not less than quarterly. The Commission will produce and present to the council an annual report titled Jobs, Opportunities, and Business in Seaside (JOBS) discussing the economic climate in Seaside, with any recommendations.

SECTION 3. REPEAL & SEVERABILITY

The City Council declares that, should any provision, section, paragraph, sentence, or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this ordinance are hereby adopted shall remain in full force and effect.

SECTION 4. EFFECT

This ordinance takes effect 30 days following the date of its passage.

INTRODUCED at a regular meeting of the City Council of the City of Seaside held on the 15th day of August 2019 and passed to print:

PASSED, APPROVED AND ADOPTED at a {Meeting type} meeting of the City Council of the City of Seaside held on the _____ day of _____ 201__ by the following roll call vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager
Gloria Stearns, Community Development Manager
Roberta Greathouse, Human Resources Director/Risk Manager

DATE: September 5, 2019

**SUBJECT: ADOPTION OF AN ORDINANCE TO PERMIT, BY LICENSE,
SLEEPING IN VEHICLES UNDER SMC CHAPTER 8.23 SAFE
PARKING (SECOND READING, ROLL CALL VOTE)**

PURPOSE & RECOMMENDATION

Adopt the second reading of the draft ordinance establishing licensing to operate a safe parking program.

BACKGROUND

The City of Seaside is keenly aware of the housing shortage for low-income individuals and families that can result in homelessness, including living on the streets, in homeless encampments, and/or dwelling in vehicles due to an inability to obtain affordable housing. The City has made a concerted effort to understand and reduce homelessness including donating to the Veterans Transition Center creating affordable veteran housing, establishing a Homeless Committee, partnering and participating in regional meetings regarding affordable housing, economic development and job creation, and issuing statements of support for the establishment of a homeless shelter for women and children.

The City Council is committed to provide options to ameliorate and assist individuals and families to transition to other housing options and allowing vehicles to be used as shelter is one of those options. On October 4, 2018, the City adopted Resolution 18-104 declaring a shelter crisis in the City and upon such declaration by the City Council, Government Code sections 8698 through 8698.2 allow the permitting for persons without the ability to obtain housing to occupy such designated (public) facilities for the

duration of the shelter crisis.

The attached draft Ordinance establishes the provisions for licensing a safe parking program, outlines the minimum standards for granting a license, provides for a process to review those licenses, and sets forth other elements to minimize negative effect on surrounding neighborhoods.

Key elements of this program include the following:

- Notice to all residents and businesses located within 300 feet of the proposed location prior to any Council meeting where the City Council will consider issuance of an initial license.
- Hours of operation from 10 pm to 6 am, unless otherwise established through the license, on a site, by site basis. Note: The County of Monterey program runs 7 pm to 7 am, but the current Municipal Code defines "overnight" as 10 pm to 6 am at other public locations.
- At a minimum, safe parking locations will be required to provide: restroom(s), handwashing station, and trash facilities during the safe parking facility hours. These items will be screened from public view.
- Each license will have an approved operating plan that includes the following:
 - o Security information
 - o Staff contact information
 - o Neighborhood outreach efforts
 - o Pet policy
 - o Client intake process
 - o Facility maintenance plan
 - o List the array of services / programs provided
 - o Hours of operation
 - o Participant rules
 - o Site plan, noting location of required facilities and distances to nearest off-site buildings
- Absent any substantiated written complaints or code enforcement / police department issues that would be deemed a public nuisance, licenses will be reviewed and renewed annually by the Community Development Director. Any permits recommended for revocation will be submitted to the City Council for consideration prior to their revocation.

The first reading of the draft ordinance was passed unanimously at the August 15, 2019 City Council meeting.

FISCAL IMPACT

The City is not proposing to charge any fees for the application and license process at this time and will absorb the administrative costs for the processing and issuance of licenses. As this is a new program and there may be some unanticipated elements, if it

is determined that the administrative time is excessive, staff may return to the Council at a future date for the establishment of fees.

CEQA EXEMPTION SECTION 15061(B)(3)

In accordance with Section 15061(b)(3) of the California Environmental Quality Act Guidelines, the project is exempt from CEQA based on the fact that it can be seen with certainty that the parking of vehicles for use as a temporary sleeping quarters during the evening will not have a significant impact on the environment.

