



AGENDA
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Thursday, November 21, 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. PRESENTATION OF THE NOVEMBER 2019 HOUSE OF THE MONTH

B. PRESENTATION HONORING PUBLIC WORKS SUPERINTENDENT DAVID FORTUNE FOR 30 YEARS OF SERVICE WITH THE CITY OF SEASIDE

C. PRESENTATION OF RETIREMENT RECOGNIZING CITY ENGINEER/PUBLIC WORKS DIRECTOR RICK RIEDL FOR 12 YEARS OF SERVICE TO THE CITY OF SEASIDE

D. PRESENTATION FROM BE SMART GUN SAFETY

E. RECEIVE PRESENTATION FROM THE TRANSPORTATION AGENCY OF MONTEREY COUNTY ON THE FORT ORD RECREATION TRAIL AND GREENWAY (FORTAG) ENVIRONMENTAL IMPACT DRAFT REPORT AND PUBLIC COMMENT PERIOD

8. CONSENT AGENDA

A. APPROVE MINUTES FROM NOVEMBER 7, 2019

RECOMMENDATION: That the minutes be reviewed and approved.

B. APPROVE AND FILE CITY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of October 26, 2019 through November 8, 2019 including the payroll and benefits checks, direct deposits and wired payments related to the pay period of November 7, 2019. Total Accounts Payable and Payroll for the above referenced period is \$1,631,336.65.

C. ACCEPT AND FILE THE CASH AND INVESTMENT REPORT FOR THE CITY OF SEASIDE AND THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF SEASIDE FOR THE 5 QUARTERS ENDING SEPTEMBER 30, 2018 THRU SEPTEMBER 30, 2019

RECOMMENDATION: Accept and file the City of Seaside and the Successor Agency of the Redevelopment Agency of the City of Seaside Cash and Investment Report for the quarter ending June 30, 2018.

D. APPROVE A FEE WAIVER FROM MONTEREY CONDORS CLUB FOR THE USE OF CUTINO FIELD

RECOMMENDATION: Approve a request from the Monterey Condors Club for a Fee Waiver of One Thousand, Five Hundred, Thirty Dollars and Fifty Cents (\$1,530.50) for the costs associated with the use of Cutino Field from January 2020 to April 2020.

E. REQUEST FOR CO-SPONSORSHIP AND FEE WAIVER REQUEST FROM NARCOTICS ANONYMOUS FOR THE USE OF LAGUNA GRANDE HALL FOR THEIR ANNUAL TALENT SHOW EVENT

RECOMMENDATION: Approve a request from Narcotics Anonymous for Co-Sponsorship and to waive fees associated with their annual Talent Show Event on March 14, 2020.

F. REQUEST FOR CO-SPONSORSHIP AND FEE WAIVER FOR 2020 HOT CARS COOL NITES CAR SHOWS

RECOMMENDATION: Approve a request from Gold Coast Rods for Co-Sponsorship of and to waive fees associated with the Hot Cars/Cool Nites Classic Car Shows in the amount of Twelve Thousand, One Hundred Eighty Dollars and Fifty-Two Cents (\$12,180.52).

G. CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FACILITY USE AGREEMENT WITH SEASIDE PONY BASEBALL AND SOFTBALL FOR THE 2020 SEASON AND AUTHORIZE WAIVING \$75,091.75 IN FEES

RECOMMENDATION: Approve the Facility Use Agreement for the use of Soper, Rubio and Cutino baseball fields with Pony Baseball/Softball for the 2020 season, including the waiver of the field use and lighting fees.

H. APPROVE THE TRAFFIC ADVISORY (TAC) COMMITTEE RECOMMENDATIONS FOR PARKING DESIGNATIONS

RECOMMENDATION: Approve the Traffic Advisory Committee recommendations from the October 15, 2019 meeting.

1. Approve a 30 foot long "Loading Zone" on Phoenix Avenue for University Plaza located at 1760 Fremont Blvd.
2. Approve installation of 40 feet of red curb on La Salle Avenue east of Del Monte Boulevard.
3. Approve 2 Hour Parking along the side streets north and south of West Broadway.

I. ADOPT RESOLUTION APPROVING THE ANNUAL PROGRAM COMPLIANCE REPORT IN SUPPORT OF PROJECTS FUNDED BY MEASURE X AND AUTHORIZING STAFF TO SUBMIT REPORT TO THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY

RECOMMENDATION: Adopt a resolution authorizing staff to submit the Annual Program Compliance Report to the Transportation Agency for Monterey County (TAMC) in order for the City to continue receiving the revenue generated from Measure X funds.

J. APPROVE AMENDMENT #1 TO MEASURE X MASTER PROGRAMS FUNDING AGREEMENT BETWEEN THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY AND THE CITY OF SEASIDE

RECOMMENDATION: Approve Amendment #1 to Measure X Master Programs Funding Agreement between the Transportation Agency for Monterey County (TAMC) and the City of Seaside and authorize the City Manager to sign the amendment.

K. APPROVE A RESOLUTION AUTHORIZING THE CITY TO APPLY TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR A GRANT AUTHORIZED UNDERNEATH THE PLANNING GRANTS PROGRAM (PGP) PROVISIONS OF SB2.

RECOMMENDATION: Adopt a resolution authorizing the City to apply to the California Department of Housing and Community Development (HCD) for a grant authorized underneath the Planning Grants Program (PGP) provisions of SB2 be approved.

L. ADOPT A RESOLUTION APPROPRIATING AND ENCUMBERING ONE HUNDRED FORTY NINE THOUSAND THREE HUNDRED SEVENTY DOLLARS FROM THE POMA FUND BALANCE FOR THE PURCHASE OF A CARGO VAN AND THREE (3) PICKUP TRUCKS FROM CYPRESS COAST FORD CAR SALES FOR USE ON THE PRESIDIO OF MONTEREY ANNEX CONTRACT

RECOMMENDATION: Appropriate and encumber One Hundred Forty Nine Three Hundred Seventy One Dollars (\$149,370.00) from the POMA Fund Balance for the purchase of a one new cargo van and three new pick-up trucks for use within the Maintenance and Utilities Division specifically for the Presidio of Monterey Annex (POMA) federal contract and to be reimbursed by the Intergovernmental Services Agreement (IGSA) Contract.

M. ADOPT A RESOLUTION AUTHORIZING BETHEL BAPTIST CHURCH TO RECEIVE \$10,000 ALLOCATED FOR SAFE PARKING INFRASTRUCTURE IMPROVEMENTS

RECOMMENDATION: Adopt the resolution allocating the \$10,000 budgeted funds to Bethel Baptist Church for infrastructure improvements for the recently licensed safe parking program.

N. ADOPT A RESOLUTION IN SUPPORT OF THE BE SMART EDUCATION CAMPAIGN FOR RESPONSIBLE FIREARM STORAGE

RECOMMENDATION: Adopt a resolution supporting the BeSmart education campaign for responsible firearm storage.

9. PUBLIC HEARING

A. INTRODUCTION OF AN ORDINANCE TO ESTABLISH WEST BROADWAY URBAN VILLAGE PERMITTED ITEMS OF OUTDOOR DINING FURNITURE AND MERCHANT DISPLAY CARTS IN THE RIGHT OF WAY

RECOMMENDATION: Pass to print the draft ordinance to modify the Seaside Municipal Code adding Section 12.48 West Broadway Urban Village Permitted Items in the Right of Way and establishing an application process for outdoor dining furniture and merchant display carts.

- B. ADOPTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE AMENDMENT SMA-19-02. THE CITY OF SEASIDE, APPLICANT, IS INTRODUCING AN ORDINANCE FOR THE APPROVAL A TEXT AMENDMENT TO SECTION 17.14.030.B – TABLE 2-4 OF THE ZONING CODE, TO ALLOW FOR A SMALL COLLECTION RECYCLING FACILITY TO BE LISTED AS BEING ALLOWED IN THE COMMERCIAL MIXED USE (CMX) ZONING DISTRICT WITH A USE PERMIT. THE TEXT AMENDMENT WILL BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES PER SECTION 15061(3). SECOND READING.**

RECOMMENDATION: Adopt the second reading of the ordinance.

- C. ADOPTION OF AN ORDINANCE AMENDING CHAPTER 15 OF THE SEASIDE MUNICIPAL CODE ADOPTING THE 2019 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL, ENERGY, GREEN BUILDING STANDARDS, FIRE CODES, RELATED MODEL CODES AND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE WITH AMENDMENTS. SECOND READING.**

RECOMMENDATION: Adoption of an ordinance amending Chapter 15 of the Seaside Municipal Code relating to buildings and construction, repealing and adopting by reference the 2019 California Building Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, the California Electrical Code, the California Green Building Standards Code, the California Energy Code, the 2018 International Property Maintenance Code, the 2019 California Fire Code and amendments thereto.

- D. CITY-INITIATED URGENCY ORDINANCE: ADDING CHAPTER 17.55 TO THE TO THE SEASIDE MUNICIPAL CODE (SMC) TO ADD A NEW CHAPTER SPECIAL PROVISIONS FOR SMALL WIRELESS FACILITIES, AND MAKING THEM SUBJECT TO A PERMIT AS SPECIFIED IN A NEW CITY COUNCIL POLICY (ROLL CALL VOTE)**

RECOMMENDATION: Adopt an Urgency Ordinance amending City's municipal code to recognize small wireless facilities.

10. BUSINESS ITEMS

A. DENSITY BONUS, INCLUSIONARY HOUSING, AND DEVELOPMENT CONCESSIONS FOR THE CONSTRUCTION OF NINE MULTI-FAMILY APARTMENT BUILDINGS AND ONE MIXED-USE BUILDING WITH GROUND-FLOOR COMMERCIAL AT THE PROPERTY BOUNDED BY BROADWAY AVENUE, TERRACE STREET, OLYMPIA AVENUE, AND SAN LUCAS STREET (CURRENT APNS: 012-191-001, 002, 003, 004, 013, 016, 017, 021, 022, 023, 024, 025, 028 and 029)

RECOMMENDATION: Adopt the Resolution approving the requested density bonus.

B. DISCUSS MEDIAN MAINTENANCE STRATEGIES AND AUTHORIZE THE ISSUANCE FOR A REQUEST FOR PROPOSALS FOR SUPPLEMENTAL MEDIAN MAINTENANCE

RECOMMENDATION: Provide direction to staff for the scope of work for and authorize issuance of a request for proposals for additional median maintenance and landscaping services to be funded from Streets and Highways gas tax funding and Measure X Maintenance of Effort funds.

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:
December 5, 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.: 8.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Kimberly Drabner, Finance Director

DATE: November 21, 2019

SUBJECT: APPROVE AND FILE CITY CHECKS

PURPOSE & RECOMMENDATION

Approve and file the accounts payable and wired payments made during the period of October 26, 2019 through November 8, 2019 including the payroll and benefits checks, direct deposits and wired payments related to the pay period of November 7, 2019. Total Accounts Payable and Payroll for the above referenced period is \$1,631,336.65.

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:

- \$802,805.92 for Payroll and benefits.

- \$25,690.00 to Community Human Services for Seaside Genesis House Improvements including minor plumbing repairs and property restoration services. CDBG request for September FY19/20.
- \$13,688.83 to Gemma Systems for Technical installation services for city hall server storage upgrade.
- \$14,796.00 to Gemma Systems for One year contract extension for 24/7 remote technical server support for \$13,296 and network support for July-September 2019 for \$1,500.
- \$128,686.47 to Granite Rock Company for David Cutino Park - Phase I work through 8/31/2019. Services include mobilization, SWPPP, demo/clear & grub, hardscape paving, electrical and skate park. Application 8.
- \$12,571.00 to Monterey County District Attorney's Office for seized funds to the District Attorney dated 9/26/2019. DA # 865339.
- \$23,605.47 to Monterey County Sheriff - Coroner for first quarter of 2019/20 Criminal Justice Information System.
- \$46,488.01 to PG&E for Collective accts for street lights, highway lighting, park lights and city office buildings. Service period: 8/24/2019-9/24/2019.
- \$10,700.00 to Felipe De Jesus Olvera for Tree trimming along West Broadway for street sign visibility and bench and business access (\$6,300). Tree trimming at City Hall for Christmas tree lighting (\$4,400).
- \$48,322.50 to Harris & Associates for Prof svcs from 8/25/2019-9/28/19 for managing Del Monte Blvd and Canyon Del Rey Sewer line upgrade project (\$8,877.50) and lift station upgrades (\$5,670.00). Prof svcs from 6/30/2019 - 7/27/2019 for pavement rehabilitation project design (\$33,775.00).
- \$12,502.82 to Securr for (7) outdoor waste and receptacle units.
- \$29,415.50 to Bear Electrical Solutions, Inc. for Traffic signal maintenance for September 2019 (Response and Routine); video detect install at Fremont/Broadway for September 2019.
- \$16,819.87 to Verde Design, Inc. for Cutino Park improvement services for 7/1/2019-9/25/2019.
- \$21,465.00 to Fenton & Keller, Professional Corp. for Professional services rendered from 9/1/2019-9/30/2019 related to the Main Gate development. Invoice #110811.

The remaining checks, totaling \$423,779.26 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: Kimberly Drabner, Finance Director
Jessica Riley, Accounting Assistant

DATE: November 21, 2019

**SUBJECT: ACCEPT AND FILE THE CASH AND INVESTMENT REPORT FOR
THE CITY OF SEASIDE AND THE SUCCESSOR AGENCY OF THE
REDEVELOPMENT AGENCY OF THE CITY OF SEASIDE FOR
THE 5 QUARTERS ENDING SEPTEMBER 30, 2018 THRU
SEPTEMBER 30, 2019**

PURPOSE & RECOMMENDATION

Accept and file the City of Seaside and the Successor Agency of the Redevelopment Agency of the City of Seaside Cash and Investment Report for the quarter ending June 30, 2018.

BACKGROUND

Section 53646 of the California State Government code requires the fiscal officer to prepare a quarterly report detailing the City's and the Agency's cash and investments. The City of Seaside's and the Successor Agency's Investment Policy requires a quarterly report. Due to staff shortages and high turnover the quarterly Cash & Investment report has not been updated on a regular basis. The finance department will resume regular and timely quarterly updates of the Cash & Investments report moving forward.

The September 30, 2019 report shows that approximately 48% of the funds are invested the Local Agency Investment Fund with the State of California.

FISCAL IMPACT

No fiscal impact

ATTACHMENTS

1. exhibit A, B, C - 1Q quarter ended 9-30-18
 2. exhibit A, B, C - 2Q quarter ended 12-31-18
 3. exhibit A, B, C - 3Q quarter ended 03-31-19
 4. exhibit A, B, C - 4Q quarter ended 06-30-19
 5. exhibit A, B, C - 1Q quarter ended 09-30-19
 6. LAIF Program Description
 7. PMIA - LAIF Performance Report 20191030
 8. LAIF Historical Interest Rates
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF SEPTEMBER 30, 2018**

DESCRIPTION	INSTITUTION	VALUATION	AMOUNT
LAIF - City Funds	State Treasurer	Market	\$ 12,861,002.19
General Checking	Rabobank	Market	\$ 2,938,333.64
Money Market	Rabobank	Market	\$ 1,423,162.37
PARS Retirement Account	US Bank	Market	\$ 7,790.60
York Tail Claims	Bank of America	Market	\$ 36,252.40
Bond 2014 Reserve account	US Bank	Market	\$ 729,729.49
Bond 2006 Reserve & Installment accounts	US Bank	Market	\$ 340,266.54
US Bank - PNC Equipment Lease Escrow Account	US Bank	Market	\$ 1,459,923.17
Pension Obligation Bond Program Reserve account	Wells Fargo Bank	Market	\$ 704,904.24
	Total		\$ 20,501,364.64

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

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

Respectfully submitted,

Craig Malin
City Manager

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF SEPTEMBER 30, 2018**

	Yield	Book Value	% of Total	Market Value
<u>Investments</u>				
State Treasurer LAIF - City Account	0.95%	12,861,002.19	62.73%	12,861,002.19
<u>Checking Account</u>				
Rabobank - General Checking	0.00%	2,938,333.64	14.33%	2,938,333.64
Rabobank - Money Market	0.07%	1,423,162.37	6.94%	1,423,162.37
PARS Retirement Account	0.88%	7,790.60	0.04%	7,790.60
Bank of America-York Checking	0.00%	36,252.40	0.18%	36,252.40
<u>US Bank - Redevelopment Agency Merged Area Refunding 2014 Bonds</u>				
Installment Payment, Reserve	0.13%	729,729.49	3.56%	729,729.49
<u>US Bank - Golf Course 2006 Bonds</u>				
Installment Payment, Reserve	0.15%	340,266.54	1.66%	340,266.54
<u>US Bank - PNC Equipment Lease Escrow Account</u>				
	0.13%	1,459,923.17	7.12%	1,459,923.17
<u>Wells Fargo Bank</u>				
Pension Obligation Bond Program Reserve Account	0.59%	704,904.24	3.44%	704,904.24
Total Cash and Investments		20,501,364.64	100.00%	20,501,364.64

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
CASH AND INVESTMENT ACTIVITY REPORT FOR THE PERIOD
JULY 1, 2018 THROUGH SEPTEMBER 30, 2018**

<u>INSTITUTION</u>	<u>ACCOUNT STATUS</u>	<u>BEGINNING BALANCE</u>	<u>DEPOSITED</u>	<u>EXPENDED or TRANSFERRED</u>	<u>INTEREST EARNED</u>	<u>ENDING BALANCE</u>
INVESTMENTS						
LAIF - City	OPEN	\$ 12,800,263.66			60,738.53	\$ 12,861,002.19
CHECKING ACCOUNT						
Rabobank - General Checking	OPEN	\$ 1,939,444.37	17,165,008.46	16,166,119.19		\$ 2,938,333.64
Rabobank - Payroll Checking	OPEN	\$ -	7,641,925.28	7,641,925.28		\$ -
Rabobank, Money Market	OPEN	\$ 8,671,342.27	-	7,250,000.00	1,820.10	\$ 1,423,162.37
PARS Retirement Account	OPEN	\$ 10,689.83	6,200.00	9,139.64	40.41	\$ 7,790.60
York Tail Claims	OPEN	\$ 39,256.98	28,775.63	31,780.21	-	\$ 36,252.40
<i>BOND RESERVE ACCOUNT - HELD BY TRUSTEES</i>						
Bond 2014 Accounts - Reserve, Interest	OPEN	\$ 729,297.57	1,825,342.75	1,825,381.36	470.53	\$ 729,729.49
Bond 2006 Accounts - Reserve, Installment	OPEN	\$ 552,757.42	378.83	213,210.08	340.37	\$ 340,266.54
PNC Equipment Lease Escrow Account	OPEN	\$ 1,868,739.32	-	409,857.58	1,041.43	\$ 1,459,923.17
Wells F Pension Obligation Bond Prog-Reserve Acct.	OPEN	\$ 4,721.56	699,139.46	-	1,043.22	\$ 704,904.24
		\$ 26,616,512.98	27,366,770.41	33,547,413.34	65,494.59	\$ 20,501,364.64

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF DECEMBER 31, 2018**

DESCRIPTION	INSTITUTION	VALUATION	AMOUNT
LAIF - City Funds	State Treasurer	Market	\$ 12,930,880.58
General Checking	Rabobank	Market	\$ 6,591,247.25
Money Market	Rabobank	Market	\$ 1,423,895.53
PARS Retirement Account	US Bank	Market	\$ 7,996.04
York Tail Claims	Bank of America	Market	\$ 31,410.74
Bond 2018 Cutino Reserve account	US Bank	Market	\$ 5,090,657.46
Bond 2018 Measure X Reserve account	US Bank	Market	\$ 10,899,698.60
Bond 2014 Reserve account	US Bank	Market	\$ 729,731.32
Bond 2006 Reserve & Installment accounts	US Bank	Market	\$ 460,233.83
US Bank - PNC Equipment Lease Escrow Account	US Bank	Market	\$ 1,461,015.37
Pension Obligation Bond Program Reserve account	Wells Fargo Bank	Market	\$ 590,447.26
	Total		\$ 40,217,213.98

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

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

Respectfully submitted,

Craig Malin
City Manager

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF DECEMBER 31, 2018**

	Yield	Book Value	% of Total	Market Value
<u>Investments</u>				
State Treasurer LAIF - City Account	1.09%	12,930,880.58	32.15%	12,930,880.58
<u>Checking Account</u>				
Rabobank - General Checking	0.00%	6,591,247.25	16.39%	6,591,247.25
Rabobank - Money Market	0.10%	1,423,895.53	3.54%	1,423,895.53
PARS Retirement Account	1.08%	7,996.04	0.02%	7,996.04
Bank of America-York Checking	0.00%	31,410.74	0.08%	31,410.74
<u>US Bank - Cutino Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.17%	5,090,657.46	12.66%	5,090,657.46
<u>US Bank - Measure X Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.17%	10,899,698.60	27.10%	10,899,698.60
<u>US Bank - Redevelopment Agency Merged Area Refunding 2014 Bonds</u>				
Installment Payment, Reserve	0.00%	729,731.32	1.81%	729,731.32
<u>US Bank - Golf Course 2006 Bonds</u>				
Installment Payment, Reserve	0.14%	460,233.83	1.14%	460,233.83
<u>US Bank - PNC Equipment Lease Escrow Account</u>				
	0.15%	1,461,015.37	3.63%	1,461,015.37
<u>Wells Fargo Bank</u>				
Pension Obligation Bond Program Reserve Account	0.91%	590,447.26	1.47%	590,447.26
Total Cash and Investments		40,217,213.98	100.00%	40,217,213.98

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
CASH AND INVESTMENT ACTIVITY REPORT FOR THE PERIOD
OCTOBER 1, 2018 THROUGH DECEMBER 31, 2018**

<u>INSTITUTION</u>	<u>ACCOUNT STATUS</u>	<u>BEGINNING BALANCE</u>	<u>DEPOSITED</u>	<u>EXPENDED or TRANSFERRED</u>	<u>INTEREST EARNED</u>	<u>ENDING BALANCE</u>
INVESTMENTS						
LAIF - City	OPEN	\$ 12,861,002.19			69,878.39	\$ 12,930,880.58
CHECKING ACCOUNT						
Rabobank - General Checking	OPEN	\$ 2,938,333.64	13,184,064.79	9,531,151.18		\$ 6,591,247.25
Rabobank - Payroll Checking	OPEN	\$ -	4,865,744.01	4,865,744.01		\$ -
Rabobank, Money Market	OPEN	\$ 1,423,162.37	-	-	733.16	\$ 1,423,895.53
PARS Retirement Account	OPEN	\$ 7,790.60	9,300.00	9,136.79	42.23	\$ 7,996.04
York Tail Claims	OPEN	\$ 36,252.40	5,447.03	10,288.69	-	\$ 31,410.74
<i>BOND RESERVE ACCOUNT - HELD BY TRUSTEES</i>						
Bond 2018 Cutino Accounts - Reserve, Interest	OPEN	\$ -	5,219,548.25	131,067.38	2,176.59	\$ 5,090,657.46
Bond 2018 Meas X Accounts - Reserve, Interest	OPEN	\$ -	11,070,328.10	175,288.06	4,658.56	\$ 10,899,698.60
Bond 2014 Accounts - Reserve, Interest	OPEN	\$ 729,729.49	-	-	1.83	\$ 729,731.32
Bond 2006 Accounts - Reserve, Installment	OPEN	\$ 340,266.54	119,681.25	-	286.04	\$ 460,233.83
PNC Equipment Lease Escrow Account	OPEN	\$ 1,459,923.17	-	-	1,092.20	\$ 1,461,015.37
Wells F Pension Obligation Bond Prog-Reserve Acct.	OPEN	\$ 704,904.24	116,748.30	234,140.10	2,934.82	\$ 590,447.26
		\$ 20,501,364.64	34,590,861.73	14,956,816.21	81,803.82	\$ 40,217,213.98

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF MARCH 31, 2019**

DESCRIPTION	INSTITUTION	VALUATION	AMOUNT
LAIF - City Funds	State Treasurer	Market	\$ 13,009,019.27
General Checking	Rabobank	Market	\$ 7,073,540.41
Money Market	Rabobank	Market	\$ 1,424,582.23
PARS Retirement Account	US Bank	Market	\$ 11,309.13
York Tail Claims	Bank of America	Market	\$ 37,851.53
Bond 2018 Cutino Reserve account	US Bank	Market	\$ 5,094,424.01
Bond 2018 Measure X Reserve account	US Bank	Market	\$ 10,907,763.19
Bond 2014 Reserve account	US Bank	Market	\$ 729,291.54
Bond 2006 Reserve & Installment accounts	US Bank	Market	\$ 340,877.36
US Bank - PNC Equipment Lease Escrow Account	US Bank	Market	\$ 1,462,096.37
Pension Obligation Bond Program Reserve account	Wells Fargo Bank	Market	\$ 593,279.00
	Total		\$ 40,684,034.04

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

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

Respectfully submitted,

Craig Malin
City Manager

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF MARCH 31, 2019**

	Yield	Book Value	% of Total	Market Value
<u>Investments</u>				
State Treasurer LAIF - City Account	1.21%	13,009,019.27	31.98%	13,009,019.27
<u>Checking Account</u>				
Rabobank - General Checking	0.00%	7,073,540.41	17.39%	7,073,540.41
Rabobank - Money Market	0.10%	1,424,582.23	3.50%	1,424,582.23
PARS Retirement Account	1.05%	11,309.13	0.03%	11,309.13
Bank of America-York Checking	0.00%	37,851.53	0.09%	37,851.53
<u>US Bank - Cutino Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.15%	5,094,424.01	12.52%	5,094,424.01
<u>US Bank - Measure X Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.15%	10,907,763.19	26.81%	10,907,763.19
<u>US Bank - Redevelopment Agency Merged Area Refunding 2014 Bonds</u>				
Installment Payment, Reserve	0.01%	729,291.54	1.79%	729,291.54
<u>US Bank - Golf Course 2006 Bonds</u>				
Installment Payment, Reserve	0.16%	340,877.36	0.84%	340,877.36
<u>US Bank - PNC Equipment Lease Escrow Account</u>				
	0.15%	1,462,096.37	3.59%	1,462,096.37
<u>Wells Fargo Bank</u>				
Pension Obligation Bond Program Reserve Account	0.96%	593,279.00	1.46%	593,279.00
Total Cash and Investments		40,684,034.04	100.00%	40,684,034.04

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
CASH AND INVESTMENT ACTIVITY REPORT FOR THE PERIOD
JANUARY 1, 2019 THROUGH MARCH 31, 2019**

<u>INSTITUTION</u>	<u>ACCOUNT STATUS</u>	<u>BEGINNING BALANCE</u>	<u>DEPOSITED</u>	<u>EXPENDED or TRANSFERRED</u>	<u>INTEREST EARNED</u>	<u>ENDING BALANCE</u>
INVESTMENTS						
LAIF - City	OPEN	\$ 12,930,880.58			78,138.69	\$ 13,009,019.27
CHECKING ACCOUNT						
Rabobank - General Checking	OPEN	\$ 6,591,247.25	9,453,632.08	8,971,338.92		\$ 7,073,540.41
Rabobank - Payroll Checking	OPEN	\$ -	5,687,452.80	5,687,452.80		\$ -
Rabobank, Money Market	OPEN	\$ 1,423,895.53	-	-	686.70	\$ 1,424,582.23
PARS Retirement Account	OPEN	\$ 7,996.04	12,400.00	9,137.17	50.26	\$ 11,309.13
York Tail Claims	OPEN	\$ 31,410.74	19,961.01	13,520.22	-	\$ 37,851.53
<i>BOND RESERVE ACCOUNT - HELD BY TRUSTEES</i>						
Bond 2018 Cutino Accounts - Reserve, Interest	OPEN	\$ 5,090,657.46	-	-	3,766.55	\$ 5,094,424.01
Bond 2018 Meas X Accounts - Reserve, Interest	OPEN	\$ 10,899,698.60	-	-	8,064.59	\$ 10,907,763.19
Bond 2014 Accounts - Reserve, Interest	OPEN	\$ 729,731.32	52,106.54	52,578.86	32.54	\$ 729,291.54
Bond 2006 Accounts - Reserve, Installment	OPEN	\$ 460,233.83	513.42	120,194.67	324.78	\$ 340,877.36
PNC Equipment Lease Escrow Account	OPEN	\$ 1,461,015.37	-	-	1,081.00	\$ 1,462,096.37
Wells F Pension Obligation Bond Prog-Reserve Acct.	OPEN	\$ 590,447.26	-	-	2,831.74	\$ 593,279.00
		\$ 40,217,213.98	15,226,065.85	14,854,222.64	94,976.85	\$ 40,684,034.04

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF JUNE 30, 2019**

DESCRIPTION	INSTITUTION	VALUATION	AMOUNT
LAIF - City Funds	State Treasurer	Market	\$ 13,090,622.55
General Checking	Rabobank	Market	\$ 14,896,414.75
Money Market	Rabobank	Market	\$ 1,425,292.70
PARS Retirement Account	US Bank	Market	\$ 11,520.45
York Tail Claims	Bank of America	Market	\$ 37,462.29
Bond 2018 Cutino Reserve account	US Bank	Market	\$ 4,990,257.51
Bond 2018 Measure X Reserve account	US Bank	Market	\$ 10,916,043.59
Bond 2014 Reserve account	US Bank	Market	\$ 729,291.69
Bond 2006 Reserve & Installment accounts	US Bank	Market	\$ 559,461.42
US Bank - PNC Equipment Lease Escrow Account	US Bank	Market	\$ 1,463,202.22
Pension Obligation Bond Program Reserve account	Wells Fargo Bank	Market	\$ 14,494.86
	Total		\$ 48,134,064.03

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

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

Respectfully submitted,

Craig Malin
City Manager

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF JUNE 30, 2019**

	Yield	Book Value	% of Total	Market Value
<u>Investments</u>				
State Treasurer LAIF - City Account	1.26%	13,090,622.55	27.20%	13,090,622.55
<u>Checking Account</u>				
Rabobank - General Checking	0.00%	14,896,414.75	30.95%	14,896,414.75
Rabobank - Money Market	0.10%	1,425,292.70	2.96%	1,425,292.70
PARS Retirement Account	0.92%	11,520.45	0.02%	11,520.45
Bank of America-York Checking	0.00%	37,462.29	0.08%	37,462.29
<u>US Bank - Cutino Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.15%	4,990,257.51	10.37%	4,990,257.51
<u>US Bank - Measure X Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.15%	10,916,043.59	22.68%	10,916,043.59
<u>US Bank - Redevelopment Agency Merged Area Refunding 2014 Bonds</u>				
Installment Payment, Reserve	0.00%	729,291.69	1.52%	729,291.69
<u>US Bank - Golf Course 2006 Bonds</u>				
Installment Payment, Reserve	0.14%	559,461.42	1.16%	559,461.42
<u>US Bank - PNC Equipment Lease Escrow Account</u>				
	0.15%	1,463,202.22	3.04%	1,463,202.22
<u>Wells Fargo Bank</u>				
Pension Obligation Bond Program Reserve Account	1.96%	14,494.86	0.03%	14,494.86
Total Cash and Investments		48,134,064.03	100.00%	48,134,064.03

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
CASH AND INVESTMENT ACTIVITY REPORT FOR THE PERIOD
APRIL 1, 2019 THROUGH JUNE 30, 2019**

<u>INSTITUTION</u>	<u>ACCOUNT STATUS</u>	<u>BEGINNING BALANCE</u>	<u>DEPOSITED</u>	<u>EXPENDED or TRANSFERRED</u>	<u>INTEREST EARNED</u>	<u>ENDING BALANCE</u>
INVESTMENTS						
LAIF - City	OPEN	\$ 13,009,019.27			81,603.28	\$ 13,090,622.55
CHECKING ACCOUNT						
Rabobank - General Checking	OPEN	\$ 7,073,540.41	18,261,670.71	10,438,796.37		\$ 14,896,414.75
Rabobank - Payroll Checking	OPEN	\$ -	5,050,140.65	5,050,140.65		\$ -
Rabobank, Money Market	OPEN	\$ 1,424,582.23	-	-	710.47	\$ 1,425,292.70
PARS Retirement Account	OPEN	\$ 11,309.13	9,300.00	9,140.80	52.12	\$ 11,520.45
York Tail Claims	OPEN	\$ 37,851.53	8,510.51	8,899.75	-	\$ 37,462.29
<i>BOND RESERVE ACCOUNT - HELD BY TRUSTEES</i>						
Bond 2018 Cutino Accounts - Reserve, Interest	OPEN	\$ 5,094,424.01	-	107,992.15	3,825.65	\$ 4,990,257.51
Bond 2018 Meas X Accounts - Reserve, Interest	OPEN	\$ 10,907,763.19	263,746.26	263,746.26	8,280.40	\$ 10,916,043.59
Bond 2014 Accounts - Reserve, Interest	OPEN	\$ 729,291.54	-	-	0.15	\$ 729,291.69
Bond 2006 Accounts - Reserve, Installment	OPEN	\$ 340,877.36	218,267.03	-	317.03	\$ 559,461.42
PNC Equipment Lease Escrow Account	OPEN	\$ 1,462,096.37	-	-	1,105.85	\$ 1,463,202.22
Wells F Pension Obligation Bond Prog-Reserve Acct.	OPEN	\$ 593,279.00	581,773.40	1,163,496.60	2,939.06	\$ 14,494.86
		\$ 40,684,034.04	24,393,408.56	17,042,212.58	98,834.01	\$ 48,134,064.03

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF SEPTEMBER 30, 2019**

DESCRIPTION	INSTITUTION	VALUATION	AMOUNT
LAIF - City Funds	State Treasurer	Market	\$ 13,174,272.75
General Checking	Rabobank	Market	\$ 5,558,001.82
Money Market	Rabobank	Market	\$ 2,826,433.56
PARS Retirement Account	US Bank	Market	\$ 14,499.66
York Tail Claims	Bank of America	Market	\$ 36,503.77
Bond 2018 Cutino Reserve account	US Bank	Market	\$ 4,989,394.31
Bond 2018 Measure X Reserve account	US Bank	Market	\$ 11,118,680.47
Bond 2014 Reserve account	US Bank	Market	\$ 729,686.81
Bond 2006 Reserve & Installment accounts	US Bank	Market	\$ 340,094.69
US Bank - PNC Equipment Lease Escrow Account	US Bank	Market	\$ 478,308.30
Pension Obligation Bond Program Reserve account	Wells Fargo Bank	Market	\$ 14,625.59
	Total		\$ 39,280,501.73

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

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

Respectfully submitted,

Craig Malin
City Manager

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
SUMMARY OF POOLED CASH AND INVESTMENTS
AS OF SEPTEMBER 30, 2019**

	Yield	Book Value	% of Total	Market Value
<u>Investments</u>				
State Treasurer LAIF - City Account	1.28%	13,174,272.75	33.54%	13,174,272.75
<u>Checking Account</u>				
Rabobank - General Checking	0.00%	5,558,001.82	14.15%	5,558,001.82
Rabobank - Money Market	0.11%	2,826,433.56	7.20%	2,826,433.56
PARS Retirement Account	0.83%	14,499.66	0.04%	14,499.66
Bank of America-York Checking	0.00%	36,503.77	0.09%	36,503.77
<u>US Bank - Cutino Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.13%	4,989,394.31	12.70%	4,989,394.31
<u>US Bank - Measure X Revenue 2018 Bonds</u>				
Installment Payment, Reserve	0.12%	11,118,680.47	28.31%	11,118,680.47
<u>US Bank - Redevelopment Agency Merged Area Refunding 2014 Bonds</u>				
Installment Payment, Reserve	0.12%	729,686.81	1.86%	729,686.81
<u>US Bank - Golf Course 2006 Bonds</u>				
Installment Payment, Reserve	0.14%	340,094.69	0.87%	340,094.69
<u>US Bank - PNC Equipment Lease Escrow Account</u>				
	0.12%	478,308.30	1.22%	478,308.30
<u>Wells Fargo Bank</u>				
Pension Obligation Bond Program Reserve Account	1.82%	14,625.59	0.04%	14,625.59
Total Cash and Investments		39,280,501.73	100.00%	39,280,501.73

**CITY OF SEASIDE and THE SUCCESSOR AGENCY
CASH AND INVESTMENT ACTIVITY REPORT FOR THE PERIOD
JULY 1, 2019 THROUGH SEPTEMBER 30, 2019**

<u>INSTITUTION</u>	<u>ACCOUNT STATUS</u>	<u>BEGINNING BALANCE</u>	<u>DEPOSITED</u>	<u>EXPENDED or TRANSFERRED</u>	<u>INTEREST EARNED</u>	<u>ENDING BALANCE</u>
INVESTMENTS						
LAIF - City	OPEN	\$ 13,090,622.55			83,650.20	\$ 13,174,272.75
CHECKING ACCOUNT						
Rabobank - General Checking	OPEN	\$ 14,896,414.75	11,415,364.30	20,753,777.23		\$ 5,558,001.82
Rabobank - Payroll Checking	OPEN	\$ -	9,337,553.56	9,337,553.56		\$ -
Rabobank, Money Market	OPEN	\$ 1,425,292.70	1,400,000.00	-	1,140.86	\$ 2,826,433.56
PARS Retirement Account	OPEN	\$ 11,520.45	12,980.00	10,054.76	53.97	\$ 14,499.66
York Tail Claims	OPEN	\$ 37,462.29	206,723.30	207,681.82	-	\$ 36,503.77
<i>BOND RESERVE ACCOUNT - HELD BY TRUSTEES</i>						
Bond 2018 Cutino Accounts - Reserve, Interest	OPEN	\$ 4,990,257.51	-	4,000.00	3,136.80	\$ 4,989,394.31
Bond 2018 Meas X Accounts - Reserve, Interest	OPEN	\$ 10,916,043.59	208,841.86	13,069.95	6,864.97	\$ 11,118,680.47
Bond 2014 Accounts - Reserve, Interest	OPEN	\$ 729,291.69	602,098.56	602,131.25	427.81	\$ 729,686.81
Bond 2006 Accounts - Reserve, Installment	OPEN	\$ 559,461.42	505.52	220,186.77	314.52	\$ 340,094.69
PNC Equipment Lease Escrow Account	OPEN	\$ 1,463,202.22	-	985,484.70	590.78	\$ 478,308.30
Wells F Pension Obligation Bond Prog-Reserve Acct.	OPEN	\$ 14,494.86	465,000.00	465,000.00	130.73	\$ 14,625.59
		\$ 48,134,064.03	23,649,067.10	32,598,940.04	96,310.64	\$ 39,280,501.73



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LOCAL AGENCY INVESTMENT FUND

Program Description

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

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

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

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

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

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

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

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

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

The LAIF has grown from 293 participants and \$468 million in 1977 to 2,369 participants and \$24.8 billion at the end of October 2019.

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CALIFORNIA STATE TREASURER FIONA MA, CPA



PMIA Performance Report

Date	Daily Yield*	Quarter to Date Yield	Average Maturity (in days)
10/14/19	2.20	2.21	197
10/15/19	2.20	2.21	198
10/16/19	2.19	2.21	197
10/17/19	2.19	2.21	198
10/18/19	2.18	2.20	198
10/19/19	2.18	2.20	198
10/20/19	2.18	2.20	198
10/21/19	2.18	2.20	196
10/22/19	2.18	2.22	195
10/23/19	2.18	2.20	194
10/24/19	2.17	2.20	196
10/25/19	2.17	2.20	198
10/26/19	2.17	2.20	198
10/27/19	2.17	2.20	198
10/28/19	2.17	2.19	196
10/29/19	2.16	2.19	198
10/30/19	2.16	2.19	199
10/31/19	2.14	2.19	203
11/01/19	2.14	2.19	209
11/02/19	2.14	2.19	209
11/03/19	2.14	2.19	209
11/04/19	2.14	2.18	208
11/05/19	2.14	2.18	208
11/06/19	2.14	2.18	208
11/07/19	2.12	2.18	213
11/08/19	2.12	2.18	214
11/09/19	2.12	2.18	214
11/10/19	2.12	2.18	214
11/11/19	2.12	2.18	214
11/12/19	2.12	2.17	212
11/13/19	2.11	2.17	212

*Daily yield does not reflect capital gains or losses

[View Prior Month Daily Rates](#)

LAIF Performance Report

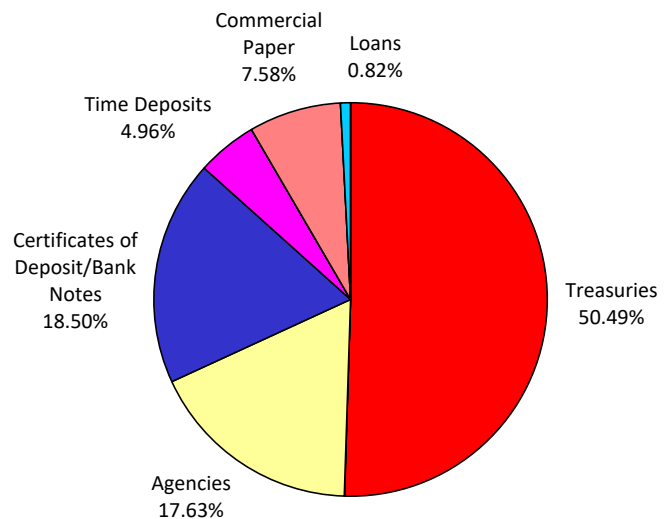
Quarter Ending 09/30/19

Apportionment Rate: 2.45
 Earnings Ratio: .00006701807521016
 Fair Value Factor: 1.001642817
 Daily: 2.25%
 Quarter to Date: 2.34%
 Average Life: 185

PMIA Average Monthly Effective Yields

Oct 2019 2.190
 Sep 2019 2.280
 Aug 2019 2.341

Pooled Money Investment Account Portfolio Composition 09/30/19 \$97.4 billion



Percentages may not total 100% due to rounding

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).
 Based on data available as of 11/13/2019



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LOCAL AGENCY INVESTMENT FUND

Quarterly Apportionment Rates

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

LAIF Quarterly Apportionment Rates

	March	June	September	December
2018	1.51	1.90	2.16	2.40
2019	2.55	2.57	2.45	

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**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: November 21, 2019

**SUBJECT: APPROVE A FEE WAIVER FROM MONTEREY CONDORS CLUB
FOR THE USE OF CUTINO FIELD**

PURPOSE & RECOMMENDATION

Approve a request from the Monterey Condors Club for a Fee Waiver of One Thousand, Five Hundred, Thirty Dollars and Fifty Cents (\$1,530.50) for the costs associated with the use of Cutino Field from January 2020 to April 2020.

BACKGROUND

The Monterey Condors Club is requesting a Fee Waiver to use Cutino Field from January 2020 to April 2020 on Tuesday, Thursday from 5:30 p.m. to 7:30 p.m and Sundays from 9am-2pm.

Monterey Condors Club is a nonprofit multi-sport club with the mission to become a pillar to the youth of Monterey County. More than sixty-five percent of their members in Seaside are low income. They are dedicated in supporting the youth in achieving their goals by providing education and training through their athletic program and clinics. Their athletic program has a diverse group of athletes of all profiles, origin, age, gender and competitive levels.

This is the first time the Monterey Condors Club is requesting a fee waiver. The organization will provide their own insurance, and pay 50% of the cost associated with the use of the field.

FISCAL IMPACT

The approximate fees which are applicable to this request are:

Cutino Field Fee (50% reduction)	\$1,127.50
Light Fee (50% reduction)	\$ 403.00
TOTAL	\$1,530.50

ATTACHMENTS

1. Monterey Condors Club Fee Waiver Request 2020
 2. Monterey Condors Club - Facility Use Application 2020
 3. Monterey Condors Club Letter and Roster 2020
 4. Monterey Condors Club - 501(C)(3)
 5. W9 Monterey Condors Club 2020
 6. Use Agreement for City of Seaside Facilities - Monterey Condors Club
 7. Monterey Condors Club - Facility Fees 2020
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



SEASIDE CALIFORNIA

Fee Waiver Request Form

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

CONTACT INFORMATION:

Organization: Monterey Condors Club
Name of Applicant: Marco Pulido
Address: 1121 Military Ave. Suite 201 City: Seaside State: CA
Phone: (831) 594-2214 Email: mpulido@csuumb.edu

EVENT INFORMATION:

Event Title: Youth Soccer Practice and Games
Event Description: Recreational and competitive soccer for Seaside United teams and condors
Event Date: from February - March Room(s) Requested: _____
Time (including set-up): 5:30 PM - 8:30 PM Approximate Number of Guests: 32

ADDITIONAL INFORMATION:

Reason for Requesting Fee Waiver: More than 85% of our participants are low-income Monterey condors Club and Seaside United doesn't discriminate anyone regarding their financial situation
Have you received a Fee Waiver in the past? ☐ Yes, the event was on _____ ☒ No
What is your organization's tax identification number? 81-4852061
What percentage of your members or participants resides in Seaside? 78% Competitive and 87% rec.
Is your organization based in Seaside? ☒ Yes ☐ No Monterey county more than 65% residents of Seaside
Is your organization able to provide liability insurance? ☒ Yes ☐ No
Will alcohol be served or sold at your event? ☐ Yes ☒ No

Applicant Signature: Marco Pulido Date: 9/14/19

(For Office Use Only)

Fee Waiver Request: ☐ Approved ☐ Denied ☐ Appealed

Security Deposit Required? ☐ Yes ☐ No

Staff Signature: _____ Date: _____

Notes: _____



POLICY REGARDING ROOM RENTAL FEES AND WAIVERS

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

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

FEE WAIVERS FOR MEETING ROOMS

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

AUDITORIUM RENTAL FEE WAIVER

Organizations requesting the use of the Auditorium must:

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

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

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



FACILITY USE APPLICATION

Guidelines for Use of City Fields

1. No fee waivers or extensions will be issued over the counter. Established groups, such as Seaside Pony Baseball, Seaside Raiders and Seaside PAL shall submit fee waiver requests to the Resource Management Department. Resource Management staff will submit these requests to the City Council. All others shall apply to the Special Events Committee. Requests approved by the Committee will be submitted by Recreation and Community Development staff to Council for consideration.
2. A minimum of 30 days lead time is required for each request. This will allow staff sufficient time to prepare the staff report for submission to Council.
3. Requests shall include a complete list of the days, dates and hours requested for use of City fields. Requests shall include a listing of all services required, such as use of snack bar, field lights, additional staff, and additional field preparation, and other special needs.
4. Before the start of each season, each group shall submit a list of current board members, along with contact information. A single point of contact (the authorized representative) shall be designated, and this person shall be authorized to make decisions for the group. The group shall notify the City if the authorized representative changes. Requests to the City will be accepted only from the authorized representative.
5. Each group will enter into a Use Agreement with the City for use of the fields. Before the start of each season, City staff will meet with the authorized representative and interested board members to discuss the terms of the Use Agreement. Terms of the Use Agreement will be enforced.
6. Groups will not be given any keys to the snack bars, restrooms or fields until all conditions of the Use Agreement have been met (including proof of insurance, 401(c)3 status, etc.).
7. A deposit requirement of \$500 may be considered for the new season for each group requesting a fee waiver. Staff will document any instances of violations of the terms of the Use Agreement during the previous season. The deposit would cover the return of keys, cleanup of the fields, restrooms and snack bars. If collected, the deposit would be returned in full if all keys are returned and the fields, restrooms and snack bars have been kept in good condition during the season. Some or all of the deposit would be withheld if all keys are not returned or if the grounds have not been properly maintained. If the Police Department is called to the park during a time that the field has been reserved and the group is found to be in violation of City Code or there are any Health Department violations attributable to the group, the entire deposit would automatically be forfeited.
8. Groups are not allowed to charge the public for parking on City property at group events. If the group would like to solicit donations, they must obtain a no-fee permit in advance, in accordance with Chapter 5.28 (Charitable Solicitation), of the City Municipal Code.

- Attachments:
1. Questionnaire
 2. Application
 3. Sample Use Agreement
 4. Key Request

Attachment 1 Questionnaire

Date of Request: 9/17/19

1. Name of Organization: Monterey Condors Club
Address: 1121 Military Ave. Suite 201
City/State/Zip: Seaside CA 93405
Phone: (831) 544-2214
Authorized Representative: Marce Pulido
2. Status: (Circle all that apply) Private ☐ Non-profit ☒ Public ☐ Profit ☐
3. If Non-Profit, please provide your Tax ID # 81-4852061
4. How long have you been established? As a non-profit since 2007
How many members are there? Over 200 in Monterey County
How many members live in the City of Seaside? 182
Do members pay annual or monthly dues? YES ☒ NO ☐
5. Is your organization affiliated with any national, federal, state, county or local agency or association? YES ☐ NO ☒ If YES, please provide the name of that agency or association. _____
6. Are you a YOUTH-oriented organization? YES ☒ NO ☐ And if YES, how many Seaside youth are in your organization? 102
7. Does your organization provide its services only to Seaside youth or residents?
YES ☐ NO ☒ Or is membership open to all youth or residents in Monterey County? YES ☒ NO ☐
If YES, please provide the number of youth/residents by city.
Seaside 182 participants, Monterey 58, Salinas 60, Seledon 2, King city 6 and Marina 2
8. Does your organization receive funding or other support of any type from any national, federal, state, county, regional, city, private or public agency/affiliation? YES ☐ NO ☒
If YES, please explain.

9. Before coming to the City of Seaside and requesting this use of the fields, have you contacted other cities with regards to the use of their facilities? YES ☒ NO ☐ If YES, please explain why you chose not to use their facility.

City of Monterey does not have a turf field that can host games, only practices for small groups. Laguna Grande Park is not enough to accommodate games 11 vs 11 participants.

**IF REQUESTING A FEE WAIVER
PLEASE COMPLETE QUESTIONS 10 THROUGH 12**

10. Does your organization have the ability to pay any portion of the fees to use the facility?

YES ☒ NO ☐

If your organization does have the ability to pay a reasonable share of the requested fees, please explain why you still feel that a fee waiver should be granted.

Monterey Condors club can pay a portion however more than 85% of our participants are low-income. Some participants can contribute and other are granted to receive a fee waiver, but it makes difficult to operate. Monterey Condors Club does not discriminate anyone regarding their financial situation.

11. If the request for fee waiver is not granted, and you chose not to avail yourself of the City facility, what are your plans?

The plans are; do fundraisers, look for sponsors, and local businesses that can help teams for a return of advertisement in their jerseys.

12. If you are granted a fee waiver, what in-kind services (such as field maintenance, trash cleanup, etc) can you offer to help offset costs?

Yum
Field maintenance, clean ups, promote sports activities in our communities, healthy eating and get a bigger impact in the city of Seaside.

13. Do you plan on having any special events, such as tournaments, picture day, registration, opening day, etc.? YES ☒ NO ☐. If YES, please list events and dates below:

Season opening March 14th for Spring 2020, the community is invited to see our organization staff and participants in Seaside. In January or February Monterey Condors Club is planning to organize a tournament for kids under 6 years old.

14. Please list any additional information you feel is relevant:

**Attachment 2
City of Seaside
Field Use Application**

Date: 9/17/19

Name of Organization: Monterey Condors Club

Address: 1121 Military Ave. Suite 201

City/State/Zip: Seaside CA 93955

Authorized Representative	
Name and Title	Marco Pulido
Address	306 Capitol Street Suite 203, Salinas CA 93901
Address	
Telephone	(831) 594-2214
Fax	(831) 593-9083
Email	mpulido@csusb.edu
Board Members	
Name and Title	Alejandro Gonzalez / Board member
Telephone	(831) 998-2920
Name and Title	Vicente Martinez / Coach, board member
Telephone	(831) 718-7211
Name and Title	Ruben Ruben Gomez / Coach, board member
Telephone	(831) 915-3185
Name and Title	Paul Rodriguez
Telephone	(831) 521-5323 / Coach, board member
Name and Title	Eleazar Jimenez
Telephone	(831) 869-8542 / Coach
Name and Title	Isaac Alcaraz / Coach
Telephone	(831) 261-3798
Name and Title	Teleforo Vazquez / Coach
Telephone	(831) 537-8833

Please Fill out form per park requested			
Organization:	Monterey Condors Club		
Park:	David Cutino Park		
Services Requested:			
	Use of field	YES	
	Use of snack bar		NO
	Use of lights	NO	
	Other		

DATE	DAY	HOURS	DAILY TOTAL	LIGHTS	
January 5th, 2020	Sunday	9:00 AM - 2:00 PM	5	0	
January 16th, 2020	Thursday	5:30 PM - 7:30 PM	2	2	
January 19th, 2020	Sunday	9:00 AM - 2:00 PM	5	0	
January 21st, 2020	Tuesday	5:30 PM - 7:30 PM	2	2	
January 23th, 2020	Thursday	5:30 PM - 7:30 PM	2	02	
January 28th, 2020	Tuesday	5:30 PM - 7:30 PM	2	02	
January 30th, 2020	Thursday	5:30 PM - 7:30 PM	2	02	
February 2nd, 2020	Sunday	9:00 AM - 2:00 PM	5	0	
February 4th, 2020	Tuesday	5:30 PM - 7:30 PM	2	02	
February 6th, 2020	Thursday	5:30 PM - 7:30 PM	2	02	
February 11th, 2020	Tuesday	5:30 PM - 7:30 PM	2	02	
February 13th, 2020	Thursday	5:30 PM - 7:30 PM	2	02	
February 16th, 2020	Sunday	9:00 AM - 2:00 PM	5	0	
February 18th, 2020	Tuesday	5:30 PM - 7:30 PM	2	02	
February 20th, 2020	Thursday	5:30 PM - 7:30 PM	2	02	
February 25th, 2020	Tuesday	5:30 PM - 7:30 PM	2	02	
February 27th, 2020	Thursday	5:30 PM - 7:30 PM	2	02	
March 1st, 2020	Sunday	9:00 PM - 2:00 PM	5	0	
March 3rd, 2020	Tuesday	5:30 PM - 7:30 PM	2	0	Not Available
March 5th, 2020	Thursday	5:30 PM - 7:30 PM	2	0	
March 10th, 2020	Tuesday	5:30 PM - 7:30 PM	2	0	Not Available
March 12th, 2020	Thursday	5:30 PM - 7:30 PM	2	0	
March 15th, 2020	Sunday	9:00 PM - 2:00 PM	5	0	
March 24th, 2020	Tuesday	5:30 PM - 7:30 PM	2	0	Not Available
March 26th, 2020	Thursday	5:30 PM - 7:30 PM	2	0	
March 31st, 2020	Tuesday	5:30 PM - 7:30 PM	2	0	Not Available
April 2th, 2020	Thursday	5:30 PM - 7:30 PM	2	0	

April 5th, 2020	Sunday	9:00 PM - 2:00 PM	5	0	
April 7th, 2020	Tuesday	5:30 PM - 7:30 PM	2	0	Not Available
April 9th, 2020	Thursday	5:30 PM - 7:30 PM	2	0	
April 14th, 2020	Tuesday	5:30 PM - 7:30 PM	2	0	Not Available
April 16th, 2020	Thursday	5:30 PM - 7:30 PM	2	0	
April 19th, 2020	Sunday	9:00 PM - 2:00 PM	5	0	
April 21th, 2020	Tuesday	5:30 PM - 7:30 PM	2	0	Not Available
April 23th, 2020	Thursday	5:30 PM - 7:30 PM	2	0	
April 28th, 2020	Tuesday	5:30 PM - 7:30 PM	2	0	Not Available
April 30th, 2020	Thursday	5:30 PM - 7:30 PM	2	0	
Total Days		Total Hours	82	26	

Monterey Condors Club
1121 Military Ave, Suite 201
Seaside CA 93955
September 19th, 2019



Dear City of Seaside

My name is Marco Pulido and I am the founder of Monterey Condors Club, and Vicente Martinez manages Seaside United teams. Seaside United and Monterey Condors Club are working together to reduce obesity and gang crimes. More than 65% of our members in the City of Seaside are low income; this is why we are requesting a fee waiver. Serving over 150 kids we know the need of a safety place to play. Cutino Park is the only tuft field in our community with lights. We are requesting practices and games at Cutino Park for our participants that are residents of Seaside.

On behalf of our coaches, board members and participants from the community of Seaside, thank you for taking your time and hope you can support Monterey Condors Club and Seaside United.

Please call if you have any further questions.

Sincerely,

Marco Pulido
Founder
(831) 594-2214
mpulido@csumb.edu

Vicente Martinez
(831) 718-7211



Contact Information

Marco Pulido
 306 Capitol St Suite 203
 Salinas CA 93901
mpulido@csumb.edu
 (831) 594-2214

Youth Participants Mentored**Number of youth mentored****TOTALS BY YEAR**

2018	213
2017	19
2016	0
2015	0

POPULATION(S) SERVED

Females,
 Males,
 Adolescents (13-19 years)

RELATED PROGRAM

Sports Events

TYPE OF METRIC

Output - describing our activities and reach

DIRECTION OF SUCCESS

Increasing

Number of students with good social and leadership skills and self-discipline**TOTALS BY YEAR**

2018	12
2017	3
2016	0
2015	0

POPULATION(S) SERVED

Males,
 Females

RELATED PROGRAM

Competitive Soccer League and
 Recreational

TYPE OF METRIC

Outcome - describing the effects on people or issues

DIRECTION OF SUCCESS

Increasing

Reference

Competitive Participants Spring 2019 (Seaside Residents Only)

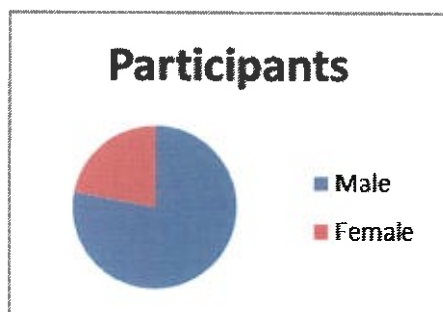
Competitive Participants				
Last Name	First Name	Team	DOB	Gender
Aguilar	Jasmin	U17	2/2/2002	F
Aguilar	Karina	U16	7/30/2003	F
Alcaez	Isaac	U11	2/28/2008	M
Aleman	Fernando	U13	11/7/2006	M
Alcaez	Yareli	U11	2/28/2008	F
Altamirano	Daniel	U11	3/14/2008	M
Alvarado	Bryan	U12	7/7/2007	M
Amaya	Samuel	U11	4/4/2008	M
Aranda	Jose	U12	7/21/2007	M
Aquino	Adryan	U15	3/9/2004	M
Ascencio	Monique	U15	12/7/2004	F
Acendano	Darwin	U19	8/9/2000	M
Barragan	Jose	U15	5/29/2004	M
Barragan	Juan	U17	2/13/2002	M
Barroso	Brian	U12	7/18/2007	M
Bartolo Reyes	Yasiel	U11	6/18/2008	M
Cano	Daniel	U12	8/20/2007	M
Cano	Joan	U17	11/29/2002	M
Carbajal	Yobani	U12	1/5/2007	M
Cardenas	Octavio	U15	3/14/2004	M
Cardenas	Sergio	U18	10/8/2001	M
Carrasco	Vanessa	U18	12/20/2001	M
Casas	Fernando	U15	1/12/2004	M
Castillo	Estefany	U18	1/22/2001	F
Castro	Christopher	U18	3/28/2001	M
Celaya	Alexander	U12	4/20/2007	M
Celaya	Axel	U12	4/20/2007	M
Chavez	Alejandro	U12	5/16/2007	M
Chavez	Angel	U20	11/29/1999	M
Chavez	Eric	U17	1/3/2002	M
Costillejos	Cristopher	U17	6/17/2002	M
Cruz	Abraham	U15	2/16/2004	M
Cruz	Anthony	U18	4/21/2001	M
Cruz	David	U18	8/31/2001	M
Custodio	Danielle	U19	9/1/2000	F
Custodio	Kathrine	U16	7/3/2003	F
Dionisio	Yovanni	U16	1/18/2003	M

Estrada	Juan	U17	11/15/2002	M
Fernandez	Allyssa	U17	11/18/2002	F
Flores	Luis	U15	5/28/2004	M
Francisco	Angel	U13	3/22/2006	M
Garcia	Carlos	U13	3/22/2006	M
Garcia	Edgar	U11	6/4/2008	M
Garcia	Jonathan	U13	2/11/2006	M
Gaspar	Wuiver	U20	3/12/1999	M
Gaxiola	Jatziri	U17	9/28/2002	F
Gonzalez	Lane	U16	12/7/2003	M
Gudino	Alexander	U16	3/10/2003	M
Guzman	Jose	U15	1/28/2004	M
Hernandez	David	U15	8/21/2004	M
Hernandez	Irvin	U12	7/3/2007	M
Hernandez	Kiara	U17	1/17/2002	F
Hernandez	Leyder	U13	5/20/2006	M
Ibanez	Saimin	U13	8/17/2006	M
Isabelle	Alma	U15	7/19/2004	F
Isarraras	Jesus	U19	1/1/2000	M
Jara	Eduardo	U18	3/12/2001	M
Jimenez	Marco	U15	6/6/2004	M
Juarez	Alondra	U16	12/28/2003	F
Juarez	Gilberto	U18	10/8/2001	M
Lara	Daniela	U17	7/13/2002	F
Lara	Ruben	U18	11/23/2001	M
Lopez	Edgar	U17	9/23/2002	M
Lopez	Juancarlos	U11	4/1/2008	M
Macias	Anthony	U12	1/27/2007	M
Maldonado	Lyana	U16	9/15/2003	F
Martinez	Gessai	U11	10/6/2008	M
Matinez	Jason	U13	9/3/2006	M
Mayora	Jonathan	U17	5/10/2002	M
Micaela	Mojica	U16	6/20/2003	F
Medina	Carlos	U16	4/23/2003	M
Medina	Daniel	U19	8/24/2000	M
Medina	Daniel	U15	8/8/2004	M
Medina	Jazrael	U18	4/25/2001	M
Medina	Luis	U18	7/25/2001	M
Mejia	Brayan	U15	5/23/2004	M
Mendoza	Gabriel	U15	1/3/2004	M
Meza	Adriana	U18	8/27/2001	F
Meza	Ariana	U18	8/27/2001	F
Miranda	Angela	U14	6/20/2005	F
Miranda	Leslie	U18	5/16/2001	F
Miranda	Omar	U14	12/18/2005	M

Mondragon	Francisco	U19	3/19/2000	M
Monrano	Abraham	U18	8/3/2001	M
Montoya	Jesus	U13	2/24/2006	M
Morales	Edgar	U11	3/15/2008	M
Mojica	Micaela	U16	6/20/2003	F
Nieto	Oliver	U17	5/28/2002	M
Olivarez	Cesar	U18	12/20/2001	M
Orozco	Evelyn	U17	8/8/2002	F
Ortiz	Emanuel	U13	5/13/2006	M
Pacheco	Carlos	U19	7/21/2000	M
Pacheco	Chelsea	U17	6/16/2002	F
Padilla	Diego	U13	6/14/2006	M
Palna	Alan	U17	4/10/2002	M
Perez	Cesar	U17	7/20/2002	M
Perez	Emmanuel	U13	2/16/2006	M
Perez	Gustavo	U19	1/29/2000	M
Perez	Isaac	U19	6/7/2000	M
Perez	Jesus	U15	5/27/2004	M
Perez	Saul	U11	2/28/2008	M
Plascencia	Jose	U15	1/10/2004	M
Quinonez	Juan	U17	9/17/2001	M
Quiroz	Cindy	U16	6/6/2002	F
Ramirez	Alberto	U19	12/18/2000	M
Rammauth	Maya	U18	2/28/2001	F
Resendiz	Alexis	U12	5/25/2007	M
Reyes	Alondra	U18	12/11/2001	F
Reyes	Ana	U17	3/26/2002	F
Reyes	Darvin	U15	1/9/2004	M
Reyes	Giovanni	U17	3/2/2002	M
Reyes	Jeffry	U16	1/16/2003	M
Rios	Jose	U16	6/7/2003	M
Rocha	Federico	U17	12/11/2002	M
Rodriguez	Elvis	U17	4/7/2002	M
Rodriguez	Jonathan	U16	6/3/2003	M
Rodriguez	Brian	U12	1/31/2007	M
Romero	Jeffrey	U18	12/1/2001	M
Rosales	Roberto	U11	7/27/2008	M
Salazar	Brayan	U16	1/9/2003	M
Santos	Sofia	U16	3/5/2003	F
Saucedo	Aaron	U11	3/9/2008	M
Somoza	Noel	U13	12/16/2006	M
Sosa	Danny	U11	1/4/2008	M
Tolentino	Norberto	U18	12/15/2001	M
Torres	Giovani	U12	9/21/2007	M
Trejo	Jose	U19	4/19/2000	M

Valdovino	Yatziri	U15	3/20/2004	F
Vasquez	Andy	U11	10/1/2008	M
Vasquez	Juan	U15	3/25/2004	M
Vasquez	Sebastian	U11	2/25/2008	M
Vazquez	Adrian	U19	10/5/2000	M
Vazquez	Adriana	U16	8/7/2003	F
Vazquez	Alexander	U16	4/24/2003	M
Vazquez	Maria	U17	1/29/2002	F
Vazquez	Miriam	U18	5/20/2001	F
Velasco	Robert	U18	3/28/2001	M
Velazquez	Edwin	U11	4/19/2008	M
Venegas	Alejandro	U14	1/30/2005	M
Villegas	Marcelo	U11	6/15/2008	M
Villicana	Alberto	U20	10/26/1999	M

Gender	Participant s	Percentage s
Male	110	78.01%
Female	31	21.99%
Total	141	100.00%



Competitive Teams



Monterey Condors Club – Boys U13



Monterey Condors Club – Boys U11



Monterey Condors Club – Boys U15



Monterey Condors Club – Girls U18



Monterey Condors Club – Boys U17





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/07/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Gagliardi Insurance Services, Inc 1315 Walnut St, Suite 1101 Philadelphia PA 19107		CONTACT NAME: PHONE (A/C, No, Ext): 408-414-8100 FAX (A/C, No): 408-414-8199 E-MAIL ADDRESS: sales@gssportsinsurance.com	
INSURED Monterey Condors Club Condors Club 06 Boys 306 Capitol Street Salinas CA 93901		INSURER(S) AFFORDING COVERAGE INSURER A: Lexington Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 19437	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y		GSAL2019080001	09/19/2019	09/19/2020	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000						
	MED EXP (Any one person) \$						
	PERSONAL & ADV INJURY \$ 1,000,000						
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
	OTHER:						PRODUCTS - COMP/OP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						Participant Legal Liab. \$ 1,000,000
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$						COMBINED SINGLE LIMIT (Ea accident) \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						BODILY INJURY (Per person) \$
	Y/N <input type="checkbox"/> N/A						BODILY INJURY (Per accident) \$
	Accident Medical			GAH080001	09/19/2019	09/19/2020	PROPERTY DAMAGE (Per accident) \$
							\$
							EACH OCCURRENCE \$
							AGGREGATE \$
							\$
							PER STATUTE OTH-ER
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
							Limit \$25,000
							AD&D \$10,000
							Deductible \$100

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate holder is included as an additional insured, but only with respect to the liability arising out of the negligence of the named insured. All policy terms and conditions apply.

CERTIFICATE HOLDER**CANCELLATION**

Seaside Recreation Department
93955

Seaside

CA 93955

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

AUTHORIZED REPRESENTATIVE

Donna Gagliardi

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IRS 502(C)(3) Tax Exempt Letter

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

DEPARTMENT OF THE TREASURY

Date:

SEP 20 2017

MONTEREY CONDORS CLUB
PO BOX 415
MONTEREY, CA 93942

Employer Identification Number:

81-4852061

DLN:

17053123334017

Contact Person:

DIANE M GENTRY

ID# 31361

Contact Telephone Number:

(877) 829-5500

Accounting Period Ending:

December 31

Public Charity Status:

170(b)(1)(A)(vi)

Form 990/990-EZ/990-N Required:

Yes

Effective Date of Exemption:

April 7, 2017

Contribution Deductibility:

Yes

Addendum Applies:

No

Dear Applicant:

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

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

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

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

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

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

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

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above Monterey Condors Club	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions. P.O. BOX 415	Requester's name and address (optional)
6 City, state, and ZIP code Monterey CA 93942	
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 instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
			-					
or								
Employer identification number								
8	1		-	4	8	5	2	0 6 1

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 for Part II, later.

Sign Here	Signature of U.S. person ►	Date ►
------------------	----------------------------	--------

General Instructions

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

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

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, later.

**USE AGREEMENT
FOR
CITY OF SEASIDE FACILITIES**

This use Agreement is entered into this twenty first day of November 2019, by and between the City of Seaside, a Municipal Corporation under the laws of the State of California hereinafter referred to as "CITY," and Monterey Condors Soccer Club (organization), hereinafter referred to as the "FIELD USER," for the purposes of establishing terms and conditions for the use of the City's various athletic facilities

1. PREMISES

CITY hereby agrees to permit FIELD USER to use the athletic field at Cutino Park located within the Seaside, California.

2. USE OF FACILITY

- a. The parties hereto agree that FIELD USER shall have use of the premises hereinabove described for their 2020 season, commencing January 5, 2020 and ending April 28, 2020 subject to reservations made with the City of Seaside Recreation Services. FIELD USER is required to notify CITY in the event fields will not be used. Failure to notify the CITY of non use may result in a \$50 fee to recoup the cost for the City's staff time.
- b. FIELD USER shall provide the CITY with a monthly schedule identifying the day, time, and team name utilizing the fields to be posted at each field. The monthly schedule shall be submitted to the CITY on the 25th day of the month by completing the Field Usage Schedule (Attachment 'A').
- c. CITY shall give as much notice as possible in the event that the fields will be unavailable due to conditions beyond its control.

3. RENTAL AMOUNT

- a. FIELD USER shall pay to CITY for the use of the premises as established in the City of Seaside Fee Schedule, which may be revised during the course of this agreement by action of the City Council. If the fee is adjusted during the course of this agreement, the new fee approved by the City Council will be applied. In lieu of this fee the FIELD USER may provide materials and labor with approval from the CITY. These "in lieu" fees shall include but not be limited to at least the following:
 - Preparation of fields before each use
 - Pickup and removal of all trash and debris (including sunflower seed shells) from the City Facility after each use.
 - Rake, sweep or blow off the dugouts and spectator areas from the CITY facility after each use and dispose of all debris to include sunflower seeds, peanut shells etc.
- b. CITY shall notify FIELD USER of any changes to the fee schedule 45 days prior to applying the new fees for use of the parks.
- c. Payment shall be made on a monthly basis or other schedule agreeable to the City within 30 days of the billing.

4. CONDITION OF FACILITY

CITY agrees to maintain the facilities in a manner that is suitable for use during scheduled rental times. FIELD USER is responsible for supplying any equipment that is necessary for use during rental time.

5. MAINTENANCE OR RENOVATION OF FACILITY

- a. CITY shall give as much notice as possible in the event that the facility will be unavailable due to conditions beyond its control, equipment malfunction or other situations requiring emergency maintenance or repairs that would restrict use of the facility by FIELD USER.

