



CITY OF SEASIDE
CITY COUNCIL

FINAL MINUTES

REGULAR MEETING
COUNCIL CHAMBER
Thursday, December 20, 2018
7:00 PM

1. **CALL TO ORDER**

Mayor Oglesby called the meeting to order at 7:00 PM.

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

PRESENT: Campbell, Oglesby, Pacheco, Wizard

ABSENT: None

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Kenneth Murray gave the invocation. Council Member Campbell led the Pledge of Allegiance.

4. **REVIEW OF AGENDA**

City Manager Malin requested that business item 9A be pulled and rescheduled to the meeting in January.

5. **PUBLIC COMMENT**

- Helen Rucker - represented Ms. Alice Jordan, start process of informing people about the Martin Luther King March and program, will be held on January 21st, further information will be coming. Also represented Ruthie Watts, in process of setting up high school forum, will be held on January 19th at Oldemeyer Center. Students who want to apply for scholarships will learn about the process and meet the people who will be giving out the scholarships.
- Kay Cline - Thanked the Mayor for distributing the committee assignments among the whole council. Grateful for the institutional knowledge the Mayor, Council Member Pacheco and Council Member Campbell carry on as they have been on the Council and involved in our City for a number of years. Prior to the election she read that the Mayor and Council Member Wizard were participating with the Peninsula wide group of officials looking for solutions to homelessness; adding that this is a big problem in our County and in our City - helpful that both have been proactive on affordable housing issues. Appreciates that the vacancy on Council will be filled by application and appointment, hopes they will give special consideration to female applicants.
- Carlos Ramos - is proud to address new Mayor. Welcomed him as Mayor, is proud and looks forward to supporting him and working with him.

6. **PUBLIC AGENCY COMMUNICATIONS**

- Mr. Alvin Edwards, Director of Monterey Peninsula Water Management District, invited the public to the various meetings that the MPWMD will be conducting regarding the feasibility study on Measure J throughout the Peninsula; stated they are looking for public input/participation.

7. **PRESENTATIONS**

A. **PRESENTATION OF THE NOVEMBER 2018 HOUSE OF THE MONTH**

Presentation was made by committee member Olis to property owners. Mr. Olis stated that one of the tasks of the Neighborhood Improvement Commission is to select the “House of the Month” and that a wide variety of criteria is used to make their selection. Mr. Bradley Jones, property owner, accepted the plaque and gift card.

B. **REPORT ON DECEMBER 14, 2018 FORA BOARD MEETING AND DIRECTION TO STAFF**

City Manager Malin spoke to the December 14, 2018 FORA Board meeting. Mr. Malin mentioned that as most people are aware, the Fort Ord Reuse Authority is statutory scheduled to “sunset” on June 30, 2020. As part of that statute, FORA Board has to submit a transition plan to LAFCO this month. Fort Ord Reuse Authority has been working on this for several months/years. FORA met last week and on December 19th, the Board considered various resolutions and adopted one of the resolutions. The FORA staff transition plan resolution was approved and forwarded to LAFCO. Mr. Malin asked Council for direction.

Council Member Campbell thanked Mr. Malin for the report. His directions to staff to come back with a resolution for the Council were clear that the City stands in FORA “sun-setting” as scheduled in 2020. Seaside should be in control of its future. Asks Council to join with him in giving staff direction for a resolution in support of the sunset of FORA in 2020 as legislated by the state. No support was offered. Staff received no further direction.

8. **CONSENT CALENDAR**

Mayor Oglesby invited comments from the public and the Council on the Consent Agenda. Items C, H and I were pulled for discussion.

On motion by Council Member Jon Wizard and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the Consent Agenda was approved as presented with the exceptions of items C, H and I.

