



## AGENDA

CITY OF SEASIDE  
CITY COUNCIL/SUCCESSOR  
AGENCY TO THE  
REDEVELOPMENT AGENCY

CONCURRENT MEETING  
440 HARCOURT AVE (COUNCIL CHAMBER)  
Thursday, June 16, 2022  
5:00 PM

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**NOTICE:** *The City Council will hold its public meetings in person, with a virtual option for public participation based on availability. The City of Seaside utilizes Zoom tele-conferencing technology for virtual public participation; however, we make no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of public through this means is at their own risk.*

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## VIRTUAL PUBLIC PARTICIPATION INSTRUCTIONS

1. To view this meeting: Please click on the following link to the City of Seaside YouTube Channel: <https://www.youtube.com/c/CityofSeasideCalifornia>
2. To participate in this meeting: Using the Zoom application on your smart phone, laptop, tablet or desktop and click on this link: <https://ci-seaside-ca-us.zoom.us/j/81936832059>  
**WEBINAR ID:** 819 3683 2059
3. To participate by phone: Please call (669) 900-9128  
Enter the meeting ID 819 3683 2059 when prompted. There is no participate code – press the pound sign # after the recording prompts you.
4. To make public comment, the following options are available:

Before the Meeting via Email: Written comments can be emailed to [CityClerk@ci.seaside.ca.us](mailto: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 2:00 p.m. on the day of the meeting.

During the Meeting via Oral Comments: When the Chair 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.

## IN PERSON PARTICIPATION INSTRUCTIONS

Members of the public participating in person and wishing to address the City Council may approach the podium when the Chair calls for public comment.

**1. CALL TO ORDER**

**2. ROLL CALL – ESTABLISHMENT OF QUORUM**

|                        |                          |
|------------------------|--------------------------|
| Ian N. Oglesby         | Mayor/Chair              |
| David R. Pacheco       | Mayor Pro Tem/Vice Chair |
| Jason Campbell         | Council/Agency Member    |
| Jon Wizard             | Council/Agency Member    |
| Alexis Garcia-Arrazola | Council/Agency 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 AND COMMUNITY ENGAGEMENT SPECIALIST)**

**B. BROADWAY AVENUE COMPLETE STREET CORRIDOR IMPROVEMENT PROJECT (NISHA PATEL, CITY ENGINEER/PUBLIC WORKS DIRECTOR)**

**8. CONSENT AGENDA**

**A. ADOPT A RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH AB361: HYBRID MEETINGS AND GOVERNMENT CODE SECTION 54953 (BROWN ACT) AUTHORIZING REMOTE/TELECONFERENCE PARTICIPATION IN CITY MEETINGS**

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

**B. APPROVE MINUTES FROM JUNE 2, 2022**

**RECOMMENDATION:** Approve minutes as presented in the agenda packet.

**C. APPROVE AND FILE CITY CHECKS**

**RECOMMENDATION:** Approve and file the accounts payable and wired payments made during the period of April 23, 2022, through May 6, 2022, including the payroll and benefits checks, direct deposits, and wired payments related to the pay period ending May 5, 2022. Total Accounts Payable and Payroll for the above referenced period is \$1,465,137.70.

**D. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM KINDNESS ROCKS 831**

**RECOMMENDATION:** Approve a request from Kindness Rocks 831 for a donation of \$3,000.00 from the Mayor's Youth Fund for the cost associated with their projects and talent show.

**E. ADOPT A RESOLUTION DECLARING JULY AS BEBE MOORE CAMPBELL NATIONAL MINORITY MENTAL AWARENESS MONTH IN THE CITY OF SEASIDE**

**RECOMMENDATION:** Adopt a resolution declaring the month of July as Bebe Moore Campbell National Minority Mental Health Awareness Month.

**F. ADOPT A RESOLUTION MODIFYING THE CITY MANAGER SALARY EFFECTIVE JULY 1, 2022**

**RECOMMENDATION:** Adopt a resolution increasing the salary for the City Manager effective July 1, 2022.

**G. ADOPT A RESOLUTION APPROVING AN ON-CALL CONSULTANT LIST FOR HYDROGEOLOGICAL SERVICES**

**RECOMMENDATION:** Adopt a resolution approving the following firms as qualified to provide On-Call hydrogeological services:

1. Daniel B. Stephens & Associates, Inc.
2. Dudek, Inc.
3. Montgomery & Associates, Inc.

**H. ADOPT A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AWARDING A CONSTRUCTION AGREEMENT WITH GLOBAL MODULAR, INC. FOR THE CONSTRUCTION, DELIVERY, AND INSTALLATION OF A NEW MODULAR BUILDING FOR THE NEW CITY HALL STAFF TRAILER FOR AN AMOUNT NOT TO EXCEED \$279,000.00.**

**RECOMMENDATION:** Approve a resolution:

1. Approving the plans and specifications;
2. Awarding a construction contract agreement with Global Modular, Inc. for an amount not to exceed \$279,000.00;
3. Establishing a 5% contingency for a total project construction amount not to exceed \$293,000.00; and
4. 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, for the New City Hall Staff Trailer Project.

**I. ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR \$59,950.00 WITH NICK CHAMPI ENTERPRISES INC. FOR THE INSTALLATION OF A SOLAR POWER GATE ON EUCALYPTUS ROAD, AND MAKE A BUDGET AMENDMENT OF \$17,755.00 IN FISCAL YEAR 2021-2022**

**RECOMMENDATION:** Adopt a resolution authorizing the City Manager to execute a contract with Nick Champi Enterprises Inc. for a solar power gate on Eucalyptus Road in the amount of \$59,950.00, and make a budget amendment for the amount of \$17,755.00 in fiscal year 2021-2022.

