FINAL MINUTES

CITY OF SEASIDE	REGULAR MEETING
CITY COUNCIL/ SUCCESSOR	440 HARCOURT AVE
AGENCY TO THE	Thursday, February 16, 2023
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: Burks, Garcia-Arrazola, Miller, Oglesby, Pacheco
ABSENT: None

3. INVOCATION AND PLEDGE OF ALLEGIANCE

A moment of silence was held for the invocation. The pledge of allegiance was led by Mayor Pro Tem/Vice Chair Pacheco.

4. REVIEW OF AGENDA

No changes.

5. PUBLIC COMMENT

George Riley, Lynda Cunningham, Karla Lobo, Ann Marie Pagan, Ruthie Watts

6. PUBLIC AGENCY COMMUNICATIONS

Monterey Peninsula Water Management District Director (Division 2) George Riley – provided an update about upcoming action regarding a feasibility study for 2018's "Measure J".

A. DANIELLE PATTERSON, HEAD OF SCHOOL AT CHARTWELL SCHOOL

Ms. Patterson introduced herself to the Council and provided two introductory videos about Chartwell School.

View Video 1
View Video 2

B. BARBARA NITIS, PUBLIC INFORMATION OFFICER, U.S. SMALL BUSINESS ADMINISTRATION - OFFICE OF DISASTER RECOVERY AND RESILIENCE

Ms. Nitis provided information to the Council about the U.S. Small Business Administration disaster loans.

7. PRESENTATIONS

A. PRESENTATION RECOGNIZING THE FIRST WALK OF FAME AD-HOC COMMITTEE (ASSISTANT CITY MANAGER ASHLEY COLLICK)

City Clerk Dominique Davis introduced the item and Mayor Oglesby presented certificates to each of the Broadway Ave Walk of Fame Ad-Hoc Committee members. Chair Annalisa Mitchell provided remarks about the work of the Committee, and Franco Pacheco, Emerson Brown, Ruthie Watts, Jeanette Walton, Bobby Maxwell, Joy Anderson were present to accept their certificates. Francoise Avery and Gracie Rubio were honored in their absence.

B. PRESENT PROCLAMATION ACKNOWLEDGING FIREFIGHTER JOSH SISNEROS AS 2022 FIREFIGHTER OF THE YEAR AND KENDALL EMERICK AS 2022 RESERVE FIREFIGHTER OF THE YEAR (FIRE CHIEF MARY GUTIERREZ)

Chief Gutierrez presented the awards and Mayor Oglesby read the proclamations acknowledging each awardee.

C. PRESENT PROCLAMATION ACKNOWLEDGING DAVID DILLON AS 2022 POLICE OFFICER OF THE YEAR, AND CURTIS OLIVARES AS 2022 COMMUNITY SUPPORT SERVICES PERSONNEL OF THE YEAR (POLICE CHIEF NICHOLAS BORGES)

Chief Borges presented the awards and Mayor Oglesby read the proclamation acknowledging each awardee.

D. POLICE DEPARTMENT ANNUAL CRIME REPORT (POLICE CHIEF NICHOLAS BORGES)

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

E. RECEIVE PRESENTATION REGARDING REQUESTED MODIFICATIONS TO THE CONCEPUTAL FIRE STATION MURAL DESIGNED BY LA NETA MURALS (RECREATION SUPERVISOR KEE HYON HIGGINS)

Mr. Higgins provided the presentation and responded to questions from Council with the artist group La Neta Murals.

F. UPCOMING CITYWIDE EVENTS AND COMMUNITY ANNOUNCEMENTS (ASSISTANT CITY MANAGER ASHLEY COLLICK)

Mr. Higgins provided a presentation of upcoming events and announcements.

G. REVIEW OF THE CITY COUNCIL PRIORITIES ESTABLISHED ON NOVEMBER 21, 2022, STRATEGIC PLANNING RETREAT, AND THE 2023-2025 STRATEGIC PLAN (CITY CLERK DOMINIQUE DAVIS)

City Manager Fontes introduced the item and Perla Rodriguez, Voler Strategic Advisors provided a consultants perspective of the work that was done, and Ms. Davis provided an overview of the work plan and next steps to the Council.

8. CONSENT AGENDA

Mayor/Chair Oglesby read the Consent Agenda items. There were no comments from the public.

On motion by Council/Agency Member Miller and second by Mayor Pro Tem/Vice Chair Member Pacheco, and carried by the following vote, the City Council/Successor Agency moved to approve the consent agenda as presented.

