A G E N D A

CITY OF SEASIDE	REGULAR MEETING
CITY COUNCIL/SUCCESSOR	440 HARCOURT AVE (COUNCIL CHAMBER)
AGENCY TO THE	Thursday, June 1, 2023
REDEVELOPMENT AGENCY	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. UPCOMING CITYWIDE EVENTS AND COMMUNITY ANNOUNCEMENTS (RECREATION DIRECTOR, DAN MEEWIS)

B. PRESENTATION FROM ENVIRONMENTAL INNOVATIONS REGARDING BUSINESS OUTREACH EFFORTS (BROOKE WRIGHT AND JAKKI CASTORENA-DAVILA)

8. CONSENT AGENDA

A. **APPROVE MINUTES FROM MAY 18, 2023**

RECOMMENDATION: Approve minutes as presented in the agenda packet.

B. **APPROVE A PROCLAMATION DECLARING THE WEEK OF JUNE 19-25, 2023 AS POLLINATOR WEEK**

RECOMMENDATION: Approve a proclamation declaring the week of June 19-25, 2023 as Pollinator Week in the City of Seaside.

C. **APPROVE APPOINTMENT TO THE PARKS AND RECREATION COMMISSION**

RECOMMENDATION: Accept the appointment of Karla Lobo to the Parks & Recreation Commission as recommended by the Mayor.

D. **ADOPT A RESOLUTION APPROVING THE CONTRACTUAL 2.48% RATE INCREASE IN THE COLLECTION OF SOLID WASTE, RECYCLING, AND ORGANICS RATE EFFECTIVE JULY 1, 2023, ACCORDING TO THE INDEX 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 2.48%.

E. **ADOPT A RESOLUTION AUTHORIZING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE REGEN MONTEREY AND ITS MEMBER AGENCIES REGARDING COSTS OF IMPLEMENTING ORGANIC WASTE RECYCLING LAWS**

RECOMMENDATION: Adopt a resolution authorizing the City Manager to sign an amendment to the Memorandum of Understanding with ReGen Monterey for assistance with compliance with SB 1383.

F. **ADOPT A RESOLUTION AUTHORIZING FISCAL YEAR 2023-2024 STREET REPAIR PROJECT LIST TO BE FUNDED IN PART WITH SB1: THE ROAD MAINTENANCE REPAIR AND ACCOUNTABILITY ACT OF 2017 FUNDS, AND AUTHORIZING STAFF TO SUBMIT TO THE CALIFORNIA TRANSPORTATION COMMISSION**

RECOMMENDATION: Adopt a resolution authorizing staff to submit a SB 1 Project List to the California Transportation Commission (CTC), and authorizing the SB1 Project List to be funded in part with fiscal year (FY) 2023-24 Road Maintenance Repair and Accountability (RMRA) Revenues.

G. **ADOPT A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR LINCOLN CUNNINGHAM PARK BASKETBALL COURT IMPROVEMENTS PROJECT, APPROPRIATING $164,752.00 FROM THE GENERAL FUND TO THE PROJECT, AWARDING A CONSTRUCTION AGREEMENT TO MONTEREY PENINSULA ENGINEERING FOR AN AMOUNT EXCEED $325,990.00 AND A TOTAL PROJECT CONSTRUCTION COST INCLUDING CONTINGENCY OF $358,589.00**

RECOMMENDATION: Adopt a resolution approving the plans and specifications for the Lincoln Cunningham Park Basketball Court Improvements Project; appropriating $164,752.00 from the General Fund to the project budget; awarding a construction agreement to Monterey Peninsula Engineering for an amount not to exceed $325,990.00; establishing a 10% construction contingency for a total project construction amount not to exceed of $358,589.00; authorizing the City Manager to execute the construction contract, 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.

H. **ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WALLACE GROUP FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE LINCOLN CUNNINGHAM PARK BASKETBALL COURT IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED $69,801.00**

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a Professional Services Agreement with Wallace Group to perform construction management and inspection services for the Lincoln Cunningham Park Basketball Court Improvements Project for an amount not to exceed $69,801.00.