6. RESPONSIBILITY FOR PREMISES

- a. FIELD USER shall inspect the facilities upon each use and notify the City of damage or deficiencies.
- b. FIELD USER shall quit and surrender the premises following each period of use under this Agreement in as good as state and condition as they were at the commencement of each such period. FIELD USER also agrees that if said premises, or the buildings, equipment, or furnishings thereon, are damaged during the term of the Agreement, by act, default, or negligence of FIELD USER, its officers, agents, employees, members, guests, patrons, or any person or persons admitted by FIELD USER to said premises, FIELD USER shall pay to CITY upon demand such sum as shall be necessary to restore said premises to the condition they were in at the commencement of each period of use under this agreement.
- b. FIELD USER shall provide 24 hour notification to the City for non use of facility as outlined in the scheduled identified as **Attachment 'B'** to this agreement.
- c. FIELD USER shall utilize the City of Seaside Weather Line in the event of bad weather. The phone number is 831-718-8600. Coaches and players should all be given this number to find out if fields are closed. The weather line will be updated on Mondays each week, unless there is bad weather mid-week which then it will be updated by 3pm on said day. For weekends the line will be updated by 7:30am.

7. COOPERATION

It is understood that FIELD USER will cooperate with other field users during this period so multiple users can use the field when it allows.

8. ALARM AND FIELD LIGHTS

FIELD USER will not have access to the lights or alarm.

9. KEYS

FIELD USER will not be issued keys for the facility.

10. INSURANCE

- a. FIELD USER shall maintain in effect throughout the term of this Agreement a policy or policies of insurance with the following minimum limits of liability:
 1. FIELD USER shall provide and maintain at it's own expense, during the terms of this Agreement a comprehensive general liability policy, including but not limited to premises, personal injuries, products, and completed operations, of insurance, satisfactory to CITY, with a combined single limit of not less than 5 million dollars (\$5,000,000) per occurrence for property damage and for bodily injury or death of persons.
 2. If the organization has employees or hires an employee during the term of this agreement, evidence of adequate worker's compensation insurance on a state-approved policy form providing statutory benefits as required by law with employer's liability limits no less than one-million dollars (\$1,000,000) per accident for all covered losses.
- b. All insurance required by this Agreement shall be with a company acceptable to CITY and authorized by law to conduct insurance business in the State of California. All such insurance shall be written on an occurrence basis, such policy with the coverage required herein shall continue in effect for the duration of this agreement.
- c. Each insurance policy shall provide an endorsement naming CITY, its officers, agents, employees and volunteers as additional insured and shall further provide that such insurance is primary insurance to any insurance or self - insurance maintained by CITY.
- d. Each insurance policy shall provide that CITY be given notice in writing at least thirty (30) days in advance of change, cancellation or non-renewal thereof. Said policy shall provide identical coverage for each sub-user, if any performing work under this Agreement, or be accompanied by a certificate of insurance showing each sub-user has identical coverage.
- e. As a condition precedent to CITY performance pursuant to this Agreement, FIELD USER shall file with a certificate of insurance with the City Risk Management Officer, on or before City facilities are utilized by FIELD USER showing that they have in effect the insurance required by this Agreement. FIELD USER shall file a new or amended certificate of insurance promptly after any change is made to any insurance policy which would alter the information on the certificate then on file.
- f. FIELD USER acknowledges and agrees that any actual or alleged failure on the part of the CITY to inform FIELD USER of non-compliance with any insurance requirement in no way imposes any additional obligations on City nor does it waive any rights hereunder in this or any other regard.

- g. FIELD USER shall renew the required coverage annually as long as CITY, or its employees or agents face an exposure from operations of any type pursuant to this agreement.

11. INDEMNITY

- a. FIELD USER shall defend, indemnify and hold harmless CITY and its officers, officials, employees and agents from and against all losses, claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recoverable against it or them by reason of any act, error or omission of the FIELD USER, its agents or employees, in the performance of the work and/or any activity related to this contract.
- b. CITY shall indemnify and hold harmless FIELD USER and its officers, officials, employees and agents from and against all losses, claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recoverable against it or them by any reason of any act, error or omission of the CITY, its agents or employees, in the performance of the any work related to this contract.
- c. FIELD USER shall so conduct its activities upon the premises so as not to endanger any person lawfully thereon; FIELD USER hereby assumes full responsibility for the character, acts and conduct of all persons admitted to the premises by consent, expressed or implied, of its officers, agents, employees, or members.

12. COMPLIANCE WITH LAWS

FIELD USER shall comply with all laws, statutes, ordinances, rules or regulations of the United States, the State of California, the City of Seaside, or any department or agency thereof, including such regulations now in force or to be established pertaining to use of the premises.

13. TRANSFERABILITY

This agreement applies exclusively to Monterey Condors Soccer Club and field use privileges will not be transferred to any other group or individual. Any other groups or individuals wishing to use City of Seaside fields must apply in advance to the Recreation Services Department.

FIELD USER shall not sublease in whole or any part of the premises and shall not assign, hypothecate, or mortgage any or all of its rights hereunder, without the prior written consent of CITY.

14. TERM OF AGREEMENT

- a. This agreement shall remain in effect until April 30, 2020, agreement requires proof of current liability insurance naming the City of Seaside as additional insurers and updated Attachments 'A', 'B', and 'C'.
- b. This agreement may be terminated by either party upon thirty (30) days written notice.

15. NONDISCRIMINATION

FIELD USER will not discriminate against any participant based on race, color, sex, origin, disability, or any other protected classification.

16. TAX EXEMPT STATUS

If applicable, FIELD USER shall submit a copy of the letter from the Internal Revenue Service determining their tax exempt status under 501 c (3) of the Internal Revenue Code and a copy of the letter from the State of California Franchise Tax Board determining tax exempt status under Section 23710 (d) Revenue and Taxation Code prior to execution of this agreement.

17. NOTICE

All notices herein provided to be given, or which may be given by either party to the other, shall have been deemed to have been fully given and fully received when made in writing and deposited in the United States mail, certified, and postage prepaid, and addressed to the respective parties as follows, or personally served on:

CITY OF SEASIDE
Recreation Services
986 Hilby Avenue
Seaside, CA. 93955


Monterey Condors Soccer Club
1121 Military Ave
Seaside, CA 93955

18. ATTORNEY FEES AND COSTS

Should either party to this Agreement bring suit against another party (formal Judicial proceeding, mediation or arbitration), for breach of any term, covenant, condition or obligation contained herein for the recovery of any sum due hereunder, or for any summary action for forfeiture of this Agreement or to prevent further violations of any of the terms, covenants, conditions, or obligations, or for any other relief then, and in that event, the case shall be handled in Monterey County, California, and the prevailing party in such suit or summary action shall be entitled to a reasonable attorney's fee to be fixed by the judge, mediator or arbitrator hearing the case and such fee shall be included in the judgment, together with all costs.

19. **ENTIRE AGREEMENT**

This Agreement constitutes the entire agreement between FIELD USER and CITY. No term, provision, or condition of this Agreement may be altered or amended, nor may any term, provision or condition be added to this Agreement, except by a writing executed by both FIELD USER and CITY.



Authorized Representative
FIELD USER- Monterey Condors Soccer Club

10/13/19
Date

City Manager
City of Seaside
CITY OF SEASIDE

Date

[illegible]

	Cutino								
2020 Monterey Bay Condors FIELD USAGE REQUESTED DATES Tuesday/Thursday/Sunday	2 hours per weekday with 2 hours of lights until March 5 hours on Sundays								
Days	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	Light Fee per hour		Total				
Tuesday, February 11, 2020	\$55.00	2	\$31.00		\$117.00				
Wednesday, February 12, 2020									
Thursday, February 13, 2020	\$55.00	2	\$31.00		\$117.00				
Friday, February 14, 2020									
Saturday, February 15, 2020									
Sunday, February 16, 2020	\$137.50	0	\$31.00		\$137.50				
Monday, February 17, 2020									
Tuesday, February 18, 2020	\$55.00	2	\$31.00		\$117.00				
Wednesday, February 19, 2020									
Thursday, February 20, 2020	\$55.00	2	\$31.00		\$117.00				
Friday, February 21, 2020									
Saturday, February 22, 2020									
Sunday, February 23, 2020									
Monday, February 24, 2020									
Tuesday, February 25, 2020	\$55.00	2	\$31.00		\$117.00				
Wednesday, February 26, 2020									
Thursday, February 27, 2020	\$55.00	2	\$31.00		\$117.00				
Friday, February 28, 2020									
Saturday, February 29, 2020									
Sunday, March 01, 2020	\$137.50	0	\$31.00		\$137.50				
Monday, March 02, 2020									
Tuesday, March 03, 2020	NA	NA	NA	NA	NA				
Wednesday, March 04, 2020									
Thursday, March 05, 2020	\$55.00	0	\$31.00		\$55.00				
Friday, March 06, 2020									
Saturday, March 07, 2020									
Sunday, March 08, 2020									
Monday, March 09, 2020									
Tuesday, March 10, 2020	NA	NA	NA	NA	NA				
Wednesday, March 11, 2020									
Thursday, March 12, 2020	\$55.00	0	\$31.00		\$55.00				
Friday, March 13, 2020									
Saturday, March 14, 2020									
Sunday, March 15, 2020	\$137.50	0	\$31.00		\$137.50				
Monday, March 16, 2020									
Tuesday, March 17, 2020									
Wednesday, March 18, 2020									
Thursday, March 19, 2020									

[illegible]

[illegible]



CITY OF SEASIDE STAFF REPORT

Item No.: 8.E.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: November 21, 2019

**SUBJECT: REQUEST FOR CO-SPONSORSHIP AND FEE WAIVER REQUEST
FROM NARCOTICS ANONYMOUS FOR THE USE OF LAGUNA
GRANDE HALL FOR THEIR ANNUAL TALENT SHOW EVENT**

PURPOSE & RECOMMENDATION

Approve a request from Narcotics Anonymous for Co-Sponsorship and to waive fees associated with their annual Talent Show Event on March 14, 2020.

BACKGROUND

Narcotics Anonymous holds an annual talent show event that helps support services in Monterey County, including Seaside. This talent show raises funds to help keep this chapter operating and furnishes literature to the public and its members. The fee waiver is to assist the organization in their continued purpose to help others toward recovery. Narcotics Anonymous has indicated that a partial fee waiver would be helpful should a full fee waiver not be considered. The organization has indicated that 60-70% of the members reside in Seaside.

Since 2014 the City Council has approved a partial fee waiver for their annual Talent Show at the Oldemeyer Center; requiring a 50% waiver of hourly rental fees and the non-refundable portion of the room deposit only.

FISCAL IMPACT

The approximate fees which are applicable to this request are:

10 hours	\$131.25/hour (50% reduction)	\$657.50
Insurance		\$113.00
Total		\$770.50

Organization has already paid the non-refundable portion in the amount of \$147.81.

ATTACHMENTS

1. Narcotics Anonymous Fee Waiver (Talent Show) 2020
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager


**SEASIDE
CALIFORNIA**
Fee Waiver Request Form

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

CONTACT INFORMATION:

 Organization: Monterey County Narcotics Anonymous
 Name of Applicant: David Schmidt
 Address: 150 Kern St City: Salinas State: CA
 Phone: (831) 455-6620 Email: daveschmidt.crazytown@gmail.com
EVENT INFORMATION:

 Event Title: Talent Show
 Event Description: Food, fun + Family entertainment
 Event Date: 3.14.20 Room(s) Requested: Leguna Grand + Kitchen
 Time (including set-up): 1pm - 11pm Approximate Number of Guests: 250
ADDITIONAL INFORMATION: This is our only fundraiser of the year.

 Reason for Requesting Fee Waiver: We are a non profit org. who's mission is to take the message of recovery to the still suffering addict

 Have you received a Fee Waiver in the past? ☒ Yes, the event was on 3.16.19 ☐ No

 What is your organization's tax identification number? 32-0289508

 What percentage of your members or participants resides in Seaside? 30%

 Is your organization based in Seaside? ☒ Yes ☐ No

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

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

 Applicant Signature: [Signature]

Date: _____

(For Office Use Only)

 Fee Waiver Request: ☐ Approved ☐ Denied ☐ Appealed

 Security Deposit Required? ☐ Yes ☐ No

Staff Signature: _____

Date: _____

Notes: _____

Terry Navarro

October 14, 2019

Office Assistant

City of Seaside Recreation Services

Dear Terry,

WE would like to thank you and the City of Seaside for once again allowing us the use of Laguna Grande Hall for our special event. This will be our 23rd annual Talent Show, of which, Oldemeyer Center has been our venue many times. This is a family event, which helps us raise funds to help the still suffering addict.

Attached is our Fee Waiver Request. We have been granted this in the past and are grateful as it helps us maximize our fund-raising efforts. In past years we have been allowed to provide our own security, again allowing funds to go into our fellowship. We feel we have shown great responsibility from our members and respect for your facility. Please allow us to once again show our dedication to having a safe and secure event.

Best Regards,

Dave Schmidt

Event Chairman

Talent Show of Monterey County Narcotics Anonymous

(831) 455-6620

daveschmidt.crazytown@gmail.com



SEASIDE CALIFORNIA

Facility Rental Request Form

Parks and Recreation Division

986 Hilby Avenue, Seaside CA 93955

831-899-6800

CONTACT INFORMATION:

Organization: Monterey Narcotics Anonymous

Name of Applicant: Frances McCallum

Address: 8221 Diablo Dr City: Salinas State: Ca

Phone: (831) 585-3261 Email: ibet1ofakind@gmail.com

Day of Event Contact Name and Phone: Same

☒ Resident ☐ Non-Resident

*Please call —
Dave Schmidt 831-455-6620*

EVENT INFORMATION:

Event Title: Talent Show

Event Description: Providing talent w/active member of N.A.
Diner, family fun and Entertainment

Event Date: 3-14-20 Saturday Approximate Number of Guests: 250

Start Time: 1pm End Time: 11pm Set Up/Break Down Time: 10:30am

Special Instructions: _____

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

☐ Podium

☐ Microphone

☐ Projector Screen

**Projectors and other electronic equipment will not be provided

	Yes	No		Yes	No
Are you a non-profit organization?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <i>Yes</i>	Will refreshments be served?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the event open to the public?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will refreshments be sold?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will admission be charged?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will you be using the kitchen?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will there be music?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will alcohol be served?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will there be live music and/or DJ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will alcohol be sold?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Name of band or DJ: <u>NA Band</u>			*Alcohol is prohibited at youth oriented events		

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

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



SEASIDE CALIFORNIA

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

FACILITY SELECTION

☐ LAGUNA GRANDE HALL

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

	Resident	Non-Res
Hourly Rate	\$105.75	\$131.50
Deposit	\$591.25	\$738.75
(Non Refundable)	(\$147.81)	(\$184.68)
Alcohol Deposit	\$575.50	\$719.50
(Non Refundable)	(\$143.87)	(\$179.87)

Liability Insurance: \$81-\$207

Security Guards: required 1 per 50 guests

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

☐ BAYONET MEETING ROOM

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

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr	\$43.75 /hr	\$55 /hr
After 3 hrs	\$20 /hr	\$24.50 /hr

☐ BLACKHORSE MEETING ROOM

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

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hrs	\$54.50 /hr	\$68 /hr
After 3 hrs	\$24 /hr	\$29.75 /hr

☐ DANCE STUDIO

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

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr	\$68 /hr	\$84.75 /hr
After 3 hrs	\$31.25 /hr	\$39.25 /hr

☐ SEAHORSE MEETING ROOM

Capacity: 20 / Dimensions: 28' X 16'

	Resident	Non-Res
Rate 0-3 hrs	\$43.75 /hr	\$55 /hr
After 3 hrs	\$20 /hr	\$24.50 /hr

☐ SEASIDE MEETING ROOM

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

	Resident	Non-Res
Food Deposit	\$150	\$187.50
(Non Refundable)	(\$37.50)	(\$46.75)
Rate 0-3 hr	\$43.75 /hr	\$55 /hr
After 3 hrs	\$20 /hr	\$24.50 /hr

☐ SEASIDE COMMUNITY CENTER

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

	Resident	Non-Res
Hourly Rate	\$56	\$70.25
Deposit	\$314	\$392.50
(Non Refundable)	(\$78.50)	(\$98.25)
Alcohol Deposit	\$575.50	\$719.50
(Non Refundable)	(\$143.87)	(\$179.87)

Liability Insurance: \$81-\$207

Security Guards: required 1 per 50 guests

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

☐ YOUTH EDUCATION CENTER

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

	Resident	Non-Res
Deposit	\$83	\$103.50
(Non Refundable)	(\$21)	(26)
0-25 Guests	\$172	\$215
26-50 Guests	\$188.50	\$235
51-75 Guests	\$223	\$278.50
Mini Golf	\$25	\$31
Extra ½ Hour	\$38	\$47.50

Non-Profit Rate: For Laguna Grande Hall, Seaside Community Center, and the Youth Education & Resource Center, non-profits may use the resident rate. For all other meeting rooms, non-profits may have up to 4 hours for \$31.75. Proof of 501(c)(3) required.



**SEASIDE
CALIFORNIA**

Facility Rental Request Form

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

SEATING CONFIGURATION

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

<input checked="" type="radio"/> Classroom 	<input type="radio"/> Conference 	<input type="radio"/> U-Shaped 	<input type="radio"/> Pods
<input type="radio"/> Theater 	<input type="radio"/> Banquet 	<input type="radio"/> Empty Room 	<input type="radio"/> Other

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

Applicant Signature: Frances M. [Signature] Date: 8-21-19

(For Office Use Only)

Permit Fee: _____

Authorized Agent: _____

Date: _____

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



**SEASIDE
CALIFORNIA**

Facility Rental Request Form

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

RULES, REGULATIONS & CONDITIONS OF USE

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



SEASIDE CALIFORNIA

Facility Rental Request Form

Parks and Recreation Division

986 Hilby Avenue, Seaside CA 93955

831-899-6800

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

IMPORTANT THINGS TO NOTE

- ✓ In order to secure a reservation, this form must be completed and submitted along with full payment to the Oldemeyer Center front desk.
- ✓ Reservations for the conference rooms must be made at least 7 days in advance and 30 days in advance for all other facilities.
- ✓ Please include a sketch of how you would like the room to be set up if it is different than the diagrams provided on this form. Our facility staff will do their best to prepare the room as shown in your diagram. Do not write "same as before."
- ✓ Food and beverage are allowed in certain rooms; please ask staff prior to providing refreshments.
- ✓ Do not move furniture from one room to another. If you have additional needs, please contact the facility staff.
- ✓ Please do not change rooms. If a different room is preferred and empty upon arrival, please check with the facility staff.
- ✓ Come prepared. Our staff is not authorized to provide supplies for your meeting.
- ✓ If you tape signs up regarding your meeting, please remove them upon your departure.
- ✓ Smoking is prohibited within 20 feet of entrances, exits and windows.
- ✓ In case of cancelation, please notify the Oldemeyer Center Front Office as soon as possible. Refund requests made 48 hours in advance will receive a full credit towards future use, or a full refund less a \$7 surcharge. Refunds will not be given less than 48 hours in advance.
- ✓ *If alcohol is found on the premises (including the parking lot, stage, kitchen, etc.) and your contract prohibits the consumption of alcohol, the City of Seaside has the right to cancel your event and deposits and fees will NOT be refunded.
- ✓ *A one million dollar (two million aggregate) liability insurance policy is required. You can either purchase it through the city, or through another insurance company and provide us a copy of the policy naming the City of Seaside as co-insured.
- ✓ Use of our facilities requires you to provide licensed and bonded security guards. You must hire one guard per every fifty guests. A copy of the contract must be provided to the city at least 30 days prior to your event. Renters exceeding their stated attendance risk losing their deposit.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.F.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: November 21, 2019

**SUBJECT: REQUEST FOR CO-SPONSORSHIP AND FEE WAIVER FOR 2020
HOT CARS COOL NITES CAR SHOWS**

PURPOSE & RECOMMENDATION

Approve a request from Gold Coast Rods for Co-Sponsorship and to waive fees associated with the Hot Cars/Cool Nites Classic Car Shows in the amount of Twelve Thousand, One Hundred Eighty Dollars and Fifty-Two Cents (\$12,180.52).

BACKGROUND

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

The 2014-2019 events were approved for co-sponsorship and fee waivers for costs associated with police and public works services. The Fee Waiver request was approved to close the streets on Broadway Avenue between Calaveras and Hillsdale and detour traffic during the event.

Gold Coast Rods has submitted a Special Event Application and is requesting all fees be waived for the 2020 year's events that will be held on June 26, 2020, July 24, 2020, August 28, 2020 and September 25, 2020. Gold Coast Rods will provide the insurance

coverage.

FISCAL IMPACT

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

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

June 26, 2020:

Public Works Staff:	\$2,701.33
Police Staff (1 Officer): \$104.79 X 3 hours	\$ 343.80
TOTAL:	\$3,045.13

July 24, 2020:

Public Works Staff:	\$2,701.33
Police Staff (1 Officer): \$104.79 X 3 hours	\$ 343.80
TOTAL:	\$3,045.13

August 28, 2020:

Public Works Staff:	\$2,701.33
Police Staff (1 Officer): \$104.79 X 3 hours	\$ 343.80
TOTAL:	\$3,045.13

September 25, 2020:

Public Works Staff:	\$2,701.33
Police Staff (1 Officer): \$104.79 X 3 hours	\$ 343.80
TOTAL:	\$3,045.13

GRAND TOTAL FOR ALL FOUR EVENTS:	\$12,180.52
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ATTACHMENTS

1. Gold Coast Fee Waiver 2020

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



City of Seaside FEE WAIVER REQUEST

Name of Applicant Otis Stevenson Organization GOLD COAST RODS
Address PO BOX 2672 2672 Monterey CA 93940
Street City State Zip
Home Phone 831 899 2766 Cell Phone 831 601 2375 Email Address Otis AUTO SALES@gmail.com

Room(s) Requested 6

Day(s) and Date(s) Requested June 26, July 24, Aug 28, & Sept 25 2019

Hours Requested (include set-up time) 3pm Estimated Attendance 200

Description of Event CLASSIC CAR SHOW

Special Instructions or Equipment to Be Brought In _____

Reason for Requesting Fee Waiver

we are a SOI3C club and we donate
back to local including SALVATION ARMY

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

If so, what was the date of your event? July 26, Aug 30 & Sept 27 2019

Is your organization based in Seaside? Yes ☐ No ☐

What percentage of your members or participants resides in Seaside? About 60 1/2%

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

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

Is organization able to provide liability insurance? yes

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

Applicant Signature [Signature] Date _____

FOR OFFICE USE ONLY

Approved: _____
Denied: _____
Appealed: _____

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



SEASIDE CALIFORNIA

Special Event Application

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

CONTACT INFORMATION:

Organization: GOLD COAST ROPS
Name of Applicant: OTIS STEVENSON
Address: PO BOX 2672 City: Monterey State: CA
Phone: 831 601 2375 Email: OTIS AUTO SALES @G-MAIL.COM
Day of Event Contact Name and Phone: HOT CARS COOL NIGHTS
JUNE 26 JULY 24 AUG 28 + SEPT 25, 2020

EVENT INFORMATION:

Event Title: HOT CARS COOL NIGHTS

Event Category:

- | | | |
|---|---|---------------------------------|
| <input type="checkbox"/> Athletic / Recreation | <input type="checkbox"/> Concert / Performance | <input type="checkbox"/> Circus |
| <input type="checkbox"/> Celebration / Festival | <input type="checkbox"/> Parade / March / Procession | <input type="checkbox"/> Dance |
| <input type="checkbox"/> Carnival | <input type="checkbox"/> Other: <u>CAR SHOW ON BROADWAY</u> | |

Event Date and Time: JUNE 26 JULY 24 AUG 28 SEPT 25 2020
Setup: 3pm Event Start: 4pm Event End: 7pm Clean up: 7:30pm

Event Location: BROADWAY AVE

EVENT DESCRIPTION:

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

CLASSIC CAR SHOW on lower Broadway

Number of Participants: 100-150 Event Benefiting: GOLD COAST ROPS

Federal ID # (if applicable): 77 000 7263

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

Will admission be charged? ☐ Yes, tickets cost: 10⁰⁰ CAR ENTRY ☐ No



SEASIDE CALIFORNIA

Special Event Application

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

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

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

How will the event be advertised and promoted? website TV +

news papers

Signs posted: Yes AT Business

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

- | | | |
|---|---------------------------------------|--|
| <input checked="" type="checkbox"/> P.A. System | <input type="checkbox"/> Generator(s) | <input type="checkbox"/> Amplified sound / music |
| <input type="checkbox"/> Booths | <input type="checkbox"/> Bleachers | <input type="checkbox"/> Cooking fuel |
| <input type="checkbox"/> Tents | <input type="checkbox"/> Banners | <input type="checkbox"/> Barricades |
| <input type="checkbox"/> Other: _____ | | |

Will the event include music or live performances?

☒ Yes ☐ No

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

☐ Yes ☒ No

Do you intend to sell food or beverage?

☐ Yes ☒ No

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

Do you intend to sell other merchandise?

☐ Yes ☒ No

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

Vendor Name

Vendor Address

Describe Merchandise

Will alcohol be served?

☐ Yes ☒ No

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

☐ Yes ☒ No

Parking arrangements: Club members Direct parking



**SEASIDE
CALIFORNIA**

Special Event Application

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

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

club members

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

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

Public Works

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

TRASH BAGS

Other pertinent information or special requests:

None

APPLICANT AGREEMENT

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

Applicant Signature: _____

[Signature]

Date: _____

10-16-19



**SEASIDE
CALIFORNIA**

Special Event Application

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

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

Attach to application and mail to:

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

SPECIFIC EVENT CONDITIONS OF APPROVAL

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

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

PROVISIONS

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

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

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

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

Applicant Signature: _____

Date: _____

10-16-19



SEASIDE CALIFORNIA

Special Event Application

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

INDEMNIFICATION, DEFENSE, HOLD HARMLESS

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

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

Insurance Agency: Clifford + Bradford Insurance Agent: MARILEE MAZUR
Phone Number: 661 283 8100 Policy Number: 3AA168949

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

Applicant Signature: [Signature]

Date: 10-16-19

(For Office Use Only)

Authorization

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

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

Comments: _____



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.G.

TO: City Council

FROM: Craig Malin, City Manager

BY: Dan Meewis, Recreation Director

DATE: November 21, 2019

SUBJECT: CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FACILITY USE AGREEMENT WITH SEASIDE PONY BASEBALL AND SOFTBALL FOR THE 2020 SEASON AND AUTHORIZE WAIVING \$75,091.75 IN FEES.

PURPOSE & RECOMMENDATION

Approve the Facility Use Agreement for the use of Soper, Rubio and Cutino baseball fields with Pony Baseball/Softball for the 2020 season, including the fee waiver of the field use and lighting fees.

BACKGROUND

Seaside Pony Baseball/Softball has requested a fee waiver for field use and lighting fees for their 2020 season. Seaside Pony Baseball/Softball serves approximately 300 youth for their baseball and softball teams who practice, compete against each other and other local Pony chapters, and participate in tournaments in the City of Seaside.

Seventy five percent of the participants live in the City of Seaside. The previous field use agreement, which covered the 2019 season expired in August of 2019. In order for the City to consider a fee waiver for the 2020 season, Seaside Pony Baseball/Softball needs to enter into a new Facility Use Agreement. The agreement includes provisions that Seaside Pony Baseball/Softball will perform "in lieu" services to help offset revenues from field use fees that are not collected from Seaside Pony Baseball/Softball. The "in lieu" work includes; daily field preparation, minor field maintenance at each field, addition of cinder mix to fields when needed, and trash/recycle pick up and

disposal.

The City received a request from Seaside Pony Baseball/Softball, dated September 19, 2019, for a facility use agreement and a fee waiver for field use, BBQ area use and lighting fees. They are requesting the use of Soper, Rubio & Cutino fields for their 2020 season. Based on the City's field use fees, per the adopted 2019-2020 fee schedule.

There are also "hard costs" involved with the maintenance of the fields and associated buildings. These costs are included in the fees charged for field use. However, if the field use fees are waived, the hard costs that the City incurs need to be considered. City personnel are required to open and close the restrooms at Soper, Rubio and Cutino fields. The opening of the restrooms during the week is done during regular hours; part time custodial staff is paid to close the restrooms on weeknights, and open/close them on the weekends. In addition, there is also the cost of the cleaning supplies and the time it takes for staff to clean the restrooms at Soper, Rubio and Cutino fields.

FISCAL IMPACT

The fees waived under the Field Use Agreement would be as follows:

\$17,429.75	Estimated Cost of Soper field usage
\$16,704.50	Estimated Cost of Rubio field usage
\$6,572.50	Estimated Cost of Cutino field usage
\$12,060.00	Estimated Cost of light usage for Soper & Cutino field
\$2,461.00	Estimated use of BBQ area during tournaments at Soper field
\$19,864.00	Estimated City incurred "hard costs" for all three fields
\$75,091.75	TOTAL

It is recommended that the City Council approve the Field Use Agreement with Pony Baseball/Softball for the 2020 season.

ATTACHMENTS

1. Seaside Pony Baseball & Softball - Resolution 2020
2. Fee Wavier - Seaside Pony Baseball & Softball 2020
3. Seaside Pony Baseball & Softball -Facility Use Application 2020
4. Seaside Pony Baseball & Softball - Facility Fees 2020

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**APPROVING THE FACILITY USE AGREEMENT WITH SEASIDE PONY
BASEBALL/SOFTBALL FOR THEIR 2019 SEASON**

WHEREAS, the City of Seaside supports local organizations providing sports and recreation activities for the Seaside community by allowing some fee waivers for the use of facilities and fields; and

WHEREAS, the City of Seaside and Seaside Pony Baseball/Softball enter into an Agreement dated October 22, 2019 for the agreed usage of Soper, Rubio and Cutino fields for league practices, games and tournaments for the 2020 season; and

WHEREAS, the approval of the Facility Use Agreement for use of Soper, Rubio and Cutino fields is necessary so Seaside Pony can continue to provide recreational baseball and softball program to the youth of the community; and

WHEREAS, the City of Seaside's cost recovery policy allows some flexibility for fee waivers for the use of city facilities and fields by balancing fiscal sustainability and the effects of pricing on the demand for services; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby approves the Facility Use Agreement for Seaside Pony for the 2020 season.

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

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

Ian Olgesby, Mayor

ATTEST:

Lesley Milton, City Clerk



SEASIDE CALIFORNIA

Fee Waiver Request Form

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

CONTACT INFORMATION:

Organization: SEASIDE PONY BASEBALL & SOFTBALL
Name of Applicant: CODY ROSE
Address: PO BOX 1022 City: SEASIDE State: CA
Phone: 831-915-7731 Email: codyjrose11@gmail.com

EVENT INFORMATION:

Event Title: 2019 SEASIDE PONY BASEBALL & SOFTBALL SEASON
Event Description: FIELD USE FOR GAMES & PRACTICES
Event Date: FEBRUARY 8; JULY 2020 Room(s) Requested: SUPER, METZ, & CUTINO PARK
Time (including set-up): _____ Approximate Number of Guests: 300+

ADDITIONAL INFORMATION:

Reason for Requesting Fee Waiver: SEASIDE PONY DOES NOT HAVE THE FINANCIAL MEANS TO PAY FOR FIELD USE.

Have you received a Fee Waiver in the past? ☒ Yes, the event was on 2019 SEASON ☐ No

What is your organization's tax identification number? 77-0431396

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

Is your organization based in Seaside? ☒ Yes ☐ No

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

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

Applicant Signature: _____

Date: 09/20/2019

(For Office Use Only)

Fee Waiver Request: ☐ Approved ☐ Denied ☐ Appealed

Security Deposit Required? ☐ Yes ☐ No

Staff Signature: _____

Date: _____

Notes: _____



POLICY REGARDING ROOM RENTAL FEES AND WAIVERS

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

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

FEE WAIVERS FOR MEETING ROOMS

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

AUDITORIUM RENTAL FEE WAIVER

Organizations requesting the use of the Auditorium must:

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

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

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



FACILITY USE APPLICATION

Guidelines for Use of City Fields

1. No fee waivers or extensions will be issued over the counter. Established groups, such as Seaside Pony Baseball, Seaside Raiders and Seaside PAL shall submit fee waiver requests to the Resource Management Department. Resource Management staff will submit these requests to the City Council. All others shall apply to the Special Events Committee. Requests approved by the Committee will be submitted by Recreation and Community Development staff to Council for consideration.
2. A minimum of 30 days lead time is required for each request. This will allow staff sufficient time to prepare the staff report for submission to Council.
3. Requests shall include a complete list of the days, dates and hours requested for use of City fields. Requests shall include a listing of all services required, such as use of snack bar, field lights, additional staff, and additional field preparation, and other special needs.
4. Before the start of each season, each group shall submit a list of current board members, along with contact information. A single point of contact (the authorized representative) shall be designated, and this person shall be authorized to make decisions for the group. The group shall notify the City if the authorized representative changes. Requests to the City will be accepted only from the authorized representative.
5. Each group will enter into a Use Agreement with the City for use of the fields. Before the start of each season, City staff will meet with the authorized representative and interested board members to discuss the terms of the Use Agreement. Terms of the Use Agreement will be enforced.
6. Groups will not be given any keys to the snack bars, restrooms or fields until all conditions of the Use Agreement have been met (including proof of insurance, 401(c)3 status, etc.).
7. A deposit requirement of \$500 may be considered for the new season for each group requesting a fee waiver. Staff will document any instances of violations of the terms of the Use Agreement during the previous season. The deposit would cover the return of keys, cleanup of the fields, restrooms and snack bars. If collected, the deposit would be returned in full if all keys are returned and the fields, restrooms and snack bars have been kept in good condition during the season. Some or all of the deposit would be withheld if all keys are not returned or if the grounds have not been properly maintained. If the Police Department is called to the park during a time that the field has been reserved and the group is found to be in violation of City Code or there are any Health Department violations attributable to the group, the entire deposit would automatically be forfeited.
8. Groups are not allowed to charge the public for parking on City property at group events. If the group would like to solicit donations, they must obtain a no-fee permit in advance, in accordance with Chapter 5.28 (Charitable Solicitation), of the City Municipal Code.

Attachments: 1. Questionnaire
2. Application
3. Sample Use Agreement
4. Key Request

Attachment 1 Questionnaire

Date of Request: 09-19-2019

1. Name of Organization: Seaside Pony Baseball & Softball
Address: PO Box 1022
City/State/Zip Seaside, CA 93955
Phone: 831-915-7731
Authorized Representative: Cody Rose
2. Status: (Circle all that apply) Private Non-profit Public Profit
3. If Non-Profit, please provide your Tax ID # 77-0431396
4. How long have you been established? 25+ years
How many members are there? 300+
How many members live in the City of Seaside? 250+
Do members pay annual or monthly dues? YES X NO
5. Is your organization affiliated with any national, federal, state, county or local agency or association? YES X NO If YES, please provide the name of that agency or association. Pony Baseball & Softball
6. Are you a YOUTH-oriented organization? YES X NO And if YES, how many Seaside youth are in your organization? All Players
7. Does your organization provide its services only to Seaside youth or residents?
YES NO X Or is membership open to all youth or residents in Monterey County? YES X NO
If YES, please provide the number of youth/residents by city.

Approximately 75% of our participants are from the City of Seaside. The remaining participants are from Monterey, Marina, Pacific Grove, and Salinas.
8. Does your organization receive funding or other support of any type from any national, federal, state, county, regional, city, private or public agency/affiliation? YES X NO .
If YES, please explain.
We receive sponsorship throughout the season to assist with the financial cost of running the league.
9. Before coming to the City of Seaside and requesting this use of the fields, have you contacted other cities with regards to the use of their facilities? YES NO X If YES, please explain why you chose not to use their facility.

**IF REQUESTING A FEE WAIVER
PLEASE COMPLETE QUESTIONS 10 THROUGH 12**

10. Does your organization have the ability to pay any portion of the fees to use the facility?
YES _____ NO X

If your organization does have the ability to pay a reasonable share of the requested fees, please explain why you still feel that a fee waiver should be granted.

Seaside Pony does not have the financial means to pay for field usage fees, and would be have to elect to end our program. Our program typically ends each year with the same account balance as we started with, and is not in the business of making a profit. We are here to provide a fun, educational, and safe enviornement for the youth of our community.

11. If the request for fee waiver is not granted, and you chose not to avail yourself of the City facility, what are your plans?

We would have to end our program. We are a program that is designed to provide a baseball and softball experience to the youth of the Seaside Community. We are not designed to be a business that generates high revenue on a year to year basis.

12. If you are granted a fee waiver, what in-kind services (such as field maintenance, trash cleanup, etc) can you offer to help offset costs?

We will continue to maintain bothe Soper Field and Rubio Field. Last year we upgraded the batters box at Soper. we plan on doing the same at Rubio Field this year. We are also planning on bringing in new cinders for both parks. We will continue to do everything we have done in the past and more.

13. Do you plan on having any special events, such as tournaments, picture day, registration, opening day, etc.? YES X NO _____. If YES, please list events and dates below:

We plan on having Tryouts on February 8th. We have not scheduled picture day as of now however it will not be at any of the fields. The intercity baseball meeting has not taken place as of today and we do not have opening day as of now however we will start practicing towards the end of February and end our season in July. We will be hosting the Shetland World Series again, as well as some other tournaments. Dates pending intercity meeting.

14. Please list any additional information you feel is relevant:

Seaside Pony is very grateful the the City Council for continuing to allow us the opportunity to serve our community and provide a fun, safe, and educational experience to the youth of our community. The League would not be here without the support of each and every one of you.

Attachment 2 City of Seaside Field Use Application

Date: 9-19-2019

Name of Organization: Seaside Pony Baseball & Softball

Address: PO Box 1022

City/State/Zip: Seaside, CA 93955

Authorized Representative	
Name and Title	Cody Rose- League President
Address	955 Hilby Ave, Unit A
Address	Seaside, CA 93955
Telephone	831-915-7731
Fax	
Email	president@seasidepony.com
Board Members	
Name and Title	JD Money- Vice President
Telephone	831-521-9103
Name and Title	Angie Giardina- Secretary
Telephone	831-333-6670
Name and Title	Gary Haedrich- Director of Baseball
Telephone	831-521-7257
Name and Title	Christina Minglana- Director of Softball
Telephone	831-917-6617
Name and Title	Adrien Antosz- Director of Tournament/All-Stars
Telephone	831-383-1542
Name and Title	
Telephone	
Name and Title	
Telephone	

Please fill out one form per park requested

Organization: SEASIDE PONY BASEBALL & SOFTBALL				
Park: METZ				
Services Requested:				
Use of field	Yes	<input checked="" type="checkbox"/>	No	
Use of snack bar	Yes	<input checked="" type="checkbox"/>	No	
Use of lights	Yes		No	
Other: RESTROOMS	Yes	<input checked="" type="checkbox"/>	No	
	Yes		No	
	Yes		No	

			Number of Hours	
Date	Day	Hours	Daily Total	Lights
FEB 8 th - JULY 20 th	MONDAY (24)	4 PM - 8 PM	96	
FEB 8 th - JULY 20 th	TUESDAY (23)	4 PM - 8 PM	92	
FEB 8 th - JULY 20 th	WEDNESDAY (23)	4 PM - 8 PM	92	
FEB 8 th - JULY 20 th	THURSDAY (23)	4 PM - 8 PM	92	
FEB 8 th - JULY 20 th	FRIDAY (23)	4 PM - 8 PM	92	
FEB 8 th - JULY 20 th	SATURDAY (24)	8 AM - 8 PM	288	
Total Days	140	Total Hours	752	

Please fill out one form per park requested

Organization: <u>SEASIDE PONY BASEBALL & SOFTBALL</u>				
Park: <u>SOPEL</u>				
Services Requested:				
Use of field	Yes	<input checked="" type="checkbox"/>	No	
Use of snack bar	Yes	<input checked="" type="checkbox"/>	No	
Use of lights	Yes	<input checked="" type="checkbox"/>	No	
Other: <u>RESTROOMS</u>	Yes	<input checked="" type="checkbox"/>	No	
	Yes		No	
	Yes		No	

			Number of Hours	
Date	Day	Hours	Daily Total	Lights
FEB 8 th - JULY 20 th	MONDAY (24)	5PM - 9PM	96	
FEB 8 th - JULY 20 th	TUESDAY (23)	5PM - 9PM	92	
FEB 8 th - JULY 20 th	WEDNESDAY (23)	5PM - 9PM	92	
FEB 8 th - JULY 20 th	THURSDAY (23)	5PM - 9PM	92	
FEB 8 th - JULY 20 th	FRIDAY (23)	5PM - 9PM	92	
FEB 8 th - JULY 20 th	SATURDAY (24)	8AM - 9PM	312	
Total Days	140	Total Hours	776	

Requested Dates For Cutino

Please fill out one form per park requested

Organization: <u>SEASIDE PONY BASEBALL & SOFTBALL</u>				
Park: <u>Cutino</u>				
Services Requested:				
Use of field	Yes	<input checked="" type="checkbox"/>	No	
Use of snack bar	Yes		No	
Use of lights	Yes	<input checked="" type="checkbox"/>	No	
Other: <u>RESTROOMS</u>	Yes	<input checked="" type="checkbox"/>	No	
	Yes		No	
	Yes		No	

Date	Day	Hours	Number of Hours	
			Daily Total	Lights
FEB 8 th - July 20 th	MONDAY (24)	5 PM - 9 PM	96	
FEB 8 th - July 20 th	TUESDAY (23)	5 PM - 9 PM	92	
FEB 8 th - July 20 th	WEDNESDAY (23)	5 PM - 9 PM	92	
FEB 8 th - July 20 th	THURSDAY (23)	5 PM - 9 PM	92	
FEB 8 th - July 20 th	FRIDAY (23)	5 PM - 9 PM	92	
FEB 8 th - July 20 th	SATURDAY (24)	5 PM - 9 PM	312	
Total Days	140	Total Hours	776	

Actual Dates Available for Cutino

Please fill out one form per park requested

Organization: Seaside Pony/saathba 11				
Park: Cutino				
Services Requested:				
Use of field	Yes	X	No	
Use of snack bar	Yes		No	X
Use of lights	Yes	X	No	
Other:	Yes		No	X
These are the available dates	Yes		No	
	Yes		No	

			Number of Hours	
Date	Day	Hours	Daily Total	Lights
2/10/19 - 3/9/19	Monday's (5)	5pm - 9pm	20 hrs	15 hrs
3/16/19 - 7/13/19	Monday's (16)	7:30pm - 1pm	24 hrs	24 hrs
2/12/19 - 7/15/19	WEDS (21)	5pm - 9pm	84 hrs	39 hrs
2/8/19 - 7/18/19	SAT (22)	5pm - 9pm	88 hrs	42 hrs
Total Days	64	Total Hours	216	120

SEASIDE PONY
2020 FIELD USAGE CALCULATIONS

ED ON PREVIOUS PONY USAGE											
	Metz		Soper					Cutino			
2020 PONY FIELD USAGE REQUESTED DATES Monday-Saturday	3 hours per weekday till Day Light Savings begins then 4 hours per weekday		4 hours per weekday and 3 hours of light usage until Day Light Savings time change, Then only 1-2 hour of lights should be needed per day until may and then except for any Tournaments. There are 10 dates that are unavailable due to Seaside High using Soper.					4 hours per day with 2-3 hours of lights until Daylight savings time. Mondays starting 3/16 Cutino is only available from 7:30-9pm of requested use			
	4	hrs	4hrs field usage								
Days	Field Usage Fee (weekends all day weekdays per hour)	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	BBQ Area Fee	Light Fee per hour	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	Light Fee per hour	Total
Saturday, February 8, 2020	\$202.75	\$202.75	\$202.75	3		\$31.00	\$295.75	\$110.00	3	\$31.00	\$203.00
Monday, February 10, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Tuesday, February 11, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Wednesday, February 12, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Thursday, February 13, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Friday, February 14, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Saturday, February 15, 2020	\$202.75	\$202.75	\$202.75	3		\$31.00	\$295.75	\$110.00	3	\$31.00	\$203.00
Monday, February 17, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Tuesday, February 18, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Wednesday, February 19, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Thursday, February 20, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Friday, February 21, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Saturday, February 22, 2020	\$202.75	\$202.75	\$202.75	3		\$31.00	\$295.75	\$110.00	3	\$31.00	\$203.00
Monday, February 24, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Tuesday, February 25, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Wednesday, February 26, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Thursday, February 27, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Friday, February 28, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Saturday, February 29, 2020	\$202.75	\$202.75	\$202.75	3		\$31.00	\$295.75	\$110.00	3	\$31.00	\$203.00

**SEASIDE PONY
2020 FIELD USAGE CALCULATIONS**

ED ON PREVIOUS PONY USAGE											
	Metz		Soper					Cutino			
2020 PONY FIELD USAGE REQUESTED DATES Monday-Saturday	3 hours per weekday till Day Light Savings begins then 4 hours per weekday		4 hours per weekday and 3 hours of light usage until Day Light Savings time change, Then only 1-2 hour of lights should be needed per day until may and then except for any Tournaments. There are 10 dates that are unavailable due to Seaside High using Soper.					4 hours per day with 2-3 hours of lights until Daylight savings time. Mondays starting 3/16 Cutino is only available from 7:30-9pm of requested use			
	4	hrs	4hrs field usage								
Days	Field Usage Fee (weekends all day weekdays per hour)	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	BBQ Area Fee	Light Fee per hour	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	Light Fee per hour	Total
Monday, March 02, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Tuesday, March 03, 2020	\$82.50	\$82.50	NA	NA	NA	NA	NA	\$110.00	3	\$31.00	\$203.00
Wednesday, March 04, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Thursday, March 05, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Friday, March 06, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Saturday, March 07, 2020	\$202.75	\$202.75	\$202.75	3		\$31.00	\$295.75	\$110.00	3	\$31.00	\$203.00
Monday, March 09, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Tuesday, March 10, 2020	\$82.50	\$82.50	NA	NA	NA	NA	NA	NA	NA	NA	NA
Wednesday, March 11, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Thursday, March 12, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Friday, March 13, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Saturday, March 14, 2020	\$202.75	\$202.75	\$202.75	3		\$31.00	\$295.75	\$110.00	3	\$31.00	\$203.00
Monday, March 16, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, March 17, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Wednesday, March 18, 2020	\$82.50	\$82.50	NA	NA	NA	NA	NA	\$110.00	3	\$31.00	\$203.00
Thursday, March 19, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Friday, March 20, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Saturday, March 21, 2020	\$202.75	\$202.75	\$202.75	3		\$31.00	\$295.75	\$110.00	3	\$31.00	\$203.00
Monday, March 23, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, March 24, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA

SEASIDE PONY
2020 FIELD USAGE CALCULATIONS

ED ON PREVIOUS PONY USAGE											
	Metz		Soper					Cutino			
2020 PONY FIELD USAGE REQUESTED DATES Monday-Saturday	3 hours per weekday till Day Light Savings begins then 4 hours per weekday		4 hours per weekday and 3 hours of light usage until Day Light Savings time change, Then only 1-2 hour of lights should be needed per day until may and then except for any Tournaments. There are 10 dates that are unavailable due to Seaside High using Soper.					4 hours per day with 2-3 hours of lights until Daylight savings time. Mondays starting 3/16 Cutino is only available from 7:30-9pm of requested use			
	4	hrs	4hrs field usage								
Days	Field Usage Fee (weekends all day weekdays per hour)	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	BBQ Area Fee	Light Fee per hour	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	Light Fee per hour	Total
Wednesday, March 25, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	\$110.00	3	\$31.00	\$203.00
Thursday, March 26, 2020	\$82.50	\$82.50	\$110.00	3		\$31.00	\$203.00	NA	NA	NA	NA
Friday, March 27, 2020	\$82.50	\$82.50	NA	NA	NA	NA	NA	NA	NA	NA	NA
Saturday, March 28, 2020	\$202.75	\$202.75	\$202.75	2		\$31.00	\$264.75	\$110.00	3	\$31.00	\$203.00
Monday, March 30, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, March 31, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Wednesday, April 01, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$110.00	2	\$31.00	\$172.00
Thursday, April 02, 2020	\$110.00	\$110.00	NA	NA	NA	NA	NA	NA	NA	NA	NA
Friday, April 03, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Saturday, April 04, 2020	\$202.75	\$202.75	\$202.75	2		\$31.00	\$264.75	\$110.00	3	\$31.00	\$172.00
Monday, April 06, 2020	\$110.00	\$110.00	NA	NA	NA	NA	NA	\$41.25	1.5	\$31.00	\$87.75
Tuesday, April 07, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Wednesday, April 08, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$110.00	2	\$31.00	\$172.00
Thursday, April 09, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Friday, April 10, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Saturday, April 11, 2020	\$202.75	\$202.75	\$202.75	2		\$31.00	\$264.75	\$110.00	3	\$31.00	\$172.00
Monday, April 13, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, April 14, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Wednesday, April 15, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$110.00	2	\$31.00	\$172.00
Thursday, April 16, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA

SEASIDE PONY
2020 FIELD USAGE CALCULATIONS

ED ON PREVIOUS PONY USAGE											
	Metz		Soper					Cutino			
2020 PONY FIELD USAGE REQUESTED DATES Monday-Saturday	3 hours per weekday till Day Light Savings begins then 4 hours per weekday		4 hours per weekday and 3 hours of light usage until Day Light Savings time change, Then only 1-2 hour of lights should be needed per day until may and then except for any Tournaments. There are 10 dates that are unavailable due to Seaside High using Soper.					4 hours per day with 2-3 hours of lights until Daylight savings time. Mondays starting 3/16 Cutino is only available from 7:30-9pm of requested use			
	4	hrs				4hrs field usage					
Days	Field Usage Fee (weekends all day weekdays per hour)	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	BBQ Area Fee	Light Fee per hour	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	Light Fee per hour	Total
Friday, April 17, 2020	\$110.00	\$110.00	NA	NA	NA	NA	NA	NA	NA	NA	NA
Saturday, April 18, 2020	\$202.75	\$202.75	\$202.75	2		\$31.00	\$264.75	\$110.00	2	\$31.00	\$172.00
Monday, April 20, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, April 21, 2020	\$110.00	\$110.00	NA	NA	NA	NA	NA	NA	NA	NA	NA
Wednesday, April 22, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$110.00	2	\$31.00	\$172.00
Thursday, April 23, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Friday, April 24, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Saturday, April 25, 2020	\$202.75	\$202.75	\$202.75	2		\$31.00	\$264.75	\$110.00	2	\$31.00	\$172.00
Monday, April 27, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, April 28, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Wednesday, April 29, 2020	\$110.00	\$110.00	NA	NA	NA	NA	NA	\$110.00	2	\$31.00	\$172.00
Thursday, April 30, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Friday, May 01, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Saturday, May 02, 2020	\$202.75	\$202.75	\$202.75	2		\$31.00	\$264.75	\$110.00	2	\$31.00	\$172.00
Monday, May 04, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, May 05, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Wednesday, May 06, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$110.00	2	\$31.00	\$172.00
Thursday, May 07, 2020	\$110.00	\$110.00	NA	NA	NA	NA	NA	NA	NA	NA	NA
Friday, May 08, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Saturday, May 09, 2020	\$202.75	\$202.75	\$202.75	2		\$31.00	\$264.75	\$110.00	2	\$31.00	\$172.00

**SEASIDE PONY
2020 FIELD USAGE CALCULATIONS**

ED ON PREVIOUS PONY USAGE											
	Metz		Soper					Cutino			
2020 PONY FIELD USAGE REQUESTED DATES Monday-Saturday	3 hours per weekday till Day Light Savings begins then 4 hours per weekday		4 hours per weekday and 3 hours of light usage until Day Light Savings time change, Then only 1-2 hour of lights should be needed per day until may and then except for any Tournaments. There are 10 dates that are unavailable due to Seaside High using Soper.					4 hours per day with 2-3 hours of lights until Daylight savings time. Mondays starting 3/16 Cutino is only available from 7:30-9pm of requested use			
	4	hrs	4hrs field usage								
Days	Field Usage Fee (weekends all day weekdays per hour)	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	BBQ Area Fee	Light Fee per hour	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	Light Fee per hour	Total
Monday, May 11, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, May 12, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Wednesday, May 13, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$110.00	2	\$31.00	\$172.00
Thursday, May 14, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Friday, May 15, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Saturday, May 16, 2020	\$202.75	\$202.75	\$202.75	2		\$31.00	\$264.75	\$110.00	2	\$31.00	\$172.00
Monday, May 18, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, May 19, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Wednesday, May 20, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$110.00	2	\$31.00	\$172.00
Thursday, May 21, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Friday, May 22, 2020	\$110.00	\$110.00	\$110.00	2	\$ 107.00	\$31.00	\$172.00	NA	NA	NA	NA
Saturday, May 23, 2020	\$202.75	\$202.75	\$202.75	2	\$ 107.00	\$31.00	\$264.75	\$110.00	2	\$31.00	\$172.00
Sunday, May 24, 2020	\$202.75	\$202.75	\$202.75	2	\$ 107.00	\$31.00	\$264.75				
Monday, May 25, 2020	\$110.00	\$110.00	\$110.00	2	\$107.00	\$31.00	\$172.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, May 26, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Wednesday, May 27, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	\$110.00	2	\$31.00	
Thursday, May 28, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Friday, May 29, 2020	\$110.00	\$110.00	\$110.00	2		\$31.00	\$172.00	NA	NA	NA	NA
Saturday, May 30, 2020	\$202.75	\$202.75	\$202.75	2		\$31.00	\$264.75	\$110.00	2	\$31.00	\$172.00
Sunday, May 31, 2020							\$0.00				
Monday, June 01, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	\$41.25	1.5	\$31.00	\$87.75

**SEASIDE PONY
2020 FIELD USAGE CALCULATIONS**

ED ON PREVIOUS PONY USAGE											
	Metz		Soper					Cutino			
2020 PONY FIELD USAGE REQUESTED DATES Monday-Saturday	3 hours per weekday till Day Light Savings begins then 4 hours per weekday		4 hours per weekday and 3 hours of light usage until Day Light Savings time change, Then only 1-2 hour of lights should be needed per day until may and then except for any Tournaments. There are 10 dates that are unavailable due to Seaside High using Soper.					4 hours per day with 2-3 hours of lights until Daylight savings time. Mondays starting 3/16 Cutino is only available from 7:30-9pm of requested use			
	4	hrs				4hrs field usage					
Days	Field Usage Fee (weekends all day weekdays per hour)	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	BBQ Area Fee	Light Fee per hour	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	Light Fee per hour	Total
Tuesday, June 02, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Wednesday, June 03, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	\$110.00	2	\$31.00	\$172.00
Thursday, June 04, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Friday, June 05, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Saturday, June 06, 2020	\$202.75	\$202.75	\$202.75	1		\$31.00	\$233.75	\$110.00	2	\$31.00	\$172.00
							\$0.00				
Monday, June 08, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, June 09, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Wednesday, June 10, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	\$110.00	1	\$31.00	\$141.00
Thursday, June 11, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Friday, June 12, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	NA	NA	NA	NA
Saturday, June 13, 2020	\$202.75	\$202.75	\$202.75	1	\$107.00	\$31.00	\$233.75	\$110.00	1	\$31.00	\$141.00
Sunday, June 14, 2020	\$202.75	\$202.75	\$202.75	1	\$107.00	\$31.00	\$233.75				
Monday, June 15, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, June 16, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Wednesday, June 17, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	\$110.00	1	\$31.00	\$141.00
Thursday, June 18, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Friday, June 19, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Saturday, June 20, 2020	\$202.75	\$202.75	\$202.75	1		\$31.00	\$233.75	\$110.00	1	\$31.00	\$141.00
Sunday, June 21, 2020							\$0.00				
Monday, June 22, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, June 23, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Wednesday, June 24, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	\$110.00	1	\$31.00	\$141.00

**SEASIDE PONY
2020 FIELD USAGE CALCULATIONS**

ED ON PREVIOUS PONY USAGE											
	Metz		Soper					Cutino			
2020 PONY FIELD USAGE REQUESTED DATES Monday-Saturday	3 hours per weekday till Day Light Savings begins then 4 hours per weekday		4 hours per weekday and 3 hours of light usage until Day Light Savings time change, Then only 1-2 hour of lights should be needed per day until may and then except for any Tournaments. There are 10 dates that are unavailable due to Seaside High using Soper.					4 hours per day with 2-3 hours of lights until Daylight savings time. Mondays starting 3/16 Cutino is only available from 7:30-9pm of requested use			
	4	hrs	4hrs field usage								
Days	Field Usage Fee (weekends all day weekdays per hour)	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	BBQ Area Fee	Light Fee per hour	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	Light Fee per hour	Total
Thursday, June 25, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Friday, June 26, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Saturday, June 27, 2020	\$202.75	\$202.75	\$202.75	1	\$107.00	\$31.00	\$233.75	\$110.00	1	\$31.00	\$141.00
Sunday, June 28, 2020	\$202.75	\$202.75									
Monday, June 29, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, June 30, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	NA	NA	NA	NA
Wednesday, July 01, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	\$110.00	1	\$31.00	\$141.00
Thursday, July 02, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	NA	NA	NA	NA
Friday, July 03, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	NA	NA	NA	NA
Saturday, July 04, 2020	\$202.75	\$202.75	\$202.75	1	\$107.00	\$31.00	\$233.75	\$110.00	1	\$31.00	\$141.00
Sunday, July 05, 2020	\$202.75	\$202.75	\$202.75	1	\$107.00	\$31.00	\$233.75				
Monday, July 06, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, July 07, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	NA	NA	NA	NA
Wednesday, July 08, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	\$110.00	1	\$31.00	\$141.00
Thursday, July 09, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	NA	NA	NA	NA
Friday, July 10, 2020	\$110.00	\$110.00	\$110.00	1	\$107.00	\$31.00	\$141.00	NA	NA	NA	NA
Saturday, July 11, 2020	\$202.75	\$202.75	\$202.75	1	\$107.00	\$31.00	\$233.75	\$110.00	1	\$31.00	\$141.00
Sunday, July 12, 2020	\$202.75	\$202.75	\$202.75	1	\$107.00	\$31.00	\$233.75				
Monday, July 13, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	\$41.25	1.5	\$31.00	\$87.75
Tuesday, July 14, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Wednesday, July 15, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	\$110.00	1	\$31.00	\$141.00
Thursday, July 16, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA
Friday, July 17, 2020	\$110.00	\$110.00	\$110.00	1		\$31.00	\$141.00	NA	NA	NA	NA

**SEASIDE PONY
2020 FIELD USAGE CALCULATIONS**

ED ON PREVIOUS PONY USAGE											
	Metz		Soper					Cutino			
2020 PONY FIELD USAGE REQUESTED DATES Monday-Saturday	3 hours per weekday till Day Light Savings begins then 4 hours per weekday		4 hours per weekday and 3 hours of light usage until Day Light Savings time change, Then only 1-2 hour of lights should be needed per day until may and then except for any Tournaments. There are 10 dates that are unavailable due to Seaside High using Soper.					4 hours per day with 2-3 hours of lights until Daylight savings time. Mondays starting 3/16 Cutino is only available from 7:30-9pm of requested use			
	4	hrs	4hrs field usage								
Days	Field Usage Fee (weekends all day weekdays per hour)	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	BBQ Area Fee	Light Fee per hour	Total	Field Usage Fee (Saturday all day weekdays per hour)	Light Hours	Light Fee per hour	Total
Saturday, July 18, 2020	\$202.75	\$202.75	\$202.75	1		\$31.00	\$233.75	\$110.00	1	\$31.00	\$141.00
Sunday, July 19, 2020	\$202.75	\$202.75	\$202.75	1		\$31.00	\$233.75				
Total - 144 days		\$16,704.50	\$17,429.75	260.00	\$2,461.00	\$7,800.00	\$25,489.75	\$6,572.50	142	\$4,260.00	\$10,802.50
Amount requesting to be waived											
FIELDS	FIELD FEE SPRING	FALL BALL	TOAL FIELD USE	LIGHTS FEE	BBQ Area Fee	Hard Cost staff hours	Hard Cost Restroom Supplies	TOTAL			
METZ	\$16,704.50	\$0.00	\$16,704.50	\$0.00	\$0.00	\$3,374.00	\$5,500.00	\$25,578.50			
SOPER	\$17,429.75	\$0.00	\$17,429.75	\$7,800.00	\$2,461.00	\$2,990.00	\$5,500.00	\$36,180.75			
CUTINO	\$6,572.50	\$0.00	\$6,572.50	\$4,260.00	\$0.00	\$1,000.00	\$1,500.00	\$10,832.50			
	\$40,706.75	\$0.00	\$40,706.75	\$12,060.00	\$2,461.00	\$7,364.00	\$12,500.00	\$75,091.75			



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.H.

TO: City Council

FROM: Craig Malin, City Manager

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

DATE: November 21, 2019

**SUBJECT: APPROVE THE TRAFFIC ADVISORY (TAC) COMMITTEE
RECOMMENDATIONS FOR PARKING DESIGNATIONS**

PURPOSE & RECOMMENDATION

Approve the Traffic Advisory Committee recommendations from the October 15, 2019 meeting.

1. Approve a 30 foot long "Loading Zone" on Phoenix Avenue for University Plaza located at 1760 Fremont Blvd.
2. Approve installation of 40 feet of red curb on La Salle Avenue east of Del Monte Boulevard.
3. Approve 2 Hour Parking along the side streets north and south of West Broadway.

BACKGROUND

Item 1

Background

David How, the applicant, is requesting a loading zone on behalf of tenants of University Plaza Shopping Center located at 1760 Fremont Boulevard. He has indicated to staff that delivery truck access is limited from the "interior" of the shopping center due to the existing curb conditions and ADA considerations.

Staff Analysis

University Shopping Center has approximately 72,000 square foot of commercial

businesses on 2.5 acre parcel located at 1760 Fremont Boulevard between Echo and Phoenix Avenues. The shopping center has 6 buildings with 42 leasable spaces comprised of a convenience store, retail stores, several restaurants, showrooms, and office building spaces. The center is surrounded by commercial property to the north, the auto center to the west, commercial and multifamily and single family dwellings to the south, and commercial and single family dwellings to the east, see Attachment 2.

There are several parking areas shown on the applicants site plan and can be divided into three sections serving the businesses as follows:

Lots A&B - Front parking area can be accessed from Fremont Boulevard and Echo Avenue. This area addresses the parking needs of the businesses fronting Fremont Boulevard in Building A and businesses adjacent to Phoenix Avenue in Buildings H, G, F and E;

Lot C - Middle parking area can be accessed from Echo Avenue. This area addresses the parking needs of the businesses fronting Echo Avenue in Buildings B and C.

Lot D - Back parking area can be accessed from Echo and Phoenix Avenues. The back parking area addresses the needs of the larger commercial building D and overflow parking from the shopping center.

There are two pedestrian breezeways off of Phoenix Avenue to access the interior of the shopping center. Business adjacent to Phoenix Avenue are having difficulty loading and unloading due to the interior parking lot configuration.

Recommendation

It is recommended to install a 30 foot painted yellow curb loading zone adjacent to the westernmost pedestrian breezeway along Phoenix Avenue at the expense of the applicant.

Item 2

Background

Staff received the TAC Request Application, dated August 15, 2019, requesting red curb to be installed on the south side of La Salle from the existing red curb at the bus stop and fire hydrant to the curb return of the Del Monte intersection. The applicant identified a safety concern for cars traveling northbound on Del Monte Ave. turning right onto La Salle Ave.

Staff Analysis

La Salle Ave. joins Del Monte Ave. at a three way intersection with a stop sign and crosswalk across La Salle Ave. The traffic on Del Monte Ave. is not stop controlled and the closest pedestrian access crossing Del Monte Ave. is located approximately 540 feet to the south.

The location of the requested red curb currently accommodates two vehicles, parallel

parked in front of the corner lot business for Monterey Peninsula Power Sports, who submitted the TAC application. The place of business is bounded to the east by hotel and to the south by Monterey Bay Motor Works. Across the street north of La Salle Ave. is another Hotel. Tesla is located across the street west of Del Monte Ave. All four neighboring businesses have their own private parking lots and are not adversely affected by the proposed red curb location.

Collision data was pulled and there were no reported collisions within the proposed project area over the last five years.

Staff reached out to Monterey Salinas Transit (MST) to discuss if they had any observed safety concerns with the subject area. MST stated they see no concern with safety within this intersection. In addition, staff asked MST if they had concerns if the curb were to be painted red as requested by the applicant, of which they responded that they have no concerns with the request.

The travel lane of east bound traffic on La Salle Ave. is approximately 32 feet wide, with 8 feet of that width designated for parallel parking. There is adequate width for turning movements from Del Monte eastbound onto La Salle when cars are parked along the curb.

Recommendation

It is recommended to allow approximately 40' of red curb on La Salle Ave at the expense of the applicant. The requested action does not constitute a safety concern based on collected collision data, existing conditions analysis, and observations during site visits. The proposed request would not be found to impact any of the businesses other than that of Monterey Peninsula Power Sports, who is the applicant and submitted this request.

Item 3

Background

The Traffic Advisory Committee received a request for installation of 2 hour parking signs along Contra Costa, Hillsdale, Alhambra, and Calaveras Streets north and south of West Broadway Avenue to the Alley.

Soon after completion of the West Broadway Urban Village Project, the Broadway Business held a meeting and expressed an interest and desire to establish 2 hour parking on side streets. The businesses want the 2 hour parking because it helps to make more parking available for business customers. When there are no restrictions, vehicles will park all day, leaving minimal space for Broadway customers. Installing 2 hour signs will help the businesses, and be consistent with establishing the West Broadway Urban Village as a vibrant downtown destination.

Prior to the Project, there were approximately 86 on-street parking spaces on West

Broadway from Del Monte Boulevard to Fremont Boulevard with varied parking restrictions. After the completion of the Project, 48 on-street parking spaces remain designated for 2 hour parking from 7 AM - 6 PM except Sundays & Holidays.

Recommendation

In order to assist the businesses in the vicinity of West Broadway with more on street parking and turn over, it is recommended to continue the 2 Hour parking along the side streets up to the alley north and south of West Broadway as follows:

1. Contra Costa Street south of West Broadway to the alley - 8 parking spaces;
2. Hillsdale Street north (5 parking spaces) and south (4 parking spaces) of West Broadway up to the alley;
3. Alhambra Street north (7 parking spaces) and south (4 parking spaces) of West Broadway up to the alley; and
4. Calaveras Street north (2 parking spaces) and south (4 parking spaces) of West Broadway up to the alley.

ENVIRONMENTAL REVIEW

Items 1, 2, & 3:

These projects are exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301: Existing Facilities Class 1 exemptions consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use.

Evidence: The proposed projects would restrict parking which would not have impact on the expansion or modification of the existing roadway therefore there are no significant impacts associated with the installation of red curb or pavement markings, and the project is exempt of CEQA.

FISCAL IMPACT

The fiscal impact associated with the items as follows:

Item 1 - \$618 for 30 feet of yellow curb to be paid by the applicant.

Item 2 - \$824 for 40 feet of red curb to be paid by the applicant.

Item 3 - \$8,400 for 28 "2 Hour" Parking signs from the Street Maintenance Fund.

ATTACHMENTS

1. Item 1 - Application
 2. Item 1 - Site Plan
 3. Item 2 - Application
 4. Item 2 - Aerial
 5. Item 3 - Application
 6. Item 3 - Site Plan
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager



Traffic Advisory Committee Request Application

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

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

Name: University Plaza Shopping Center, LLC Date: 6-24-2019
cto David How
 Address: 1766 Fremont Blvd., Seaside, CA Phone: 831-899-2232
415.730.3917

Type of Request (check all that apply):

- ☒ Parking Designations ☐ Crosswalk ☒ Curb Markings (White, Yellow, etc.)
☐ Disabled Parking* ☐ Warning Sign ☐ Traffic Signal/Stop Sign
☐ Other _____ ☐ Signing/Striping

*A copy of DMV issued disabled placard must accompany requests for disabled parking spaces.

FEES WILL APPLY FOR PARKING AND CURB MARKING REQUESTS

Request: Addition of a "Loading Zone" designation
measuring 20' in length as designated in the attached
site plan. This designation will serve multiple
tenants at the University Plaza Shopping Center,
and eliminate double-parked trucks on Phoenix
during delivery times. Delivery truck access is
limited from the "interior" of the shopping center
due to existing curb conditions and ADA considerations

Request Procedures are outlined on the back of this form. For any questions regarding the Traffic Advisory Committee (TAC) please contact 899-6835.

TAC REQUEST PROCEDURE

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

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

Fees

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

Description	Fee*
Marking curb – per curb (20' maximum length)	\$412
Installation of one sign	\$412

* Fees subject to change per City Council approved fee schedule.

PLEASE COMPLETE FOR PARKING AND CURB MARKING REQUESTS

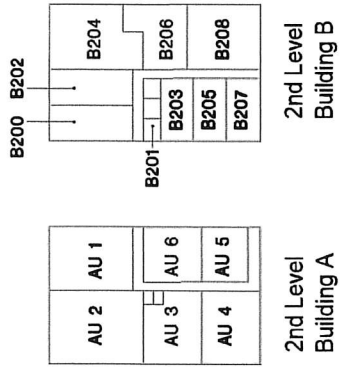
TAC REQUEST ACKNOWLEDGEMENT STATEMENT

I, DAVID HOW, Agent for Center, LLC ^{University Plaza Shopping} understand that should my request be approved by the Traffic Advisory Committee and City Council, I will be responsible for the fee prior to the installation of my request. I also understand that if approved by City Council the improvements will be reviewed annually or whenever deemed appropriate by the Public Works Department for any required maintenance and I will be charged the corresponding fee.

