



**SEASIDE CITY COUNCIL**

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The Honorable Lydia M. Villarreal  
Presiding Judge of the Superior Court of California  
County of Monterey  
240 Church Street  
Salinas, CA 93901

July 16, 2020

**Re: Overdue Responses to the 2018/2019 Civil Grand Jury Report**

Dear Judge Villarreal,

This letter is written in response to the Monterey Civil Grand Jury Final Report - "Overdue Responses to the 2018/2019 Civil Grand Jury Report." As per the report dated June 24, 2020, this letter shall serve as the response to that report. The responses contained in this correspondence were approved by the City of Seaside City Council at their regular meeting on July 16, 2020.

The City agrees with Finding F2.

With regard to Recommendation R2, the City has implemented a procedure in which Civil Grand Jury Reports are entered into the City's agenda management system. Doing so will remind City officials, every two weeks, that a response is due by the date established in the report.

We trust this information addresses the Grand Jury's findings and recommendations.

The City Council approved the above response at the July 21<sup>st</sup>, 2016 City Council Regular Meeting.

Please contact us if we can be of further assistance.

Regards,

Craig Malin  
City Manager

c/ Seaside City Council



**CITY OF SEASIDE  
STAFF REPORT**

**Item No.: 8.G.**

**TO:** City Council  
**BY:** Craig Malin, City Manager  
**DATE:** July 16, 2020  
**SUBJECT: ADOPT CIVIL GRAND JURY RESPONSE PROCEDURE**

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**PURPOSE & RECOMMENDATION**

Approve the procedure and response letter as presented.

**BACKGROUND**

The City was delayed in responding to the 2018/2019 Civil Grand Jury report, but quickly corrected the delay once notified. To avoid any further such delays, the City will adopt a procedure in which Civil Grand Jury Report responses are entered into the City's agenda management system, such that City officials will be reminded of the response due date at least twice a month.

**ATTACHMENTS**

1. Response to Civil Grand Jury Report Overdue Response
- 

Reviewed for Submission to the  
City Council by:

A handwritten signature in blue ink, appearing to be "Craig Malin", is written over a horizontal line.

Craig Malin, City Manager



**FINAL MINUTES**  
CITY OF SEASIDE  
CITY COUNCIL

REGULAR MEETING  
Council Chamber  
Thursday, July 16, 2020  
7:00 PM

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**1. CALL TO ORDER - VIRTUAL MEETING PARTICIPATION**

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**

Led by Council Member Wizard.

**4. REVIEW OF AGENDA**

No changes.

**5. PUBLIC COMMENT**

Public Comments: Gabriella Chavez, River Navaille, Anton Hunter, Wes White, Regina Mason

**6. PUBLIC AGENCY COMMUNICATIONS**

Fire Chief Dempsey, Recreation Director Meewis

**7. PRESENTATIONS**

**A. 2020 JULY 4TH HOLIDAY PERIOD FIREWORKS AFTER ACTION REPORT**

Police Chief Pridgen reported the statistics from the July 4th holiday enforcement for illegal fireworks. He noted that even though public education and enforcement was increased, the deterrent efforts of the illegal fireworks was not successful.

**B. ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT (ESCA) QUARTERLY REPORT**

ESCA Program Manager Stan Cook presented the first quarterly report, as required by the US Army on all ESCA related operations. He provided an introduction of the program

that was recently assigned to the City of Seaside, explained which properties were under monitoring and answered questions from the Council. The Council welcomed both Mr. Cook and Ms. Vidaurri to the Seaside team.

## **8 CONSENT AGENDA**

The Council questioned the Mayor's youth fund contribution requests for youth programming during COVID-19 restrictions.

PUBLIC COMMENTS: Uli Siebeneick, Molly Fittro

*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 consent agenda with the exception of item G.*

**RESULT:** *Approved*

**AYES:** *Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard, Alissa Kispersky*

**NOES:** *None*

**A. APPROVAL OF MINUTES FROM JUNE 11, 2020, JUNE 28, 2020 SPECIAL MEETINGS & JULY 2, 2020 REGULAR MEETING**

*Action: Approved*

**B. APPROVE AND FILE CITY CHECKS**

*Action: Approved and Filed*

**C. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM OPERATION SECOND CHOICE, INC**

*Action: Approved*

**D. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM THE WAHINE PROJECT**

*Action: Approved*

**E. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM MONTEREY CONDORS CLUB**

*Action: Approved*

**F. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE AQUATIC CLUB - THE DOLPHINS**

*Action: Approved*

**G. ADOPT CIVIL GRAND JURY RESPONSE PROCEDURE**

Council Member Kispersky requested clarification on this item. Mr. Malin spoke to the requirement of response to Grand Jury requests within a specif period of time, and the mechanisms the City has put into place to ensure timely future responses.

*On motion by Council Member Alissa Kispersky and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council approved the item as presented.*

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

**9. PUBLIC HEARING**

**A ADOPTION OF AN ORDINANCE TO AMEND THE TEXT OF CHAPTER 17 OF THE SEASIDE MUNICIPAL TO ADD VEHICLE SERVICES MINOR AS A USE PERMIT IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT (SECOND READING-ROLL CALL VOTE)**

Mr. Malin stated it was a second reading and no changes were made from the previous meeting presentation.

No public comments.

*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 Ordinance 1091 as presented.*

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

**B. ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE SECTION 13.10.020 "WATER RATES AND CHARGES" FOR ADDITION OF CAPACITY FEE TO BE ADDED TO THE ADOPTED FEE SCHEDULE (SECOND READING - ROLL CALL VOTE)**

Mr. Malin stated it was a second reading and no changes from the previous meeting were made.

No public comments.

*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 Ordinance 1092 as presented to establish a capacity fee for the Seaside water system.*

**RESULT:** *Approved*

AYES: Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard, Alissa Kispersky  
NOES: None

**C. ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE CHAPTER 10.32 ESTABLISHING FOUR HOUR TIME LIMIT AT CITY PARK PARKING LOTS AND APPROVE A RESOLUTION ALLOWING OVERNIGHT PARKING ON MONDAY NIGHTS AT THE LAGUNA GRANDE LAKESIDE PARKING LOT. (SECOND READING - ROLL CALL VOTE)**

Mr. Malin reported this is second reading of the ordinance presented at the previous meeting. Per Council direction, the time of allowed sleeping was modified to 8 hours from the previous meeting. He noted that this is separate and distinct from the item approved by the Council to direct the establishment of a parking lot for RVs on Colonial Durham Road. This item establishes a 4 hour limit for parking at the Robert's lake park and allows over night parking for one night per week at Laguna Grande Lake park.

Public comments: Miriam Smith, Gabriella Chavez, Alyssa Osorio, Marilyn Cruikshank, Anton Hunter, Harold Lusk, Rosalyn Green, Alyssa Osorio, Sherry Banks, Pastor Lusk, Gertrude Smith, Regina Mason, Kate Spencer, Wes White

Council Members declined to support the item citing overnight parking of one night a week is not sufficient.

*On Motion by Council Member Wizard and seconded by Council Member Kispersky, and passed by the following vote the City Council denied approval of the ordinance.*

RESULT: **Approved**  
AYES: Dave Pacheco, Jason Campbell, Jon Wizard, Alissa Kispersky  
NOES: Ian Oglesby,

**D. ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE SECTION 15.34 DIGGING AND EXCAVATION ON THE FORMER FORT ORD, PROHIBITING THE USE OF METAL DETECTION ON FORT ORD LANDS THAT PREVIOUSLY HAD MUNITIONS AND EXPLOSIVES OF CONCERN (SECOND READ-ROLL CALL VOTE)**

Mr. Malin stated it was a second reading and no changes from the previous meeting were made.

No public comments.

*On motion by Council Member Jason Campbell and seconded by Council Member Jon Wizard and passed by the following vote the City Council approved Ordinance 1093 prohibiting metal detecting on the Former Fort Ord Lands that previously had MEC.*

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

**E ADOPT AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE SECTION 2.14  
BOARDS AND COMMISSIONS (SECOND READING - ROLL CALL VOTE)**

Mr. Malin stated it was a second reading and no changes from the previous meeting were made.

PUBLIC COMMENT: Alex Miller

*On motion by Council Member Jason Campbell and seconded by Council Member Jon Wizard passed by the following vote the City Council approved Ordinance 1094 Modifying Chapter 2 Boards and Commissions.*

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

**10. BUSINESS ITEMS**

**A. REQUEST BY COUNCIL MEMBER PACHECO TO PASS AN ORDINANCE PROHIBITING ALL FIREWORKS**

The Council discussed the issue concerning illegal fireworks in Seaside. They spoke to the series of public comments received, how they impact the quality of life of residents and that enforcement efforts have not been sufficient enough of a deterrent. They discussed the merits and pathways of adoption of an ordinance versus a potential ballot measure, the costs, procedure and success of each option.