ATTACHMENTS

1. Draft Ordinance
 2. 18-104 Declaration of shelter crisis
-

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

**AMENDING SEASIDE MUNICIPAL CODE ADDING CHAPTER 8.23 SAFE
PARKING**

FINDINGS

WHEREAS, throughout the City of Seaside, there is a housing shortage for low-income individuals and families that results in a significant number of such persons experiencing homelessness, living on the streets, in homeless encampments and/or dwelling in their vehicles without the ability to obtain affordable housing; and

WHEREAS, the City of Seaside is included in the County-wide Ten-Year Plan to End Homelessness and undertaken multiple efforts at the local level to combat homelessness; and

WHEREAS, the City of Seaside finds that the number of homeless is significant, and these persons are without the ability to obtain shelter; and

WHEREAS, such inability to obtain shelter results in a threat to the health and safety of such persons, particularly during times of inclement weather; and

WHEREAS, Government Code sections 8698 through 8698.2 permit the City of Seaside to declare a "shelter crisis" upon finding that the foregoing circumstances exist; and

WHEREAS, upon such declaration by the City Council, the foregoing statutes further allow the City to permit such persons without the ability to obtain housing to occupy such designated (public) facilities for the duration of the shelter crisis; and

WHEREAS, City of Seaside is committed to ensuring children, families and individuals experiencing homelessness have access to a safe shelter or location to use their vehicles as shelter as they work on moving out of homelessness; and

WHEREAS, the City of Seaside City Council is committed to provide services such as shelter and safe parking options to ameliorate and assist individuals and families to transition to other housing options.

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SEASIDE
ORDAINS AS FOLLOWS:**

SECTION 1. CREATION OF 8.23 SAFE PARKING

8.23.010 Purpose.

8.23.020 Definitions

8.23.030 Safe Parking License

8.23.040 Safe Parking Location(s)

8.23.050 Safe Parking operation

8.23.060 Display of Safe Parking License & Participant Rules

8.23.070 Right of Entry of enforcement officer

8.23.080 Revocation of safe parking license

A new Municipal Code Section 8.23 entitled, "Safe Parking" is added by the addition of all text shown below. This ordinance creates the ability for the City to license providers to operate a safe parking program within the City of Seaside.

8.23.010 Purpose.

The City Council declares that a housing emergency exists, and as such, allows for license(s) to be issued for specific location(s) to be used as safe parking, where an established social service provider monitors homeless individuals and families parking and sleeping in vehicles overnight. This chapter addresses operating plans and characteristics for the safe parking locations to minimize negative effect on surrounding neighborhoods.

8.23.020 Definitions

When used in this chapter, the following words shall have the meanings ascribed to them in this section:

"Overnight" shall mean from 10:00 p.m. to 6:00 a.m. unless expanded by issued license.

"Safe Parking" means a licensed parking program, operated on a property located outside of the public right-of-way and managed by a social service provider that provides individuals and families who sleep in vehicles a safe place to park overnight while working towards a transition to permanent housing.

"Social service provider" means an agency or organization licensed or supervised by any federal, state, or local health/welfare agency, or any organization deemed qualified by the Community Development Director that has demonstrated

experience with the homeless population by assisting individuals and families achieve economic self-sufficiency and self-determination.

8.23.030 Safe Parking License.

It is unlawful for any person or organization to operate a safe parking program on any property in the City without first having procured a Safe Parking program license from the City, and paying the license fee and any other fees associated with approval of an application for a license as stated in the Fee Schedule, hereinafter prescribed, and also without complying with any and all applicable provisions of this Section.

8.23.040 Safe Parking Location(s).

The City Council will issue all initial licenses to designate each Safe Parking location, where a social service provider monitors homeless individuals and families parking and sleeping in vehicles overnight. The Community Development Department will review Safe Parking license(s) annually, at a minimum and make recommendations to the City Council for any revocations or modifications to licenses. Upon receipt of each license application, public notices will be sent to all residents and business locations within a 300 foot radius of the proposed application.