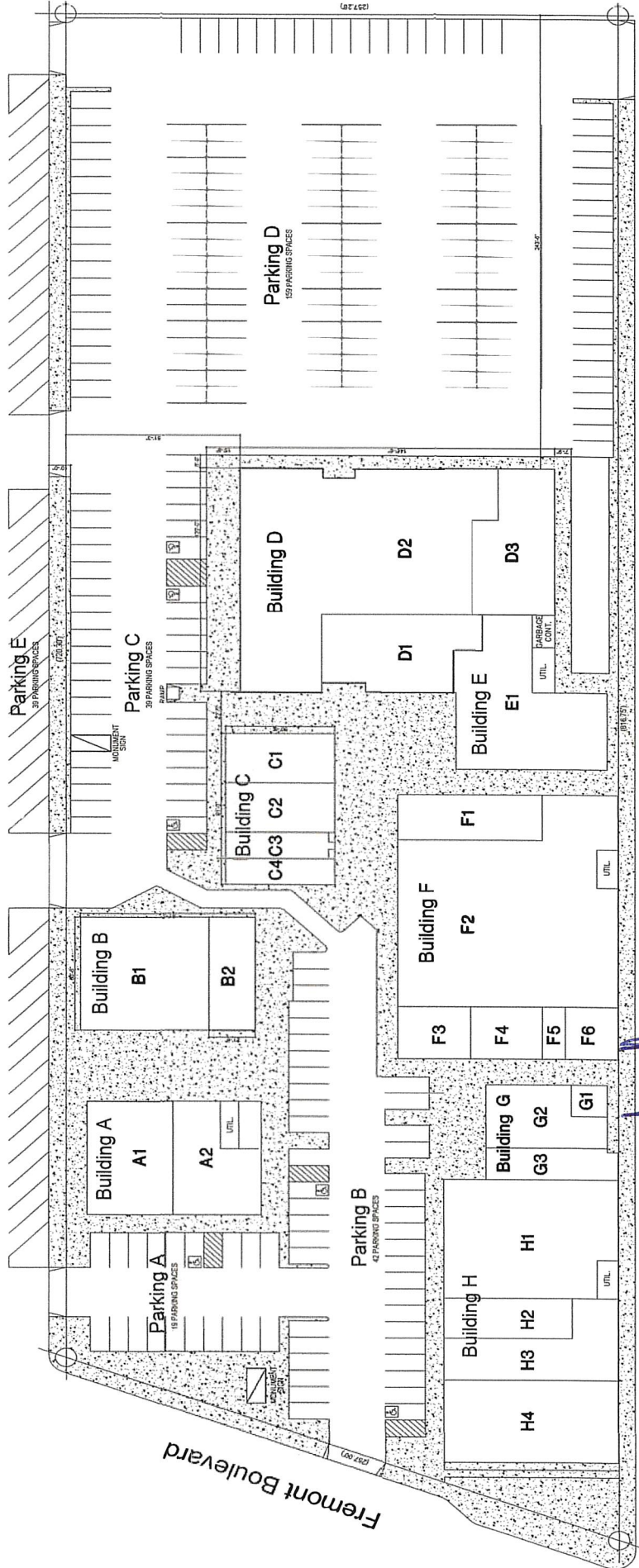
David How
Applicant Signature

6-25-2019
Date

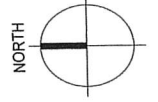
Site Plan



Echo Avenue



Phoenix Avenue



University Plaza Shopping Center

20' Loading Zone

City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

DATE : 7/3/2019 4:53 PM
OPER : RM
TKBY : JFT
TERM : 30
REC# : R00002030

100.3665 TRAFFIC ADVISORY COM 58.00
1760 FREMONT BLVD 58.00


Paid By:1760 FREMONT BLVD
CK 58.00 REF:3675

APPLIED 58.00
TENDERED 58.00

CHANGE 0.00



----- University Plaza Shopping Center boundary – 1760 Fremont Blvd.

 Requested location of loading zone (20 feet)



Traffic Advisory Committee Request Application

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

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

Name: R.J. LOESCH Date: 8/15/19
Address: 1020 AUTO CENTER PARKWAY SEASIDE Phone: 831-899-7437
93955

Type of Request (check all that apply):

☐ Parking Designations

☐ Crosswalk

☒ Curb Markings (white, yellow, etc.) RED

☐ Disabled Parking*

☐ Warning Sign

☐ Traffic Signal/Stop Sign

☐ Other _____

☐ Signing/Striping

*A copy of DMV issued disabled placard must accompany requests for disabled parking spaces.

FEES WILL APPLY FOR PARKING AND CURB MARKING REQUESTS

The two public parking spaces on the street curb of LaSalle Ave, in front of our business Monterey Peninsula Power Sports at 1020 Auto Center Parkway in Seaside, are causing an unsafe environment for our customers and the residents/visitors of our area. We recommend that those parking spaces (the street curb) on LaSalle be painted red up to the red zone for bus parking & fire hydrant. Our managers can attest to at least 2 motorcycle and 3 recent auto accidents at the intersection of LaSalle & Del Monte. I am not aware if police reports were filed for these occurrences. We are under new ownership and management and have only been open for the past two months and witnessed all mentioned above in this short time.

When our residents are going northbound on LaSalle and turn right onto DelMonte they do not have the ability to see thru these parked cars to see pedestrians or parked cars waiting for a parking space to become available. Also, when motorists are on LaSalle and turning left onto DelMonte, they are having to inch into the intersection to see around parked cars on LaSalle and also creating a very unsafe situation.

We do not have businesses on either side of us that will be affected by this change. There are hotels across from us and on the right side that always have plenty of parking. Also, Tesla rents parking behind our parking spaces in our lot from the hotel owner to park their vehicles so they also have plenty of unused parking spaces.

Please let us know if there is anything else we can do to improve the safety of our intersection, thank you!

TAC REQUEST PROCEDURE

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

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

Fees

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

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

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

PLEASE COMPLETE FOR PARKING AND CURB MARKING REQUESTS

TAC REQUEST ACKNOWLEDGEMENT STATEMENT

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


Applicant Signature

8/15/19
Date

City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

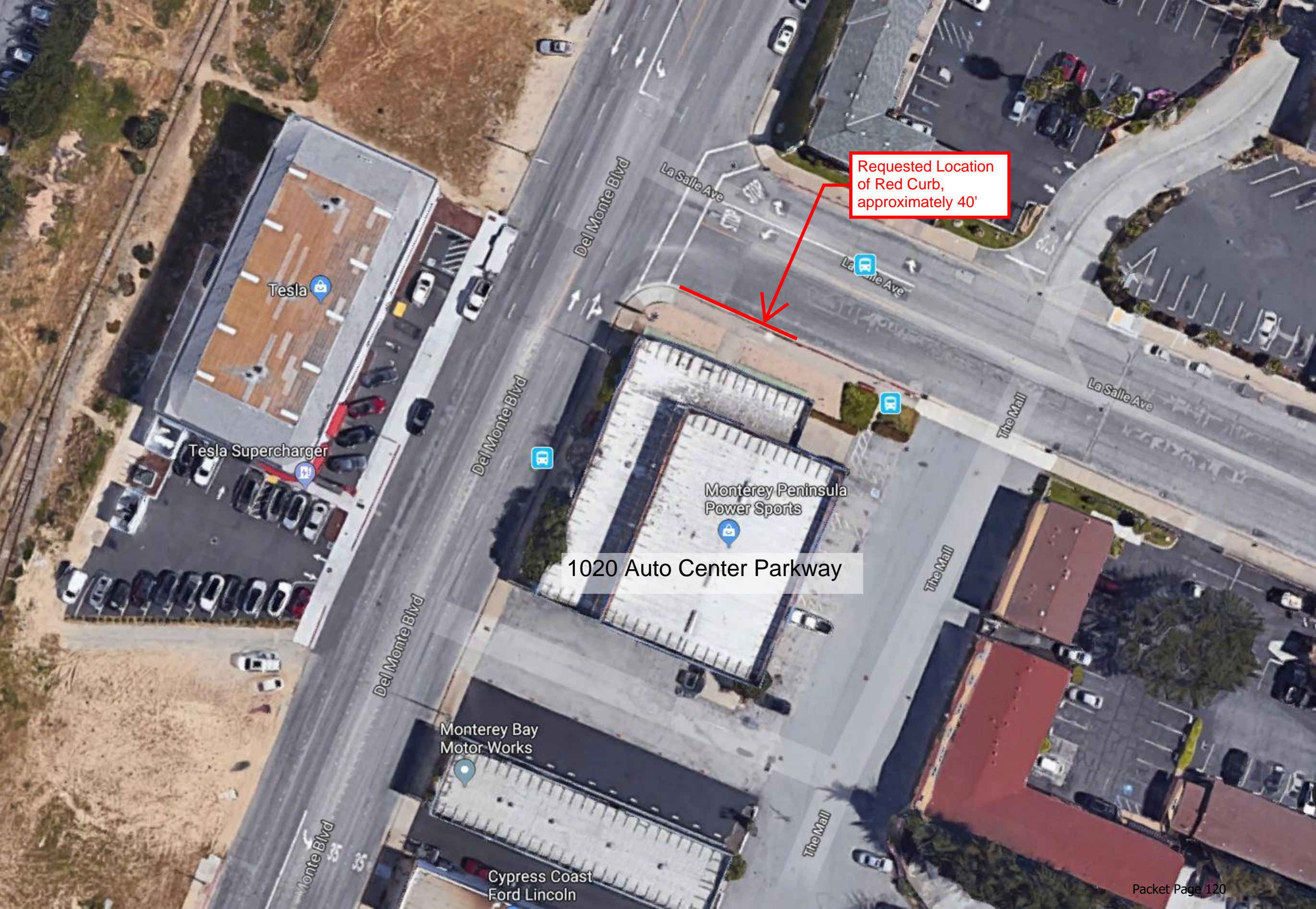
DATE : 8/16/2019 11:47 AM
OPER : RM
TKBY : MAV
TERM : 30
REC# : R00003462
=====

100.3665 TRAFFIC ADVISORY COM 65.00
1020 AUTO CENTER PARKWAY 65.00

Paid By:1020 AUTO CENTER PARKWAY
CK 65.00 REF:1057

APPLIED 65.00
TENDERED 65.00

CHANGE 0.00



Requested Location
of Red Curb,
approximately 40'

1020 Auto Center Parkway

BROADWAY NEWS

Issued September 28, 2018

Side-Street Parking



On September 17th, Broadway Businesses met at Seaside Creates to discuss side-street parking. Thank you to those who participated in mapping the desired parking needs. Here's the action plan:

- A traffic advisory committee [TAC] request has been submitted to the City of Seaside requesting 2 hour parking signs be installed.
- Two hour parking is requested from the alley towards Broadway on the following streets: Contra Costa, Hillsdale, Alhambra, and Calaveras.
- TAC meets on October 16th at City Hall at 5pm to address this issue. The public is welcome to attend.
- TAC will forward this item to City Council, likely November 1st. If Council approves it, the signs would be ordered and installed soon after.

Once the signs are up [if everything moves forward] there will be 2 hour parking limits on the side streets.



Please remember the best way to enforce parking is to take a picture of the offending vehicle. Then wait just over 2 hours and take another picture. At that point, call the police non-emergency number, which is: **831.394.6811**.

Any officer can ticket the parking offender once you show them the pictures you've taken.



#ShopBroadway
#SeasideLove



BROADWAY NEWS

Issued August 31, 2018

Parking Meeting



You are encouraged to attend a Broadway Business Meeting on **September 17, 2018 at NOON** at **Seaside Creates, 656 Broadway**. We will discuss parking concerns on the side streets that cross Broadway. We will discuss if time limits are needed on those side streets.

Please RSVP so that we can order a light lunch for you.

Email: gstearns@ci.seaside.ca.us or call 831.899.6830.

This will be a working lunch where participants map out parking ideas for the side streets. We look forward to hearing your thoughts soon. If you are unable to attend, please email your thoughts to: gstearns@ci.seaside.ca.us or leave a voice mail at: 831.899.6830.



#ShopBroadway
#SeasideLove

Noon—Sept. 17th



BROADWAY NEWS

Issued August 31, 2018

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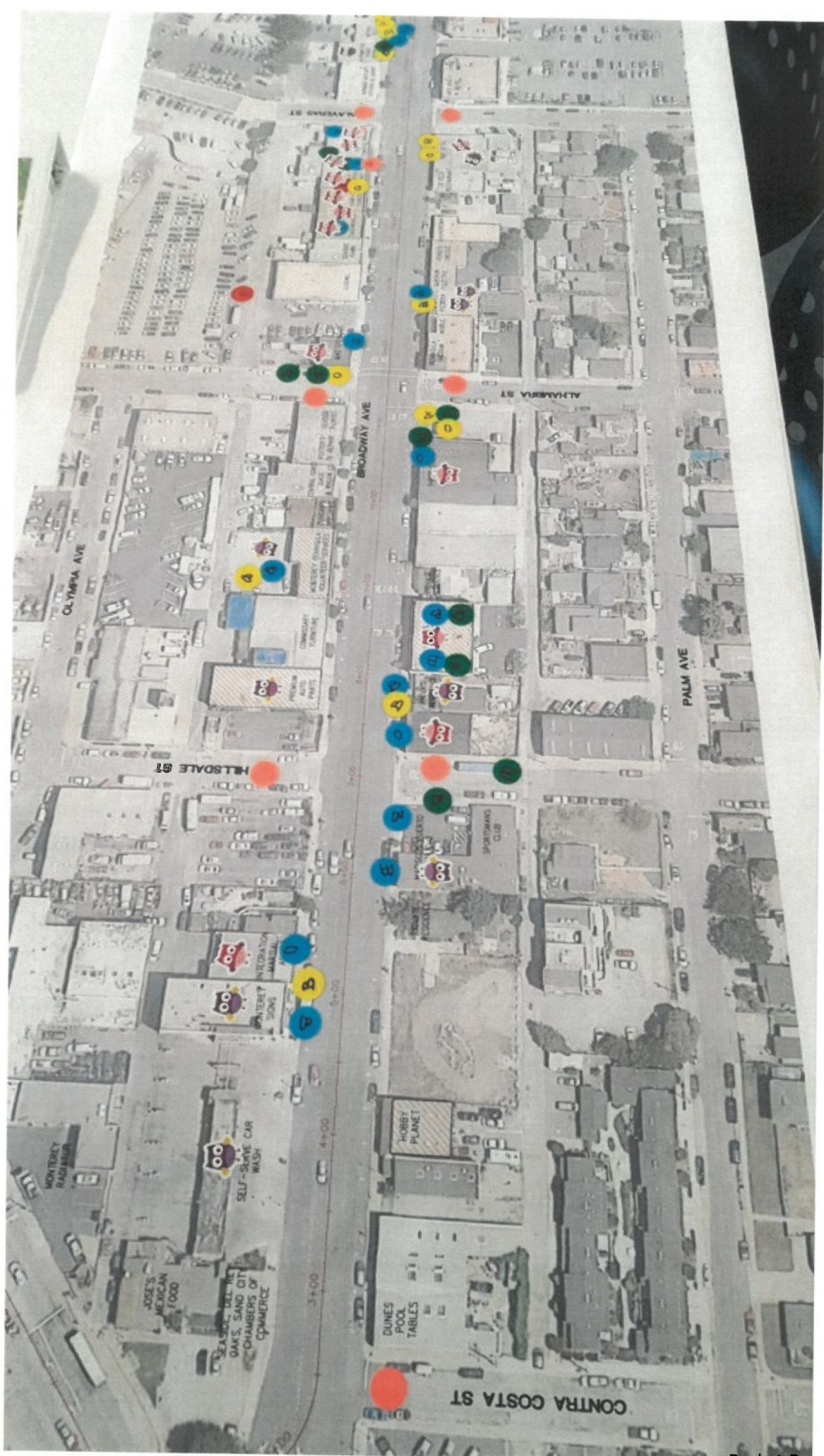
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#ShopBroad-
way

Noon—Sept. 17th





Attachment 1
Proposed Locations of Requested 2 Hour Parking
West Broadway to the Alley



5 parking spaces affected



7 parking spaces affected



2 parking spaces affected



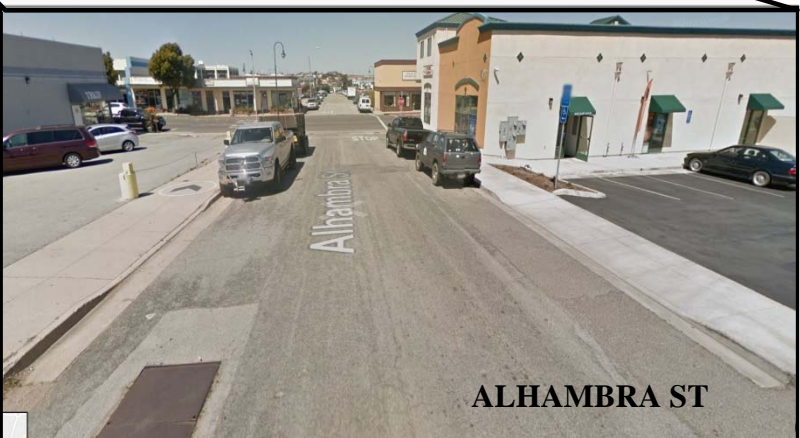
8 parking spaces affected

4 parking spaces affected

4 parking spaces affected



4 parking spaces affected



A total of 34 on-street parking spaces affected.



& Holidays

R32



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.I.

TO: City Council

FROM: Craig Malin, City Manager

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

DATE: November 21, 2019

SUBJECT: ADOPT RESOLUTION APPROVING THE ANNUAL PROGRAM COMPLIANCE REPORT IN SUPPORT OF PROJECTS FUNDED BY MEASURE X AND AUTHORIZING STAFF TO SUBMIT REPORT TO THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY

PURPOSE & RECOMMENDATION

Adopt a resolution authorizing staff to submit the Annual Program Compliance Report to the Transportation Agency for Monterey County (TAMC) in order for the City to continue receiving the revenue generated from Measure X funds.

BACKGROUND

On November 8, 2016, the voters of Monterey County, approved Measure X on the Monterey County Ballot, thereby authorizing TAMC to impose and administer the proceeds from a three-eighths cent transaction and use tax (Measure X). Measure X is estimated to generate \$600 million over 30 years for transportation improvements in Monterey County. Of that amount, \$360 million (60%) will be distributed to the cities and the County for local projects, while the remaining \$240 million (40%) is programmed to regional safety and mobility projects.

The duration of the Measure X sales tax will be 30 years from the initial year of collection, which began April 1, 2017, with said tax to terminate/expire on March 31, 2047. The tax proceeds will be used to pay for the programs and projects outlined in TAMC's Transportation Safety and Investment Plan (the "Measure X Investment Plan"),

as it may be amended.

As required in the Master Program Funding Agreement between TAMC and the City, the City must submit to TAMC an Annual Program Compliance Report by December 31st for each Fiscal Year the Measure X funds are in effect. Included as attachments to the Annual Program Compliance Report are the Independent Audit of Financial Statements, Five-Year Capital Improvement Program (CIP), the Pavement Management Program Report, and the Maintenance of Effort Report, described below;

- Independent Audit of Financial Statements – Staff is currently working on the Independent Audit of Financial Statements for Measure X Funds. This will be completed and included in the Annual Report to TAMC.
- Measure X CIP - List of eligible transportation projects that are anticipated to be funded with the jurisdiction's share of Measure X funds. The City Council held meetings on April 19, 2018, June 7, 2018, and July 10, 2018 at which programming of these funds for the proposed pavement upgrades was determined. The selected roadway segments have been combined into a single multi-phased project title the Arterial & Collector Roadway Rehabilitation Project. Since the City elected to fund these projects with a bond, the projects cannot be modified. In the future, additional road segments may be added with City Council approval if additional Measure X revenue becomes available.
- Pavement Management Program (PMP) Report - A letter confirming that the City's PMP conforms to the criteria established by TAMC.
- Three Year Maintenance of Effort Report - Verification that Measure X Funds have been used to augment, and not supplement, local resources spent in the fiscal year.

It is recommended that the City Council adopt a resolution authorizing staff to submit the Annual Program Compliance Report to the Transportation Agency of Monterey County.

ENVIRONMENTAL COMPLIANCE

This action is not defined as a project under the California Environmental Quality Act (CEQA) in accordance with Title 14 of the California Code of Regulations, Chapter 3, Article 20, Section 15378 (b.4).

Evidence:

The proposed action is a government funding mechanism, not a project, and fiscal activities do not involve commitment to one specific project.

FISCAL IMPACT

Revenues generated from Measure X over the next 30 years is estimated to be \$22

million for the City of Seaside for transportation improvements. Annual revenue to the City is expected to be about \$1,000,000. The proposed annual expenditures are less than the expected Measure X revenues. Therefore, there will be no fiscal impact to the City.

ATTACHMENTS

1. Resolution
 2. Annual Program Compliance Report
 3. Report ATCH 2: Five-Year CIP
 4. Reprt ATCH 3: PMP Report
-

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 ANNUAL PROGRAM COMPLIANCE REPORT IN SUPPORT OF
PROJECTS FUNDED BY MEASURE X AND AUTHORIZING STAFF TO SUBMIT
REPORT TO THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY.**

WHEREAS, the Master Funding Agreement (Agreement) between the Transportation Authority for Monterey County (TAMC) and the City was Approved by City Council on June 15, 2017 (Res 17-40); and

WHEREAS, the Annual Program Compliance Report, per the Agreement, is a document produced by the City which describes the efforts taken by the jurisdiction to comply with Measure X funding agreement; and

WHEREAS, the Five-Year Capital Improvement Program, Pavement Management Program Report, and Maintenance of Effort Report are attachments to the Annual Program Compliance Report; and

WHEREAS, the Agreement requires the submittal of an Annual Program Compliance Report by December 31st each year the Measure X funds are in effect; and

WHEREAS, the Independent Audit of Financial Statements, Attachment 1 of the Annual Program Compliance Report, is in progress and will be included in the Annual Report submitted to TAMC; and

WHEREAS, under the California Environmental Quality Act (CEQA) in accordance with Title 14 of the California Code of Regulations, Chapter 3, Article 20, Section 15378 (b.4), this action is not defined as a project and is not subject to CEQA, as it is defined as a government funding mechanism.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside hereby authorizes staff to submit the Annual Program Compliance Report in support of the Measure X Program, attached hereto, to the Transportation Agency for Monterey County.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 21st day of November 2019 by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

THE CITY OF SEASIDE ANNUAL PROGRAM COMPLIANCE REPORT

The actions performed by City staff in fiscal year (FY) 18/19 included design of Phase 2 and portions of Phase 3 of the Arterial and Collector Roadway Rehabilitation (A&C Rehab) Project. The A&C Roadway Rehabilitation Project is programed to span multiple years and will have phased Construction Bid Packages. The scope of the project was selected utilizing The Pavement Management Program (PMP), which was updated by StreetSaver, and a list of roadways recommended for treatment was generated utilizing the updated Decision Tree Matrix and Budgetary scenarios outlined within the program. Following the preliminary roadway selection, the City assessed the roadways selected and revised the list as necessary to meet the needs of the community. City Council held study sessions on the PMP, and the roadways preliminarily selected for treatment, on April 9, 2018, June 7, 2018, July 10, 2018, and March 7, 2019. Based on Council direction to focus on upgrading major streets, staff developed preferred treatment scenarios identifying the City's ability to improve the condition of the citywide roadway network with the use of Measure X funds.

On November 1, 2018 the City awarded a contract with Harris and Associates for the preparation of design and construction bid documents, construction inspection and testing, and overall construction management services for Phase 2 and 3 A&C Rehab Project. The design and construction of this project is funded through a combination of Measure X Funds, SB1 funds, and Measure X supported Bond revenue. The City of Seaside received a Bond of approximately \$10,000,000 for improvements to various roadways dispersed through Phase 2 and 3 for both the design and construction elements. The Bond financing payments use Measure X Revenues, which are included in the Measure X Revenues in the revenues below. The expenditures that utilize the Bond supported funds are also included in the table below, however they are expended in a different fund and are not included in the Fund Balance Totals.

The construction of Phase 2 was awarded to Granite Construction on August 1st, 2019 and is anticipated to be completed in November of 2019, with funds being expended in FY 19/20. The scope of the work includes base repairs, surface seal, and striping of various Arterials and Collectors within the City.

The revenue earned in FY18/19 that was not expended by the end of the Fiscal Year will be carried over and applied to the projects programmed for FY19/20.

CITY OF SEASIDE - FISCAL YEAR UNAUDITED 2018/19 BALANCE SHEET

REVENUES	
Carryover from Previous Year	\$ 1,076,466.00
Measure X Revenues	\$ 1,101,252.91
Earning on Interest	\$ 20,486.66
TOTAL REVENUES:	\$ 2,198,205.57
EXPENDITURES – MEASURE X	
Debt Service – Measure X Bond (#211-8110-9999)	\$263,746.26
Audit Fee (#211-8110-1030)	\$5,000.00
TOTAL EXPENDITURES:	\$ 268,746.26
EXPENDITURES – BOND SUPPORTED	
Design Phase 2 and 3 A&C Rehab (#212-8920-9600)	\$368,151.30
TOTAL EXPENDITURES (MSR X AND BOND):	\$636,897.56
FUND BALANCE, END OF PERIOD:	\$ 1,929,459.31

The following Attachments are included in the Annual Program Compliance Report:

ATTACHMENT 1: Annual Independent Audit
ATTACHMENT 2: Five-Year Capital Improvement Program
ATTACHMENT 3: Pavement Management Program Report

CITY of SEASIDE
MEASURE X FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM
FOR FISCAL YEARS 2019/20 – 2023/24

Attachment 2

YEAR 1 (FY19/20)

Project	Description & Phase	Total Cost	Measure X (BOND)	PCI
Bike Safe Grates	Construction and Installation of Bike Safe Grates	\$630,000	\$505,000	n/a
Arterial and Collector Resurfacing Project	Phase 2 – Construction: Base Repairs, Surface Seal and Striping of Various Arterials and Collectors within the City	\$830,000	\$0 ((\$452,000))	<65
Arterial and Collector Resurfacing Project	Phase 3 – Design: Overlay, Reconstruction, ADA Improvements and Surface Seal of Various Arterials and Collectors within the City	\$750,000	\$24,000 ((\$560,000))	<65
Totals:		\$2,210,000	\$529,000 (\$1,012,000)	

YEAR 2 (FY20/21)

Project	Description & Phase	Total Cost	Measure X (BOND)	PCI
Arterial and Collector Resurfacing Project	Phase 3 – Construction: Overlay, Reconstruction, ADA Improvements, and Surface Seal of Various Arterials and Collectors within the City	\$7,300,000	\$980,000 (5,520,000)	<65
Totals:		\$7,300,000	\$980,000 (\$6,500,000)	

YEAR 3 (FY21/22)

Project	Description & Phase	Total Cost	Measure X (BOND)	PCI
Residential Streets	Phase 1 – Remove & Replace Failed Road Sections on Residential Streets	\$300,000	\$300,000	<60
Totals:		\$300,000	\$300,000	

YEAR 4 (FY22/23)

CITY of SEASIDE
MEASURE X FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM
FOR YEARS 2018 – 2022

Project	Description & Phase	Total Cost	Measure X (BOND)	PCI
Residential Streets	Phase 2 – Remove & Replace Failed Road Sections on Residential Streets	\$300,000	\$300,000	<60
Totals:		\$300,000	\$300,000	

YEAR 5 (FY23/24)

Project	Description & Phase	Total Cost	Measure X (BOND)	PCI
Residential Streets	Phase 3 – Remove & Replace Failed Road Sections on Residential Streets	\$300,000	\$300,000	<60
Totals:		\$300,000	\$300,000	

DEFINITIONS OF REQUESTED INFORMATION:

1. Project: The title of the project to receive Measure X funding.
2. Description & Phase: A general description of the project and the phase (e.g. Environmental; Design; Right-of-Way; or Construction) that will be funded in the given year.
3. Total Cost: The total cost of the project.
4. Measure X: The amount of Measure X funding that will be expended on the project.
5. PCI: The Pavement Condition Index for the roadway, from the local jurisdiction's Pavement Management Program.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.J.

TO: City Council

FROM: Craig Malin, City Manager

BY: Kimberly Drabner, Finance Director

DATE: November 21, 2019

**SUBJECT: APPROVE AMENDMENT #1 TO MEASURE X MASTER
PROGRAMS FUNDING AGREEMENT BETWEEN THE
TRANSPORTATION AGENCY FOR MONTEREY COUNTY AND THE
CITY OF SEASIDE**

PURPOSE & RECOMMENDATION

Approve Amendment #1 to Measure X Master Programs Funding Agreement between the Transportation Agency for Monterey County (TAMC) and the City of Seaside and authorize the City Manager to sign the amendment.

BACKGROUND

The Transportation Agency for Monterey County (TAMC) and the City of Seaside entered into a Measure X Master Programs Funding Agreement on August 7, 2017. Both the Agreement and Ordinance 2016-01 with implemented Measure X included a Maintenance of Effort (MOE) requirement defined as an average of the prior three years spent for local transportation purposes.

Subsequent to the adoption of Measure X, the State of California adopted "SB 1" which provided, among other things, funding to local jurisdictions based upon a different MOE calculation thus creating potential confusion and conflicts in MOE calculations for Measure X. In addition, TAMC received feedback from jurisdictions that the MOE calculation would be punitive in the event of large one-time investments in transportation maintenance improvements.

On July 16, 2019, the Measure X Citizens Oversight Committee recommended that the MOE definition be revised to an amount not less than the average of its expenditures from its general fund during the preceding three fiscal year 2009-10, 2010-11, and 2011-12, but not less than what was expended in 2016-17 (the year Measure X was passed). This new baseline amount will be indexed annually to the Engineering News Record construction index.

On October 23, 2019, the TAMC Board of Directors, with support from the Measure X Citizens Oversight Committee, approved Ordinance 2019-01 which amended the Measure X implementing ordinance (Ordinance 2016-01) to revise the definition for calculating Measure X MOE as described above. Amendment #1 will amend the Agreement to make the MOE definition consistent with Ordinance 2019-01.

FISCAL IMPACT

Amendment #1 is to be applied retroactively to Fiscal Year 2018-2019 reporting. The previous methodology resulted in a MOE of \$595,573. However, the revised language amends this to the amount expended in FY2016-2017 which was \$653,790. Meeting the revised MOE results in an additional use of \$58,217 in FY19 General Fund balance.

ATTACHMENTS

1. Resolution - Measure X Funding Amendment
2. Amendment #1 Measure X Funding Agreement
3. Ordinance 2016-01
4. AG 17-83 Funding Agreement

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE
AUTHORIZING THE AMENDMENT #1 TO MEASURE X MASTER PROGRAMS
FUNDING AGREEMENT BETWEEN THE TRANSPORTATION AGENCY FOR
MONTEREY COUNTY AND THE CITY OF SEASIDE**

WHEREAS, TAMC and the City of Seaside entered into a Measure X Master Programs Funding Agreement on August 7, 2017, hereinafter referred to as "Agreement;"

WHEREAS, both the Agreement and Measure X implementing ordinance (Ordinance 2016-01) included a Maintenance of Effort requirement defined as an average of the prior three years spent for local transportation purposes; and

WHEREAS, subsequent to the adoption of Measure X, the State of California adopted "SB 1," which provided, among other things, funding to local jurisdictions based upon a different Maintenance of Effort calculation, thus creating potential confusion and conflicts in such calculations for Measure X jurisdictions; and

WHEREAS, TAMC also received feedback from local jurisdictions during the Fiscal Year 2017/18 Measure X Annual Reporting period that this Maintenance of Effort calculation would penalize local jurisdictions that make large one-time investments in transportation maintenance improvements;

WHEREAS, on July 16, 2019, the Measure X Citizens Oversight Committee recommended that the Maintenance of Effort definition be revised to "an amount not less than the annual average of its expenditures from its general fund during the preceding three fiscal years 2009-10, 2010-11, and 2011-12 fiscal years, but not less than what was expended in 2016-17 (when Measure X passed), as reported to the Controller pursuant to Streets and Highways Code section 2151. This baseline amount will be indexed annually to the Engineering News Record construction index.";

WHEREAS, on October 23, 2019, the TAMC Board of Directors, with support from the Measure X Citizens Oversight Committee and local jurisdictions, duly approved Ordinance 2019-01, which amended the Measure X implementing ordinance (Ordinance 2016-01) to revise the definition for calculating the Maintenance of Effort, as described above; and

WHEREAS, TAMC and the City of Seaside desire to amend the Agreement to make the Maintenance of Effort definition consistent with Ordinance 2019-01.

NOW, THEREFORE, BE IT RESOLVED, that the City of Seaside approve Amendment #1 to Measure X Master Programs Funding Agreement between the Transportation Agency for Monterey County and the City of Seaside and authorize the City Manager to sign the Agreement.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside

duly held on the 21st day of November, 2019 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

AMENDMENT #1 TO MEASURE X MASTER PROGRAMS FUNDING AGREEMENT
BETWEEN
THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY
AND
SEASIDE

THIS AMENDMENT No. 1 to the agreement originally dated August 7, 2017, between the Transportation Agency for Monterey County, hereinafter referred to as “TAMC,” and Seaside, hereinafter referred to as “Jurisdiction,” is hereby entered into between TAMC and the Jurisdiction.

RECITALS:

- A. **WHEREAS**, TAMC and Jurisdiction entered into a Measure X Master Programs Funding Agreement on August 7, 2017, hereinafter referred to as “Agreement;”
- B. **WHEREAS**, both the Agreement and Measure X implementing ordinance (Ordinance 2016-01) included a Maintenance of Effort requirement defined as an average of the prior three years spent for local transportation purposes; and
- C. **WHEREAS**, subsequent to the adoption of Measure X, the State of California adopted “SB 1,” which provided, among other things, funding to local jurisdictions based upon a different Maintenance of Effort calculation, thus creating potential confusion and conflicts in such calculations for Measure X jurisdictions; and
- D. **WHEREAS**, TAMC also received feedback from local jurisdictions during the Fiscal Year 2017/18 Measure X Annual Reporting period that this Maintenance of Effort calculation would penalize local jurisdictions that make large one-time investments in transportation maintenance improvements;
- E. **WHEREAS**, on July 16, 2019, the Measure X Citizens Oversight Committee recommended that the Maintenance of Effort definition be revised to “an amount not less than the annual average of its expenditures from its general fund during the preceding three fiscal years 2009-10, 2010-11, and 2011-12 fiscal years, but not less than what was expended in 2016-17 (when Measure X passed), as reported to the Controller pursuant to Streets and Highways Code section 2151. This baseline amount will be indexed annually to the Engineering News Record construction index.”;
- F. **WHEREAS**, on October 23, 2019, the TAMC Board of Directors, with support from the Measure X Citizens Oversight Committee and Jurisdiction, duly approved Ordinance 2019-01, which amended the Measure X implementing ordinance (Ordinance 2016-01) to revise the definition for calculating the Maintenance of Effort, as described above; and
- G. **WHEREAS**, TAMC and Jurisdiction desire to amend the Agreement to make the Maintenance of Effort definition consistent with Ordinance 2019-01.

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. Article I, Paragraph 4

The definition of “Maintenance of Effort Report” shall be replaced in its entirety with the following:

Maintenance of Effort Report: A report to be adopted by a jurisdiction, no later than December 31 of each year the Measure X tax is in effect, verifying that Measure X funds received by the reporting jurisdiction have been used to augment, and not supplant, local resources spent in the fiscal year, as described in Article IV Section A.6. The amount of local resources spent for the fiscal year is calculated as the annual average of its expenditures from its general fund during the 2009-10, 2010-11, and 2011-12 fiscal years, but not less than what was expended in 2016-17 (when Measure X passed), as reported to the Controller pursuant to Streets and Highways Code section 2151. This baseline amount will be indexed annually to the Engineering News Record construction index.”

2. Article IV, Section A, Paragraph 6

Article IV, Section A, Paragraph 6 shall be replaced in its entirety with the following:

6. RECIPIENT shall certify, no later than August 31, 2017 and December 31st of each year thereafter, in an annual Maintenance of Effort Report verification that these Measure X funds are used to augment and not supplant local resources spent. RECIPIENT shall expend each fiscal year from its general fund for street and highway purposes an amount not less than the annual average of its expenditures from its general fund during the 2009-10, 2010-11, and 2011-12 fiscal years, but not less than what was expended in 2016-17 (when Measure X passed), as reported to the Controller pursuant to Streets and Highways Code section 2151 (“Maintenance of Effort”). This baseline amount will be indexed annually to the Engineering News Record construction index.”

3. REMAINDER OF TERMS UNCHANGED

All other terms of the Agreement remain in full effect.

An executed copy of this Amendment No. 1 shall be attached to the Agreement and shall be incorporated as if fully set forth therein.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 to the Agreement with Consultant.

TAMC:

JURISDICTION:

Debra L. Hale
Executive Director

(date)

Approved as to form:

TAMC Counsel

(date)

(date)



ORDINANCE NO. 2016-01

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY
TRANSPORTATION SAFETY AND INVESTMENT PLAN
AND RETAIL TRANSACTIONS AND USE TAX ORDINANCE**

Agency Counsel Summary

This ordinance adopts a Transportation Safety and Investment Plan and imposes a retail transactions and use tax of three-eighths of one percent (3/8%) over a period of thirty (30) years for the purposes of improving safety on local roads and highways, repairing potholes, maintaining streets and roads, reducing traffic congestion, improving transportation for seniors, young people, and people with disabilities, and making walking and biking safer, pursuant to an expenditure plan that has been approved by all affected jurisdictions. Tax revenues are to be allocated with 60% of funds dedicated to local road maintenance, pothole repairs and safety projects and 40% of funds dedicated to regional safety and mobility projects. The ordinance also provides bonding authority to the Transportation Agency for Monterey County, based upon tax proceeds, and requires the establishment of a Citizen Oversight Committee and the conducting of annual independent audits.

Preamble

Our transportation system in Monterey County is aging and the county roads and city streets are crumbling. There are still significant safety concerns and traffic jams, such as those on Highway 68, Highway 156 and US 101. These issues stifle our regional economy and make it more difficult for our vulnerable populations – the elderly, children and the disabled – to get around.

Community leaders have joined with the Transportation Agency for Monterey County to develop this Transportation Safety & Investment Plan, which identifies solutions to regional safety and local road needs of the highest priority.

The Transportation Agency for Monterey County's local elected officials want to make our transportation system better by filling potholes, making our roads safer, and reducing traffic. Representative of the County's diversity, our Board has one elected official from each of our twelve cities, and all five county supervisors.

Working with our local, state, and federal partners, our Agency has made great progress on making our highways safer and reducing traffic, ranging from large projects, such as US 101 at San Juan Road; to rail or bus service; to smaller projects such as neighborhood sidewalks, bicycle paths and bike racks, but we still have over \$2 billion dollars in unfunded road maintenance, safety and traffic reduction needs in Monterey County.

The challenge facing us is that we have fallen off the fiscal cliff when it comes to transportation revenues. Our primary transportation funding source, the gas tax, hasn't been raised for 20 years, and our cars are more fuel-efficient than ever. We can't count on the State and federal government to bail us out. Meanwhile, the cost of projects rises with inflation, and road repairs become more expensive the longer we wait.

This Transportation Safety and Investment Plan will help address our transportation needs in every community in Monterey County, to support and improve our quality of life.

The Board of Directors of the Transportation Agency for Monterey County ordains as follows:

Section 1. TITLE. This Ordinance shall be known as the "Transportation Safety and Investment Plan Ordinance". The Transportation Agency for Monterey County is referred to herein as "TAMC." This Ordinance shall be applicable in the incorporated and unincorporated territory of Monterey County, which is referred to herein as "County."

Section 2. SUMMARY. This Ordinance provides for: the adoption of a transportation expenditure plan, referred to herein after as the "Transportation Safety and Investment Plan", which is attached to this Ordinance as Exhibit "A" and hereby incorporated by reference as if fully set forth herein, to:

- Improve safety on local roads and highways
- Repair potholes
- Maintain streets and roads
- Reduce traffic congestion
- Improve transportation for seniors, young people, and people with disabilities, and
- Make walking and biking safer;

the imposition of a retail transactions and use tax of a three-eighths' of one-percent (3/8%) over thirty (30) years; the authority to issue bonds secured by such taxes; and, the ability of the TAMC to administer the tax proceeds and form of a citizen oversight committee, with the requirement to conduct annual independent audits.

Section 3. ADMINISTRATION OF PLAN. TAMC shall impose the transportation tax and enter into an agreement with the State Board of Equalization to collect the funds, shall allocate revenues derived therefrom and shall administer the Transportation Safety and Investment Plan, consistently with the authority cited herein.

Section 4. ADMINISTRATIVE COSTS. TAMC shall expend only that amount of the funds generated from this Ordinance for staff support, audits, annual reports and other administrative expenses, and contract services that are necessary and reasonable to carry out its responsibilities pursuant to Division 2 of the Revenue and Taxation Code. In no case shall the funds expended for salaries and benefits exceed one percent (1%) of the annual amount of revenue raised by this Ordinance net of the amount of fees paid to the State Board of Equalization and prior to the distribution of funds to the local jurisdictions as provided in the Transportation Safety and Investment Plan (Exhibit A).

Section 5. AUTHORITY. This Ordinance is enacted, in part, pursuant to the provisions of Division 19 (commencing with section 180000) of the Public Utilities Code and Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code.

Section 6. OPERATIVE DATE. This Ordinance shall become effective on the Operative Date only if a two-thirds majority of the electors voting on the measure at a special election to be called for such purpose vote to approve the Ordinance. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this Ordinance.

Section 7. PURPOSE. This Ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To implement specific projects and programs in Transportation Safety and Investment Plan, as approved by the Monterey County Board of Supervisors, the city councils of all 12 cities in Monterey County and the Transportation Agency for Monterey County.

B. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the California Revenue and Taxation Code and Section 180050 et. seq. of the Public Utilities Code which authorize the Authority to adopt this Ordinance which shall be operative if a two-thirds (2/3rds) majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

C. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

D. To adopt a retail transactions and use tax ordinance that imposes a County-wide transportation tax and provides a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

E. The funds generated by this ordinance may only be used for transportation purposes including: the administration of the Expenditure Plan, as amended, defense or prosecution of legal actions related thereto, the construction, acquisition, maintenance, and operation of streets, roads, highways, including state highways and public transit systems and for related transportation purposes, including project management and oversight of the projects to be funded using the Transportation Tax, such as coordination with other responsible agencies as well as project delivery and negotiation of project agreements. These purposes include expenditures for planning, environmental reviews, engineering and design costs, and related right-of-way acquisition. Expenditures also include, but are not limited to, debt service on bonds or other indebtedness, and expenses and reserves in connection with the issuance of the same.

Section 8. TRANSPORTATION SAFETY AND INVESTMENT PLAN. The revenues generated from the imposition of the retail sales and use tax provided for in this ordinance shall be made available for and allocated to the specified transportation projects and programs in

accordance with the Transportation Safety and Investment Plan, subject to the Policies and Project Descriptions for this Transportation Safety and Investment Plan, adopted by TAMC. The revenues are to be split with 60% dedicated to local road maintenance, pothole repairs and safety projects, and 40% dedicated to regional safety and mobility projects. The funding for local road maintenance, pothole repairs and safety projects is divided among the cities and the County according to the formula 50% population/50% lane miles. In the allocation of all revenues made available from the retail transactions and use tax, TAMC shall make every effort to maximize state and federal transportation funding to the region. TAMC may amend the Transportation Safety and Investment Plan, in accordance with this Ordinance, as needed, to maximize the transportation funding to Monterey County.

Section 9. ELECTION. TAMC requests the Board of Supervisors to call an election for voter approval of this Ordinance, which election shall be held on November 8, 2016. The election shall be called and conducted in the same manner as provided by law for the conduct of elections by a county. Pursuant to Section 180203 of the Public Utilities Code, the sample ballot to be mailed to the voters shall be the full proposition as set forth in this Ordinance, and the voter information handbook shall include the entire Transportation Safety and Investment Plan. The proposition to be placed on the ballot shall read substantially as follows:

Shall the Transportation Agency for Monterey County fund a Transportation Safety and Investment Plan to:

- Improve safety on local roads and highways
- Repair potholes
- Maintain streets and roads
- Reduce traffic congestion
- Improve transportation for seniors, young people, and people with disabilities, and
- Make walking and biking safer,

by enacting a three-eighths' percent sales tax, raising approximately twenty million dollars annually over 30 years, plus state and federal matching funds, with citizen oversight and annual independent audits?

____yes ____no

Section 10. ANNUAL REPORT. The Executive Director of TAMC shall annually cause to be prepared a report setting forth (a) the amount of funds collected and expended pursuant to this Ordinance; and (b) the status of any projects authorized to be funded in the Investment Plan adopted by TAMC.

Section 11. LOCAL ROAD MAINTENANCE, POTHOLE REPAIRS AND SAFETY FUNDS.

A. State Law. Pursuant to section 180200 of the Public Utilities Code, the revenues provided from transactions and use taxes imposed by this Ordinance shall be used to supplement existing revenues being used for transportation improvements and programs. Each local jurisdiction receiving funds pursuant to this ordinance shall meet the requirements of that section. Under State enabling legislation, funds generated pursuant to the retail transactions and use tax are to be used to supplement and not replace existing local revenues used for transportation purposes. To meet these requirements, a jurisdiction must demonstrate maintenance of a minimum level of local street and road expenditures in conformance with the requirements below.

B. **Maintenance of Effort Requirements.** Each local jurisdiction shall expend each fiscal year from its general fund for street and highway purposes an amount not less than the annual average of its expenditures from its general fund during the preceding three fiscal years, as reported to the Controller pursuant to Streets and Highways Code section 2151. For purposes of this calculation an average of the prior three (3) years spent for local transportation purposes as defined in this document will be used. Exemptions from this calculation include onetime capital expenses, and expiration of any voter-approved fund sources that were used for local transportation purposes. In the case of expired voter-approved fund sources, the three-year average baseline would be recalculated in the next annual verification period without said expired fund sources. Revenues from a fee imposed or contribution first received by a local jurisdiction on or after January 1, 2016 which are used on or after July 1, 2016, by that local jurisdiction for maintenance or improvement purposes on its streets and highways shall be considered as general fund expenditures for the purposes of compliance with the provisions of this Section in the fiscal year in which such expenditures are made.

C. **Separate Account.** For ease of tracking and to assure full transparency, all revenues received and expenditures of these funds will be accounted for and tracked in its own separate budget and fund titled "Transportation Safety & Investment Plan Account" and will not be comingled with any other funds.

D. **Verification of Maintenance of Effort.** TAMC may request fiscal data from local jurisdictions, in addition to data provided pursuant to Streets and Highways Code Section 2151 for the three previous fiscal years. Each local jurisdiction shall furnish the data to the TAMC not later than 120 days after receiving a request therefor. TAMC may withhold payments to local jurisdictions which do not comply with requests for information or which provide incomplete information. At the conclusion of each fiscal year, each local jurisdiction shall verify compliance with the provisions in this ordinance. Subject to compliance with the provisions of this Ordinance and to any adjustment in the amount of such payments in accordance with this Ordinance, TAMC shall distribute Local Road Maintenance, Pothole Repair and Safety payments pursuant this Ordinance.

E. **New Cities.** For each local jurisdiction incorporated after the effective date of this Ordinance, the maintenance of effort requirement defined in Section 5 shall not apply for three years thereafter commencing with the date that the local jurisdiction was incorporated.

F. **Pavement Management Program.** Each city and the County of Monterey shall develop, or participate in the development of by TAMC, a pavement management program. They shall submit regular reports on the conditions of their streets, to ensure timely repairs and keep the public informed. Development of the pavement management program by TAMC is eligible to be funded out of this program prior to distribution of funds to the cities and County.

G. **Regional Development Impact Fee.** Each city and the County of Monterey shall maintain participation in the Transportation Agency for Monterey County's Regional Development Impact Fee program and impose these fees on new development as applicable to assure that new development pays for its impacts on the regional transportation system.

H. **Tax Sharing Agreements.** Each city and the County of Monterey shall enter into tax sharing agreements with TAMC that will include enforcement procedures, designed to reassure the public that tax revenues are spent in accordance with the ballot language. For example, each of the above conditions will be subject to verification and annual audit by the Transportation Agency for Monterey County. Failure to meet any of the above conditions will result in the suspension of the distribution of funds from the County Auditor-Controller to the deficient city/county. Resumption

of funding distribution by the County Auditor-Controller to the deficient city/county will resume only after full repayment for any misuse, and conformation of compliance to each of the above conditions by the Transportation Agency for Monterey County. Transportation Safety & Investment Plan funding accrued due to the failure of a city/county to meet the above conditions will be held in trust for up to two (2) years for said jurisdiction, after which the funds will be redistributed to the remaining cities/county in Monterey County per formula. The tax sharing agreements will also provide that resumption of funding can occur at any time during the life of the Transportation Safety & Investment Plan upon compliance with the above conditions and full repayment of any prior misused funds.

Section 12. CITIZENS OVERSIGHT COMMITTEE. As provided in the Transportation Safety and Investment Plan, a Citizens Oversight Committee representing a diverse range of community interests shall be formed within 6 months after the effective date of this Ordinance. The committee shall meet at least once a year or as often as monthly. Meetings shall be open to the public. The Committee shall:

A. Independent Audits: Have full access to the Agency's independent auditor and review the annual audits, have the authority to request and review specific financial information, and provide input on the audit to assure that funds are being expended in accordance with the requirements of this plan;

B. Plan Changes: Review and make recommendations on any proposed changes to the plan, prior to Transportation Agency Board consideration, subject to a 2/3 vote of the voting oversight committee members;

C. Project Delivery and Priorities: Review and comment on project delivery schedules and make recommendations to the Transportation Agency on any proposals for changing project delivery priorities;

D. Annual and Final Reports: Prepare annual reports regarding the administration of the program. Report to be presented to the Transportation Agency Board of Directors and posted on TAMC's website.

Section 13. AMENDMENTS TO THE INVESTMENT PLAN. TAMC may propose amendments to the Investment Plan to respond to unforeseen circumstances, or to provide for the use of additional federal, state, local or other funds. To amend the Investment Plan, an amendment must be approved by not less than a two-thirds vote of the TAMC Board of Directors and by a simple majority weighted vote of the TAMC Board of Directors based on population, following a noticed public hearing, a 45-day comment period, and review and recommendation by the Citizens Oversight Committee.

Section 14. CONTRACT WITH STATE. Prior to the operative date, TAMC shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if TAMC shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 15. TRANSACTIONS TAX RATE. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and

unincorporated territory of the County at the rate of three-eighths of one percent (3/8 %) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this Ordinance.

Section 16. PLACE OF SALE. For the purposes of this Ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

Section 17. USE TAX RATE. An excise tax is hereby imposed on the storage, use or other consumption in the District of tangible personal property purchased from any retailer on and after the operative date of this Ordinance for storage, use or other consumption in said territory at the rate of three-eighths of one percent (3/8 %) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 18. ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this Ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Ordinance as though fully set forth herein.

Section 19. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of TAMC shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, Victim Compensation & Government Claims Board, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against TAMC or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption

remain subject to tax by the State under the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code; or

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "County" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

Section 20. PERMIT NOT REQUIRED. If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

Section 21. EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the County which is shipped to a point outside the County, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the County shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-County address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-County and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this Ordinance, the storage, use or other consumption in this County of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7) below, a retailer engaged in business in the County shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the County or participates within the County in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the County or through any representative, agent, canvasser, solicitor, subsidiary, or person in the County under the authority of the retailer.

7. "A retailer engaged in business in the County" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an

D. Any person subject to use tax under this Ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a County imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 18. AMENDMENTS TO THE ORDINANCE. All amendments subsequent to the effective date of this Ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

Section 19. ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the TAMC, or against any officer of the State or the TAMC, to prevent or enjoin the collection under this Ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 22. ESTABLISHMENT OF BONDING AUTHORITY. TAMC is authorized to issue bonds to finance capital outlay expenditures as may be provided for in the Investment Plan, payable from the proceeds of the transactions and use tax. TAMC may issue limited tax bonds, from time to time, to finance any program or project in the Investment Plan. The maximum bonded indebtedness, including issuance costs, interest, reserve requirements, and insurance, shall not exceed the total amount of the proceeds anticipated to be collected by imposition of this transactions and use tax. All costs associated with the issuance of such bonds shall be accounted for within the program category in which the bond proceeds are used. The bonds shall be payable solely from, and shall be secured by a pledge of, the proceeds of the retail transactions and use tax, and may be issued any time before expiration of the tax. TAMC, in allocating the revenues from the Ordinance, shall meet all debt service requirements and other bond related costs prior to allocating funds for other projects or purposes.

Section 23. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 24. EFFECTIVE DATE. This Ordinance relates to the levying and collecting of transactions and use taxes and shall take effect immediately, subject only to the Operative Date set forth in in this Ordinance.

Section 25. EXPIRATION DATE. The authority to levy the tax imposed by this Ordinance shall expire thirty (30) years from the operative date of this Ordinance.

PASSED AND ADOPTED by the Transportation Agency for Monterey County, State of California this 24th day of June 2015, by the following vote:

AYES: T. Bodem, A. Chavez, B. Delgado, J. Edelen, C. Hardy, R. Huitt,
M. LeBrarre, K. Markey, J. Martínez, M. Orozco, D. Potter, R. Rubio,
S. Salinas, J. Serrano, E. Smith, and J. Stratton

NOES:

ABSENT: J. Huerta



ALEJANDRO CHAVEZ, VICE CHAIR
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

ATTEST:



DEBRA L. HALE, EXECUTIVE DIRECTOR
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

**Measure X
Master Programs Funding Agreement
between the
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
AND
CITY OF SEASIDE**

This Master Programs Funding Agreement ("Agreement") is effective the 7th of ~~AUGUST~~ 2017, and is entered into by and between the Transportation Agency for Monterey County ("TAMC") and City of Seaside ("RECIPIENT").

RECITALS

1. On November 8, 2016, the voters of Monterey County, pursuant to the provisions of the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq. (the "Act"), approved Measure X (TAMC Ordinance No. 2016-01) on the Monterey County Ballot, thereby authorizing TAMC to impose and administer the proceeds from a three-eighths cent transaction and use tax ("Measure X").
2. The duration of the Measure X sales tax will be 30 years from the initial year of collection, which will begin April 1, 2017, with said tax to terminate/expire on March 31, 2047. The tax proceeds will be used to pay for the programs and projects outlined in TAMC's Transportation Safety and Investment Plan (the "Measure X Investment Plan"), as it may be amended.
3. This Agreement delineates the requirements of the Measure X funds that are directly allocated to local jurisdictions, as authorized by Measure X and the Measure X Investment Plan. A table showing the Measure X Local Distribution Summary for the first year of this Agreement is attached hereto as Exhibit A.

NOW, THEREFORE, it is mutually agreed by and between the parties as follows:

Article I: Definitions

As used herein, the following terms have the following meanings:

1. Annual Program Compliance Report: An Annual Program Compliance Report is a document produced by RECIPIENT no later than December 31 of each year the Measure X tax is in effect, and describes the efforts taken by the jurisdiction to comply with the requirements for the receipt and use of Measure X funds. A template Annual Program Compliance Report is attached as Exhibit B.
2. Eligible Expenses: Those expenses which are eligible to be funded from Measure X, as set forth in greater detail in Article III.C. The first date from which expenses are eligible for funding is January 1, 2017.

3. Local Road Projects: Projects identified in the Policies and Project Descriptions as “Local Road Maintenance, Pothole Repairs and Safety” projects for each jurisdiction, and as may be amended in the RECIPIENT’s Measure X Five-Year Capital Improvement Program.
4. Maintenance of Effort Report: A report to be adopted by a jurisdiction, no later than December 31 of each year the Measure X tax is in effect, verifying that Measure X funds received by the reporting jurisdiction have been used to augment, and not supplant, local resources spent in the fiscal year, as described in Article IV Section A.6. The amount of local resources spent for the fiscal year is calculated by using an average of the prior three (3) years spent for local transportation purposes and shall be the same amount reported to the State Controller pursuant to Streets and Highways Code section 2151.
5. Measure X: TAMC Ordinance No. 2016-01, approved by the voters on November 8, 2106, establishing a three-eighths of one percent (0.375) retail transactions and use tax for a period of thirty (30) years.
6. Measure X Five Year CIP: A Capital Improvement Program looking forward for the next five (5) years that specifically references projects anticipated to be funded by Measure X. The Measure X Five Year CIP is to be updated annually by the RECIPIENT and cover a period of five (5) years from the time of the annual update.
7. Measure X Investment Plan: The Transportation Safety and Investment Plan adopted by TAMC, the County of Monterey, and each city within the County of Monterey, setting forth an expenditure plan for Measure X proceeds.
8. Pavement Management Program: A computerized program for the identification and assessment of the quality of pavement within the jurisdiction, including ETC (“Extent of pavement analyzed, Type of recorded pavement distress, and Condition of the roadway”).
9. Policies & Project Descriptions: A statement of policies governing the requirements for, and allocation of, tax proceeds and project descriptions of anticipated use of tax proceeds by TAMC and the various jurisdictions. The Policies & Project Descriptions are in addition to and elaborate upon the Measure X Investment Plan.
10. Regional Transportation Planning Assessment: An annual assessment currently paid by local jurisdictions from local funds as a form of congestion management fee that is used to fund TAMC’s regional transportation planning efforts.
11. Regional Development Impact Fee Program: A program of development fees prepared and adopted by TAMC and assessed on new development within the County of Monterey, in order that new development pay its fair share of the costs to mitigate negative impacts to the regional transportation system.

Article II: Funding Allocations

1. This Agreement authorizes TAMC to allocate to RECIPIENT its share of the funds derived from Measure X as described in the voter-approved Measure X Investment Plan and TAMC's Policies and Project Descriptions ("Policies and Project Descriptions") for the Local Road Projects program of the Measure X Investment Plan, which constitutes 60% of Measure X revenues after administrative and Board of Equalization expenses have been paid. TAMC will distribute Measure X funds for Local Road Projects pursuant to a formula weighted 50 percent by the jurisdiction's population and 50 percent of lane miles within the jurisdiction utilizing data from the California Department of Finance and Department of Transportation as set forth in Section III.2 below. RECIPIENT's allocations are subject to change based on variations in these measurements, as determined annually pursuant to Article III Section A.2.
2. The remainder of funds received from Measure X and not allocated to RECIPIENT jurisdictions shall be allocated to TAMC for Regional Projects, and administration and Board of Equalization expenses as provided for in Measure X, the Measure X Investment Plan and the Projects & Policies Descriptions.
3. All eligible expenses, as described in Article III Section C, and incurred by RECIPIENT as of January 1, 2017 shall be reimbursable with the RECIPIENT's share of Measure X Local Road Projects funds, to the extent that such funds cover the claim for reimbursement.
4. Measure X funding provided for Local Road Projects is to be used for transportation purposes only, and to supplement and not replace existing local revenues used for transportation purposes. Refer to Article III Section A Paragraph 6 for requirements related to Maintenance of Effort.

Article III: Payments and Expenditures

A. TAMC's Duties and Obligations

1. Within ten (10) working days of actual receipt of the quarterly Measure X sales tax revenues from the State Board of Equalization ("BOE"), TAMC shall remit to the RECIPIENT its designated amount of available funds disbursed on a quarterly basis by the formulas described above.
2. TAMC shall annually update the Measure X fund revenue projections and the resulting fund allocation formulas to reflect the most current population using the California Department of Finance's annual population estimates (Report E-1 published in May) and the California Department of Transportation's annual lane miles estimates (California Public Road Data Report published in October) as it is made available, but no later than

June 30 of each year. TAMC shall use the updated Measure X program allocation formulas in the allocations beginning July 1 of each new fiscal year, which is from July 1 to June 30.

3. TAMC shall report quarterly to the public the amount of Measure X revenues distributed to RECIPIENT for the quarter and fiscal year to date.
4. TAMC shall provide for an independent annual audit of its financial statements, including revenues and expenditures, and also of its calculation of the allocation formula for distributing Measure X revenues to each recipient and render an annual audit report to the TAMC Board within 240 days following the close of the fiscal year.
5. TAMC may conduct an audit of expenditures made by RECIPIENT to determine whether such expenditures are in compliance with this AGREEMENT and the Measure X Investment Plan, and shall provide timely notice to RECIPIENT prior to conducting such audit.

B. Recipient's Duties and Obligations

1. RECIPIENT shall expend all Measure X funds received in compliance with Measure X, the Measure X Investment Plan, and the Policies & Project Descriptions, as they may be adopted or amended by TAMC from time to time, and this Agreement.
2. RECIPIENT shall conduct an independent annual audit of Measure X revenues received and expenditures made by RECIPIENT to demonstrate such expenditures comply with this AGREEMENT and the Measure X Investment Plan, and shall provide said audit to TAMC by December 31, 2018, and each December 31st of each year thereafter, throughout the existence of Measure X funding, including the December 31st of the last year of funding.
3. RECIPIENT shall set up and maintain an appropriate system of accounts to report on Measure X funds received. RECIPIENT must account for Measure X funds, including any interest received or accrued, separately from any other funds received from TAMC or any other source. All Measure X revenues received and expended shall be accounted for and tracked in its own separate budget and fund titled "Transportation Safety & Investment Plan Account" and will not be comingled with any other funds. The accounting system shall provide adequate internal controls and audit trails to facilitate an annual compliance audit for each fund type and the respective usage and application of said funds. TAMC and its representatives, agents and nominees shall have the absolute right upon reasonable written notice to RECIPIENT, which is not less than 72 hours, to inspect and copy any accounting records related to such funds, except to the extent specifically prohibited by applicable law.
4. RECIPIENT shall comply with all reporting requirements in Article IV.

5. RECIPIENT hereby agrees to and accepts the formulas used in the allocation of Measure X revenues as reflected in the ballot measure and the Measure X Investment Plan, and agrees to accept and utilize the California Department of Finance Estimates of Population figures (Report E-1, updated each May) and the California Department of Transportation's annual lane miles estimates (California Public Road Data Report published in October) for California cities and counties for the annual update of the sales tax allocation formulas to begin in each new fiscal year.
6. RECIPIENT shall maintain participation in TAMC's Regional Development Impact Fee program and impose these fees on new development as applicable to assure that new development pays for its impacts on the regional transportation system.
7. RECIPIENT shall continue to participate in TAMC's Regional Transportation Planning Assessment program as set forth therein.
8. In order to receive its share of Local Road Projects funds, RECIPIENT shall develop a Pavement Management Program, or participate in the development of a regional Pavement Management Program, developed by TAMC.
9. RECIPIENT shall abide by the Maintenance of Effort requirements imposed by Measure X and State law. RECIPIENT shall annually report on its Maintenance of Effort as provided in Article IV.

C. Eligible Expenditures

RECIPIENT may expend Local Road Projects funds on any or all of the following categories:

1. Road and Street Maintenance and Repairs: Filling potholes, repairing, resurfacing or reconstruction of roads, streets and bridges, or otherwise conducting maintenance to extend the lifetime of the roadway network and/or reduce or eliminate liability and safety concerns. Repairs, reconstruction or maintenance of walkways or bikeways are also eligible.
2. Road Safety and Operations: Improvements designed to reduce traffic collisions and related injuries and fatalities, as well as projects designed to reduce traffic delays. Examples of safety projects include, but are not limited to: roundabouts, turning lanes, traffic signals or other intersection improvements, hazard eliminations, safety barriers, traffic calming or speed reduction measures. New lane miles or roadways are not eligible with the exception of the Pinnacles Parkway Connection project.
3. Walkability and Pedestrian Safety: Projects designed to make neighborhoods or corridors walkable by making walking safer, more comfortable and convenient. Examples include, but are not limited to: sidewalks, lighted crosswalks, walking paths, landscaping or other barriers from traffic, bulb-outs to shorten the crossing distance, safe-haven islands, pedestrian countdown signals, street or path lighting and traffic calming.

4. Bike Safety Projects: Projects designed to support safe and convenient bicycling for all levels of riders. Examples include, but are not limited to: new or improved bikeways (lanes, paths, bridges, protected lanes or other barriers to automobile traffic); removing barriers to bicycling (curbs, medians, etc.); signal detectors; and, bicycle racks, lockers and other storage facilities.
5. Street Enhancements: Streetscape projects that enhance the safety and experience of the transportation corridor. Examples include, but are not limited to: lighting, landscaping, and drainage improvements.
6. New Technology: Projects that support or include new technology to promote transportation safety, mobility, cost savings or air quality improvements. Examples include, but are not limited to: electric vehicle chargers, vehicle detection systems, traffic signal synchronization, as well as the required participation in the Pavement Management Program referenced in Art. III.B.8, above.
7. Planning, Engineering and Design, Environmental Review and Mitigation and Acquisition: The costs of planning, engineering, design and environmental review and mitigation and acquisition necessary to undertake any project within a category described above are also eligible expenses under Measure X and this Agreement.
8. Reporting and Implementation of this Agreement: The costs of fulfilling the requirements imposed by this Agreement, including the preparation of audits and reports, are eligible expenses, provided, however, that only the direct costs of such actions (such as actual hours worked by staff) are eligible.

D. Other Expenditure Restrictions

1. Transportation Purposes Only: RECIPIENT shall use all Measure X funds solely for transportation purposes as defined by the authorizing ballot measure. Any jurisdiction that violates this provision must fully reimburse all misspent funds, including all interest which would have been earned thereon at the Pooled Money Investment Account Earnings Yield Rate at determined by the California State Controller's Office.
2. Staff Cost Limitations: Direct costs associated with the delivery of programs and projects associated with Measure X programs, including direct staff costs and consultant costs, are eligible uses of Measure X funds. Indirect costs are eligible for funding provided that the jurisdiction has a Caltrans-approved Indirect Cost Allocation Plan / Indirect Cost Rate Proposal (ICAP/ICRP or equivalent) established. Jurisdictions with an ICAP/ICRP approved by its cognizant agency will submit a copy of the cognizant agency approval, the approved proposal, plan, and other relevant data prior to invoicing for indirect costs. If a jurisdiction does not currently have an approved ICAP/ICRP or equivalent, a flat rate of 40% is eligible for indirect costs.
3. Matching Funds: Measure X funds can be utilized to match grants, loans, programs and pay annual debt service to fund eligible approved bonds for local road maintenance or safety projects as defined Article II Section C.

4. Environmental and Engineering Standards: RECIPIENT shall design projects to meet current standards, and shall include bicycle and pedestrian access whenever possible. RECIPIENT shall thoroughly study projects for environmental impacts and incorporate identified environmental mitigations consistent with applicable environmental law.

Article IV: Reporting Requirements

A. Requirements and Withholding

RECIPIENT shall comply with each of the reporting requirements set forth below. If RECIPIENT fails to comply with one or more of these requirements, TAMC may withhold payment of further Measure X funds to RECIPIENT until full compliance is achieved, as described in Article V.

1. RECIPIENT shall complete, at RECIPIENT's expense, a separate independent audit of RECIPIENT's financial statements for the prior fiscal year ended June 30 of Measure X funds received and used. To that end, RECIPIENT shall provide such audit to TAMC by December 31st of each year.
2. RECIPIENT shall, at RECIPIENT'S own expense, and by December 31st of each year, submit to TAMC Annual Program Compliance Reports (covering the prior fiscal year) regarding programs and projects on which RECIPIENT expended Measure X funds.
3. RECIPIENT shall document expenditure activities and report on the performance of Measure X-funded activities through the Annual Program Compliance reporting process, annual audits, the Five-Year Capital Improvement Program Report, the Pavement Management Program Report, the Maintenance of Effort Report, and shall provide any additional information reasonably requested by TAMC.
4. RECIPIENT shall prepare and submit to TAMC a Measure X 5-Year Capital Improvement Program that identifies the eligible transportation projects that are anticipated to be funded with the jurisdiction's share of Local Road Projects funds. RECIPIENT shall update this document on an annual basis no later than August 31, 2017 and December 31st of each year thereafter. A template of the form that RECIPIENT shall use to submit this report is included as Exhibit C.
5. RECIPIENT shall submit annual Pavement Management Program reports no later than December 31st each year on the conditions of RECIPIENT's streets, to ensure timely repairs and keep the public informed. A template of the form that RECIPIENT shall use to submit these reports is included as Exhibit D.
6. RECIPIENT shall certify, no later than August 31, 2017 and December 31st of each year thereafter, in an annual Maintenance of Effort Report verification that these Measure X funds are used to augment and not supplant local resources spent. RECIPIENT shall expend each fiscal year from its general fund for street and highway purposes an amount

not less than the annual average of its expenditures from its general fund during the preceding three fiscal years, as reported to the Controller pursuant to Streets and Highways Code section 2151 ("Maintenance of Effort"). For purposes of this calculation, an average of the prior three (3) years spent for local transportation purposes will be used. Exemptions from this calculation include one-time capital expenses, and expiration of any voter-approved fund sources that were used for local transportation purposes. In the case of expired voter-approved fund sources, the three-year average baseline would be recalculated in the next annual verification period without said expired fund sources. Revenues from a fee imposed or contribution first received by a local jurisdiction on or after January 1, 2016 which are used on or after July 1, 2016, by that local jurisdiction for maintenance or improvement purposes on its streets and highways shall be considered as general fund expenditures for the purposes of compliance with the provisions of this Section in the fiscal year in which such expenditures are made. A template of the form that RECIPIENT shall use to submit these reports is included as Exhibit E.

B. Public Outreach

1. RECIPIENT shall install or mount Measure X signage adjacent to Measure X funded construction projects through completion, where practical and shall reference TAMC, so Monterey County taxpayers are informed as to how RECIPIENT is using Measure X funds. TAMC and RECIPIENT shall mutually approve the design for the Measure X signage to be used by RECIPIENT.
2. RECIPIENT shall provide current and accurate information on RECIPIENT's website, to inform the public about how RECIPIENT is using Measure X funds.
3. RECIPIENT shall actively participate in TAMC's public awareness program, developed in collaboration with TAMC, as a means of ensuring that the public has access to the ability to know which projects and programs are funded through Measure X funds.
4. RECIPIENT shall upon reasonable notice and within a reasonable time make its administrative officer or designated staff available to render a report or answer any and all inquiries in regard to RECIPIENT's receipt, usage, and/or compliance audit findings regarding Measure X funds before the TAMC Board and/or the Measure X Citizens Oversight Committee, as applicable.
5. RECIPIENT agrees that TAMC may review and/or evaluate all project(s) or program(s) funded by Measure X. This may include visits by representatives, agents or nominees of TAMC to observe RECIPIENT's project or program operations, to review project or program data and financial records, and to discuss the project with RECIPIENT's staff or governing board.

Article V: Enforcement

A. Verification and Compliance

1. In addition to RECIPIENT reporting requirements, TAMC may request fiscal data from local jurisdictions as needed to ensure compliance. Each local jurisdiction shall furnish the data to the TAMC not later than 90 days after receiving a request therefor. TAMC may withhold payments to local jurisdictions which do not comply with requests for information or which provide incomplete information.
2. Failure to meet any of the conditions included in this AGREEMENT by the RECIPIENT shall result in the suspension of the distribution of funds to the RECIPIENT. Resumption of funding distribution to the RECIPIENT shall resume only after full repayment for any misuse, and confirmation by TAMC of compliance to each of the conditions in this AGREEMENT. Local Road Projects program funding accrued due to the failure of a city/county to meet the above conditions will be held in trust for up to two (2) years for said jurisdiction, after which the funds will be redistributed to the remaining cities/county in Monterey County per formula. Resumption of funding to the RECIPIENT can occur at any time during the life of Measure X upon compliance with the conditions included in this AGREEMENT and full repayment of any prior misused funds.

B. Dispute Resolution Process

1. If at any time either party hereto is considered to have failed to meet any of the conditions included in this AGREEMENT, the parties shall meet and confer in a good faith effort to resolve the matter. Such meet and confer shall occur within thirty (30) days of a notice from one party to the other of non-compliance.
2. If, after meeting and conferring, there is still a dispute as to compliance or non-compliance with a term or condition of the AGREEMENT, TAMC shall refer the matter to the eXcellent Oversight Committee for its review and recommendation. Consistent with the terms of the Ralph M. Brown Act, the eXcellent Oversight Committee meeting may be a special meeting, provided that at least 72 hours prior notice is provided to the public and an agenda is posted. After considering the matter, the eXcellent Oversight Committee may make its recommendation to the parties to resolve the matter.
3. Pending the consideration and possible resolution of the issue by the eXcellent Oversight Committee, TAMC shall withhold future Measure X payments to RECIPIENT under this AGREEMENT, except for allocations required for bond payments, which shall not be withheld.
4. If, after receiving the recommendation from the eXcellent Oversight Committee the parties are still in dispute over compliance or non-compliance of this AGREEMENT, the matter shall be agendized at the next available TAMC Board meeting. Each party may submit up to five (5) pages in support of its position, as part of the agenda package to be submitted for such Board meeting. The decision of the TAMC Board on the dispute shall be final.