RESULT:	Approved
AYES:	Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard
NOES:	None

A. **APPROVE MINUTES OF NOVEMBER 15, DECEMBER 6 AND DECEMBER 12, 2018**

Action: Approved

B. APPROVE AND FILE CITY CHECKS THROUGH NOVEMBER 22, 2018

Action: Approved

C. APPROVE AND FILE CITY CHECKS THROUGH DECEMBER 7, 2018

Council Member Wizard was under the impression that the agreement with the developer of the Campus Town project, KB Bakewell, and questioned if the City would be reimbursed for the expenses to the design firm Torti Gallas and is curious to know if it pertains to a check for \$49,725.76.

Mr. Overmeyer, Economic Development Director informed the Council that we have Torti Gallas working on several projects for us; the Campus Town project, Main Gate as well as part of the General Plan. That invoice had something from all three. Items that are Campus Town and Main Gate will be reimbursed and the others are part of the contract for the General Plan Update.

On motion by Council Member Jon Wizard and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council the checks as presented.

RESULT:	Approved
AYES:	Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard
NOES:	None

D. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE MIDDLE SCHOOL BOYS AND GIRLS BASKETBALL TEAM FOR COSTS ASSOCIATED WITH PURCHASING AND REPLACING SPORTS UNIFORMS

Action: Approved

E. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL ROBOTICS

Action: Approved

F. AUTHORIZE CITY COUNCIL ATTENDANCE AT THE LEAGUE OF CALIFORNIA CITIES NEW MAYOR AND COUNCIL MEMBER ACADEMY

Action: Authorized

G. APPROVE APPOINTMENTS VACANT POSITIONS ON VARIOUS BOARDS, COMMISSIONS AND COMMITTEES

Action: Approved

H. APPROVE MODIFICATION TO EXPENSE AND PUBLIC USE OF RESOURCES

POLICY TO ELIMINATE PROVISION III SECTION K. FAMILY CARE EXPENSES FROM THE POLICY

Council Member Campbell questioned why it is on the agenda now since there is no reimbursement to Council without any Council approval. Request that item is denied or tabled until report from audit is available.

Mayor Pro Tem Pacheco spoke on how the item was placed on the agenda and how he has a different perspective in regards to this item. He requested item to be on agenda because he doesn't believe it is moving the City in a progressive/proactive way.

Council Member Wizard supported tabling it.

City Attorney Freeman mentioned that we are in the process of completing a forensic audit and part of the audit is in regard to the use of this expense policy. Mr. Freeman recommends that the Council doesn't authorize any family care act at the present time. He spoke on the childcare that is already provided for the people who would like to attend meetings. Would like to wait until auditors complete the forensic audit and see what recommendations they might have.

Mayor Oglesby invited comments from the public.

- Ms. Helen Rucker - Can it be used at all? It should be taken off the books until a time that it can be modified so that people cannot take advantage of it.
- Kay Cline - Agrees with Ms. Rucker. Wait until the audit is done.

On motion by Council Member Jon Wizard and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council suspend the modification to the expense and public use of resources policy until after the forensic audit is completed.

RESULT:	Tabled
AYES:	Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard
NOES:	None

I. APPROVE AMENDED AND RESTATED CITY ATTORNEY EMPLOYMENT AGREEMENT

City Attorney Freeman spoke on item. Mentioned that has worked for the City for almost 30 years. Last contract was for one year and prior to that had been working for the City for 9-10 years at the same rate. In 2008 his salary was reduced and did not increase it again since then until last year. Is asking to go from \$12,000 a month to \$16,000 a month approximately a 30% increase, but below the market for attorneys in this business. New contract from November 1, 2018 to November 1, 2019.

Mayor Oglesby invited comments from the Council.

Council member Campbell needed clarification on the length of contract and compensation.

Mr. Freeman answered question.

Mayor Oglesby invited comments from the public.

- Mr. Roelof Wijbrandus asked City Attorney to give a quick overview of what he does in a month for \$16,000.
- Pastor Kenneth Murray, great discussion. Mr. Freeman does an outstanding job, recommends that the City adjust the salary and give him \$16,000; he is well worth it and beyond.
- Kay Cline, asked Mr. Freeman if he considers himself to be full-time or part-time for the City.
- Carlos Ramos, there is a reason why this City Attorney has been here that long. Thanked Mr. Freeman for all those years of work. Supports approval of request.

