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August 14, 2023

Leslie J. Girard
County Counsel
Office of the County Counsel
168 West Alisal Street, 3rd Floor
Salinas, CA 93901

RE: 2023 Monterey County Civil Grand Jury Report – “The Real Cost of Fireworks”

Dear Mr. Girard,

The City of Seaside received the 2023 Monterey County Civil Grand Jury Report entitled “The Real Cost of Fireworks”. On behalf of the City of Seaside City Council, City Manager Jaime M. Fontes, submits their responses with indication as to whether they agree, disagree wholly or disagree partially with the findings.

The Seaside City Council responds to the findings as follows:

F1. “The City’s website is not updated or easy to navigate, creating a lack of governmental transparency resulting in a disservice to residents and visitors.”

Response F1: The respondent agrees with the finding.

F2. “Minimal Spanish language content on the City’s website results in limited site utility to a significant number of residents.”

Response F2: The respondent disagrees partially with the finding. The City’s website has Google translation embedded on its site and while Google translation is a good tool for providing basic translation services, it is not perfect. Google translation can sometimes produce inaccurate or misleading translations, which could lead to confusion and frustration for users. Additionally, Google translation does not always translate the tone or intent of the original text, which could lead to misunderstandings. The City of Seaside has acknowledged the importance of providing access to its website to all residents, regardless of language. The City is committed to providing more Spanish language

content on its website, and it is working to improve the accuracy and reliability of Google translation.

In the meantime, the City encourages Spanish-speaking residents to contact the City for assistance if they have difficulty understanding the website and this will be noted on the City's webpage. The City has bilingual staff who can help residents translate website content or answer questions in Spanish.

F3. "Lack of documentation and reporting of illegal fireworks Calls for Service and complaints throughout the year does not provide the City Council with adequate information to make decisions regarding the health and safety of residents and visitors."

Response F3: The respondent disagrees wholly with the finding. All fireworks calls are documented in the Dispatched logs held by the Monterey County Communications Center. We do have sporadic calls related to fireworks, but we have determined decades ago, the issue is prevalent during New Year's & the 4th of July. We have reported this to Seaside City Council and the community for decades.

F4. "The Flock Safety gunshot detection system's inability to distinguish gunshots from illegal fireworks renders the system useless in combating the use of illegal fireworks in the City of Seaside."

Response F4: The respondent disagrees wholly with the finding. This system, which has not been deployed, captures explosions consistent with gunfire. Flock cannot yet commit to distinguishing what object is the root cause for an explosion, but they are in the works for enhancing their technology to distinguish such explosions. Again, if the system can capture an explosion already, we do not consider that useless.

F5. "The City's planning efforts and focus on illegal fireworks enforcement exclusively during the Fourth of July holiday period does not adequately serve the health and safety needs of residents and visitors throughout the year."

Response F5: The respondent disagrees wholly with the finding. Our planning efforts are robust and more involved than any other Monterey County agency facing the same issue. We also evaluate collisions, violence and fires, and all of those severe public safety concerns are extremely low considering all the activity we have during both holidays. We do not catch every person engaging in illegal fireworks activity, but we do issue multiple citations. There are hundreds, if not thousands of people involved in illegal fireworks activity. Expecting to catch everyone is no different from expecting CHP to catch every speeder on the freeway.

F6. "Current efforts by the City to convene a regional illegal fireworks task force are not sufficiently organized to develop meaningful strategies to combat the sale, possession, and use of illegal fireworks and renders it ineffective."

Response F6: The respondent disagrees wholly with the finding. This is a very strong opinion for a process that has not formally launched. We had a pilot of our efforts for this past New Year's and saw a reduction. We are still working to build up our collaboration, but it will take some time. Again, this is another step we have taken to combat this issue. To render this effort ineffective is irresponsible.

F7. "The limited data collected and compiled by the City does not provide adequate information for the City Council to fully understand, prioritize and address the scope of the illegal fireworks problem."

Response F7: The respondent disagrees partially with the finding. The information shared is detailed and complete. This past year, we even provided information on a hostile crowd that attempted to surround our staff and threatened violence. The priority of illegal fireworks has been on the forefront our community for many years. It has been a serious challenge to curb it, due to the culture that has formed out of it.

In regards to the recommendations of the Civil Grand Jury, City Manager Jaime M. Fontes, on behalf of the City of Seaside City Council, submits their responses with specification as to whether the recommendations are one of the four options in accordance with California Penal Code section 933.05 (b) (1) – (4):

1. Recommendation has been implemented; or
2. Recommendation has not been implemented but will be implementing noting a timeframe; or
3. Recommendation requires further analysis or study noting a timeframe not to exceed six months from date Grand Jury Report was issued; or
4. Recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

The Seaside City Council responds to the recommendations as follows:

R1. The City of Seaside update the website to reflect current available services and government information and to provide historical continuity of City documents by October 31, 2023

Response R1: The recommendation will be implemented.

R2. The City of Seaside update the website regularly to reflect any changes in governmental information and available services.

Response R2: The recommendation will be implemented.

R3. The City of Seaside modify the website to enhance the search functions by October 31, 2023.

Response R3: The recommendation will be implemented.

- R4. The City of Seaside provide updated information in easily understood terms regarding illegal and “Safe and Sane” fireworks, and when and where legal fireworks may be used by October 31, 2023.**

Response R4: The recommendation requires further analysis and will be conducted by December 31, 2023.

- R5. The City of Seaside establish a system to identify and document year-round illegal fireworks Calls for Service by October 31, 2023.**

Response R5: The recommendation has been implemented. This is already done through our Computer Automated Database managed by Monterey County.

- R6. The City of Seaside prepare quarterly reports documenting illegal fireworks calls for Service received throughout the year and present the findings to the City Council.**

Response R6: The recommendation will not be implemented because it is not warranted or reasonable, because this would not be a necessity and would be very ineffective. We get very few calls outside of the two aforementioned holidays. We already have a strong city ordinance, which governs our reporting. This data can be included in our existing report. To allocate additional resources quarterly, would take away from other pressing issues we address throughout the year.

- R7. The City of Seaside make the operations plans and after-action reports for illegal fireworks available on the website by October 31, 2023.**

Response R7: The recommendation has been implemented. This is already done. It can be difficult to search the existing system, but the information is there and even posted on YouTube.

- R8. The City of Seaside maintain contact with Flock Safety regarding future system capability to identify and differentiate the sounds of fireworks from gunshot sounds.**

Response R8: The recommendation has been implemented. This is already being done and was discussed at the related City Council meeting.

- R9. The City of Seaside conduct comprehensive year-round community education on illegal fireworks in multiple languages.**

Response R9: The recommendation will be implemented. The City of Seaside Police Department are happy to provide educational outreach in multiple languages, but during times leading up to our two holidays.

- R10. The City of Seaside enhance public outreach and availability of all information and of city services in multiple languages by October 31, 2023.**

Response R10: The recommendation will be implemented. The City of Seaside Human Resources Department is preparing a recruitment within the City Manager's Department, in the City Clerk/Public Affairs Division, for the role of Communications and Community Engagement Specialist.

R11. The City of Seaside expand illegal fireworks operations planning and enforcement to address the use of year-round illegal fireworks by October 31, 2023.

Response R11: The recommendation has been implemented. We have expanded and will be doing so again this year. This is already being done.

R12. The City of Seaside evaluate the effectiveness of a regional task force to resolve the issue of year-round illegal fireworks by October 31, 2023.

Response R12: The recommendation has been implemented. This was conducted in the Police Department's public after action report to City Council on August 3, 2023.

R13. The City of Seaside dedicate the necessary resources to minimize the problem of illegal year-round fireworks.

Response R13: The recommendation has been implemented. The City of Seaside had devoted more resources and support to curb this issue than any other city in our region. They continue to support the police with our requests and needs.

The City Council approved the above response at the August 17, 2023 City Council Regular meeting. We hope that this information addresses the Grand Jury's findings and recommendations. Please contact us if you have any questions or require additional information.

Regards,



Jaime M. Fontes
City Manager

Cc: Seaside City Council, Seaside City Clerk, Seaside Police Department