5. Resumption of funding distribution to the RECIPIENT can occur at any time during the life of Measure X but shall only occur after full repayment of any unauthorized expenditure(s) of Measure X funds, and confirmation by TAMC of RECIPIENT's compliance with each of the conditions in this AGREEMENT. Repayment of unauthorized expenditures may not be made by future Measure X funds.
6. Local Road Projects program funding accrued due to the failure of a city/county to meet the above conditions will be held in trust for up to two (2) years for said jurisdiction, after which the funds will be redistributed to the remaining cities/county in Monterey County per the formula set for in Art.II.
7. In the event that RECIPIENT's allocations are exempt from suspension because of bond payments, but RECIPIENT continues to fail to comply with the requirements of this AGREEMENT, RECIPIENT and TAMC agree that an action for specific performance is an available remedy.

Article VI: Other Provisions

A. Indemnity by RECIPIENT

Neither TAMC, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by RECIPIENT in connection with the Measure X funds distributed to RECIPIENT pursuant to this AGREEMENT or any work or action taken with such funds. Notwithstanding Government Code Section 895.6, it is also understood and agreed, pursuant to Government Code Section 895.4, that RECIPIENT shall fully defend, indemnify and hold harmless TAMC, its governing body, and all its officers, agents, and employees, from any liability imposed on TAMC for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by RECIPIENT in connection with the Measure X funds distributed to RECIPIENT pursuant to this AGREEMENT or any work or action taken with such funds.

B. Indemnity by TAMC

Neither RECIPIENT, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by TAMC under or in connection with any work, authority or jurisdiction delegated to TAMC under this Tax Sharing AGREEMENT. Notwithstanding Government Code Section 895.6, it is also understood and agreed, pursuant to Government Code Section 895.4, that TAMC shall fully defend, indemnify, and hold harmless RECIPIENT, and its governing body, elected officials, all its officers, agents, and employees from any liability imposed on RECIPIENT for injury (as defined in Government Code Section 810.8) occurring by

reason of anything done or omitted to be done by TAMC under or in connection with any work, authority or jurisdiction delegated to TAMC under this AGREEMENT.

C. Jurisdiction and Venue

The laws of the State of California will govern the validity of this AGREEMENT, its interpretation and performance, and any other claims to which it relates. All legal actions arising out of this AGREEMENT shall be brought in a court of competent jurisdiction in Monterey County, California and the parties hereto hereby waive inconvenience of forum as an objection or defense to such venue.

D. Term

The term of this AGREEMENT shall be from July 1, 2017 to June 30, 2047, unless amended in writing or a new Master Programs Funding Agreement is executed between TAMC and RECIPIENT.

E. Severability

If any provision of this AGREEMENT is found by a court of competent jurisdiction or, if applicable, an arbitrator, to be unenforceable, such provision shall not affect the other provisions of the AGREEMENT, but such unenforceable provisions shall be deemed modified to the extent necessary to render it enforceable, preserving to the fullest extent permissible the intent of the parties set forth in this AGREEMENT.

F. Modification

This AGREEMENT, its Exhibits, as well as the referenced Policies and Project Descriptions and TAMC Ordinance 2016-01, constitutes the entire AGREEMENT, supersedes all prior written or oral understandings regarding Measure X funds (but not project funding agreements). This AGREEMENT may only be changed by a written amendment executed by both parties. Notwithstanding the foregoing, the Policies and Project Descriptions related to Measure X funds may be changed from time to time by TAMC Board action.

G. Independent Contractor

Nothing in this AGREEMENT is intended nor shall be construed to create an employer-employee relationship, a joint venture relationship, partnership, or allow TAMC to exercise discretion or control over the professional manner by which RECIPIENT designs or constructs projects using Measure X funds. RECIPIENT staff performing work using Measure X funds shall at all times remain employees of RECIPIENT and shall not be deemed employees of TAMC for any purpose. RECIPIENT shall be solely responsible for any and all compensation, payroll taxes, withholdings, workers' compensation and any other insurance or benefits of any kind for any RECIPIENT employee performing work using Measure X funds. Similarly, nothing in this AGREEMENT is intended nor shall be construed to create an employer-employee

relationship, a joint venture relationship, partnership, or allow RECIPIENT to exercise discretion or control over the professional manner by which TAMC designs or constructs projects using Measure X funds. TAMC staff performing work using Measure X funds shall at all times remain employees of TAMC and shall not be deemed employees of RECIPIENT for any purpose. TAMC shall be solely responsible for any and all compensation, payroll taxes, withholdings, workers' compensation and any other insurance or benefits of any kind for any TAMC employee performing work using Measure X funds.

H. Notices

Notice required under this AGREEMENT shall be delivered personally by facsimile or by first-class postage pre-paid mail to RECIPIENT and TAMC at the addresses listed below. Notice shall be deemed effective upon personal delivery or facsimile transmission, or on the third day after deposit with the U.S. Postal Service. RECIPIENT and TAMC shall give prompt notice of any change of address, including contact name and title. Unless otherwise changed according to these notice provisions, notices shall be addressed as follows:

FOR RECIPIENT:

[insert name title address and phone]

FOR TAMC:

[insert name title address and phone]

I. Waiver

Any waiver of any terms of this AGREEMENT shall be in writing signed by both parties hereto. A waiver of any of the terms and conditions of this Agreement shall not be construed as a waiver of any other terms or conditions in this AGREEMENT.

J. Non-Assignment

Neither party hereto may assign, sell, or otherwise transfer its interest or obligations in this Agreement without the prior written consent of the other party.

K. Headings

The headings in this AGREEMENT are for convenience only and shall not be used to interpret the terms of this AGREEMENT.

L. Construction of Agreement

The parties hereto agree that each party has fully participated in the review and revision of this AGREEMENT and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this AGREEMENT or any amendment to this AGREEMENT.

[Signatures on next page]

In Witness Whereof, the parties have executed this AGREEMENT by their duly authorized officers as of the date first written below.

City of Seaside (Recipient)

Transportation Agency for
Monterey County (TAMC)

By:


Craig Malin
City Manager

6/20/17
Date

By:



Debra L. Hale Date
Executive Director

8/7/17

Approved as to Form and Legality:


Approved as to Form and Legality:

By:


Don Freeman
City Attorney

6/23/17
Date

By:


Kathryn Reimann
TAMC Counsel

8/2/17



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.K.

TO: City Council

FROM: Craig Malin, City Manager

BY: Gloria Stearns, Community Development Manager
Sharon Mikesell, Administrative Analyst

DATE: November 21, 2019

SUBJECT: APPROVE A RESOLUTION AUTHORIZING THE CITY TO APPLY TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR A GRANT AUTHORIZED UNDERNEATH THE PLANNING GRANTS PROGRAM (PGP) PROVISIONS OF SB2.

PURPOSE & RECOMMENDATION

Adopt a resolution authorizing the City to apply to the California Department of Housing and Community Development (HCD) for a grant authorized underneath the Planning Grants Program (PGP) provisions of SB2 be approved.

BACKGROUND

The HCD Planning Grants program is intended for the preparation, adoption and implementation of plans that streamline housing approvals on eligible activities, applicants and awards.

The deadline for applications for the program is November 30, 2019. A fully executed resolution authorizing application for, and receipt of PGP funds is a requirement of the application process.

FISCAL IMPACT

Application for the grant will not impact the General fund. Receipt of SB2 grant funds will positively impact the City of Seaside.

ATTACHMENTS

1. Resoluton SB2 Application
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 19-

A RESOLUTION OF THE CITY OF THE CITY OF SEASIDE AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB2 PLANNING GRANTS PROGRAM FUNDS

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019 for its Planning Grants Program (PGP); and

WHEREAS, the City of Seaside desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2) related to the PGP Program.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1: The City of Seaside is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application revised March 28, 2019 in the amount up to One Hundred Sixty Thousand Dollars (\$160,000)

SECTION 2: In connection with the PGP grant, if the application is approved by the Department, the City Manager is authorized to enter into, execute and deliver a State of California Agreement (Standard Agreement) for the amount of up to \$160,000 and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant documents").

SECTION 3: The City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is represented in the application will be enforceable through the executed Standard Agreement. The City hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Guidelines and 2019 Planning Grants Program Application.

SECTION 4: The City Manager is authorized to execute the City of Seaside Planning Grants Program application, the PGP Grant Documents and any amendments thereto, on behalf of the City as required by the Department for receipt of the PGP Grant

PASSED AND ADOPTED at a meeting of the City Council this 21st Day of November 2019.

AYES:
NOES:
ABSENT:
ABSTAIN:

Ian Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.L.

TO: City Council
FROM: Craig Malin, City Manager
BY: Rick Riedl, City Engineer
DATE: November 21, 2019

SUBJECT: ADOPT A RESOLUTION APPROPRIATING AND ENCUMBERING ONE HUNDRED FORTY NINE THOUSAND THREE HUNDRED SEVENTY DOLLARS FROM THE POMA FUND BALANCE FOR THE PURCHASE OF A CARGO VAN AND THREE (3) PICKUP TRUCKS FROM CYPRESS COAST FORD CAR SALES FOR USE ON THE PRESIDIO OF MONTEREY ANNEX CONTRACT

PURPOSE & RECOMMENDATION

Appropriate and encumber One Hundred Forty Nine Three Hundred Seventy One Dollars (\$149,370.00) from the POMA Fund Balance for the purchase of a one new cargo van and three new pick-up trucks for use within the Maintenance and Utilities Division specifically for the Presidio of Monterey Annex (POMA) federal contract and to be reimbursed by the Intergovernmental Services Agreement (IGSA) Contract.

BACKGROUND

The Maintenance and Utilities Division is requesting to purchase a cargo van and three pick-up trucks from Cypress Coast Ford for use by the maintenance staff in support of the Intergovernmental Service Agreement (IGSA) Contract, more commonly referred to as the Presidio of Monterey Annex (POMA) Contract, with the federal government. All new vehicles will generate revenue to replenish the POMA Fund Balance through equipment rental rates billed through the contract.

Current vehicles used by POMA maintenance staff for the POMA contract will be upcycled to the City of Seaside maintenance staff for use within the city.

Staff conducted a search within a hundred mile radius of Seaside looking for new vehicles that included Downtown Ford Sale in Sacramento. Cypress Coast Ford located in Seaside, CA had the lowest prices.

The new maintenance cargo van is a 2020 Ford Transit 350 MR. The purchase price is Forty Four Thousand Two Dollars (\$44,002.68). The two new maintenance trucks are 2020 F-250s XL Series with a purchase price of Seventy Two Thousands Two Hundred Ninety Seven Dollars (\$72,297.00). The third pick-up truck is for the Maintenance and Utilities Supervisor who will oversee activities covered by the POMA Contract. The vehicle is also a 2020 F-250s XL Series with a purchase price of Thirty Three Thousand Seventy Dollars (\$33,070.33). The prices shown include all applicable outfitting and fees and taxes.

It is recommended that the City Council adopt a resolution appropriating and encumbering One Hundred Forty Nine Three Hundred Seventy One Dollars (\$149,370.00) from the POMA Fund Balance for the purchase of a cargo van and authorize the City Manager to execute a purchase agreement with Cypress Coast Ford for an amount not to exceed One Hundred Forty Nine Three Hundred Seventy One Dollars (\$149,370.00) for the vehicles and direct the Finance Department to incorporate these changes in the fiscal year 2019/2020 Budget.

FISCAL IMPACT

If the City Council approves the purchase of the cargo van and three pick-up trucks, the fiscal impact will be One Hundred Forty Nine Three Hundred Seventy One Dollars (\$149,370.00) from the POMA Fund Balance.

ATTACHMENTS

1. RESOLUTION_2019 POMA VEHICLES
2. Quote Ford Transit 350
3. Quote Cypress Ford-250 XL
4. Quote Cypress Ford-F 250

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY OF SEASIDE CITY COUNCIL

APPROPRIATE AND ENCUMBER ONE HUNDRED FORTY NINE THREE HUNDRED SEVENTY ONE DOLLARS (\$149,370.00) FROM THE POMA FUND BALANCE FOR THE PURCHASE OF A FORD TRANSIT CONNECT XL CARGO VAN AND THREE XL SERIES FORD 250 PICK UP TRUCKS FROM CYPRESS COAST FORD CAR SALES FOR USE ON THE PRESIDIO OF MONTEREY ANNEX

WHEREAS, the City is in need of new maintenance vehicles to support the Intergovernmental Service Agreement with the Federal Government more commonly referred to as the POMA contract; and

WHEREAS, city staff conducted a search within a hundred mile radius of Seaside to locate the best prices for the vehicles; and

WHEREAS, equipment rental rates charged to the Federal Government have created vehicle replacement funds in the Fund Balance that are intended for replacement vehicles and will be used for the proposed purchase of the cargo van and trucks.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Seaside hereby appropriates and encumbers One Hundred Forty Nine Three Hundred Seventy One Dollars (\$149,370.00) from the POMA Fund Balance and authorizes the City Manager to execute an agreement with Cypress Ford Car Sales for the purchase of the Ford Transit Connect XL Cargo Van and three XL Series Ford 250s for an amount not to exceed One Hundred Forty Nine Three Hundred Seventy One Dollars (\$149,370.00) and directs the Finance Department to appropriate One Hundred Forty Nine Three Hundred Seventy One Dollars \$149,370.00 from Account 113-3604 and allocate the same amount to Account 113-8730-8187 and incorporate these changes into the fiscal year 2019/2020 budget.

PASSED AND ADOPTED at a regular City Council meeting duly held on the 21st day of November, 2019 by the following vote:

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

Ian Ogelsby, Mayor

ATTEST:

Leslie Milton-Rerig, City Clerk

INVOICE

CYPRESS COAST FORD
John Krbec
831-899-8300 Work PH
831-521-9975 Cell
831-899-2814 FAX

DATE: OCTOBER 24, 2019

4 GEARY PLAZA
SEASIDE CA 93955

TO David Fortune
440 Harcourt Avenue
Seaside, CA 93955
831.899.6700
dfurtune@ci.seaside.ca.us



SEASIDE
CALIFORNIA

FLEET MANAGER	FIN#	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
John Krbec	QN641	delivered	N/C	TBD	Due on receipt	TBD

QTY	ITEM #	DESCRIPTION	MSRP	FLT PRICE	TOTAL
1	Transit 350 MR	2020 T350 MR 148" wheel base 3.5l Ecoboost	\$43,460.00	\$34,167.00	\$34,167.41
1	Vanco	Partition, Ladder Rack, Mounting Kit, Drop Down Mechanism, shelf racks and bins		\$5,795.00	\$5,795.00
		Delivery			\$250.00
				DOC / TIRE FEE	\$93.75
				SALES TAX	\$3,696.52
				TOTAL BID	\$44,002.68

Price includes delivery

Quotation prepared by: John Krbec

This is a quotation on the goods named, subject to the conditions noted below: (Describe any conditions pertaining to these prices and any additional terms of the agreement. You may want to include contingencies that will affect the quotation.)

To accept this quotation, sign here and return: _____

VIRTC1DP 

CNGP530

VEHICLE ORDER CONFIRMATION

10/22/19 12:43:49

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Dealer: F72409

2020 TRANSIT NA

Page: 1 of 2

Order No: F100 Priority: A3 Ord FIN: QN641 Order Type: 5B Price Level: 015

Ord PEP: 101A Cust/Flt Name: CITYOFSEASIDE

PO Number:

W9C MR CARGO RWD \$39135
 148" WHEELBASE
 YZ OXFORD WHITE
 V VINYL
 K PALAZZO GRAY
 101A PREF EQUIP PKG
 .XL TRIM
 57B .MANUAL A/C NC
 99G 3.5L ECOBOOST 1495
 44U .10-SPEED TRANS
 TC8 .235/65R16C BSW
 X7L 3.73 LS NC

20C 9500# GVWR NC
 41E HVY DTY FR AXLE 315
 425 50 STATE EMISS NC
 43B BACK UP ALARM 125
 53B HD TRLR TOW PKG 485
 543 LONG PWR MIR 65
 58T RADIO PREP PKG NC
 61B RR DSPLY RR MIR 345

TOTAL BASE AND OPTIONS 43460
 TOTAL 43460

THIS IS NOT AN INVOICE

JOB #1 ORDER

CA BOARD FEES NC
 FRT LICENSE BKT NC

* MORE ORDER INFO NEXT PAGE *

F8=Next

F3/F12=Veh Ord Menu

F1=Help F2=Return to Order

F4=Submit F5=Add to Library

S006 - MORE DATA IS AVAILABLE.

QC07796

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2,6

VIRTC1DP 

CNGP530

VEHICLE ORDER CONFIRMATION

10/22/19 12:44:42

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Dealer: F72409

2020 TRANSIT NA

Page: 2 of 2

Order No: F100 Priority: A3 Ord FIN: QN641 Order Type: 5B Price Level: 015

Ord PEP: 101A Cust/Flt Name: CITYOFSEASIDE

PO Number:

RETAIL

RETAIL

63X SINGLE BATTERY NC

641 SRW-SILVER STL NC

SP DLR ACCT ADJ

SP FLT ACCT CR

FUEL CHARGE

B4A NET INV FLT OPT NC

DEST AND DELIV 1495

TOTAL BASE AND OPTIONS 43460

TOTAL 43460

THIS IS NOT AN INVOICE

F1=Help

F2=Return to Order

F7=Prev

F4=Submit F5=Add to Library

F3/F12=Veh Ord Menu

S099 - PRESS F4 TO SUBMIT

QC07796

V1DP0025

2,6

VANco of Northern California
271 Opportunity St., Suite H
Sacramento, CA 95838
(916)920-3842



Estimate

ADDRESS

John Krbec
Cypress Coast Ford

ESTIMATE # 3556

DATE 10/21/2019

P.O. NUMBER

Seaside

ACTIVITY	QTY	RATE	AMOUNT
RD.C20-FTM Partition, Straight, Steel [Transit Medium Roof]	1	720.00	720.00T
RD.N5-RS48-4 Shelf Unit, 48" steel, HR	1	560.00	560.00T
RD.77-U1048 45" Locking Door for 48" and 96" Shelves	1	200.00	200.00T
RD.N5-RS72-4 Shelf Unit, 72" steel HR	1	750.00	750.00T
RD.X50-B Steel 2 Drawer Unit	1	200.00	200.00T
RD.X50-C Steel 3 Drawer Unit	1	225.00	225.00T
RD.X51-F Bin Drawer, 9 bins	2	200.00	400.00T
KM.4099H Single Drop-Down Ladder Rack [High Roof Vans - Vehicle Specific Mounting Kit Required]	1	1,185.00	1,185.00T
KM.409TD Mount Kit, Transit Drop Down	1	155.00	155.00T
KM.40913 High Roof Drop-Down Mechanism (Add to 4099H)	1	600.00	600.00T
1 Hour Installation Labor	8	100.00	800.00

2020 Transit T350 MR 148"

SUBTOTAL

5,795.00

TAX (0%)

0.00

TOTAL

\$5,795.00

Accepted By

Accepted Date

Please feel free to visit our website at VancoNorcal.com

INVOICE

CYPRESS COAST FORD
John Krbec
831-899-8300 Work PH
831-521-9975 Cell
831-899-2814 FAX

DATE: OCTOBER 29, 2019

4 GEARY PLAZA
SEASIDE CA 93955

TO David Fortune
440 Harcourt Avenue
Seaside, CA 93955
831.899.6700
dfurtune@ci.seaside.ca.us



**SEASIDE
CALIFORNIA**

FLEET MANAGER	FIN#	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
John Krbec	QN641	delivered	N/C	TBD	Due on receipt	TBD

QTY	ITEM #	DESCRIPTION	MSRP	FLT PRICE	TOTAL
1	XL SERIES	2020 F-250 REG CAB CHASSIS	\$36,005.52	\$26,123.52	\$23,125.52
1	HT098-1541A	HARBOR SERVICE BODY (SEE ATTACHED)		\$7,050.80	\$7,050.80
		Delivery			

DOC / TIRE FEE \$93.75

SALES TAX \$2,799.26

TOTAL BID \$33,070.33

Price includes delivery

Quotation prepared by: John Krbec

This is a quotation on the goods named, subject to the conditions noted below: (Describe any conditions pertaining to these prices and any additional terms of the agreement. You may want to include contingencies that will affect the quotation.)

To accept this quotation, sign here and return: _____

VIRTCDP



CNGP530

VEHICLE ORDER CONFIRMATION

10/22/19 11:44:09

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Dealer: F72409

Page: 1 of 1

2020 F-SERIES SD

Order No: F100 Priority: M3 Ord FIN: QN641 Order Type: 5B Price Level: 020

Ord Code: 600A Cust/Flt Name: CITYOFSEASIDE

PO Number:

RETAIL

RETAIL

F2A	F250 4X2 SD R/C	\$33705			
	142" WHEELBASE				
Z1	OXFORD WHITE		425	50 STATE EMISS	NC
L	40/CNSL/40 VNYL	355	512	SPARE TIRE/WHL2	295
S	MEDIUM EARTH GR			JACK	
600A	PREF EQUIP PKG		67H	HVY SER FRT SUS	125
	.XL TRIM		76C	EX BACKUP ALARM	140
572	.AIR CONDITIONER	NC	872	RR CAM & PREP K	415
	.AMFM/MP3/CLK			SP FLT ACCT CR	
996	.6.2L EFI V8 ENG	NC		FUEL CHARGE	
44S	6-SPD AUTOMATIC	NC		DEST AND DELIV	1595
TD8	.LT245 BSW AS 17			TOTAL BASE AND OPTIONS	36005
X37	3.73 REG AXLE	NC		TOTAL	36005
66D	PU BOX DELETE	(625)		*THIS IS NOT AN INVOICE*	
	JOB #1 BUILD				

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QC07796

V1DP0025

2,6



255 Voyager Ave
Brea, CA 92821
Phone: 714-996-0411
Fax: 714-996-0695

Sales Quote

Page 1 of 1

Sales Quote SQ31344
Sales Quote Date: 10/21/2019
Inside Sales Rep.: Tony Anderson

Sell
To: CYPRESS COAST FORD
BILL
DEALER# 72M409
4 GEARY PLAZA
SEASIDE, CA 93955

Ship
To: CYPRESS COAST FORD
BILL
DEALER# 72M409
4 GEARY PLAZA
SEASIDE, CA 93955

Tax Ident. Type Legal Entity

Ship Via Common Carrier
Terms Net 30 Days
Location BREA
Territory REGION 2

Customer ID FSC07
Dealer Number
SalesPerson BOB
VIN

Harbor Truck Bodies is Not Held Responsible for any items not listed on this order/quote.

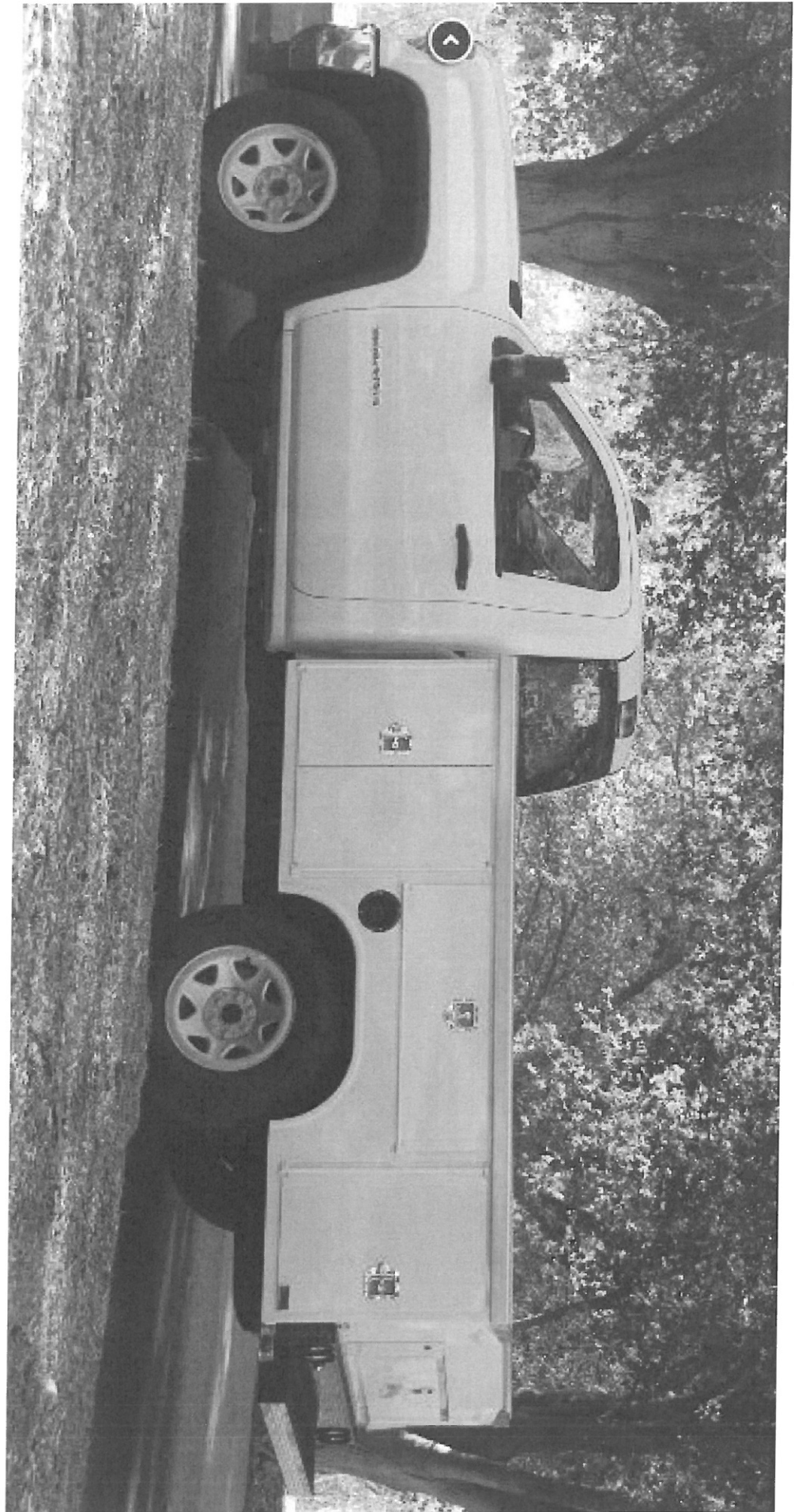
Pricing on quote is valid 30 days from sales quote date.

Item No.	Description	Exp. Notes	Unit	Qty.	Unit Price	Net Price
FORD-056-R-SRW HT098-1541A	FORD 56" CA REGULAR CAB SRW GAS- 8-FT TRADEMASTER FOR 56CA SRW. VERTICAL SERIES-C/S & S/S W/STAINLESS STEEL POP TOP LIDS. BODY IS APPROX 98"L, 79"W, 49" FLOOR, 41"H, 15"D COMPARTMENTS.		EACH EACH	1 1	 5,726.12	 5,726.12
Y08AWHITE	HARBOR WHITE SINGLE STAGE NON CLEAR COAT		EACH	1		
Z08-F/BRUL79-08-LED	MOUNT U-RECESS BUMPER W/ 8" STEP & LED LIGHTS		EACH	1	132.46	132.46
M7/4PRONG	7 & 4 PRONG TRAILER CONNECTOR		EACH	1	222.74	222.74
MBCK-UP-FD-872D	AFTERMARKET BACK UP CAMERA INSTALLED ON PICKUP BED DELETE WITH CAMERA FUNCTION ENABLED (MBCK-UP- FD-872D)		EACH EACH	1 1	221.26	221.26
MPDI	PDI FOR NEW VEHICLE		EACH	1	225.00	225.00
FREIGHT	Freight		EACH	1	150.00	150.00
FUEL CHARGE	FUEL CHARGE		EACH	1	75.00	75.00
MBCK-UP-SEN	HOOK UP FACTORY BACK-UP SENSOR		EACH	1	298.22	298.22

Amount Subject to Sales Tax 0
Amount Exempt from Sales Tax 7,050.80
Authorized Signature _____
Dealer VIN/VON _____
P.O.# _____

Date _____

Subtotal: 7,050.80
Invoice Discount: 0.00
Total Sales Tax: 0.00
Total: 7,050.80



THIS IS YOUR QUOTE

DOWNTOWN FORD SALES
525 N16th Street, Sacramento, CA. 95811
916-442-6931 fax 916-491-3138

Quote # S101619 1000

QUOTE

Customer

Name City of Seaside
Address _____
City _____
Phone _____

Date 10/16/2019

Rep SANDRA
FOB SACRAMENTO

Qty	Description	Unit Price	TOTAL
1	2020 FORD F250 4X2 REG CAB PICKUP STATE OF CALIFORNIA CONTRACT 1-18-23-20A CLIN 19	\$21,583.00	\$21,583.00
1	HEAVY SERVICE SUSPENSION FOR SVC TRUCK	\$127.00	\$127.00
1	FACTORY BACKUP CAMERA REQUIRED	\$535.00	\$535.00
1	FACTORY BACKUP ALARM	\$141.00	\$141.00
1	HIGH BACK BUCKET SEATS	\$621.00	\$621.00
1	HARBOR SERVICE BODY SEE ATTACHED SQ31185	\$7,240.00	\$7,240.00
1	DOC FEE	\$85.00	\$85.00
	DELIVERY DIRECT TO SEASIDE FROM HARBOR		
	SALES TAX 9.125		

Payment Details

- ☐ Cash
☒ Check
☐ Credit Card

Name _____
CC # _____
Expires _____

SubTotal	\$30,332.00
Delivery	\$0.00
Taxes	\$2,767.80
CA Tire Tax	\$8.75
TOTAL	\$33,108.55

Office Use Only

\$500 DISCOUNT WITH PAYMENT IN 20 DAYS

SIGNATURE _____ DATE _____



255 Voyager Ave
Brea, CA 92821
Phone: 714-996-0411
Fax: 714-996-0695

Sales Quote

Page 1 of 1

Sales Quote SQ31185
Sales Quote Date: 10/16/2019
Inside Sales Rep.: Kimberly Bellamy

Sell
To: DOWNTOWN FORD SALES - SEASIDE
SANDRA SCOTT
DEALER #72C201
525 N. 16TH ST
SACRAMENTO, CA 95814

Ship
To: SEASIDE

, CA

Tax Ident. Type Legal Entity

Ship Via HARBOR

Terms

Location BREA

Territory REGION 2

Customer ID FSD01

Dealer Number

SalesPerson STEVE

VIN

Harbor Truck Bodies is Not Held Responsible for any items not listed on this order/quote.
Pricing on quote is valid 30 days from sales quote date.

Item No.	Description	Exp. Notes	Unit	Qty.	Unit Price	Net Price
FORD-056-R-SRW HT098-1541A	FORD 56" CA REGULAR CAB SRW GAS- 8-FT TRADEMASTER FOR 56CA SRW. VERTICAL SERIES-C/S & S/S W/STAINLESS STEEL POP TOP LIDS. BODY IS APPROX 98"L, 79"W, 49" FLOOR, 41"H, 15"D COMPARTMENTS.		EACH EACH	1 1	5,571.36	5,571.36
Y08AWHITE	HARBOR WHITE SINGLE STAGE NON CLEAR COAT		EACH	1		
Z08-F/BRUL79-08-LED	MOUNT U-RECESS BUMPER W/ 8" STEP & LED LIGHTS		EACH	1	128.88	128.88
M7/4PRONG	7 & 4 PRONG TRAILER CONNECTOR		EACH	1	216.72	216.72
MBCK-UP-FD-872D	AFTERMARKET BACK UP CAMERA INSTALLED ON PICKUP BED DELETE WITH CAMERA FUNCTION ENABLED (MBCK-UP-FD-872D)		EACH EACH	1 1	215.28	215.28
MPDI	PDI FOR NEW VEHICLE		EACH	1	225.00	225.00
FREIGHT	Freight		EACH	1	150.00	150.00
FUEL CHARGE	FUEL CHARGE		EACH	1	75.00	75.00

Amount Subject to Sales Tax 0
Amount Exempt from Sales Tax 6,582.24
Authorized Signature _____
Dealer VIN/VON _____
P.O.# _____

Date _____

Subtotal: 6,582.24
Invoice Discount: 0.00
Total Sales Tax 0.00
Total: 6,582.24

INVOICE

CYPRESS COAST FORD
John Krbec
831-899-8300 Work PH
831-521-9975 Cell
831-899-2814 FAX

DATE: OCTOBER 22, 2019

4 GEARY PLAZA
SEASIDE CA 93955

TO David Fortune
440 Harcourt Avenue
Seaside, CA 93955
831.899.6700
dfurtune@ci.seaside.ca.us



**SEASIDE
CALIFORNIA**

FLEET MANAGER	FIN#	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
John Krbec	QN641	delivered	N/C	TBD	Due on receipt	TBD

QTY	ITEM #	DESCRIPTION	MSRP	FLT PRICE	TOTAL
2	XL SERIES	2020 F-250 REG CAB CHASSIS	\$36,005.52	\$23,126.52	\$46,253.04
2	HT098- 1541A	Harbor Service Body (see attached)		9872.92	19745.84
				DOC / TIRE FEE	\$177.50
				SALES TAX	\$6,120.62
				TOTAL BID	\$72,297.00

Price includes delivery

Quotation prepared by: John Krbec

This is a quotation on the goods named, subject to the conditions noted below: (Describe any conditions pertaining to these prices and any additional terms of the agreement. You may want to include contingencies that will affect the quotation.)

To accept this quotation, sign here and return: _____

VIRTC1DP 

CNGP530

VEHICLE ORDER CONFIRMATION

10/22/19 11:44:09

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Dealer: F72409

2020 F-SERIES SD

Page: 1 of 1

Order No: F100 Priority: M3 Ord FIN: QN641 Order Type: 5B Price Level: 020
 Ord Code: 600A Cust/Flt Name: CITYOFSEASIDE PO Number:

RETAIL

RETAIL

F2A	F250 4X2 SD R/C	\$33705		TRAILER TOW PKG	
	142" WHEELBASE			10000# GVWR PKG	
Z1	OXFORD WHITE		425	50 STATE EMISS	NC
L	40/CNSL/40 VNYL	355	512	SPARE TIRE/WHL2	295
S	MEDIUM EARTH GR			JACK	
600A	PREF EQUIP PKG		67H	HVY SER FRT SUS	125
	.XL TRIM		76C	EX BACKUP ALARM	140
572	.AIR CONDITIONER	NC	872	RR CAM & PREP K	415
	.AMFM/MP3/CLK			SP FLT ACCT CR	
996	.6.2L EFI V8 ENG	NC		FUEL CHARGE	
44S	6-SPD AUTOMATIC	NC		DEST AND DELIV	1595
TD8	.LT245 BSW AS 17		TOTAL	BASE AND OPTIONS	36005
X37	3.73 REG AXLE	NC	TOTAL		36005
66D	PU BOX DELETE	(625)	*THIS IS NOT AN INVOICE*		
	JOB #1 BUILD				

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QC07796

V1DP0025

2,6



255 Voyager Ave
Brea, CA 92821
Phone: 714-996-0411
Fax: 714-996-0695

Sales Quote

Page 1 of 1

Sales Quote SQ31347
Sales Quote Date: 10/21/2019
Inside Sales Rep.: Tony Anderson

Sell

To: CYPRESS COAST FORD
BILL
DEALER# 72M409
4 GEARY PLAZA
SEASIDE, CA 93955

Ship

To: CYPRESS COAST FORD
BILL
DEALER# 72M409
4 GEARY PLAZA
SEASIDE, CA 93955

Tax Ident. Type Legal Entity

Ship Via Common Carrier
Terms Net 30 Days
Location BREA
Territory REGION 2

Customer ID FSC07
Dealer Number
SalesPerson BOB
VIN

Harbor Truck Bodies is Not Held Responsible for any items not listed on this order/quote.
Pricing on quote is valid 30 days from sales quote date.

Item No.	Description	Exp. Notes	Unit	Qty.	Unit Price	Net Price
FORD-056-R-SRW	FORD 56" CA REGULAR CAB SRW GAS-		EACH	1		
HT098-1541A	8-FT TRADEMASTER FOR 56CA SRW. VERTICAL SERIES-C/S & S/S W/STAINLESS STEEL POP TOP LIDS. BODY IS APPROX 98"L, 79"W, 49" FLOOR, 41"H, 15"D COMPARTMENTS.		EACH	1	5,726.12	5,726.12
CBE098-3-BOLT	3-PIECE BOLT-ON CARGO BED ENCLOSURE WITH FLIP-UP END GATE	THIS IS THE LOW STYLE CARGO BED- MAKE SURE THEY DONT WANT THE CAB HIGH-WILL HAVE TO REPRICE	EACH	1	1,343.84	1,343.84
Y08AWHITE	HARBOR WHITE SINGLE STAGE NON CLEAR COAT		EACH	1		
RKFTLB098-1541-R	8-FT TAPERED-LEG SIDE-LOADER OVER-CAB RACK W/ HOOKS, SWING AWAY REAR BAR, & REMOVABLE CROSSBARS, 42" FRONT LENGTH		EACH	1	1,276.50	1,276.50
Z08-F/BRUL79-08-LED	MOUNT U-RECESS BUMPER W/ 8" STEP & LED LIGHTS		EACH	1	132.46	132.46
M7/4PRONG	7 & 4 PRONG TRAILER CONNECTOR		EACH	1	222.74	222.74
MBCK-UP-FD-872D	AFTERMARKET BACK UP CAMERA INSTALLED ON PICKUP BED DELETE WITH CAMERA FUNCTION ENABLED (MBCK-UP- FD-872D)		EACH	1	221.26	221.26
MPDI	PDI FOR NEW VEHICLE		EACH	1	225.00	225.00
FREIGHT	Freight		EACH	1	150.00	150.00
FUEL CHARGE	FUEL CHARGE		EACH	1	75.00	75.00

Amount Subject to Sales Tax 0
Amount Exempt from Sales Tax 9,372.92
Authorized Signature _____ Date _____
Dealer VIN/VON _____
P.O.# _____

Subtotal: 9,372.92
Invoice Discount: 0.00
Total Sales Tax: 0.00
Total: 9,372.92



THIS IS YOUR QUOTE

DOWNTOWN FORD SALES
525 N16th Street, Sacramento, CA. 95811
916-442-6931 fax 916-491-3138

Quote # **S101619 1102**
rev 10/29/19

QUOTE

Customer

Name City of Seaside
Address _____
City _____
Phone _____

Date 10/29/2019
Rep SANDRA
FOB SACRAMENTO

Qty	Description	Unit Price	TOTAL
2	2020 FORD F250 4X2 REG CAB PICKUP STATE OF CALIFORNIA CONTRACT 1-18-23-20A CLIN 19	\$21,583.00	\$43,166.00
2	HEAVY SERVICE SUSPENSION FOR SVC TRUCK	\$127.00	\$254.00
2	FACTORY BACKUP CAMERA REQUIRED	\$535.00	\$1,070.00
2	FACTORY BACKUP ALARM	\$141.00	\$282.00
2	HIGH BACK BUCKET SEATS	\$621.00	\$1,242.00
2	HARBOR SERVICE BODY SEE ATTACHED SQ31187	\$10,044.00	\$20,088.00
2	DOC FEE	\$85.00	\$170.00
	DELIVERY DIRECT TO SEASIDE FROM HARBOR		
	SALES TAX 9.125		

Payment Details

- ☐ Cash
☒ Check
☐ Credit Card

Name _____
CC # _____
Expires _____

SubTotal	\$66,272.00
Delivery	\$0.00
Taxes	\$6,047.32
CA Tire Tax	\$17.50
TOTAL	\$72,336.82

Office Use Only

\$500 DISCOUNT WITH PAYMENT IN 20 DAYS

SIGNATURE _____ DATE _____



255 Voyager Ave
Brea, CA 92821
Phone: 714-996-0411
Fax: 714-996-0695

Sales Quote

Page 1 of 2

Sales Quote SQ31187
Sales Quote Date: 10/16/2019
Inside Sales Rep.: Kimberly Bellamy

Sell

To: DOWNTOWN FORD SALES - SEASIDE
DEALER #72C201
525 N. 16TH ST
SACRAMENTO, CA 95814
916 442 6931

Ship

To: SEASIDE

CA

Tax Ident. Type Legal Entity

Customer ID FSD01

Ship Via

Dealer Number

Terms

SalesPerson

Location

BREA

VIN

Territory

REGION 2

Harbor Truck Bodies is Not Held Responsible for any items not listed on this order/quote.

Pricing on quote is valid 30 days from sales quote date.

Item No.	Description	Exp. Notes	Unit	Qty.	Unit Price	Net Price
FORD-056-R-SRW HT098-1541A	FORD 56" CA REGULAR CAB SRW GAS- 8-FT TRADEMASTER FOR 56CA SRW. VERTICAL SERIES-C/S & S/S W/STAINLESS STEEL POP TOP LIDS. BODY IS APPROX 98"L, 79"W, 49" FLOOR, 41"H, 15"D COMPARTMENTS.		EACH EACH	1 1	5,571.36	5,571.36
CBE098-3-BOLT	3-PIECE BOLT-ON CARGO BED ENCLOSURE WITH FLIP-UP END GATE	THIS IS THE LOW STYLE CARGO BED ENCLOSURE - SANDRA MAKE SURE THEY WANT A LOW STYLE AND NOT A CAB HIGH STYLE THAT ONE IS MORE \$	EACH	1	1,307.52	1,307.52
Y08AWHITE	HARBOR WHITE SINGLE STAGE NON CLEAR COAT		EACH	1		
RKTFLB098-1541-R	8-FT TAPERED-LEG SIDE-LOADER OVER-CAB RACK W/ HOOKS, SWING AWAY REAR BAR, & REMOVABLE CROSSBARS, 42" FRONT LENGTH		EACH	1	1,242.00	1,242.00
Z08-F/BRUL79-08-LED	MOUNT U-RECESS BUMPER W/ 8" STEP & LED LIGHTS		EACH	1	128.88	128.88
M7/4PRONG	7 & 4 PRONG TRAILER CONNECTOR		EACH	1	216.72	216.72
MBCK-UP-FD-872D	AFTERMARKET BACK UP CAMERA INSTALLED ON PICKUP BED DELETE WITH CAMERA FUNCTION ENABLED (MBCK-UP-FD-872D)		EACH	1	215.28	215.28



255 Voyager Ave
Brea, CA 92821
Phone: 714-996-0411
Fax: 714-996-0695

Sales Quote

Page 2 of 2

Sales Quote SQ31187
Sales Quote Date: 10/16/2019
Inside Sales Rep.: Kimberly Bellamy

Sell

To: DOWNTOWN FORD SALES - SEASIDE
DEALER #72C201
525 N. 16TH ST
SACRAMENTO, CA 95814
916 442 6931

Ship

To: SEASIDE

, CA

Tax Ident. Type Legal Entity

Ship Via

Terms

Location

BREA

Territory

REGION 2

Customer ID FSD01

Dealer Number

SalesPerson

STEVE

VIN

Harbor Truck Bodies is Not Held Responsible for any items not listed on this order/quote.

Pricing on quote is valid 30 days from sales quote date.

Item No.	Description	Exp. Notes	Unit	Qty.	Unit Price	Net Price
	HORZ.=42"W, REAR=22"W (UNIVERSAL BODY)					
MPDI	PDI FOR NEW VEHICLE		EACH	1	225.00	225.00
FREIGHT	Freight		EACH	1	150.00	150.00
FUEL CHARGE	FUEL CHARGE		EACH	1	75.00	75.00

Amount Subject to Sales Tax 0
Amount Exempt from Sales Tax 9,131.76

Authorized Signature _____

Date _____

Dealer VIN/VON _____

P.O.# _____

Subtotal: 9,131.76
Invoice Discount: 0.00
Total Sales Tax 0.00
Total: 9,131.76



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.M.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: November 21, 2019

**SUBJECT: ADOPT A RESOLUTION AUTHORIZING BETHEL BAPTIST
CHURCH TO RECEIVE \$10,000 ALLOCATED FOR SAFE PARKING
INFRASTRUCTURE IMPROVEMENTS**

PURPOSE & RECOMMENDATION

Adopt the resolution allocating the \$10,000 budgeted funds to Bethel Baptist Church for infrastructure improvements for the recently licensed safe parking program.

BACKGROUND

In June of 2018 the City Council allocated \$10,000 to a Safe Parking Program, yet to be created, specifically for infrastructure improvements (Resolution 19-48)

At the November 7, 2019 meeting, the City Council granted Bethel Baptist Church the very first Safe Parking Operating License and adopted resolution 19-102.

The purpose of this item is to authorize the allocated \$10,000 to be given to Bethel Baptist Church to implement infrastructure improvements at their site to facilitate the City's first safe parking program.

FISCAL IMPACT

The fiscal impact is \$10,000 from currently budgeted funds.

ATTACHMENTS

1. Draft Resolution Safe Parking
 2. Safe Parking Documents
-

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

**AUTHORIZING BETHEL BAPTIST CHURCH TO RECEIVE \$10,000 ALLOCATED
FOR SAFE PARKING INFRASTRUCTURE IMPROVEMENTS**

WHEREAS, In June of 2018 the City Council allocated \$10,000 to a Safe Parking Program, yet to be created, specifically for infrastructure improvements (Resolution 19-48)

WHEREAS, At the November 7, 2019 meeting, the City Council granted Bethel Baptist Church the very first Safe Parking Operating License and adopted resolution 19-102.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside authorize the allocated \$10,000 to be given to Bethel Baptist Church to implement infrastructure improvements at their site to facilitate the City's first safe parking program.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 21st day of November 2019 by the following vote:

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

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



Bethel Missionary Baptist Church

Rev. H.H. Lusk, Sr., Pastor

390 Elm Avenue | P.O. Box 276

Seaside, California 93955

Email: Bethelmbchurch390@gmail.com

Phone: (831) 920-1415 | Fax: (831) 899-3313

+


November 13, 2019

To: The City Of Seaside

I am writing to inform the city of the usage of the \$10,000 allocated to Bethel Missionary Baptist Church. The church has contracted granite rock of the city of city seaside for the work being done in preparation of safe parking program. The exact description of the work that will take place has been layout in the bid from granite rock. Some of the work that will be done to the parking lot will is as follow, 1. Filling Holes 2. Re-pave surface and other work needed.

We desire to work in partnership with the City to ensure that this program continues to offer our homeless neighbors a safe and legal place to sleep while providing the necessary supports to move people into permanent housing.

In His Service,



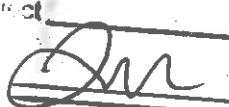
Rev. Harold H. Lusk, Sr.
Pastor/Teacher

APPROVED FOR PAYMENT

Amount 10,000.00 PO # _____

Account 1000-1340.3098

Project _____

 Date 11/14/19

City Clerk's Office

NOV 14 2019

Received

RESOLUTION NO. 19-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING A RESOLUTION ACCEPTING THE CITY OF SEASIDE HOMELESS COMMISSION RECOMMENDATIONS DIRECTING \$10,000 OF CITY BUDGETED FUNDS TO THE SAFE PARKING PROGRAM FOR INFRASTRUCTURE IMPROVEMENTS.

WHEREAS, the Homeless Commission was created by the City Council on November 2, 2017, the Commission completed its first full year as of April 25, 2019; and,

WHEREAS, the mission statement of the Homeless Commission is: To plan, advocate, support and collaborate with those affected by homelessness; and,

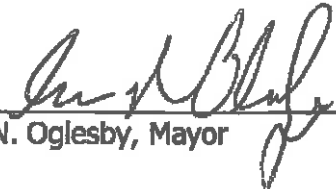
WHEREAS, this request aligns with the Homeless Commission Mission Statement by supporting those affected by homelessness; and,

WHEREAS, although funding for the program is provided by Monterey County, a number of infrastructure improvements are necessary such as portable restrooms and screening of restrooms and trash receptacles; and,

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Seaside hereby authorizes the direction of City Budgeted Funds in the amount of \$10,000 to the SAFE Parking Program for infrastructure improvements.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 27th day of June, 2019, by the following vote:

AYES:	5	COUNCILMEMBERS:	Campbell, Kisperksy, Oglesby, Pacheco, Wizard
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None



Ian N. Oglesby, Mayor

ATTEST:


Lesley Milton-Perig, City Clerk

RESOLUTION NO. 19-102

A RESOLUTION OF THE CITY OF SEASIDE APPROVING THE REQUEST FOR A SAFE PARKING LICENSE AT 390 ELM STREET

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 affordable shelter; and

WHEREAS, Government Code section 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 facilities for the duration of the shelter crisis; and

WHEREAS, the 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 Safe Parking license application for 390 Elm Street offers an alternative for pre-screened safe-parking participants, which considers the needs of participants, while maintaining the character of the neighborhood, as a CEQA exempt activity per Section 15061(b)(3).

NOW, THEREFORE, BE IT RESOLVED that the City of Seaside hereby authorizes a Safe Parking license to be issued for 390 Elm Street per the terms and conditions of SMC 8.23 and those on the Safe Parking license application, subject to an annual review.

PASSED AND ADOPTED at a meeting of the City Council this 7th Day of November 2019.

AYES:	5	COUNCILMEMBERS:	Campbell, Kispersky, Oglesby, Pacheco, Wizard
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None

_____/s/_____
Ian N. Oglesby, Mayor

ATTEST:

_____/s/_____
Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.N.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton, Assistant City Manager

DATE: November 21, 2019

**SUBJECT: ADOPT A RESOLUTION IN SUPPORT OF THE BE SMART
EDUCATION CAMPAIGN FOR RESPONSIBLE FIREARM
STORAGE**

PURPOSE & RECOMMENDATION

Adopt a resolution supporting the BeSmart education campaign for responsible firearm storage.

BACKGROUND

During the Presentation item of this agenda, Ms. Susan Meister will give a brief presentation on BeSmart. Which consisted on statistics of the harm that unlocked firearms can cause.

There is wide consensus among medical professionals, police chiefs, gun control advocates, and gun rights groups that the use of trigger locks or lock boxes to store unsupervised firearms in the home substantially reduces the likelihood that children or teens will use such firearms to inflict injury and death.

Across the country lawmakers, community members, and local leaders are working together to implement public awareness campaigns, such as Moms Demand Action for Gun Sense in America's BeSmart program, that encourage secure gun storage practices and highlight the public safety risks of unsecured guns.

It is recommended that the Council adopt the resolution supporting the campaign for

responsible firearm storage.

FISCAL IMPACT

None.

ATTACHMENTS

1. BeSmart Resolution

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 19-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

SUPPORTING THE BE SMART EDUCATION CAMPAIGN FOR RESPONSIBLE FIREARM STORAGE

WHEREAS, an estimated 4.6 million American children live in households with at least one loaded, unlocked firearm; and

WHEREAS, every year, nearly 360 children under the age of 18 unintentionally shoot themselves or someone else. That is roughly one unintentional shooting per day, and 77 percent of these incidents take place inside a home; and

WHEREAS, another 600 children die by gun suicide each year, most often using guns belonging to a family member; and

WHEREAS, in incidents of gun violence on school grounds, 79 percent of active shooters have been current students or recent graduates, and 78 percent of shooters under the age of 18 obtained their guns from their own home, a relative's home, or from friends; and

WHEREAS, research shows that responsible firearm storage practices are associated with up to an 85 percent reduction in the risk of self-inflicted and unintentional firearm injuries among children and teens; and

WHEREAS, there is wide consensus among medical professionals, police chiefs, gun control advocates, and gun rights groups that the use of trigger locks or lock boxes to store unsupervised firearms in the home substantially reduces the likelihood that children or teens will use such firearms to inflict injury and death; and

WHEREAS, California law makes the unsafe storage of firearms where minors may be present a criminal offense; and

WHEREAS, across the country lawmakers, community members, and local leaders are working together to implement public awareness campaigns, such as Moms Demand Action for Gun Sense in America's BeSMART program, that encourage secure gun storage practices and highlight the public safety risks of unsecured guns; and

WHEREAS, this Council desires to protect children from accidental or self-inflicted death or injury involving an unsecured firearm.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Seaside strongly supports the BeSMART public education campaign.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Seaside duly held on the 21st day of November, 2019, by the following vote:

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

Ina N. Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Sharon Mikesell, Administrative Analyst

DATE: November 21, 2019

**SUBJECT: INTRODUCTION OF AN ORDINANCE TO ESTABLISH WEST
BROADWAY URBAN VILLAGE PERMITTED ITEMS OF OUTDOOR
DINING FURNITURE AND MERCHANT DISPLAY CARTS IN THE
RIGHT OF WAY**

PURPOSE & RECOMMENDATION

Pass to print the draft ordinance to modify the Seaside Municipal Code adding Section 12.48 West Broadway Urban Village Permitted Items in the Right of Way and establishing an application process for outdoor dining furniture and merchant display carts.

BACKGROUND

In 2010 the City had adopted an ordinance approving the West Broadway Urban Village Specific Plan. As Seaside has completed the infrastructure upgrades and new businesses are anxious to utilize the downtown vibrancy, the outdoor dining already allowed in Chapter 17.52.19 should be complimented to streamline the permitting process for outdoor dining and outdoor display carts.

The proposed ordinance would modify Municipal Code Chapter 12, creating section 12.48 establishing outdoor dining furniture and merchant display cart application process for approval by the City Manager or Community Development Director.

FISCAL IMPACT

There is no cost to the adoption of the ordinance other than legal noticing. The outcome of this streamlined process will be a more vibrant downtown Seaside as envisioned in the WBUV specific plan.

ATTACHMENTS

1. Draft Chapter 12.48
 2. Dining-Merchant Cart application WBUV
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

Chapter 12.48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADDING SECTION 12.48 TO THE SEASIDE MUNICIPAL CODE TO ESTABLISH WEST BROADWAY URBAN VILLAGE PERMITTED OUTDOOR DINING FURNITURE AND/OR MERCHANT DISPLAY CARTS IN THE RIGHT OF WAY

WHEREAS, The approved West Broadway Urban Village specific plan allows Ground floor uses, including outdoor dining and merchant displays. (Ord 984, 2010)

WHEREAS, Outdoor dining is not considered a "right of way obstruction" subject to the provisions of Chapter 12.12.010

WHEREAS, Pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines, the proposed project would not have an environmental effect and is covered by the general rule exemption (CEQA Guidelines 15061 (b)(3) that CEQA applies only to projects that have the potential for causing a significant effect on the environment.

NOW THEREFORE BE IT ORDAINED That the following section be added to the Seaside Municipal Code as stated below:

SECTION 1 PURPOSE AND INTENT

The adoption of Chapter 12.48 establishes a procedure for approval of the permitted furniture and carts within the West Broadway Urban Village.

SECTION 2. Revisions to Chapter 12.

The following sections are hereby added to chapter 12 of the Seaside Municipal Code as listed below.

CHAPTER 12.48 WEST BROADWAY URBAN VILLAGE PERMITTED OUTDOOR DINING AND/OR MERCHANT DISPLAY CARTS

The approved West Broadway Urban Village specific plan allows Ground floor uses, including outdoor dining and merchant displays. (Ord 984, 2010)

Chairs and tables for outdoor dining and carts for merchant display, consistent with the design guidelines may be permitted on sidewalks, paseos and other public rights-of-way for parcels that front onto Broadway Avenue, Del Monte Boulevard and Olympia Avenue within the West Broadway Urban Village provided that:

- a. The use maintains a minimum six-foot wide travel zone that is clear and unimpeded for pedestrian traffic, and
- b. The use does not infringe on the full width of the building entrance or otherwise impede access to and from the building.

Businesses wishing to utilize these uses within the West Broadway Urban Village are permitted following the submittal and approval by the City Manager or Community Development Director of all of the following:

1. A City of Seaside outdoor dining or merchant display cart application
2. A site plan indicating placement of chairs tables or displays, the travel zone and access to and from the building,
3. A statement approval of the use by the property owner and
4. A Certificate of Insurance naming the City of Seaside as additional insured

Outdoor dining is not considered a "right of way obstruction" subject to the provisions of Chapter 12.12.010

SECTION 3. Effective Date. This ordinance shall be in full force and effect 30 days after its final passage and adoption.

SECTION 4. The City Clerk shall certify to the adoption of this ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted in three (3) public places designated by resolution of the City Council. Immediately upon this ordinance becoming effective, the City Clerk shall forward a certified copy of the same to the California Building Standards Commission.

INTRODUCED AND PASSED TO PRINT at a Regular Meeting of the City Council duly held on November 7, 2019; and

PASSED AND ADOPTED at a regular meeting of the City council of the City of Seaside, State of California, on the X day of January, 20XX, by the following vote:

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

APPROVED:

ATTEST:

Ian Oglesby, Mayor

Lesley Milton-Rerig, City Clerk



City of Seaside
Outdoor Dining/Merchant Display Cart Application
West Broadway Urban Village

Business Name	
Business Address/APN	
Mailing Address	
Phone Number	
Business Owner	
Property Owner	
Seaside Business License #	

Information regarding items to be used for dining/display

Item	Amount	Description
Chairs		
Tables		
Display Carts		

Please attach:

1. Site plan indicating a minimum six foot wide travel zone for pedestrian traffic and access to and from the building
2. A copy of your Certificate of Insurance naming the City of Seaside as additional insured

Applicant has read and covenants to comply with the Seaside Municipal code Chapter 17.52.190 (D) and desires to operate an Outdoor Dining Area.

I will defend, indemnify and save harmless the City of Seaside and its officers and employees from any and all loss, liability, damages or judgements resulting from any claims made against any of them by reason of, or in connection with, operation of an outdoor area on a public sidewalk, paseo or other public right of way. I waive any loss or damage (direct or consequential) that may arise from the application of the provisions of Seaside Municipal Code Chapter 17.52.190 (D), Chapter 12.48 and/or the regulations adopted as amended from time to time.

Business Owner/Agent

Signature/Date_____

Property Owner Signature/Date

Approval

Risk Manager_____

Community Development Director_____

OR

City Manager_____



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Rick Medina, Senior Planner
Gloria Stearns, Community Development Manager

DATE: November 21, 2019

SUBJECT: ADOPTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE AMENDMENT SMA-19-02. THE CITY OF SEASIDE, APPLICANT, IS INTRODUCING AN ORDINANCE FOR THE APPROVAL A TEXT AMENDMENT TO SECTION 17.14.030.B – TABLE 2-4 OF THE ZONING CODE, TO ALLOW FOR A SMALL COLLECTION RECYCLING FACILITY TO BE LISTED AS BEING ALLOWED IN THE COMMERCIAL MIXED USE (CMX) ZONING DISTRICT WITH A USE PERMIT. THE TEXT AMENDMENT WILL BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES PER SECTION 15061(3). SECOND READING.

PURPOSE & RECOMMENDATION

Adopt the second reading of the ordinance.

BACKGROUND

With the closure of the small collection recycling facility located within the Santa Fe Market parking lot located at 1710 Fremont Boulevard in August of 2019, the Planning Division has been in contact with the operator (Adas Recycling) to relocate this business elsewhere in the City. Based on recent changes in California's laws on recycling, a fine of \$100.00 per day can be placed on retail stores that sell CRV beverages if a small collection recycling facility is not located within 1/2 mile radius of the retail store. A retailer could be relieved of the daily fee by paying consumers the

refund value for all empty CRV beverage containers they bring to the store; however, City staff has determined that most small retailers do not have the available space inside the store nor the staff to accommodate this function. A copy of a notice that was sent to the Santa Fe Grocery store in Seaside on January 17, 2018 regarding a notice for recycling convenience fees is provided as Attachment 2. A Site photo showing how the small recycling facility was set-up in the parking lot is provided as Attachment 3. A small collection facility is a center occupying less than 350 square feet where the public may redeem recyclable materials. Given the financial impacts that recycling laws of California have on local businesses coupled with the beneficial sustainable aspects such use will have on the community, the Text Amendment has been initiated by City staff.

Under the current Zoning standards, a small recycling facility is allowed with a Minor Use Permit in the Community Commercial (CC) and Regional Commercial (CRG) zoning districts. The City of Seaside has initiated a Text Amendment to Section 17.14.030.B - Table 2-4 - of the Seaside Municipal Code (Zoning Code) in order to allow for a small collection recycling facility with a Use Permit in the Commercial Mixed Use (CMX) zoning district. City staff has identified the Commercial Mixed Use (CMX) Zone as an area that would be compatible for this type of land use subject to obtaining a Use Permit. A map showing the CC, CRG and CMX zones is provided as Attachment 4.

The recycling operator who was operating the small collection facility at the Santa Fe Market has since approached the City regarding possible location in the 1800 block of Fremont Boulevard and 1100-1200 Blocks of Broadway Avenue which are in the CMX zoning district. A small collection facility within the CMX zones of the City would provide additional coverage to accommodate recycling needs associated with the City's small retail grocery and convenience stores along Fremont Boulevard from Hilby Avenue to the south and Military Avenue to the north and along Broadway Avenue to Alhambra Street to the west and Noche Buena Street to the east. A map showing the 1/2 mile distance from the mid point of the CMX zones on Fremont Boulevard and Broadway Avenue is provided as Attachment 5.

In accordance with Section 17.52.210.C of the Seaside Municipal Code, a small recycling facility shall comply with the following standards:

- Not be located within 50 feet of any parcel zone or occupied for residential use; and
- Be setback at least 10 feet from any public right-of-way and not obstruct pedestrian or vehicular circulation.

The code sections listed above will not be affected or modified by the text amendment. The only change to City policies will be adding a small recycling facility as a UP land Use in the CMX zone. An UP would require the City to conduct a public hearing before the Planning Commission and notice all property owners within a 300 foot radius of the public hearing prior to granting the land use entitlement for such use.

The proposed Text Amendment was reviewed by the Planning Commission on September 25, 2019. The Planning Commission recommended approval of the text amendment subject to a Use Permit being granted for a small collection facility when located in the CMX zone. The Planning Commission expressed that due to the close proximity of residential neighborhoods and residential uses within a CMX zone that the review of such use should be under the purview of the Planning Commission versus the Zoning Administrator. Primary land uses discussed by the Planning Commission were screening of materials, noise from the filling and emptying of containers, and hours of operation depending on the sensitivity of the nearby residential receptor. Per the noticing requirements of the City, all property owners located within a 300-foot radius of a proposed site in the CMX zone would be notified prior to the issuance of a Use Permit.

City staff has not received any response to the proposed Text Amendment which was published in the Monterey Weekly on Thursday, October 24, 2019 and ran thru its distribution until Wednesday, October 30, 2019. Based on the Ordinance affecting the CMX zone citywide, the City is only required to provide notice via a publication in a local newspaper/periodical. As noted above, an individual site selected for a future use would require notification of adjacent property owners.

FISCAL IMPACT

There is no anticipated fiscal impact to the City associated with this text amendment.

ATTACHMENTS

1. Attachment 1 - Draft Ordinance
2. Attachment 1 - Exhibit A to Ordinance
3. Attachment 2 - State Notice
4. Attachment 3 - Site Photos
5. Attachment 4 - Zoning Map
6. Attachment 5 - Half Mile Radius

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

APPROVING TEXT AMENDMENTS TO TITLE 17 OF THE SEASIDE MUNICIPAL CODE, SECTION 17.14.030.B – TABLE 2-4 - AND MAKING AN ENVIRONMENTAL DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDINANCE AS FOLLOWS:

Section 1. In accordance with Section 17.74.050 of the Seaside Municipal Code, it is the responsibility of the City Council to consider and weigh the merits of proposed text amendments to the Seaside Municipal Code and the public input received on the proposed text amendments in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

Section 2. On September 25, 2019 the Seaside Planning Commission held a public hearings to provide the City Council with a recommendation on the proposed text amendments and considered all oral comments and written information concerning the proposed Ordinance in making its recommendation to the City Council; and

Section 3. On November 7, 2019, the Seaside City Council introduced the first reading of the draft Ordinance and considered oral comments and written information concerning this Ordinance at a duly noticed public hearing; and on the basis of the record thereof finds the following facts to be true;

Findings:

1. The proposed text amendment to Section 17.14.030.B-Table 2-4 to Title 17 of the Seaside Municipal Code are consistent with the goals and policies of all elements of the General Plan.

Evidence: The proposed text amendment will continue to ensure that all new development will fund its share of community services and facilities (e.g. parks, roads, trails, and utilities); uses quality design and materials; and is compatible with surrounding uses, the site, and available infrastructure in that each small collection recycling facility proposed would be subject to the review and approval of a use permit

2. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Evidence: The approval of a small collection recycling facility would be subject to the review and approval of a Use Permit Application to ensure that the location and operation of the business would complement existing land use, and enhance the character of the community and its

neighborhoods.

3. The exemption from the California Environmental Quality Act (CEQA) Guidelines.

Evidence: Pursuant to the requirements of the California Environmental Quality Act Section 21000 et seq. and State CEQA Guidelines, it has been determined that the proposed text amendments would not have an environmental effect on the environment and that the text amendments are covered by the general rule exemption CEQA Guidelines 15061 (b)(3) in that CEQA applies only to projects that have the potential for causing a significant effect on the environment. A small collection facility would involve the use of an area not exceeding 350 square feet and is typically contained within a metal storage container or structure not exceeding 180 square feet. A small collection facility also would not involve the use or disposal of hazardous materials.

Section 4. The proposed amendments to Title 17 of the Seaside Municipal Code consist of a text amendment to Section 17.14.030.B – Table 2-4 of the Seaside Municipal Code to add a Use Permit abbreviation under the column of the CMX Zone standard for a Small Collection as shown on Exhibit A.

*** Proposed added text is shown with bold underline (Underline)**

Section 5. Severability.

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

B. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentences, clauses or phrases even if certain parts are held to be unconstitutional, invalid or unenforceable.

Section 6 Legal Construction. The provisions of this Ordinance shall be construed as necessary to effectively carry out its purposes, which are hereby found and declared to be in furtherance of public health, safety, and welfare.

Section 7. Effective Date. This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed text amendments.

Section 8. The City Clerk shall certify to the adoption of this Ordinance and shall, within thirty (30) days after passage, publish a summary of this Ordinance in accordance with Section 36933 of the Government Code of State of California with the names of City Council members voting for and against it.

INTRODUCED at a regular meeting of the City Council of the City of Seaside on the 7th day of November, 2019, and

PASSED AND ADOPTED by the City Council of the City of Seaside on the ____ day of _____, 2019, by the following roll call vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

APPROVED:

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

17.14.030 Commercial Zone Land Uses and Permit Requirements SHARE

A. General permit requirements. Table 2-4 identifies the uses of land allowed by this Zoning Ordinance in each commercial zone, and the planning permit required to establish each use, in compliance with Section [17.10.030](#) (Permitted Land Uses and Planning Permit Requirements).

B. Requirements for certain specific land uses. Where the last column in Table 2-4 ("Specific Use Regulations") includes a section number, the referenced section may affect whether the use requires a Zoning Clearance, Minor Use Permit, or Use Permit, and/or may establish other requirements and standards applicable to the use.

Laundry, dry cleaning plant	-	-	-	-	P	
Manufacturing/processing – Light	-	-	-	-	P	
Printing and publishing	-	-	-	-	P	
Recycling facility – Reverse vending machine	MUP	MUP	MUP	MUP	MUP	17.52.210
Recycling facility – Small collection facility	<u>UP</u>	MUP	MUP	-	MUP	17.52.210
Recycling facility – Large collection facility	-	-	-	-	MUP	17.52.210
Recycling facility – Processing facility	-	-	-	-	UP	17.52.210
Recycling facility – Scrap and dismantling yard	-	-	-	-	UP	17.52.210
Research and development (R&D)	-	-	UP	-	P	
Storage – Outdoor	-	-	-	-	UP	
Storage – Personal storage facility (mini-storage)	-	-	-	-	UP	
Storage – RVs, boats	-	-	-	-	UP	
Storage – Warehouse, indoor storage	-	-	-	-	UP	
Wholesaling and distribution	-	-	-	-	UP	

Proposed
Text
Amendment
:Add UP in
Underline



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

801 K STREET, MS 19-01, SACRAMENTO, CALIFORNIA 95814 • (916) 322-4027 • WWW.CALRECYCLE.CA.GOV

January 17, 2018

DealerID: DL230728.001

Store Manager
Santa Fe Foods
1712 Fremont Blvd
Seaside, CA 93955

**FINAL NOTICE: IMMEDIATE ACTION REQUIRED
TO ENSURE RECYCLING CONVENIENCE**

Dear Store Manager:

The Department of Resources Recycling and Recovery (CalRecycle) administers California's beverage container recycling law. This law is designed to provide people with convenient locations to return their empty beverage containers for the California Refund Value (CRV). As a retail store that sells CRV beverages, you share the responsibility for providing this convenience.

How Does This Affect You?

As explained in the First and Second Notices that you have already received, your store has been identified as a beverage dealer that is located within a convenience zone that does not have a certified recycling center. This means that people who shop in your area do not have a convenient location to return their beverage containers for CRV.

What Does the Law Require?

Dealers are allowed a 60-day grace period to work with property managers, local government and recycling center operators to establish a recycling center in your area. This grace period has expired without a recycling center becoming operational. As a result, you must now do one of the following two things:

- A. Pay consumers the refund value for all empty CRV beverage containers they bring to your store for recycling
- or*
- B. Pay a daily fee of \$100 per day to CalRecycle. Please note that the daily fee is a compliance option in state law and is not a fine. By paying the daily fee, you are relieved of the responsibility to redeem CRV containers for consumers.



What Do You Need To Do Now?

After carefully reviewing all the information enclosed, you need to complete these three steps:

1. ***Decide whether you are going to accept containers from consumers (Option A) or pay the daily fee (Option B).*** Most dealers choose Option A since the volume of containers brought back to stores is usually small. However, this is not a guarantee as volume may vary by location. ***IMPORTANT: Public Resources Code 14571.6 (a)(1) requires that you submit to the Division an Option A Affidavit to validate in-store redemption. Unless you provide verification that you sent an Option A Affidavit, the Division has no way of knowing that your store redeems CRV. You will default to Option B, pay \$100/day.***
2. ***Fill out the corresponding side of the form titled "Dealer Affidavit".*** The Dealer Affidavit must be signed and returned to CalRecycle within ten calendar days of the date you received this notice. ***Failure to return the affidavit defaults you as choosing Option B, and you will receive invoices to pay \$100 per day to CalRecycle.*** If necessary, it is your responsibility to forward this information to your corporate office or store owner.
3. ***Make sure the Option A or Option B requirements are being met at your store.*** If you choose Option A, please refer to the enclosures titled "Instructions for Redeeming Empty Beverage Containers" and "CRV Computation Sheet" for assistance completing this process.

