DRAFT MINUTES

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
COUNCIL CHAMBER
Thursday, April 21, 2016
7:00 PM

---

1. CALL TO ORDER

2. ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: Alexander, Campbell, Oglesby, Pacheco, Rubio
ABSENT: None

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Rev. Samuel Gaskins provided the invocation

4. REVIEW OF AGENDA

No changes were requested.

5. PUBLIC COMMENTS

Mayor Rubio invited comments from the public.

- Paul Wolf spoke to the opening of the In N Out burger with the increased presence of law enforcement for traffic control and encouraged the Council to be mindful to address unforeseen impacts for the Monterey Downs projects
- Reverend Gaskin spoke to the Christian Memorial Tabernacle's 43rd year celebration of working with the homeless. He indicated that throughout the week, there will be a different speaker from a different denomination and encouraged all to come help celebrate
- Kay Cline announced two events sponsored by Sustainable Seaside, the Seaside Bicycling Plans on April 26th as well as the Candidate forum on April 28th for the 4th District County Supervisor to meet the three candidates. Sponsored by the League of Women Voters of Monterey County. She urged all of the residents to come out and hear the candidates and to vote.
- Sabrina Miller representing the Monterey Horse park spoke to attending an event in Paso Robles and can't wait to attend events at Monterey Downs.
- Juan Sanchez spoke to the Palenke Arts group, a brand new organization working with artists, musicians and educators with a vision to create a multicultural art center. He encouraged everyone to attend the Palenke Arts Music festival.

Mayor Rubio closed public comment and spoke to comments made.

6. PUBLIC AGENCY COMMUNICATIONS

- Jim Vossen spoke to the 4th of July parade and announced the application process is open for participation in the parade. He encouraged residents, business, and community organizations to participate. He indicated that there are prizes/gifts that are available for youth organizations for participating.
- Reverend Lusk requested consideration of moving the event to Saturday as the 4th of July is

on Sundays and the churches want to participate.

- DCM Hodgson introduced our newest employee in the Finance Division Stephan Green Accountant II who comes with 32 years with finance experience and 26 years' experience in municipal organization. She spoke to his high level experience The Council welcomed Mr. Green to the City.

7. PRESENTATIONS

A. PROCLAMATION IN OBSERVANCE OF ARBOR DAY

Action: Presented

Maintenance And Utilities Superintendent Fortune was present to receive the proclamation from Mayor Rubio.

B. PROCLAMATION RECOGNIZING MAY 1-7, 2016 AS SMALL BUSINESS WEEK IN THE CITY OF SEASIDE

Action: Presented

Sharron Mikesell was present to receive the proclamation from the Mayor. She indicated that tomorrow The Monterey County Business Council will announce the finalist in the small business recognition and many Seaside businesses are finalists! The winners will be announced on May 6th. She also reported staff will be attending the Cal Ed state conference where Seaside have received two awards of merit for the In-Reach Small Business program and the 2015 Small Business Survey

C. PROCLAMATION IN OBSERVANCE OF COMMUNITY PARTNERSHIP FOR YOUTH'S TWENTY FIFTH ANNIVERSARY IN THE CITY OF SEASIDE

Action: Presented

D. PROCLAMATION RECOGNIZING JAMES BOGAN FOR BEING SELECTED AS THE 2016 JEFFERSON AWARD HONOREE FOR HIS CONTRIBUTIONS TO THE CITY OF SEASIDE

Action: Presented

Mayor Rubio spoke to the award for Mr. James Bogan who was selected for this honorable award. He spoke to his accomplishments in his absence.

E. PRESENTATION AND RECOGNITION OF THE 2015 SUPPORT SERVICES EMPLOYEE OF THE YEAR

Action: Presented

Police Chief Myers presented the Police Department Support services employee of the year Catherine Del Biagio and spoke to her outstanding performance that generated her nomination and selection by her colleagues for this award. Mayor Rubio presented the award and plaque and thanked her for her outstanding services.

F. RECEIVE PRESENTATION FROM MONTEREY COUNTY CONVENTION AND VISITORS BUREAU REGARDING MID YEAR VISITATION AN HOSPITALITY RESULTS

Action: Received

Tammi Blount from the Monterey County Convention and Visitor's Bureau provided a quick recap of the last quarter. Their purpose is to grow the visitor economy which impacts and helps the local communities. She provide statistical information and marketing support regarding the overall impact of tourism to the county and Seaside in particular. She spoke to an increased growth of 10.7% of the TOT, faster than the Monterey County trends, and noted it's expected to continue for the rest of the fiscal year. She spoke to the return on investment which is $148:1 ratio and explained that 87% of the funds paid to MCCVB goes directly to marketing.

