FINAL MINUTES

CITY OF SEASIDE	REGULAR MEETING
CITY COUNCIL/ SUCCESSOR	440 HARCOURT AVE
AGENCY TO THE	Thursday, September 1, 2022
REDEVELOPMENT AGENCY	5:00 PM

1. CALL TO ORDER

Mayor/Chair Oglesby called the meeting to order at 5:00 p.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard
ABSENT: None

3. INVOCATION AND PLEDGE OF ALLEGIANCE

A moment of silence was held and the pledge was led by Mayor Pro Tem Pacheco.

4. REVIEW OF AGENDA

No changes.

5. PUBLIC COMMENT

Charles Williams, Ramona (NIC), Peter Kaiser, Pastor Kenneth Murray, Diane Nielson, Uli, Wes Lee

6. PUBLIC AGENCY COMMUNICATIONS

None.

7. PRESENTATIONS

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

Mr. Altamirano provided a presentation and responded to questions from the Council.

B. VACCINE UPDATE (MARY GUTIERREZ, FIRE CHIEF)

Chief Gutierrez provided the presentation and responded to questions from the Council.

C. INFORMATIONAL REVIEW OF THE COMMUNITY FACILITIES DISTRICT (CFD) AS A FINANCING MECHANISM (NBS GOVERNMENT FINANCE GROUP, CONSULTANT)

Sara Mares provided the presentation and responded to questions from the Council along with Finance Director Victor Damiani.

8. CONSENT AGENDA

Mayor Oglesby read the Consent Agenda. Item 8F was pulled by Council Member Campbell.

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Mayor/Chair Oglesby and carried by the following vote, the City Council/Successor Agency moved to approve the Consent Agenda with the exception of item 8F.

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard
NOES: None
ABSTAIN: None
ABSENT: None

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

Action: Adopted Reso #22-107

B. APPROVE MINUTES FROM AUGUST 18, 2022

Action: Approved

C. ADOPT A RESOLUTION APPROVING AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICE AGREEMENT WITH WALLACE GROUP TO PROVIDE EXPANDED CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE FIRE STATION UPGRADES PROJECT FOR AN AMOUNT NOT TO EXCEED $19,536.00

Action: Adopted Reso #22-108

D. **ADOPT A RESOLUTION APPROVING CONSTRUCTION AGREEMENT AMENDMENTS WITH 101 BUILDERS FOR AN ALTERNATE EXTERIOR FINISH FOR THE FIRE STATION UPGRADE PROJECT FOR AN AMOUNT NOT TO EXCEED $64,177.17 AND APPROPRIATE $103,713.17 FROM THE GENERAL FUND TO THE PROJECT BUDGET**

Action: Adopted Reso #22-109

E. **ADOPT A RESOLUTION GRANTING AN EASEMENT TO MARINA COAST WATER DISTRICT FOR THE ORD VILLAGE LIFT STATION**

Action: Adopted Reso #22-110

F. **ADOPT A RESOLUTION APPROVING THE PLANS FOR THE NOCHE BUENA EMERGENCY STREET STORM DRAIN IMPROVEMENTS PROJECT, APPROVING AN AGREEMENT FOR CONTRACTOR SERVICES WITH MONTEREY PENINSULA ENGINEERS FOR AN AMOUNT NOT TO EXCEED $279,455.00, APPROPRIATING $350,682.00 FROM THE CAPITAL RESERVE TO THE PROJECT, AND DECLARING THE CONSTRUCTION WORK AN EMERGENCY**

Council Member Campbell pulled the item to ask clarifying questions to Ms. Patel.

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency Member Garcia-Arrazola and carried by the following vote, the City Council/Successor Agency moved to adopt a resolution approving the plans for the Noche Buena Emergency Street Storm Drain Improvements Project, approving an agreement for contractor services with Monterey Peninsula Engineers for an amount not to exceed $279,455.00, appropriating $350,682.00 from the Capital Reserve to the project, and declaring the construction work an emergency.

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Reso #22-111

G. **ADOPT A RESOLUTION APPROVING AN AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT WITH HARRIS & ASSOCIATES FOR FINAL DESIGN AND DESIGN SUPPORT DURING CONSTRUCTION FOR THE NOCHE BUENA STREET EMERGENCY STORM DRAIN IMPROVEMENTS PROJECT FOR AN AMOUNT NOT TO EXCEED $12,780.00**

Action: Adopted Reso #22-112

H. **ADOPT A RESOLUTION ADOPTING THE LISTING OF BENEFITS WITH THE CITY OF SEASIDE'S EXECUTIVE MANAGERS**

Action: Adopted Reso #22-113

I. **APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE BLADE RUNNERS BASKETBALL**

Action: Approved

J. **APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL FOOTBALL TEAM**

Action: Approved

K. **APPROVE CLEAN CALIFORNIA MAINTENANCE AGREEMENT WITH THE STATE OF CALIFORNIA FOR STREET SWEEPING AND GRAFFITI REMOVAL SERVICES ON HIGHWAY 218 FROM FREMONT BOULEVARD TO HIGHWAY 1**

Action: Adopted Reso #22-114

L. **PROCLAMATION DESIGNATING SEPTEMBER 2022 AS NATIONAL RECOVERY MONTH**

Action: Approved

M. **ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF PORTIONS OF CANYON DEL REY BOULEVARD, HARCOURT AVENUE, ALLSTON STREET, AND HILLSDALE AVENUE ON SEPTEMBER 18, 2022, FOR THE CITY OF SEASIDE'S "OAXACA BY THE SEA" EVENT**