At a minimum, Safe Parking locations must provide: restroom, handwashing station, and trash facilities during the Safe Parking facility hours. These items are to be screened from public view.

8.23.050 Safe Parking operation

The social service provider for each designated Safe Parking location must provide the Community Development Department with an operating plan that contains, at a minimum:

- A. Security information
- B. Staff contact information
- C. Neighborhood outreach efforts
- D. Pet policy
- E. Client intake process
- F. Facility maintenance plan
- G. List the array of services / programs provided
- H. Hours of operation
- I. Participant rules
- J. Site plan, noting location of required facilities and distances to nearest off-site buildings

The Community Development Department will authorize the participant rules with each applicant.

8.23.060 Display of Safe Parking License & Participant Rules

The licensee shall in a prominent location and display the participant rules, emergency contact information for the site coordinator, and the license number assigned to that site by the City of Seaside.

8.23.070 Right of Entry of enforcement officer

The right of entry for police per 8.22.040 shall also apply for Safe Parking licensees.

8.23.080 Revocation of safe parking license

The Community Development Director will review Safe Parking licenses annually, at a minimum. However if city officials receive substantiated, written complaints from any citizen, code enforcement officer, or police department officer, which includes information and/or evidence supporting a conclusion that violation of city ordinances or regulations applicable to the property or operation of the facility has occurred, the license for the safe parking location shall be reviewed and submitted for consideration of revocation to the City Council.

SECTION 2. REPEAL & SEVERABILITY

The City Council declares that, should any provision, section, paragraph, sentence, or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this ordinance are hereby adopted shall remain in full force and effect.

SECTION 3. EFFECT

This ordinance takes effect 30 days following the date of its passage.

INTRODUCED at a regular meeting of the City Council of the City of Seaside held on the 15th day of August 2019 and passed to print:

PASSED, APPROVED AND ADOPTED at a {Meeting type} meeting of the City Council of the City of Seaside held on the _____ day of _____ 201__ by the following roll call vote:

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

ABSTAIN: COUNCIL MEMBERS

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

RESOLUTION NO. 18-104

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

DECLARING A SHELTER CRISIS PURSUANT TO SB 850 (CHAPTER 48, STATUTES OF 2018 AND GOVERNMENT CODE § 8698.2) FOR ELIGIBILITY OF HOMELESS EMERGENCY AID PROGRAM (HEAP) FUNDING.

WHEREAS, California's Governor Edmund G. Brown, Jr. and the members of the California Legislature have recognized the urgent and immediate need for funding at the local level to combat homelessness;

WHEREAS, The Governor and Legislature have provided funding to local governments under the Homeless Emergency Aid Program as part of SB 850 and the 2018-19 Budget Act (Chapter 48, Statutes of 2018);

WHEREAS, The Governor and Legislature require jurisdictions seeking an allocation through the Homeless Emergency Aid Program to declare a Shelter Crisis pursuant to Government Code §8698.2;

WHEREAS, the City of Seaside is included in the County-wide Ten-Year Plan to End Homelessness and undertaken multiple efforts at the local level to combat homelessness;

WHEREAS, The City of Seaside finds that the number of homeless is significant, and these persons are without the ability to obtain shelter;

WHEREAS, The City of Seaside finds that the health and safety of unsheltered persons in the City of Seaside is threatened by a lack of shelter;

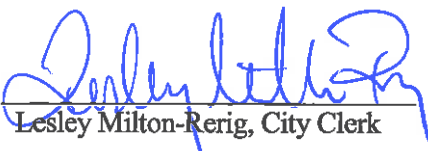
WHEREAS, The City of Seaside affirms the City of Seaside's commitment to combatting homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in our communities;

NOW, THEREFORE, BE IT RESOLVED that the City Of Seaside acknowledges that a shelter crisis pursuant to Government Code §8698.2 exists in the City of Seaside, and authorizes the City of Seaside's participation in the Homeless Emergency Aid Program.