She outlined the following MCCVB marketing activity:

- Ad campaigns
- Content marketing
- Promotions and contests
- Media and public relations and
- international programs
- Annual visitor guide

She did introduce the new website seemonterey.com that is a mobile first design with interactive map, mini site, interactive trip building, related content module and homepage video. Ms. Blount answered questions from the Council.

G. RECEIVE REPORT REGARDING THE COMMISSION FOR ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, (CALEA).

Action: Report received

Police Chief Myers spoke to the accreditation program CALEA for law enforcement agencies explaining the intent to retain the accreditation to reflect the best practices and experiences for law enforcement. The goals are to strengthen crime prevention, formalize management procedures, non-discriminatory personnel practices, and solidify community collaboration and internal moral. She noted there is no cost to the City at this time and if there is a cost impact, it will be brought back to the Council at a later date. Chief Myers answered questions from the Council.

Council Member Campbell requested clarification on the progress that we have already made toward this certification as part of our already adopted procedures. Mayor Pro Tem Oglesby said it is always good to invite a third party group to evaluate to ensure we are following best practices. The report was received.

8. CONSENT CALENDAR

On motion by Council Member Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council approved the Consent Calendar as presented.

RESULT:	**Approved**
MOVER:	Council Member Dennis Alexander
SECONDER:	Council Member Dave Pacheco
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander, Jason Campbell, Dave Pacheco
NOES:	None

A. APPROVE MINUTES OF APRIL 7, 2016

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved & Accepted

C. **AUTHORIZATION TO DISPOSE OF SURPLUS CITY VEHICLES AND EQUIPMENT**

Action: Approved

D. **APPROVE A SPECIAL EVENT APPLICATION FROM COMMUNITY PARTNERSHIP FOR YOUTH FOR THEIR SITE-TO-SITE PASSPORT WALK AND RALLY EVENT**

Action: Approved

E. **APPROVE A FEE WAIVER FROM ACTION COUNCIL OF MONTEREY COUNTY AND PALENKE ARTS ORGANIZATION TO USE LAGUNA GRANDE PARK TO HOLD THE FIRST ANNUAL PALENKE ART MUSIC FESTIVAL.**

Action: Approved

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

Action: Approved

G. **RESOLUTION APPROVING THE TWO-YEAR EXTENSION OF THE AUDIT CONTRACT WITH GALLINA LLP**

Action: Adopted Resolution 16-34

H. **RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION(S) UNDER THE STATE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY, BEVERAGE CONTAINER RECYCLING CITY/COUNTY PAYMENT PROGRAM**

Action: Adopted Resolution 16-35

I. **RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT AND TECHNICAL ADVISORY COMMITTEE MEMBERS FOR SHARED FRANCHISE CONTRACT COMPLIANCE AND MANAGEMENT AND AUTHORIZING $11,055 APPROPRIATION FOR THE CITY OF SEASIDE'S SHARE**

Action: Adopted Resolution 16-36

J. **APPROVE A FEE WAIVER FROM COMMUNITY HOSPITAL OF THE MONTEREY PENINSULA RECOVERY CENTER FOR THE USE OF THE LAGUNA GRANDE HALL FOR THEIR INSTALLATION DINNER EVENT.**

Action: Approved

9. **PUBLIC HEARING**

A. **PUBLIC HEARING TO CONSIDER PROPOSED TEXT AMENDMENTS TO CHAPTER 10.04 AND CHAPTER 10.32 OF THE SEASIDE MUNICIPAL CODE TO PROHIBIT THE PARKING OF RECREATIONAL VEHICLES, TRAILERS, AND PROHIBITED VEHICLES ON CITY STREETS, ALLEYS, PUBLIC RIGHT-OF-WAYS, AND PUBLICLY OWNED PARKING LOTS. (*FIRST READING – ROLL CALL VOTE*).**

Action: Passed to print draft Ordinance

City Engineer/Public Works Services Manager O'Halloran presented the report proposing text amendments to Municipal Code Chapter 10 to prohibit parking of recreational vehicles, trailers and other prohibited vehicles. He provided details of the background including a study to obtain a comprehensive assessment of existing parking conditions, the new ordinance regarding unhitched trailers, campers and boats, and the evaluation of complaints due to large vehicles that created traffic hazards. He reported that the Traffic Advisory Committee reevaluated the ordinance and have proposed the text amendments, which are included, creating definitions of what vehicles would be affected by the code. He further reported that the City Council previously directed staff to go forward with the initial study and draft text amendments. The Planning Commission recommended the provided draft ordinance to the Council. Mr. O'Halloran detailed the elements of the ordinance changes, which include the time of enforcement, the types of vehicles and the violation consequences. He then spoke to the public noticing and environmental review that was done and Mr. O'Halloran answered questions from the Council.