If a certified recycling center becomes operational within your convenience zone at any time, CalRecycle will immediately notify you in writing. We will provide the name and address of the new recycling center. At that time, you may begin directing consumers to the recycling center.

If you have any questions regarding this notice, please contact the Convenience Zone Unit at 916-322-0195. To help us assist you better, please provide your dealer identification number, DL230728.001, when you call.

Sincerely,



Walt Simmons
Supervisor
Convenience Zone Unit

Attachment 3

Site Photos

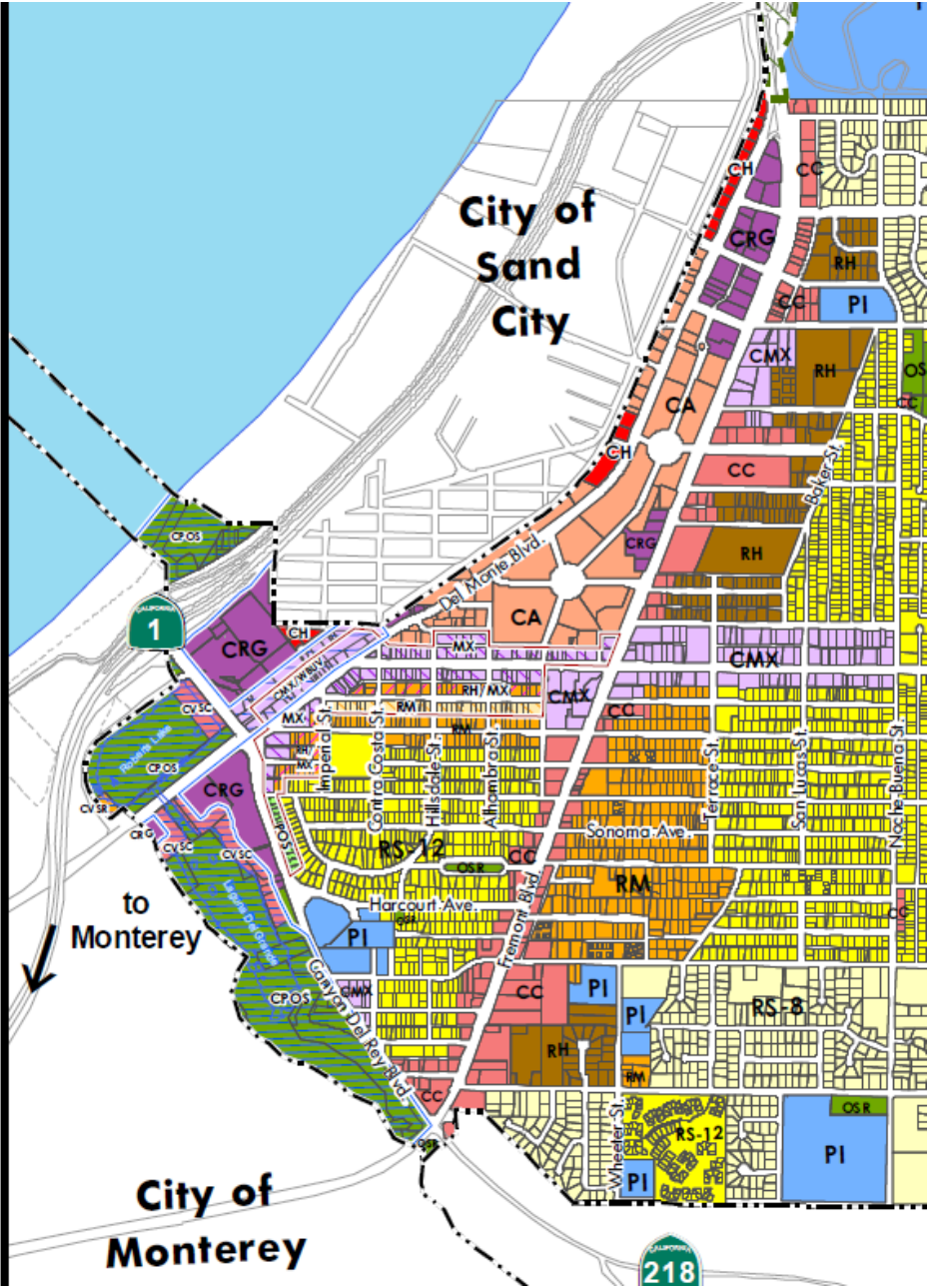


View from Fremont Boulevard



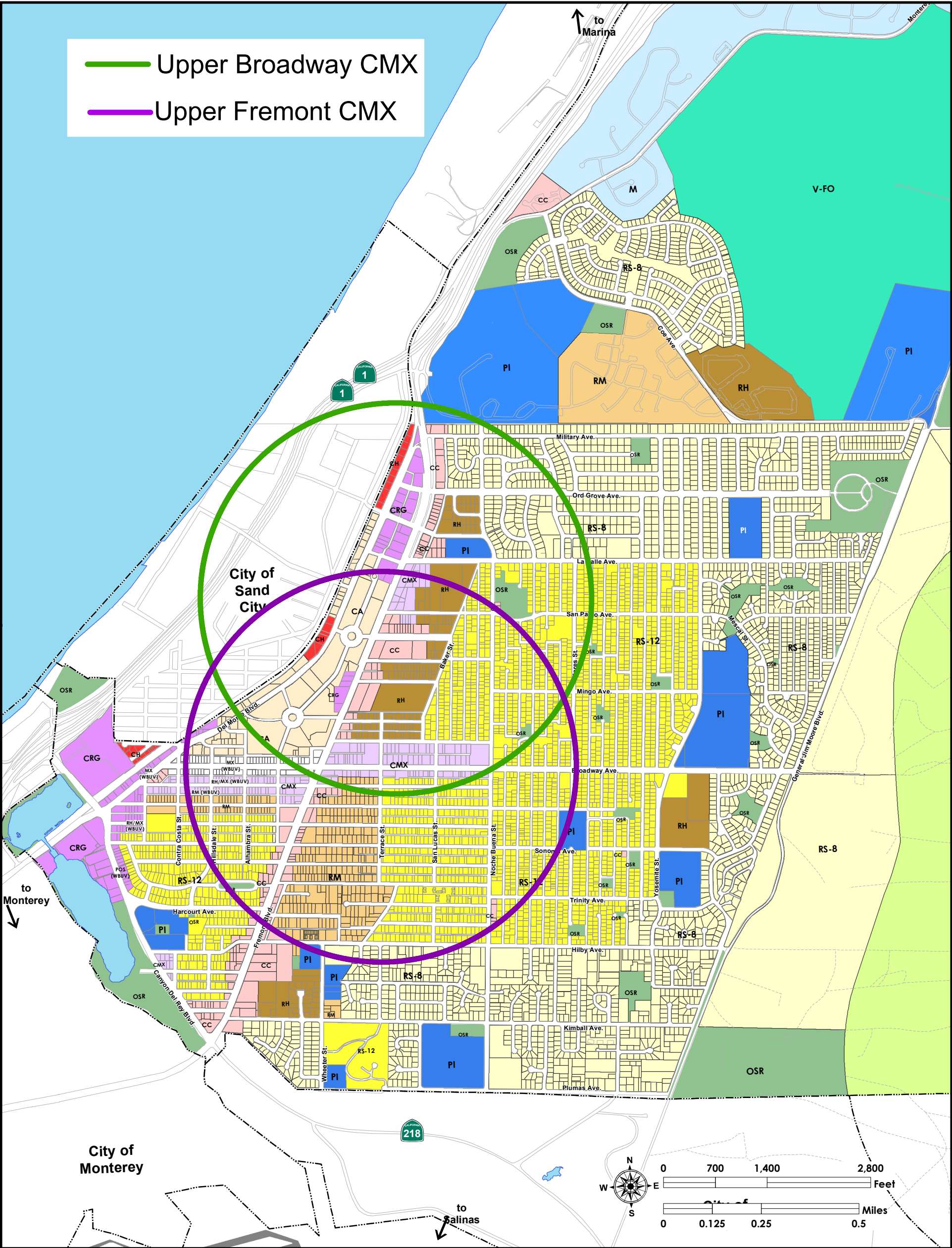
View from Fremont Boulevard

Attachment 4
Zoning Map



- CC - Community Commercial
- CRG - Regional Commercial
- CMX - Commercial Mixed Use
-

Attachment 4
Zoning Map



Seaside Zoning Districts

- | | | |
|---|----------------------------|-----------------------------------|
| RS-8 - Single-family Residential | CA - Automotive Commercial | PI - Public / Institutional |
| RS-12 - Single-family Residential | CC - Community Commercial | M - Military |
| RM - Medium Density Residential | CH - Heavy Commercial | V-FO - Visitor-Serving Commercial |
| RM - Medium Density Residential (WBUV) | CMX - Commercial Mixed Use | OSR - Open Space - Recreation |
| RH - High Density Residential | MX - Mixed Use (WBUV) | OSC - Open Space - Conservation |
| RH/MX - High Density Residential/Mixed Use (WBUV) | CRG - Regional Commercial | POS - Parks and Open Space (WBUV) |

Note: WBUV = West Broadway Urban Village Specific Plan

City of Seaside, GIS 2010; last revised 5/11/10



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.C.

TO: City Council

FROM: Craig Malin, City Manager

BY: David Little, Building Official

DATE: November 21, 2019

SUBJECT: ADOPTION OF AN ORDINANCE AMENDING CHAPTER 15 OF THE SEASIDE MUNICIPAL CODE ADOPTING THE 2019 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL, ENERGY, GREEN BUILDING STANDARDS, FIRE CODES, RELATED MODEL CODES AND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE WITH AMENDMENTS. SECOND READING.

PURPOSE & RECOMMENDATION

Adoption of an ordinance amending Chapter 15 of the Seaside Municipal Code relating to buildings and construction, repealing and adopting by reference the 2019 California Building Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, the California Electrical Code, the California Green Building Standards Code, the California Energy Code, the 2018 International Property Maintenance Code, the 2019 California Fire Code and amendments thereto.

BACKGROUND

Every 3 years the State of California updates and amends the California Code of Regulations (CCR-Title 24) which is commonly known as building, construction and related codes. The State of California Building Standards Commission adopts and publishes amendments to national model codes and updates codes specific to the State of California. Cities and counties that do not adopt updated state codes locally by reference are required to follow State Codes only as written. The updated code version codified in the Seaside Municipal Code (SMC) prior to January 1, 2020, will enable the

City of Seaside to enforce building and related codes through local methods and processes contained in the SMC.

FISCAL IMPACT

There is no financial impact associated with the adoption of the Ordinance. This Ordinance does not modify any of the City's building or development fees.

ATTACHMENTS

1. Draft Ordinance
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE

ADOPTING THE 2019 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL, ENERGY, GREEN BUILDING STANDARDS AND FIRE CODES, AND RELATED MODEL CODES, WITH APPENDICES AND AMENDMENTS THERETO AND AMENDING TITLE 15 OF THE SEASIDE MUNICIPAL CODE

WHEREAS, Pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City may adopt the provisions of the California Building, Residential, Plumbing, Mechanical, Electrical, Energy Green Building Standards, Fire Codes, and the International Property Maintenance Code, with certain amendments to the provisions of the California codes which are reasonably necessary to protect the health, welfare and safety of the citizens of Seaside because of local climatic, geological and topographical conditions; and

WHEREAS, the City Council hereby makes factual findings set forth in respective sections of Chapter 15.04 of the Seaside Municipal Code relating to the amendments made to the California codes; and

WHEREAS, the factual findings made are valid and relate to the amendments made to the California codes in this adoption.

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

SECTION 1. Chapter 15.04 "Building and International Codes Adopted" of Title 15 "Buildings and Construction" of the Seaside Municipal Code, adopting by reference the "latest editions" of the California Building Code, the California Residential Code, the California Plumbing Code, the California Mechanical Code, the California Electrical Code, the California Green Building Standards Code, the California Energy Code, the International Property Maintenance Code and the California Fire Code and amendments thereto, is hereby repealed; provided, however, that such repeal shall not affect or excuse any violation of any of said codes occurring prior to the effective date of this ordinance.

SECTION 2. A new Chapter 15.04 is hereby added to Title 15 of the Seaside Municipal Code to read as follows:

"Chapter 15.04 BUILDING AND INTERNATIONAL CODES ADOPTED

- 15.04.010 Adoption of California Building Code and Related Model Codes.
- 15.04.020 Adoption of the 2019 California Building Code.

15.04.030	Portions of the 2019 California Building Code Not Approved, Adopted or Incorporated by Reference.
15.04.031	Section 105.3.2 of Chapter 1 of the 2019 California Building Code- Amended.
15.04.032	Section 105.5 of Chapter 1 of the 2019 California Building Code- Amended.
15.04.033	Section 1705.3 of Chapter 17 of the 2019 California Building Code- Amended.
15.04.034	Section 1905.1.8. of Chapter 19 of the 2019 California Building Code- Amended.
15.04.035	Adoption of the 2019 California Residential Code.
15.04.036	Portions of the 2019 California Residential Code Not Approved, Adopted or Incorporated by Reference.
15.04.037	Section R105.5 Expiration of Permit- Amended
15.04.038	Table R302.6 of Chapter 3 of the 2019 California Residential Code- Amended.
15.04.039	Section R313.1 "exception" of Chapter 3 of the 2019 California Residential Code- Deleted
15.04.040	Section R313.2 "exception" of Chapter 3 of the 2019 California Residential Code- Deleted
15.04.041	Section 403.1.3 Seismic Reinforcing of the 2019 California Residential Code- Amended.
15.04.042	Section R602.10.4.3 Limits on Methods GP and PCP- Amended
15.04.043	Section R902.1.1 Roof Coverings Within Very-High Fire Hazard Severity Zones- Amended
15.04.045	Adoption of the 2019 California Plumbing Code.
15.04.050	Reserved.
15.04.060	Portions of the 2019 California Plumbing Code Not Approved, Adopted or Incorporated by Reference.
15.04.070	Adoption of the 2019 California Mechanical Code.
15.04.080	Reserved.
15.04.090	Adoption of the 2019 California Electrical Code.
15.04.100	Adoption of the 2019 California Green Building Standards Code.
15.04.105	Reserved.
15.04.110	Portions of the California Green Building Standards Not Approved, Adopted or Incorporated by Reference.
15.04.120	Adoption of the 2019 California Energy Code.
15.04.130	Adoption of the 2018 International Property Maintenance Code
15.04.140	Portions of the 2018 International Property Maintenance Code Not Approved, Adopted or Incorporated by Reference.
15.04.150	Reserved.
15.04.160	Reserved.
15.04.170	Adoption of the 2019 California Fire Code including all Appendices.
15.04.180	Bureau of Fire Prevention Established.

- 15.04.190 Reserved
- 15.04.200 Section 307.3 of Chapter 3 of the California Fire Code – Amended.
- 15.04.210 Section 307.4.3 of Chapter 3 of the California Fire Code – Added.
- 15.04.220 Sections 903.2 and 903.3.1.3 and 903.6 of Chapter 9 of the California Fire Code – Amended.
- 15.04.230 Appendices of the California Fire Code – Adopted and Amended

15.04.010 Adoption of California Building Codes and Related Model Codes.

There is hereby adopted by reference by the City Council, for the purpose of prescribing regulations for the erection, construction, enlargement, alteration, repair, improvement, removal, conversion, demolition, occupancy, equipment use, height, and area of buildings and structures, the following codes: the California Building Code, 2019 edition, based on the 2018 International Building Code, as published by the International Code Council; the California Residential Code, 2019 edition, based on the 2018 International Residential Code, as published by the International Code Council; the California Plumbing Code, 2019 Edition, based on the 2018 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, including the Appendices; the California Mechanical Code, 2019 Edition, based on the 2018 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials; the California Electrical Code, 2019 Edition, based on the 2017 National Electrical Code as published by the National Fire Protection Association; the California Green Building Standards Code, 2019 edition as published by the California Building Standards Commission; the International Property Maintenance Code, 2018 edition, as published by the International Code Council; and the California Fire Code, 2019 edition, based on the 2018 International Fire Code, as published by the International Code Council including the Appendices, together with omissions, amendments, exceptions and additions thereto as set forth in this Chapter.

The provisions of the foregoing codes, as amended by this Chapter shall constitute the Building Regulations of the City of Seaside. Where the California Code of Regulations and/or California Building Standards Code differ from any provisions of the Building Regulations of the City, said stricter State regulations shall govern.

15.04.020 Adoption of the California Building Code.

- A. Except as otherwise provided for in this Chapter, the California Building Code, 2019 edition, Volumes I, II, including Appendices thereto, together with those omissions, amendments, exceptions and additions thereto as set forth in Title 24 Part 2 of the California Code of Regulations are approved and adopted by reference, and made a part hereof as if fully set forth herein.
- B. One copy of the California Building Code has been filed for use and examination by the public in the Office of the Building Official of the City of Seaside.

15.04.030 Portions of the California Building Code Not Approved, Adopted or Incorporated by Reference.

The following portions of the California Building Code, 2019 edition, and/or appendices thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter or a part of the building code of the City of Seaside: All of the appendices with the exception of the following Appendices or portions thereof:

- A. Appendix H, Signs.
- B. Appendix I, Patio Covers.
- C. Appendix J, Grading.

15.04.031 Section 105.2 of Chapter 1 of the California Building Code-Amended

Section 105.2 is hereby amended to read as follows:

105.2 Work exempt from a permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

1. One-story detached accessory structures and portable structures used as tool and storage sheds, playhouses and other similar uses, accessory to single-family dwellings if less than one hundred twenty square feet in gross floor area. Exempt structures shall comply with the front, side, and rear setback requirements, lot coverage, maximum height and minimum clearances from the main residence and other structures. Unpermitted accessory structures shall not be equipped with electrical, plumbing or mechanical features that would otherwise require a permit. Land/sea cargo containers do not qualify as residential accessory structures.
2. Residential retaining walls not exceeding four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
3. Residential decks, platforms, on-site paths, and driveways that do not exceed (18") eighteen inches above natural grade, are not part of an accessible route,

do not serve as a required landing at a door, do not exceed the allowable lot coverage for impermeable surfaces, and comply with front, side and rear setback requirements where applicable.

4. Residential painting, papering, tiling, carpeting, cabinets and countertops, other than kitchen countertops having electrical receptacle spacing requirements.

15.04.031 Section 105.3.2 of Chapter 1 of the California Building Code- Amended

Section 105.3.2 is hereby amended to read as follows:

105.3.2 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing prior to the expiration date AND pays a fee as established by resolution of the City Council for each requested 90 day extension, provided a new code has not been adopted and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

15.04.032.1 Section 105.5 of the California Building Code Amended

Section 105.5 is hereby amended to read as follows:

105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2019 California Building Code within 180 days of issuance of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit

expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing prior to the expiration date, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee as established by resolution of the City Council for each one hundred and eighty (180) day extension provided a new code has not been adopted.

Before work can commence or recommence under an expired permit, a new permit application must be submitted and a permit obtained along with all applicable fees as a new project.

All existing projects are subject to this section and will be subject to the conditions listed above.

15.04.032.2 Section 109.4 of Chapter 1 of the California Building Code-Amended

Section 109.4 is hereby amended to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee, in addition to the permit fee, which shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the adopted permit fee.

Subsequent un-permitted work by the same permittee shall result in a progressive investigation fee being assessed, second violation would result in a three times the permit fee for the investigation fee, a third violation would result in a four times the permit fee for the investigation fee, a fourth violation would result in a five times the permit fee for the investigation fee, and so on to a maximum of a ten times the permit fee for the investigation fee.

The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law.

15.04.032.3 Section 111.2 of Chapter 1 of the California Building Code-Amended

Section 111.2 is hereby amended to read as follows:

111.2 Certificate Issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws which

are enforced by the code enforcement agency, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The design occupant load.

15.04.033 Section 1705.3 of Chapter 17 of the California Building Code amended

Section 1705.3 is hereby amended to read as follows:

1705.3 Concrete construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

Exception: Special inspections shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

15.04.034 Section 1905.1.8 of Chapter 19 of the California Building Code amended

Section 1905.1.8 is hereby amended to read as follows:

1905.1.8 ACI 318, section 22.10. Delete ACI 318, Section 22.10, and replace with the following:

22.10 - Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

22.10.1- Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one- and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: 1. In detached one- and two-family dwellings three stories or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

15.04.035 Adoption of the California Residential Code.

- A. Except as otherwise provided for in this Chapter, the California Residential Code, 2019 edition, including the Appendices thereto, together with those omissions, amendments, exceptions and additions thereto as set forth in Title 24 Part 2.5 of the California Code of Regulations are approved and adopted by reference, and made a part hereof as if fully set forth herein.
- B. One copy of the California Residential Code has been filed for use and examination by the public in the Office of the Building Official of the City of Seaside.

15.04.036 Portions of the California Residential Code Not Approved, Adopted or Incorporated by Reference.

The following portions of the California Residential Code, 2019 edition, and/or appendices thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter or a part of the building code of the City of Seaside: All of the appendices with the exception of the following Appendices or portions thereof: Section R313 is deleted in its entirety, and all of the appendices with the exception of the following appendices or portions thereof:

- A. Appendix G, Swimming Pools and Hot Tubs.

15.04.037 Section R105.5 Expiration of Permit

Section R105.5 is hereby amended to read as follows:

R105.5 Expiration of Permit or Plan Review.

R105.5.1 Expiration of Permit. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2013 California Building Code within 180 days of issuance of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing prior to the expiration date, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee as established by resolution of the City Council for each one hundred and eighty (180) day extension provided a new code has not been adopted.

Before work can commence or recommence under an expired permit, a new permit application must be submitted and permit obtained along with all applicable fees as a new project.

All existing projects are subject to this section and will be subject to the conditions listed above.

R105.5.1 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing prior to the expiration date AND pays a fee as established by resolution of the City Council for each requested 90 day extension, provided a new code has not been adopted and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

15.04.038 Section R302.1 is hereby amended as follows:

Delete Section R302.1 "exceptions" in its entirety. (Seaside Municipal Code is more restrictive.)

15.04.039 Table R302.6 of the California Residential Code amended.

Table R302.6 is hereby amended to read as follows:

~~"Not less than 1/2"~~ "Not less than 5/8" type X in all columns in the table.

15.04.040 Section R313.1 of the California Residential Code amended.

Delete Section R313.1 "exception" in its entirety. (Seaside's amended Fire Code is more restrictive.)

15.04.041 Section R313.2 of the California Residential Code amended.

Delete Section R313.2 "exception" in its entirety (Seaside's amended Fire Code is more restrictive.)

15.04.042 Section R403.1.3 of the California Residential Code amended.

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D0, D1 and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D0, D1 and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

15.04.043 Section R602.10.4 and Table R602.10.3(3) of the California Residential Code amended.

Section R602.10.4 and Table R602.10.3(3) are hereby amended to read as follows:

2013 CRC Section R602.10.4 and Table R602.10.3(3)

Add a new footnote "e" to the end of CRC Table R602.10.3(3), to read:

e. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

Add the "e" footnote notation in the title of Table R602.10.3(3) to read:

TABLE R602.10.3(3)e

Add a new subsection R602.10.4.4, to read:

R602.10.4.4 Limits on methods GB and PCP. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to one-story single family dwellings and accessory structures.

15.04.044 Section R902.1.1. of the California Residential Code amended.

Section R902.1.1 is hereby amended to read as follows:

R902.1.1 Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure, and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire retardant roof or class A roof.

15.04.045 Adoption of the California Plumbing Code.

A. Except as otherwise provided for in this Chapter, the California Plumbing Code, 2019 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as set forth in Title 24 Part 5 of the California Code of Regulations are approved and adopted by reference, and made a part hereof as if fully set forth herein.

B. One copy of the California Plumbing Code has been filed for use and examination by the public in the Office of the Building Official of the City of Seaside.

15.04.050 Reserved

15.04.060 Portions of the California Plumbing Code Not Approved, Adopted or Incorporated by Reference.

The following portions of the California Plumbing Code, 2019 edition, and/or appendices thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter or a part of the plumbing code of the City of Seaside: All of the appendices with the exception of the following appendices or portion thereof:

- A. Appendix G, Graywater Systems.
- B. Appendix I, Installation Standards.

15.04.070 Adoption of the California Mechanical Code.

A. Except as otherwise provided for in this Chapter, the California Mechanical Code, 2019 edition including the appendices, together with those omissions, amendments, exceptions and additions thereto as set forth in Title 24 part 4 of the California Code of Regulations are approved and adopted by reference, and made a part hereof as if fully set forth herein.

B. One copy of the California Mechanical Code has been filed for use and examination by the public in the Office of the Building Official of the City of Seaside.

15.04.080 Reserved

15.04.090 Adoption of the California Electrical Code.

A. Except as otherwise provided for in this Chapter, the California Electrical Code, 2019 edition, together with those omissions, amendments, exceptions and additions thereto as set forth in Title 24 Part 3 of the California Code of Regulations are approved and adopted by reference, and are hereby incorporated in this Chapter by reference and made a part hereof as if fully set forth herein.

B. One copy of the Cal Electrical Code has been filed for use and examination by the public in the Office of the Building Official of the City of Seaside.

15.04.100 Adoption of the California Green Building Standards.

A. Except as otherwise provided for in this Chapter, the California Green Building Standards, 2019 edition including the appendices, together with those omissions, amendments, exceptions and additions thereto as set forth in Title 24 part 4 of the California Code of Regulations are approved and adopted by reference, and made a part hereof as if fully set forth herein.

B. One copy of the California Green Building Standards has been filed for use and examination by the public in the Office of the Building Official of the City of Seaside.

15.04.110 Portions of the California Green Building Standards Not Approved, Adopted or Incorporated by Reference.

The following portions of the California Green Building Standards, 2019 edition, and/or appendices thereto, are not approved or adopted or incorporated in this Chapter by

reference, and shall not be deemed to be a part of this Chapter or a part of the Green Building Standards of the City of Seaside:

All of the appendices.

15.04.120 Adoption of the California Energy Code.

A. Except as otherwise provided for in this Chapter, the California Energy Code, 2019 edition including the appendices, together with those omissions, amendments, exceptions and additions thereto as set forth in Title 24 part 4 of the California Code of Regulations are approved and adopted by reference, and made a part hereof as if fully set forth herein.

B. One copy of the California Energy Code has been filed for use and examination by the public in the Office of the Building Official of the City of Seaside.

15.04.130 Adoption of the International Property Maintenance Code.

A. The International Property Maintenance Code, 2018 edition, is hereby adopted by reference and made a part hereof as if fully set forth herein.

B. One copy of the International Property Maintenance Code has been filed for use and examination by the public in the office of the Building Official of the City of Seaside.

15.04.140 Amendments of the 2018 International Property Maintenance Code.

The text of the 2018 International Property Maintenance Code, as adopted and amended by Section 15.04.130, is further amended to conform to the current California Building Standards Code and as recommended by the building official as follows:

Delete the following references	Insert the following references
International Building Code and International Residential Code	Current California Building Code and current California Residential Code
International Mechanical Code	Current California Mechanical Code
International Electrical Code	Current California Electrical Code
International Fire Code	Current California Fire Code
International Plumbing Code	Current California Plumbing Code

International Existing Building Code	Current California Existing Building Code
International Zoning Code	City of Seaside – Zoning Ordinance
International Fuel Gas Code	Current California Plumbing Code
Name of jurisdiction	City of Seaside
Jurisdiction to insert appropriate schedule	Current fees established by resolution of the city council.
Board of appeals	Hearing officer appointed by the city manager
Code Official or Health Official	Building Official or his/her designee

15.04.141 Section [A] 102.7.1 of the 2018 International Property Maintenance Code – Amended as follows:

[A] 102.7.1 Conflicts. Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where conflicts occur between the provisions of this code and California Statutes, the provisions of the latter shall apply.

15.04.142 Section [A] 103 of the 2018 International Property Maintenance Code – Amended as follows:

[A] 103.1 General. The Building Official in charge of the Seaside Building & Code Department shall be known as the code official in this chapter.

[A] 103.3 Deputies. The code official shall have the authority to appoint one or more deputies. Such employees shall have the powers as delegated by the code official.

[A] 103.4 Liability. The code official or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings.

The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

15.04.143 Section [A] 104 of the 2018 International Property Maintenance Code – Amended as follows:

[A] 104.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by the code, provided that if such structure or premises is occupied the code official shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner, owner's authorized agent, or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

15.04.144 Section [A] 108 of the 2018 International Property Maintenance Code – Amended as follows:

[A] 108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned and shall be posted and vacated in accordance with this section and declared to be a public nuisance and the violations shall be abated by repair, rehabilitation, demolition or removal pursuant to the provisions of this code.

[A] 108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered, occupied or maintained contrary to Title 15; or one that is partially constructed, reconstructed or demolished upon which work is abandoned. Work is deemed abandoned when there is no valid building or demolition permit.

[A] 108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure boarded according to Appendix A or fenced, so as not to be an attractive nuisance and/or to prevent entry. Upon failure of the owner or owner's authorized agent to board the premises within the time specified in the order, the code official shall cause the premises to be boarded and secured

through any available public agency or by contract or arrangement by private persons and the cost for such boarding shall be a debt owed by the owner, shall be charged against the real property upon which the structure is located, and shall be a lien upon such real property and shall be collected by any legal means.

[A] 108.3 Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, the code official shall obtain a preliminary or survey title report as to the building, structure, or premises, which shall identify all owners of record, holders of mortgages, deeds of trust or other liens and encumbrances of record. In accordance with section 107.3 of this code, the code official shall serve the persons listed in the preliminary or survey title report with notice described in section 107.2 of this code. In addition, the notice shall be posted in a conspicuous place on in or about the structure or premises affected by such notice. If the notice pertains to equipment, it shall be placed on the condemned equipment.

[A] 108.4.1 Placard removal. The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action was based has been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code and applicable state law and Title 15.

[A] 108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who occupies a placarded premises or operates placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who lets anyone occupy a condemned premises or operate condemned equipment shall be liable for the penalties provided by this code and Title 15.

15.04.145 Section [A] 109 of the 2018 International Property Maintenance Code – Amended as follows:

[A] 109.5 Costs of emergency repairs. Cost incurred in the performance of emergency work may be paid by the city. Such costs shall be a debt owed to the city by the owner. The city attorney may institute appropriate legal action against the owner of the premises or the owner's authorized agent where the unsafe structure is or was located for the recovery of such costs.

[A] 109.6 Appeal. Once the emergency work has been completed, the owner may appeal the need for the emergency repairs and/or the costs for such work, in the manner provided in Sections 17.36.120 and 17.36.130 within seven calendar days after service according to Section 107 of this code of the statement of costs.

15.04.146 Section [A] 110 of the 2018 International Property Maintenance Code – Amended as follows:

[A] 110.3 Failure to comply. If the owner of a premises or owner's authorized agent fails to comply with a demolition order within the time prescribed, the code official may cause the structure to be demolished and removed according to the procedure set forth in Seaside Municipal Code section 2.58.040(A.)(3.)(c.)

15.04.147 Section [A] 111 of the 2018 International Property Maintenance Code – Amended as follows:

[A] 111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code may appeal that decision, notice or order by filing an appeal with the city clerk within seven calendar days of the date of service of that decision, notice, or order. The appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. The appeal shall identify the real property, state the grounds for the appeal, and state all material facts in support of the appeal.

[A] 111.2 Notice of Hearing. Notice of hearing shall be conducted as provided for in Seaside Municipal Code section 17.36.080(C.).

~~**[A] 111.2.1 Alternate members.** The chief appointing authority shall appoint a minimum of two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.~~

~~**[A] 111.2.2 Chairman.** The board shall annually select one of its members to serve as chairman.~~

~~**[A] 111.2.3 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

~~**[A] 111.2.4 Secretary.** The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.~~

~~**[A] 111.2.5 Compensation of members.** Compensation of members shall be determined by law.~~

~~**[A] 111.3 Notice of meeting.** The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.~~

~~**[A] 111.4 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the *code official* and any~~

~~person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.~~

~~[A] 111.4.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.~~

~~[A] 111.5 Postponed hearing. When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.~~

~~[A] 111.6 Board decision. The board shall modify or reverse the decision of the *code official* only by a concurring vote of a majority of the total number of appointed board members.~~

~~[A] 111.6.1 Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the *code official*.~~

~~[A] 111.6.2 Administration. The *code official* shall take immediate action in accordance with the decision of the board.~~

[A] 111.7 Court review. Judicial review of the hearing officer's decision shall be commenced in accordance with Cal. Code of Civil Procedure § 1094.6 no later than 90 calendar days after the decision is signed. Cal. Code of Civil Procedure § 1094.6 is hereby adopted for purposes of this Title. Review shall be in accordance with Cal. Code of Civil Procedure § 1094.5.

[A] 111.8 Stays of enforcement. Appeals of notices and/or orders issued pursuant to this chapter, other than those issued pursuant to section 109 and 112.3, shall stay the enforcement of the notice and order until the appeal is heard by the hearing officer.

15.04.148 Section [A] 112 of the 2018 International Property Maintenance Code – Amended as follows:

[A] 112.4 Failure to comply. Any person who continues any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for penalties pursuant to Seaside Municipal Code section 1.16.030

15.04.149 Definitions Section 201 of the 2018 International Property Maintenance Code – Amended as follows:

GARBAGE. Garbage shall be defined pursuant to Seaside Municipal Code Section 8.28.030 (Solid Waste, defined)

INOPERABLE MOTOR VEHICLE. . A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, incapable of being moved under its own power or is prohibited from being operated on a public street or highway for any reason pursuant to the provisions of the California Vehicle Code.

RUBBISH. Rubbish shall be defined pursuant to Seaside Municipal Code Section 8.45.045 (Municipal Solid Waste, defined)

[A] STRUCTURE. That which is built or constructed or a portion thereof.

TEMPORARY. Temporary shall mean buildings, facilities, or structures intended for use at one location for not more than six months for the purpose of this code only.

15.04.150 Section 302 of the 2018 International Property Maintenance Code – Amended as follows:

302.1 Sanitation. The owner or authorized agent shall maintain the property exterior and premises in a clean, safe and sanitary condition. Such owner or authorized agent shall remain liable for violations thereof regardless of any contract or agreement with any third party regarding such property. The occupant may also be held jointly and severally liable for causing or contributing violations of this section.

302.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and prevent the accumulation of stagnant water thereon, or within any structure located thereon. Excess or concentrated drainage shall be contained on site or directed to the nearest practicable drainage facility approved by the code official.

Exception: *Approved* retention areas and reservoirs.

302.3 Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in proper state of repair, and maintained free from hazardous conditions. The owner or owner's authorized agent of any building, lot or premises within the city shall maintain the sidewalks and/or walkways located upon such premises that are accessible to the general public and the public sidewalks between such premises and any adjacent public street or alley in a clean, safe sanitary, and in a proper state of repair, free from hazardous conditions. Maintenance shall include the removal and proper disposal of any unsightly or unsanitary conditions such as accumulations of garbage, refuse, rubbish, litter, dirt, gum or other sticky substances or items, which have been dropped or spilled upon the sidewalks.

302.4 Weeds. No owner, authorized agent, lessee or occupant or other person having charge or control of any building, lot or premises within the city shall permit weeds exceeding twelve inches (12") in height to remain or accumulate upon such premises or upon public sidewalks adjoining such premises.

Upon failure of the owner or authorized agent having charge of a property to cut and destroy weeds after service of a warning notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the city. Upon failure to comply with the warning notice of violation, any duly authorized employee of the city or contractor hired by the city shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or authorized agent responsible for the property.

302.8 Motor vehicles. Refer to Seaside Municipal Code Section 17.34.150 ~~Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises. No vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.~~ Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

Exception: An owner, authorized agent, lessee, or occupant of the property may repair, wash, clean, or service personal property, provided they comply with Seaside Municipal Code and any other applicable requirements.

15.04.151 SWIMMING POOLS, SPAS AND HOT TUBS Section 303 of the 2018 International Property Maintenance Code – Amended as follows:

303.2 Enclosures. Except as provided for in other regulations, private swimming pools, hot tubs, spas and ponds, containing water more than 18 inches (457 mm) in depth shall be completely surrounded by a fence or barrier 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced, changed or maintained in a manner that reduces its effectiveness as a safety barrier.

15.04.152 Section 304 of the 2018 International Property Maintenance Code – Amended as follows:

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or

any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. All exterior doors, door assemblies, including weather stripping, thresholds and hardware, shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall be tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Under-Floor areas. Under-floor access doors and ventilation openings shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Doors shall be tight fitting and ventilation openings shall be properly screened with corrosion-resistant wire mesh having openings not exceeding 1/4 inch in any dimension or alternate approved materials pursuant to current CBC 1203.4.1.

304.18.2 Windows. Operable windows located in whole or in part within 12 feet above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device. Vacant/abandoned buildings shall provide internal window coverings to prevent easy view of the building interior.

15.04.153 Pest Elimination Section 309 of the 2018 International Property Maintenance Code – Amended as follows:

309.1 Infestation. All structures shall be kept free from insect, rodent and vermin infestation. When an insect, rodent or vermin infestation is brought to the attention of the code official, he or she may require the owner or agent having charge or control of the building, lot or premise to hire a licensed exterminator or other qualified professional to inspect the building, lot or premise and provide a written report verifying the presence and severity of such infestation including in the report a recommendation for proper extermination of the infestation. All structures in which insect, rodent or vermin infestations are found shall be promptly exterminated by approved processes that will not be injurious to human health. After the extermination of the infestation is complete, the code official may request a written notice from the licensed exterminator or other qualified professional attesting to the completion and success of the recommended

extermination procedures. After the infestation is eliminated, proper precautions shall be taken to prevent re-infestation.

309.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure. The owner of a structure or premise containing a dwelling unit, multiple occupancy, rooming house or a nonresidential structure shall be responsible for maintaining the structure and premise in a rodent or pest-free condition. If an infestation is caused by an occupant substantially failing to properly maintain their occupied area of the structure or premise as clean and sanitary as the condition of the structure or premise permits. For as long as the occupants failure either substantially causes an unlivable condition to occur, or substantially interferes with the owners ability to remedy the condition, the owner does not have to remedy the condition. Where the infestation is caused by defects in the structure, the owner shall be responsible for extermination.

309.3 Single occupant. ~~The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the premises.~~

309.4 Multiple occupancy. ~~The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.~~

309.5 Occupant. ~~The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.~~

Exception: ~~Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.~~

15.04.154 Section 505 of the 2018 International Property Maintenance Code – Amended as follows:

505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a minimum temperature of 110° F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless the installation complies with Chapter 5 of the current California Plumbing Code and Section 904.0 of the current California Mechanical Code. An approved combination temperature and pressure-relief valve discharge pipe shall be properly installed and maintained on water heaters.

15.04.155 Section 602 of the 2018 International Property Maintenance Code – Amended as follows:

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms as measured per IPMC section 602.5. Cooking appliances or fireplaces shall not be used, nor shall portable space heaters be used, as a means to provide required heating.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be 32°F.
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

15.04.156 Section 604 of the 2018 International Property Maintenance Code – Amended as follows:

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation including the improper use of extension cords as

permanent wiring, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

15.04.157 Means of Egress Section 702 of the 2018 International Property Maintenance Code – Amended as follows:

[F] 702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the current California Building Code.

15.04.170 Adoption of California Fire Code.

A. The California Fire Code, 2019 edition, including all Appendices, is hereby adopted by reference and made part hereof as if fully set forth herein.

B. One copy of the California Fire Code has been filed in the filed for use and examination by the public in the office of the Building Official of the City of Seaside.

C. The following are definitions as used in this chapter or in any other uniform codes or other nationally recognized fire safety standard, made a part of this chapter, unless otherwise apparent from the context:

1. "City" means the City of Seaside when it refers to a political entity, and means the incorporated area of the City of Seaside when it refers to an area.
2. "City Council" means the city council of Seaside.
3. "Fire Chief" means the chief of the fire department serving the City of Seaside.
4. "Mayor" means the mayor of the City of Seaside.
5. "Municipality" means the City of Seaside.

15.04.180 Bureau of Fire Prevention Established.

The City of Seaside Bureau of Fire Prevention is hereby established to enforce the California Fire Code and shall be presided over by the Fire Chief or his/her designee.

15.04.190 Reserved

15.04.200 Section 307.3 of Chapter 3 of the California Fire Code -- Amended.

Section 307.3. of Chapter 3 of the California Fire Code is amended by adding subsection 307.3.1 to read as follows:

Except as otherwise provided in this Section, all outdoor rubbish fires are prohibited. No waste matter shall be disposed of by burning within the City of Seaside.

15.04.210 Section 307.4.3 of Chapter 3 of the California Fire Code -- Added.

Chapter 3 of the California Fire Code is amended by adding Section 307.4.3 to read as follows:

Permit Required. No person shall kindle or maintain any open pit fire or authorize any such open pit fire to be kindled or maintained for the purpose of preparation of food, such as in the case of a Luau or barbecue or recreational fire without a permit from the Seaside Fire Department.

15.04.220 Sections 903.2 and 903.3.1.3 and 903.6 of Chapter 9 of the California Fire Code – Amended.

Sections 903.2 and 903.3.1.3 and 903.6 of Chapter 9 of the California Fire Code are amended to read as follows:

Section 903.2 All Non-Residential Occupancies 2500 sq. ft. or more

1. An automatic sprinkler system shall be installed and maintained in all new construction in accordance with this section as amended, the California Building Code, and California Fire Code.

Exceptions:

- a. When sprinklers are considered undesirable because of the nature of the contents or in rooms or areas which are of noncombustible construction with wholly noncombustible contents and which are not exposed by other areas. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistive construction or contains electrical equipment.
- b. Temporary Buildings under 1,000 sq. ft.
- c. Airport control towers.
- d. One story detached accessory buildings to a group R-3 dwelling units.
- e. Open parking structures.

f. Sprinklers shall not be installed when the application of water or flame and water to the contents may constitute a serious life or fire hazard, as in the manufacture or storage of quantities of aluminum powder, calcium carbide, calcium phosphide, metallic sodium and potassium, quicklime, magnesium powder and sodium peroxide.

g. Existing mobile home parks within the City regulated by the Department of Housing and Community Development are exempt: Health and Safety Code, Mobile Home Parks Act, Section 18300.

Section 903.3.1.3

903.3.1.3 NFPA 13D Sprinkler Systems. Where allowed, automatic sprinkler systems installed in one-and two-family dwellings shall be installed throughout in accordance with NFPA 13D.

903.3.1 .3.1 All fire sprinkler systems installed in one-and two-family dwellings shall be tested for leakage by undergoing a hydrostatic test made at 200 psi for a two-hour duration.

903.3.1.3.2 Each water system supplying both domestic and fire protection systems shall have a single indicating-type control valve, arranged to shut off both the domestic and sprinkler systems. A separate shut-off valve for the domestic system only shall be permitted to be installed. The location of the control valve shall be approved by the fire code official.

903.3.1.3.3 Local water flow alarms shall be provided on all sprinkler systems. Local water flow alarms shall be powered from the main kitchen refrigerator circuit. The local water flow alarm shall be clearly audible from within the master bedroom at an audibility level of not less than 75 dBa. Where no kitchen exists in the building, the water flow alarm shall be powered from the bathroom lighting circuit.

Section 903.6

903.6 Existing buildings – Where repairs, alterations, and/or additions intensify and/or change the use of an existing building, where the total floor area is ~~five thousand~~ **two thousand five hundred** square feet (**2500sf**), or more, or the building is forty feet (40') or more in height, or is three or more stories in height, it shall be equipped with an automatic sprinkler system and made to comply with the provisions of this Section.

In all buildings where the total floor area exceeds five thousand **two thousand five hundred** square feet **(2500sf)**, or which are forty feet (40') or more in height, or which are three or more stories in height, if the repairs or alterations are made exceeding twenty-five percent of the current market value of the building and property as shown in the records of the County Assessor within any three hundred sixty (360) day period shall be made to comply with the provisions of this section.

Exception:

(1) Valuation may also be determined by the replacement costs of the existing structure based upon the most recent "Building Valuation Data" contained in the "Building Standards" magazine published by the International Conference of Building Officials. The intent of this exception is to allow the use of a less restrictive application (if applicable) to determine if repair, alterations or additions are twenty-five percent (25%) or more of the value of the building.

Definitions

Repair. It is the reconstruction or renewal of any part of an existing building or structure for the purpose of its maintenance.

Alteration. It is any change, addition, or modification in construction or occupancy.

Exception: Projects where the sole purpose is for seismic upgrade.

Existing Group R, Division 3 buildings to which additions, alterations, or repairs are made that involve the removal or replacement of 50 percent or more of the linear length of exterior walls of the building within a one-year period, shall require the installation of an automatic sprinkler system as specified in the California Residential for new construction.

15.04.230 Appendices of the California Fire Code – Adopted and Amended.

Add the following Appendix to read as follows:

APPENDIX AE – ALTERNATIVE ENERGY SYSTEMS

AE101.1 Scope. Applications for the installation, additions or remodel of alternative energy system, including but not limited to photovoltaic and wind generation systems, shall be subject to this appendix when conditioned by the fire code official.

AE101.2 Conflicting Sections. Where provisions in this appendix conflict with other sections of this code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the fire code official.

AE102 SIGNING AND MARKING: All photovoltaic systems shall be permanently marked as specified in this section.

AE102.1 Main Service Disconnect

a. Main Panel Exterior Marking. A placard is required to be permanently affixed to the main service disconnect panel. The placard shall be red in color with white capital letters at least 3/4" in height and in a non-serif font, to read "SOLAR DISCONNECT INSIDE PANEL." The placard shall be constructed of weather-resistant, durable plastic with engraved letters, or other approved material.

b. Circuit Disconnecting Means Marking. A permanent label is to be affixed adjacent to the circuit breaker controlling the inverter or other photovoltaic system electrical controller. The label shall have contrasting color capital letters at least 3/8" in height and in a non-serif font, to read "SOLAR DISCONNECT." The label shall be constructed of durable adhesive material or other approved material.

AE102.2 Direct Current (DC) Conduits, Raceways, Enclosures, Cable Assemblies, and Junction Boxes.

a. Marking is required on all interior and exterior direct current (DC) conduits, raceways, enclosures, cable assemblies, and junction boxes.

b. Marking Locations. Marking shall be placed on all DC conduits, raceways, enclosures, and cable assemblies every ten feet (10'), at turns and above and below penetrations. Marking shall also be placed on all DC combiner and junction boxes.

c. Marking Content and Format. Marking for DC conduits, raceways, enclosures, cable assemblies and junction boxes shall be red with white lettering with minimum 3/8" capital letters in a non-serif font, to read "WARNING: SOLAR CIRCUIT". Marking shall be reflective, weather resistant, and suitable for the environment. Materials used should be in compliance with UL Standard 969.

AE102.3. Secondary Power Sources. Where photovoltaic systems are interconnected to battery systems, generator backup systems, or other secondary power systems, additional signage acceptable to the fire code official shall be required indicating the location of the secondary power source shutoff switch.

AE102.4. Installer Information. Signage acceptable to the fire code official indicating the name and emergency telephone number of the installing contractor shall be required to be installed adjacent to the main disconnect.

AE102.5 Inverters. No markings are required for inverters.

AE102.6 AC Photovoltaic Systems. AC Photovoltaic Systems shall be marked as specified in this section.

a. Main Panel Exterior Marking. A placard is required to be permanently affixed to the main service disconnect panel. The placard shall be red in color with white capital letters at least 3/4" in height and in a non-serif font, to read "SOLAR DISCONNECT INSIDE PANEL." The placard shall be constructed of weather resistant, durable plastic with engraved letters, or other approved material.

b. Circuit Disconnecting Means Marking. A permanent label is to be affixed adjacent to the circuit breaker controlling the inverter or other photovoltaic system electrical controller. The label shall have contrasting color capital letters at least 3/8" in height and in a non-serif font, to read "SOLAR DISCONNECT." The label shall be constructed of durable adhesive material or other approved material.

AE103 BUILDING MOUNTED PHOTOVOLTAIC SYSTEMS.

AE103.1. All building- or roof-mounted photovoltaic systems shall be installed as specified in this section.

a. Access, Pathways, and Smoke Ventilation. Access and spacing requirements shall be observed to ensure emergency access to the roof, provide pathways for specific areas of the roof, provide for

smoke ventilation opportunity areas, and to provide emergency egress from the roof.

b. Exceptions. Exceptions to the requirements in this section shall be permitted to be granted by the fire code official where access, pathway or ventilation requirements are reduced due to any of the following circumstances:

- (1). Proximity and type of adjacent exposures.
 - (2). Alternative access opportunities, as from adjoining roofs.
 - (3). Ground level access to the roof.
 - (4). Adequate ventilation opportunities below solar arrays.
 - (5). Adequate ventilation opportunities afforded by module set back from other rooftop equipment.
 - (6). Automatic ventilation devices.
 - (7). New technologies, methods, or other innovations that ensure adequate fire department access, pathways, and ventilation opportunities.
- c. Designation of ridge, hip, and valley does not apply to roofs with 2-in-12 or less pitch.
- d. Measurement Conventions. All roof dimensions shall be measured to centerlines.
- e. Roof Access Points. Roof access points shall be defined as areas where ladders are not placed over openings (windows or doors) and are located at strong points of building construction and in locations where they will not conflict with overhead obstructions (tree limbs, wires, or signs).

AE103.2 Household Systems (One- and Two-Family Dwellings)

a. Access and Pathways.

(1). Hip Roof Layouts. Modules shall be located in a manner that provides one (1) three foot (3') wide clear access pathway from the eave to the ridge of each roof slope where the modules are located. The access pathway shall be located at a structurally sound location on the building, such as a bearing wall. EXCEPTION: Where adjoining roof planes provide a three foot (3') wide clear access pathway.

(2). Single Ridge Layouts. Modules shall be located in a manner that provides two (2) three-foot (3') wide access pathways from the eave to the ridge on each roof slope where the modules are located.

(3). Hip and Valley Layouts. Modules shall be located no closer than one and one-half feet (1-1/2') to a hip or valley if modules are to be placed on both sides of a hip or valley. Where modules are located on only one side of a hip or valley that is of equal length, the modules shall be permitted to be placed directly adjacent to the hip or valley.

b. Ridge Setback. The modules shall be located no higher than one and one-half feet (1-1/2') below the ridge.

AE103.3. Commercial Systems.

a. Definition. Commercial Systems shall be defined as all photovoltaic systems installed in any occupancy other than a one and two family dwelling.

b. Alternative Requirements. Where the fire code official determines that the roof configuration is similar to residential (i.e., townhouses, condominiums, or single-family attached buildings) the fire code official shall be permitted to make a determination to apply the requirements under Section AE103.2, above.

c. Access. There shall be a minimum six-foot (6') wide clear perimeter around the edges of the roof. EXCEPTION: If either access to the building is 250' or less, there shall be a minimum four foot (4') wide clear perimeter around the edges of the roof.

d. Pathways. Pathways shall be established as follows:

- (1). Pathways shall be over structural members.
- (2). Centerline axis pathways shall be provided in both axes of the roof.
- (3). Centerline axis pathways shall run on structural members or Over the next closest structural member nearest to the center lines of the roof.
- (4). Pathways shall be straight line not less than four feet (4') clear to skylights, ventilation hatches, and/or roof standpipes.
- (5). Pathways shall provide not less than four feet (4') clear around roof access hatches with at least one not less than four foot (4') clear pathway to the parapet or roof edge.

e. Smoke Ventilation.

- (1). Solar arrays shall be no greater than 150 feet by 150 feet in distance in either axis.
- (2). Ventilator options between array sections shall be (a) a pathway eight feet (8') or greater in width; (b) a pathway four feet (4') or greater in width and bordering on existing roof skylights or ventilation hatches; or (c) a pathway four feet (4') or greater in width and bordering four foot by eight foot (4' X 8) "venting cutouts" every twenty feet (20') on alternating sides of the pathway.

AE104. Location of Direct Current (DC) Conductors.

- a. Exterior mounted Direct Current conduits, wiring systems and raceways for photovoltaic circuits shall be located as close as possible to the ridge, hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities.
- b. Conduit runs between sub-arrays and to DC combiner boxes shall use design guidelines that minimize the total amount of conduit by taking the shortest path from the array to the DC combiner box.
- c. DC combiner boxes shall be located so that conduit runs are minimized in the pathways between arrays.

d. DC wiring shall be run in metallic conduit or raceways when located within enclosed spaces in a building and shall be run as follows:

(1). When run perpendicular or parallel to load bearing members, a minimum ten-inch (10") space below roof decking or sheathing shall be maintained.

(2). Where flexible metal conduit (FMC) or metal clad cable (MC) containing PV power circuit conductors is installed across ceilings or floor joists, the raceway or cable shall be protected by guard strips.

AE105 GROUND MOUNTED PHOTOVOLTAIC SYSTEMS

AE105.1 Marking shall be in accordance with Section AE102, above.

AE105.2 Setbacks. Special setback requirements do not apply to ground-mounted, freestanding photovoltaic arrays. NOTE: The zoning regulations of the jurisdiction regulate setbacks between buildings, accessory structures (possibly including ground-mounted photovoltaic arrays) and property lines.

AE105.3 Clearances. A clear area of ten feet (10') around ground-mounted photovoltaic installations shall be provided.

AE105.4 Non-Combustible Base. A gravel base or other non-combustible base acceptable to the fire code official shall be installed and maintained under and around the installation.

AE105.5 Protection. Fencing, skirting, or other suitable security barrier shall be installed when required by the fire code official. NOTE: Security barriers are intended to protect individuals and animals from contact with energized conductors or other components.

AE105.6 Fire Sprinkler Protection. Fire sprinkler protection is not required for ground-mounted photovoltaic installations.

15.05.005 Development permit required.

No building or structure shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, or changed from one use to another use, unless and until a development permit has been secured from the building

official. The building official is responsible for issuing development permits and is authorized, in consultation with affected departments or divisions, to attach any conditions to the permit consistent with the nature of the development or use and in the interests of health, safety and welfare.

4. Residential retaining walls not exceeding four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a **surface**.

15.08.070 Retaining Walls

D. Retaining Walls over four feet in height measured from the bottom of the footing shall require a building permit.

17.34.150 Parking of Other Than Passenger Vehicles

E. Not for living purposes. ~~None of the vehicles~~ Passenger vehicles, pickup trucks, and those identified in Subsection A of this section shall be used for ~~housekeeping,~~ living, or sleeping purposes when parked or stored on private property except when licensed and parked within an approved safe parking area.

17.36.180 Summary Abatement of Immediate Dangers

Whenever any condition on or use of property causes or constitutes, or reasonably appears to cause or constitute, an imminent immediate danger to the health and safety of the public, or a significant portion thereof, the ~~Property Maintenance Enforcement~~ Officer shall have the authority to summarily and without notice abate the condition. The expenses of the abatement shall become a lien on the property and be collectible as provided in this chapter.

A. Consents to remove graffiti. Whenever graffiti is found to exist in violation of Subsection 17.36.030.M (Graffiti), if the property owner or person in control consents to the removal of the graffiti **by the City**, the City **or its contractor** may enter upon the property and remove the graffiti.

B. Refuses to remove graffiti. If a condition exists and the owner or person in control refuses to consent to the removal of the graffiti **by the City**, the ~~Property Maintenance Enforcement~~ Officer may issue an order by certified mail, return receipt

requested, to the owner, as shown on the first equalized assessment roll, to abate this condition. A copy of the order shall also be posted on the subject property.

C. Fifteen days to remove graffiti. The order shall give a maximum of 15 days from the date the notice was mailed to perform the work.

D. Content of notice to remove graffiti. The notice shall further state that if the nuisance is not abated by the date specified in the order:

1. The City, or its contractor, may enter upon the parcel of land and remove or otherwise eliminate or abate the nuisance;
2. That upon completion of the work the cost thereof, including administrative costs, may become a special assessment against that parcel; and
3. That upon confirmation of the assessment and recordation of that order, as provided by Section [17.36.170](#) (Assessment Lien), a lien may be attached to the parcel to be collected on the next regular property tax bill levied against the parcel

17.52.220 Residential Accessory Buildings, Structures, and Uses

A. Applicability. Accessory buildings shall comply with the requirements of this section, where allowed as Residential Accessory Uses and Structures by Article 2 (Zones, Permitted Land Uses, and Zoning Standards). These requirements do not apply to residential second units, which are instead regulated by Section [17.52.230](#) (Residential Second Units).

E. Setback requirements. All residential accessory structures that are detached from the primary structure shall comply with the following setback requirements. An attached accessory structure shall comply with Subsection J.1 of this section.

3. Distance between buildings. All detached An accessory building structures shall be at least five feet from any dwelling and/or others buildings on the same lot and/or the same parcel. an adjacent lot.

J. Accessory structures and uses.

2. Standards for specific accessory uses and structures. The following requirements apply to the specific types of accessory structures listed, in addition to the other applicable requirements of this section:

a. Above-ground-level decks. A detached above-ground-level deck (18 inches or more above grade) that is proposed to be located within the property setbacks shall require Use Permit approval by the Planning Commission, in compliance with Section [17.62.070](#) (Use Permit and Minor Use Permit). In approving the Use Permit, the Commission shall make the findings that privacy to surrounding neighbors and neighborhood compatibility are maintained. In no case shall a ~~detached~~ deck exceeding 18" above ground-level ~~structure~~—be located closer than five feet from a side and rear property line.

SECTION 3. Findings.

- A. The amendments to California Building and Residential Codes set forth in this ordinance are reasonably necessary because of the following local geological conditions:
 1. CBC Section 1905.1.8 & CRC Section R403.1.3 Plain Concrete. Seaside is within a very active seismic area (Seismic Design Category D). Severe seismic action could disrupt structural integrity and damage unreinforced footings. The proposed amendments to the California Building and Residential Codes address the problem of poor performance of plain or under-reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in 1994 Northridge earthquake.
 2. CBC Section 1705.3. Results from studies after the 1994 Northridge earthquake indicated that a lot of the damages were attributed to lack of quality control during construction. The proposed amendment improves quality control during construction and therefore needs to be incorporated into the Code. Revise CBC Section 1705.3 exception No. 1 to allow special inspection not to be required for isolated spread footing where the structural design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 psi.
 3. CRC Section R602.10.4.4. The proposed amendments to the California Residential Code address the problem of poor performance of Gypsum Wallboard and Portland Cement Plaster as wall bracing materials in high seismic areas. This amendment reflects the recommendations by the

Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of these bracing materials that were observed in 1994 Northridge earthquake.

B. The amendments to California Fire Code Section set forth in this ordinance are reasonably necessary because of the following local climatic, geological and topographical conditions:

1. Climatic

The climate weather patterns within the city of Seaside are considered to be moderately affected by the ocean bodies of the Pacific Ocean and Monterey Bay, which extend the year round growing season of vegetation. The normal year's rainfall is approximately eighteen (18) inches on the average yearly calendar. Summer conditions with the prevalent Pacific High Cell create the mid-day fog normally associated with Seaside. This climactic fog assists the natural vegetation in growth.

Later in the year, the winds and drying vegetation mix to create a hazardous fuel condition, which has caused grassland and brushland fires in recent years. While normal temperatures usually do not exceed 75-80 degrees, during late summer and early fall (August, September, October) the temperatures can climb to 90 degrees plus. The afternoon winds can move a fire quickly in the city limits and outlying areas that once were Fort Ord.

Because of weather patterns and population increases, the City of Seaside has experienced water rationing and water allocation. Due to storage capacities and consumption, as well as climatic conditions, limited water resources are an issue.

While sound management of the water resources is possible, actual demands on an already stressed water supply can most assuredly be predicted.

2. Geological

Seismic activity within the City occurs yearly with little or no damage, although real potential for damage does exist with four local active faults. New construction may be limited by its respective distance to such faults, and replacement of existing structures could be costly. The city of Seaside has a start at sea level and extends to areas in excess of 300 feet above sea level. The elevation change caused by the hills creates the geological foundation on which the City has built and will continue to build. The region is located in an area of high seismic activity as indicated by the United States Geological Survey. Recent earthquake activity has indicated the lack of flexibility of materials and building systems has been a contributing factor to damages that reduced the protection of the life-safety of building occupants and

increased the cost of rehabilitation of structures. Activities have indicated the need for increased levels of safety in building systems, including but not limited to means of egress, wiring systems, and fire protection systems.

3. Topographical

The findings in this section are caused by the construction and design of the City of Seaside due to the elevation changes, as well as the mountains, hills, and canyons that dissect the City with the addition of portions of the former Fort Ord Military Base that are now considered Seaside. The water supply (domestic and fire flow) is directly affected by the topographical layout. The distribution system consists of water lines that carry the water from storage tanks to the public via pipes. These street mains create lift-zones where the pressure and flows are adequate at lower elevations and minimal, sometimes critical supplies at the top. Water supplies within the City of Seaside vary from less than 250 gallons-per-minute to flows in excess of 4,000 gallons-per-minute. This wide variation causes major problems to development, as well as fire suppression forces.

The topography also has affected the way buildings are built in Seaside. The existing structures are being removed and replaced with larger, more cost effective buildings. Those existing structures which remain cause concern to the Fire Department because of their lack of adequate fire protection. It is not uncommon to see a single or two-story building torn down and replaced with a two, three, or four story building typically also built with wood (Type V). The potential for conflagration exists with the high buildout in certain sections of Seaside. The concentrated commercial as well as residential occupancies cause concern regarding the exposure elements of building-to-building and the future building-to-grassland development on portions of the former Fort Ord Military Base now Seaside.

These Findings of Fact, which identify the various climatic, geological, and topographical conditions are considered reasonably necessary to modify the requirements established pursuant to Health and Safety Code Section 17922 based on local conditions.

SECTION 4. Effective Date. This ordinance shall be in full force and effect 30 days after its final passage and adoption but no sooner than January 1, 2019.

SECTION 5. The City Clerk shall certify to the adoption of this ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted in three (3) public places designated by resolution of the City Council. Immediately upon this ordinance becoming effective, the City Clerk shall forward a certified copy of the same to the California Building Standards Commission.

INTRODUCED AND PASSED TO PRINT at a Regular Meeting of the City Council duly held on November 7, 2019; and

PASSED AND ADOPTED at a regular meeting of the City council of the City of Seaside, State of California, on the X day of January, 20XX, by the following vote:

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

APPROVED:

ATTEST:

Ian Oglesby, Mayor

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 9.D.

TO: City Council

FROM: Craig Malin, City Manager

BY: Sheri Damon, Assistant City Attorney

DATE: November 21, 2019

SUBJECT: CITY-INITIATED URGENCY ORDINANCE: ADDING CHAPTER 17.55 TO THE TO THE SEASIDE MUNICIPAL CODE (SMC) TO ADD A NEW CHAPTER SPECIAL PROVISIONS FOR SMALL WIRELESS FACILITIES, AND MAKING THEM SUBJECT TO A PERMIT AS SPECIFIED IN A NEW CITY COUNCIL POLICY (ROLL CALL VOTE)

PURPOSE & RECOMMENDATION

Adopt an Urgency Ordinance amending City's municipal code to recognize small wireless facilities.

BACKGROUND

EXECUTIVE SUMMARY

In order to comply with recent changes in federal and state law that affect local authority over small wireless facilities, on October 17, 2019, the City Council will be asked to review and adopt a new chapter in the Municipal Code recognizing small wireless facilities and adopt a policy to regulate the permitting of said facilities.

BACKGROUND

On September 26, 2018, the Federal Communications Commission (FCC) adopted new rules that further limit local authority to regulate "small wireless facilities" as that term is defined in 47 C.F.R. § 1.6002(I). The FCC rules, which became fully effective on April 15, 2019, require the City to review small cell applications faster and under more

limited criteria consistent with the FCC's national standard for permissible local regulations. These rules are part of a larger rule-making that aims to reinterpret the federal Telecommunications Act of 1996.

Small wireless facilities generally include the smaller scale antennas and associated facilities (as compared to first generation macro facilities) that are part of the next generation of wireless technology, known as 5G. 5G operates at significantly faster speeds than the existing 4th Generation (4G) technology, using higher frequency, directional radio waves over shorter distances. 5G technology calls for smaller, more frequently-placed antennas than 4G, which lend themselves to placement on light-poles and similar existing infrastructure. Wireless carriers have begun 5G installation in a number of major cities areas across the country, including Sacramento and Los Angeles, and are working towards nationwide deployment by the end of 2020.

Under the new rules, the FCC defines the presumptively reasonable time for review as 60 days for small cell attachments to existing structures and 90 days for attachments to new structures. Any administrative appeal must also occur within the applicable shot clock. If the City fails to issue a timely final decision, the City's failure to act presumptively constitutes an effective prohibition of service and the applicant may file a claim in federal court for an injunction to issue "shovel-ready" permits.

In addition, the FCC provides that a local small cell regulation causes an effective prohibition in violation of federal law unless the regulation is (1) reasonable; (2) no more burdensome than regulations imposed on similar infrastructure deployments; and (3) objective and published in advance. Reasonable regulations are those that are technically feasible and reasonably directed to avoiding or remedying the "intangible public harm" (as it is described by the FCC) of unsightly or out-of-character deployments. Although the FCC declared that minimum spacing or under-grounding requirements would potentially violate the new test, the FCC provided little guidance as to the scope of specific local regulations that would likely be considered to be preempted. The regulations mean that the City may not prohibit placement of small cells within the public right-of-way or on publicly-owned and operated utility poles but can prescribe reasonable standards for their placement and design.

On December 10, 2018, the FCC clarified the effective dates for the rule, stating that the shot clock and fee regulations go into effect on January 14, 2019, with the aesthetic regulations going into effect on April 15, 2019. The City Council has directed that the staff bring forward policies regulating small cells.

AMENDMENT OF THE CITY'S WIRELESS ORDINANCE

Because small cell wireless technology is relatively new, the City's existing zoning code does not explicitly address small wireless facilities. Accordingly, staff seeks to add a new chapter 17.55 to the Seaside Municipal Code to recognize small wireless facilities

and regulate those policies by adopting a City Council Policy overseeing the permitting of these facilities.

ADOPTION OF COUNCIL POLICY REGULATING SMALL WIRELESS FACILITIES

The purpose of the Council's Small Wireless Facilities Policy (Policy) is to establish reasonable and comprehensive standards and procedures for the permitting of small wireless facilities within the City, including but not limited to the siting of facilities, aesthetics, construction, operation, modification, and removal. The Policy is intended to promote the community interest of protecting the City's visual character from potential adverse impacts from facilities while providing access to high quality advanced wireless technology for the City's residents, businesses, and visitors. The City Council should note that, as a policy rather than an Ordinance, the City may amend or revoke the provisions more quickly. This approach is recommended by the City's outside counsel due to the rapid and sometimes unpredictable changes in the federal law.

Key provisions of the Policy

1. Application Requirements

Applicants are required to submit a variety of items, including but not limited to, a project narrative, construction drawings, a site survey, a radio frequency ("RF") report certifying compliance with federal standards, photo simulations, an executed Pole License Agreement, and review/permitting fees.

2. Community Development Director shall review all applications

The Community Development Director, or his/her designee, shall be responsible for reviewing all applications and approving, conditionally approving or denying the application.

3. Noticing

The Community Development Director shall ensure that notice of the project application is mailed to all properties and record owners of properties within 300 feet of the project site. The notice will contain a description of the project, the applicant's contact information, and a statement to send comments to the Director within a specified time frame.

4. Decisions and Appeals

The findings for approval have been amended to reflect the new objectivity requirement in the FCC rules. Due to the extremely short shot clocks, the initial decision to approve or deny will be made by the Community Development Director. Interested persons will have the opportunity to appeal the decision directly to the City Council. The entire process will be fast-tracked to ensure adequate time for public participation in the appeal process.

5. Location Preferences and Design Standards

The policy sets forth ranked preferences for locations and support structures within those locations. Residential areas and new freestanding poles or similar structures are the least preferred and require the applicant to demonstrate why no more preferred location within a reasonable distance from the site is technically feasible. Staff has also worked with outside counsel to develop detailed and objective design criteria and standards that preserve local authority and comply with the FCC's restrictions.

6. Automatic Conditions of Approval

The policy contains a substantial number of "standard conditions" applicable to all deployments. These ensure that the maintenance and operational requirements for all facilities are evenly applied, and also ensure that all facilities meet minimum standards in the event that an approval is mandated by law.

ENVIRONMENTAL ASSESSMENT

The proposed code amendment is exempt from further environmental review in accordance with CEQA Guidelines section 15061(b)(3) because the it involves the adoption of regulations for small cell wireless facilities and does not directly or indirectly authorize or approve any actual physical changes in the environment.

SUMMARY/CONCLUSION

The proposed ordinance and policy are necessary for compliance with new FCC regulations. Although these new regulations are intended to restrict local authority, staff has worked with outside counsel to develop a flexible approach that preserves as much of the City's authority as possible while still achieving compliance. Staff recommends that the City Council review and adopt the proposed ordinance.

FISCAL IMPACT

There is no fiscal impact for this item.

ATTACHMENTS

1. Urgency Ordinance-Telecom-rev
 2. Exhibit A Small Cell Policy-rev_2
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

ORDINANCE NO. XXXX

AN URGENCY ORDINANCE OF THE CITY OF SEASIDE

**ADDING CHAPTER 17.55 OF THE SEASIDE MUNICIPAL CODE ESTABLISHING
REGULATIONS FOR SMALL WIRELESS FACILITIES PURSUANT TO
APPLICABLE FEDERAL LAWS**

**THE CITY COUNCIL OF THE CITY OF SEASIDE HEREBY ORDAINS AS
FOLLOWS:**

SECTION 1. Findings. On October 17, 2019, the City Council considered the adoption of this Ordinance at a duly noticed public meeting and on the basis of the record thereof finds the following facts to be true.

a. Pursuant to Article XI, section 7 of the California Constitution and sections 36931 and following of the California Government Code, the City Council may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws; and

b. Significant changes in federal and State law that affect local authority over wireless communications facilities ("WCFs") have occurred, including but not limited to the following:

1. On August 2, 2018, the Federal Communications Commission ("FCC") adopted a declaratory ruling that prohibits state and local governments from adopting temporary moratoria on telecommunications infrastructure deployment; and
2. On September 26, 2018, the FCC adopted new rules that limit local authority to regulate "small wireless facilities" as that term is defined in 47 Code of Federal Regulations §1.6002(l); and
3. The FCC rules included a declaratory ruling and report and order, that, among other things, creates a new regulatory classification for small wireless facilities, requires State and local governments to process applications for small wireless facilities within 60 days or 90 days, establishes a national standard for an effective prohibition and provides that a failure to act within the applicable timeframe presumptively constitutes an effective prohibition; and
4. The FCC rules became partially effective on January 14, 2019, and fully effective on April 15, 2019, would require the City of Seaside ("City") to review small cell applications consistent with the FCC's national standard for permissible local regulations; and
5. The FCC rules provide that a local small cell regulation causes an effective prohibition in violation of federal law unless the regulation is 1) reasonable; 2) no more burdensome than regulations imposed on similar infrastructure deployments; and 3) objective and published in advance; and
6. The FCC regulations mean that the City may not prohibit placement of small cells within the public right-of-way or on publicly-owned and operated utility poles but can prescribe reasonable standards for their placement and design; and
7. On December 10, 2018, the FCC clarified the effective dates for the rule, stating that the shot clock and fee regulations would go into effect on January 14, 2019, and the aesthetic regulations go into effect on April 15, 2019.