RESULT: 5-0-0-0
AYES: Burks, Garcia-Arrazola, Miller, Oglesby, Pacheco
NOES: None
ABSTAIN: None
ABSENT: None

A. APPROVE MINUTES FROM JANUARY 30, 2023 SPECIAL MEETING

ACTION: Approved

B. APPROVE PROCLAMATION CELEBRATING MARCH AS WOMEN'S HISTORY MONTH

ACTION: Approved

C. APPROVE PROCLAMATION CELEBRATING MARCH AS IRISH AMERICAN HERITAGE MONTH

ACTION: Approved

D. **APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST OF $3,000.00 FROM THE SEASIDE HIGH SCHOOL GIRLS BASKETBALL PROGRAM**

ACTION: Approved

E. **ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH WALLACE GROUP FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE CUTINO PARK IMPROVEMENTS PART 2 PHASE 1 PROJECT FOR AN AMOUNT NOT TO EXCEED $189,914.00**

ACTION: Adopted Reso #23-31

F. **ADOPT A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CITY OF MONTEREY TO PROVIDE INSTALLATION SUPPORT SERVICES TO THE ARMY WITHIN SEASIDE CITY LIMITS, AND AUTHORIZING THE WITHDRAWAL FROM AND TERMINATION OF THE PRESIDIO PUBLIC WORKS AGENCY**

ACTION: Adopted Reso #23-32

G. **ADOPT A RESOLUTION AUTHORIZING A MAINTENANCE SERVICES AGREEMENT WITH HOPE SERVICES IN AN AMOUNT NOT TO EXCEED $137,046.00**

ACTION: Adopted Reso #23-33

H. **ADOPT A RESOLUTION ACCEPTING A DONATION OF PLAYGROUND EQUIPMENT FOR FERNANDO PARK FROM FRIENDS OF SEASIDE PARKS; AMENDING THE CAPITAL PROGRAM TO INCLUDE THE FERNANDO PARK IMPROVEMENT PROJECT; APPROPRIATING A BUDGET OF $80,000.00 TO THE PROJECT FROM GENERAL FUND; AND AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WHITSON ENGINEERS FOR AN AMOUNT NOT TO EXCEED $42,770.00 FOR THE PROJECT**

ACTION: Adopted Reso #23-34

I. **ADOPT RESOLUTIONS INDUCTING COLONEL ALFRED P. GLOVER, SR, DR. BETTYE J. LUSK, MAYOR JERRY SMITH (POSTHUMOUSLY), CARLOS RAMOS (POSTHUMOUSLY), RUTHIE WATTS AND HELEN RUCKER INTO THE BROADWAY AVE WALK OF FAME**

ACTION: Adopted Reso #23-35, 23-36, 23-37, 23-38, 23-39, and 23-40

9. PUBLIC HEARING

A. FIRST READING OF AN ORDINANCE APPROVING THE PART-TIME (REGULAR, TEMPORARY, AND SEASONAL) DEFINITION AND CLASSIFICATION TO MONITOR THE ALLOWED NUMBER OF HOURS WORKED PER FISCAL YEAR (FIRST READING - ROLL CALL VOTE)

Human Resources Analyst, Samantha Alcaraz Sakhrani presented the item and reviewed the proposed amendments that would result in the ability to monitor hours work and assist the City in containing pension costs.

There were no comments from the public.

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency Member Garcia-Arrazola the City Council/Successor Agency moved to adopt an ordinance defining part-time classifications (regular and temporary/seasonal part-time) and maximum hours worked, per fiscal year. A second reading of the ordinance is required and will be conducted at a subsequent meeting.

RESULT: 5-0-0-0
AYES: Burks, Garcia-Arrazola, Miller, Oglesby, Pacheco
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ACTION: Second Reading to be held on March 2, 2023

B. FIRST READING OF AN ORDINANCE AMENDING TITLE 17 (ZONING ORDINANCE OF THE SEASIDE MUNICIPAL CODE MODIFYING SECTION 17.52.230 (ACCESSORY DWELLING UNITS) TO IMPLEMENT RECENT HOUSING BILLS - THE CALIFORNIA ENVIRONMENTAL QUALITY ACT DOES NOT APPLY (FIRST READING - ROLL CALL VOTE)

Economic Development and Community Planning Manager, Andrew Myrick presented the item and responded to questions from the Council. The significant changes noted by the amendment included Modified Height Limitations (Section 17.52.230(G)(2)); Added Definition of "Exempt ADU" (17.52.230(F)); Defines Projects which are not subject to most Zoning regulations; Implements Government Code Section 65852.2(e); Added Definition of "Utility ADU" (Multiple Sections); Clarifies applicability of various codes to ADUs; Implements Gov. Code Section 65852.2(c)(2)(C); and Added clarification that Codes are in addition to Building and Fire Codes for all ADU applications; Relocated language prohibiting short-term rentals and separate sales of ADUs to clarify applicability of requirements to Exempt ADUs.

On motion by Mayor Pro Tem/Vice Chair Pacheco and second by Council/Agency Member Garcia-Arrazola the City Council/Successor Agency moved to adopt an ordinance to amend Title 17 (Zoning Ordinance of the Seaside Municipal Code modifying Section 17.52.230 (Accessory Dwelling Units) to implement recent housing bills. A second reading of the ordinance is required and will be conducted at a subsequent meeting.