**J. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A THREE-YEAR AGREEMENT BETWEEN THE CITY OF SEASIDE AND THE CITY OF DEL REY OAKS FOR THE PROVISION OF FIRE PROTECTION AND PREVENTION SERVICES**

**RECOMMENDATION:** Adopt a resolution authorizing the City Manager to execute an agreement to provide fire protection and fire prevention services to the City of Del Rey Oaks for a three-year period

**K. ADOPT THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT AND ITS MEMBER AGENCIES REGARDING ASSISTANCE WITH COMPLIANCE WITH CALIFORNIA SENATE BILL 1383**

**RECOMMENDATION:** Authorize the City Manager to sign the Memorandum of Understanding for assistance with compliance with SB1383.

**L. ADOPT A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE**

**BROADWAY AVENUE COMPLETE STREET CORRIDOR IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$598,004.83**

**RECOMMENDATION:** Adopt a resolution approving a professional services agreement to perform Project Approval and Environmental Document Phase services for the Broadway Avenue Corridor Complete Street Improvement Project with Kimley-Horn and Associates, Inc. for an amount not to exceed \$598,004.83.

**M. APPROVE THE NEIGHBORHOOD IMPROVEMENT COMMISSION RECOMMENDATIONS FOR THE USE OF ALLOCATED FUNDING FOR COMMUNITY AND PARK IMPROVEMENTS**

**RECOMMENDATION:** 1. Approve the Neighborhood Improvement Commission's recommended use of collected TOT funds generated by short-term rentals and allocated for community and park improvements; and

2. Authorize the City Manager to sign any contracts and agreements to expend the amounts recommended for the projects identified without additional approval by the City Council.

**9. PUBLIC HEARING**

**A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE AMENDING CHAPTERS 8.38 AND 8.39 REGARDING SMOKING REGULATIONS ADDRESSING VAPING AND FLAVORED TOBACCO PRODUCTS AND MAKING AN ENVIRONMENTAL DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (FIRST READING – ROLL-CALL VOTE)**

**RECOMMENDATION:** First reading of an ordinance amending SMC Chapter 8.38 and 8.69 regarding smoking regulations addressing vaping and flavored tobacco products and making an environmental determination of exemption under the CEQA.

**10. BUSINESS ITEMS**

**A. APPROVE BROADWAY WALK OF FAME AD-HOC COMMITTEE RECOMMENDATIONS**

**RECOMMENDATION:** Review and approve the Broadway Walk of Fame Ad-Hoc Committee and staff recommendations for implementation, design, installation and policy.

**B. CONSIDER A REQUEST TO CLOSE BROADWAY AVENUE AND FOR CO-SPONSORSHIP OF THE PROPOSED SUMMERTIME VIBES ON BROADWAY ON JULY 23, 2022, AND AUGUST 27, 2022**

**RECOMMENDATION:** Consider a request from Deja Blue to close Broadway Avenue, City co-sponsorship, and to waive all costs associated with two days of the Summertime Vibes on Broadway in the amount of \$11,455.10.

**C. ADOPT A RESOLUTION APPROVING THE CONTRACTUAL 3.81% INCREASE IN THE COLLECTION OF SOLID WASTE, RECYCLING, AND ORGANICS RATE EFFECTIVE JULY 1, 2022, ACCORDING TO THE COST-BASED RATE ADJUSTMENT CALCULATION OF THE FRANCHISE AGREEMENT WITH GREENWASTE RECOVERY, INC.**

**RECOMMENDATION:** Adopt a resolution increasing the GreenWaste collection rate by the contractually required rate of 3.81%.

**D. ADOPT A RESOLUTION APPROVING THE CITY MANAGER APPOINTMENT AND EMPLOYMENT AGREEMENT**

**RECOMMENDATION:** Approve a resolution authorizing the appointment of Jaime Fontes as City Manager and the execution of the Employment Agreement.

**11. COUNCIL MEMBER REQUESTS**

**A. NEW COUNCIL MEMBER REQUESTS**

**B. FOLLOW UP ON PREVIOUS REQUESTS**

**12. CITY ATTORNEY, CITY MANAGER, MAYOR AND CITY COUNCIL 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 and report on committee assignments.*

**13. CLOSED SESSION**

*Pursuant to Government Code Section 54956 et seq., the City Council and Successor Agency to Redevelopment Agency 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 LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE 54957.6**

Agency Negotiators: Roberta Greathouse, Acting City Manager; Donna Williamson, Labor Negotiator; Samantha Sakhrani, Human Resources Analyst.

Employee Organizations: All full-time represented and unrepresented employees and employee associations.

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

Address: The property commonly referred to as Ascent  
(Property located on the north side of the 1100 block of Broadway Avenue  
between Terrace Street and San Lucas Street)  
Negotiations with Crauchan Capital  
Negotiator for the City: City Manager, et al.  
Under Discussion: price, terms of payment or both.

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

Address: 1579 & 1583 Del Monte Blvd, Seaside, CA 93955  
APN: 011-301-014 & 011-279-006  
Negotiations with Steve Hall, et. al. (Property Owner)  
Negotiator for the City: City Manager, et al.  
Under Discussion: Price, terms of payment or both.

**D. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9**

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

**E. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9**

Potential Litigation (2 Matters)

**14. ADJOURNMENT**

Next Regularly Scheduled Meeting:  
July 7, 2022  
5:00 PM

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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

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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.