Mr. Freeman answered questions and spoke on what he does.

Mayor Oglesby spoke on how well of a job Mr. Freeman does even though he doesn't always agree with his recommendations. He appreciates what he does and the institutional knowledge cannot be replaced. Mr. Freeman keeps the Council from many court cases. It is worth the cost. We are not paying him what he is worth.

On motion by Mayor Pro Tem Dave Pacheco and seconded by Council Member Jon Wizard and passed by the following vote the City Council approved amended and restated City Attorney employment agreement.

RESULT: **Approved**

AYES: Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard

NOES: None

J. APPROVE A RESOLUTION TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WHITSON ENGINEERS FOR THE PRELIMINARY DESIGN OF MANZANITA STUART PARK FOR AN AMOUNT NOT TO EXCEED \$49,810.

Action: Approved

9. BUSINESS ITEMS

A. DISCUSS AND CONSIDER APPROVAL OF CITY HALL AND AVERY GALLERY USE POLICY

This item was continued to a future meeting.

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

City Manager Malin wished everyone a Merry Christmas and a Happy New Year.

City Attorney Freeman thanked Council and also wished everyone a Merry Christmas and a

Happy New Year.

Council member Wizard requested that on January 3rd a discussion can be agendized in regards to the process of appointing the new Council person; how will it work and how will they work through that process. He spoke to the different meetings and events he attended.

Mayor Oglesby asked Council member Wizard to specify what he is requesting for the meeting on the 3rd that way staff is ready with presentation.

Council member Wizard spoke on concern with the Council not able to make a decision because they do not know how many people will be applying, but once they have the number of applicants a more specific and directed process can be in place. Is requesting information from staff that will create a frame work for a better discussion of what exactly will be done specifically after the second round because he is anticipating at least three.

Council member Campbell thanked the Neighborhood Improvement Commission for the emails that were going around. Agrees with Council member Wizard and it is necessary for Council to know exactly what they will be doing and expects directions to be written out for them to make it clear and fair to all applicants. Need a start to finish process in front of them. Wished a Merry Christmas and Happy New Year to everyone.

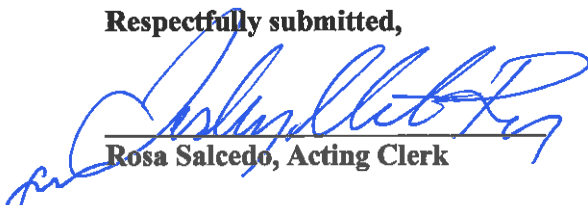
Mayor Pro Tem Pacheco requested clarification on the discussion of the appointment process. Agrees that a plan in writing should be in place. Spoke to the different events and meetings he attended. Thanked Jasmine Dolan and the Recreation Department and staff. Wished everyone a Merry Christmas.

Mayor Oglesby spoke to the Boards and Commission interviews he and Mayor Pro Tem Pacheco conducted. He thanked all those who applied, those who interviewed and those that are willing to serve. Might need to increase the membership of some commissions. Spoke on the different events and meetings he attended. Thanked the Fire Department for the Christmas Party, Recreation for the Senior Christmas Luncheon, staff for the Public Works Christmas Party and Public Works for the work they do. Spoke on the Homeless encampment near the entrance to Seaside and is working on a resolution. Wished everyone a Merry Christmas, thanked staff for all they do, City Manager and City Attorney for keeping the City moving. Wished everyone a Happy New Year.

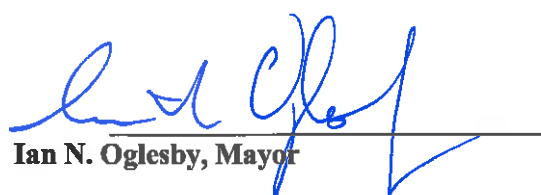
11. ADJOURNMENT

On motion, the meeting was adjourned at 8:12 PM.

Respectfully submitted,



Rosa Salcedo, Acting Clerk



Ian N. Oglesby, Mayor