Council Member Alexander requested clarification on the exceptions to which Mr. O'Halloran spoke to those that are actively working and using their vehicles. Council Member Campbell did not think the language was explicit enough to delineate. Council Member Pacheco spoke to the concern regarding enforcement to which Chief Myers spoke to the Vehicle Abatement Officer that will be enforcing but also that it will requires the assistance of the community to report infractions. The Council agreed that if enforcement becomes an issue than the City will need to do an RFP for towing services.

Mayor Rubio opened the public hearing and invited comments.

- Sue Hawthorne questioned the enforcement of using vehicles for temporary, but active work that do not require a permit.
- Bill Weigle questioned the height limit then questioned if the regulation applys to vans as some don't' exceed the height limit can be lived in. He also questioned the impact of large quantity of vehicles that need to be moved and requested consideration of providing alternatives.
- Miriam Smith disagreed with the ordinance as it is to taking enforcement action against the poorest population. She felt it criminalizes the poor and thinks that regulation is cruel.
- Helen Rucker thanked the Council for bringing this forward. She explained situations of being harassed by people unhitch their trailers and large vehicles in front of her house.

The public hearing was closed and Mr. O'Halloran answered questions from the Public. He did speak to the attempt to develop alternate locations which will be addressed during the general plan process.

The Council discussed the level of discretion that will be used during enforcement and requested inclusion of different elements in the second reading to incorporate those that are doing temporary jobs such as moving. Mayor Rubio requested that it continue to be strong in the enforcement as it affects the quality of life and public safety needs

On motion by Council Member Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council approved Resolution 16-38 adopting the proposed Negative Declaration.

RESULT:	**Passed**
MOVER:	Council Member Dennis Alexander
SECONDER:	Council Member Dave Pacheco
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander, Jason Campbell, Dave Pacheco
NOES:	None

On motion by Council Member Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council passed to print the draft ordinance as amended by Roll Call

Vote.

RESULT:	**Passed**
MOVER:	Council Member Dennis Alexander
SECONDER:	Council Member Dave Pacheco
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander, Jason Campbell, Dave Pacheco
NOES:	None

10. BUSINESS ITEMS

A. APPROVE MEMORANDUM OF AGREEMENT BETWEEN CITY OF SEASIDE AND CALIFORNIA STATE UNIVERSITY AT MONTEREY BAY

City Manager Malin provided the presentation explaining the parcel under discussion, the Main Gate parcel adjacent to CSUMB. He explained that in order to develop the parcel we need a partnership with CSUMB, including granting us access to the property. He reported there has been pleasant and productive meetings with Leadership from the University and that this item is strengthening the relationship. Thus far they have agreed on design parameters, access and embedding into the process of economic development that community development can happen concurrently. He spoke to the details of the partnership, including a revenue sharing agreement, and he provided projected revenues at full build out. Mr. Malin indicated that the current General Plan is not feasible at this site and the CSUMB Master Planning process is occurring right now and the design includes high quality mixed use walkable design, which also fits with Seaside's requirements. He further detailed that tree mitigation was important in the agreement, a maximum of 70' building height, and designs must be consistent with FOR A RUDG guidelines. Mr. Malin closed by outlining the next five steps in the process and then answered questions from the Council.

Council Member Pacheco requested clarification on the residency requirements for the scholarship program and the Council discussed there requirements for the residency. Mr. Malin indicated that the details can be flushed out at a later date for selection.

Mayor Rubio invited comments from the public.

- Bill Weigle spoke in support of this program, because it shows you are working on Town and gown cooperation and hopes it is only the beginning. He questioned the mitigation of the trees, and spoke to the different plants in the different areas, specifically north of eucalyptus, which will need to be mitigated and where the new trees would be planted for the three large development projects.
- Ray Dandridge spoke in support of the idea, but expressed concern about the qualification requirements for the scholarships.
- Helen Rucker congratulated the City Manager for this idea, for the partnership between Seaside and the University.
- Kay Cline thanked Mr. Malin for the connection to CSUMB and in support of the collaboration that will build trust, communication and the identity of CSUMB in Seaside. Appreciate CSUMB having a service learning component that will also be beneficial.
- Phillip Giger, legal services for seniors requested consideration of non-profits in the service component, and spoke to the current interns that are working in the no profit programs and the direct impacts to the community it serves. He also spoke in support of considering a stipend for internships.
- Shari Hastey spoke in agreement for service learning students and stipends for students as well as questioned the residency requirements. Please consider it being a four year

