



AGENDA

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
HYBRID (IN PERSON & VIRTUAL)
Thursday, December 2, 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://us02web.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.

7. PRESENTATIONS

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

B. VACCINATION UPDATE (FIRE CHIEF MARY GUTIERREZ)

8. CONSENT AGENDA

A. APPROVE MINUTES FROM NOVEMBER 18, 2021

RECOMMENDATION: Approve minutes as presented in agenda packet.

B. APPROVE AND FILE CITY CHECKS

RECOMMENDATION: Approve and file the accounts payable and wired payments made during the period of October 23, 2021, through November 5, 2021, including

the payroll and benefits checks, direct deposits and wired payments related to the pay period ending November 4, 2021. Total Accounts Payable and Payroll for the above referenced period is \$1,866,313.81.

C. APPROVE APPOINTMENTS TO THE PARKS & RECREATION, ENVIRONMENTAL, AND COMMUNITY DEVELOPMENT ADVISORY COMMISSIONS

RECOMMENDATION: Approve the appointments of Jeannette Walton to the Parks & Recreation Commission, Michelle Overmeyer to the Environmental Commission, and Tina Cormier to the Community Development Advisory Commission, as recommended by the Mayor.

D. ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH THE WALLACE GROUP IN THE AMOUNT OF \$39,500.00 TO PERFORM A FEASIBILITY STUDY OF GROUNDWATER RECHARGE IN SEASIDE TO POTENTIALLY INCREASE WATER SUPPLY

RECOMMENDATION: Adopt a resolution authorizing the Acting City Manager to execute a professional services agreement with the Wallace Group in the amount of \$39,500.00 to conduct a feasibility study of groundwater recharge to potentially increase water supply.

E. ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH DKS ASSOCIATES TO CONDUCT A PARKING STUDY IN SEASIDE'S DOWNTOWN WEST BROADWAY URBAN VILLAGE FOR AN AMOUNT NOT TO EXCEED \$30,560.00

RECOMMENDATION: Adopt a resolution authorizing the Acting City Manager to execute a Professional Services Agreement with DKS Associates to conduct a parking study in Seaside's Downtown West Broadway Urban Village for an amount not to exceed \$30,560.00.

F. ADOPT A RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH AB361 AND GOVERNMENT CODE SECTION 54953(E) AUTHORIZING REMOTE TELECONFERENCE MEETINGS

RECOMMENDATION: Adopt a resolution making findings under AB361 and Government Code section 54953(e) authorizing continued teleconference (Zoom) hybrid meetings.

G. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN ENCROACHMENT AND MAINTENANCE AGREEMENT TO ENHANCE THE LANDSCAPE ALONG MONTEREY ROAD WITH SEASIDE SENIOR LIVING LLC IN SUPPORT OF THE SEASIDE SENIOR LIVING DEVELOPMENT PROJECT

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute an Encroachment and Maintenance Agreement with Seaside Senior Living, LLC in support of the Seaside Senior Living development project.

H. RECEIVE AND FILE PROJECT DESCRIPTION FOR THE LOCAL AGENCY FORMATION COMMISSION APPLICATION FOR ANNEXATION OF THE CAMPUS TOWN AND PARKER FLATS PROPERTIES INTO THE MARINA COAST WATER DISTRICT

RECOMMENDATION: Receive and file the Draft Project Description for annexation of the Campus Town properties for the LAFCO Seaside Properties Annexation into the Marina Coast Water District.

I. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL BOYS SOCCER

RECOMMENDATION: Approve a request from Seaside High School Boys Soccer Program for a donation of \$3,000.00 from the Mayor's Youth Fund for the costs associated with purchasing equipment, uniforms, practice gear, game day polos, and team sweats.

J. ADOPT A RESOLUTION INCREASING THE COMMUNITY SOCIAL SERVICES GRANT LINE ITEM IN THE FISCAL YEAR 2021-2022 GENERAL FUND BUDGET BY \$105,459.00.

RECOMMENDATION: Adopt the attached resolution approving the cost increase and amending the fiscal year 2021-2022 budget.

K. ADOPT A RESOLUTION TO APPROPRIATE \$75,000.00 FROM FUND BALANCE (FUND 100) AND AUTHORIZE THE ACTING CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH HDL COMPANIES FOR CANNABIS MANAGEMENT SERVICES FOR AN AMOUNT NOT TO EXCEED \$75,000.00

RECOMMENDATION: Adopt a resolution appropriating \$75,000.00 and authorizing the Acting City Manager to execute a Professional Services Agreement with HDL for cannabis management services for an amount not to exceed \$75,000.00.

L. APPROVE PROCLAMATION RECOGNIZING DECEMBER 10, 2021 AS HUMAN RIGHTS DAY

RECOMMENDATION: Approve a proclamation declaring December 10, 2021, as Human Rights Day.

9. PUBLIC HEARING

A. SECOND READING 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 (SECOND READING - ROLL CALL VOTE)

RECOMMENDATION: Second reading of the draft ordinance in compliance with SB 1383 regarding organic waste collection, edible food recovery, inspection and enforcement.

B. ADOPT A RESOLUTION APPROVING THE AMENDED SEASIDE CITIZEN PARTICIPATION PLAN (CPP) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

RECOMMENDATION: 1) Adopt a resolution to approve the amended Citizen Participation Plan (CPP) for the Community Development Block Grant (CDBG) Program; and 2) Direct staff to submit the amended CPP to the U.S. Department of Housing and Urban Development (HUD).

10. BUSINESS ITEMS

A. ADOPT RESOLUTION AMENDING THE CITY ATTORNEY'S CONTRACT TO SHOW AN ANNUAL SALARY OF \$211,200.00 AND APPROVE FISCAL YEAR 2021-2022 BUDGET AMENDMENT

RECOMMENDATION: Adopt a resolution authorizing salary and benefit amendments to the City Attorney's Employment Contract and approve the 2021-2022 budget amendment.

B. DISCUSSION ON THE REVIEW AND ANALYSIS OF SENATE BILL 9 AND THE IMPACTS ON THE CITY OF SEASIDE'S MUNICIPAL CODE

RECOMMENDATION: Review SB 9 requirements, discuss policy considerations, and provide direction to staff.

11. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

12. CITY ATTORNEY, CITY MANAGER, CITY COUNCIL, AND MAYOR 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. CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54957.6 -
CONFERENCE WITH LABOR NEGOTIATORS**

Agency Negotiators: Roberta Greathouse, Acting City Manager; Donna Williamson, Labor Negotiator.

Employee Organizations: Seaside Firefighters' Association; Seaside Police Officers' Association; and Seaside City Employees' Association

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

Property: "Surplus II" (Campus Town Phase II) and "26-Acre" (Campus Town Phase I) parcels

Negotiators for City: City Manager, Et Al.

Negotiators for KBB: Danny Bakewell, Jr., Et Al.

Under Negotiation: Price, Terms of Payment or Both

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

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

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

Potential Litigation (3 Matters)

**E. 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
Court case: 21-CV-07797-NC

14. ADJOURNMENT

Next Regularly Scheduled Meeting:
December 16, 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.