



FINAL MINUTES
CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
Thursday, December 19, 2019
7:00 PM

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY
ABSENT: NONE

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation led by Rev. Harold Lusk / Pledge of Allegiance led by City Attorney Don Freeman

4. REVIEW OF AGENDA

The meeting would be adjourned in memory of Kelvin Garnett and Lloyd Love.

5. PUBLIC COMMENT

PUBLIC COMMENT SPEAKERS: Ray Rearden, Constance Constable, Analisa Mitchell, Allen Caplan, Ruthie Watts, Wanda Parrot, Alvin Edwards, Hector Aspuelta, Peter Kaiser, Rev. Harold Lusk

6. PUBLIC AGENCY COMMUNICATIONS

Chief Abdul Pridgen - Seaside Police Department: announced the SNAACK van provides healthy snacks and sports equipment to Seaside youth residents and a [schedule](#) will be provided soon. Chief Pridgen also reported on the "Cookie with a Cop" event that was held on December 16, 2019 at Angelina's Bakery on Fremont Blvd which is an opportunity for members of the community to meet and interact with officers; announcements of public outreach events are on Facebook.

Alvin Edwards - Monterey Peninsula Water Management District (Division 1):
December 16, 2019 - the board met on entering into new agreements with

consultants to help position the board to vote on a Resolution of Public Necessity sometime next summer for the buying of Cal AM water and work will be done in 5 additional areas of study; on December 12 Pure Water Monterey had a public hearing on the expansion SEIR and there will be an extension of the public comment period until January 31 2020, also the City Manager is expected to receive an updated water demand forecast for his review and comments and the Board is hoping to make a decision on the item within the first month of 2020; board elections were held and the new chair of the Board is Director Edwards (Division 1 - Seaside), the new Vice Chair is Director Byrant Burns (Division 4 - Pacific Grove); Mr. Edwards wished everyone a Merry Christmas and a Happy New Year!

Mayor Oglesby congratulated Mr. Edwards on his election to Chair of the Board.

Mayor Oglesby, City Attorney Freeman and City Manager Malin responded to the comments from the public.

7. PRESENTATIONS

A. PROCLAMATION HONORING CITY ATTORNEY FREEMAN

Mayor Oglesby and Assistant City Attorney Sheri Damon presented City Attorney Don Freeman with a proclamation and thanked him for his service and work with the City of Seaside. Each Councilmember thanked, congratulated and spoke of their experience in working with Mr. Freeman. Mr. Freeman responded by thanking all for their kind words and dedication to the work of the city and the Community for their engagement throughout the years. Mr. Freeman was also presented with a Key to the City as recognition for his committed work, dedication and service to the City of Seaside.

8. CONSENT AGENDA

On motion by Councilmember Campbell and second by Councilmember Pacheco and carried by the following vote, the City Council moved to approve the Consent Agenda with the exception of item 8J.

Item 8J pulled by Councilmember Wizard.

RESULTS: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

A. APPROVE MINUTES FROM NOVEMBER 21, 2019 AND DECEMBER 5, 2019

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved

C. APPROVE A FEE WAIVER FROM HINDU TEMPLE OF MONTEREY PENINSULA FOR THE USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR THEIR DIWALI CELEBRATION NIGHT EVENT ON NOVEMBER 07, 2020

Action: Approved

D. APPROVE A FEE WAIVER FROM MONTEREY COUNTY SOCCER CLUB FOR THE USE OF LLOYD GARNETT FIELD AT CUTINO PARK

Action: Approved

E. APPROVE A FEE WAIVER FROM WAYNE GARNETT FOR THE USE OF THE LAGUNA GRANDE HALL AND KITCHEN FOR THEIR CELEBRATION OF LIFE FOR KELVIN GARNETT ON DECEMBER 21, 2019

Action: Approved

F. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM ORCHESTRA IN THE SCHOOLS

Action: Approved

G. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM INTERNATIONAL SCHOOL OF MONTEREY

Action: Approved

H. APPROVE REALLOCATING 0.285 AF WATER FROM SMALL COMMERCIAL FUND TO RESERVE FUND, AND APPROVING WAC-19-26: MONTEREY COUNTY, PROPERTY OWNER, AND COMMUNITY HUMAN SERVICES, APPLICANT, 0.285 AF OF WATER FROM RESERVE FOR THE SHELTER AT 1292 OLYMPIA AVENUE LOCATED IN THE COMMERCIAL MIXED-USE (CMX) ZONING DISTRICT. THE PROJECT IS EXEMPT CLASS 1, SECTION 15301.A FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.

Action: Approved

I. APPROVE THE TRAFFIC ADVISORY COMMITTEE (TAC)

RECOMMENDATIONS FOR PARKING DESIGNATION ON THERESA STREET

Action: Approved

J. APPROVE A RESOLUTION APPROVING MAYORAL RECOMMENDATIONS FOR MAYOR PRO TEMPORE AND ANNUAL APPOINTMENTS TO OUTSIDE COMMITTEE ASSIGNMENTS FOR JANUARY 1, 2020 TO DECEMBER 31, 2020.