Action: Adopted Reso #22-115

N. **ADOPT A RESOLUTION AUTHORIZING AN EXTENSION OF THE 14 ACRE FEET PER YEAR ALLOCATION OF WATER FOR THE RESIDENTIAL REUSE OF THE MEDICAL OFFICERS BARRACKS LOCATED AT 4386-4387 PARKER FLATS CUTOFF ROAD**

Action: Adopted Reso #22-116

9. PUBLIC HEARING

A. AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 2.42 CONFLICT OF INTEREST CODE SECTION 2.42.130 APPENDIX - DESIGNATED EMPLOYEES (SECOND READING - ROLL CALL VOTE)

There were no comments from the public.

On motion by Council/Agency Member Campbell and second by Mayor Pro Tem/Vice Chair Pacheco and carried by the following vote, the City Council/Successor Agency moved to approve the amendments to Seaside Municipal Code Chapter 2.42 Conflict of Interest Code Section 2.42.130.

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Ordinance 2015

10. BUSINESS ITEMS

A. ADOPT A RESOLUTION AUTHORIZING THE SISTER CITY AGREEMENT BETWEEN THE MUNICIPALITY OF OAXACA DE JUÁREZ AND THE CITY OF SEASIDE

Assistant City Manager Ashley Collick provided the presentation and responded to questions from the Council. There were no comments from the public.

On motion by Council/Agency Member Campbell and second by Council/Agency Member Garcia-Arrazola, the City Council/Successor Agency moved to adopt a resolution authorizing the sister city agreement between the municipality of Oaxaca de Juarez and the City of Seaside.

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Reso #22-117

B. DISCUSS AND PROVIDE DIRECTION TO STAFF REGARDING THE CITY'S PENSION LIABILITY AND STRATEGIES FOR MITIGATING INCREASING COSTS

Mike Meyer, from NHA Advisors, provided the presentation and Victor Damiani, Finance Director responded to questions from the Council. There were no comments from the public.

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency Member Garcia-Arrazola and carried by the following vote, the City Council/Successor Agency moved to direct staff to continue to prepay the annual UAL amount each July, in collaboration with NHA Advisors, vet and select a 115 Trust provider to be recommended to the Council at a subsequent meeting, implement a Pension Reserve policy to include an initial $3 million investment into a 115 Trust followed by four $500 thousand annual contributions to the trust. Thereafter, 20% of any realized year end surplus is contributed to the trust. A draft of the proposed policy would come forward to the City Council concurrent with the recommendation regarding a 115 Trust provider, and monitor interest rates on an ongoing basis and bring forward pension obligation bonds for Council consideration when rates are favorable.

AYES: Garcia-Arrazola, Oglesby, Pacheco, Wizard
NOES: Campbell
ABSTAIN: None
ABSENT: None

Action: Direction provided to staff

C. ADOPT A RESOLUTION APPROVING THE CUTINO PARK IMPROVEMENTS PART 2 CONCEPT PLAN AND REALLOCATING $250,000.00 FROM THE PUMP TRACK PROJECT TO THE CUTINO PARK PROJECT

Nisha Patel, Public Works Director/City Engineer presented the item and responded to questions from the Council along with Dan Meewis, Recreational Director, and Elizabeth Matz, from BFS Landscape Architects. There were no comments from the public.

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Mayor/Chair Oglesby and carried by the following vote, the City Council/Successor Agency moved to adopt a resolution approving the Cutino Park Improvements Part 2 Conceptual Plan and reallocating $250,000 from the Pump Track Project to the Cutino Park Project.

AYES: Campbell, Garcia-Arrazola, Oglesby, Pacheco, Wizard
NOES: None
ABSTAIN: None
ABSENT: None

Action: Adopted Reso #22-118

11. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

No new requests.

B. FOLLOW UP ON PREVIOUS REQUESTS

City Manager Fontes reviewed previous requests from Council Member Wizard regarding RPFs and provided updates.

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

Reports provided.

13. CLOSED SESSION

City Attorney Sheri Damon read into the closed session items, and did not expect any action to announce out.

A. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE 54957.6

Agency Negotiators: Roberta Greathouse, Human Resources Director / Risk Manager; Donna Williamson, Labor Negotiator; Samantha Sakhrani, Human Resources Analyst.
Employee Organizations: All represented and unrepresented employees and employee associations.

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

Property: 1561 Del Monte Avenue, Seaside, CA 93955 (APN 011-301-010)
Agency Negotiators: City Manager, et al.
Negotiating Party: Foothill Partners, et al.
Under Negotiation: Price, Terms of Payment or both

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

Property: Phase 1A Campus Town generally located West of General Jim Moore Blvd. and East of First Avenue and south of Lightfighter Drive (APN 031-151-054)

Approximately 22.52 Acres
Agency Negotiators: City Manager, et. al.
Negotiating Parties: City of Seaside and KB-Bakewell Seaside Venture LLC
Under Negotiation: Price, Terms of Payment or Both

D. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9: POTENTIAL LITIGATION

Potential Litigation (2 Matters)

14. ADJOURNMENT

With no further business, the meeting adjourned at 9:52 p.m.

Respectfully submitted,

Kanisha D. Davis, Acting City/Agency Clerk	**Ian N. Oglesby, Mayor/Chair**