PASSED AND ADOPTED by the City Council of the City of Seaside duly held on the 4th day of October 2018 by the following vote:

AYES:	4	COUNCILMEMBERS: Campbell, Jones, Pacheco, Rubio
NOES:	0	COUNCILMEMBERS: None
ABSENT:	1	COUNCILMEMBERS: Alexander,
ABSTAIN:	0	COUNCILMEMBERS: None

Attest:


Lesley Milton-Rerig, City Clerk


Ralph Rubio, Mayor



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director
Roberta Greathouse, Human Resources Director/Risk Manager

DATE: September 5, 2019

**SUBJECT: INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE
MUNICIPAL CODE CHAPTER 9.08 ESTABLISHING
REGULATIONS FOR THE USE OF DESIGNATED
SKATEBOARDING AREAS (FIRST READING - ROLL CALL VOTE)**

PURPOSE & RECOMMENDATION

Introduce the draft ordinance as presented, discuss, invite comments from the public, and pass to print the draft ordinance amending Municipal Code Chapter 9.08 to establish regulations for the use of designated skateboarding areas.

BACKGROUND

Health and Safety Code Section 115800 requires local public agencies operating an unsupervised skatepark facility to adopt an ordinance requiring persons riding a skateboard or other wheeled recreational device at the facility to wear a helmet, elbow pads, and knee pads.

Furthermore, agencies are required to post signs at the facility that provide reasonable notice of the requirement to wear helmets, elbow pads, and knee pads and that a person failing to do so will be subject to citation pursuant to the ordinance.

The proposed revision to Chapter 9.08 of the Seaside Municipal Code satisfies the requirements of the Health and Safety Code and authorizes the Recreation Director and his/her designee to issue administrative citations in accordance with Chapter 2.56 of the Municipal Code.

The Recreation Director, working with the Parks and Recreation Commission and other

stakeholders, has established additional rules and regulations to govern the use of the skatepark. Those rules were shared with the public and City Council at the August 15, 2019, Council Meeting.

FISCAL IMPACT

There is no fiscal impact associated with the adoption of an ordinance outlining skate park rules and regulations.

ATTACHMENTS

1. 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 AMENDING
CHAPTER 9.08 OF THE SEASIDE MUNICIPAL CODE ESTABLISHING
REGULATIONS FOR THE USE OF DESIGNATED SKATEBOARDING AREAS.**

The City Council of the City of Seaside, California does ordain as follows:

Section 1. FINDINGS AND PURPOSE.

- A. The purpose of this Ordinance is to provide minor technical amendments, add new sections related to the designated use of skateboarding areas and restate portions of Chapter 9.08 of the Seaside Municipal Code.

Section 2. AMENDMENT AND RESTATEMENT OF CHAPTER 9.08.010

Municipal Code Sub-Section 9.08.010 related to definitions is hereby amended to read as follows:

9.08.010 Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

"Caretaker" means the person or persons who are responsible for the care and maintenance of the city park areas or facilities.

"Director" means the director of ~~community recreation~~ services.

"In-line skates/roller blades" means a form of skate with non-metallic skate wheels mounted to the bottom of each boot or shoe, one in front of the other running down the center of the boot or shoe.

"Other Wheeled Recreational Device" means non-motorized bicycles, scooters, in-line skates, roller skates, or wheelchairs.

"Park area" or "facility" means any public park, playground, recreational area, recreational facility or building, swimming pool, greenbelt, landscaped area around public building, or other area in the city owned or used by the city and devoted to active or passive recreation.

"Person" or "applicant" means any person, firm, partnership, association, corporation, company, league or organization of any kind who desires to use or uses any city park area or facility.

"Roller skates" means a form of skate with four non-metallic wheels affixed to the bottom of each boot or shoe with a wheel situated at the outer four corners of each boot or shoe.

"Scooter" means a vehicle that typically has one front and one rear wheel with a low footboard between, is steered by a handlebar, and is propelled by pushing one foot against the ground while resting the other on the footboard.

"Skate park" and "park" mean the cement surface that is designed and used for skating. The park area includes the bowl.

"Skate park facility" means the skate park together with the adjacent public parking, picnic and seating areas, if any.

"Skate park user" means a user of any wheeled recreational device allowed by Section 9.08.040.

"Skateboard" means a wheeled device for riding upon with an oblong rigid material mounted on non-metallic skate wheels and propelled by human power.

