



AGENDA

CITY OF SEASIDE

CITY COUNCIL/SUCCESSOR

AGENCY TO THE

REDEVELOPMENT AGENCY

REGULAR MEETING

440 HARCOURT AVE (COUNCIL CHAMBER)

Thursday, April 6, 2023

5:00 PM

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.*

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 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
Alexis Garcia-Arrazola	Council/Agency Member
Rita Burks	Council/Agency Member
Alex Miller	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. VACCINATION UPDATE (FIRE CHIEF MARY GUTIERREZ)

B. SAN PABLO PEDESTRIAN BRIDGE PROJECT UPDATE (NISHA PATEL, PUBLIC WORKS DIRECTOR/ CITY ENGINEER)

C. CAPITAL IMPROVEMENT PROGRAM UPDATE (NISHA PATEL, PUBLIC WORKS DIRECTOR/ CITY ENGINEER)

D. INTRODUCTION TO THE POLICE DEPARTMENT'S "LIGHTS ON" PROGRAM (POLICE CHIEF, NICK BORGES)

E. CITYWIDE EVENTS AND COMMUNITY ANNOUNCEMENTS (RECREATION

8. CONSENT AGENDA

A. APPROVE A FEE WAIVER FROM BETHEL MISSIONARY BAPTIST CHURCH FOR THE USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR EARNIE MURRAY'S 90TH BIRTHDAY ON APRIL 15, 2023

RECOMMENDATION: Approve the fee waiver request from the Bethel Missionary Baptist Church for the use of Laguna Grande Hall and kitchen to hold Earnie Murray's 90th Birthday in the amount of \$872.50, the Organization to provide the City with the non-refundable portion of the deposit of \$98.25.

B. ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH BUREAU VERITAS TECHNICAL ASSESSMENTS, LLC FOR THE CITY FACILITIES CONDITION ASSESSMENTS FOR AN AMOUNT NOT TO EXCEED \$91,209.58

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a professional services agreement with Bureau Veritas Technical Assessments, LLC to conduct the City Facilities Condition Assessments for an amount not to exceed \$91,209.58.

C. ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH WALLACE GROUP FOR DESIGN, CONSTRUCTION MANAGEMENT, AND INSPECTION SERVICES FOR THE BIKE SAFE GRATES PROJECT FOR AN AMOUNT NOT TO EXCEED \$196,626.00

RECOMMENDATION: Adopt a resolution authorizing a Professional Services Agreement with Wallace Group to design and provide construction management and inspection services for the Bike Safe Grates Project for an amount not to exceed \$196,626.00.

D. ADOPT A RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE CLEAN CALIFORNIA LOCAL GRANT PROGRAM FOR CONSTRUCTION OF PART 2, PHASE 2 OF THE CUTINO PARK IMPROVEMENTS PROJECT

RECOMMENDATION: Adopt a resolution to apply for grant funds from the Clean California Local Grant Program for construction of Part 2, Phase 2 of the Cutino Park Improvement Projects.

E. ADOPT A RESOLUTION AUTHORIZING AN AGREEMENT WITH MONTEREY-SALINAS TRANSIT (MST) FOR REIMBURSEMENT OF COSTS TO DELIVER THE NOCHE BUENA STREET MST BUS STOP (BULB OUT PROJECT), AND AMENDING THE CAPITAL IMPROVEMENT PROGRAM TO INCLUDE THE PROJECT

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute

an agreement with Monterey-Salinas Transit (MST) for reimbursement of construction costs for bus stop improvements at the northwest corner of the intersection of Noche Buena Street and San Pablo Avenue and amending the Capital Improvement Program (CIP) to include the Noche Buena Street MST Bulb Out Project.

F. ADOPT A RESOLUTION AUTHORIZING AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICE AGREEMENT WITH WALLACE GROUP TO PROVIDE EXPANDED CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE FIRE STATION NO. 1 UPGRADES PROJECT FOR AN AMOUNT NOT TO EXCEED \$18,454.00

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute amendment no. 5 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 \$18,454.00.

