A G E N D A

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Thursday, February 19, 2015
7:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. CALL TO ORDER

2. ROLL CALL – ESTABLISHMENT OF QUORUM

Ralph Rubio	Mayor
Ian N. Oglesby	Mayor Pro Tem
Dennis J. Alexander	Council Member
Alvin Edwards	Council Member
David R. Pacheco	Council Member

3. PUBLIC COMMENT

4. INVOCATION AND PLEDGE OF ALLEGIANCE

5. REVIEW OF AGENDA

If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).

6. ORAL COMMUNICATIONS

Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

7. PUBLIC AGENCY COMMUNICATIONS

This is a time specifically set aside for representatives of public agencies to make brief comments of general interest to the City Council and the community.

8. PRESENTATIONS

A. 2015 JANUARY HOUSE OF THE MONTH

PURPOSE: The purpose of this item is to recognize Richard & Phyllis Avila, owners of 1325 Mescal Street for beautifying and maintaining her property.

RECOMMENDATION: It is recommended that the Mayor present Richard & Phyllis Avila the January 2015 House of the Month award.

B. 2015 FEBRUARY HOUSE OF THE MONTH

PURPOSE: Each month the Neighborhood Improvement Program Commission selects an award recipient from a list of nominated homes. Steven Cole and Edna May Barker, owners of 1076 Haviland Terrace, have been selected for the February 2015 House of the Month award.

RECOMMENDATION: It is recommended that the Mayor present Steven Cole and Edna May Barker the February 2015 House of the Month award.

C. NEIGHBORHOOD IMPROVEMENT PROGRAM (NIP) COMMISSION 2014 ANNUAL REPORT

PURPOSE: The purpose of this presentation is to inform the City Council of the accomplishments of the Neighborhood Improvement Program Commission (NIPC) during the 2014 calendar year.

RECOMMENDATION: It is recommended that the City Council accept the 2014 NIPC Report presentation from NIPC Chair Arlington LaMica.

D. STRATEGIC PLAN PRESENTATION

PURPOSE: A presentation on the new City Strategic Plan and objectives will be presented for City Council consideration.

RECOMMENDATION: It is recommended that the City Council receive the presentation and make comments as appropriate.

9. CONSENT CALENDAR

The Consent Calendar includes routine items that can be approved with a single motion and vote. A member of the City Council or a member of the public may request that any time be pulled from the Consent Calendar for separate consideration.

A. APPROVE MINUTES OF FEBRUARY 5, 2015 REGULAR MEETING

RECOMMENDATION: It is recommended that the minutes be reviewed and approved.

B. APPROVE AND FILE CHECKS

PURPOSE: It is requested that the City Council approve and file the accounts payable and wired payments made during the period of January 27, 2015 through February 9, 2015. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of February 5, 2015. Total Accounts Payable and Payroll for the above referenced period is $1,106,188.24.

RECOMMENDATION: It is recommended that the City Council approve and file the attached checks.

C. **ACCEPT AND FILE THE CASH AND INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2014**

PURPOSE: Accept and file the City of Seaside Cash and Investment Report for the quarter ended December 31, 2014.

RECOMMENDATION: Accept and file report.

D. **CONSIDER A RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO JOHNSON ELECTRONICS FOR AN AMOUNT NOT TO EXCEED $19,582 FOR CONSTRUCTION OF SMOKE ALARM SYSTEM FOR THE SEASIDE FIRE STATION**

PURPOSE: The purpose of this item is for the City Council to consider awarding a construction contract to Johnson Electronics for an amount not to exceed Nineteen Thousand Five Hundred Eighty Two Dollars ($19,582) for construction of a smoke alarm system for the Seaside Fire Station.

RECOMMENDATION: It is recommended that the City Council adopt a resolution awarding a construction contract to Johnson Electronics for an amount not to exceed Nineteen Thousand Five Hundred Eighty Two Dollars ($19,582) for construction of a smoke alarm system for the Seaside Fire Station and authorizing the City Manager to execute the contract.

