



FINAL MINUTES
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
Thursday, September 19, 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, Oglesby, Pacheco, Wizard

ABSENT: Kispersky

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation: Pastor Kenneth Murray / Pledge led by: Council Member Campbell

4. REVIEW OF AGENDA

No changes requested.

5. PUBLIC COMMENT

SPEAKERS: Steven Cright, Wanda Parrot, Jeff Langan, Ruthie Watts, Ray Berden, Kathy

6. PUBLIC AGENCY COMMUNICATIONS

Alvin Edwards - Monterey Peninsula Water Management District: announced the MPWMD new regular meeting time would be at 6pm; and provided updates on a upcoming Closed Session on October 3 and a Special Meeting on November 12 at Embassy Suites in Seaside to provide information regarding the 'Supply and Demand for Water on the Monterey Peninsula' report. More information available at www.mpwmd.net

Rosalyn Green - Monterey Peninsula College Board of Trustees Area 1 announced the Boards regular meeting on September 25 at 4pm in which the Education Master Plan will be discussed. more information available at www.mpc.edu

Rick Meyer - City of Seaside Fire Department; announced Fire Department Annual Open House on October 5, 2019 and provided information on the Community Emergency Response Program (CERT) - a program that educates volunteers about disaster preparedness.

7. PRESENTATIONS

A. PRESENTATION OF KEY TO THE CITY FOR MAYOR RALPH RUBIO!

Mayor Oglesby presented form Mayor Ralph Rubio with a key to the city and a resolution commemorating his work and contribution to the City as a resident and elected official.

8. CONSENT AGENDA

On motion by Council Member Wizard and second by Mayor Pro Tem Pacheco and passed by the following vote, the Consent Agenda was approved with the exception of Item 8L.

RESULT: MOTION PASSES 4-0

AYES: Campbell, Oglesby, Pacheco, Wizard

NOES: None

ABSENT: Kispersky

A. APPROVE MINUTES FROM SEPTEMBER 5, 2019

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved

C. APPROVE A FEE WAIVER REQUEST FROM SEASIDE HIGH SCHOOL FOR COSTS ASSOCIATED WITH THE ANNUAL HOMECOMING PARADE

Action: Approved

D. APPROVE A FEE WAIVER FROM MONTEREY BAY BAPTIST DISTRICT ASSOCIATION FOR THE USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR THEIR SCHOLARSHIP LUNCHEON

Action: Approved

E. APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF YOSEMITE STREET, BETWEEN BROADWAY AND MENDOCINO FOR THE SEASIDE FIRE DEPARTMENT OPEN HOUSE ON OCTOBER 5, 2019

Action: Approved

F. APPROVE A RESOLUTION TO PURCHASE A WATER MAIN VALVE EXERCISER IN THE AMOUNT OF SIXTY THOUSAND FOUR HUNDRED SEVEN-EIGHT DOLLARS AND THIRTY NINE CENTS (\$60,478.39)

Action: Approved

- G. APPROVE A RESOLUTION APPROVING A PARKS AND RECREATION COMMISSION RECOMMENDATION TO APPROPRIATE \$50,000 FOR THE DESIGN, PURCHASE AND INSTALLATION OF A WHEELCHAIR-ACCESSIBLE SWING AND RELATED SITE IMPROVEMENTS AT LAGUNA GRANDE PARK**

Action: Approved

- H. APPROVE A RESOLUTION AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH BARTLE WELLS ASSOCIATES FOR AN AMOUNT NOT TO EXCEED \$8,950.**

Action: Approved

- I. APPROVE A RESOLUTION APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS**

Action: Approved

- J. RESOLUTION APPROVING THE CITY ATTORNEY EMPLOYMENT AGREEMENT WITH SHERI DAMON AND AUTHORIZING AN INCREASE TO THE ASSISTANT CITY ATTORNEY ANNUAL SALARY**

Action: Approved

- K. APPROVE A RESOLUTION ACCEPTING THE CITY OF SEASIDE HOMELESS COMMITTEE RECOMMENDATIONS DIRECTING (\$2,500) OF CITY BUDGETED FUNDS EACH TO COMMUNITY HUMAN SERVICES, INTERIM INC. AND SUN STREET CENTERS FOR A TOTAL OF (\$7,500).**

Action: Approved

- L. RESOLUTION AUTHORIZING NEW HIRE BONUSES OF \$30,000 TO ATTRACT LATERAL POLICE OFFICER CANDIDATES.**

On motion by Council Member Campbell and second by Mayor Pro Tem Pacheco and passed by the following vote the item was approved unanimously.

RESULT: Motion Passes 4-0

AYES: Campbell, Oglesby, Pacheco, Wizard

NOES: None

ABSENT: Kispersky

9. PUBLIC HEARING

A. SUBMISSION OF THE 2018-2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED PERFORMANCE AND EVALUATION REPORT (CAPER) TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sharon Mikesell, Administrative Analyst provided a presentation the Consolidated Annual Performance Report (CAPER). The CAPER is a performance reported mandated by the US Department of Housing and Urban Development (HUD) for all entitlement agencies that receive Community Development Block Grant (CDBG) funds. In the last fiscal year, the City provided funding assistance to eight (8) public service agencies and reflects the positive benefit associated with CDBG program funding.

Mayor Oglesby opened the public hearing. There were no comments from the public.

On motion by Council Member Campbell and second by Council Member Wizard and passed by the following vote, the City Council passed to accept the submission of the 2018-2019 CDBG CAPER to HUD.