- c. Given the rapid and significant changes in federal and State law, the actual and effective prohibition on moratoria to amend local policies in response to such changes and the significant adverse consequences for noncompliance with federal and state law, the City Council desires to add Seaside Municipal Code section 17.55, to allow greater flexibility and responsiveness to new federal and state laws in order to preserve the City's traditional authority to the maximum extent practicable (collectively, the "Amendments"); and
- d. The City intends to study, within a reasonable time, the adequacy of its existing ordinances and the potential need to adopt or amend its regulations regarding its policy on small wireless facilities and other infrastructure deployments within the public rights-of-way and other areas. The City Council and the people of Seaside require a sufficient and reasonably limited time to consider and study legally appropriate and reasonable policies regulating small wireless facilities and other infrastructure in order to prevent negative impacts on neighboring residents. The City Council has the authority to adopt an urgency interim ordinance pursuant to the Seaside Municipal Code and Government Code Section 65858 in order to protect the public health, safety, or welfare for a 45-day period.
- e. The City Council finds that the public health and welfare needs of the community is met by the immediate adoption of the Policy on Small Wireless Facilities since unregulated wireless communications facilities are aesthetically displeasing and out of harmony with the character of this community so as to constitute visual blight which reduces the quality of life within the community to the extent that the overall public health and welfare is detrimentally affected. Given the short time the City has to process applications for small wireless communication facilities there is an immediate need for such policy.

SECTION 2. Adding Seaside Municipal Code Chapter 17.55. A new section 17.55 is added to the Seaside Municipal Code which reads as follows:

Special Provisions for Small Wireless Facilities. Notwithstanding any other provision of this chapter or Chapter 17.54 related to wireless facilities, as provided herein, all small wireless facilities as defined by the FCC in 47 CFR §1.6002(l), as may be amended or superseded, which are located within the public rights-of-way, are subject to a permit as specified in City Council Policy, Small Wireless Facilities, which is adopted and may be amended by City Council resolution. All small wireless facilities within the public rights-of-way shall comply with the Policy on Small Wireless Facilities. In the event that the FCC Order adopting said regulations is invalidated by a court of competent jurisdiction or repealed and not replaced, the provision in this Chapter shall control over the Policy on Small Wireless Facilities.

SECTION 3. Term. This Ordinance is an urgency ordinance for the immediate preservation of the public peace, health, and safety within the meaning of Seaside Municipal Code Section 2.02.380.D and Government Code Section 36937(b) and therefore shall be passed immediately upon its introduction and shall become effective immediately upon its adoption. This Ordinance shall expire 45 days after its adoption unless extended by the City Council at a regularly noticed public hearing pursuant to California Government Code Section 65858(a).

SECTION 4. CEQA Finding. The City Council finds there is no possibility the adoption of this Ordinance will have a significant effect on the environment. This Ordinance merely amends the Seaside Municipal Code to authorize the adoption of regulations related to WCFs. This Ordinance does not directly or indirectly authorize or approve any actual changes in the physical environment. Applications for any new WCF

or change to an existing WCF would be subject to additional environmental review on a case-by-case basis. Accordingly, the City Council finds that this Ordinance would be exempt from CEQA Guidelines at Title 14, Section 15061(b)(3) of the California Code of Regulations.

SECTION 5. Severability. 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. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid or unenforceable.

SECTION 6. Conflicts with Prior Ordinances. If the provisions in this Ordinance conflict in whole or in part with any other City regulation or ordinance adopted prior to the effective date of this section, the provisions in this Ordinance will control.

SECTION 7. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

INTRODUCED, PASSED AND ADOPTED at a regular City Council meeting duly held on the 17th day of October, 2019 by the following vote:

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

APPROVED:

Ian N. Oglesby, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

CITY OF SEASIDE	Policy No. <i>[reserved]</i>
CITY COUNCIL POLICY	Adopted: <i>[date]</i> Revised:
GENERAL SUBJECT: SMALL WIRELESS FACILITIES	

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SECTION 1. GENERAL PROVISIONS

SECTION 1.1. PURPOSE AND INTENT

- (a) On September 27, 2018, the Federal Communications Commission ("FCC") adopted a *Declaratory Ruling and Third Report and Order*, FCC 18-133 (the "*Small Cell Order*"), in connection with two informal rulemaking proceedings entitled *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79, and *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84. The regulations adopted in the *Small Cell Order* significantly curtail the local authority over wireless and wireline communication facilities reserved to State and local governments under sections 253 and 704 in the federal Telecommunications Act.
- (b) The City of Seaside intends this Policy to establish reasonable, uniform and comprehensive standards and procedures for small wireless facilities deployment, construction, installation, collocation, modification, operation, relocation and removal within the City's territorial boundaries, consistent with and to the extent permitted under federal and California state law. The standards and procedures contained in this Policy are intended to and should be applied to, protect and promote public health, safety and welfare, and balance the benefits that flow from robust, advanced wireless services with the City's local values, which include without limitation the aesthetic character of the City, its neighborhoods and community. This Policy is also intended to reflect and promote the community interest by (1) ensuring that the balance between public and private interests is maintained; (2) protecting the City's visual character from potential adverse impacts and/or visual blight created or exacerbated by small wireless facilities and related communications infrastructure; (3) protecting and preserving the City's environmental resources; (4) protecting and preserving the City's public rights-of-way and municipal infrastructure located within the City's public rights-of-way; and (5) promoting access to high-quality, advanced wireless services for the City's Residents and businesses and visitors.
- (c) This Policy is not intended to, nor shall it be interpreted or applied to: (1) prohibit or effectively prohibit any personal wireless service provider's ability to provide personal wireless services; (2) prohibit or effectively prohibit any entity's ability to provide any telecommunications service, subject to any competitively neutral and nondiscriminatory rules, regulations or other legal requirements for rights-of-way management; (3) unreasonably discriminate among providers of functionally equivalent personal wireless services; (4) deny any request for authorization to place, construct or modify personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such wireless facilities comply with the FCC's regulations concerning such emissions; (5) prohibit any collocation or modification that the City may not deny under federal or

California state law; (6) impose any unreasonable discriminatory or anticompetitive fees that exceed the reasonable cost to provide the services for which the fee is charged; or (7) otherwise authorize the City to preempt any applicable federal or California law.

SECTION 1.2. GENERAL DEFINITIONS

- (a) **Undefined Terms.** Undefined phrases, terms or words in this section will have the meanings assigned to them in 1 U.S.C. § 1, as may be amended or superseded, and, if not defined therein, will have their ordinary meanings. If any definition assigned to any phrase, term or word in this section conflicts with any federal or state-mandated definition, the federal or state-mandated definition will control.
- (b) **Defined Terms.**
 - (1) **"antenna"** means the same as defined by the FCC in 47 C.F.R. § 1.6002(b), as may be amended or superseded.
 - (2) **"arterial street"** means a street designed to feed through-traffic to freeways, provide access to adjacent land uses - mostly at intersections - and feature traffic control measures. The term "arterial street" as used in this Policy is defined in the City of Seaside General Plan, Circulation Element.
 - (3) **"collector street"** means a street designed to provide access to adjacent land uses and feed local traffic to arterials. The term "collector street" as used in this Policy includes collectors and residential collectors as defined in the City of Seaside General Plan, Circulation Element.
 - (4) **"collocation"** means the same as defined by the FCC in 47 C.F.R. § 1.6002(9), as may be amended or superseded.
 - (5) **"Community Development Director"** means the Community Development Director or his/her designee and shall be the City official responsible for reviewing applications for small cell permits and vested with the authority to approve, conditionally approve or deny such applications as provided in this Policy.
 - (6) **"concealed" or "concealment"** means concealing techniques that integrate the transmission equipment into the surrounding natural and/or built environment such that the average, untrained observer cannot directly view the equipment but would likely recognize the existence of the wireless facility or concealment technique. Camouflaging concealment techniques include but are not limited to: (1) antennas mounted within a radome above a streetlight; (2) equipment cabinets in the public rights-of-way painted or wrapped to match the

background; and (3) cables and wiring concealed within a shroud and/or routed internally through the support structure.

- (7) **"decorative pole"** means any pole that includes decorative or ornamental features, design elements and/or materials intended to enhance the appearance of the pole or the public rights-of-way in which the pole is located.
- (8) **"FCC"** means the Federal Communications Commission or its duly appointed successor agency.
- (9) **"FCC Shot Clock"** means the presumptively reasonable time frame within which the City generally must act on a given wireless application, as defined by the FCC and as may be amended or superseded.
- (10) **"ministerial permit"** means any City-issued non-discretionary permit required to commence or complete any construction or other activity subject to the City's jurisdiction. Ministerial permits may include, without limitation, any building permit, construction permit, electrical permit, encroachment permit, excavation permit, traffic control permit and/or any similar over-the-counter approval issued by the City's departments.
- (11) **"personal wireless services"** means the same as defined in 47 U.S.C. § 332(c)(7)(C)(i), as may be amended or superseded.
- (12) **"personal wireless services facilities"** means the same as defined in 47 U.S.C. § 332(c)(7)(C)(i), as may be amended or superseded.
- (13) **"RF"** means radio frequency or electromagnetic waves.
- (14). **"Section 6409"** means Section 6409(a) of the Middle Class Tax Relief and Job Creation Act 012012, Pub.- L No. 112-96, 126 Stat 156, codified as 47 U.S.C. '§ 1.455(a), as may be amended or superseded.
- (15) **"small wireless facility"** or **"small wireless facilities"** means the same as defined by the FCC in 47 C.F.R. § 1.6002 as may be amended or superseded.
- (16) **"tower"** means the same as defined by the FCC in 47 C.F.R. § 1.6100(b)(9), as may be amended or superseded.

SECTION 2. SMALL WIRELESS FACILITIES

SECTION 2.1. APPLICABILITY; REQUIRED PERMITS AND APPROVALS

- (a) **Applicable Facilities.** Except as expressly provided otherwise in this Policy, the provisions in this Policy shall be applicable to all existing small wireless facilities

and all applications and requests for authorization to construct, install, attach, operate, collocate, modify, reconstruct, relocate, remove or otherwise deploy small wireless facilities within the public rights-of-way or on private property within the City's jurisdictional and territorial boundaries.

- (b) **Small Cell Permit.** A "small cell permit," subject to the Community Development Director's prior review and approval, is required for any small wireless facility proposed on an existing, new or replacement structure.
- (c) **Request for Approval Pursuant to Section 6409.** Notwithstanding anything in the Policy to the contrary, requests for approval to collocate, replace or remove transmission equipment at an existing wireless tower or base station submitted pursuant to Section 6409 will be subject to the current FCC rules and regulations "eligible facilities requests" as defined by FCC and as may be amended or superseded.
- (d) **Other Permits and Approvals.** In addition to a small cell permit, the applicant must obtain all other permits and regulatory approvals as may be required by any other federal, state or local government agencies, which includes without limitation any ministerial permits and/or other approvals issued by other City departments or divisions. All applications for ministerial permits submitted in connection with a proposed small wireless facility must contain a valid small cell permit issued by the City for the proposed facility. Any application for any ministerial permit(s) submitted without such small cell permit may be denied without prejudice. Furthermore, any small cell permit granted under this Policy shall remain subject to all lawful conditions and/or legal requirements associated with such other permits or approvals.

SECTION 2.2. SMALL CELL PERMIT APPLICATION REQUIREMENTS

- (a) **Small Cell Permit Application Contents.** All applications for a small cell permit must include all the information and materials required in this Section 2.2(a).
 - (1) **Application Form.** The applicant shall submit a complete, duly executed small cell permit application on the then-current form prepared by the Community Development Director.
 - (2) **Application Fee.** The applicant shall submit the applicable small cell permit application fee established by City Council resolution. Batched applications must include the applicable small cell permit application fee for each small wireless facility in the batch. If no small cell permit application fee has been established, then the applicant must submit a signed written statement that acknowledges that the applicant will be required to reimburse the City for its reasonable costs incurred in connection with the application within 10 days after the City issues a written demand for reimbursement.

- (3) **Construction Drawings.** The applicant shall submit true and correct construction drawings, prepared, signed and stamped by a California licensed or registered engineer, that depict all the existing and proposed improvements, equipment and conditions related to the proposed project, which includes without limitation any and all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholes, manholes, fire hydrants, equipment cabinets, antennas, cables, trees and other landscape features. The construction drawings must: (i) contain cut sheets that contain the technical specifications for all existing and proposed antennas and accessory equipment, which includes without limitation the manufacturer, model number and physical dimensions; (ii) identify all structures within 500 feet from the proposed project site and call out such structures' overall height above ground level; (iii) depict the applicant's plan for electric and data backhaul utilities, which shall include the locations for all conduits, cables, wires, handholes, junctions, transformers, meters, disconnect switches, and points of connection; and (iv) demonstrate that proposed project will be in full compliance with all applicable health and safety laws, regulations or other rules, which includes without limitation all building codes, electric codes, local street standards and specifications, and public utility regulations and orders.
- (4) **Site Survey.** For any small wireless facility; the applicant shall submit a survey prepared, signed and stamped by a California licensed or registered engineer. The survey must identify and depict all existing boundaries, encroachments and other structures within 50.0 feet from the proposed project site, which includes without limitation all: (i) traffic lanes; (ii) all private properties and property lines; (iii) above and below-grade utilities and related structures and encroachments; (iv) fire hydrants, roadside call boxes and other public safety infrastructure; (v.) streetlights, decorative poles, traffic signals and permanent signage; (vi) sidewalks, driveways, parkways, curbs, gutters and storm drains; (vii) benches, trash cans, mailboxes, kiosks and other street furniture; and (viii) existing trees, planters and other landscaping features.
- (5) **Photo Simulations.** The applicant shall submit site photographs and photo simulations that show the existing location and proposed small wireless facility in context from at least three vantage points within the public streets or other publicly accessible spaces, together with a vicinity map that shows the proposed site location and the photo location for each vantage point. At least one simulation must depict the small wireless facility from a vantage point approximately 50 feet from the proposed support structure or location.
- (6) **Project Narrative and Justification.** The applicant shall submit a written statement that explains in plain factual detail whether and why the proposed wireless facility qualifies as a "small wireless facility" as defined by the FCC in 47 C.F.R. § 1.6002(*l*). A complete written narrative analysis will state the applicable standard and all the facts that allow the City to conclude the standard has been met-bare conclusions not factually supported do not constitute a

complete written analysis. As part of the written statement the applicant must also include (i) whether and why the proposed support is a "structure" as defined by the FCC in 47 C.F.R. § 1.6002(m); and (ii) whether and why the proposed wireless facility meets each required finding for a small cell permit as provided in Section 2.4(c).

- (7) **RF Compliance Report.** The applicant shall submit an RF exposure compliance report that certifies that the proposed small wireless facility, as well as any collocated wireless facilities, will comply with applicable federal RF exposure standards and exposure limits. The RF report must be prepared and certified by an RF engineer acceptable to the City. The RF report must include the actual frequency and power levels (in watts effective radiated power) for all existing and proposed antennas at the site and exhibits that show the location and orientation of all transmitting antennas and the boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC) and also the boundaries of areas with RF exposures in excess of the controlled/occupational limit (as that term is defined by the FCC). Each such boundary shall be clearly marked and identified for every transmitting antenna at the project site.
- (8) **Public Notices.** The applicant shall reimburse the City for the cost of preparing and mailing public notices.
- (9) **Regulatory Authorization.** The applicant shall submit evidence of the applicant's regulatory status under federal and California law to provide the services and construct the small wireless facility proposed in the application.
- (10) **Pole License Agreement.** For any small wireless facility proposed to be installed on any structure owned or controlled by the City and located within the public rights-of-way, the applicant shall submit an executed Pole License Agreement on a form prepared by the City that states the terms and conditions for such non-exclusive use by the applicant. No changes shall be permitted to the City's Pole License Agreement except as may be indicated on the form itself. Any unpermitted changes to the City's Agreement shall be deemed a basis to deem the application incomplete. Refusal to accept the terms and conditions in the City's Agreement shall be an independently sufficient basis to deny the application.
- (11) **Title Report and Property Owner's Authorization.** For any small wireless facility proposed to be installed on any private property not owned or controlled by the City, the applicant must submit: (i) a title report issued within 30 days from the date the applicant filed the application; and (ii) if the applicant is not the property owner, a written authorization signed by the property owner identified in the title report that authorizes the applicant to submit and accept a small cell permit in connection with the subject property. For any small wireless facility proposed to be installed on a support structure in the public right-of-way,

the applicant must submit a written authorization from the support structure owner(s).

- (12) **Acoustic Analysis.** The applicant shall submit an acoustic analysis prepared and certified by an engineer licensed by the State of California for the proposed small wireless facility and all associated equipment including all environmental control units, sump pumps, temporary backup power generators and permanent backup power generators demonstrating compliance with the City's noise regulations. The acoustic analysis must also include an analysis of the manufacturers' specifications for all noise-emitting equipment and a depiction of the proposed equipment relative to all adjacent property lines. In lieu of an acoustic analysis, the applicant may submit evidence from the equipment manufacturer(s) that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable noise limits.

- (b) **Additional Requirements.** The City Council authorizes the Community Development Director to develop, publish and from time to time update or amend permit application requirements, forms, checklists, guidelines, informational handouts and other related materials that the Community Development Director finds necessary, appropriate or useful for processing any application governed under this Policy. All such requirements and materials must be in written form and publicly available to all interested parties.

SECTION 2.3. SMALL CELL PERMIT APPLICATION SUBMITTAL AND COMPLETENESS REVIEW

- (a) **Requirements for a Duly Filed Application.** Any application for a small cell permit will not be considered duly filed unless submitted in accordance with the requirements in this Section 2.3(a).
- (1) **Submittal Appointment.** All applications must be submitted to the City at a pre-scheduled appointment with the Community Development Director. Potential applicants may generally submit one application per appointment, or up to five individual applications per appointment for batched applications as provided in Section 2.3(d). Potential applicants may schedule successive appointments for multiple applications whenever feasible and not prejudicial to other applicants for any other development project. The Community Development Director shall use reasonable efforts to offer an appointment within five working days after the Community Development Director receives a written request from a potential applicant. Any purported application received without an appointment, whether delivered in-person, by mail or through any other means, will not be considered duly filed, whether the City retains, returns or destroys the materials received.

(2) **Pre-Submittal Conferences.** The City strongly encourages, but does not require, potential applicants to schedule and attend a pre-submittal conference with the Community Development Director for all proposed projects that involve small wireless facilities. A voluntary pre-submittal conference is intended to streamline the review process through informal discussion between the potential applicant and staff that includes, without limitation, the appropriate project classification and review process; any latent issues in connection with the proposed project, including compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other City departments responsible for application review; and application completeness issues. To mitigate unnecessary delays due to application incompleteness, potential applicants are encouraged (but not required) to bring any draft applications or other materials so that City staff may provide informal feedback and guidance about whether such draft applications or other materials may be incomplete or unacceptable. The Community Development Director shall use reasonable efforts to provide the potential applicant with an appointment within five working days after receiving a written request and any applicable fee or deposit to reimburse the City for its reasonable costs to provide the services rendered in the pre-submittal conference.

- (b) **Applications Deemed Withdrawn.** To promote efficient review and timely decisions, and to mitigate unreasonable delays or barriers to entry caused by chronically incomplete applications, any application governed under this Policy will be automatically deemed withdrawn by the applicant when the applicant fails to tender a substantive response to the Community Development Director within 60 calendar days after the Community Development Director deems the application incomplete in a written notice to the applicant. As used in this Section 2.3(c), a "substantive response" must include the materials identified as incomplete in the Community Development Director's notice.
- (c) **Batched Applications.** Applicants may submit up to five individual applications for a small cell permit in a "batch" to be reviewed together at the same time; provided, however, that (i) all small wireless facilities in a batch must be proposed with substantially the same equipment in the same configuration on the same support structure type; (ii) each application in a batch must meet all the requirements for a complete application, which includes without limitation the application fee for each application in the batch; (iii) if any individual application within a batch is deemed incomplete, the entire batch shall be automatically deemed incomplete; (iv) if any application is withdrawn or deemed withdrawn from a batch, all other applications in the entire batch shall be automatically deemed withdrawn; and (v) if any application in a batch fails to meet the required findings for approval, the entire batch shall be denied in the manner described in Section 2.4(e).

- (d) **Additional Procedures.** The City Council authorizes the Community Development Director to establish other reasonable rules and regulations for duly filed applications, which may include without limitation regular hours for appointments with applicants, as the Community Development Director deems necessary or appropriate to organize, document and manage the application intake process. All such rules and regulations must be in written form and publicly stated to provide all interested parties with prior notice.

SECTION 2.4. APPROVALS AND DENIALS; NOTICES

- (a) **Public Notice.** Within approximately 10 days after an application is received and prior to any approval, conditional approval or denial, the City shall mail public notice to all properties and record owners of properties within 300 feet from the project site. The notice must contain: (1) a general project description; (2) the applicant's identification and contact information as provided on the application submitted to the City; (3) contact information for the Community Development Director for interested parties to submit comments; (4) a statement that the Community Development Director will act on the application without a public hearing but that any interested person or entity may appeal the Community Development Director's decision directly to the City Council; and (5) a general statement that the FCC requires the City to take final action on small cell applications within 60 days or 90 days, depending on the nature of the proposed facility.
- (b) **Administrative Review.** Not less than 10 calendar days after the public notice required in Section 2.4(a) is sent, and not more than 29 calendar days after the application has been deemed complete, the Community Development Director shall approve, conditionally approve or deny a complete and duly filed small cell permit application without a public hearing.
- (c) **Required Findings.** The Community Development Director may approve or conditionally approve a complete and duly filed application for a small cell permit when the Community Development Director finds:
- (1) the proposed project meets the definition for a "small wireless facility" as defined by the FCC;
 - (2) the proposed project would be in the most preferred location within 750 feet from the proposed site in any direction or the applicant has demonstrated with clear and convincing evidence in the written record that any more-preferred location(s) within 750 feet would be technically infeasible;
 - (3) the proposed project would not be located on a prohibited support structure identified in this Policy;

- (4) the proposed project would be on the most preferred support structure within 750 feet from the proposed site in any direction or the applicant has demonstrated with clear and convincing evidence in the written record that any more-preferred support structure(s) within 750 feet would be technically infeasible;
 - (5) the proposed project complies with all applicable design standards in this Policy;
 - (6) the applicant has demonstrated that the proposed project will be in planned compliance with all applicable FCC regulations and guidelines for human exposure to RF emissions; and
 - (7) all public notices required for the application have been given.
- (d) **Conditional Approvals; Denials without Prejudice.** Subject to any applicable federal or California laws, nothing in this Policy is intended to limit the Community Development Director's ability to conditionally approve or deny without prejudice any small cell permit application as may be necessary or appropriate to ensure compliance with this Policy.
 - (e) **Decision Notices.** Within five calendar days after the Community Development Director acts on a small cell permit application, the Community Development Director shall notify the applicant and all parties entitled to receive notice of the application by written notice. If the Community Development Director denies the application (with or without prejudice), the written notice must contain the reasons for the decision.
 - (f) **Appeals.** Any interested person or entity may appeal the decision by the Community Development Director to the City Council. Appeals must be filed within seven days after the date of the Community Development Director's decision; provided, however, that appeals from an approval shall not be permitted when based solely on the environmental effects from radio frequency emissions that are compliant with applicable FCC regulations and guidelines. The notice of appeal must contain a short and plain statement of the basis for the appeal, which may be supplemented after the notice period has expired but before the hearing. The City Council shall hear appeals *de novo* and issue the applicant a written decision within five calendar days after the date of the public hearing.

SECTION 2.5. STANDARD CONDITIONS OF APPROVAL

- (a) **General Conditions.** In addition to all other conditions adopted by the Community Development Director for a small cell permit, all small cell permits issued under this Policy shall be automatically subject to the conditions in this Section 2.5(a).

- (1) **Permit Term.** This permit will automatically expire 10 years and one day from its issuance unless California Government Code § 65964(b) authorizes the City to establish a shorter term for public safety reasons. Any other permits or approvals issued in connection with any collocation, modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.
- (2) **Permit Renewal.** Within one (1) year before the expiration date of this permit, the permittee may submit an application for permit renewal. To be eligible for administrative review and renewal, the permittee must demonstrate that (a) the subject wireless facility is in compliance; with all the conditions of approval associated with this permit and all applicable provisions in the Seaside Municipal Code and this Policy that exist at the time the decision to renew the permit would be rendered. The Community Development Director shall have discretion to modify or amend the conditions of approval for permit renewal on a case-by-case basis as may be necessary or appropriate to protect and promote the public health, safety and welfare, allow for the proper operation of the approved wireless facility, maintain compliance with applicable laws and/or to advance the goals or policies in the General Plan and any specific plan, the Seaside Municipal Code and/or this Policy. Upon renewal, this permit will automatically expire 10 years and one day from its issuance, except when California Government Code § 65964(b), as may be amended or superseded in the future, authorizes the City to establish shorter term for public safety reasons.
- (3) **Post Installation Certification.** Within 60 calendar days after the permittee commences full, unattended operations of a small wireless facility approved or deemed-approved, the permittee shall provide the Community Development Director with documentation reasonably acceptable to the Community Development Director that the small wireless facility has been installed and/or constructed in strict compliance with the approved construction drawings and Photo simulations. Such documentation shall include without limitation as-built drawings, GIS data and site photographs.
- (4) **Build-Out Period.** This small cell permit will automatically expire six (6) months from the approval date (the "build-out period") unless the permittee obtains all other permits and approvals required to install, construct and/or operate the approved small wireless facility, which includes without limitation any permits or approvals required by the any federal, state or local public agencies with jurisdiction over the subject property, the small wireless facility or its use. If this build-out period expires, the City will not extend the build-out period but the permittee may resubmit a complete application, including all application fees, for the same or substantially similar project

(5) **Site Maintenance.** The permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the approved construction drawings and all conditions in this small cell permit. The permittee shall keep the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.

(6) **Compliance with Laws.** The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("laws") applicable to the permittee, the subject property, the small wireless facility or any use or activities in connection with the use authorized in this small cell permit, which includes without limitation any laws applicable to human exposure to RF emissions. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all laws. No failure or omission by the City to timely notice, prompt or enforce compliance with any applicable provision in the Seaside Municipal Code, this Policy any permit, any permit condition or any applicable law or regulation, shall be deemed to relieve, waive or lessen the permittee's obligation to comply in all aspects with all applicable provisions in the Seaside Municipal Code, this policy, any permit, any permit condition or any applicable law or regulation.

(7) **Adverse Impacts on Other Properties.** The permittee shall use all reasonable efforts to avoid any and all unreasonable, undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities on or about the site. The permittee shall not, perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by the Seaside Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City or other state or federal government agency or official with authority to declare a state of emergency within the City. The Community Development Director may issue a stop work order for any activities that violates this condition in whole or in part.

(8) **Inspections; Emergencies.** The permittee expressly acknowledges and agrees that the City's officers, officials, staff, agents, contractors or other designees may enter onto the site and inspect the improvements and

equipment upon reasonable prior notice to the permittee. Notwithstanding the prior sentence, the City's officers, officials, staff, agents, contractors or other designees may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee, if present, may observe the City's officers, officials, staff or other designees while any such inspection or emergency access occurs.

- (9) **Permittee's Contact Information.** Within 10 days from the final approval, the permittee shall furnish the City with accurate and up-to-date contact information for a person responsible for the small wireless facility, which includes without limitation such person's full name, title, direct telephone number, mailing address and email address. The permittee shall keep such contact information up-to-date at all times and promptly provide the City with updated contact information if either the responsible person or such person's contact information changes.
- (10) **Indemnification.** The permittee and, if applicable, the property owner upon which the small wireless facility is installed shall defend, indemnify and hold harmless the City, City Council and the City's boards, commissions, agents, officers, officials, employees and volunteers (collectively, the "indemnitees") from any and all (i) damages, liabilities, injuries, losses, costs and expenses and from any and all claims, demands, law suits, writs and other actions or proceedings ("claims") brought against the indemnitees to challenge, attack, seek to modify, set aside, void or annul the City's approval of this small cell permit, and (ii) other claims of any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the permittee's or its agents', directors', officers', employees', contractors', subcontractors', licensees' or customers' acts or omissions in connection with this small cell permit or the small wireless facility. In the event the City becomes aware of any claims, the City will use best efforts to promptly notify the permittee and the private property owner (if applicable) and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner and/or permittee (as applicable) shall promptly reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. The permittee expressly acknowledges and agrees that the permittee's indemnification obligations under this condition are a material consideration that motivates the City to approve this small cell permit, and that such indemnification obligations will survive the expiration, revocation or other termination of this small cell permit.

- (11) **Performance Bond.** Before the Building Division issues any permits required to commence construction in connection with this permit, the permittee shall

post a performance bond from a surety and in a form acceptable to the Community Development Director in an amount reasonably necessary to cover the cost to remove the improvements and restore all affected areas based on a written estimate from a qualified contractor with experience in wireless facilities removal. The written estimate must include the cost to remove all equipment and other improvements, which includes without limitation all antennas, radios, batteries, generators, utilities, cabinets, mounts, brackets, hardware, cables, wires, conduits, structures, shelters, towers, poles, footings and foundations, whether above ground or below ground, constructed or installed in connection with the wireless facility, plus the cost to completely restore any areas affected by the removal work to a standard compliant with applicable laws. In establishing or adjusting the bond amount required under this condition, and in accordance with California government Code §65964(a), the Community Development Director shall take into consideration any information provided by the permittee regarding the cost to remove the wireless facility to a standard compliant with applicable laws. The performance bond shall expressly survive the duration of the permit term to the extent required to effectuate a complete removal of the subject wireless facility in accordance with this condition.

- (12) **Permit Revocation.** Any permit granted under this Policy may be revoked in accordance with the provisions and procedures in this condition. The Community Development Director may initiate revocation proceedings when the Community Development Director has information that the facility may not be in compliance with all applicable laws, which includes without limitation, any permit in connection with the facility and any associated conditions with such permit(s). Before the Community Development Director may conduct a public hearing to revoke any permit granted under this Policy, the Community Development Director must issue a written notice to the permittee that specifies
- (i) the facility; (ii) the violation(s) to be corrected; (iii) the timeframe in which the permittee must correct such violation(s); and (iv) that, in addition to all other rights and remedies the City may pursue, the City may initiate revocation proceedings for failure to correct such violation(s). A permit granted under this Policy may be revoked only by the City Council after a duly noticed public hearing. The City Council may revoke a permit when it finds substantial evidence in the written record to show that the facility is not in compliance with any applicable laws, which includes without limitation, any permit in connection with the facility and any associated conditions with such permit(s). Any decision by the City Council to revoke or not revoke a permit shall be final and not subject to any further appeals. Within five business days after the City Council adopts a resolution to revoke a permit, the Community Development Director shall provide the permittee with a written notice that specifies the revocation and the reasons for such revocation.
- (13) **Record Retention.** Throughout the permit term, the permittee must maintain a complete and accurate copy of the written administrative record, which includes

without limitation the small cell permit application, small cell permit, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval, any ministerial permits or approvals issued in connection with this approval and any records, memoranda, documents, papers and other correspondence entered into the public record in connection with the small cell permit (collectively, "records"). If the permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved by inspecting the missing records will be construed against the permittee. The permittee shall protect all records from damage from fires, floods and other hazards that may cause deterioration. The permittee may keep records in an electronic format; provided, however, that hard copies or electronic records kept in the City's regular files will control over any conflicts between such City-controlled copies or records and the permittee's electronic copies, and complete originals will control over all other copies in any form. The requirements in this condition shall not be construed to create any obligation to create or prepare any records not otherwise required to be created or prepared by other applicable laws. Compliance with the requirements in this condition shall not excuse the permittee from any other similar record-retention obligations under applicable law.

(14)

Abandoned Wireless Facilities. The small wireless facility authorized under this small cell permit shall be deemed abandoned if not operated for any continuous six-month period. Within 90 days after a small wireless facility is abandoned or deemed abandoned, the permittee and/or property owner shall completely remove the small wireless facility and all related improvements and shall restore all affected areas to a condition compliant with all applicable laws, which includes without limitation the Seaside Municipal Code. In the event that neither the permittee nor the property owner complies with the removal and restoration obligation under this condition within said 90-day period, the City shall have the right (but not the obligation) to perform such removal and restoration with, or without notice, and the permittee and property owner (where private property) shall be jointly and severally liable for all costs and expenses incurred by the City in connection with such removal and/or restoration activities.

(15)

15 Landscaping. At the discretion of the Community Development Director, the permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site, or pay a fee to the City's Urban Forestry Fund if replacement landscaping is not feasible or desired at the location. If any trees are damaged or displaced, the permittee shall replace landscaping as determined by the City's unless approved by the City's arborist. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be substantially the same size as the damaged tree unless approved by the City's arborist. The permittee shall, at all times, be responsible to maintain any replacement landscape features.

(16) **Cost Reimbursement.** The permittee acknowledges and agrees that (i) the permittee's request for authorization to construct, install and/or operate the wireless facility will cause the City to incur costs and expenses; (ii) the permittee shall be responsible to reimburse the City for all costs incurred in connection with the permit, which includes without limitation costs related to application review, permit issuance, site inspection and any other costs reasonably related to or caused by the request for authorization to construct, install and/or operate the wireless facility; (iii) any application fees required for the application may not cover all such reimbursable costs and that the permittee shall have the obligation to reimburse City for all such costs 10 days after a written demand for reimbursement and reasonable documentation to support such costs; and (iv) the City shall have the right to withhold any permits or other approvals in connection with the wireless facility until and unless any outstanding costs have been reimbursed to the City by the permittee.

(b) **Conditions for Small Wireless Facilities in the Public Rights-of-Way.** In addition to all conditions in subsection (a), all small cell permits for small wireless facilities in the public rights-of-way issued under this Policy shall be automatically subject to the conditions in this Section 2.5(b).

(1) **Future Undergrounding Programs.** Notwithstanding any term remaining on any small cell permit, if other utilities or communications providers in the public rights-of-way underground their facilities in the segment of the public rights-of-way where the permittee's small wireless facility is located, the permittee must also underground its equipment, except the antennas and any approved electric meter, at approximately the same time. Accessory equipment such as radios and computers that require an environmentally controlled underground vault to function shall not be exempt from this condition. Small wireless facilities installed on utility poles that will be removed pursuant to the undergrounding program may be reinstalled on a streetlight that complies with the City's standards and specifications. Such undergrounding shall occur at the permittee's sole cost and expense except as may be reimbursed through tariffs approved by the state public utilities commission for undergrounding costs.

- (2) **Electric Meter Upgrades.** If the commercial electric utility provider adopts or changes its rules obviating the need for a separate or ground-mounted electric meter and enclosure, the permittee on its own initiative and at its sole cost and expense shall remove the separate or ground-mounted electric meter and enclosure. Prior to removing the electric meter, the permittee shall apply for any encroachment and/or other ministerial permit(s) required to perform the removal. Upon removal, the permittee shall restore the affected area to its original condition that existed prior to installation of the equipment.

- (3) **Rearrangement and Relocation.** The permittee acknowledges that the City, in its sole discretion and at any time, may: (i) change any street grade, width or location; (ii) add, remove or otherwise change any improvements in, on, under or along any street owned by the City or any other public agency, which includes without limitation any sewers, storm drains, conduits, pipes, vaults, boxes, cabinets, poles and utility systems for gas, water, electric or telecommunications; and/or (iii) perform any other work deemed necessary, useful or desirable by the City (collectively, "City work"). The City reserves the rights to do any and all City work without any admission on its part that the City would not have such rights without the express reservation in this small cell permit. If the Public Works Director determines that any City work will require the permittee's small wireless facility located in the public rights-of-way to be rearranged and/or relocated, the permittee shall, at its sole cost and expense, do or cause to be done all things necessary to accomplish such rearrangement and/or relocation. If the permittee fails or refuses to either permanently or temporarily rearrange and/or relocate the permittee's small wireless facility within a reasonable time after the Public Works Director's notice, the City may (but will not be obligated to) cause the rearrangement or relocation to be performed at the permittee's sole cost and expense. The City may exercise its rights to rearrange or relocate the permittee's small wireless facility without prior notice to permittee when the Public Works Director determines that the City work is immediately necessary to protect public health or safety. The permittee shall reimburse the City for all costs and expenses in connection with such work within 10 days after a written demand for reimbursement and reasonable documentation to support such costs.

SECTION 2.6. LOCATION REQUIREMENTS

- (a) **Preface to Location Requirements.** This subsection (a) provides guidance as to how to interpret and apply the location requirements in this Section 2.6. To better assist applicants and decision makers understand and respond to the community's aesthetic preferences and values, subsections (b) (c), (d) and (e) set out listed preferences for locations and support structures to be used in connection with small wireless facilities in ordered hierarchies. Applications that involve lesser-preferred locations or structures may be approved so long as the applicant demonstrates that either (1) no more preferred locations or structures exist within 750 feet from the proposed site; or (2) any more preferred locations or structures within 750 feet from the proposed site would be technically infeasible as supported by clear and convincing evidence in the written record. Subsection (f) identifies "prohibited" support structures on which the City shall not approve any small cell permit application for any competitor or potential competitor.
- (b) **Locations in the Public Rights-of-Way.** The City prefers small wireless facilities in the public rights-of-way to be installed in locations, ordered from most preferred to least preferred, as follows:

- (1) locations within areas designated as any of the land use categories listed in the General Plan under the "Commercial," "Mixed Use," categories, on or along arterial roads as defined and mapped in the General Plan;
 - (2) locations within areas designated as any of the land use categories listed in the General Plan under the "Commercial," "Mixed Use," or "Open Space Recreation" categories (except where in or adjacent to public parks and Open Space Recreation areas), on or along collector streets as defined and mapped in the General Plan;
 - (3) locations within areas designated as any of the land use categories listed in the General Plan under the "Commercial," "Mixed Use," or "Open Space Recreation" categories (except where in or adjacent to public parks and Open Space Recreation areas), on or along local streets as defined and mapped in the General Plan;
 - (4) locations within or adjacent to public parks and Open Space Recreation areas, or areas designated "Institutional" in the (General Plan, on or along arterial, collector or local streets as defined and mapped in the General Plan; within the West Broadway Urban Village Specific Plan Area, any location within any non-residential or mixed-use Specific Plan land use designation;
 - (5) locations within areas designated as any of the land use categories listed in the General Plan Under the "Residential" category, on or along arterial streets as defined and mapped in the General Plan;
 - (6) locations within areas designated as any of the land use categories listed in the General Plan under the "Residential" category, on or along collector streets defined and mapped in the General Plan;
 - (7) locations within areas designated as any of the land use categories listed in the General Plan under the "Residential" category, on or along local streets as defined and mapped in the General Plan;
 - (8) within the West Broadway Urban Village Specific Plan Area, locations within residential Specific Plan land use designations;
 - (9) within the West Broadway Urban Village Specific Plan Area.
- (c) **Locations Outside the Public Rights-of-Way.** The City prefers small wireless facilities outside the public rights-of-way to be installed in locations, ordered from most preferred to least preferred, as follows:

- (1) locations within areas designated as any of the land use categories listed in the General Plan under the "Commercial," "Mixed Use," or "Open Space Recreation" categories (except within any public park or Open Space Recreation areas);
 - (2) locations within areas designated "Institutional" in the General Plan;
 - (3) within the West Broadway Urban Village Specific Plan Area, any location within any non-residential or mixed-use Specific Plan land use designation;
 - (4) locations within areas designated as any of the land use categories listed in the General Plan under the "Residential" category;
 - (5) locations within any public park or Open Space Recreation area;
 - (6) within the West Broadway Urban Village Specific Plan Area, locations within residential Specific Plan land use designations;
 - (7) within the West Broadway Urban Village Specific Plan Area.
- (d) **Support Structures in the Public Rights-of-Way.** The City prefers small wireless facilities to be installed on support structures in the public rights-of-way, ordered from most preferred to least preferred, as follows:
- (1) existing or replacement metal or composite streetlight or utility poles;
 - (2) new, non-replacement metal or composite streetlight poles;
 - (3) new, non-replacement poles for small wireless facilities;
 - (4) existing or replacement wood utility or streetlight poles.
- (e) **Support Structures Outside the Public Rights-of-Way.** The City prefers small wireless facilities to be installed on support structures outside the public rights-of-way, ordered from most preferred to least preferred, as follows:
- (1) Existing, non-historic buildings, or other non-tower structures previously approved for use as a support structure for personal wireless service facilities;
 - (2) other existing non-historic buildings or non-tower structures;
 - (3) existing or replacement utility poles or towers;
 - (4) new, non-replacement towers for small wireless facilities;

- (5) existing historic buildings.
- (f) **Prohibited Support Structures.** The City prohibits small wireless facilities to be installed on the following support structures, whether located in the public rights-of-way or not:
 - (1) decorative poles and decorative streetlights;
 - (2) traffic signals, signs, poles, cabinets and related devices;
 - (3) new, non-replacement wood poles.

SECTION 2.7. DESIGN STANDARDS

(a) **General Standards.**

- (1) **Noise.** Small wireless facilities and all accessory equipment and transmission equipment must comply with all applicable noise control standards and regulations in Seaside Municipal Code Chapter 17.30.060, as either may be amended or superseded, and shall not exceed, either on an individual or cumulative basis.
- (2) **Lights.** Small wireless facilities shall not include any lights that would be visible from publicly accessible areas, except as may be required under Federal Aviation Administration, FCC, other applicable regulations for health and safety. All equipment with lights (such as indicator or status lights) must be installed in locations and within enclosures that mitigate illumination impacts visible from publicly accessible areas. The provisions in this subsection shall not be interpreted or applied to prohibit installations on streetlights or luminaires installed on new or replacement poles as may be required under this Policy.
- (3) **Landscape Features.** At the discretion of the Community Development Director, the permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site, or pay a fee to the City's Urban Forestry Fund if replacement landscaping is not feasible or desired at the location. If any trees are damaged or displaced, the permittee shall replace landscaping as determined by the City's arborist. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be substantially the same size as the damaged tree unless approved by the City's arborist. The permittee shall, at all times, be responsible to maintain any replacement landscape features.

- (4) **Site Security Measures.** Small wireless facilities may incorporate reasonable and appropriate site security measures, such as locks and anti-climbing devices, to prevent unauthorized access, theft or vandalism. The Community Development Director shall not approve any barbed wire, razor ribbon, electrified fences or any similarly dangerous security measures. All exterior surfaces on small wireless facilities shall be constructed from or coated with graffiti-resistant materials.
- (5) **Signage Advertisements.** All small wireless facilities must include signage that accurately identifies the site owner/operator, the owner/operator's site name or identification number and a toll free number to the owner/operator's network operations center. Small wireless facilities may not bear any other signage or advertisements unless expressly approved by the City, required by law or recommended under FCC, Occupational Safety and Health Administration or other United States governmental agencies for compliance with RF emissions regulations.
- (6) **Compliance with Health and Safety Regulations.** All small wireless facilities shall be designed, constructed, operated and maintained with all generally applicable health and safety regulations which includes without limitation all applicable regulations for human exposure to RF emissions and compliance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 *et seq.*).

(b) **Small Wireless Facilities in the Public Right-of-Way**

(1) **Overall Height.** Small wireless facilities may not exceed either (A) the minimum separation from electrical lines required by applicable safety regulations, plus four feet or (B) four feet above the existing support structure.

(2) **Antennas.**

(A) **Concealment:** All antennas and associated mounting equipment, hardware, cables or other connectors must be completely concealed within an opaque antenna shroud or radome. The antenna shroud or radome must be painted a flat, non-reflective color to match the underlying support structure.

(B) **Antenna Volume.** Each individual antenna may not exceed three cubic feet in volume and all antennas may not exceed six cubic feet in volume.

(3) **Accessory Equipment.**

(A) **Installation Preferences.** All non-antenna accessory equipment shall be installed in accordance with the following preferences, ordered from most preferred to least preferred: (i) underground in any area in which the existing

utilities are primarily located underground; (ii) on the pole or support structure; or (iii) integrated into the base of the pole or support structure. Applications that involve lesser-preferred installation locations may be approved so long as the applicant demonstrates that no more preferred installation location would be technically feasible as supported by clear and convincing evidence in the written record.

- (B) **Undergrounded Accessory Equipment.** All undergrounded accessory equipment must be installed in an environmentally controlled vault that is load-rated to meet the City's standards and specifications. Underground vaults located beneath a sidewalk must be constructed with a slip-resistant cover. Vents for airflow shall be flush-to-grade when placed within the sidewalk and may not exceed two feet above grade when placed off the sidewalk. Applicants shall not be permitted to install an underground vault in a location that would cause any existing tree to be materially damaged or displaced, unless approved by the Community Development Director.
- (C) **Pole-Mounted Accessory Equipment** All pole-mounted accessory equipment must be installed in a single equipment shroud unless the applicant demonstrates that a single shroud would be technically infeasible as supported by clear and convincing evidence in the written record. All pole-mounted accessory equipment must be installed flush to the pole to minimize the overall visual profile. If any applicable health and safety regulations prohibit flush-mounted equipment, the maximum separation permitted between the accessory equipment and the pole shall be the minimum separation required by such regulations. All pole-mounted equipment and required or permitted signage must be placed and oriented away from public view. Pole-mounted equipment may be installed behind street, traffic or other signs to the extent that the installation complies with applicable public health and safety regulations. All cables, wires and other connectors must be routed through conduits within the pole, and all conduit attachments, cables, wires and other connectors must be concealed from public view. To the extent that cables, wires and other connectors cannot be routed through the pole, applicants shall route them through a single external conduit or shroud that has been finished to match the underlying support structure.
- (D) **Base-Mounted Accessory Equipment.** All base-mounted accessory equipment must be installed within a shroud, enclosure or pedestal integrated into the base of the support structure. All cables, wires and other connectors routed between the antenna and base-mounted equipment must be concealed from public view.
- (E) **Ground-Mounted Accessory Equipment.** The Community Development Director shall not approve any ground-mounted accessory equipment

including, but not limited to, any utility or transmission equipment, pedestals, cabinets, panels or electric meters.

- (F) **Accessory Equipment Volume.** All accessory equipment associated with a small wireless facility installed above ground level shall not cumulatively exceed: (i) nine (9) cubic feet in volume if installed in a residential district; or (ii) seventeen (17) cubic feet in volume if installed in a non-residential district. The volume calculation shall include any shroud, cabinet or other concealment device used in connection with the non-antenna accessory equipment. The volume calculation shall not include any equipment or other improvements placed underground.
- (4) **Streetlights.** Applicants that propose to install small wireless facilities on an existing streetlight must remove and replace the existing streetlight with one substantially similar to and which meets the City's standards and specifications but designed to accommodate wireless antennas and accessory equipment. To mitigate any material changes in the streetlighting patterns, the replacement pole must: (A) be located as close to the removed pole' \$ possible; (B) be aligned with the other existing streetlights and (C) include a luminaire at substantially the same height and distance from the pole as the luminaire on the removed pole. All antennas must be installed above the pole within a single, canister style shroud or radome that tapers for the pole.
- (5) **Wood Utility Poles.** Applicants that propose to install small wireless facilities on an existing wood utility pole must install all antennas above the pole unless the applicant demonstrates that mounting the antennas above the pole would be technically infeasible as supported by clear and convincing evidence in the written record. Side-mounted antennas on a stand-off bracket or extension arm must be concealed within a shroud. All cables, wires and other connectors must be concealed within the side—arm mount or extension arm. The maximum horizontal separation between the antenna and the pole shall be the minimum separation required by applicable health and safety regulations. Applicants that propose to install small wireless facilities on a replacement wood utility pole must remove and replace the existing wood utility pole with one that is substantially similar in height and diameter unless the applicant demonstrates that a substantially familiar replacement pole would be technically infeasible as supported by clear and convincing evidence in the written record.

- (6) **New, Non-Replacement Poles.** Applicants that propose to install small wireless facilities on a new, non-replacement pole must install a new streetlight in accordance with the City's standards, specifications and spacing requirements but designed to accommodate wireless antennas and accessory equipment located immediately adjacent to the proposed location. If there are no existing streetlights in the immediate vicinity, the applicant may install a metal or composite pole capable of concealing all the accessory equipment either within the pole or within an integrated enclosure located at the base of the pole. The pole diameter shall not exceed twelve (12) inches and any base enclosure diameter shall not exceed sixteen (16) inches. All antennas, whether on a new streetlight or other new pole, must be installed above the pole within a single, canister style shroud or radome.
- (7) **Strand-Mounted Wireless Facilities.** No more than one strand-mounted wireless facility may be installed on any single span between two poles. The Community Development Director shall not approve any ground-mounted equipment in connection with any strand-mounted wireless facility. All equipment and other improvements associated with a strand-mounted wireless facility must comply with all applicable health and safety regulations. Strand-mounted wireless facilities shall not exceed one cubic foot in total volume. All strand-mounted equipment shall be finished in a non-reflective grey color. Any accessory equipment mounted on the pole shall be painted and textured to match the underlying pole. "Snow shoes" and other spooled fiber or cables are prohibited.
- (8) **Encroachments over Private Property.** Small wireless facilities may not encroach onto or over any private or other property outside the public rights-of-way without the property owner's express written consent.
- (9) **Backup Power Sources.** Fossil-fuel based backup power sources shall not be permitted within the public rights-of-way; provided, however, that connectors or receptacles may be installed for temporary backup power generators used in an emergency declared by federal, state or local officials.

- (10) **Obstructions; Public Safety.** Small wireless facilities and any associated equipment or improvements shall not physically interfere with or impede: (A) worker access to any above ground or underground infrastructure for traffic control, streetlight or public transportation, including without limitation any curb control sign, parking meter, vehicular traffic sign or signal, pedestrian traffic sign or signal, or barricade reflectors; (B) access to any public transportation vehicles, shelters, street furniture or other improvements at any public transportation stop; (C) worker access to above-ground or underground infrastructure owned or operated by any public or private utility agency; (D) access to any fire hydrant or water valve; (E) access to any doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building appurtenant to the rights-of-way; or (F) access to any fire escape.
- (11) **Utility Connections.** All cables and connectors for telephone, data backhaul, primary electric and other similar utilities must be routed underground in conduits large enough to accommodate future collocated wireless facilities. Undergrounded cables and wires must transition directly into the pole base without any external doghouse. All cables, wires and connectors between the underground conduits and the antennas and other accessory equipment shall be routed through and concealed from view within: (A) internal risers or conduits if on a concrete, composite or similar pole; or (B) a cable shroud or conduit mounted as flush to the pole as possible if on a wood pole or other pole without internal cable space. The Community Development Director shall not approve new overhead utility lines or service drops merely because compliance with the undergrounding requirements would increase the project cost.
- (12) **Spools and Coils.** To reduce clutter and deter vandalism, excess fiber optic or coaxial cables shall not be spooled, coiled or otherwise stored on the pole outside equipment cabinets or shrouds.
- (13) **Electric Meters.** Small wireless facilities shall: set flat-rate electric service or other method that obviates the need for a separate above-grade electric meter. If flat-rate service is not available, applicants may install a shrouded smart meter. The Community Development Director shall not approve a separate ground-mounted electricmeter pedestal.
- (14) **Street Trees.** To preserve existing landscaping in the public rights-of-way, all work performed in connection with small wireless facilities shall not cause any street trees to be trimmed, damaged or displaced. If any street trees are damaged or displaced, the applicant shall be responsible, at its sole cost and expense, to plant and maintain replacement trees at the site for the duration of the permit term.

(c) **Small Wireless Facilities Outside the Public Right of Way.**

- (1) **Overall Height.** Small wireless facilities on private property may not exceed the applicable height limit for primary structures in the applicable zoning district

o r overlay zone, except as follows.

- (A) Residential or Open Space Recreation land use districts as designated in the General Plan: 30 feet .
- (B) Non-Residential. General Plan land use designations (including designations listed under Commercial; Open Space Recreation; Mixed-Use and Institutional categories: 40 feet
Where the facility would be mounted on an existing building or structure, the height of the wireless facility shall not exceed the maximum height of the building or structure, including any existing parapet or roof-mounted screen, by more than five feet.
- (C)
- (D) Exceptions to height limits that are otherwise allowed by SMC Section 17.54.060 (B) for antennas, transmission towers and similar appurtenances shall not apply to small wireless facilities in any zoning district or PUD.

- (2) **Setbacks.** Small wireless facilities on private property may not encroach into any applicable setback for Class I or Class II accessory structures in the subject zoning district.
- (3) **Backup Power Sources.** The Community Development Director shall not approve any fossil fuel generators or other similarly noisy or fume-emitting generators in or within 250 feet from any residence; provided, however, the Community Development Director may approve sockets or other connections used for temporary backup generators used in an emergency declared by federal, state or local officials.
- (4) **Parking; Access.** Any equipment or improvements constructed or installed in connection with any small wireless facilities must not reduce any parking spaces below the minimum requirement for the subject property. Whenever feasible, small wireless facilities must use existing parking and access rather than construct new parking or access improvements. Any new parking or access improvements must meet City standards.
- (5) **Towers, Poles and Other Freestanding Small Wireless Facilities.** All new towers, poles or other freestanding structures that support small wireless facilities must be made from a metal or composite material capable of concealing all the accessory equipment, including cables, mounting brackets, radios, and utilities, either within the support structure or within an integrated enclosure located at the base of the support structure. All antennas must be installed above the pole in a single, canister-style shroud or radome. The support structure and all transmission equipment must be painted with flat/neutral colors that match the support structure. The pole height shall not exceed thirty-five (35) feet or the applicable height limit listed in Section (c)(1) whichever is less. The pole diameter shall not exceed twelve (12) inches and any base enclosure diameter shall not exceed sixteen (16) inches.
- (6) **Building-Mounted Small Wireless Facilities.**
- (A) **Preferred Concealment Techniques.** All applicants must propose new non-tower small wireless facilities that are completely concealed and architecturally integrated into the existing facade or rooftop features with no visible impacts from any publicly accessible areas at ground level (examples include, but are not limited to, antennas behind existing parapet walls or facades replaced with RF-transparent material and finished to mimic the replaced materials). Alternatively, if the applicant demonstrates with clear and convincing evidence that integration with existing features is technically infeasible, the applicant may propose completely concealed new structures or appurtenances designed to mimic the support structure's original architecture and proportions (examples include, but are not limited to, steeples and chimneys).

- (B) **Facade-Mounted Equipment.** When small wireless facilities cannot be placed behind existing parapet walls or other existing screening elements, the Community Development Director may approve facade-mounted antenna equipment in accordance with this Section 2.7(c)(6)(B). All facade-mounted equipment must be concealed behind screen walls and mounted flush to the facade. The Community Development Director may not approve "pop-out" screen boxes. The Community Development Director may not approve any exposed facade-mounted antennas, including but not limited to exposed antennas painted to match the facade.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.A.

TO: City Council

FROM: Craig Malin, City Manager

BY: Beth Rocha, Associate Planner

DATE: November 21, 2019

SUBJECT: DENSITY BONUS, INCLUSIONARY HOUSING, AND DEVELOPMENT CONCESSIONS FOR THE CONSTRUCTION OF NINE MULTI-FAMILY APARTMENT BUILDINGS AND ONE MIXED-USE BUILDING WITH GROUND-FLOOR COMMERCIAL AT THE PROPERTY BOUNDED BY BROADWAY AVENUE, TERRACE STREET, OLYMPIA AVENUE, AND SAN LUCAS STREET (CURRENT APNS: 012-191-001, 002, 003, 004, 013, 016, 017, 021, 022, 023, 024, 025, 028 and 029)

PURPOSE & RECOMMENDATION

Adopt the Resolution approving the requested density bonus.

BACKGROUND

As defined in the City's General Plan, "Density Bonus" means the allocation of development rights as required by Section 65915 of the California Government Code that allows for a parcel to be developed at a higher residential density than the maximum for which the parcel is designated, in exchange for the provision of a certain percentage of those units as affordable
(http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65915.&lawCode=GOV).

The proposed project begins with a base number of units at 78. Next, the 78 units multiplied by 20% results in 15.6, which rounded up per code is 16 low-income units as the mandatory inclusionary units (20% of the base density). To calculate the density bonus, begin with the 78 base units multiplied by 35% which results in 27.3, which rounded up per code is 28 density bonus units. To get the total number of units, begin

with the 78 base units and add 28 density units, resulting in 106 total units. Of the 106 total units, 16 must be low-income, per the calculation earlier. By providing sixteen low-income units within the 106 unit development, state density bonus law entitles the project to receive two development concessions. The proposed project would include the following development concessions:

1. A reduction to the Common and Private open space requirements of Seaside Municipal Code (SMC) 17.52.180.X, subject to the conditions of approval from the Zoning Administrator hearing (MUP-19-13).
2. A waiver to the front facade standards for projects in the CMX zone SMC 17.15.060, subject to the conditions of approval from the Zoning Administrator hearing (MUP-19-13).

The developer has agreed to provide 16 units at 28% of AMI for the first 5 years of rental by low-income persons, and then the percentage increases to 30% of AMI for the 50 years of rental remaining. As a clarifying reminder, 28% and 30% refer to the percentage of income.

Within 10 business days of the Minor Use Permit hearing, a Density Bonus and Inclusionary Housing Agreement (see Attachment 3: Draft Density Bonus and Inclusionary Housing Agreement) that would be reviewed and approved by the City Attorney must be recorded by the owner at the owner's expense. Rental rate maximums for the low-income housing units shall be determined based on the County of Monterey Housing Office's 2019 Income Limits and Maximum Rental Allowances calculations, and as adjusted annually by the Department of Housing and Urban Development, for the number of bedroom units and affordability categories. The low income units shall be designated as affordable inclusionary rental units for a period of 55 years, beginning at occupancy.

PROJECT ANALYSIS

The project site is comprised of thirteen parcels with a total of 124,533 square feet in area and is generally located on the north side of the 1100 block of Broadway Avenue between Terrace Street, San Lucas Street, and Olympia Avenue (see Attachment 2).

The site is currently developed with two buildings, one of which is occupied by a barber shop and beauty salon and one that is vacant, that would be demolished with the project. The proposal is for a mixed-use development consisting of 9 multi-family buildings and one mixed-use building for a total of 106 residential units and 4,079 square feet of commercial space on six parcels totaling approximately 2.85 acres. The proposed residential units would consist of one-bedroom, two-bedroom, and three-bedroom units. The affordable units would consist of 8 two-bedroom units and 8 one-bedroom unit. The buildings along Broadway Avenue would be paired together with

shared vehicular courts with permeable pavers and green spaces with seating areas for residents between the pairs of buildings. The project site gradually slopes from east to west.

The property is bordered by a mix of single family and multi-family residential uses to the north and east, commercial to the south and a U.S. Postal Service office to the west. The proposed project complies with parking requirements for both the residential and commercial uses in accordance with the Seaside Municipal Code for the commercial square footage and the vehicular ratio standards permitted under the State Density Bonus Law.

Staff finds that this project would benefit the City by advancing the City's housing goals and policies of the General Plan by providing additional low-income housing units on an infill site located near shopping and transit opportunities and the City's Regional Housing Needs Assessment as mandated by State Housing Law. Additionally, the project would act as a catalyst for upper Broadway Avenue. Finally, the project complies with the development standards and land use regulations with the sites CMX Zoning and General Plan land use designation (with the State Mandated density bonus and development concessions for affordable housing).

FISCAL IMPACT

There is no fiscal impact.

ATTACHMENTS

1. Attachment 1-Exhibit A Resolution
2. Attachment 1 - Project Plans
3. Attachment 2 - Assessor's Parcel Map
4. Attachment 3-Draft Agreement

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

RESOLUTION NO. 19-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE,
APPROVING A DENSITY BONUS ASSOCIATED WITH INCLUSIONARY
HOUSING AND DEVELOPMENT CONCESSIONS FOR THE
CONSTRUCTION OF 9 MULTI-FAMILY STRUCTURES AND ONE MIXED
USE STRUCTURE FOR A TOTAL OF 106 RESIDENTIAL UNITS AND 4,079
SQUARE FEET OF COMMERCIAL FLOOR AREA GENERALLY LOCATED ON
THE NORTH SIDE OF THE 1100 BLOCK OF BROADWAY AVENUE
BETWEEN TERRACE STREET, SAN LUCAS STREET, AND OLYMPIA
AVENUE IN THE COMMERCIAL MIXED USE (CMX) ZONING DISTRICT.**

WHEREAS, the City Council approves a Density Bonus associated with Inclusionary Housing and Development Concessions for the construction of a proposed mixed-use development consisting of 10 buildings with 106 residential units, which includes: a 28-unit increase in density, sixteen low-income units, commercial space totaling 4,079 square feet, and the following development concessions from the Multi-Family Projects development standards for the provision of sixteen low-income rental units:

1. A reduction to the Common and Private open space requirements of Seaside Municipal Code (SMC) 17.52.180.X, subject to the conditions of approval of the Zoning Administrator hearing (MUP-19-13).
2. A waiver to the front facade standards of SMC 17.15.060, subject to the conditions of approval of the Zoning Administrator hearing (MUP-19-13).

WHEREAS, the City Council considered oral comments and written information concerning the proposed project and requested density bonus, inclusionary housing, and development concessions at a duly noticed public hearing held on November 7, 2019; and

WHEREAS, the City Council considered oral comments and written information regarding the negotiation of the percentage of income to be used for low-income rent calculations at a public meeting held on November 21, 2019; and

WHEREAS, it is the responsibility of the City Council to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code in review of the requested density bonus and development concessions; and

WHEREAS, the project is a Categorically Exempt, Class 32, In-fill Development Project, Categorical Exemption under the California Environmental Quality Act (CEQA) Guidelines Sections 15332 and 15300.2.

Evidence: Under a Class 32, projects that meet the following conditions are characterized as in-fill development, and, therefore, are categorically exempt from CEQA:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- c) The project site has no value as habitat for endangered, rare, or threatened species;
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- e) The site can be adequately served by all required utilities and public services.

The proposed project meets each of the conditions set forth in CEQA Guidelines Section 15332, as outlined below:

- a) As stated above, the 2004 City of Seaside General Plan designates the proposed project site as Commercial Mixed Use and proposed project involves the construction 10 buildings with 106 residential units and 4,079 square feet of commercial space, which is consistent with the mixed-use general plan designation and zoning of the site. Further, a consistency analysis was performed to ensure the proposed project would be consistent with all relevant plans, policies, and regulations (e.g., the 2004 City of Seaside General Plan, Seaside Zoning Code, and City of Seaside Municipal Code). The proposed project was found to be consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed project would be located on a project site that is approximately 2.85 acre and within the city limits of Seaside. As described above, the project site is surrounded by urban uses including commercial and mix of single-family and multi-family residential uses.
- c) A Denise Duffy & Associate (DD&A) biologist conducted a reconnaissance-level survey of the project site. Where the site is not

paved, the site contains mostly bare ground and non-native invasive species (i.e., iceplant and telegraph weed). Three trees (i.e., eucalyptus and coast live oak) are located within the project site. The project site is highly disturbed and does not provide value as habitat for endangered, rare, or threatened species. A landscape plan will include 20 street trees along Broadway Avenue and landscaping within common open space areas in compliance with City standards.

d) The proposed project would not have a significant effect related to traffic, noise, air quality, or water quality.

Traffic

The proposed project would not result in a significant increase in vehicle miles traveled (VMT) and as a result the proposed project would not have significant construction- nor operation- related traffic impacts.

Per CEQA Guidelines Section 15064.3(b)(1), traffic impacts are less than significant if the project is close to transit (i.e., “projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact”). Public Resources Code Section 21155 defines a high-quality transit corridor as a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

NOW, THEREFORE, BE IT RESOLVED, that the City Council adopts the following findings in support of the requested density bonus, inclusionary housing and development concessions:

1. The proposed use is consistent with provisions of the General Plan and Zoning Ordinance.

General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Mixed Use (CMX). The land use classification is intended to promote pedestrian and transit oriented activity centers in the community with a mix of residential and commercial land uses. The proposed project would consist of multi-family apartment buildings and a mixed use commercial component in conformance with the following General Plan Goals and policies:

Land Use Element

Goal LU-1: Promote a mixture of land uses and a balance of jobs and housing to support a community in which people live, work, and play

Policy LU-1.4: Provide a variety of housing that complements the employment opportunities in the community.

Evidence: The proposed project will result in 106 residential units, which would include sixteen low-income affordable units to adequately provide housing opportunities to meet the City's Regional Housing Needs Assessment for the community.

Goal LU-2: Revitalize existing commercial areas.

Policy LU-2.1: Encourage consolidation of under-performing and under-utilized commercial properties.

Evidence: The project site consists of a former redevelopment owned property which has remained mostly vacant, and underdeveloped for over 30 years. The proposed development will serve to reinvigorate this area of the community by improving the value of adjacent multi-family residential sites, providing a population base to support adjacent small commercial businesses, support the Monterey-Salinas Transit line which operates on Broadway Avenue, and improve the housing stock for renters and low-income households.

Goal LU-3: Revitalize existing residential areas.

Policy LU-3.2: Improve the physical appearance of residential neighborhoods

Evidence: Seaside General Plan Policy LU-3.2 encourages development that would improve the physical appearance of residential neighborhoods. The proposed project will remove two dilapidated, non-conforming commercial buildings that would be replaced with multi-family apartment buildings and a mixed-use building consistent with the intent of the Commercial Mixed Use land use category.

Goal LU-4: Ensure that new development complements existing land uses and enhances the character of the community and neighborhoods.

Policy LU-4.1: Require new development to fund its share of community services, uses quality design and materials, and is compatible with surrounding uses.

Evidence: The proposed development will consist of an infill development that is surrounded by available utilities and roadways. The developer will pay for the development of infrastructure improvements (e.g. underground utilities, driveways, sidewalks, curb returns, water) needed for the development. The proposed project will be constructed at a density that is consistent with the surrounding multi-family neighborhoods and commercial uses. The overall height and scale of the development will respect the single family neighborhoods located further to the east and south of the development. The positioning of the apartment buildings will not impact the light and air access to the adjacent multi-family apartments to the north.

Policy LU-4.2: Encourage redevelopment that brings non-conforming buildings and uses into compliance with the Seaside General Plan and Zoning Ordinance

Evidence: The proposed development will remove two, dilapidated non-conforming commercial buildings and will develop the site with a high-density mixed-use development that will serve to both provide needed affordable housing opportunities and reinvigorate a commercial area of the community with pedestrian activity and real estate investment at a high level.

Housing Element

Goal H-1: Maintain a range of housing opportunities to address the existing and projected needs of the community.

Policy H-1.1: Maintain a variety of housing types, sizes, and prices throughout the city to increase housing choice and ensure that households of all types and income levels have the opportunity to find suitable rental housing.

Evidence: Seaside General Plan Policy H-1.1 of the City's Housing Element states that the City shall maintain a variety of housing types, sizes, and prices throughout the City to increase housing choice and ensure that households of all types and income levels have the opportunity to find suitable ownership or rental housing. The provision of sixteen low income units under this project would support this Policy by establishing a range of housing sizes and prices within the development.

Policy H-1.2: Identify adequate sites and appropriate zoning and development standards to facilitate and encourage housing production commensurate with projected housing needs of the City.

Evidence: The project site consists of an infill development site within an existing high density commercial and residential neighborhood that would provide new rental housing stock to meet the City's regional requirements for both affordable and rental housing opportunities.

Policy H-1.3: Encourage the construction of high-density, well designed housing.

Evidence: The proposed project would provide a high quality, affordable multi-family residential project within an area of the community with concentrated high density housing. The project would provide new residential development to enhance the neighborhood and maintain adequate infrastructure service levels.

Policy H-1.4: Maintain a geographic dispersal of units affordable to low- and moderate income households throughout the City.

Evidence: The proposed project would provide sixteen low-income units that would include deed restrictions to ensure their affordability for an occupancy term of 55 years. Furthermore, the location of the affordable units would be near a high transit corridor and near three grocery stores to provide the necessary amenities for a living environment within a high density development.

Policy H-1.5: Reduce potential government constraints to the production, maintenance, and development of housing.

Evidence: The granting of the density bonus for 28 units and the two development concessions to the property development standards would enable the developer to construct a project at an appropriate density with proper design amenities to ensure a quality living environment that would not be detrimental to the public interest, health, safety, convenience, or welfare or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

2. The approved number of dwelling units can be accommodated by existing and planned infrastructure capacities.

Evidence: The project site consists of an in-fill development within a high density commercial and residential neighborhood with access to all public utilities and services and shopping for daily household needs and access to healthy foods and products.

3. Adequate evidence exists to indicate that the project will provide affordable housing in a manner consistent with the purpose and intent of the affordable housing standards.

Evidence: The proposed design will include 106 units of the relatively same floor plan, size, and accessibility to each unit for both the designated affordable units and market rate units consistent with the affordable housing standards.

4. There are sufficient guarantees that the units will remain affordable for the required time period.

Evidence: Property owner would be required to record the Density Bonus and Inclusionary Housing Agreement requiring the recordation of a deed restriction ensuring that the designated low-income units would remain affordable for period of 55 years from the date of occupancy of the first unit.

BE IT FURTHER RESOLVED, the City Council hereby approves the requested density bonus and development concessions subject to the following terms and conditions:

Planning:

1. The Applicant shall receive Minor Use Permit approval for the proposed project by the Zoning Administrator prior to receiving final Board of Architectural Review approval.
2. The Applicant shall receive design approval for the proposed project by the Board of Architectural Review prior to an application for a building permit for the

construction of all buildings, with the exception of a foundation permit which may proceed prior to final design review approval.

3. Except as modified by these conditions of approval, plans submitted for Architectural Review application must be in compliance with the plans stamped "Received City of Seaside October 7, 2019

Community Development Department," or as amended at the Zoning Administrator hearing, provided as Attachment 1. The Applicant shall provide sixteen (16) affordable units on the project site that will be assigned to low-income households (SMC Section 17.31.020) in accordance with the City's Density Bonus and Inclusionary Housing Agreement. Rental rate maximums for the affordable housing units shall be determined, and adjusted annually, based on the County of Monterey Housing Office's 2019 Income Limits and Maximum Rental Allowances calculations for the number of bedroom units and affordability categories. The low income units shall be designated for a period of 55 years, with the rent calculated based on 28% of AMI for the first 5 years of occupancy and 30% for the remaining 50 years of occupancy, and adjusted annually to reflect AMI. The Density Bonus and Inclusionary Housing Agreement must be recorded within 10 business days of the Minor Use Permit hearing.

Standard:

1. The Minor Use Permit approved for this project is subject to revocation procedures contained in S.M.C. Section 17.69.060 in the event any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare or safety of persons residing or working in the neighborhood.

2. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.

3. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).

4. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed, to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.

5. Project approval will become null and void if a building permit is not obtained within one (1) year from the date of approval to begin construction on the project.

6. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Seaside, State of California, on the 21st of November 2019 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

ASCENT

ENTITLEMENT PACKAGE

JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1



PROJECT DESCRIPTION

Ascent is a ten building workforce rental housing project consisting of one bedroom, two bedroom, three bedroom units and townhouses along Olympia Ave. The building along Terrace St. and Broadway has 4,000 sf of commercial. The existing alley between Broadway and Olympia is expanded to 24' to allow 2 way access and all the building along Broadway have both alley and street access. The building along Broadway are paired together with a shared vehicular court with permeable pavers and in between the pairs of building are green spaces with seating areas for the residents.

VICINITY MAP



ASCENT
SEASIDE, CA
TCA # 2019-010



WEST END PARTNERS, LLC

ENTITLEMENT PACKAGE
JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1

PROJECT TEAM

DEVELOPER:

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10 Harris Court, Suite B-1
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LANDSCAPE ARCHITECT:



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2221 East Winston Road, Suite A
Anaheim, CA 92806
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ELECTRICAL ENGINEER:

AURUM CONSULTING ENGINEERS
60 GARDEN COURT, SUITE 210
Monterey, CA 93940
Contact: Eldridge Bell
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www.acemb.com
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G1.1

Parcel 1

BUILDING 1 - TYPE A			
	SF	Count	Total SF
One Bedroom			
A1	860	2	1,720
A1.1	822	1	822
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	1	1,079
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	10	9,975

BUILDING 2 - TYPE A			
	SF	Count	Total SF
One Bedroom			
A1	860	2	1,720
A1.1	822	1	822
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	1	1,079
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	10	9,975

SUBTOTAL			
	SF	Count	Total SF
One Bedroom			
A1	860	4	3,440
A1.1	822	2	1,644
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	12	12,708
B1.1	1,079	2	2,158
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	20	19,950

Area Summary		Total SF
Residential		9,975
Circulation		629
Service		65
Commercial		0
Total		10,669

Area Summary		Total SF
Residential		9,975
Circulation		629
Service		65
Commercial		0
Total		10,669

Area Summary		Total SF
Residential		19,950
Circulation		1,258
Service		130
Commercial		0
Total		21,338

Site Area	23,039
FAR	0.93

Commercial Parking	0
Surface Spaces	0
Surface Spaces (ADA)	0
Residential Parking	25
Cover Spaces	12
Cover Spaces (ADA)	2
Surface Spaces	10
Surface Spaces (ADA)	1
Garage Spaces	0

Parcel 2

BUILDING 3 - TYPE A			
	SF	Count	Total SF
One Bedroom			
A1	860	2	1,720
A1.1	822	1	822
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	1	1,079
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	10	9,975

BUILDING 4 - TYPE A			
	SF	Count	Total SF
One Bedroom			
A1	860	2	1,720
A1.1	822	1	822
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	1	1,079
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	10	9,975

SUBTOTAL			
	SF	Count	Total SF
One Bedroom			
A1	860	4	3,440
A1.1	822	2	1,644
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	12	12,708
B1.1	1,079	2	2,158
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	20	19,950

Area Summary		Total SF
Residential		9,975
Circulation		629
Service		65
Commercial		0
Total		10,669

Area Summary		Total SF
Residential		9,975
Circulation		629
Service		65
Commercial		0
Total		10,669

Area Summary		Total SF
Residential		19,950
Circulation		1,258
Service		130
Commercial		0
Total		21,338

Site Area	23,142
FAR	0.92

Commercial Parking	0
Surface Spaces	0
Surface Spaces (ADA)	0
Residential Parking	24
Cover Spaces	12
Cover Spaces (ADA)	2
Surface Spaces	9
Surface Spaces (ADA)	1
Garage Spaces	0

Parcel 3

BUILDING 5 - TYPE A			
	SF	Count	Total SF
One Bedroom			
A1	860	2	1,720
A1.1	822	1	822
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	1	1,079
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	10	9,975

Area Summary		Total SF
Residential		9,975
Circulation		629
Service		65
Commercial		0
Total		10,669

BUILDING 6 - TYPE A			
	SF	Count	Total SF
One Bedroom			
A1	860	2	1,720
A1.1	822	1	822
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	1	1,079
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	10	9,975

Area Summary		Total SF
Residential		9,975
Circulation		629
Service		65
Commercial		0
Total		10,669

SUBTOTAL			
	SF	Count	Total SF
One Bedroom			
A1	860	4	3,440
A1.1	822	2	1,644
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	12	12,708
B1.1	1,079	2	2,158
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	20	19,950

Area Summary		Total SF
Residential		19,950
Circulation		1,258
Service		130
Commercial		0
Total		21,338

Site Area	23,145
FAR	0.92

Commercial Parking	0
Surface Spaces	0
Surface Spaces (ADA)	0
Residential Parking	26
Cover Spaces	12
Cover Spaces (ADA)	2
Surface Spaces	11
Surface Spaces (ADA)	1
Garage Spaces	0

PARCEL 4

BUILDING 7 - TYPE A			
	SF	Count	Total SF
One Bedroom			
A1	860	2	1,720
A1.1	822	1	822
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	1	1,079
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	998	10	9,975

Area Summary		Total SF
Residential		9,975
Circulation		629
Service		65
Commercial		0
Total		10,669

Site Area	11,641
FAR	0.92

Commercial Parking	0
Surface Spaces	0
Surface Spaces (ADA)	0
Residential Parking	10
Cover Spaces	6
Cover Spaces (ADA)	1
Surface Spaces	2
Surface Spaces (ADA)	1
Garage Spaces	0

PARCEL 5

BUILDING 8 - TYPE B			
	SF	Count	Total SF
One Bedroom			
A1	860	2	1,720
A1.1	822	0	0
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	0	0
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	0	0
Total	1,009	8	8,074

Area Summary		Total SF
Residential		8,074
Circulation		860
Service		169
Commercial		4079
Total		13,182

Site Area	14,652
FAR	0.90

Commercial Parking	12
Surface Spaces	11
Surface Spaces (ADA)	1
Residential Parking	3
Cover Spaces	0
Cover Spaces (ADA)	0
Surface Spaces	3
Surface Spaces (ADA)	0
Garage Spaces	0

Parcel 6

BUILDING 9 - TYPE C			
	SF	Count	Total SF
One Bedroom			
A1	860	0	0
A1.1	822	0	0
A2	614	2	1,228
A3	633	2	1,266
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	0	0
Three Bedroom			
C1	1,320	6	7,920
C2	1,295	4	5,180
Townhouse			
TH1	1,200	0	0
Total	1,097	20	21,948

Area Summary		Total SF
Residential		21,948
Circulation		2,443
Service		76
Commercial		0
Total		24,467

BUILDING 10 - TYPE D			
	SF	Count	Total SF
One Bedroom			
A1	860	0	0
A1.1	822	0	0
A2	614	0	0
A3	633	0	0
Two Bedroom			
B1	1,059	0	0
B1.1	1,079	0	0
Three Bedroom			
C1	1,320	0	0
C2	1,295	0	0
Townhouse			
TH1	1,200	7	8,400
Total	1,200	7	8,400

Area Summary		Total SF
Residential		8,400
Circulation		448
Service		56
Commercial		0
Total		8,904

SUB TOTAL			
	SF	Count	Total SF
One Bedroom			
A1	860	0	0
A1.1	822	0	0
A2	614	2	1,228
A3	633	2	1,266
Two Bedroom			
B1	1,059	6	6,354
B1.1	1,079	0	0
Three Bedroom			
C1	1,320	6	7,920
C2	1,295	4	5,180
Townhouse			
TH1	1,200	7	8,400
Total	1,124	27	30,348

Area Summary		Total SF
Residential		30,348
Circulation		2,891
Service		132
Commercial		0
Total		33,371

Site Area	28,914
FAR	1.15

Commercial Parking	0
Surface Spaces	0
Surface Spaces (ADA)	0
Residential Parking	56
Cover Spaces	26
Cover Spaces (ADA)	0
Surface Spaces	15
Surface Spaces (ADA)	1
Garage Spaces	14

TOTAL

TOTAL			
	SF	Count	Total SF
One Bedroom			
A1	860	16	13,760
A1.1	822	7	5,754
A2	614	2	1,228
A3	633	2	1,266
Two Bedroom			
B1	1,059	54	57,186
B1.1	1,079	7	7,553
Three Bedroom			
C1	1,320	6	7,920
C2	1,295	4	5,180
Townhouse			
TH1	1,200	7	8,400
Total	1,031	105	108,247

Area Summary		Total SF
Residential		108,247
Circulation		8,154
Service		756
Commercial		4079
Total		121,236

Site Area	124,533
FAR	0.97

Commercial Parking	12
Surface Spaces	11
Surface Spaces (ADA)	1
Residential Parking	144
Cover Spaces	68
Cover Spaces (ADA)	7
Surface Spaces	50
Surface Spaces (ADA)	5
Garage Spaces	14



VIEW FROM BROADWAY AND TERRACE AVE.



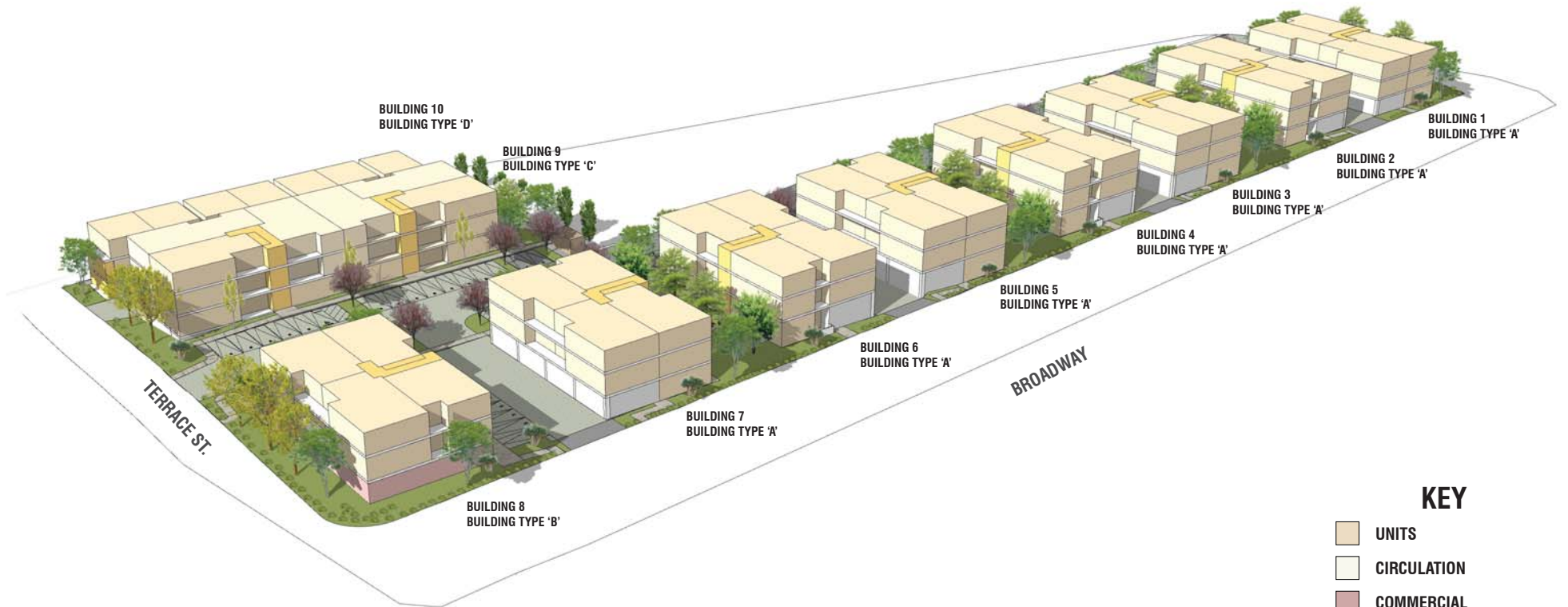
VIEW ALONG BROADWAY



VIEW FROM OLYMPIA AVE AND TERRACE AVE.



VIEW FROM BROADWAY AND SAN LUCAS ST.



KEY

- UNITS
- CIRCULATION
- COMMERCIAL
- PARKING
- BOH
- AMENITY



KEY

- UNITS
- CIRCULATION
- COMMERCIAL
- PARKING
- BOH
- AMENITY

ASCENT
SEASIDE, CA
TCA # 2019-010



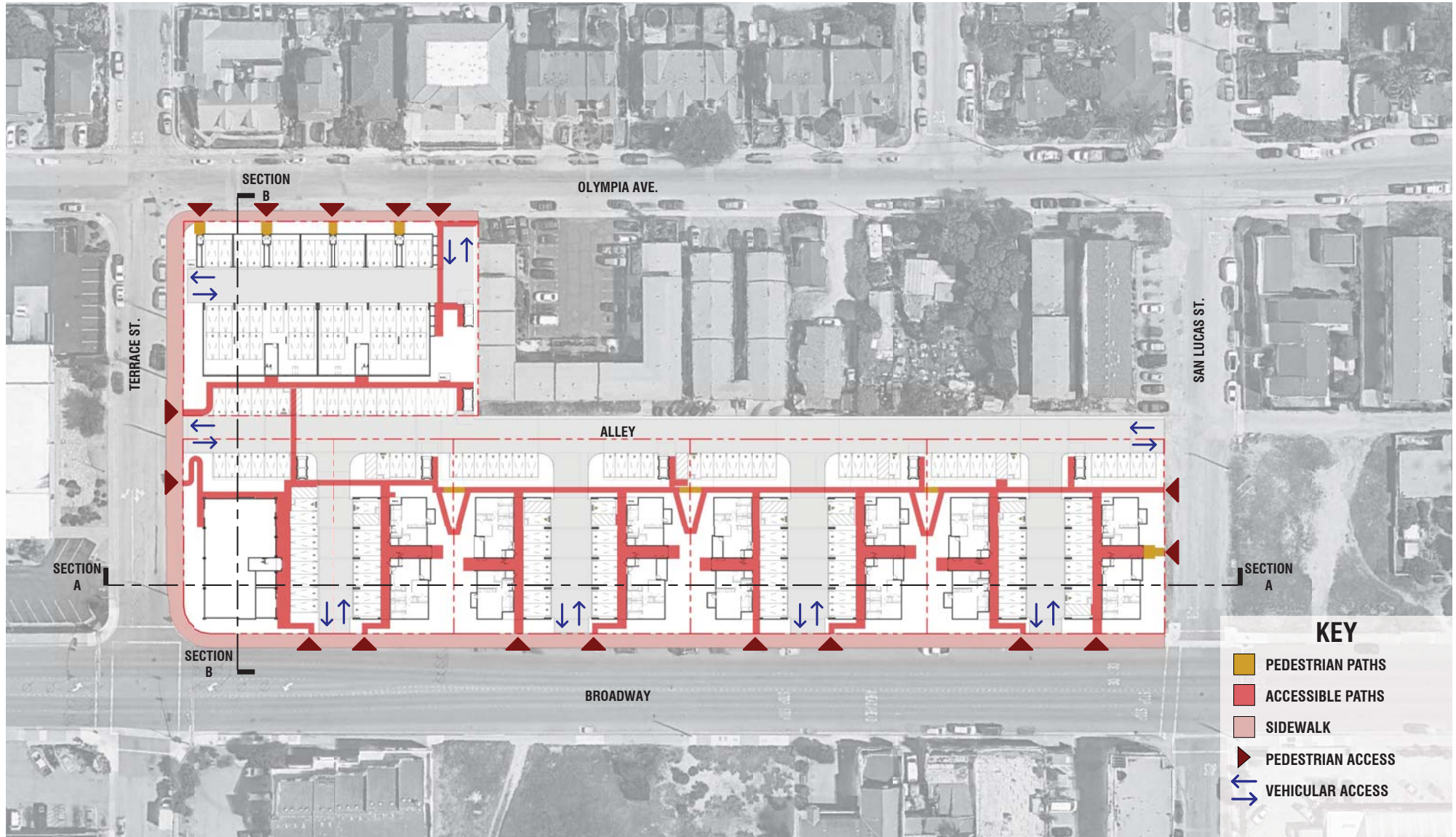
WEST END PARTNERS, LLC

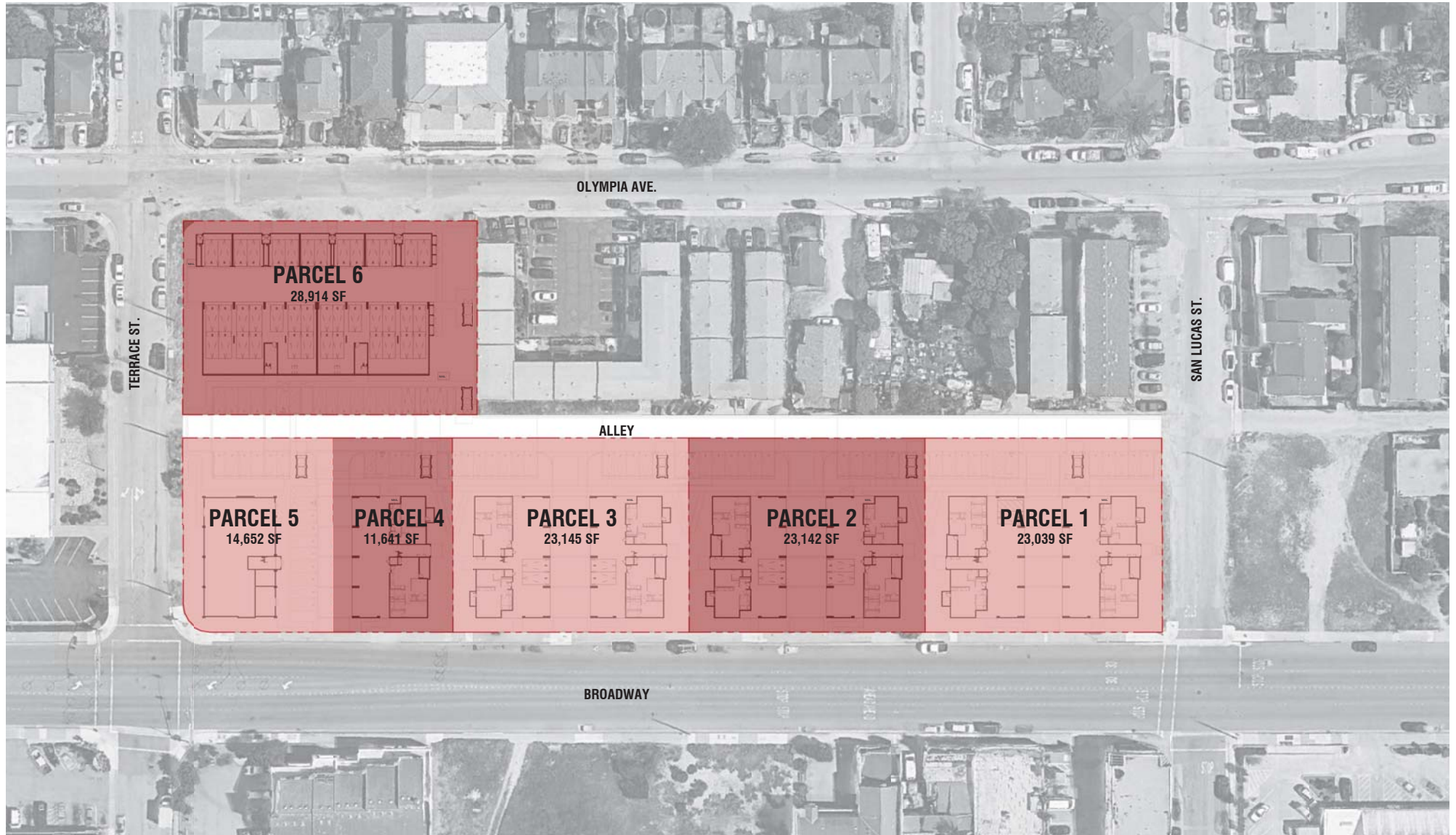
ENTITLEMENT PACKAGE
JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1

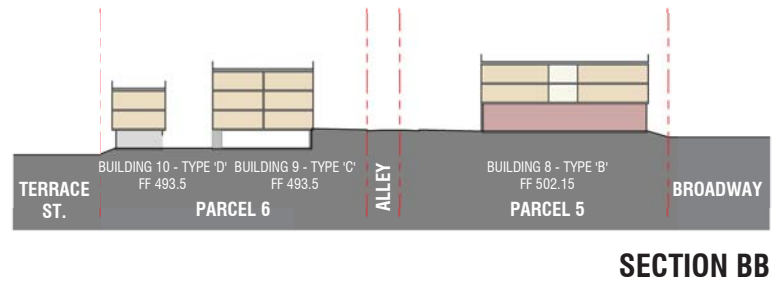
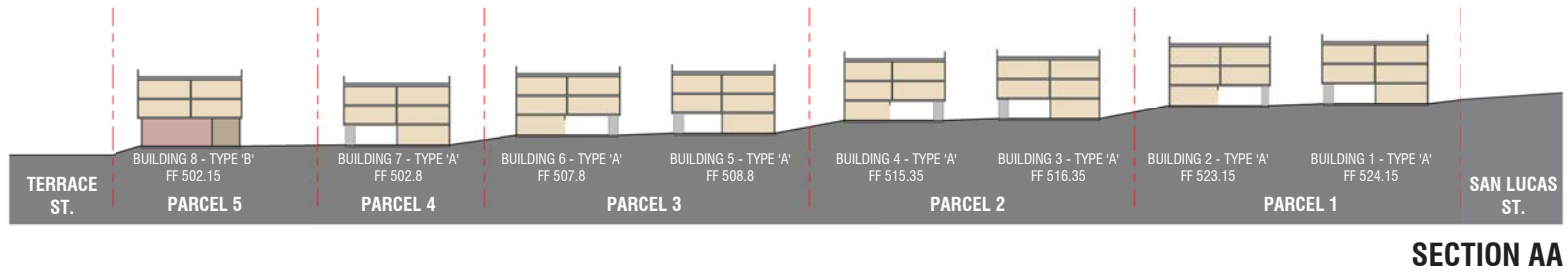
3D MASSING

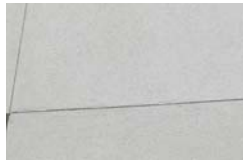
G3.2



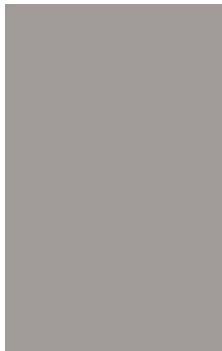








S1 - Stucco



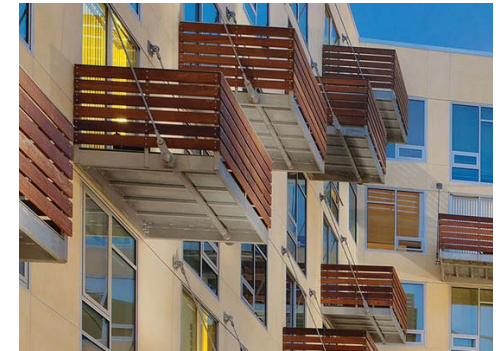
S2 - Stucco



M1 - Composite Wood Siding



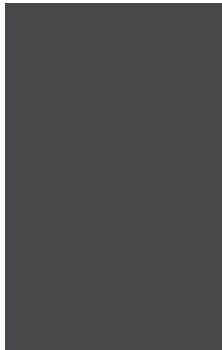
F1 - Metal Window Frame



R1 - Composite Wood Rail



S3 - Stucco



S4 - Stucco



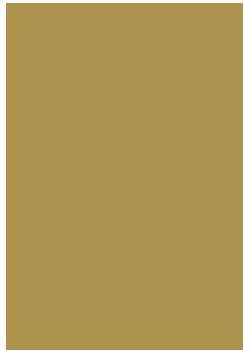
M2 - Composite Siding



W1 - Charcoal Vinyl Window



R2 - Cable Rail



S5 - Stucco



S6 - Stucco

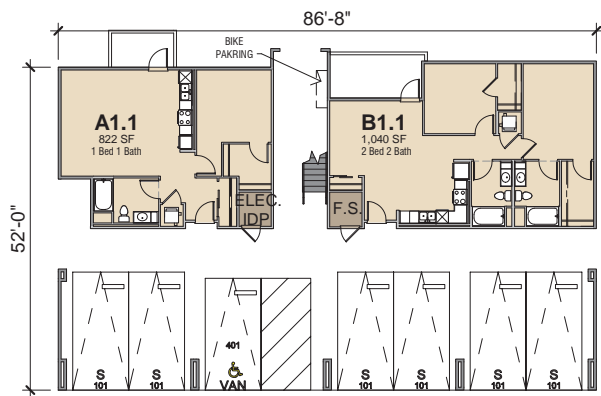


M3 - Metal Band

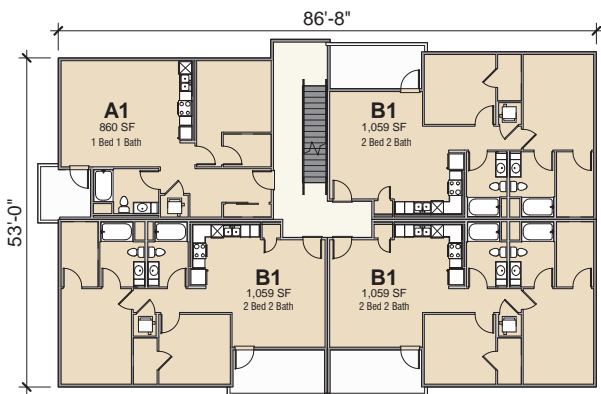


W2 - Storefront

BUILDING TYPE 'A'

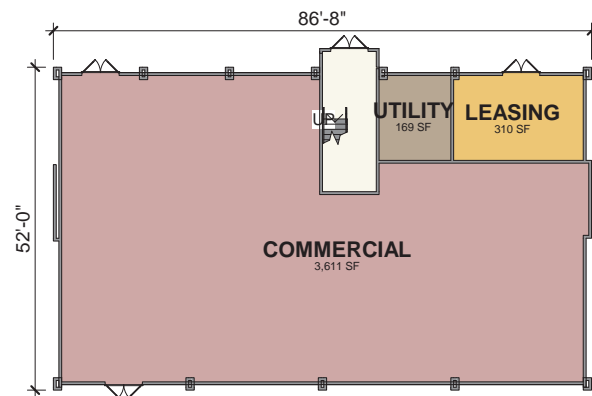


LEVEL 1

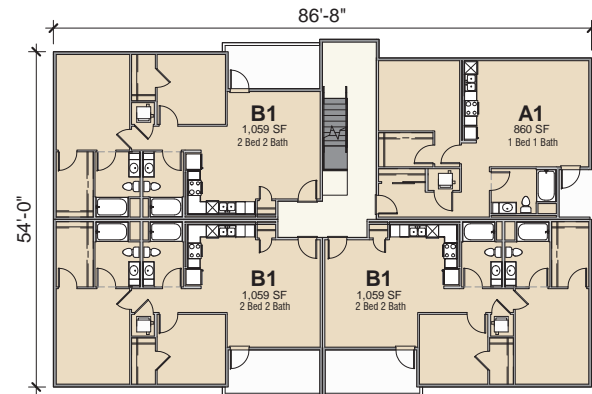


LEVEL 2-3

BUILDING TYPE 'B'

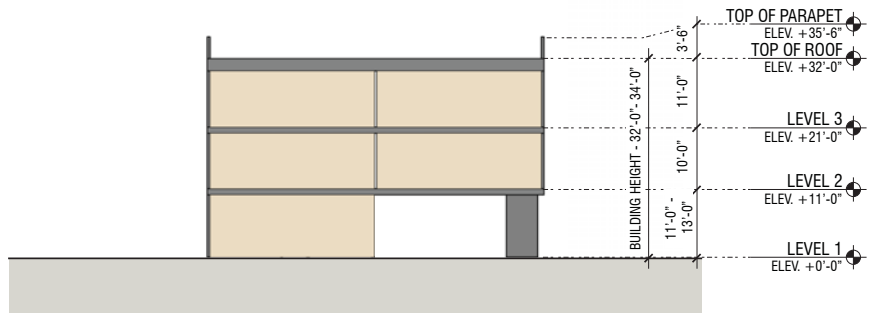
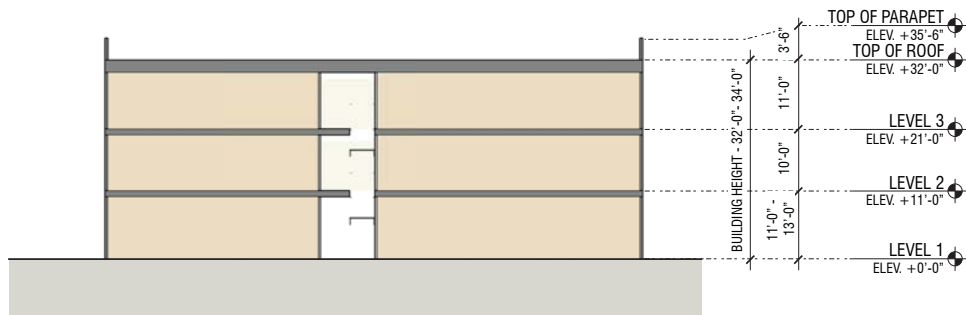


LEVEL 1

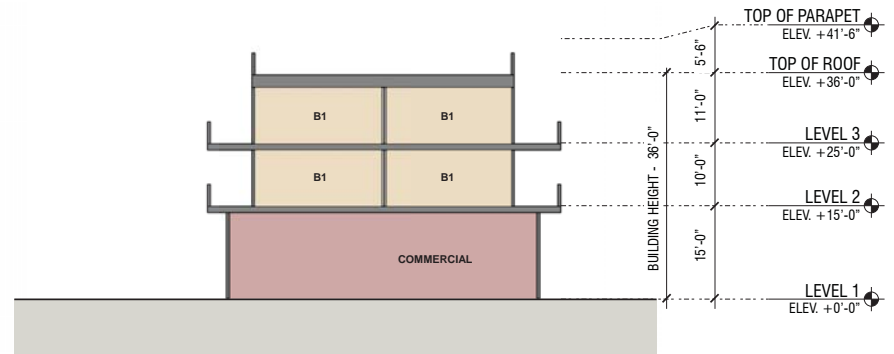
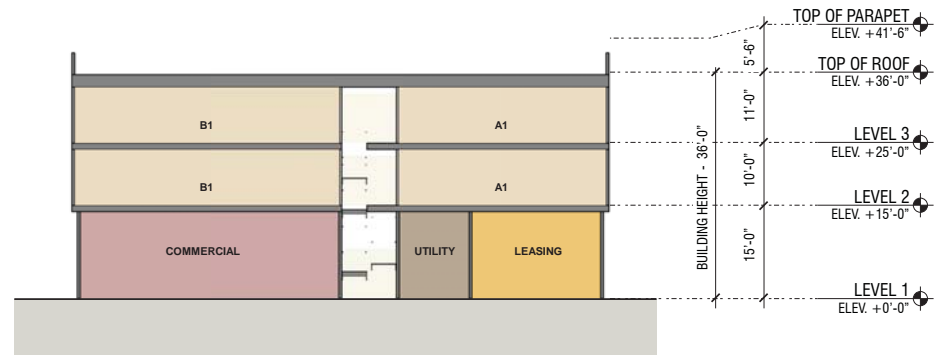


LEVEL 2-3

BUILDING TYPE 'A'

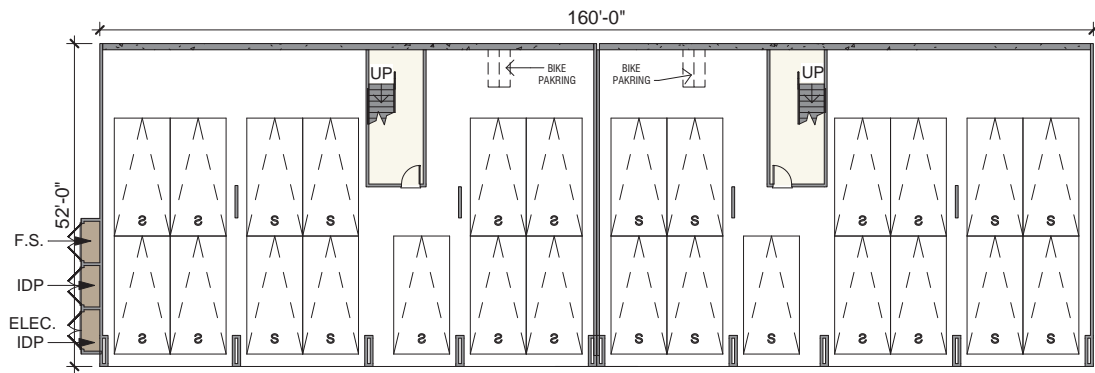


BUILDING TYPE 'B'

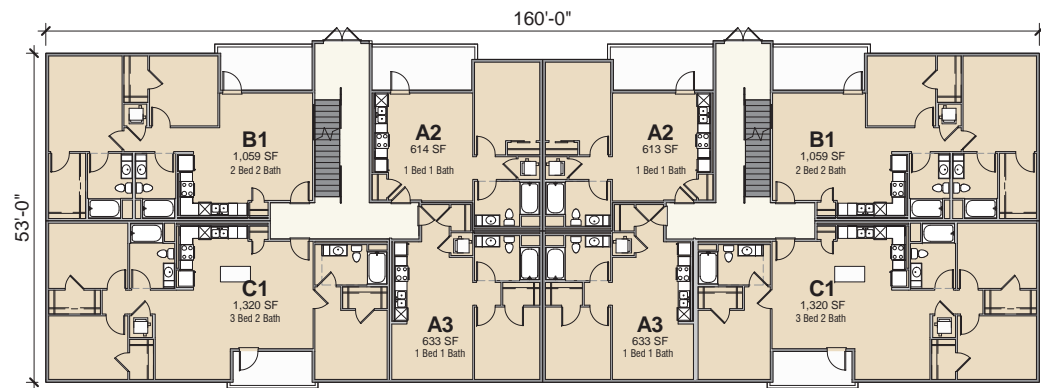




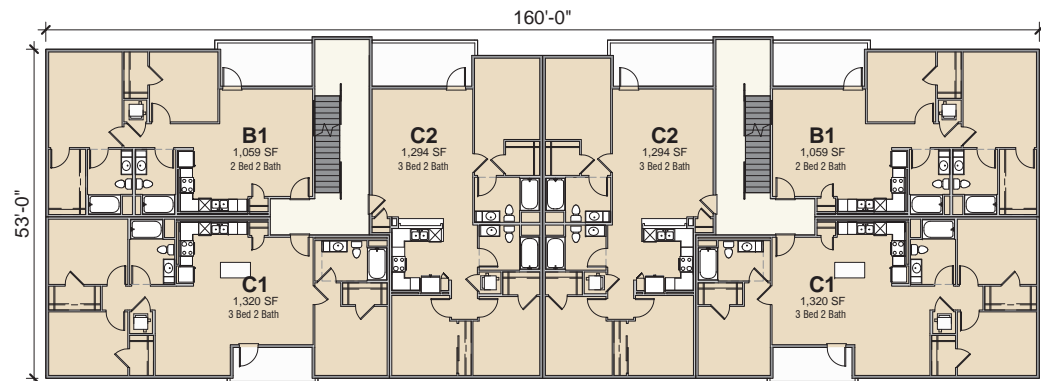




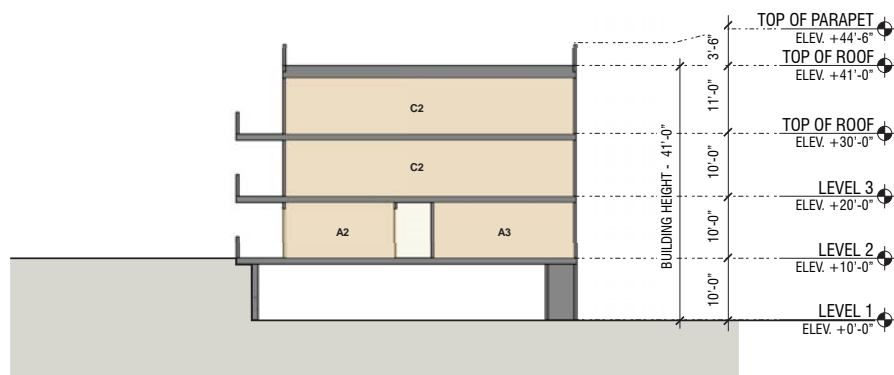
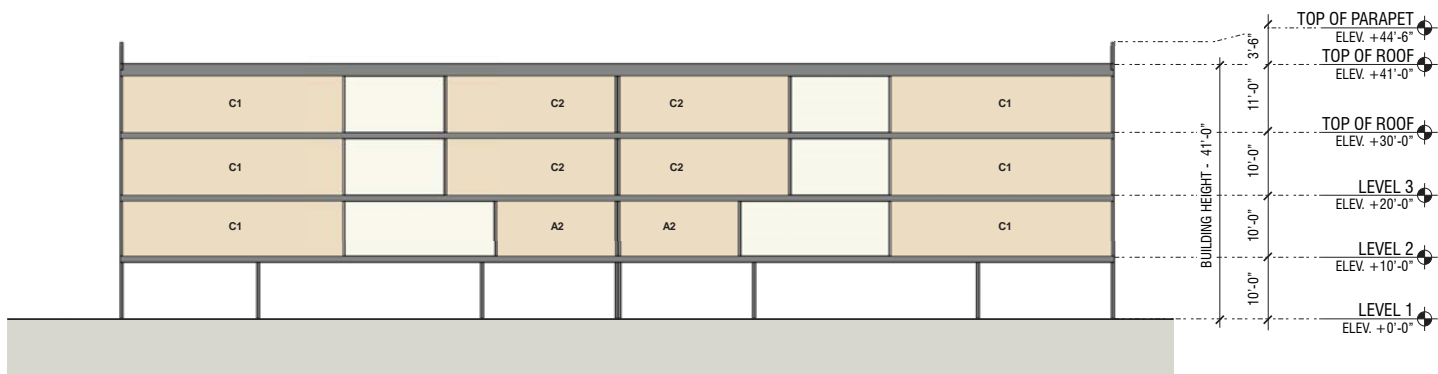
LEVEL 1



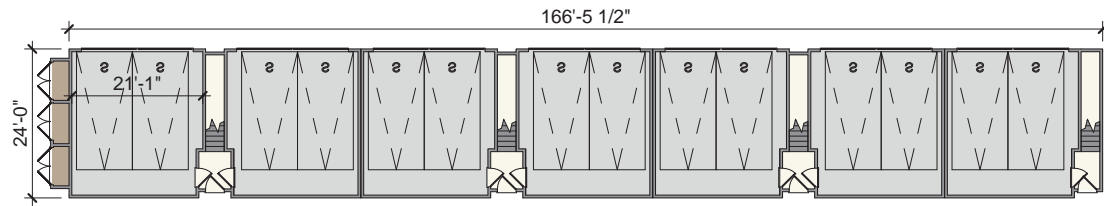
LEVEL 2



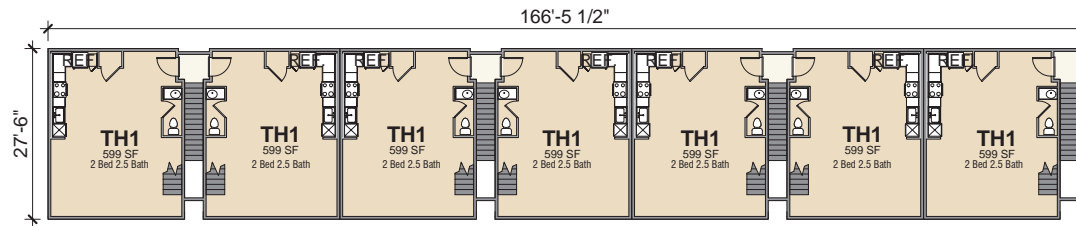
LEVEL 3-4



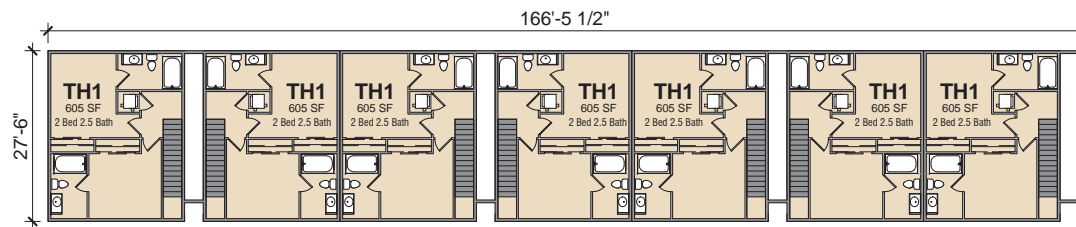




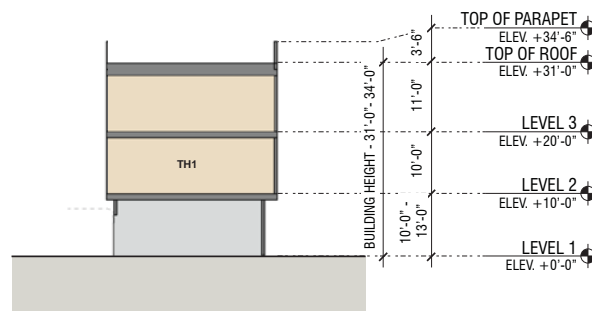
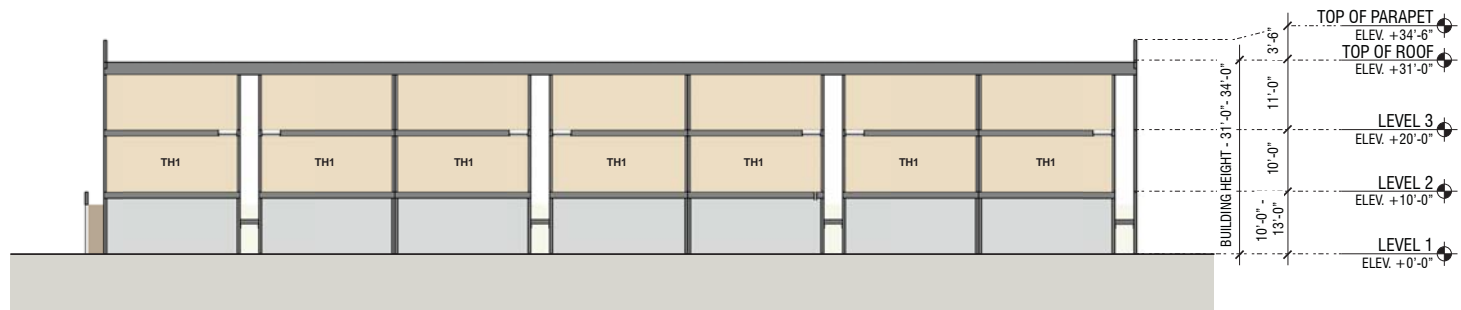
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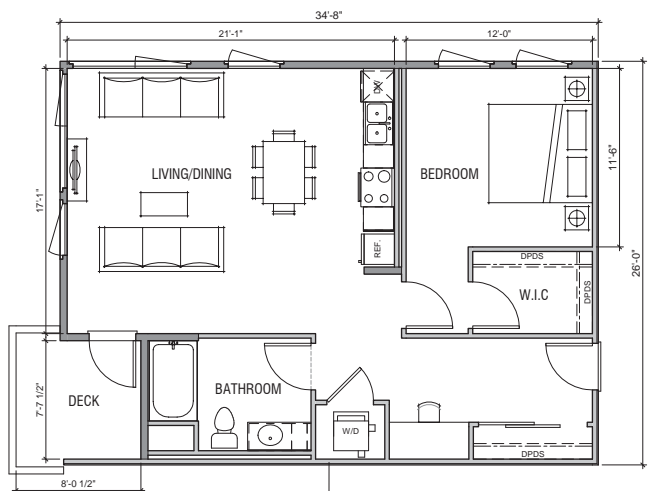
LEVEL 2



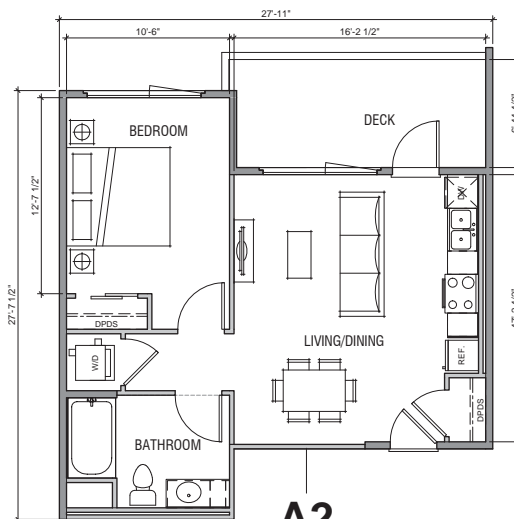
LEVEL 3



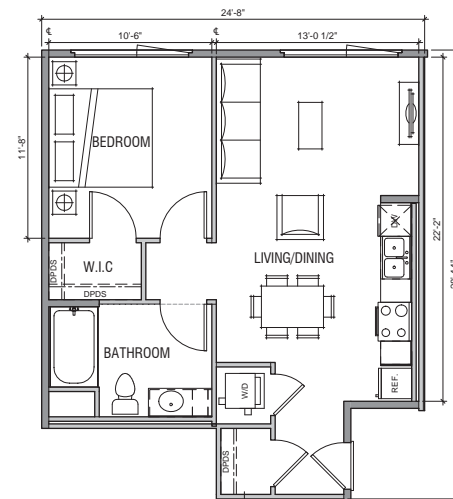




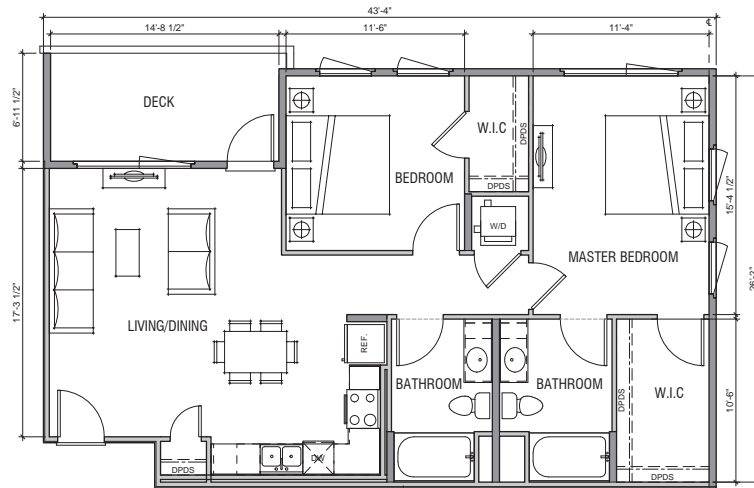
A1
860 SF
1 Bed 1 Bath



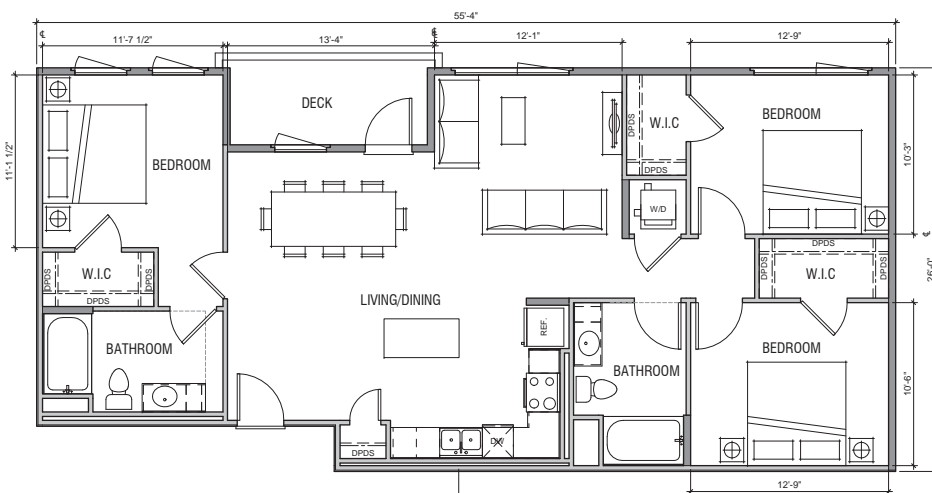
A2
614 SF
1 Bed 1 Bath



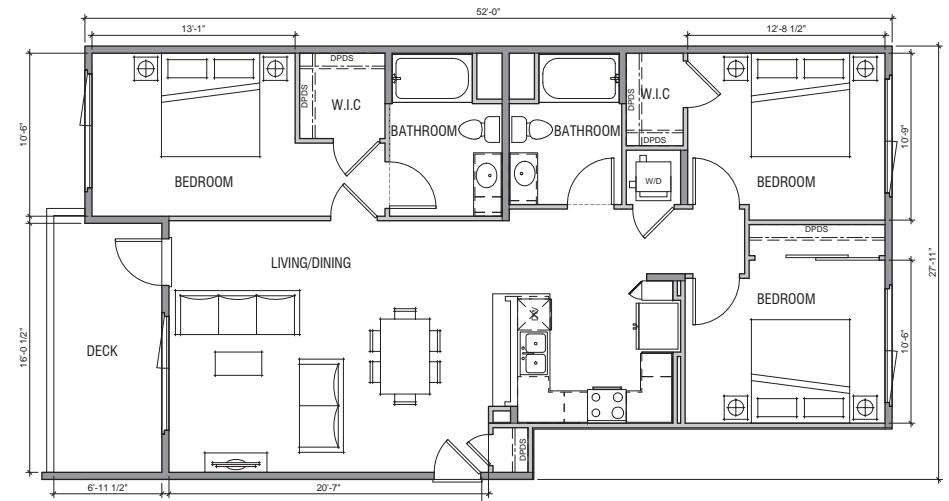
A3
633 SF
1 Bed 1 Bath



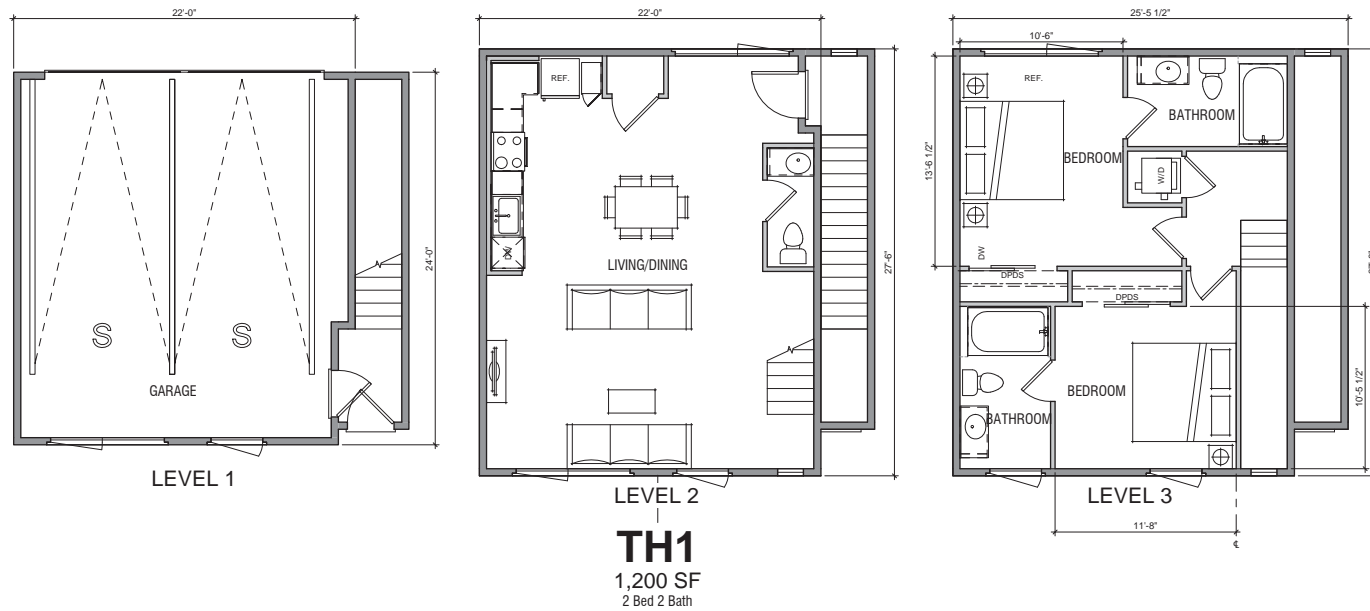
B1
1,059 SF
1 Bed 1 Bath



C1
1,320 SF
3 Bed 2 Bath



C2
1,295 SF
3 Bed 2 Bath





ASCENT
SEASIDE, CA
TCA # 2019-010



WEST END PARTNERS, LLC

ENTITLEMENT PACKAGE
JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1

3D VIEW

A5.1







ASCENT
SEASIDE, CA
TCA # 2019-010



WEST END PARTNERS, LLC

ENTITLEMENT PACKAGE
JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1

3D VIEW
BROADWAY

A5.4



ASCENT
SEASIDE, CA
TCA # 2019-010



WEST END PARTNERS, LLC

ENTITLEMENT PACKAGE
JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1

3D VIEW
OLYMPIA AVE

A5.5



ASCENT
SEASIDE, CA
TCA # 2019-010

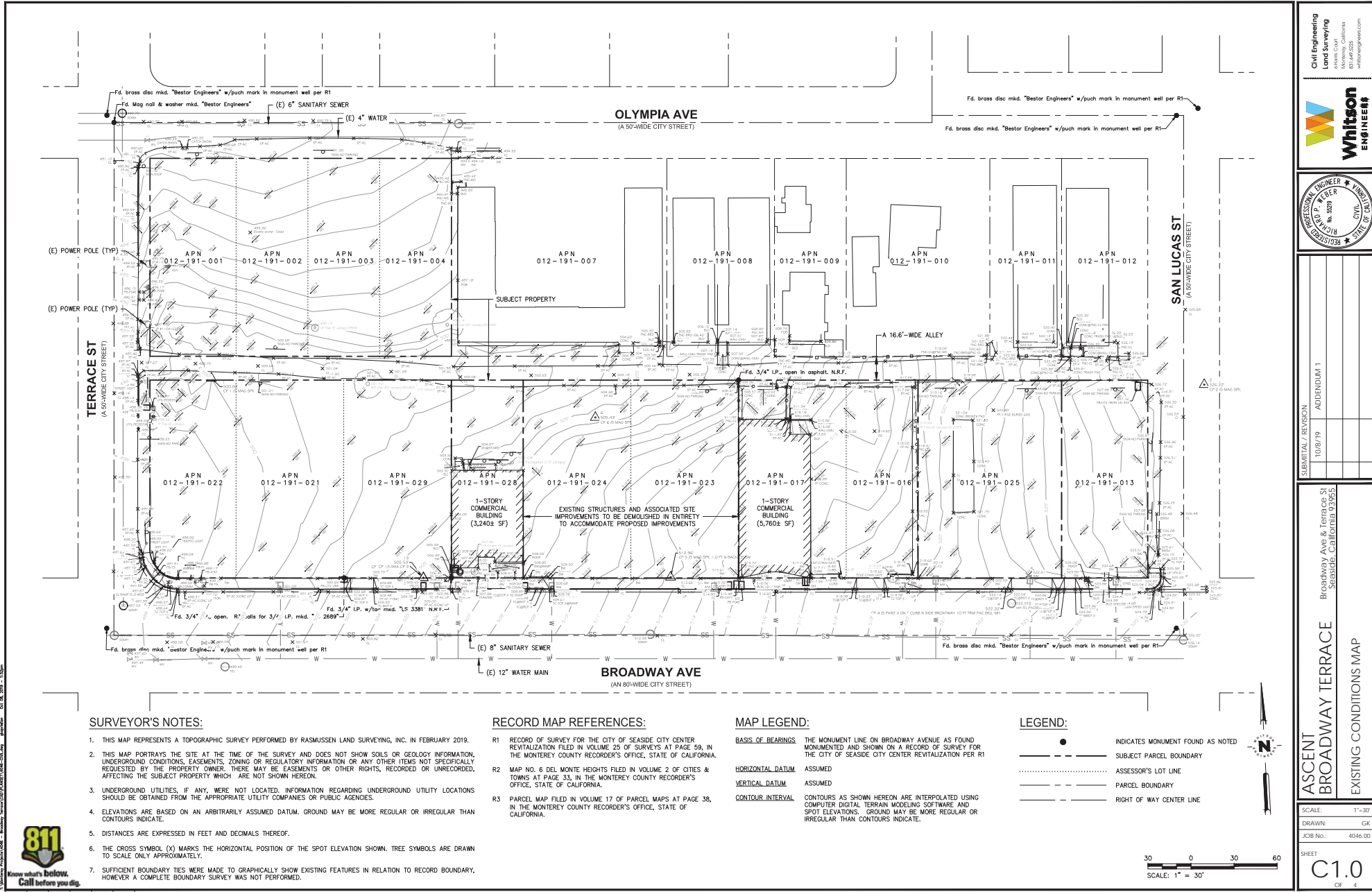


WEST END PARTNERS, LLC

ENTITLEMENT PACKAGE
JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1

3D VIEW
ALLEY

A5.6



SURVEYOR'S NOTES:

1. THIS MAP REPRESENTS A TOPOGRAPHIC SURVEY PERFORMED BY RASMUSSEN LAND SURVEYING, INC. IN FEBRUARY 2019.
2. THIS MAP PORTRAYS THE SITE AT THE TIME OF THE SURVEY AND DOES NOT SHOW SOILS OR GEOLOGY INFORMATION, UNDERGROUND CONDITIONS, EASEMENTS, ZONING OR REGULATORY INFORMATION OR ANY OTHER ITEMS NOT SPECIFICALLY REQUESTED BY THE PROPERTY OWNER. THERE MAY BE EASEMENTS OR OTHER RIGHTS, RECORDED OR UNRECORDED, AFFECTING THE SUBJECT PROPERTY WHICH ARE NOT SHOWN HEREON.
3. UNDERGROUND UTILITIES, IF ANY, WERE NOT LOCATED. INFORMATION REGARDING UNDERGROUND UTILITY LOCATIONS SHOULD BE OBTAINED FROM THE APPROPRIATE UTILITY COMPANIES OR PUBLIC AGENCIES.
4. ELEVATIONS ARE BASED ON AN ARBITRARILY ASSUMED DATUM. GROUND MAY BE MORE REGULAR OR IRREGULAR THAN CONTOURS INDICATE.
5. DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
6. THE CROSS SYMBOL (X) MARKS THE HORIZONTAL POSITION OF THE SPOT ELEVATION SHOWN. TREE SYMBOLS ARE DRAWN TO SCALE ONLY APPROXIMATELY.
7. SUFFICIENT BOUNDARY TIES WERE MADE TO GRAPHICALLY SHOW EXISTING FEATURES IN RELATION TO RECORD BOUNDARY, HOWEVER A COMPLETE BOUNDARY SURVEY WAS NOT PERFORMED.

RECORD MAP REFERENCES:

- R1 RECORD OF SURVEY FOR THE CITY OF SEASIDE CITY CENTER REVITALIZATION FILED IN VOLUME 25 OF SURVEYS AT PAGE 59, IN THE MONTEREY COUNTY RECORDER'S OFFICE, STATE OF CALIFORNIA.
- R2 MAP NO. 6 DEL MONTE HEIGHTS FILED IN VOLUME 2 OF CITIES & TOWNS AT PAGE 33, IN THE MONTEREY COUNTY RECORDER'S OFFICE, STATE OF CALIFORNIA.
- R3 PARCEL MAP FILED IN VOLUME 17 OF PARCEL MAPS AT PAGE 38, IN THE MONTEREY COUNTY RECORDER'S OFFICE, STATE OF CALIFORNIA.

MAP LEGEND:

- BASIS OF BEARINGS** THE MONUMENT LINE ON BROADWAY AVENUE AS FOUND MONUMENTED AND SHOWN ON A RECORD OF SURVEY FOR THE CITY OF SEASIDE CITY CENTER REVITALIZATION PER R1
- HORIZONTAL DATUM** ASSUMED
- VERTICAL DATUM** ASSUMED
- CONTOUR INTERVAL** CONTOURS AS SHOWN HEREON ARE INTERPOLATED USING COMPUTER DIGITAL TERRAIN MODELING SOFTWARE AND SPOT ELEVATIONS. GROUND MAY BE MORE REGULAR OR IRREGULAR THAN CONTOURS INDICATE.

LEGEND:

- INDICATES MONUMENT FOUND AS NOTED
- SUBJECT PARCEL BOUNDARY
- ASSESSOR'S LOT LINE
- PARCEL BOUNDARY
- RIGHT OF WAY CENTER LINE

30 0 30 60
SCALE: 1" = 30'

Civil Engineering
Land Surveying
Whitson
ENGINEERS
10314 4th Street
Seaside, CA 94138
(415) 448-0225
whitsonengr.com



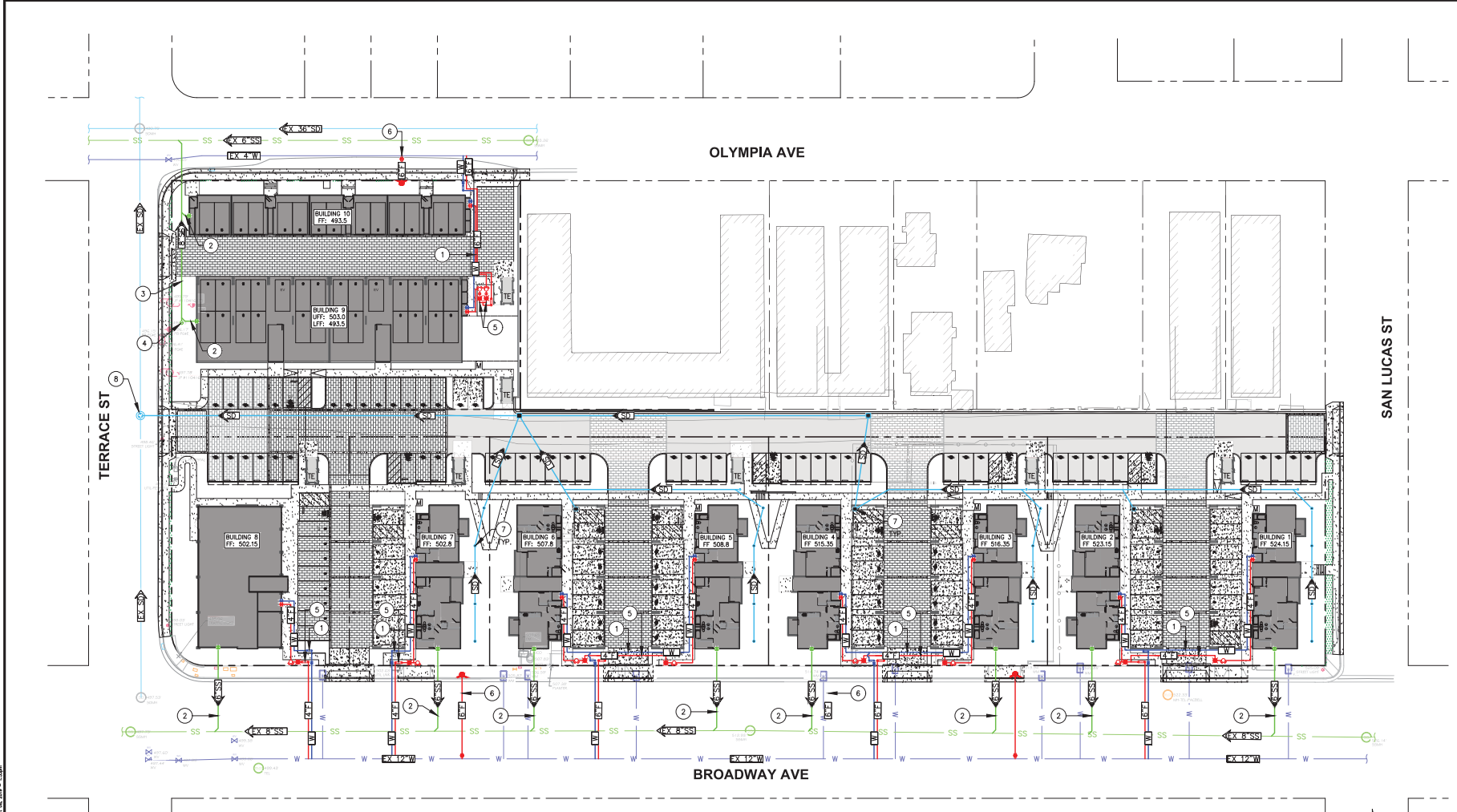
SUBMITTAL / REVISION	ADDITION 1
10/8/19	

Broadway Ave & Terrace St
Seaside, California 94135

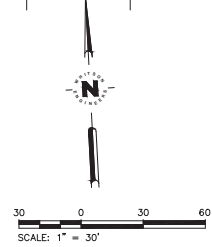
ASCENT
BROADWAY TERRACE
EXISTING CONDITIONS MAP

SCALE: 1" = 30'
DRAWN: GK
JOB NO.: 4046-00
SHEET
C1.0
OF 4

NOT FOR CONSTRUCTION



- KEYNOTES:**
1. DOMESTIC WATER SERVICE, WITH MASTER METER AND BACKFLOW DEVICE
 2. SANITARY SEWER LATERAL
 3. SANITARY SEWER MAIN
 4. SANITARY SEWER CLEANOUT
 5. FIRE SERVICE CONNECTION WITH DCDA, FDC, CHECK VALVE, AND PIV
 6. FIRE HYDRANT AND LATERAL WITH SHUT OFF VALVE
 7. STORM DRAIN INLET
 8. STORM DRAIN MANHOLE



**Civil Engineering
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SUBMITTAL / REVISION

NO.	REVISION
1	10/8/19

PROJECT INFORMATION

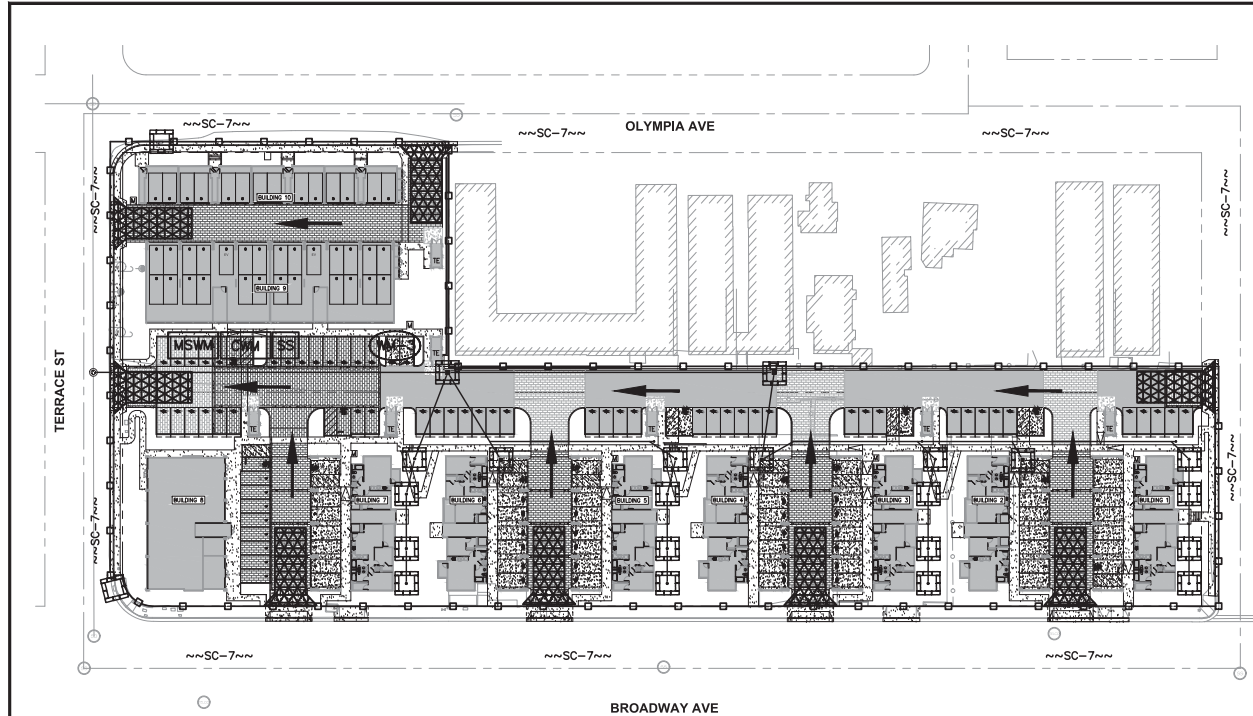
**ASCEND
BROADWAY TERRACE**
Broadway Ave & Terrace St
Seaside, California 93955

SHEET

C2.1

OF 4

NOT FOR CONSTRUCTION



LEGEND

SYMBOL	CALTRANS BMP #	CALTRANS STD. PLAN	DESCRIPTION	SYMBOL	CALTRANS BMP #	CALTRANS STD. PLAN	DESCRIPTION
	SS-9	-	EARTH DIKES, DRAINAGE SWALES AND LINED DITCHES		TC-1, TC-3	T58	STABILIZED CONSTRUCTION ENTRANCE/EXIT OR TIRE WASH
	SC-1, SC-5, SC-6	T56, T60, T66	LINEAR SEDIMENT BARRIER: FIBER ROLLS, SILT FENCE, OR COMPOST SOCK (CONTRACTOR'S OPTION)		WM-1	-	MATERIAL STORAGE AND WASTE MANAGEMENT AREA
	SC-1	T51, T60	SILT FENCE		WM-3	T53	TEMPORARY STOCKPILES
	SC-7	-	STREET SWEEPING		WM-9	-	SANITARY FACILITIES
	SC-10	-	INLET PROTECTION		-	-	DIRECTION OF DRAINAGE
	WM-8	T61, T62, T63, T64	CONCRETE WASTE MANAGEMENT (WASHOUT) AREA				
	SS-3, SS-4, SS-5, SS-6, SS-7, SS-8	T59	SOIL STABILIZATION (PROVIDE ON ALL DISTURBED SOILS) TEMPORARY STABILIZATION PER CIVIL PLANS PERMANENT STABILIZATION PER LANDSCAPE DWGS				

WATER POLLUTION CONTROL PLAN

- ESTIMATED TOTAL DISTURBED AREA: 3.3 AC. THIS PLAN SHALL BE USED IN CONJUNCTION WITH THE PROJECT SWPPP.
- BEST MANAGEMENT PRACTICES (BMPs) (MATERIALS AND THEIR INSTALLATION) SHALL CONFORM TO ONE OF THE FOLLOWING:
 - THE 2011 EDITION OF THE CALTRANS STORM WATER QUALITY HANDBOOK / CONSTRUCTION SITE BMP MANUAL. THE HANDBOOK MAY BE DOWNLOADED FOR FREE AT http://www.dot.ca.gov/hq/construct/stormwater/documents/SWPPP_Prep_ManualJan2011.pdf
 - THE 2015 EDITION OF THE CALTRANS STORM WATER QUALITY HANDBOOK PROMULGATED BY THE CALIFORNIA STORMWATER QUALITY ASSOCIATION (CSQA). THE HANDBOOK MAY BE DOWNLOADED FOR A FEE FROM THE CSQA WEBSITE AT <http://www.csqa.org/handbooks/>
 - THE BMPs SHOWN ON THIS WATER POLLUTION CONTROL PLAN SHALL BE ADJUSTED OR SUPPLEMENTED AS REQUIRED TO PROTECT WATER QUALITY AND/OR AS DIRECTED BY THE ENGINEER OR JURISDICTION HAVING AUTHORITY.
- THIS PLAN IS INTENDED TO BE USED FOR INTERIM WATER POLLUTION CONTROL ONLY AND IS NOT TO BE USED FOR FINAL ELEVATIONS OR PERMANENT IMPROVEMENTS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR MONITORING BMPs PRIOR TO, DURING, AND AFTER STORM EVENTS, AND SHALL PROMPTLY CORRECT ANY DEFICIENCIES NOTED.
- ALL PAVED AREAS SHALL BE KEPT CLEAN OF SOIL AND DEBRIS. REGULAR STREET SWEEPING IS REQUIRED. ADDITIONAL STREET SWEEPING MAY BE REQUIRED BY THE ARCHITECT/ENGINEER OR JURISDICTION HAVING AUTHORITY.
- REASONABLE CARE SHALL BE TAKEN WHEN HAULING ANY EARTH, SAND, GRAVEL, STONE, DEBRIS, PAPER OR ANY OTHER SUBSTANCE OVER ANY PUBLIC STREET, ALLEY OR OTHER PUBLIC PLACE. SUCH MATERIAL IS TO BE HAULED OFF-SITE BEING COVERED, SHOULD ANY BLEND, SPILL, OR TRACK OVER AND UPON SAID PUBLIC OR ADJACENT PRIVATE PROPERTY, IMMEDIATE REMEDY SHALL OCCUR.
- KEEP ADDITIONAL EROSION AND SEDIMENT CONTROL SUPPLIES ON SITE IN CASE IMMEDIATE REPAIRS OR MODIFICATIONS ARE REQUIRED. THESE SUPPLIES MAY INCLUDE ADDITIONAL SILT FENCING, FILTER FABRIC, HAY BALES, JUTE NETTING BAGS AND TAPES.
- CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND WATER POLLUTION WILL BE MINIMIZED. STATE AND LOCAL LAWS CONCERNING POLLUTION ABATEMENT SHALL BE COMPLIED WITH.
- CONTRACTOR SHALL PROVIDE DUST CONTROL AS REQUIRED BY FEDERAL, STATE, AND LOCAL AGENCY REQUIREMENTS.
- PROVIDE TEMPORARY "EFFECTIVE SOIL COVER" ON ALL INACTIVE DISTURBED AREAS (AREAS WHICH HAVE NOT BEEN DISTURBED FOR AT LEAST 14 DAYS) PRIOR TO INSTALLATION OF FINAL LANDSCAPING, IF REQUIRED DUE TO PROJECT SCHEDULING.
- PROVIDE EROSION CONTROL AT ALL TIMES IN ACCORDANCE WITH BEST MANAGEMENT PRACTICE WE-1.
- LIMIT THE USE OF PLASTIC MATERIALS WHEN MORE SUSTAINABLE, ENVIRONMENTALLY FRIENDLY ALTERNATIVES EXIST. WHERE PLASTIC MATERIALS ARE DEEMED NECESSARY, CONSIDER THE USE OF PLASTIC MATERIALS RESISTANT TO SOLAR DEGRADATION AND WHICH MAY BE RE-USED.
- ESTABLISH AND MAINTAIN EFFECTIVE PERIMETER CONTROLS AND STABILIZE ALL CONSTRUCTION ENTRANCES AND EXITS TO SUFFICIENTLY CONTROL EROSION AND SEDIMENT DISCHARGES FROM THE SITE.
 - PROVIDE SILT FENCE AT CONSTRUCTION SITE PERIMETER WHERE RUNOFF LEAVES THE CONSTRUCTION SITE.
 - PROVIDE SILT PROTECTION AT ALL DRAIN INLETS.
- ALL GRADING SHALL CONFORM TO THE MONTEREY COUNTY GRADING ORDINANCE #2535, EROSION CONTROL ORDINANCE #2806, AND CALIFORNIA BUILDING CODE.
- PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO ENSURE NECESSARY SEDIMENT CONTROLS ARE IN PLACE AND THE PROJECT IS COMPLIANT WITH MONTEREY COUNTY GRADING AND EROSION CONTROL REGULATIONS.
- DURING CONSTRUCTION THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO UPDATE COMPACTION TEST RECORDS, INSPECT DRAINAGE DEVICE INSTALLATION, REVIEW THE MAINTENANCE AND EFFECTIVENESS OF BMPs INSTALLED, AS WELL AS, TO VERIFY THAT POLLUTANTS OF CONCERN ARE NOT BEING TRANSPORTED FROM THE SITE.
- PRIOR TO FINAL INSPECTION, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO CONDUCT A FINAL GRADING INSPECTION. COLLECT FINAL EROSION CONTROL LETTERS OF COMPLIANCE. LETTERS OF COMPLIANCE THAT ALL DISTURBED AREAS HAVE BEEN STABILIZED AND THAT ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES THAT ARE NO LONGER NEEDED HAVE BEEN REMOVED.
- ALL OR PART OF THE CONSTRUCTION OF THIS PROJECT IS EXPECTED TO OCCUR DURING THE WINTER SEASON (OCTOBER 15TH THROUGH APRIL 15TH).
- IT SHALL BE THE RESPONSIBILITY OF THE OWNER AND THE PERMITTEE TO ENSURE THAT EROSION DOES NOT OCCUR FROM AN ACTIVITY DURING OR AFTER PROJECT CONSTRUCTION. ADDITIONAL MEASURES, BEYOND THOSE SPECIFIED, MAY BE REQUIRED AS DEEMED NECESSARY TO CONTROL ACCELERATED EROSION. (MCC 16.12.100)

QSD / QSP SCOPE OF WORK
 THE SWPPP HAS BEEN PREPARED BY THE OWNER'S CIVIL ENGINEER. ONE ORIGINAL "YIELD COPY" SWPPP WILL BE PROVIDED TO THE CONTRACTOR BY THE OWNER, IN ADDITION TO ELECTRONIC (PDF) FILES.