scholarship program

City Manager Malin provided the presentation explaining the parcel under discussion, the Main Gate parcel adjacent to CSUMB. He explained that in order to develop the parcel we need a partnership with CSUMB, including granting us access to the property. He reported there has been pleasant and productive meetings with Leadership from the University and that this item is strengthening the relationship. Thus far they have agreed on design parameters, access and embedding into the process of economic development that community development can happen concurrently. He spoke to the details of the partnership, including a revenue sharing agreement, and he provided projected revenues at full build out. Mr. Malin indicated that the current General Plan is not feasible at this site and the CSUMB Master Planning process is occurring right now and the design includes high quality mixed use walkable design, which also fits with Seaside's requirements. He further detailed that tree mitigation was important in the agreement, a maximum of 70' building height, and designs must be consistent with FOR A RUDG guidelines. Mr. Malin closed by outlining the next five steps in the process and then answered questions from the Council.

Council Member Pacheco requested clarification on the residency requirements for the scholarship program and the Council discussed there requirements for the residency. Mr. Malin indicated that the details can be flushed out at a later date for selection.

Mayor Rubio invited comments from the public.

Council Member Pacheco reiterated that the details of the funding distribution can be decided in the future.

On motion by Council Member Campbell and Seconded by Council Member Alexander and passed by the following vote the City Council approved the Memorandum of Understanding with California State University Monterey Bay unanimously.

RESULT:	**Approved**
MOVER:	Council Member Jason Campbell
SECONDER:	Council Member Dennis Alexander
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander, Jason Campbell, Dave Pacheco
NOES:	None

B. CONSIDERATION OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (CDAC) RECOMMENDATIONS FOR USE OF THE 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND THE DRAFT 2016-2017 ANNUAL ACTION PLAN AND PROVIDE DIRECTION TO STAFF

Sharon Mikesell spoke to the CDAC recommendations for use of the 2016-17 Block grant funds as well as the annual action plan. She detailed the plan preparation process, including public outreach workshops and brain storming with the community for the best use of funds. She spoke to the applications provided and the review process. Ms. Mikesell explained the use of funds categories, obligatory expenditures, program administration, public service program activities and eligible projects. She provided a breakdown of the recommended distribution of funds and explained the next step is adopting of the final draft of the annual action plan, if approved, which would come before the Council at the next City Council meeting for approval and submission to HUD.

Mayor Rubio invited comments from the public.

- Phillip Geiger from Legal Services for Seniors thanked the committee and staff and the benefit of this program to the citizens. He requested supporting the recommendations, and spoke to the leveraging that these funds to help with the other fundraising which makes a large impact.

On motion by Mayor Pro Tem Oglesby and seconded by Council Member Alexander and passed by the following vote the City Council accepted the recommendations for the Community Development Block Grant Funds and the Draft 2016-17 Annual Action Plan.

RESULT:	**Approved**
MOVER:	Mayor Pro Tem Ian Oglesby
SECONDER:	Council Member Dennis Alexander
AYES:	Alexander, Campbell, Oglesby, Pacheco, Rubio
NOES:	None

C. CONSIDER DEBT FINANCING PROPOSAL FOR VARIOUS CAPITAL PROJECTS, INCLUDING LIBRARY HVAC AND ROOF, CITY HALL HVAC, CITY HALL WINDOWS, FIRE DEPARTMENT HVAC AND GENERATOR AND SOLAR PANELS AND PROVIDE DIRECTION TO STAFF

Deputy City Manager Administrative Services Hodgson spoke to the item previously directed by the Council at the March 17, 2016 meeting. She explained that staff further developed these projects and developed a proposed lease-purchase financing program. She spoke to the proposed projects to be included under the lease-purchase and spoke to the financing details and benefits. The total borrowed amount would paid over 16 years at a rate of 3.03%. The annual payment amount would be $126,000 with an estimated annual energy savings of $60,000. If approved this evening, the financing documents would be brought back for approval at the next meeting. Ms. Hodgson answered questions from the Council.

Council Member Pacheco said this was a positive move for the City and also expressed support for the replacement of the cushions and questioned if it could be tied into the concept of the financing. Ms. Hodgson spoke to the projects being financed as the components of the energy project, and that could not be included. She said she believes there are other efforts to fund the cushion replacements. The City Manager agreed that the cushions are being addressed.

Mayor Rubio invited comments from the public and had no requests to speak.

Mayor Rubio thanked staff for bringing this forward and requested consideration of adding solar options to Soper Field.

On motion by Council Member Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council Approved the staff recommendation.

RESULT:	**Approved**
MOVER:	Council Member Dennis Alexander
SECONDER:	Council Member Dave Pacheco
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander, Jason Campbell, Dave Pacheco
NOES:	None

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

12. ADJOURNMENT

On motion, the meeting was closed at 10:30 PM in honor of Ree Brunell.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Ralph Rubio, Mayor