



AGENDA

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
HYBRID (IN PERSON & VIRTUAL)
Thursday, November 18, 2021
5:00 PM

MASKS ARE REQUIRED FOR IN PERSON PARTICIPATION.

This meeting is compliant with Governor Newsom's Executive Order N-29-20 which allows local legislative bodies to hold public meetings electronically only, without a physical location for public participation, accessible only telephonically or otherwise electronically (video conferencing) to all members of the public seeking to observe and address the local legislative body, in order to avoid public gatherings, and until further notice. This meeting will be held in a hybrid format providing a physical location at 440 Harcourt Avenue, Council Chamber, Seaside, CA 93955.

DETAILS FOR PUBLIC PARTICIPATION IN THIS COUNCIL MEETING:

IN PERSON PARTICIPATION: Protective face coverings required at all times, including when speaking.

REMOTE PUBLIC COMMENTS To make a public comment, the following options are available:

- Before the Meeting via Email: Written comments can be emailed to CityClerk@ci.seaside.ca.us Include the following subject line: "Public Comment Item # (insert the agenda item number relevant to your comment). Written comments must be received by 4:00 p.m. on the day of the meeting. All submitted comments will be provided to the City Council or the Board for consideration and compiled as part of the record.
- During the Meeting via Oral Comments: When the Mayor calls for public comment, attendees can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9. The Clerk will call speaker names and unmute speaker microphones (on the phone, press *6). You will have up to 3 minutes to provide your comments, with time set by the discretion of the Mayor. ***Please note, written comments will not be read but will be included in the final record.***

VIRTUAL MEETING ACCESS

This meeting can be watched via the City of Seaside You Tube channel

https://www.youtube.com/channel/UC1Cu7854Ohtjpr_XV1tDvRg

Or by joining the Zoom webinar link: <https://ci-seaside-ca-us.zoom.us/j/81936832059>

Or call in phone number: 669-900-9128

Webinar ID: 819 3683 2059

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
Alexis Garcia-Arrazola	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 (3) minutes. Public Comments for "Presentations" on this agenda are also taken at this time; comments on specific agenda items are heard under that item. For the public record, please state your name.

6. PUBLIC AGENCY COMMUNICATIONS

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

A. REVIEW OF UPCOMING CITYWIDE EVENTS (ERNESTO ALTAMIRANO, COMMUNICATIONS & COMMUNITY ENGAGEMENT SPECIALIST)

7. PRESENTATIONS

A. VACCINATION UPDATE (FIRE CHIEF MARY GUTIERREZ)

B. QUARTERLY ECONOMIC DEVELOPMENT REPORT (TREVIN BARBER, ASSISTANT CITY MANAGER)

C. ANNUAL CANNABIS REPORT (TREVIN BARBER, ASSISTANT CITY MANAGER)

8. CONSENT AGENDA

A. APPROVE MINUTES FROM NOVEMBER 4, 2021

RECOMMENDATION: Approve minutes as presented in the agenda packet.

B. APPROVE AND FILE CITY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of October 9, 2021, through October 22, 2021, including the payroll and benefits checks, direct deposits and wired payments related to the pay period ending October 21, 2021. Total Accounts Payable and Payroll for the above referenced period is \$1,970,100.21.

C. ADOPT A RESOLUTION APPROVING THE PURCHASE OF PORTABLE AND MOBILE MOTOROLA RADIOS, THE REPLACEMENT OF HARRIS RADIOS, FOR A COST OF \$399,920.60 AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT

RECOMMENDATION: Adopt a resolution authorizing the purchase and approving the agreement with Motorola, and authorizing the City Manager to sign the agreement.

D. ADOPT A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE LAGUNA GRANDE PARK IMPROVEMENTS PROJECT, INCLUDING ALL INCLUSIVE PLAYGROUND EQUIPMENT, APPROPRIATING \$55,100.00 FROM THE GENERAL FUND TO THE PROJECT, AND AWARDING A CONSTRUCTION CONTRACT TO MONTEREY PENINSULA ENGINEERING FOR AN AMOUNT NOT TO EXCEED \$134,435.00 AND TOTAL PROJECT CONSTRUCTION COST INCLUDING CONTINGENCY OF \$154,600.00

RECOMMENDATION: Adopt a resolution approving the plans and specifications for the Laguna Grande Park Improvements Project; appropriating \$55,100.00 from the General Fund to the project budget; awarding a construction agreement to Monterey Peninsula Engineering for an amount not to exceed \$134,435.00; establishing a 15% construction contingency for a total project construction amount not to exceed \$154,600.00; and authorizing the City Manager to execute the construction agreement, and approve any amendments, extensions, and change orders until completion of the project in accordance with the plans and specifications up to the total project construction amount.

E. ADOPT A RESOLUTION ADOPTING AN UPDATED SALARY SCHEDULE FOR PART-TIME EMPLOYEES THAT REFLECTS THE NEW STATE MINIMUM WAGE THAT TAKES EFFECT JANUARY 1, 2022

RECOMMENDATION: Adopt a resolution updating the City's salary schedule for part-time employees in order to comply with the new state minimum wage that takes effect January 1, 2022.

F. ADOPT A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH CSG CONSULTANTS INC IN THE AMOUNT OF \$26,000.00 FOR DEVELOPMENT REVIEW SERVICES FOR

PHASE 2A & 2B OF THE ENCLAVE TO BE REIMBURSED BY THE DEVELOPER

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute an amendment to the professional services agreement with CSG Consultants Inc. in the amount of \$26,000.00 for development review services for the Enclave by Shea Homes.

G. ADOPT A RESOLUTION AUTHORIZING AMENDMENT NO. 7 TO THE PROFESSIONAL SERVICE AGREEMENT WITH HARRIS & ASSOCIATES FOR THE PAVEMENT REHABILITATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$34,960.00

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute Contract Amendment No. 7 to the professional services agreement with Harris & Associates to incorporate additional pavement striping bid documents for striping throughout the entire City in the FY 2021/22 Pavement Rehabilitation Project for an amount not to exceed \$34,960.00.

H. APPROVE AN AMENDMENT TO A LEASE AGREEMENT WITH THE FORT ORD HOSTEL SOCIETY FOR THE DEVELOPMENT OF A SEASIDE ECO-HOSTEL IN CAMPUS TOWN

RECOMMENDATION: Authorize the Acting City Manager to execute an amendment to a lease agreement with the Fort Ord Hostel Society and any related documents.

9. PUBLIC HEARING

A. INTRODUCTION OF AN ORDINANCE REPEALING AND AMENDING TITLE 8, CHAPTER 8.28, SECTION 8.28.110 (RECYCLABLES AND ORGANICS DIVERSION REQUIREMENTS) OF THE SEASIDE MUNICIPAL CODE TO MANDATORY ORGANIC WASTE DISPOSAL REDUCTION (FIRST READING - ROLL CALL VOTE)

RECOMMENDATION: Introduce and pass to print the draft ordinance in compliance with SB 1383 regarding organic waste collection, edible food recovery, inspection and enforcement.

10. BUSINESS ITEMS

A. COMMUNITY SOCIAL SERVICES GRANT FUNDING RECOMMENDATIONS

RECOMMENDATION: Review committee recommendations and provide direction.

B. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE

AN AMENDMENT TO THE FRANCHISE AGREEMENT WITH GREENWASTE RECOVERY, INC. (GWR) AND INCREASING THE GARBAGE COLLECTION RATES BY 5.2% EFFECTIVE JANUARY 1, 2022, TO REFLECT INCREASED COSTS ASSOCIATED WITH SB1383

RECOMMENDATION: Adopt the resolution authorizing the City Manager to sign the amendment to the franchise agreement that includes the following provisions:

- Bringing the City and Contractor into compliance with the requirements of SB 1383;
- Settling Green Waste Recovery's claims for extraordinary rate adjustment related to unanticipated events that impacted the franchise agreement;
- Clarifying the process and results of the cost-based rate adjustment; and
- Approving an assignment of the franchise agreement resulting from a change in ownership of Green Waste Recovery.

The resolution also authorizes a 5.2% increase in collection rates beginning January 1, 2022, due to increased costs related to SB 1383.

11. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

B. REPORTS ON REQUESTS FROM PRIOR MEETINGS

1. Estimate cost for basketball courts at Lincoln Cunningham Park (Pacheco)
2. Portable restrooms in public spaces (Campbell)
3. Gas powered leaf blower ordinance (Campbell)
4. Amending Seaside Municipal Code to include flavored tobacco products (Wizard)
5. Report on cost of improving crosswalks (Wizard)

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

This is a time specifically set aside for the City Attorney, City Manager and members of the City Council to make brief comments of general interest to the community and report on committee assignments.

13. CLOSED SESSION

Pursuant to Government Code Section 54956 et seq., the City Council may adjourn to a Closed Session to consider specific matters dealing with litigation, certain personnel matters, property negotiations or to confer with the City Attorney. Public comments on these items are taken after being read by the City Attorney. For the public record, please state your name.

A. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9: EXISTING LITIGATION

People v. Arzadon, Monterey County Superior
Court case: 20CV003118

B. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9: POTENTIAL LITIGATION (3 MATTERS)

Potential Litigation (3 Matters)

C. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9: EXISTING LITIGATION

Petrovich Development Company, LLC v. City of Seaside, et al.
United States District Court, Northern District, San Jose Division
Case No. 21-CV-07797-NC

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property: "Surplus II" and "26-Acre parcels"
Negotiators for City: City Manager, Et Al.
Negotiators for KBB: Danny Bakewell, Jr., Et Al.
Under Negotiation: Price, Terms of Payment or Both

E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property: Broadway and Fremont APNs: 011-544-003;004
City Negotiators: City Manager, Et Al.
Negotiating Party: Union Bank
Under Negotiation: Price, terms of payment or both

F. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property: 550 Monterey Road (APN 031-141-00)
Negotiators for City: City Manager, Et Al.
Negotiators for Seaside Senior Living: Ricardo De La Cruz, Et Al.
Under Negotiation: Price, Terms of Payment or Both

G. EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957:

Public Employee: City Attorney

14. ADJOURNMENT

Next Regularly Scheduled Meeting:
December 2, 2021
5:00 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. Agendas are posted at:
<http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Governor Newsom's Executive Orders N-29-20 and N-33-20.