- THE CONTRACTOR SHALL:
- SERVE AS THE QUALIFIED SWPPP PRACTITIONER (QSP), AND ALSO THE QUALIFIED SWPPP DEVELOPER (QSD) IF QSD SERVICES ARE REQUIRED DURING CONSTRUCTION.
 - TRAIN ITS EMPLOYEES AND SUBCONTRACTORS AS REQUIRED BY THE CONSTRUCTION GENERAL PERMIT.
 - MAINTAIN THE YIELD COPY SWPPP BINDER.
 - PERFORM ALL STORM WATER INSPECTIONS, SAMPLING AND ANALYSIS.
 - IMPLEMENT THE RAIN EVENT ACTION PLANS (REAPs).
 - PROVIDE A SPILL RESPONSE PLAN (TYPICALLY PART OF THE CONTRACTOR'S SWPP).
 - PROVIDE A STORMWATER ANNUAL REVIEW TO THE OWNER EACH YEAR AND PRIOR TO PROJECT COMPLETION.
 - PAY FOR NON-STORMWATER TESTING, IF REQUIRED DUE TO LEAKS OR SPILLS.
 - PROVIDE NOTICE OF TERMINATION DOCUMENTATION TO THE OWNER AT PROJECT COMPLETION.
 - SAVE AS DATA SUBMITTER FOR THE OWNER PER LINE SUBMITTALS THROUGH THE STATE'S WEBSITE (SMARTS).
 - ASSIST THE OWNER IN COORDINATING WITH THE REGIONAL WATER QUALITY CONTROL BOARD AND STATE WATER RESOURCES CONTROL BOARD, AS NEEDED.
 - IMPLEMENT ALL BEST MANAGEMENT PRACTICES (BMPs) AS NECESSARY TO PROTECT WATER QUALITY, AS REQUIRED BY THE CONSTRUCTION GENERAL PERMIT, AND AS OUTLINED IN THE PROJECT SWPPP.
 - PAY FOR NON-STORMWATER TESTING, IF REQUIRED DUE TO LEAKS OR SPILLS.
 - BE RESPONSIBLE FOR ANY FINES IMPOSED FOR FAILURE TO COMPLY WITH THE CONSTRUCTION GENERAL PERMIT OR OTHER LAWS, REGULATIONS, OR REQUIREMENTS OF THE VARIOUS JURISDICTIONS HAVING AUTHORITY.

GENERAL REQUIREMENTS
 ACTUAL GRADING SHALL BEGIN WITHIN 30 DAYS OF VEGETATION REMOVAL OR THE AREA SHALL BE PLANTED TO CONTROL EROSION. VEGETATION REMOVAL BETWEEN OCTOBER 15TH AND APRIL 15TH SHALL PRECEDE SUBSEQUENT GRADING OR CONSTRUCTION ACTIVITIES BY MORE THAN 15 DAYS.

- THE FOLLOWING PROVISIONS SHALL APPLY BETWEEN OCTOBER 1 AND APRIL 30.
 - DISTURBED SURFACES NOT INVOLVED IN THE IMMEDIATE OPERATIONS MUST BE PROTECTED BY APPLYING STRAW MULCH AT 2000 LBS. PER ACRE AND ANCHORED BY TRACK-WALKING TO PREVENT MOVEMENT DURING WATER FLOW.
 - RUNOFF FROM THE SITE SHALL BE DETAINED FILTERED BY SEDIMENT, VEGETATED FILTER STRIPS AND/OR CATCH BASINS TO PREVENT THE ESCAPE OF SEDIMENT FROM THE SITE. THESE DRAINAGE CONTROLS MUST BE MAINTAINED BY THE CONTRACTOR AS NECESSARY TO ACHIEVE THEIR PURPOSE THROUGHOUT THE DURATION OF THE PROJECT. SEE THIS DWG FOR EROSION CONTROL PLAN AND EROSION CONTROL DETAILS.
 - EROSION CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH DAY'S WORK.
 - THE BUILDING FOOTPRINT SHALL STABILIZE OPERATIONS DURING PERIODS OF INCLEMENT WEATHER IF HE DETERMINES THAT EROSION PROBLEMS ARE NOT BEING CONTROLLED ADEQUATELY.
 - CUT AND FILL SLOPES SHALL BE PLANTED WITH AN SEED MIX APPROVED BY THE LANDSCAPE ARCHITECT. AMOUNT OF SEED AND FERTILIZER SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.
- ALL SURFACES EXPOSED OR EXPECTED TO BE EXPOSED DURING GRADING ACTIVITIES SHALL BE PREPARED AND MAINTAINED THROUGH THE LENGTH OF THE ENTIRE PROJECT TO PROTECT AGAINST EROSION.
- AT ALL TIMES DURING CONSTRUCTION AND UNTIL FINAL COMPLETION, THE CONTRACTOR, WHEN HE OR HIS SUBCONTRACTORS ARE OPERATING EQUIPMENT ON THE SITE, SHALL PREVENT THE FORMATION OF AN AIRBORNE DUST NUISANCE BY WATERING AND/OR TREATING THE SITE OF THE WORK IN SUCH A MANNER THAT WILL CONFINES DUST PARTICLES TO THE IMMEDIATE SURFACE OF THE WORK. THE CONTRACTOR WILL BE RESPONSIBLE FOR ANY DAMAGE DONE BY DUST FROM HIS OR HER SUBCONTRACTOR.

OBSERVATION AND MAINTENANCE

- VISUALLY OBSERVE AND MAINTAIN BEST MANAGEMENT PRACTICES (BMPs) AS FOLLOWS:
 - WEEKLY, AND
 - WITHIN 48 HOURS PRIOR TO EACH STORM EVENT, AND
 - WITHIN 48 HOURS AFTER EACH STORM EVENT.
- DAILY DURING STORM EVENTS.
- REPAIR DAMAGED BMPs WITHIN 48 HOURS OF OBSERVATION.
- SEDIMENT SHALL BE REMOVED FROM SEDIMENT CONTROL BMPs BEFORE SEDIMENT HAS ACCUMULATED TO A DEPTH OF ONE THIRD THE HEIGHT OF THE SEDIMENT BARRIER OR SUMP. IF NOT OTHERWISE SPECIFIED IN THE SPECIAL PROVISIONS OR BY THE BMP SUPPLIER OR MANUFACTURER.
- TRASH AND DEBRIS SHALL BE REMOVED FROM BMPs DURING SCHEDULED INSPECTIONS.
- REMOVED SEDIMENT SHALL BE PLACED AT AN APPROVED LOCATION AND IN SUCH A MANNER THAT IT WILL NOT ERODE, OR SHALL BE DISPOSED OF OFF-SITE.
- REPAIR HILLS AND GULLIES BY RE-GRADING AND THEN TRACKWALKING PERPENDICULAR TO THE SLOPE. PROVIDE TEMPORARY SOIL COVER IF NECESSARY.

NON-STORM WATER DISCHARGES

- NON-STORM WATER DISCHARGES INCLUDE A WIDE VARIETY OF SOURCES, INCLUDING IMPROPER DUMPING, SPILLS, OR LEAKAGE FROM STORAGE TANKS OR TRANSFER AREAS. NON-STORM WATER DISCHARGES MAY CONTRIBUTE SIGNIFICANT POLLUTANT LOADS TO RECEIVING WATERS, AND AS SUCH ARE PROHIBITED.
- MEASURES TO CONTROL SPILLS, LEAKAGE, AND DUMPING, AND TO PREVENT ILLUOT CONNECTIONS DURING CONSTRUCTION, MUST BE TAKEN. HOWEVER, CERTAIN NON-STORM WATER DISCHARGES MAY BE AUTHORIZED FOR THE COMPLETION OF CONSTRUCTION. AUTHORIZED NON-STORM WATER DISCHARGES MAY INCLUDE THOSE FROM DECONTAMINATED POTABLE WATER SOURCES SUCH AS:
 - FIRE HYDRANT FLUSHING,
 - IRRIGATION OF VEGETATIVE EROSION CONTROL MEASURES,
 - PIPE FLUSHING AND TESTING,
 - WATER TO CONTROL DUST,
 - UNCONTAMINATED GROUND WATER FROM DEWATERING,
 - OTHER DISCHARGES NOT SUBJECT TO A SEPARATE GENERAL NPDES PERMIT ADOPTED BY A REGIONAL WATER BOARD.
- THE DISCHARGE OF NON-STORM WATER IS AUTHORIZED UNDER THE FOLLOWING CONDITIONS:
 - THE DISCHARGE DOES NOT CAUSE OR CONTRIBUTE TO A VIOLATION OF ANY WATER QUALITY STANDARD
 - THE DISCHARGE DOES NOT VIOLATE ANY OTHER PROVISION OF THE GENERAL PERMIT
 - THE DISCHARGE IS NOT PROHIBITED BY THE APPLICABLE BASIN PLAN
 - THE DISCHARGER HAS HAZARDOUS AND UNPLANNED SPECIFIC BMPs REQUIRED BY THE GENERAL PERMIT TO PREVENT OR REDUCE THE CONTACT OF THE NONSTORM WATER DISCHARGE WITH CONSTRUCTION MATERIALS OR EQUIPMENT
 - THE DISCHARGE DOES NOT CONTAIN TOXIC CONSTITUENTS IN TOXIC AMOUNTS (OR OTHER) SIGNIFICANT QUANTITIES OF POLLUTANTS
 - THE DISCHARGE IS MONITORED
- IF ANY OF THE ABOVE CONDITIONS ARE NOT SATISFIED, THE DISCHARGE IS NOT AUTHORIZED.

EMPLOYEE TRAINING

- STORM WATER POLLUTION PREVENTION TRAINING SHALL BE PROVIDED AT THE BEGINNING OF CONSTRUCTION AND REGULARLY DURING CONSTRUCTION FOR ALL EMPLOYEES WORKING ON THE SITE. TRAINING SHALL BE PROVIDED BY THE CONTRACTOR'S WATER POLLUTION CONTROL MANAGER. TOPICS SHALL INCLUDE, BUT ARE NOT LIMITED TO:
 - SPILL PREVENTION AND RESPONSE,
 - LOCATIONS AND FUNCTIONS OF SEDIMENT/EROSION CONTROL DEVICES,
 - GOOD HOUSEKEEPING,
 - FINES AND PENALTIES,
 - MATERIAL MANAGEMENT PRACTICES.

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Whitson
 ENGINEERS

REGISTERED PROFESSIONAL ENGINEER
 No. 50509
 State of California

SUBMITTAL / REVISION
 10/8/19
 ADDENDUM 1

Bradyway Ave & Terrace St
 Seaside, California 93955

ASCENT
 BROADWAY TERRACE
 TEMPORARY WATER POLLUTION CONTROL PLAN

SCALE: 1"=30'
 DRAWN: GK
 JOB NO.: 4046.00
 SHEET
 C3.1
 OF 4

NOT FOR CONSTRUCTION



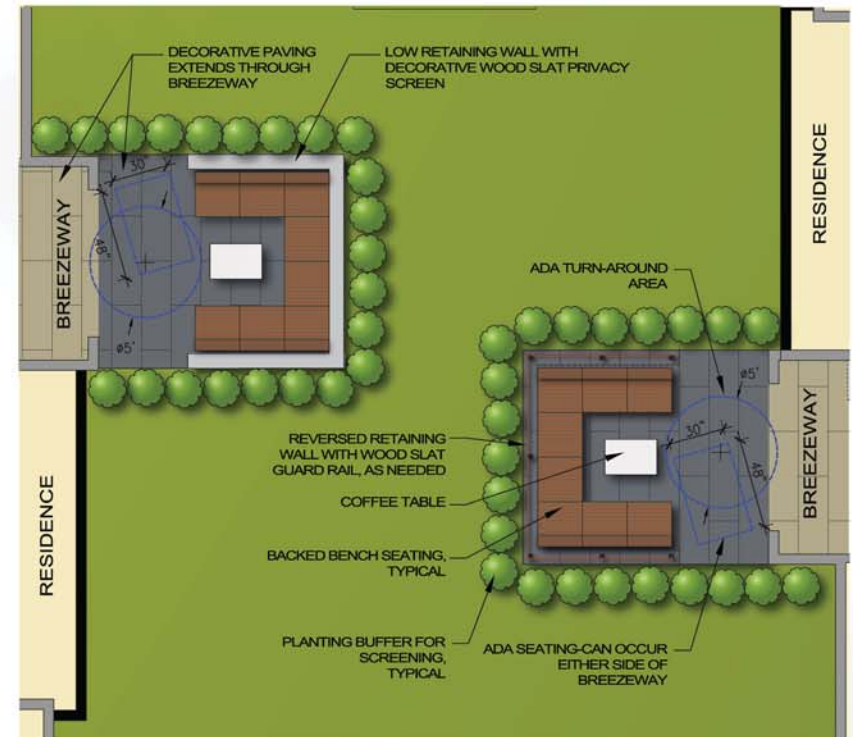
California Water Efficient Landscape Worksheet									
Reference Evapotranspiration (ET ₀)	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ET ₀ x PF x IE	Landscaping Area (Sq. Ft.)	ET ₀ x Landscaping Area	ET ₀ x Landscaping Area	ET ₀ x Landscaping Area	ET ₀ x Landscaping Area
0.55									
Regular Landscape Areas									
Low-Shrubs	0.3	Drp	0.81	0.37	18680	6921	154471		
Med-Shrubs	0.3	Drp	0.81	0.62	4600	2870	64067		
Low-Trees	0.3	Drp	0.81	0.37	2550	944	21080		
Med-Trees	0.5	Drp	0.81	0.62	1550	957	21356		
			0.75	0.00		0	0		
			0.75	0.00		0	0		
Totals					27436	11692	260973		
Special Landscape Areas									
			1			0	0		
			1			0	0		
			1			0	0		
			1			0	0		
Totals					0	0	0		
ET ₀ Calculations									
Regular Landscape Areas									
Total ET ₀ x Area					11692				
Total Area					27436				
Average ET ₀					0.43				
All Landscape Areas									
Total ET ₀ x Area					11692				
Total Area					27436				
Average ET ₀					0.43				

PLANTING LEGEND

SYMBOL	ABBREVIATION	BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
TREES					
ACA BAI	Acacia baileyana	BAILEY ACACIA	24" BOX	LOW	
ARB MAR	Arbutus menziesii - Multi Trunk	MARINA STRAWBERRY TREE	36" BOX	LOW	
CER CAN	Cercis canadensis - Low Branching	EASTERN REDBUD	36" BOX	MOD	
DRA DRA	Dracaena draca	DRAGON TREE	24" BOX	LOW	
OLE EUR	Olea europaea "Swan Hill"	FRUITLESS OLIVE	36" BOX	LOW	
GIN GOL	Ginkgo biloba "Goldspire"	GOLDSPIRE GINKGO	24" BOX	MOD	
PLA ACE	Platanus x acerifolia "Columbia"	LONDON PLANE TREE	24" BOX	MOD	
NOTE: ALL TREES WITH TRUNKS LOCATED WITHIN THE TRAFFIC SAFETY VISIBILITY AREA SHALL HAVE THE BOTTOM OF THE CANOPY TRIMMED UP TO PROVIDE 6' OF CLEARANCE FROM FINISH GRADE					
SHRUBS					
ACA PUR	Aeonium "Sunburst"	SUNBURST AEONIUM	15 GAL	LOW	
ACA ATT	Agave attenuata "Neve"	FOXTAIL AGAVE	15 GAL	LOW	
ACA VIL	Agave viviparans "Stained Glass"	VAREGATED OCTOPUS AGAVE	15 GAL	VL	
ALO FER	Aloe ferox	BITTER ALOE	15 GAL	LOW	
ASP DEN	Asparagus densiflorus "Wyers"	FOXTAIL FERN	5 GAL	MOD	
CIS SAL	Cistus salvifolius	SAGE-LEAF ROCKROSE	5 GAL	LOW	
ECH BLA	Echeveria "Black Prince"	BLACK PRINCE ECHEVERIA	6" POT	LOW	
ECH SEN	Echeveria subrigida	NON	6" POT	LOW	
ECH CAN	Echium canariense	PRIDE OF MADRID	5 GAL	LOW	
FES CAL	Festuca californica	CALIFORNIA FESCUE	1 GAL	LOW	
HEL SEM	Helictotrichon sempervirens	BLUE OAT GRASS	1 GAL	LOW	
LAV STO	Lavandula stoechas	SPANISH LAVENDER	5 GAL	LOW	
LIG JAP	Ligustrum japonicum "Texanum"	TEXANUM WAXED LEAF PRIVET	1 GAL	MOD	
LIM PER	Limonium peruvianum	SEA LAVENDER	5 GAL	LOW	
LON LON	Lomandra longifolia "Breeze"	DWARF MAT RUSH	1 GAL	LOW	
MUL CAP	Muhlenbergia capillaris	PINK MUHLY GRASS	1 GAL	LOW	
MUL RIG	Muhlenbergia rigens	DEER GRASS	5 GAL	LOW	
NAS TEN	Noellea tenuissima	MEXICAN FEATHER GRASS	1 GAL	LOW	
OLE LIT	Olea e. "Little Ollie"	LITTLE OLLIE SHRUB OLIVE	15 GAL	LOW	
POD GRA	Podocarpus gracilior (column)	AFRICAN FERN PINE	15 GAL	MOD	
ROS OFF	Rosmarinus officinalis	ROSEMARY	5 GAL	LOW	
SEN MAN	Senecio mandraliscae	KLEINIA	1 GAL	LOW	
VINES					
DIS BUC	Dalmanella buccinatoria	BLOOD RED TRUMPET VINE	5 GAL	LOW	
FIC PUM	Ficus pumila	CREeping FIG	5 GAL	MOD	



TERRACE STREET AND BROADWAY AVENUE



TYPICAL SEATING NOOK





BAILEY ACACIA
Acacia baileyana
 Evergreen-Low Water Use



EASTERN REDBUD
Cercis canadensis
 Deciduous-Moderate Water Use



MARINA STRAWBERRY TREE
Arbutus marina- Multi Trunk
 Evergreen-Low Water Use



GINKGO BILOBA 'GOLDSPIRE'
 Goldspire Ginkgo
 Deciduous-Moderate Water Use



OLEA EUROPAEA 'SWAN HILL'
 Fruitless Olive
 Evergreen-Low Water Use



LONDON PLANE TREE
Platanus x acerifolia
 Deciduous-Moderate Water Use



DRAGON TREE
Dracaena draco
 Evergreen-Low Water Use



FOXTAIL AGAVE
Agave attenuata 'Nova'



VARIEGATED OCTOPUS AGAVE
Agave vilmoriniana 'Stained Glass'



BITTER ALOE
Aloe ferox



SUNBURST AEONIUM
Aeonium 'Sunburst'



CISTUS SALVIIFOLIUS
Sageleaf Rockrose



FOXTAIL FERN
Asparagus densiflorus 'Myers'



BLACK PRINCE ECHEVERIA
Echeveria 'Black Prince'



NCN
Echeveria subrigida



PRIDE OF MADEIRA
Echium candicans



BLUE OAT GRASS
Helictotrichon sempervirens



CALIFORNIA FESCUE
Festuca californica



MEXICAN FEATHER GRASS
Nasella tenuissima



SPANISH LAVENDER
Lavandula stoechas



TEXANUM WAXED LEAF PRIVET
Ligustrum japonicum 'Texanum'



SEA LAVENDER
Limonium perezii



DWARF MAT RUSH
Lomandra longifolia 'Breeze'



PINK MUHLY GRASS
Muhlenbergia capillaris



DEER GRASS
Muhlenbergia rigens



ROSEMARY
Rosmarinus officinalis



KLEINIA
Senecio mandraliscae



OLEA EUROPAEA 'LITTLE OLLIE'
Little Ollie Shrub Olive



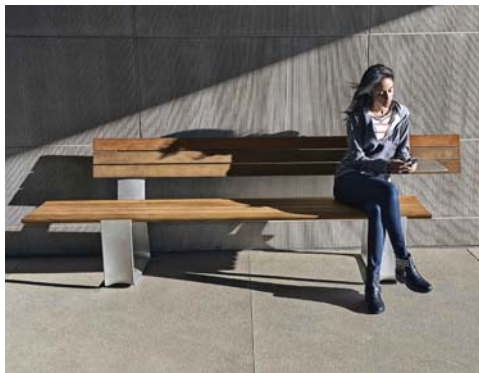
BLOOD RED TRUMPET VINE
Distictis buccinatoria



PODOCARPUS GRACILIOR
African Fern Pine
Column Form- Screening



FICUS PUMILA
Creeping Fig
Vine-Screening



BENCH SEATING



PLANTER POTS



TRASH RECEPTACLES



COFFEE TABLE AT SEATING NOOKS



BICYCLE RACKS



DECORATIVE INTEGRAL COLORED CONCRETE AT ACCESS WALKS AND BREEZEWAYS- SOLID COLOR OR SEA SHELL TOP SEED



PAVER OPTION FOR ACCESS WALKS AND BREEZEWAYS



SAWCUT GREY CONCRETE AT PEDESTRIAN WALKWAYS



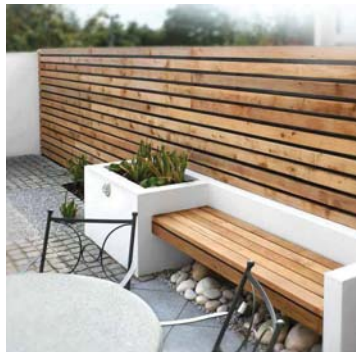
PERMEABLE AND IMPERMEABLE PAVERS AT DRIVE AISLES



MATERIAL CONCEPT FOR CORNER MONUMENT SIGN



OUTDOOR SEATING NOOKS



LOW PRIVACY SCREENING AND GUARDRAIL AT SEATING NOOKS, AS NEEDED



ASCENT
SEASIDE, CA
HAI #1933

TK
ARCHITECTS

WEST END PARTNERS LLC
TCA # 2019-010

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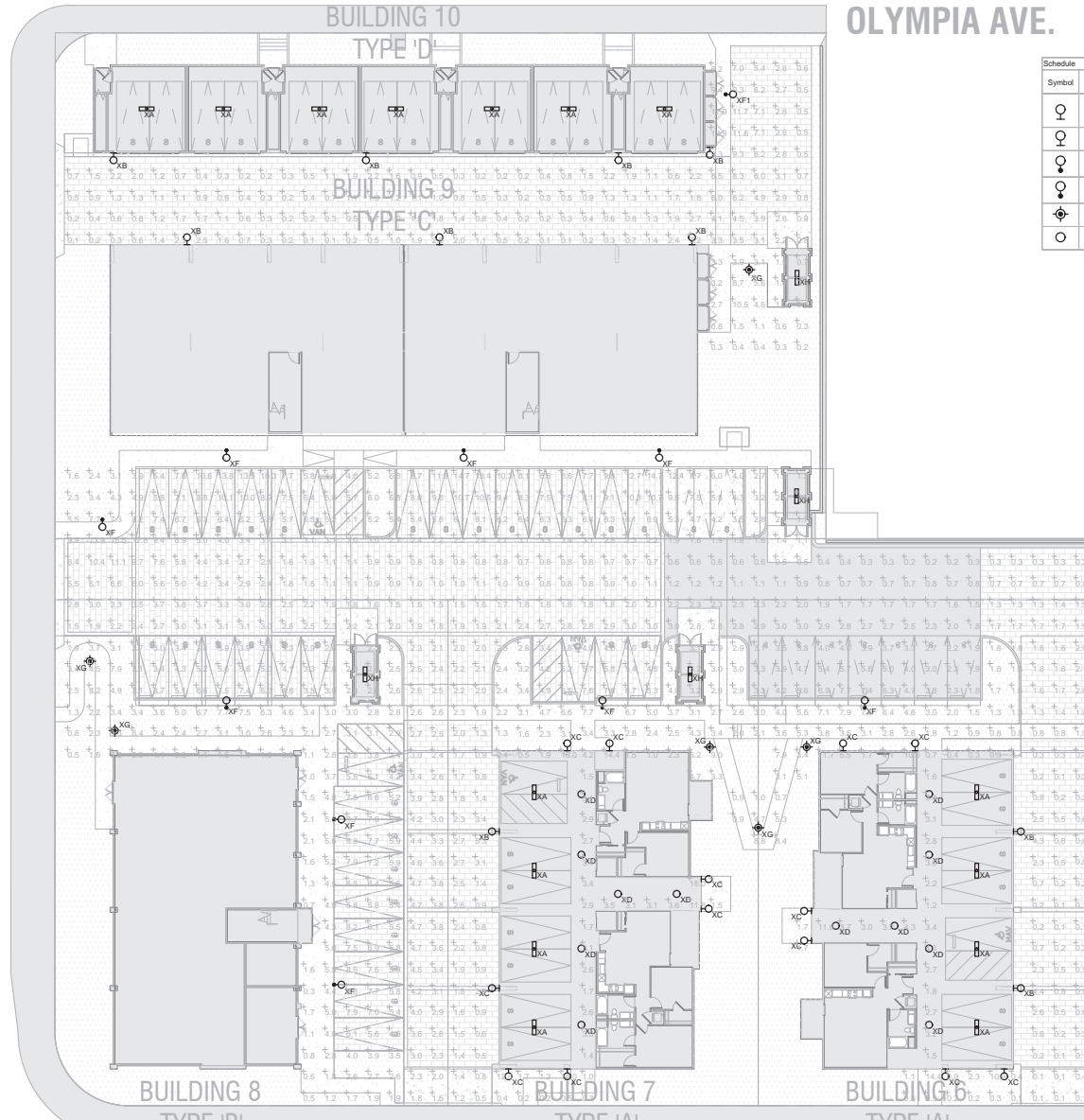
ENTITLEMENT SET
SUBMITTAL 1 -
SUBMITTAL 2 - Oct. 8, 2019

LANDSCAPE ELEMENTS

L6

TERRACE ST.

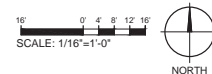
OLYMPIA AVE.



Schedule						
Symbol	Label	QTY	Catalog Number	Description	Lumens per Lamp	Wattage
	XB	20	VMMV-L17-740-EDD-INV-UNV	BRIDGELUX VERO LED MODULE 6x9" MINI VERT WALLPACK LUMINAIRE CLEAR FLAT GLASS LENS INVENTRONICS LED DRIVER WUC-01050502SP	1508.039	0.89 17
	XC	37	DCCX-WW-L-07-40F	DCC2X-DFT	750	0.445 15
	XF	8	ECF-S-32L-1.2A-NW-G2-3	EcoForm Area LED ECF - Small 32 LED's, 4000K CCT, TYPE 2 OPTIC, No Shield	13526.31	0.89 121.6
	XF1	7	ECF-S-32L-1.2A-NW-G2-2	EcoForm Area LED ECF - Small 32 LED's, 4000K CCT, TYPE 2 OPTIC, No Shield	13823.54	0.89 121.6
	XG	12	EDS-1A-COG-20LC-7-4K-UNV	8 in Diameter x 43.5 in H LED BOLLARD	1906.66	0.89 45
	XD	42	20072LEDD	Circular white plastic housing with frosted lens	1343	0.89 20.8402

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Path of Egress	+	2.9 fc	18.0 fc	0.1 fc	180.0:1	29.0:1

FOR CONTINUATION SEE SHEET E2.2P



ASCENT
SEASIDE, CA
TCA # 2019-010



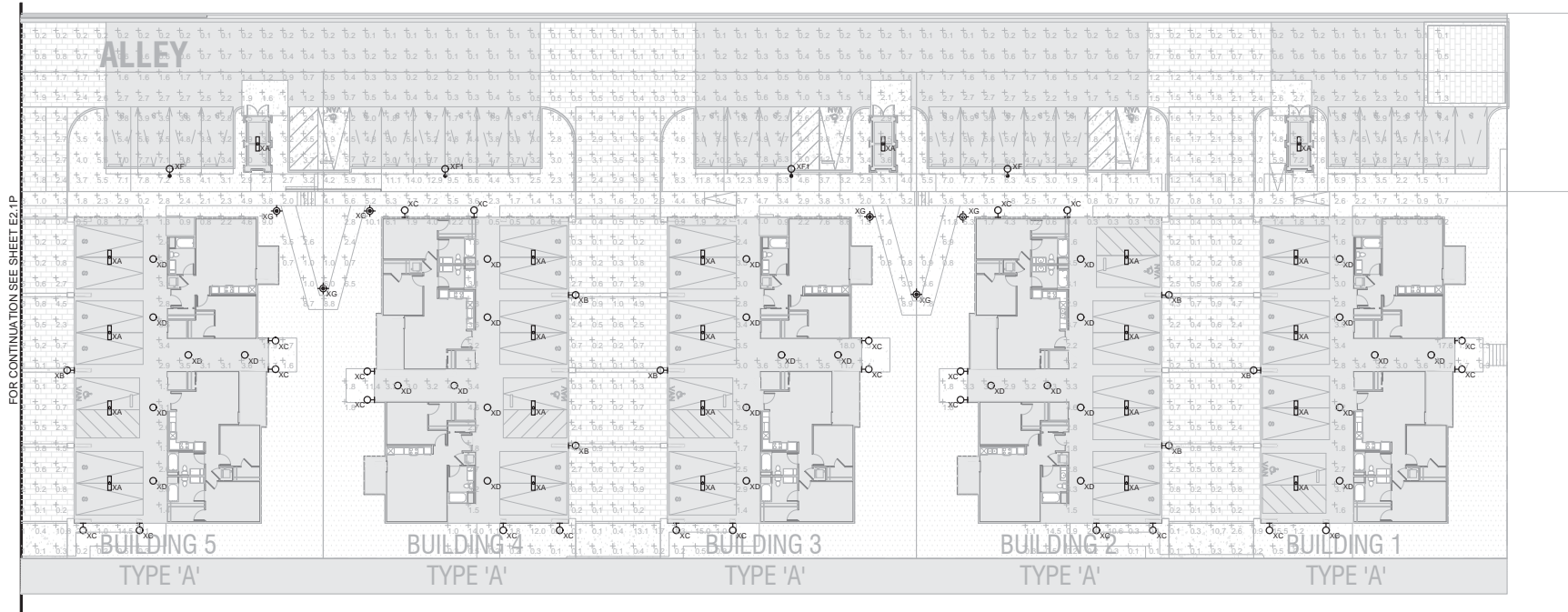
WEST END PARTNERS, LLC

ENTITLEMENT PACKAGE
JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1

AURUM CONSULTING ENGINEERS
MONTEREY BAY, INC.
Project No. 19495.00
60 Garden Court • Suite 210 • Monterey, CA 93940
(831) 646-3330 • F: (831) 646-3336 • www.auremb.com
These drawings are instruments of service and are the property of AURUM CONSULTING ENGINEERS MONTEREY BAY, INC. All designs and other information in the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of AURUM CONSULTING ENGINEERS MONTEREY BAY, INC.

PARTIAL PHOTOMETRIC
SITE PLAN

E2.1P



ASCENT
SEASIDE, CA
TCA # 2019-010



WEST END PARTNERS, LLC

ENTITLEMENT PACKAGE
JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1

AURUM CONSULTING ENGINEERS
MONTEREY BAY, INC.
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PARTIAL PHOTOMETRIC
SITE PLAN

E2.2P

FIXTURE XD

Model #: **20072LEDD-SILV/ACR**
Name: **Utro Exterior**



Project Name : _____
Location : _____
Size : _____
Quantity : _____
Notes : _____

Product Information

Product ID : 20072
LPC Code : 641504217000
Mounting Type : Ceiling
Finish : Silver SS-0
Diffuser : Acrylic Lens ACR
AC Infrared : 0.070W EPR2, 0.000 EPR1
AC Diffusers : N/A

Product Dimensions

Fixture	Canopy
Length : N/A	Length : N/A
Width : N/A	Width : N/A
Diameter : 8"	Diameter : N/A
Extension : N/A	Height : N/A
Height : 1"	
Overall Height : N/A Min	

Technical Specifications

Qualifications	Specifications
Location Rating : Wet	Frame Material : Acrylic
Corrosion : ≤ 100 hrs	Software : Aluminum Acrylic
ES File : No	Voltage : 120V
UL Compliant : Yes	Lamping Type : LED
Step 20 Compliant : N/A	Lamping Base : SMD
Energy Star : Yes	Lamp Quantity : 1
Non-Compliant : No	Lamp Voltage : 18 W
Mainline Grade : No	Total Voltage : 18 W
Emergency Lighting : No	Latches Included : Yes
Warranty : 5 Year Limited	L-Box Type : Standard

Photometrics

CCT : 3000
CRI : 90
Voltage : 18 W
Nominal : 90
Lumen : 1000
Beam : Defined
Beam Angle : 40°

Recommended Drivers

ELV LUTRON Down 0-10V
ELV LUTRON Dim
ELV 0-10V 0-10V LUTRON Dim
ELV 0-10V 0-10V LUTRON Dim
ELV 0-10V 0-10V LUTRON Dim
ELV 0-10V 0-10V LUTRON Dim
ELV 0-10V 0-10V LUTRON Dim
ELV 0-10V 0-10V LUTRON Dim
ELV 0-10V 0-10V LUTRON Dim

Custom Options : N/A Additional Fees : N/A

Line Drawing #1



Line Drawing #2



ES File



Toll Free 800-828-5483 or www.AccessLighting.com
10000 Highway 100, Suite 100, Dallas, TX 75243
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access
LIGHTING

FIXTURE XB

VWM LED Vivante Mini Architectural Wall Pack

FEATURES	
Size	
Weight	

FEATURES

- Compact, durable, extremely energy efficient
- Available in 100, 200, 300, 400, 500, 600, 700, 800, 900, 1000, 1200, 1500, 1800, 2000, 2500, 3000, 3500, 4000, 5000, 6000, 7000, 8000, 9000, 10000, 12000, 15000, 18000, 20000, 25000, 30000, 35000, 40000, 50000, 60000, 70000, 80000, 90000, 100000, 120000, 150000, 180000, 200000, 250000, 300000, 350000, 400000, 500000, 600000, 700000, 800000, 900000, 1000000, 1200000, 1500000, 1800000, 2000000, 2500000, 3000000, 3500000, 4000000, 5000000, 6000000, 7000000, 8000000, 9000000, 10000000, 12000000, 15000000, 18000000, 20000000, 25000000, 30000000, 35000000, 40000000, 50000000, 60000000, 70000000, 80000000, 90000000, 100000000, 120000000, 150000000, 180000000, 200000000, 250000000, 300000000, 350000000, 400000000, 500000000, 600000000, 700000000, 800000000, 900000000, 1000000000, 1200000000, 1500000000, 1800000000, 2000000000, 2500000000, 3000000000, 3500000000, 4000000000, 5000000000, 6000000000, 7000000000, 8000000000, 9000000000, 10000000000, 12000000000, 15000000000, 18000000000, 20000000000, 25000000000, 30000000000, 35000000000, 40000000000, 50000000000, 60000000000, 70000000000, 80000000000, 90000000000, 100000000000, 120000000000, 150000000000, 180000000000, 200000000000, 250000000000, 300000000000, 350000000000, 400000000000, 500000000000, 600000000000, 700000000000, 800000000000, 900000000000, 1000000000000, 1200000000000, 1500000000000, 1800000000000, 2000000000000, 2500000000000, 3000000000000, 3500000000000, 4000000000000, 5000000000000, 6000000000000, 7000000000000, 8000000000000, 9000000000000, 10000000000000, 12000000000000, 15000000000000, 18000000000000, 20000000000000, 25000000000000, 30000000000000, 35000000000000, 40000000000000, 50000000000000, 60000000000000, 70000000000000, 80000000000000, 90000000000000, 100000000000000, 120000000000000, 150000000000000, 180000000000000, 200000000000000, 250000000000000, 300000000000000, 350000000000000, 400000000000000, 500000000000000, 600000000000000, 700000000000000, 800000000000000, 900000000000000, 1000000000000000, 1200000000000000, 1500000000000000, 1800000000000000, 2000000000000000, 2500000000000000, 3000000000000000, 3500000000000000, 4000000000000000, 5000000000000000, 6000000000000000, 7000000000000000, 8000000000000000, 9000000000000000, 10000000000000000, 12000000000000000, 15000000000000000, 18000000000000000, 20000000000000000, 25000000000000000, 30000000000000000, 35000000000000000, 40000000000000000, 50000000000000000, 60000000000000000, 70000000000000000, 80000000000000000, 90000000000000000, 100000000000000000, 120000000000000000, 150000000000000000, 180000000000000000, 200000000000000000, 250000000000000000, 300000000000000000, 350000000000000000, 400000000000000000, 500000000000000000, 600000000000000000, 700000000000000000, 800000000000000000, 900000000000000000, 1000000000000000000, 1200000000000000000, 1500000000000000000, 1800000000000000000, 2000000000000000000, 2500000000000000000, 3000000000000000000, 3500000000000000000, 4000000000000000000, 5000000000000000000, 6000000000000000000, 7000000000000000000, 8000000000000000000, 9000000000000000000, 10000000000000000000, 12000000000000000000, 15000000000000000000, 18000000000000000000, 20000000000000000000, 25000000000000000000, 30000000000000000000, 35000000000000000000, 40000000000000000000, 50000000000000000000, 60000000000000000000, 70000000000000000000, 80000000000000000000, 90000000000000000000, 100000000000000000000, 120000000000000000000, 150000000000000000000, 180000000000000000000, 200000000000000000000, 250000000000000000000, 300000000000000000000, 350000000000000000000, 400000000000000000000, 500000000000000000000, 600000000000000000000, 700000000000000000000, 800000000000000000000, 9000

[illegible]

FIXTURE XA

Day-Brite
LPL
by Signify

Special Application

LPL LED series
low profile linear

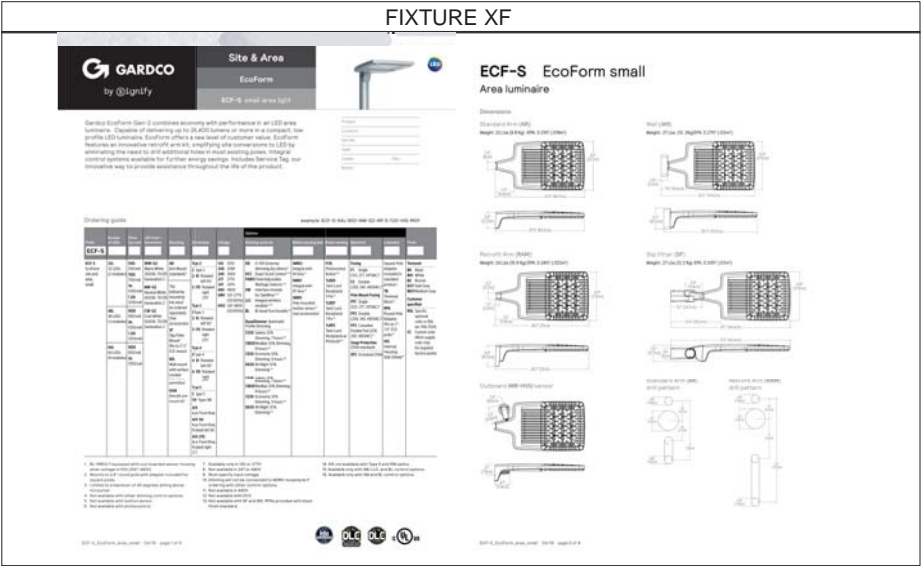
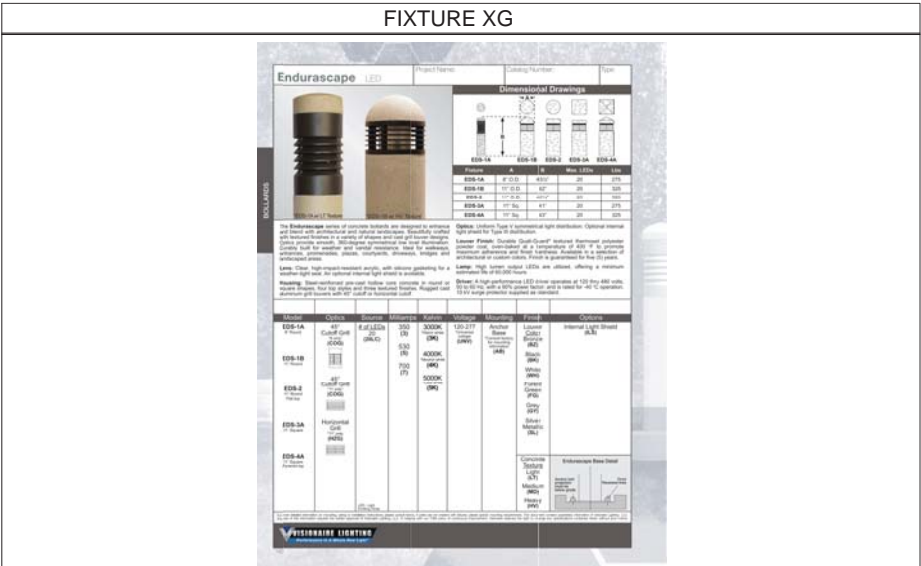
Standard components (2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000)

Model	
Order	
Quantity	
Notes	
Comments	
Signature	
Date	

Day-Brite® LPL LPL LED series low profile linear features a marine grade extruded aluminum backplate with clear anodized aluminum round or square end caps. Its heavy duty construction is designed to meet the demands of extreme environments.

Ordering guide

Part	Size	LED Type	Wavelength	Color Temperature	Beam Angle	Mounting	Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	120°	Surface Mount	See Notes
LPL LED Profile	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	LED	2080, 2200, 2800, 3500, 4000, 5000, 6000, 6500, 7000, 8000, 9000, 10000	2080, 2200, 2800, 35			



AURUM CONSULTING ENGINEERS
MONTEREY BAY, INC.

Project No. 19495.00

601 Garden Court • Suite 210 • Monterey, CA 93940

T: 831.646.3330 • F: 831.646.3336 • www.aurum.com

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ASCENT
SEASIDE, CA
TCA # 2019-010



WEST END PARTNERS, LLC

ENTITLEMENT PACKAGE
JUNE 27, 2019
OCTOBER 8, 2019 ADDENDUM 1

LIGHT FIXTURE CUT SHEETS

E2.4P

Parcel One: APN: 012-191-001, Del Monte Heights Map 6, Lot 28 & 29, BLK 24

Parcel Two: APN: 012-191-001, Del Monte Heights Map 6, Lot 30 & 31, BLK 24

Parcel Three: APN: 012-191-003, Del Monte Heights Map 6, Lot 32 & 33, BLK 24

Parcel Four: APN: 012-191-004, Del Monte Heights Map 6, Lot 34 & 35, BLK 24

Parcel Five: APN: 012-191-013, Del Monte Heights Map 6, Lot 1 & 2, BLK 24

Parcel Six: APN: 012-191-016, Del Monte Heights Map 6, Lot 7 & 8, BLK 24

Parcel Seven: APN: 012-191-017, Del Monte Heights, Lot 9, 10 & 11, BLK 24

Parcel Eight: APN: 012-191-021, Del Monte Heights Map 6, Lot 23, 24 & 25, BLK 24

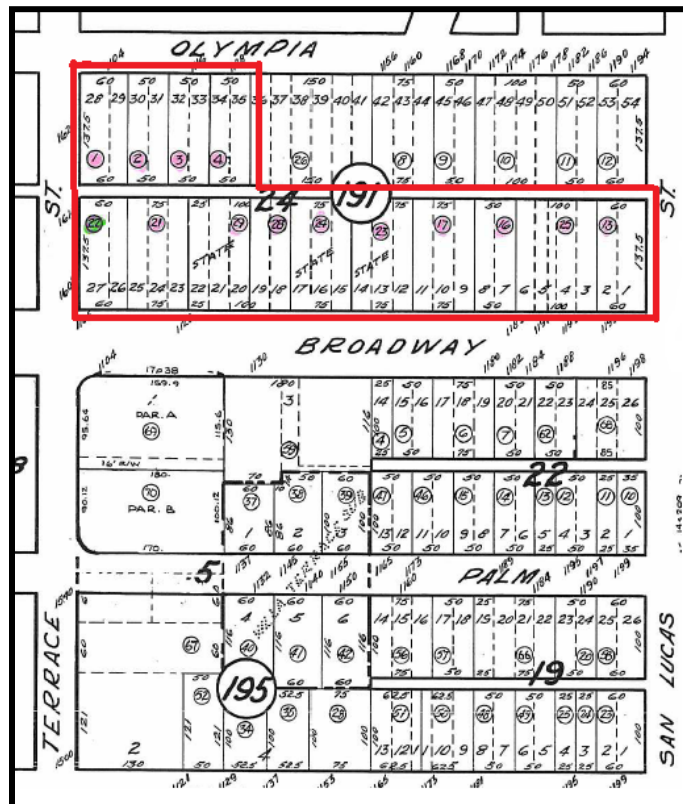
Parcel Nine: APN: 012-191-023, Del Monte Heights Map 6, Lot 12, 13 & 14, BLK 24

Parcel Ten: APN: 012-191- 024, Del Monte Heights Map 6, Lot 15, 16 & 17, BLK 24

Parcel Eleven: APN: 012-191-025, Del Monte Heights Map 6, Lot 3, 4, 5 & 6, BLK 24

Parcel Twelve: APN: 012-191-028, Del Monte Heights Map 6, Lot 18 & 19, BLK 24

Parcel Thirteen: APN: 012-191-029, Del Monte Heights Map 6, Lot 20, 21 & 22, BLK 24



Recorded at the request of and
when recorded return to:

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

No fee for recording pursuant to
CA Government code Section 27383

CITY OF SEASIDE

DENSITY BONUS AND INCLUSIONARY HOUSING AGREEMENT

This Density Bonus and Inclusionary Housing Agreement (hereinafter "Agreement") is entered into this Xth day of November, 2019 by and between West End Partners LLC (Property Owners), hereinafter referred to as "Developer" and the City of Seaside, a municipal corporation, hereinafter referred to as "the City," for the provision of the new construction of 9 multi-family buildings and one mixed-use building for a total of 106 residential units and 4,079 square feet of commercial floor area. The project site comprised of thirteen parcels identified in Exhibit A, attached and incorporated hereto by reference, generally located on the north side of the 1100 block of Broadway Avenue between Terrace Street, San Lucas Street, and Olympia Avenue, Seaside, California hereinafter referred to as "Project" to implement the City of Seaside's Inclusionary Housing Ordinance requirements.

A. PROJECT DESCRIPTION

The Project consists of new construction of 9 multi-family buildings and one mixed-use building with a total of 106 residential units and 4,079 square feet of commercial space. The property is currently identified as Assessor's Parcel Numbers: 012-191-001, 002, 003, 004, 013, 016, 017, 021, 022, 023, 024, 025, 028 and 029. The new residential units and commercial space are to be developed pursuant to the approval of Minor Use Permit application number MUP-19-13, scheduled to be considered by the Zoning Administrator on November 18, 2019. Pursuant to Minor Use Permit approval, the Developer shall dedicate sixteen (16) rental housing units restricted to occupancy by low-income households for a period of no less than 55 years (hereinafter "inclusionary unit") and as specified in this Agreement. The sixteen low-income units will be calculated using 28% of AMI for the first five years of rental occupancy, and then at 30% of AMI for the remaining fifty years of rental occupancy.

B. AGREEMENT RECORDATION

This executed Density Bonus and Inclusionary Housing Agreement, by and between Developer and the City, shall be recorded prior to the Minor Use Permit hearing in

order to facilitate the recordation of the required restrictive covenants. No rental of the non-inclusionary market rate units shall occur prior to recordation of this Agreement.

C. NUMBER OF UNITS FOR DENSITY BONUS

Of the 106 multi-family residential units on the subject property, 28 units are associated with the density bonus increase at a rate of 35% of the code-permitted 78 units.

D. NUMBER OF AFFORDABLE HOUSING UNITS

Of the 106 multi-family residential units on the subject property, sixteen units shall be restricted to occupancy by low-income households as defined by California Health and Safety Code Section 50093.

E. AFFORDABLE HOUSING UNIT RENTAL PRICE

Rental of the low-income inclusionary unit shall be restricted to households with a combined annual income no greater than that identified in Table 1, depending on the household size, and adjusted annually. Household income limits are based on the 2019 State Housing and Community Development Department median income limits, current as of the date of this Agreement, as calculated from 80% of the Monterey County Area Median Income are adjusted annually.

Table 1: Maximum Household Income Limits (Annual)

Persons in Household	1	2	3	4	5
Low Income	\$50,300	\$57,500	\$64,700	\$71,850	\$77,600

After household eligibility is determined at occupancy, the maximum rental rate for the low-income inclusionary unit shall be restricted as follows (and is adjusted annually):

Table 2: Maximum Rental Rates

Persons in Household	1	2	3	4	5
Maximum Rental Rate First 5 years	\$1,048	\$1,198	\$1,348	\$1,497	\$1647
Max Rental Rate Remaining	\$1,257.50	\$1,437.50	\$1,617.50	\$1,796.25	\$1940

50 years					
----------	--	--	--	--	--

For households of six (6) persons or greater, the State Housing and Community Development Department income and rental limits shall apply.

F. HOUSING TYPE OF AFFORDABLE HOUSING UNIT

In accordance with Seaside Municipal Code Section 17.32.040 (Standards for Inclusionary Housing), inclusionary units shall be dispersed throughout a residential development and inclusionary units shall be comparable in infrastructure (including sewer, water and other utilities), construction quality and exterior design (e.g., design, style, trim, finishes) to the market-rate units. Inclusionary units may be smaller in aggregate size and have different interior finishes and features than market-rate units so long as the interior features are durable, of good quality and consistent with contemporary standards for new housing. The inclusionary unit interior finish appearance may vary somewhat from those in the non-restricted units. The number of bedrooms shall be the same as those in the market-rate units, except that if the market-rate units provide more than four bedrooms, the inclusionary units need not provide more than four bedrooms. For this project, there will be 8 one-bedroom units and 8 two-bedroom units available for the inclusionary units. The interior cubic feet of cabinetry and storage areas, shall be proportional to that of the equivalent non-restricted units.

G. TIMING OF CONSTRUCTION

All required inclusionary units shall be constructed and occupied concurrently with or prior to the construction and occupancy of the associated market-rate units or development. In a phased development, the inclusionary units may be constructed and occupied in proportion to the number of units in each phase of the residential development; provided, that the last inclusionary unit in the project shall be occupied before the last market-rate unit in the final phase.

H. LOCATION AND SIZE

The inclusionary units shall be dispersed throughout the residential development, with a minimum of one inclusionary unit per parcel. The inclusionary units shall also be identified on Building Permit Plans submitted by the Developer and a recorded copy submitted to the City for the construction of the inclusionary unit.

I. AVAILABILITY AND PHASING OF INCLUSIONARY UNIT

The inclusionary units shall be rented to current qualified households and available for rent concurrent in time with the rental of the market rate units in the same rental phase on the subject property.

J. MAINTENANCE OF AFFORDABILITY

The continued affordability of the inclusionary unit shall be maintained for a minimum of 55 years of occupancy and shall be ensured through the execution and recordation of a deed restriction prepared by the City and executed by Developer. The Developer shall be responsible for certifying the income of the tenant to the City at the time of initial rental, and annually thereafter. This shall be completed by viewing acceptable documentation, including income tax statements or a W-2 form for the previous calendar year, and submitting, on a form approved by the City, a certification that the tenant qualifies as an income eligible household.

The Developer shall apply the same rental terms and conditions to tenants of the inclusionary unit as are applied to all other tenants, except as otherwise required to comply with this Agreement (i.e., rent levels, occupancy restrictions and income requirements) and/or government subsidy programs. Discrimination based on subsidies received by the prospective tenant is prohibited.

Whenever the inclusionary unit becomes available, the Developer shall immediately notify the City in writing and shall fill the inclusionary unit upon vacancy by either: (1) selecting income-eligible households themselves as long as the Developer complies with the City's publication requirements as stipulated in Seaside Municipal Code Section 17.31.100.C (Publication of Availability of Units); or (2) selecting income-eligible households from the City's Section 8 Housing Choice Voucher Waiting List, if available.

If, after moving into the inclusionary unit, the tenant's income eventually exceeds the income limit for that unit, the tenant may remain in the unit as long as his/her income does not exceed 150 percent of the income limit for the original unit. Once the tenant's income exceeds 150 percent of the income limit for the original unit, the following shall apply:

1. If the tenant's income does not exceed the income limits of other inclusionary units in the residential development, the Developer may, at the Developer's option, allow the tenant to remain in the original unit at the tenant's new applicable affordable housing cost, as long as the next vacant unit is re-designated for the same lower income category applicable to the original unit. If the owner does not want to re-designate the next vacant unit, the tenant shall be given one year's notice to vacate the unit.
2. If there are no units designated for a higher income category within the residential development that may be substituted for the original unit, the tenant shall be given one year's notice to vacate the unit.

K. AFFORDABLE HOUSING UNIT PLACED IN A RENTABLE CONDITION

Rentable condition is defined as: All interior surfaces shall be painted, unless waived by the City of Seaside. Interior carpets replaced if worn, or cleaned if acceptable to the City of Seaside. All appliances inspected and in working order if less than five (5) years of age. If an appliance is more than five (5) years of age,

the appliances shall be replaced prior to the rental of the inclusionary unit. The interior shall be clean and odor free. Low-flow toilets shall be installed consistent with water-wise management practices. Any leaking showers, faucets and other fixtures shall be replaced or repaired. All storage and patios shall be free of any prior tenant's possessions.

L. PROVISION OF AFFORDABLE HOUSING

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

The following households are ineligible to rent the designated inclusionary unit at the Project: no household may occupy the inclusionary unit unless the City or its designee has approved either the household's eligibility; any household that includes one or more individuals having any financial interest in the project, including the Developer, owner, any partner, investor, contractor, subcontractor or employee thereof.

M. SUCCESSOR IN INTEREST

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

N. AFFORDABILITY

The applicant shall agree to, and the city shall ensure, the initial occupant of all for-rental/sale units that qualified the applicant for the award of the density bonus are persons and families of very low, low, or moderate income, as required per the density bonus percentages awarded for the initial development, and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the California Health and Safety Code. The city shall enforce an equity sharing agreement, unless it is in conflict with the requirements of another public funding source or law. The following apply to the equity sharing agreement: California Government Code Section 65915(c)(2)(A-E).

O. ENFORCEMENT

It shall be a misdemeanor to violate any provision of this Agreement. Without limiting the generality of the foregoing, it shall also be a misdemeanor for any person to sell or rent to another person the inclusionary unit under this Agreement at a price or rent exceeding the maximum allowed under this Agreement or to sell or rent the inclusionary unit to a household not qualified under this Agreement. It shall further be a misdemeanor for any person to provide false or materially incomplete information to the City or to a seller or lessor of the inclusionary unit to

obtain occupancy of housing for which he or she is not eligible.

P. LITIGATION

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

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

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

Q. AMENDMENT OF AGREEMENT

No change in or addition to all or any part of this Agreement, except as provided in this Agreement, shall be valid unless in writing and signed by both parties. No changes in or additions to this Agreement shall impact any units already rented under terms of this Agreement.

R. ASSIGNMENT

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

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

Approved As To Form By:

City of Seaside

Date

Developer

Date

DRAFT

Notary Public

State of California)
) SS:
County of Monterey)

On _____ before me, _____ ,
Date Here Insert Name and Title of the Officer
personally appeared _____
Name(s) of Signer(s)

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

PLACE NOTARY SEAL IN ABOVE SPACE

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another form

Description of Attached Document

Title of Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer --- Title(s): _____
☐ Partner --- ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
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Signer's Name: _____

- ☐ Individual
☐ Corporate Officer --- Title(s): _____
☐ Partner --- ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing _____

RIGHT THUMBPRINT
OF SIGNER
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EXHIBIT A

Parcel One: APN: 012-191-001, Del Monte Heights Map 6, Lot 28 & 29, BLK 24

Parcel Two: APN: 012-191-001, Del Monte Heights Map 6, Lot 30 & 31, BLK 24

Parcel Three: APN: 012-191-003, Del Monte Heights Map 6, Lot 32 & 33, BLK 24

Parcel Four: APN: 012-191-004, Del Monte Heights Map 6, Lot 34 & 35, BLK 24

Parcel Five: APN: 012-191-013, Del Monte Heights Map 6, Lot 1 & 2, BLK 24

Parcel Six: APN: 012-191-016, Del Monte Heights Map 6, Lot 7 & 8, BLK 24

Parcel Seven: APN: 012-191-017, Del Monte Heights, Lot 9, 10 & 11, BLK 24

Parcel Eight: APN: 012-191-021, Del Monte Heights Map 6, Lot 23, 24 & 25, BLK 24

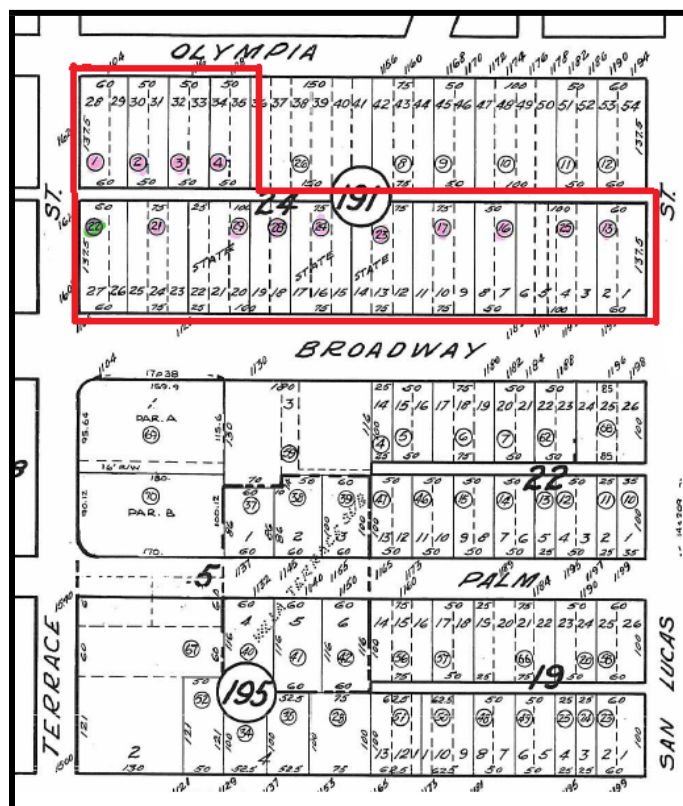
Parcel Nine: APN: 012-191-023, Del Monte Heights Map 6, Lot 12, 13 & 14, BLK 24

Parcel Ten: APN: 012-191- 024, Del Monte Heights Map 6, Lot 15, 16 & 17, BLK 24

Parcel Eleven: APN: 012-191-025, Del Monte Heights Map 6, Lot 3, 4, 5 & 6, BLK 24

Parcel Twelve: APN: 012-191-028, Del Monte Heights Map 6, Lot 18 & 19, BLK 24

Parcel Thirteen: APN: 012-191-029, Del Monte Heights Map 6, Lot 20, 21 & 22, BLK 24





**CITY OF SEASIDE
STAFF REPORT**

Item No.: 10.B.

TO: City Council

FROM: Craig Malin, City Manager

BY: Lesley Milton-Rerig, Assistant City Manager

DATE: November 21, 2019

**SUBJECT: DISCUSS MEDIAN MAINTENANCE STRATEGIES AND
AUTHORIZE THE ISSUANCE FOR A REQUEST FOR PROPOSALS
FOR SUPPLEMENTAL MEDIAN MAINTENANCE**

PURPOSE & RECOMMENDATION

Provide direction to staff for the scope of work for and authorize issuance of a request for proposals for additional median maintenance and landscaping services to be funded from Streets and Highways gas tax funding and Measure X Maintenance of Effort funds.

BACKGROUND

City medians tell a story of our community. Right now, due to water issues, budget issues and staff challenges, our medians are not telling the story of our community as a happy, thriving economic certainty or of sustainability. Lack of median and public rights-of-way maintenance impacts communities by discouraging capital investment but most importantly, decreases the quality of life of the residents.

Increased maintenance and even replanting on our medians with native drought tolerant plants will enhance the look and feel of our major corridors, which will send messages that we respect our community, the environment and it will encourage and attract new economic opportunities.

Current maintenance operations include street sweeping services, trash and restroom cleaning at parks, alleyway and encampment clean up, large item pick-ups, on-call pothole filling and more. The purpose of this item is to discuss priorities and direction

regarding possible increased maintenance of our medians through the city.

Identified medians in need of additional assistance include the following:

- Lower Broadway
- General Jim Moore
- Lightfighter Avenue
- Monterey Road (Fremont to Coe)
- Upper Broadway
- Ord Grove
- Fremont
- CDR
- Coe (Buttercup to GJM)
- Del Monte
- Auto Center Round-a-bouts
- San Pablo Court

FISCAL IMPACT

SERVICES LEVELS AND ASSOCIATED COSTS

The current level of median maintenance is a combination services from staff as well as on-call contractors. Staff has identified that to maintain all of the medians at an optimal level, it would be an additional \$406,000 per year, as listed on the chart below.

Ideal Level of Service

Location	Frequency (per year)	Amount per	Total Estimated Cost	Currently Budgeted
Lower Broadway	48	\$2,000	\$96,000	
General Jim Moore	10	\$5,000	\$50,000	\$10,000
Lightfighter	10	\$4,000	\$40,000	\$4,000
Monterey Road (Fremont to Coe)	10	\$2,000	\$20,000	\$4,000
Upper Broadway	10	\$2,000	\$20,000	
Ord Grove	10	\$4,000	\$40,000	
Fremont	10	\$10,000	\$100,000	\$20,000
CDR	10	\$2,500	\$25,000	
Coe (Buttercup to GJM)	4	\$5,000	\$20,000	
Del Monte	10	\$1,500	\$15,000	
Auto Center Round Round-a-bouts	10	\$1,000	\$10,000	

San Pablo Court	4	\$2,000	\$8,000	
			\$444,000	\$38,000
Funds Needed:			\$406,000	

After reviewing this list and understanding the current budgeting priorities, a modified level of services as listed below would result in significantly better maintenance and preservation of our main corridors with an annual increase of \$146,000.

Location	Proposed Level of Service			
	Frequency (per year)	Amount per	Total Estimated Cost	Currently Budgeted
Lower Broadway	15	\$2,000	\$30,000	
General Jim Moore	6	\$5,000	\$30,000	\$10,000
Lightfighter	1	\$4,000	\$4,000	\$4,000
Monterey Road (Fremont to Coe)	2	\$2,000	\$4,000	\$4,000
Upper Broadway	6	\$2,000	\$12,000	
Ord Grove	1	\$4,000	\$4,000	
Fremont	6	\$10,000	\$60,000	\$20,000
CDR	6	\$2,500	\$15,000	
Coe (Buttercup to GJM)	2	\$5,000	\$10,000	
Del Monte	6	\$1,500	\$9,000	
Auto Center RoundABOUTs	0	\$1,000	\$0	
San Pablo Court	3	\$2,000	\$6,000	
			\$184,000	\$38,000
Funds Needed:			\$146,000	

However, it is not just median maintenance that is needed, but in some locations, full re-landscaping will be necessary as some locations have deteriorated to a level that needs to be redesigned and replanted. A contract for services could also include services such as litter control, fertilization, pest management, weed control, pruning, mowing, edging, weeding, tree maintenance, soil aeration, and irrigation repairs.

FUNDING ALLOCATIONS

The Measure X funding agreement executed with each local jurisdiction required the submittal of a Five Year Capital Improvement Program outlining how the jurisdiction planned to spend its share of Measure X funds, as well as a Maintenance of Effort (MOE) verification report to ensure that existing transportation spending would not be supplanted by Measure X funds.

This expenditure is a qualified expenditure to account for our required MOE spending, as

medians exist within the transportation corridor and proper maintenance increases the safety and visibility of the roadway. The MOE funding methodology increase the amount of local support required under the Measure X agreement. This MOE increase combined with additional revenues provided by Measure X and Measure X bond proceeds allows the city to meet the 5 years CIP program while increasing median appearances for enhanced roadway safety.

ALTERNATIVES

If the Council does not wish to contract for services, alternatives could include consideration of hiring four part time staff members, to work exclusively on median maintenance and public rights of way. This is not recommended due to the increased costs of personnel benefits that are associated, and potential layoffs if there is another recession. In this scenario, the city would still need to contract for additional landscaping design. Alternately, the City Can continue to maintain the medians at the current, less than adequate level of service, and find other ways to accommodate for the required MOE expenditures.

RECOMMENDATION

Staff recommends that the Council direct staff to issue and RFP for landscape median services with a scope of work designed to enhance our current median and public rights of way maintenance program for a total of \$180,000, allocating 70% to median maintenance and 30% to redesign and landscape replacement and to authorize the finance director to modify the Fiscal Year budget to accommodate funding for median landscaping services to assist the City with maintaining our required Maintenance of Effort expenditures as a condition of the Measure X funding.

ATTACHMENTS

None

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager