FINAL MINUTES
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Thursday, August 15, 2019
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, Kispersky, Oglesby, Pacheco, Wizard
ABSENT: None

3. INVOCATION AND PLEDGE OF ALLEGIANCE

4. REVIEW OF AGENDA

No changes.

5. PUBLIC COMMENT

Public comments: Wanda Perry, Kathy Buaya, Neena Beaty, Ruthie Watts, Helen Rucker, Walt Ferguson, Rene Stuart

6. PUBLIC AGENCY COMMUNICATIONS

None

A. MONTEREY PENINSULA COLLEGE PRESENTATION ON APPOINTMENT PROCESS TO FILL VACANT DISTRICT 1 TRUSTEE POSITION

Monterey Peninsula College Interim Superintendent Walt Tribley announced the appointment process for filling a vacant District 1 Trustee position for Monterey Peninsula College. The deadline to submit letters of interest is Friday, August 23rd.

7. PRESENTATIONS

A. UPDATE ON STREET MAINTENANCE AND REPAIR PHASE 2 SCHEDULE

Public Works Director/City Engineer Rick Riedl presented an update on the street fixtures of potholes. He presented a map of the streets that are complete and those scheduled for repair for the year 2020.

B. REPORT ON SKATE PARK FOCUS GROUPS AND PROPOSED RULES

Recreation Director Daniel Meewis spoke and presented the outcomes of the two focus groups which solicited the community input on the rules for the park. In addition to the focus groups an online survey was also utilized. He spoke on the outcomes and discussions of those meetings and the proposed rules for the skate park.

8. CONSENT AGENDA

Items D, F G H and I were pulled from Consent.

On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council Approved Items A, B, C, E, & G.
Action: Approved 5-0

A. APPROVE MINUTES FROM JUNE 18, 2019, JUNE 20, 2019, JUNE 27, 2019, JULY 11, 2019, JULY 18, 2019 AND AUGUST 1, 2019

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved

C. APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF HARCOURT AVENUE TO THROUGH TRAFFIC AT CANYON DEL REY, ALLSTON AND HILLSDALE FOR THE CITY OF SEASIDE'S BIRTHDAY CELEBRATION ON OCTOBER 13, 2019 AND FOR THE TREE LIGHTING CEREMONY ON DECEMBER 13, 2019

Action: Approved

D. APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF BROADWAY AVENUE FROM HILLSDALE TO ALHAMBRA STREETS FOR THE MONTEREY BAY SUMMER WAVES EVENT ON SATURDAY, AUGUST 31,2019

Action: Approved

Public Comment: Daryl Choates

On motion by Mayor Pro Tem Dave Pacheco and seconded by Council member Jason Campbell and passed by the following vote the City Council Approved the item as presented.
RESULT: ***Approved 5-0***

E. APPROVE A RESOLUTION EXECUTING MAINTENANCE AND RIGHT OF ENTRY AGREEMENT WITH BMW DEALERSHIP

Action: Approved

F. APPROVE A RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO GRANITE CONSTRUCTION COMPANY FOR THE PAVEMENT REHABILITATION PROJECT PHASE 2 FOR AN AMOUNT NOT TO EXCEED $821,776.00 AND TOTAL PROJECT COST WITH 15% CONTINGENCY OF $945,042.00.

Action: Approved

Public Comment: Felix Bachofner, Daryl Choates

On motion by Council Member Jon Wizard and seconded by Mayor Oglesby and passed by

the following vote the City Council Approved the Item as presented.
RESULT: **Approved 5-0**

G. **APPROVE A RESOLUTION AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH HARRIS & ASSOCIATES FOR PAVEMENT DESIGN SERVICES TO INCLUDE DESIGN SERVICES DURING CONSTRUCTION, CONSTRUCTION MANAGEMENT, AND INSPECTION SERVICES FOR AN AMOUNT OF $157,914 AND A TOTAL NOT TO EXCEED AMOUNT WITH A 15% CONTINGENCY OF $181,601.10.**