Councilmember Wizard indicated that he and Councilmember Kispersky were interested in swapping certain assignments with one another.

On motion by Councilmember Wizard and second by Councilmember Kispersky and carried by the following vote, the City Council moved to switch the appointments for Councilmember Wizard to be appointed to the Association of Monterey Bay Area Governments (AMBAG) and Councilmember Kispersky to be appointed to the Seaside County Sanitation District (SCSD).

RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Action: Approved

K. ADOPT A RESOLUTION UPDATING THE LISTING OF BENEFITS FOR DEPARTMENT DIRECTORS

Action: Approved

M. ADOPT RESOLUTION CANCELLING JANUARY 2, 2020 MEETING.

Action: Approved

L. ADOPT A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH PRECISION CONCRETE CUTTING FOR A COST NOT TO EXCEED \$66,000 FOR SIDEWALK MAINTENANCE AND REPAIR SERVICES

Action: Approved

9. PUBLIC HEARING

A. INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE TITLE 13, CHAPTER 10.080 MUNICIPAL WATER SYSTEM –

**PERMITS TO CONNECT, PARAGRAPH G, AND TITLE 13, SECTION 12
CROSS CONNECTION CONTROL PROGRAM (FIRST READING - ROLL
CALL VOTE)**

Interim City Engineer Scott Ottmar introduced the item and explained that the cross connection are applicable to the Seaside Municipal Water System in an effort to prevent oversight of a non-City owned water system. There were no questions or comments from the Council or public.

On motion by Councilmember Campbell and second by Councilmember Pacheco and carried by the following roll call vote, the City Council moved to approve the proposed edits that reflects updates to the California Code of Regulations as it pertains to the types of back flow protection devices necessary to maintain the minimum level of protection for the municipal water supply; the clarification of responsibilities of the City; and certain assigned responsibilities and authority to the City Engineer as appropriate.

RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Action: Approved

**B. ADOPTION OF RESOLUTIONS AMENDING THE 2004 SEASIDE
GENERAL PLAN TO INCORPORATE THE 5TH CYCLE (2015-2023)
DRAFT HOUSING ELEMENT TO THE GENERAL PLAN AND APPROVING
CORRESPONDING NEGATIVE DECLARATION.**

Economic Development Manager Gloria Stearns introduced the item and Veronica Tam of Veronica Tam and Associates, Inc. Ms. Tam provided a presentation on the Draft Housing Element to the General Plan and what was required in order to achieve compliance.

On motion by Councilmember Kispersky and second by Councilmember Pacheco and carried by the following vote, the City Council moved to approve the adoption of resolutions amending the 2004 Seaside General Plan to incorporate the 5th Cycle draft housing element to the general plan and approving corresponding negative declaration.

RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Action: Approved

**C. ADOPTION OF AN EXTENSION OF URGENCY ORDINANCE 1069
ADOPTING JUST CAUSE EVICTION PROTECTIONS AND RENTAL RATE
LIMITS EFFECTIVE IMMEDIATELY UNTIL DECEMBER 31, 2019**

On motion by Councilmember Campbell and second by Councilmember Pacheco and carried by the following roll call vote, the City Council moved to adopt an extension of urgency ordinance 1069 adopting just cause eviction protections and rental rate limits effective immediately until December 31, 2019.

RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Action: Approved

**D. APPEAL OF USE PERMIT NO. UP-15-04: THE CITY COUNCIL WILL
CONSIDER AN APPEAL RELATED TO A USE PERMIT APPLICATION
SUBMITTED BY SAC WIRELESS ON BEHALF OF VERIZON WIRELESS
FOR A WIRELESS FACILITY AT 1460 HILBY AVENUE, THE RS-8
ZONING DISTRICT**

Economic Development Manager Gloria Stearns introduced the item and advised that the item was not an effort for reconsideration but a new proposal from the applicant. Staff recommended consideration of the appeal from the Planning Commission's denial of Use Permit Application No. UP-15-04 and adopt a resolution approving Use Permit Application No. UP-15-04.

PUBLIC COMMENT SPEAKERS: Wanda Parrot, Nina Beatty, Lisa Torry, Stephanie Booth, Collette Nelson, Mara Silas Tucker, four (4) Seaside residents, Pam Baker

On motion by Councilmember Pacheco and second by Councilmember Kispersky and carried by the following vote, the City Council moved to adopt a resolution approving Use Permit Application No. UP-15-04.

RESULT: 5-0-0-0

AYES: OGLESBY, PACHECO, CAMPBELL, WIZARD, KISPERSKY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Action: Approved

E. APPEAL OF MASTER USE PERMIT NO. UP-16-07: RESOLUTION GRANTING APPEAL AND DENYING MASTER USE PERMIT NO. UP-16-07 RELATED TO A MASTER USE PERMIT APPLICATION SUBMITTED BY SAC WIRELESS ON BEHALF OF VERIZON WIRELESS FOR THE INSTALLATION OF FOUR SMALL CELL WIRELESS FACILITIES ON UTILITY POLES NEAR THE FOLLOWING LOCATIONS: (1) 1101 BUENA STREET; (2) 1108 SAN LUCAS STREET; (3) 1431 WARING STREET; and (4) 1268 YOSEMITE STREET.