Public Comment: Jennifer Gunter, Jimmy Cook, Peter Keiser, Ken Fittro, Dave Lesikar, Harold Lusk, Kristen Wisner, Regina Mason, Miriam Smith, Dennis Revell, Sherry Banks, Diana

*On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council directed the City Attorney to draft an ordinance banning all firework use and sales in the City of Seaside.*

**RESULT:** *Passed*  
**AYES:** *Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard*  
**NOES:** *Alissa Kispersky*

**B. REQUEST BY COUNCIL MEMBER WIZARD TO ADD TO THE NOVEMBER 3, 2020 BALLOT A PROHIBITION AGAINST ALL FIREWORKS**

Council Member Wizard requested to suspend this item indefinitely.

**C REQUEST BY COUNCIL MEMBER WIZARD TO ADOPT A RESOLUTION SUPPORTING PROPOSITION 15, THE CALIFORNIA SCHOOLS AND LOCAL COMMUNITIES FUNDING ACT OF 2020**

Council member Wizard justified his request to adopt the resolution and clarified that this does not affect property taxes and exempt residential properties.

PUBLIC COMMENTS: Dave Lesikar

*On motion by Council Member Jon Wizard and seconded by Council Member Alissa Kispersky and passed by the following vote the City Council adopted Resolution 19-62.*

**RESULT:** *Approved*

**AYES:** *Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard, Alissa Kispersky*

**NOES:** *None*

TO extend teh meeting - Campbell/Oglesby 3-2 kispersky, wizard no

**D. RECEIVE REPORT ON ENFORCEMENT ACTIVITIES AT 595 BROADWAY AVENUE**

This item was agendized after receiving complaints during the last Council Meeting. Chief Pridgen reported statistics of police calls to the location of 595 Broadway Avenue. Citing an incongruent amount dispatch reports to the claims of illicit activity complaints. He encouraged people to call to report incidents they see, so that issues can be tracked. He also noted that the location is currently closed due to Governor's orders. The Council expressed importance of making business owners feel supported for the success of the downtown area.

Public Comments: Eloise Shim, Miriam Smith, Anton Hunter

Report received.

**E. APPROVE RECOMMENDATIONS FOR COMMUNITY INPUT ON ALLOCATION OF \$500K FOR COMMUNITY/SOCIAL SERVICES INCLUDING WITHIN FISCAL YEAR 2020-2021 BUDGET**

City manager presented his process for social input for the Community and Social Services funding that was allocated in the Fiscal Year 2020-21 budget. He noted that there would be public input outreach opportunities, establishment of a committee to assist with the solicitation and review of community support services providers, and it would return to the City Council within 90 days for funding approval and allocations. The Council discussed timing and approved the City Manager's plan.

No public comments made.

**F. ADOPT RESOLUTION RATIFYING FIFTH SUPPLEMENT TO PROCLAMATION OF LOCAL EMERGENCY**



City Manager Malin spoke to the proposed modifications to the proclamation of local emergency, including the establishment of temporary curbside pick up on public streets to assist restaurants during the pandemic 2) temporary use of public parking spaces for businesses purposes 3) Robert's lake enforcement parking enforcement reinstatement.

The Council directed the proclamation be modified, based on Council decision at the previous City Council Special meeting, to add termination of the parking enforcement suspension at Robert's Lake and authorize the suspension of parking enforcement at Colonel Durham Road on the same date.

Public Comments: Miriam Smith, Anton Hunter

*On motion by Council Member Jason Campbell and seconded by Council Member Alissa Kispersky and passed by the following vote the City Council adopted Resolution 19-63 adopting the 5th supplement with the above modification for parking enforcement, and additionally directed staff to assist with providing a resource to assist people to register their vehicles.*

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

**11. COUNCIL MEMBER REQUESTS**

Mayor Oglesby requested to agendize the concept to supplement non-profit organizations that were permitted to sell fireworks with CDBG monies.

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

Having no further business, the meeting was adjourned at 12:10 am.

**13. ADJOURNMENT**

Respectfully submitted,

  
Lesley Milton, City Clerk

  
Ian N. Oglesby, Mayor