Action: Approved

Public Comment: None

On motion by Council Member Jason Campbell and seconded by Council Member Jon Wizard and passed by the following vote the City Council Approved the Item as presented.
RESULT: **Approved 5-0**

H. **ADOPT A RESOLUTION FOR DESIGNATION OF VOTING DELEGATES AND ALTERNATES AT THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE OCTOBER 16-18, 2019, IN LONG BEACH, CALIFORNIA**

Action: Approved

I. **DECLARE VACANCIES ON BOARDS, COMMISSIONS AND COMMITTEES**

Action: Approved

Public Comment: None

On motion by Council Member Jon Wizard and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council Approved the Item as presented.
RESULT: **Approved 5-0**

9. PUBLIC HEARING

A. **CONDUCT A PUBLIC HEARING UNDER THE TAX AND EQUITY FISCAL RESPONSIBILITY ACT ("TEFRA") IN CONNECTION WITH THE PROPOSED ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY ("CMFA"), A JOINT EXERCISE OF POWERS AUTHORITY AND PUBLIC ENTITY OF THE STATE OF CALIFORNIA, IN AN AMOUNT NOT TO EXCEED $55,000,000 TO FINANCE OR REFINANCE THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF A 192-UNIT MULTIFAMILY RENTAL HOUSING PROJECT LOCATED AT 1466 YOSEMITE STREET, SEASIDE, CALIFORNIA.**

Economic Development Director Kurt Overmeyer introduced Travis Cooper to present the item for Council to adopt the resolution approving the issuance of the Bonds by the CMFA for the benefit of Seaside Housing L.P., (the "Borrower") a partnership of which Terrex

Development Corporation (the "Developer") for the purposes of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500.

Public Comments: Daryl Choates, President of Del Monte Manor.

On motion by Council Member Jon Wizard and seconded by Mayor Oglesby and passed by the following vote the City Council Approved the Item as presented.
RESULT: **Approved 5-0**

B. INTRODUCTION OF AN ORDINANCE TO ESTABLISH A COMMISSION ON JOB OPPORTUNITIES AND BUSINESSES IN SEASIDE (CJOBS) (ROLL CALL VOTE, REQUIRES 4/5 APPROVAL)

City Manager Craig Malin spoke to the purpose of Commission on Jobs, Opportunities and businesses in Seaside (CJOBS). Assistant City Manager Lesley Milton-Rerig provided answers to the Council to explain and clarify "the waive" is a common use of terminology and not literally waived.

Mayor Oglesby opened the public hearing. Speaker: Felix Bachofner.

On motion by Mayor Pro Tem Dave Pacheco and seconded by Council Member Kispersky and passed unanimously, the City Council passed to print the draft ordinance and modify the Seaside Municipal Code Section 2.14 Establishing a Commission on Jobs, Opportunities and Businesses in Seaside.
RESULT: **Approved 5-0**

C. EXTENSION OF URGENCY ORDINANCE #1060 AMENDING CHAPTER 9.08 OF THE SEASIDE MUNICIPAL CODE ESTABLISHING REGULATIONS FOR THE USE OF DESIGNATED SKATEBOARDING AREAS (ROLL CALL VOTE, REQUIRES 4/5 APPROVAL)

Recreation Director Dan Meewis spoke about the urgency of the proposed revision to Chapter 9.08 of the Seaside Municipal Code to ensure an ordinance that complies with Health and Safety Code section 115800 is in place prior to the opening of the skate park. This change requires local public agencies to post signs at the facility and provide reasonable notice of the requirement of persons riding a skateboard or other wheeled recreational device at the facility to wear a helmet, elbow pads, and knee pads. Any person failing to do so will be subject to citation pursuant to the ordinance.

Mayor Oglesby opened the public hearing. Speaker: None

On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed unanimously, the City Council passed to extend the urgency ordinance approved on July 18, 2019, modifying Chapter 9.08 of the Seaside Municipal Code establishing regulations for the use of designated skateboarding areas. This ordinance will expire on upon the effective date of a permanent ordinance.