G. ADOPT A RESOLUTION DECLARING THE CONSTRUCTION WORK AN EMERGENCY AND APPROVING AN AGREEMENT FOR CONTRACTOR SERVICES WITH PREMO ROOFING FOR THE FIRE STATION NO. 1 REROOF PROJECT FOR AN AMOUNT NOT TO EXCEED \$103,280.00

RECOMMENDATION: Adopt a resolution:

1. Declaring the re-roof project as an emergency because it is necessary to prevent danger to life and property;
2. Approving an Agreement for Contractor Services with Premo Roofing for the Fire Station No 1 Reroof Project for an amount not to exceed \$103,280.00;
3. Establishing a 20% contingency for a total project construction amount not to exceed \$123,936.00; and
4. Authorizing the City Manager to execute the Agreement for Contractor Services, and approve any extensions and change orders until completion of the project in accordance with the plans up to the total project construction amount.

H. ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH SCHAAF & WHEELER FOR PREPARATION OF A STORM DRAIN MASTER PLAN FOR AN AMOUNT NOT TO EXCEED \$193,000.00

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a professional service agreement with Schaaf & Wheeler for preparation of a Storm Drain Master Plan for an amount not to exceed \$193,000.00.

I. ADOPT A RESOLUTION AUTHORIZING THE CLOSURE OF CLEMENTINA AVENUE TO THROUGH TRAFFIC FROM DEL MONTE BOULEVARD TO THE ROUNDABOUT FOR THE WEATHER TECH RACEWAY LAGUNA SECA EVENT ON MAY 10, 2023

RECOMMENDATION: Adopt a resolution permitting the closure of Clementina Avenue to through traffic from Del Monte Boulevard to the Roundabout to ensure public safety during the Weather Tech Raceway Laguna Seca event on Wednesday, May 10, 2023.

J. ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE

**AGREEMENT WITH HINDERLITER DE LLAMAS AND ASSOCIATES (HDL)
FOR UTILITY USER TAX PROGRAM ADMINISTRATION WITH A ONE YEAR
TERM AND TWO OPTIONAL ONE YEAR RENEWAL PERIODS FOR A TOTAL
THREE YEAR CONTRACT AMOUNT NOT TO EXCEED \$74,184.00**

RECOMMENDATION: Adopt a resolution authorizing a professional service agreement with HdL for Utility User Tax Program administration.

9. BUSINESS ITEMS

**A. DISCUSS AND CONSIDER THE POTENTIAL CENSURE OF COUNCIL
MEMBER ALEX MILLER FOR HIS FACEBOOK POST OF MARCH 17, 2023**

RECOMMENDATION: Discuss and consider the potential censure of Council member Alex Miller for his Facebook post of March 17, 2023.

**B. DISCUSS AND PROVIDE DIRECTION ON THE POTENTIAL UPDATE TO THE
CURRENT CODE OF CONDUCT AND ETHICS**

RECOMMENDATION: Direct City Manager and City Attorney to return with a proposed update to the current code of conduct for all public representatives (City Council, Boards and Commissions)

**C. APPROVE A FEE WAIVER FROM SARANGSAM PRISON MINISTRY FOR THE
USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR THEIR MUSIC
FESTIVAL ON OCTOBER 7, 2023**

RECOMMENDATION: Approve the fee waiver request from the Sarangsam Prison Ministry for the use of Laguna Grande Hall and kitchen to hold their Music Festival in the amount of \$1,553.85

**D. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER
INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH EVERYONE'S
HARVEST FOR THE OPERATION OF SEASIDE'S CERTIFIED FARMERS
MARKET YEAR ROUND FOR A NOT TO EXCEED AMOUNT OF \$24,600.00 A
YEAR FOR A TERM OF TWO YEARS**

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute an agreement with Everyone's Harvest to operate the Seaside Certified Farmer's Market on a year-round basis for a term of two years.

10. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

B. FOLLOW UP ON PREVIOUS REQUESTS

**11. CITY ATTORNEY, CITY MANAGER, CITY COUNCIL AND MAYOR
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.

12. 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 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

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

California Public Utilities Commission Proceeding Application 21-11-024
In the Matter of California-American Water Company to obtain approval of Amended and Restated Water Purchase Agreement

C. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9 - POTENTIAL LITIGATION

Potential Litigation (3 Matters)

13. ADJOURNMENT

Next Regularly Scheduled Meeting:
April 20, 2023
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.