I. **ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER ON BEHALF OF THE LOCAL REUSE AUTHORITY (LRA) TO EXECUTE A QUIT CLAIM DEED TO TRANSFER PARCEL E29A.1 TO THE CITY OF DEL REY OAKS (CEQA CATEGORICALLY EXEMPT SECTION 15312)**

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a Quit Claim Deed for Parcel E29a.1 to the City of Del Rey Oaks City Council (acting as the Local Reuse Authority (LRA) and successor to the Fort Ord Reuse Authority).

J. **ADOPT A RESOLUTION APPROPRIATING AND ENCUMBERING $86,600.00 FROM THE POMA FUND BALANCE FOR THE PURCHASE OF TWO (2) PICKUP TRUCKS FROM THE FORD STORE MONTEREY FOR USE ON THE PRESIDIO OF MONTEREY ANNEX**

RECOMMENDATION: Adopt a resolution to appropriate and encumber $86,600.00 from the POMA Fund Balance for the purchase of a two (2) new pick-up trucks for use within the Maintenance and Utilities Division specifically for the Presidio of Monterey Annex (POMA) federal contract and to be reimbursed by the Intergovernmental Services Agreement (IGSA) Contract.

K. **ADOPT A RESOLUTION AUTHORIZING EXTENSION OF THE FACADE LOCAL IMPROVEMENT PROGRAM (FLIP) SEASIDE PROGRAM DEADLINE UNTIL JUNE 30, 2024 AND APPROVING CARRYOVER OF THE REMAINING ACTUAL BALANCE OF THE FLIP SEASIDE FUNDS TO FY23-24**

RECOMMENDATION: Adopt a resolution authorizing extension of the FLIP Seaside facade improvement program deadline until June 30, 2024 and approving carryover of the remaining actual balance of FLIP Seaside funds to FY23-24.

L. **ADOPT A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WHITSON ENGINEERS FOR**

COMMUNITY OUTREACH FOR THE LINCOLN CUNNINGHAM AND HAVANA SOLIZ PARKS MASTER PLANS PROJECT FOR AN AMOUNT NOT TO EXCEED $18,600.00

RECOMMENDATION: Adopt a resolution authorizing an amendment to the professional services agreement with Whitson Engineers to perform community outreach for the Lincoln Cunningham and Havana Soliz Parks Master Plans Project for an amount not to exceed $18,600.00.

M. **ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH CARMEL FIRE PROTECTION ASSOCIATES FOR FIRE PREVENTION, PLAN REVIEW AND ALARM SYSTEM INSPECTION SERVICES FOR AN AMOUNT NOT TO EXCEED $100,000.00**

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a professional services agreement with Carmel Fire Protection Services for $100,0000.00.

9. PUBLIC HEARING

A. **ADOPT AN ORDINANCE AMENDING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1620 BROADWAY AVENUE (SECOND READING - ROLL CALL VOTE) (CEQA CLASS 32 EXEMPTION)**

RECOMMENDATION: Adopt an ordinance approving a Zoning Map Amendment for 1620 Broadway Avenue.

B. **INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 12.04 STREET EXCAVATIONS AND ESTABLISHING A MORATORIUM AGAINST CUTS ON RECENTLY RESURFACED STREETS WITHIN THREE TO FIVE YEARS (FIRST READING - ROLL CALL VOTE)**

RECOMMENDATION: Introduce ordinance, open public hearing, and pass to print the draft ordinance amending Chapter 12.04 Street Excavations of the Seaside Municipal Code updating inconsistencies with current organizational best practices for permitting, associated fees, resurfacing specifications, and liability insurance and establishing Sections 12.04.100, 12.04.110, 12.04.120 relating to a moratorium against cuts on newly improved streets, moratorium permit requirements, and moratorium restoration requirements.