RESULT: **Approved 5-0**

D. INTRODUCTION OF AN ORDINANCE TO PERMIT, BY LICENSE, SLEEPING IN VEHICLES UNDER SMC CHAPTER 8.23 SAFE PARKING (FIRST READING)

Assistant City Manager Lesley Milton-Rerig and Assistant City Attorney Sheri Damon spoke to the purpose of the ordinance regarding the Safe Parking Program and establishing regulations in compliance with requirements. Assistant City Manager Lesley explained that the housing shortage for low-income individuals and families can result in homelessness due to an inability to obtain affordable housing. She presented the key elements of the program and the draft Ordinance provisions.

Mayor Oglesby opened the public hearing: Speakers: Ruthie Watts, Peter Kaiser, Walter Georis, Tom Matropolis, Felix Bachofner., Kenneth Murray, Pastor Lusk, Dori Manuel, Trisha Leibert.

On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed unanimously, the City Council passed to print the first reading draft ordinance as presented establishing licensing to operate a safe parking program on private property.

RESULT: **Approved 5-0**

10. BUSINESS ITEMS

A. RECEIVE 2019 JULY 4TH HOLIDAY AND FIREWORKS AFTER ACTION REPORT AND PROVIDE DIRECTION TO STAFF

Police Chief Pridgen and Fire Chief Dempsey presented the After Action Report regarding 2019 fireworks activity. Fire Chief Dempsey stated that the Safe and Sane fireworks sales began July 28th and concluded July 5^{th}. All fireworks booths were inspected by the Fire Department and no violations were issued. During the period Safe and Sane fireworks were on sale, the fire department responded on 62 calls for service. The department responded on 11 calls for service on July 4th with 3 fire calls related to fireworks activity, two were dumpster/trash fires and the other a vegetation fire; there were no structure fires. The Police Chief reported that all police department staff were required to work on July 4th from 4:00 p.m. to midnight. The Police Department issued 8 Administrative Citations, collected 3 fireworks as evidence, and responded to 224 calls for service. It is recommended that if the City decides to hold another event that the following areas of concern be addressed: planning to begin earlier to obtain the proper permits; identification of more offsite parking locations; consider charging for onsite parking to help offset the cost of the event; consider shuttle services; improve ride-sharing and taxi drop off/pick up locations; and solicit more sponsors to help with the overall cost of the event.

B. A RESOLUTION DIRECTING THE TRANSFER OF FUNDS OF $5,000 FROM THE CITY COUNCIL BUDGET FOR HOMELESS SERVICES TO THE HOMELESS COMMITTEE BUDGET FOR FY19/20

Fire Chief Dempsey spoke to the importance of the transfer which will allow the Committee to respond to the immediate needs of the community. Those funds are available and if approved, the projects identified by the Homeless Committee will be used to further the mission of the City to address issues related to homelessness.

Mayor Oglesby opened the public hearing: Speakers: None

On motion by Council Member Jason Campbell and seconded by Council Member Kispersky and passed unanimously, the City Council passed to approve the resolution authorizing the transfer of $5000.00 from FY19/20 City budgeted funds from the City Council budget to the Homeless Committee budget.
Result: APPROVED 5-0

C. DEL MONTE MANOR BRIDGE LOAN REQUEST TO SUBSTITUTE AND (SUBORDINATE) AFFORDABILITY RESTRICTIONS

Assistant City Attorney Sheri Damon spoke to the purpose of the loan request.

Mayor Oglesby opened the public hearing: Speakers: None

On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed unanimously, the City Council passed to consider the Del Monte Manor request to replace the City's Regulatory Deed Restriction of rents with the California Debt Limit Allocation Committee (CDLAC) Regulatory Deed Restriction to satisfy the affordability deed restriction.

Result: APPROVED 5-0

On motion by Mayor Pro Tem Dave Pacheco and seconded by Council Member Kispersky and passed unanimously, the City Council passed to extend the time of the meeting until finished with the remainder of the items.

Result: APPROVED 5-0

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

12. ADJOURNMENT

On motion the meeting was adjourned at 10:41 PM

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ian N. Oglesby, Mayor