RESULT: MOTION PASSES 4-0

AYES: Campbell, Oglesby, Pacheco, Wizard

NOES: None

ABSENT: Kispersky

B. INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 13.24 WATER ALLOCATION PROGRAM TO INCORPORATE CHANGES REQUESTED AT THE AUGUST 1, 2019 MEETING INCLUDING ADDING ALLOCATIONS FOR ACCESSORY DWELLING UNITS

Lesley Milton-Rerig, Assistant City Manager, provided a presentation on the City's water allocation policies governed by Ordinance 892 that was adopted in 2001. This item provided an introduction to amend the Seaside Municipal Code chapter 13.24 water allocation program to include adding allocation for accessory dwelling units.

Mayor Oglesby opened the public hearing.
SPEAKERS: Nina Beatty

On motion by Council Member Wizard and second by Mayor Pro Tem Pacheco and passed by the following vote the City Council passed to print the first reading of the draft ordinance.

RESULT: Motion Passes 4-0

AYES: Campbell, Oglesby, Pacheco, Wizard

NOES: None

ABSENT: Kisperksy

C. APPEALS OF USE PERMIT APPLICATION UP-16-07 AND UP-15-04 : THE CITY COUNCIL WILL CONSIDER THREE APPEALS RELATED TO USE PERMIT APPLICATIONS SUBMITTED BY SAC WIRELESS ON BEHALF OF VERIZON WIRELESS FOR A WIRELESS FACILITY AT 1460 HILBY AVENUE AND FOR THE INSTALLATION OF FOUR SMALL CELL WIRELESS FACILITIES ON UTILITY POLES NEAR THE FOLLOWING LOCATIONS:

- **1101 BUENA STREET**
- **1268 YOSEMITE STREET**
- **1108 SAN LUCAS STREET**
- **1431 WARING STREET**

Sheri Damon, Assistant City Attorney provided instruction for how the item would be heard.

Rick Medina, Senior Planner, provided a presentation on the three appeals for Use Permit application UP-16-07 and UP-15-04. The appellants were provided ten (10) minutes to make a presentation including time for rebuttal if so desired. Walt Ferguson (appellant of UP-16-07), SAC Wireless on behalf of Verizon Wireless (applicant and appellant of UP-16-07 and, Tricia Knight of SAC Wireless (applicant and appellant of UP-15-04) provided their presentations and responded to questions from the Council. Tripp May, Special Counsel to the City provided legal framework overview.

Mayor Oglesby opened the public hearing.

SPEAKERS: Two (2) speakers did not provide their name for the record. Michael Campos, Yvonne Revert, John Earhearn, Veronica Miller, Faye Crosby, Wendy Ferguson, Justin Sumpter, Daniel Robles, Mary Sidemstecker, Shelia Clark, Rachel Christopherson, Andrew Tonic, Luijah Jui, Angelia Ganzjuk, Kathleen Randazzo, Paul Bender, Julie Callahan, Raquel Sumpter, Kay Cline, Renee Stewart, Nina Beatty, Susan Nine.

A roll call vote was exercised for each appeal as follows:

Appeal 1 (UP-16-07): On motion by Council Member Wizard and second by Council Member Campbell and passed by the following roll call vote, the Council moved to deny the Master Use Permits subject to the conditions identified by this Council and reject the Verizon (SAC Wireless) appeal.

RESULT: Motion Passes 4-0

AYES: Campbell, Oglesby, Pacheco, Wizard

NOES: None

ABSENT: Kispersky

Appeal 2 (UP-16-07): On motion by Council Member Wizard and second by Council Member Campbell and passed by the following roll call vote, the Council moved approve and uphold the resident (Walt Ferguson) appeal.

RESULT: Motion Passes 4-0

AYES: Campbell, Oglesby, Pacheco, Wizard

NOES: None

ABSENT: Kisperksy

Appeal 3 (UP-15-04): On motion by Council Member Wizard and second by Mayor Pro Tem Pacheco and passed by the following roll call vote, the Council moved to deny the appeal of SAC Wireless.

RESULT: Motion Passes 4-0

AYES: Campbell, Oglesby, Pacheco, Wizard

NOES: None

ABSENT: Kisperksy

D. ADOPTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 9.08 ESTABLISHING REGULATIONS FOR THE USE OF DESIGNATED SKATEBOARDING AREAS (SECOND READING - ROLL CALL VOTE)

On motion by Council Member Wizard and second by Council Member Campbell and passed by the following vote, the Council moved to continue the item until October 3, 2019 City Council Regular Meeting agenda.

RESULT: MOTION PASES 4-0

Action: AYES: Campbell, Oglesby, Pacheco, Wizard

NOES: None

ABSENT: Kispersky

10. BUSINESS ITEMS

A. ADOPT A RESOLUTION AUTHORIZING THE APPROVAL OF AN INDEMNIFICATION AGREEMENT AND EXTENSION OF THE EXCLUSIVE NEGOTIATING AGREEMENT FOR THE MAIN GATE PROJECT

On motion by Council Member Campbell and second by Mayor Pro Tem Pacheco and passed by the following vote, the Council adopted a resolution authorizing the approval of an indemnification agreement and extension of the exclusive negotiating agreement for the Main Gate project.

RESULT: MOTION PASES 4-0

Action: AYES: Campbell, Oglesby, Pacheco, Wizard

NOES: None

ABSENT: Kispersky

11. COUNCIL MEMBER REQUESTS

Council Member Wizard requested to have staff look into prohibiting short term rentals from accessory dwelling units and; to receive a presentation from Verizon Wireless regarding the other 42 sites that were identified as non-conforming for cell tower construction.

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

None

13. ADJOURNMENT

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

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


Ian N. Oglesby, Mayor