E. **CONSIDER A RESOLUTION AWARDING A CONTRACT TO SALLY SWANSON ARCHITECTS FOR AN AMOUNT NOT TO EXCEED $34,010 FOR DESIGN OF EXTERIOR ADA IMPROVEMENTS FOR THE SEASIDE BRANCH LIBRARY**

PURPOSE: The purpose of this item is for the City Council to consider awarding a contract to Sally Swanson Architects for an amount not to exceed Thirty Four Thousand and Ten Dollars ($34,010) for design of exterior ADA improvements to the Seaside Branch Library.

RECOMMENDATION: It is recommended that the City Council adopt a resolution awarding a contract to Sally Swanson Architects for an amount not to exceed Thirty Four Thousand and Ten Dollars ($34,010) for design of exterior ADA improvements of the Seaside Branch Library and authorizing the City Manager to execute the contract.

F. **STATEMENT OF CONSISTENCY OF HOUSING AUTHORITY OF THE COUNTY OF MONTEREY SIGNIFICANT AMENDMENT TO FYB 2014 ANNUAL PLAN WITH THE CITY OF SEASIDE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FIVE-YEAR CONSOLIDATED PLAN (2010-2015)**

PURPOSE: The purpose of this item is for the City Council to consider adoption of a resolution finding that a significant amendment to the Housing Authority of the County of

Monterey's (HACM) Fiscal Year Beginning (FYB) 2014 Annual Plan is consistent with the City's CDBG Five-Year Consolidated Plan (2010-2015) (Consolidated Plan). A Statement of Consistency is required as part of HACM's submission of its Annual Plan to the U.S. Department of Housing and Urban Development (HUD).

RECOMMENDATION: It is recommended that the City Council adopt a the resolution finding the significant amendment to HACM's FYB 2014 Annual Plan to be consistent with the city's CDBG Consolidated Plan and authorizing the City Manager to execute a Statement of Consistency for submission to HUD.

G. **GRANT APPLICATION APPROVAL FOR ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT IN THE AMOUNT OF $754,395.00.**

PURPOSE: The purpose of this item is to provide the City Council an opportunity to review, discuss and consider authorizing the submission of an application for an Assistance to Firefighters Grant Program (AFG) Staffing for Adequate Fire and Emergency Response (SAFER) grant for the hiring of three firefighters for a two year period. The requested amount is $754,395.00 and there are no matching funds from the City required, however if approved a grant management fee of 1% or $7,544.00 will be required by the City.

RECOMMENDATION: It is recommended that the City Council approve the submission of an application for an Assistance to Firefighters Grant Program (AFG) Staffing for Adequate Fire and Emergency Response (SAFER) grant for the hiring of three firefighters for a two year period.

H. **GRANT APPLICATION APPROVAL FOR ASSISTANCE TO FIREFIGHTERS REGIONAL GRANT FOR THE PURCHASE OF FIRE STATION ALERTING EQUIPMENT IN THE AMOUNT OF $24,443.00.**

PURPOSE: The purpose of this item is to provide the City Council an opportunity to review, discuss and consider authorizing the submission of an application for a Regional Assistance to Firefighters Grant for the purchase of replacement fire station alerting equipment. The requested amount is $24,443.00 and requires a 10 percent match of City funds in the amount of $2,443.00, plus a grant management fee of $1000.00.

RECOMMENDATION: It is recommended that the City Council approve the submission of an application for a Regional Assistance to Firefighters Grant for the purchase of replacement fire station alerting equipment.

I. **GRANT APPLICATION APPROVAL FOR STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY REGIONAL EXTRICATION IMPROVEMENT PROGRAM GRANT IN THE AMOUNT OF $40,227.00.**

PURPOSE: The purpose of this item is to provide the City Council an opportunity to review, discuss and consider authorizing the submission of an application for a State of California Office of Traffic Safety Regional Extrication Improvement Grant for the purchase of vehicle extrication equipment for the fire department. The requested amount is $40,227.00 with no matching funds required, however the City would be responsible for 10% of the grant management fees or $1500.00.

RECOMMENDATION: It is recommended that the City Council approve the submission of an application for a State of California Office of Traffic Safety Regional Extrication Improvement Grant for the purchase of vehicle extrication equipment for the fire department.

J. RENEWAL OF THE ANNUAL BINGO LICENSES FOR AMERICAN LEGION POST 591, V.F.W. POST 8679, AND MONTEREY PENINSULA AVENUE OF THE FLAGS

PURPOSE: The purpose of this item is to provide the City Council an opportunity to review the 2015 annual bingo license renewal applications from the three non-profit organizations (four licenses) that conduct bingo games in the City of Seaside.

RECOMMENDATION: It is recommended that the City Council approve the renewal applications for annual Bingo licenses for American Legion Post 591, 1000 Playa Ave., Seaside-Monterey Memorial V.F.W. Post 8679, 1996 Fremont Blvd., and Monterey Peninsula Avenue of Flags, 986 Hilby Ave.

K. STATEMENT OF CONSISTENCY OF HOUSING AUTHORITY OF THE COUNTY OF MONTEREY ANNUAL PLAN WITH THE CITY OF SEASIDE COMMUNITY DEVELOPMENT BLOCK GRANT(CDBG) FIVE-YEAR CONSOLIDATED PLAN (2010-2015)

PURPOSE: The purpose of this item is for the City Council to consider adoption of a resolution finding that the Housing Authority of the County of Monterey's (HACM) 2015 Annual Plan is consistent with the City's CDBG Five-Year Consolidated Plan (2010-2015) (Consolidated Plan). A Statement of Consistency is required as part of HACM's submission of its Annual Plan to the U.S. Department of Housing and Urban Development (HUD).

RECOMMENDATION: It is recommended that the City Council adopt a resolution finding HACM's 2015 Annual Plan to be consistent with the city's CDBG Consolidated Plan and authorizing the City Manager to execute a Statement of Consistency for submission to HUD

10. PUBLIC HEARING

A. ADOPTION OF ORDINANCE APPROVING TEXT AMENDMENTS TO TITLE 8 AND TILE 17 OF THE SEASIDE MUNICIPAL CODE IMPOSING A BUSINESS REGULATORY PERMIT REQUIREMENT ON TOBACCO AND/OR ELECTRONIC CIGARETTE RETAILERS, PROHIBITING THE USE OF ELECTRONIC CIGARETTES IN CERTAIN PUBLIC PLACES, MAKING FINDINGS IN SUPPORT THEREOF, AND MAKING AN ENVIRONMENTAL DETERMINATION OF EXEMPTION UNDER THE ENVIRONMENTAL QUALITY ACT (Second Reading - Roll Call Vote).

PURPOSE: This item has been scheduled to conduct the second reading for the adoption of a proposed Ordinance which will amend the text of Title 8 and Title 17 of the Seaside Municipal Code by imposing land use and zoning limitations on electronic cigarette retailers, tobacco retailers, vapor lounges, and the sale of drug paraphernalia and regulations related to prohibiting the smoking of electronic cigarettes in certain public places in the same manner as tobacco products.

RECOMMENDATION: It is recommended that the City Council adopt the proposed Ordinance amending Title 8 and Title 17 (Zoning Code) of the Seaside Municipal Code in accordance with the Text Amendments listed therein and making a finding of environmental determination of exemption under the California Environmental Quality Act.

B. ADOPTION OF PROPOSED MINOR TEXT AMENDMENTS TO TITLE 17 OF THE SEASIDE MUNICIPAL CODE (ZONING CODE) FOR SEASIDE MUNICIPAL CODE AMENDMENT APPLICATION NO. SMA-15-01 (First Reading Roll Call Vote).

PURPOSE: In accordance with Section 17.74.040.A of the Seaside Municipal Code (SMC), a public hearing is being conducted to consider the first reading of proposed minor text amendments to Title 17 of the Seaside Municipal Code fir Seaside Municipal Code Amendment Application No. SMA-15-01.

RECOMMENDATION: It is recommended that the City Council hold a public hearing to conduct the first reading of Seaside Municipal Code Amendment 15-01, and after considering all evidence and testimony presented, approve and pass the draft Ordinance to print for adoption at a second reading.

11. ADJOURN CITY COUNCIL MEETING RECONVENE TO SUCCESSOR AGENCY/CITY COUNCIL JOINT SPECIAL MEETING CONTINUED FROM 5:30 PM

6A. 2014-2015 MID-YEAR BUDGET REPORT

PURPOSE: The purpose of this item is to give the City Council and Successor Agency an opportunity to review and discuss the City of Seaside's 2014-2015 Mid-Year Budget Report in the context of the 2014-2015 Adopted Budget. In addition the City Council can consider the Proposed Mid-Year Budget Revisions for the 2014-2015 fiscal year.