10. BUSINESS ITEMS

A. **ADOPT A RESOLUTION ESTABLISHING APPLICATION PROCEDURES FOR MOBILE FOOD VENDORS AND LIMITING THE NUMBER OF MOBILE FOOD VENDORS ALLOWED TO OPERATE IN THE CITY**

RECOMMENDATION: Adopt a resolution establishing application procedures for mobile food vendors and limiting the number of mobile food vendors allowed to operate in the City

B. ADOPT A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH PAVEMENT ENGINEERING INCORPORATED TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE FY 2022/2023 PAVEMENT REHABILITATION PROJECT FOR AN AMOUNT NOT TO EXCEED $385,000.00

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a professional service agreement with Pavement Engineering Incorporated to provide engineering design services for the FY 2022/2023 Pavement Rehabilitation Project for an amount not to exceed $385,000.00.

C. ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PAVEMENT ENGINEERING INCORPORATED TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE "HOT SPOT" PAVEMENT REPAIR PROJECT FOR AN AMOUNT NOT TO EXCEED $93,650.00

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a professional service agreement with Pavement Engineering Incorporated to provide engineering design services for the "Hot Spot" Pavement Repair Project for an amount not to exceed $93,650.00.

D. ADOPT A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR ORD TERRACE ELEMENTARY SCHOOL CROSSING IMPROVEMENTS PROJECT, APPROPRIATING $99,938.00 FROM THE GENERAL FUND TO THE PROJECT, AWARDING A CONSTRUCTION CONTRACT TO COASTAL PAVING AND EXCAVATING INC. FOR AN AMOUNT NOT TO EXCEED $158,417.00 AND A TOTAL PROJECT CONSTRUCTION COST INCLUDING CONTINGENCY OF $182,180.00

RECOMMENDATION: Adopt a resolution approving the plans and specifications for Ord Terrace Elementary School Crossing Improvement Project, appropriating $99,938.00 from the General Fund to the project, awarding a construction contract to Coastal Paving and Excavating Inc. for an amount not to exceed $158,417.00, establishing a 15% contingency for a total project construction amount of $182,180.00, and authorizing the City Manager to execute the construction contract and 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.

E. ADOPT A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WALLACE GROUP FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE ORD TERRACE ELEMENTARY SCHOOL CROSSING IMPROVEMENTS PROJECT FOR AN AMOUNT NOT TO EXCEED $39,383.00

RECOMMENDATION: Adopt a resolution authorizing the City Manager to execute a Professional Services Agreement with Wallace Group to perform construction management and inspection services for the Ord Terrace Elementary School Crossing Improvements Project for an amount not to exceed $39,383.00.

11. COUNCIL MEMBER REQUESTS

A. NEW COUNCIL MEMBER REQUESTS

B. FOLLOW UP ON PREVIOUS REQUESTS

12. 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.

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 REAL PROPERTY NEGOGIATORS PURSUANT TO GOVERNMENT CODE 54956.8

RECOMMENDATION: Property: The Property Commonly Referred to As Campus Town (Property bounded by Highway 1/1st Avenue, 7th Avenue, Lightfighter/Colonel Durham Street, and Gigling)
Agency Negotiators: City Manager, et. al
Negotiating Parties: Danny Bakewell Jr., et. al. and City of Seaside
Under Negotiation: Purchase and Sale Agreement Terms

B. CONFERENCE WITH REAL PROPERTY NEGOGIATORS PURSUANT TO GOVERNMENT CODE 54956.8

Property: A portion of APN 031-151-055 located to the east of General Jim Moore Blvd./Generally South of Lightfighter commonly referred to as the Presidio of Monterey Fire Station
Agency Negotiators: City Manager, et. al.
Negotiating Parties:US Army and City of Seaside
Under Negotiation: price, terms of payment or both

C. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS PURSUANT TO GOVERNMENT CODE 54956.8

Property: A thirty foot (30') wide strip crossing a portion of APN 031-152-007, 031-151-064 and/or 031-211-003 totally approximately 3.72 acres located generally along the most easterly boundary of the City of Seaside (more commonly referred to as Pure Water Monterey Expansion Land for pipelines and access)
Agency Negotiators: City Manager, et al.

Negotiating Parties: Monterey 1 Water and City of Seaside
Under Negotiation: price, terms of payment or both

D. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE 54956.9- POTENTIAL LITIGATION (2 MATTERS)

14. ADJOURNMENT

Next Regularly Scheduled Meeting:
June 15, 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.