"Vehicle" means any wheeled conveyance, whether motor-powered, animal-drawn or self-propelled. "Vehicle" includes any trailer of any size, kind or description. An exception is made for vehicles in the services of the city.

Section 3. AMENDMENT AND RESTATEMENT OF CHAPTER 9.08.020

Municipal Code Sub-Section 9.08.020 -is hereby amended to update the name of the recreation department to read as follows:

9.08.020 Jurisdiction.

All park areas and facilities shall be under the administrative jurisdiction of the department of ~~community~~recreation services.

Section 4. ADDITION OF SECTION 9.08.045 SKATEBOARDING AREAS

A new section 9.08.040 related to Skateboarding Areas is added to Chapter 9.08 of the Municipal Code add the following section:

9.08.040 Skateboarding Areas.

- A. **Rules and Regulations.** Skate park users in violation of the facility rules and regulations shall be subject to administrative citation pursuant to Seaside Municipal Code:

1. All skate park users shall wear a helmet, knee pads and elbow pads at all times when using the facility. All safety equipment shall be in good condition and repair and must fit the skater properly.

2. Hours. It is unlawful for any person to use or be present upon the skate park facility at any time other than the approved hours of operation. Signs shall be posted about the Skate Park Facility indicating the hours of operation.

—3. In addition to the rules set forth in this section, the director may establish other reasonable rules and regulations to protect the skate park facility or the skate park and the persons using them from injury or damage.

B. Unsupervised venue - Assumption of Risk

The City of Seaside Skate Park is an unsupervised recreational venue. The director shall cause to be posted signs at the skate park, facing the interior and exterior of the skate park, stating, at a minimum:

- Use of skateboards and other wheeled recreational devices are hazardous activities.
- Use of the facility is at the user's own risk.
- Skate park hours.
- Helmets, kneepads, and elbow pads are required to be worn while using the designated skate park area.
- Failure to wear helmets, kneepads, and elbow pads in the designated skate park area will subject persons to citation (Municipal Code Section 9.08.070).

Section 5. AMENDMENT AND RESTATEMENT OF SECTION 9.08.060 (A)

Municipal Code Sub-Section 9.08.060(A) is hereby amended and restated as follows:

9.08.060 Prohibitions generally.

A. Dogs and Animals in Public Places.

1. Any supervised and on-leash dog is allowed at all city of Seaside parks, natural trail or path with the exception of Pachetti Dog Park which allows for supervised and off-leash dogs. When in public areas, all dogs must be on a leash that cannot exceed six feet in length.

2. No dogs are allowed on city athletic fields or in designated skate park facilities.

3. The city may, by regulation, prohibit dogs at designated community events for public safety reasons. The city shall promulgate regulations to ensure that use by persons with dogs is compatible with use of these areas by other persons.

4. No dog may be left unattended and/or attached, tied or chained to any object.

5. Dog owners or custodians are required to pick up their dogs' droppings.

Section 6. AMENDMENT AND RESTATEMENT OF SECTION 9.08.070

Municipal Code Sub-Section 9.08.070 is hereby amended to add the following section related to enforcement and administrative citations:

9.08.070 Enforcement.

A. The director of ~~community recreation~~ services, the chief of police, and their duly authorized employees shall enforce the provisions of this chapter, and shall have the authority to eject from park areas and facilities any person acting in violation of these rules and regulations, and to confiscate any property being used in such a manner so as to endanger persons or property.

B. Administrative citations, fines, parent/guardian responsibility and administrative hearing.

1. The director, and his/her designee, shall have authority to issue administrative citations and administrative fines in accordance with applicable provisions of Chapter 2.56 of the Seaside Municipal Code and this Chapter.

2. The parent or legal guardian having control or custody of an un-
emancipated minor whose conduct violate this chapter shall be jointly and severally
liable with the minor for the amount of any administrative fine imposed pursuant to this
section.

3. Administrative citations and fines issued under this section shall be subject
to the administrative hearing provisions of Chapter 2.56.

Section 7. 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 8. 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 this 15th day of August, 2019.

PASSED AND ADOPTED by the City Council of the City of Seaside this _____ day of _____, 2019, by the following roll call vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

APPROVED:

Ian Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk