



A G E N D A

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Thursday, March 2, 2017
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
Dennis Alexander	Council Member
Jason Campbell	Council Member
David R. Pacheco	Council Member
Kayla Jones	Council Member

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

4. **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).

5. **PUBLIC COMMENT**

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.

6. **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.

7. **PRESENTATIONS**

8. **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. APPROVAL OF MINUTES FROM FEBRUARY 16, 2017 MEETING

PURPOSE: To review and approve the minutes.

RECOMMENDATION: That the minutes be reviewed and approved.

B. APPROVE AND FILE CITY CHECKS

PURPOSE: It is requested that the City Council approve and file the accounts payable and wired payments made during the period of February 4, 2017 through February 17, 2017. In addition, approval of the payroll and benefits checks, direct deposits and wired payments related to the period of February 16, 2017 is requested. Total Accounts Payable and Payroll for the above referenced period is \$1,021,718.68.

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

C. CONSIDERATION OF A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE BARCELONA SOCCER TEAM

PURPOSE: This item is being presented to give the City Council an opportunity to consider a contribution request of Two Thousand Two Hundred Dollars (\$2,200.00) to pay for costs associated with their rental of M.P.U.S.D. fields for practices.

RECOMMENDATION: It is recommended that the City Council approve this request.

D. RESOLUTION APPROVING AGREEMENTS WITH THE SEASIDE CITY EMPLOYEES' ASSOCIATION, CONFIDENTIAL EMPLOYEES AND CONFIDENTIAL MANAGERS, AND EXECUTIVE MANAGEMENT EMPLOYEES

PURPOSE: The purpose of this item is to request City Council approval of a resolution adopting the Memorandum of Understanding with the Seaside City Employees Association, and approving amendments to the Comprehensive Listing of Benefits for the Non-Represented Confidential Employees and Managers, and the Executive Managers.

RECOMMENDATION: It is recommended that the City Council approve the resolution adopting the Memorandum of Understanding with the Seaside City Employees Association and approving the Listing of Benefits for the Non-Represented Confidential Employees and Confidential Managers, and the Executive Managers Compensation Plan.

9. PUBLIC HEARING

A. APPROVE A SECOND READING ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PROVIDE SECTION 20516 (EMPLOYEES SHARING ADDITIONAL COST) FOR SEASIDE PUBLIC SAFETY MANAGERS' ASSOCIATION MEMBERS

PURPOSE: It is proposed that the City Council approve the second reading of the ordinance approving an amendment to the City's contract with the California Public Employees' Association to provide Government Code Section 20516 (Employees Sharing Additional Cost) consistent with the agreement reached with the Seaside Public Safety Managers' Association (SPSMA).

RECOMMENDATION: It is recommended that the Council approve the second reading of the ordinance authorizing an amendment to the contract with the Board of Administration of the California Public Employees' Retirement System to provide Section 20516 (Employees Sharing Additional Cost) for Seaside Public Safety Managers' Association Members.

B. FIRST READING OF AN ORDINANCE AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE ENERGY PROGRAM IN THE CITY OF SEASIDE (FIRST READING)

PURPOSE: The purpose of this item is conduct a public hearing and to provide the City Council the opportunity to consider the first reading of an ordinance authorizing the implementation of a Community Choice Energy Program in the City of Seaside.

RECOMMENDATION: It is recommended that the City Council approve the first reading of the ordinance authorizing the implementation of a Community Choice Energy Program in the City of Seaside.

C. CONDUCT A PUBLIC HEARING UNDER THE TAX AND EQUITY FISCAL RESPONSIBILITY ACT (TEFRA) AND CONSIDER ADOPTING A RESOLUTION IN CONNECTION WITH THE PROPOSED ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE MONTEREY BAY CHARTER SCHOOL

PURPOSE: The purpose of this item is for the City Council to 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"), in an amount not to exceed \$18,000,000, to finance or refinance the costs of certain Monterey Bay Charter School facilities ("the Project") located in the City of Seaside, to adopt a resolution to become a member of the CMFA and to approve the financing of the Project by the CMFA.

RECOMMENDATION: It is recommended that the City Council: 1) Conduct a public hearing under the requirements of TEFRA and the Internal Revenue Code of 1986, as amended; and 2) Adopt a resolution approving the issuance of the Bonds by the CMFA for the benefit of Monterey Bay Charter School, to provide financing of the Project. The City of Seaside will have no liability for the payments on the bonds. The adoption of the resolution is solely for the purposes of satisfying the requirements of TEFRA, the IRS Code and the California Government Code Section 6500. The resolution will also authorize the Mayor or designee to execute the Joint Exercise of Powers Agreement with the CMFA.

10. BUSINESS ITEMS

A. RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE WEST BROADWAY URBAN VILLAGE INFRASTRUCTURE IMPROVEMENTS PROJECT TO MONTEREY PENINSULA ENGINEERING FOR AN AMOUNT NOT TO EXCEED FIVE MILLION NINE HUNDRED NINETY NINE THOUSAND EIGHT HUNDRED NINETY FIVE DOLLARS (\$5,999,895)

PURPOSE: The purpose of this item is for the City Council to consider awarding a construction contract to Monterey Peninsula Engineering for an amount not to exceed Five Million Nine Hundred Ninety Nine Thousand Eight Hundred Ninety Five Dollars (\$5,999,895) paid for with grants from the Transportation Agency for Monterey County and from the California Transportation Commission.

RECOMMENDATION:

It is recommended to adopt a resolution awarding a construction contract to Monterey Peninsula Engineering for an amount not to exceed Five Million Nine Hundred Ninety Nine Thousand Eight Hundred Ninety Five Dollars (\$5,999,895); authorize the City Manager to execute the contract; and authorize the City Manager to execute potential written change orders in an amount not to exceed ten percent of the contract value.

B. CONSIDERATION OF BALLOT MEASURES TO AUTHORIZE NEW GENERAL FUND REVENUES

PURPOSE: The purpose of this report is to provide the City Council an opportunity to consider placing on the ballot for the June 6, 2017 election two general purpose measures to maintain and improve vital city services with locally-controlled funding that cannot be taken by the state to address community priorities such as public safety, recreation, parks, streets, water quality impacts from stormwater, traffic, other general City services, and future service demands in the City of Seaside.

RECOMMENDATION:

It is recommended that the City Council:

1. Receive a presentation from FM3 on the results of their recent independent public opinion research.
2. Adopt a Resolution Declaring the Existence of a Fiscal Emergency Due to the Loss of Grant Revenue, Recent Damage Due to Heavy Winter Storms and Potential Fiscal Impacts of Recent Elections, Including the Loss of Federal and State Funding, Future Capital Project Needs and the Cost of the Recent Passage of California Proposition 64 (Adult Use of Marijuana Act) Adopt a Resolution Declaring the Existence of a Fiscal Emergency due to loss of two significant grants which will exacerbate a structural operating budget imbalance, tens of millions of unfunded infrastructure needs made worse by recent damage caused by heavy winter storms, the continued escalation of unfunded Federal and State mandates, the impacts to funding from the recent national election, including the potential loss of Federal and State funding, and the implementation costs from the legalization of adult use of marijuana (California State Proposition 64).
3. Adopt a Resolution Calling a Special Municipal Election on June 6, 2017, for the Purpose of Submitting a proposal to adopt an Ordinance Amending Chapter 5.04 and Section 17.52.150 of the Seaside Municipal Code to Authorize the City to Apply a Business Operations Tax of Up to 10% on the Gross Receipts of Non-Medical Marijuana Businesses in the City of Seaside for General Purpose Revenues, Approving the Ballot Language as Reviewed by the City Attorney, Directing the City Attorney to Prepare an Impartial Analysis, and Providing Direction Regarding the Submission of Ballot arguments for or Against the Measure. Adopt a Resolution Calling a Municipal Election on June 6, 2017, for the Purpose of Submitting a Proposal to the voters to adopt an ordinance adding Chapter 3.40 to the Municipal Code to authorize the City to apply a Business Tax up to 10% on the Gross Receipts on the Sales of Marijuana from Licensed Businesses in the City of Seaside for General Purpose Revenues, approve the ballot language as reviewed by the City Attorney, permit the filing of rebuttal arguments, direct the City Attorney to provide an impartial analysis, and provide direction regarding ballot arguments in support of the measure.
4. Adopt a Resolution Submitting a Proposal to Adopt an Ordinance at the June 6, 2017, Special Municipal Election to Amend Chapter 3.21 of the Seaside Municipal Code to Increase the Transactions and Use Tax by 0.5% for General Purpose Revenues, Approving the ballot language as Reviewed by the City Attorney, Directing the City Attorney to Prepare an Impartial Analysis, and Providing Direction Regarding the Submission of Ballot Arguments For or Against the Measure. Adopt a Resolution Calling a Municipal Election on June 6, 2017, for the Purpose of Submitting a Proposal to the voters to adopt an ordinance to amend Chapter 3.21 of the Municipal Code to increase the Transactions and Use Tax by

11. **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.

12. **ADJOURNMENT**

Next Regularly Scheduled Meeting:
March 16, 2017
7:00 PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, they are asked to contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings.

City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:

<http://cvp.telvue.com/player?id=T01629&video=52314&noplaylistskin=1&width=400&height=300>

Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

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.