RESULT: 5-0-0-0
AYES: Burks, Garcia-Arrazola, Miller, Oglesby, Pacheco
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ACTION: Second Reading to be held on March 2, 2023

10. BUSINESS ITEMS

A. APPROVE AND ACCEPT A BID NOT TO EXCEED $105,650.00 (YEAR 1) TO PURCHASE FLOCK SAFETY LICENSE PLATE READER CAMERAS AND SHOT DETECTION WITH AN ANNUAL RENEWAL COST OF $90,000.00 AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A TWO-YEAR RENEWAL AGREEMENT WITH FLOCK SAFETY

Police Chief Nicholas Borges provided the presentation and responded to questions from the Council. The goals were noted as an increase response time, increase case solvability, deter violent crime, investigate in an objective manner (remove human bias), regional approach to crime solving, and be transparent through community dashboard and policy / police response & community engagement.

PUBLIC COMMENT: Robert Daniel, Ann Marie Pagan, Lynda Cunningham, unidentified speaker, Amir Chapel, Peter Kaiser, Karla Lobo

On motion by Council/Agency Member Miller and second by Council/Agency Member Burks and carried by the following vote, the City Council/Successor Agency moved to approve the purchase of Flock Safety License Plate Reader cameras and shot detection, not to exceed $105,650.00 and authorize the City Manager to enter into a two-year renewal agreement to maintain the program, not to exceed $90,000.00 (annually).

AYES: Burks, Garcia-Arrazola, Miller, Oglesby, Pacheco
NOES: None
ABSTAIN: None
ABSENT: None

ACTION: Adopted Reso #23-41

B. **<u>RECEIVE UPDATE ON THE PAVEMENT MANAGEMENT PROGRAM REPORT, AND ADOPT A RESOLUTION APPROVING A 5 YEAR PAVEMENT REHABILITATION POLICY AND STREET LIST FOR THE FY 2022/23 PAVEMENT REHABILITATION PROJECT</u>**

Public Works Director/Engineer Nisha Patel introduced Joe Ririe, Pavement Engineering, Inc. whom provided the presentation and responded to questions from the Council.

PUBLIC COMMENT: Lynda Cunningham, LisAnne Sawhney, Peter Kaiser, Karla Lobo

On motion by Council/Agency Member Miller and second by Council/Agency Member Burks and carried by the following vote, the City Council/Successor Agency moved to approve a 5 Year Pavement Rehabilitation Policy and approve a street list for the FY 2022/23 Pavement Rehabilitation Project.

AYES: Burks, Garcia-Arrazola, Miller, Oglesby, Pacheco
NOES: None
ABSTAIN: None
ABSENT: None

ACTION: Adopted Reso #23-42

C. **<u>ADOPT A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WALLACE GROUP TO EVALUATE ADDITIONAL LOCATIONS IN THE WELL SITING STUDY FOR AN AMOUNT NOT TO EXCEED $94,046.00</u>**

Public Works Director/Engineer Nisha Patel provided the presentation and responded to questions from the Council.

PUBLIC COMMENT: LisAnne Sawhney, Peter Kaiser

On motion by Council/Agency Member Miller and second by Council/Agency Member Burks and carried by the following vote, the City Council/Successor Agency moved to authorize the City Manager to execute an amendment to the professional services agreement with Wallace Group to evaluate additional locations in the well siting study for an amount not to exceed $94,046.00.

AYES: Burks, Garcia-Arrazola, Miller, Oglesby, Pacheco
NOES: None
ABSTAIN: None
ABSENT: None

ACTION: Adopted Reso #23-43

D. CONSIDER ADOPTION OF A RESOLUTION GRANTING OR DENYING CONSENT TO THE CITY OF MONTEREY TO RENEW THE MONTEREY COUNTY TOURISM IMPROVEMENT DISTRICT (MCTID) AND INCLUDE THE CITY OF SEASIDE IN THE MCTID

City Manager Fontes provided an introduction to the item and introduced Rob O'Keefe, President & CEO of Monterey County Convention & Visitors Bureau provided the presentation and responded to questions from the Council.

PUBLIC COMMENT: Todd Fisher, Kevi Ellis, LisAnne Sawhney, Amrish Patel, Mitchel Sawhney

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 grant consent to the City of Monterey to renew the MCTID, and include the City of Seaside in the MCTID.

AYES: Burks, Garcia-Arrazola, Oglesby, Pacheco
NOES: Miller
ABSTAIN: None
ABSENT: None

ACTION: Adopted Reso #23-44

At 11:48 p.m. Mayor Oglesby called for a motion to extend the meeting in order to adjourn, and the remainder of the items would be addressed at a future meeting and the closed session items would be a one on one briefing with the City Attorney for each Council Member.

11. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

B. FOLLOW UP ON PREVIOUS COUNCIL MEMBER REQUESTS

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

13. CLOSED SESSION

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

Committee for Sound Water and Land Development v. City of Seaside, et al.
Monterey County Superior Court
Case No. 20CV002326

B. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9

Potential Litigation (2 Matters)

14. ADJOURNMENT

The meeting adjourned at 12:02 a.m.

Respectfully submitted,

Dominique L. Davis, City Clerk

Ian N. Oglesby, Mayor