RECOMMENDATION: It is recommended that the City Council accept and file the 2014-2015 Mid-Year Budget Report and adopt the resolution approving the 2014-2015 Mid-Year Adjustments listed on Exhibit B – Revenues and Exhibit D – Expenditures.

12. ADJOURN JOINT SPECIAL MEETING AND RECONVENE CITY COUNCIL REGULAR MEETING

13. BUSINESS ITEMS

A. <u>RESOLUTION ADOPTING AN AMENDMENT TO THE COMPREHENSIVE LISTING OF PERSONNEL BENEFITS FOR NON-REPRESENTED EXEMPT CONFIDENTIAL MANAGEMENT EMPLOYEES</u>

PURPOSE: The purpose of this item is to request the City Council adopt a resolution amending the comprehensive listing of personnel benefits, which sets forth the pay and benefits for the non-represented confidential exempt management employees.

RECOMMENDATION: It is recommended that the City Council adopt the resolution amending the comprehensive list of personnel benefits for the confidential exempt management employees.

B. <u>RESOLUTION ADOPTING AN AMENDMENT TO THE COMPREHENSIVE LISTING OF PERSONNEL BENEFITS FOR NON-REPRESENTED CONFIDENTIAL EMPLOYEES</u>

PURPOSE: The purpose of this item is to request the City Council adopt an amendment to the comprehensive listing of personnel benefits, which sets forth the pay and benefits of non-represented confidential employees.

RECOMMENDATION: It is recommended that the City Council adopt the resolution amending the comprehensive list of personnel benefits for the confidential employees.

C. <u>APPROVAL OF RESOLUTIONS AMENDING THE EXECUTIVE MANAGEMENT CONTRACTS FOR THE FIRE CHIEF, POLICE CHIEF, DEPUTY CITY MANAGER - RESOURCE MANAGEMENT, AND DEPUTY CITY MANAGER - ADMINISTRATIVE SERVICES</u>

PURPOSE:
The purpose of this item is to request the City Council adopt resolutions amending the executive management contracts for the Fire Chief, Police Chief, Deputy City Manager – Resource Management, and Deputy City Manager – Administrative Services, as approved in closed session.

RECOMMENDATION: It is recommended that the City Council adopt the resolutions authorizing amendments to the executive management contracts for the Fire Chief, Police Chief, Deputy City Manager – Resource Management, and Deputy City Manager – Administrative Services.

D. <u>RECEIVE AN UPDATE ON THE STATUS OF DEVELOPMENT APPLICATIONS AND CONSIDERATION OF A FIRST AMENDMENT TO THE EXCLUSIVE NEGOTIATING AGREEMENT (ENA) WITH SEASONS MANAGEMENT, LLC FOR DEVELOPMENT OF A SENIOR LIVING AND MEMORY CARE FACILITY.</u>

PURPOSE: The purpose of this item is for the City Council to receive an update on the status of and the schedule for processing applications and preparing the environmental review documents for the proposed senior living and memory care facility at the “Shopette” site at 550 Monterey Road in the former Fort Ord.

RECOMMENDATION: It is recommended that the City Council receive staff's presentation and approve the First Amendment to the ENA with Season's Management to extend the ENA Period from January 16, 2015 to February 19, 2016.

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

This is a time specifically set aside for members of the City Council, the City Manager and City Attorney to make brief comments of general interest to the community, make requests that items be added to future City Council meeting agendas as necessary and report on committee assignments.

15. ADJOURNMENT

Next Regularly Scheduled Meeting:
March 5, 2015 Regular Meeting
CITY HALL
7:00 PM

The City of Seaside is an ADA accessible facility and is committed to include the disabled in all of its services, programs and activities. Any person who requires accommodation to be able to participate in this meeting is asked to contact the office of the City Clerk at 899-6707, no fewer than two business days prior to the meeting to allow for reasonable arrangements.

The City Council Chambers is equipped with a portable microphone for anyone unable to come to the podium. Assisted listening devices are also available.

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Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.