Based on the prior action of the City Council for UP-15-04, a letter of withdrawal for this item was provided by Verizon Wireless Outside Counsel. No action taken.

10. BUSINESS ITEMS

A. CONSIDER A FEE WAIVER AND CO-SPONSORSHIP REQUEST FROM THE LULAC COUNCIL #2895 FOR COSTS ASSOCIATED WITH THEIR SEASIDE 10K RUN

Mayor Oglesby and Mayor Pro Tem Pacheco recused themselves from the hearing and voting of this item. Councilmember Campbell was left as the Chair for the item. City Manager Malin introduced Recreation Services Director Dan Meewis whom provided the presentation of the item and responded to questions and comments from the remaining Council members. League of United Latin American Citizens (LULAC) President of local chapter 2895 Francisco Lopez responded to questions and comments from the Council and provided further details about the organization, mission and goals of the event.

On motion by Councilmember Wizard and second by Councilmember Kispersky and carried by the following vote, the City Council moved to deny the fee waiver and co-sponsorship request and asked that the applicant return with a more modest proposal.

RESULT: 3-0-2-0
AYES: CAMPBELL, WIZARD, KISPERSKY
NOES: NONE
ABSTAIN: OGLESBY, PACHECO
ABSENT: NONE

Action: Denied

11. COUNCIL MEMBER REQUESTS

Oglesby - working with Communities Organized for Relational Power in Action (COPA) to draft ordinance for council priorities of residential renters and landlord protection. It has been requested for the City Manager and City Attorney to meet

and bring it to the Council for consideration.

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

City Manager Malin - wished all a Merry Christmas and Happy New Year!

City Attorney Freeman - reported that a request has been received from Del Monte Manor regarding the refinancing and remodeling terms of agreement; the closing has been scheduled for December 27 and the Council will need to schedule a special meeting on December 23 to consider the change terms. Mr. Freeman also wished all a Merry Christmas and Happy New Year and; thanked everyone for their well wishes.

Kispersky - None

Wizard - reported on the City's Winter Wonderland experience; attended a meeting at Fort Ord Reuse Authority (FORA) in an effort to fix Eucalyptus Road prior to FORA's sunset in June 2020; preparation for Habitat planning meetings coming in the next few months; attended the City's staff Holiday luncheon.

Campbell - attended the Monterey-Salinas Transit (MST) meeting as an alternative for Mayor Pro Tem Pacheco which considered contracts and agreements with mobility vans and leasing property on former Fort Ord for van storage; attended Monterey One Water meeting at which there was a request for extension of the comment period of the draft supplemental Environmental Impact Report (EIR); attended Waste Management District meeting which considered new equipment to help with plastic recycling. Wished all a Merry Christmas and reiterated the pleasure working alongside City Attorney Don Freeman.

Pacheco - attended Cookie with a Cop, Senior Luncheon at Oldemeyer Center with the Mayor; attended Durant Park clean up event with the Environmental Committee that helped supply the trees; attended Transportation Agency for Monterey County meeting and thanked the Mayor for allowing the meeting to be adjourned in honor of Lloyd Love (a retired City of Seaside Mechanic) and Kelvin Garnett (former Seaside High Basketball Coach for 22 years).

Oglesby - attended Mayor's meeting and collaborated with local Mayors on capturing storm water at Laguna Grande; attended a Local Agency Formation Commission (LAFCO) meeting in which the FORA transition and how LAFCO's interests are protected, attended FORA meeting with Councilmember Wizard on issues concerning Eucalyptus Road; reported on experience of the City's Winter Wonderland event - 1000 cups of hot cocoa were handed out to attendees -- thanked City employees for their hard work and for the Fire Department bringing Santa! The Mayor also reported on his attendance at the Building Trades Christmas Party, a meeting held with City Boards, Commission and Committee (BCC)

Chairperson working dinner/meeting and reviewed the revised BCC handbook discussing topics including but not limited to responsibilities, importance of attendance, etc. The Mayor expressed his regrets in not being able to attend the Public Works Holiday BBQ but thanks employees for their hard work. Mr. Oglesby also attended the Senior Luncheon held at the Oldemeyer and thanked the ceremony hostess Analisa Mitchell; reported on attending Cookies with a Cop and thanked the Police Department for their outreach efforts, announced new Broadway business - HEM nutrition and commended the young business owner; attended the funeral for Dr. Marie Sweet and added Leverne Hall as another to add to the memory list at adjournment. Wished everyone a Merry Christmas and Happy New Year!

13. ADJOURNMENT

The meeting was adjourned in honor of Kelvin Garnett, Lloyd Love and Leverne Hall at 10:36 p.m.

Respectfully submitted,



Lesley Milton, City Clerk



Ian N. Oglesby, Mayor